

STATE OF MINNESOTA

Journal of the Senate

SEVENTY-NINTH LEGISLATURE

NINETIETH DAY

St. Paul, Minnesota, Monday, March 4, 1996

The Senate met at 11:00 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 the Chaplain, Rev. Marilyn Saure Breckenridge.

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

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

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

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1996: A bill for an act relating to family law; requiring specificity in visitation orders; modifying provisions for visitation expeditors; providing for the establishment of mandatory visitation dispute resolution programs; imposing penalties; amending Minnesota Statutes 1994, sections 518.175, subdivision 1; and 518.1751.

Senate File No. 1996 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 1, 1996

Mr. Moe, R.D. moved that S.F. No. 1996 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 2012: A bill for an act relating to highways; designating a portion of marked trunk highway No. 22 as Victory Drive; designating a portion of marked trunk highway No. 15 as Veterans Memorial Highway; providing for reimbursement of costs; amending Minnesota Statutes 1994, section 161.14, by adding subdivisions.

There has been appointed as such committee on the part of the House:

Kalis, Dorn and Gunther.

Senate File No. 2012 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 1, 1996

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

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.

There has been appointed as such committee on the part of the House:

Rukavina, Kahn, Jefferson, Osskopp and Knoblach.

Senate File No. 2857 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 1, 1996

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2156:

H.F. No. 2156: A bill for an act relating to education; prekindergarten through grade 12; providing for general education; transportation; special programs; community education; facilities; organization and cooperation; education excellence; other education programs and financing; education policy provisions; libraries; state agencies; technology; conforming amendments; budget reserve and cost management; appropriating money; amending Minnesota Statutes 1994, sections 120.06, subdivision 1; 120.08, subdivision 3; 120.101, by adding a subdivision; 120.17, subdivision 9; 120.1701, subdivision 10; 120.73, subdivision 1; 121.11, subdivision 15; 121.8355,

subdivision 1; 121.906; 121.914, subdivision 1; 121.915; 122.32, subdivision 1; 122.535, subdivision 6; 122.895, subdivision 2; 123.35, subdivision 19a; 123.351, subdivision 10; 123.3514, subdivision 9; 123.37, subdivision 1a; 123.38, subdivisions 2 and 2b; 123.932, subdivisions 1b, 1c, 1e, and 11; 123.933, as amended; 123.935, subdivisions 2 and 7; 123.951; 124.09; 124.155, subdivision 1; 124.17, subdivision 1e, and by adding subdivisions; 124.19, subdivision 1; 124.195, subdivision 8; 124.239, subdivision 5, and by adding subdivisions; 124.2711, subdivision 6; 124.2713, subdivision 10; 124.273, by adding subdivisions; 124.311, subdivisions 2, 3, 5, and 7; 124.48, subdivision 3; 124.573, subdivisions 2e, 2f, and 3; 124.86, subdivision 1; 124.91, subdivision 1, and by adding a subdivision; 124.912, subdivision 6; 124.916, subdivision 4; 124A.02, subdivision 25; 124A.029, subdivision 4; 124A.03, subdivisions 2b, 3b, and by adding a subdivision; 124A.0311, subdivision 3; 124A.035, subdivision 4; 124A.036, by adding a subdivision; 124A.22, by adding a subdivision; 124A.26, subdivision 1; 125.05, subdivision 1a, and by adding a subdivision; 125.09, subdivision 4; 125.1385, subdivision 1; 125.185, subdivision 4; 125.60, subdivision 2; 125.611, subdivision 1; 126.151, subdivision 2; 127.29, subdivision 2; 134.34, by adding a subdivision; 136D.23, subdivision 1; 136D.83, subdivision 1; 144.4165; 169.4504, by adding a subdivision; and 256.736, subdivision 11; Minnesota Statutes 1995 Supplement, sections 13.46, subdivision 2; 43A.316, subdivision 2; 65B.132; 120.064, subdivision 9; 120.1045; 120.17, subdivisions 3a, 3b, and 6; 120.1701, subdivision 20; 120.181; 120.74, subdivision 1; 121.11, subdivision 7c; 121.15, subdivision 1; 121.904, subdivisions 4a and 4c; 121.911, subdivision 5; 121.917, subdivision 4; 121.935, subdivision 1a; 123.3514, subdivisions 6 and 6b; 124.155, subdivision 2; 124.17, subdivisions 1 and 1d; 124.195, subdivision 12; 124.223, subdivision 4; 124.225, subdivisions 8l, 14, 16, and 17; 124.227; 124.243, subdivision 2; 124.2445; 124.2455; 124.248, subdivisions 1, 1a, 2, and 3; 124.273, subdivisions 1c and 1d; 124.314, subdivision 2; 124.32, subdivision 12; 124.3201, subdivisions 1, 2, 3, and by adding subdivisions; 124.3202; 124.323, subdivisions 1 and 2; 124.574, subdivisions 2f and 2g; 124.71, subdivision 2; 124.912, subdivision 1; 124.961; 124A.0311, subdivision 2; 124A.22, subdivisions 2a, 10, and 13b; 124A.23, subdivision 4; 124C.74, subdivisions 2 and 3; 125.05, subdivision 1; 126.12, subdivision 2; 126.151, subdivision 1; 126.22, subdivisions 2 and 5; 126.70, subdivision 1; 134.46; 169.01, subdivision 6; 237.065; and 631.40, subdivision 1a; Laws 1993, chapter 224, article 1, section 34; article 12, sections 32, as amended; 39, as amended; and 41, as amended; Laws 1995, First Special Session chapter 3, article 1, sections 61; and 63; article 3, section 19, subdivision 15; article 4, section 29, subdivision 5; article 5, section 20, subdivisions 5 and 6; article 6, section 17, subdivisions 2, 4, and by adding subdivisions; article 8, sections 25, subdivision 2; and 27; article 11, sections 21, subdivision 2; 22; and 23; article 12, sections 8, subdivision 1; and 12, subdivision 7; article 14, section 5; and article 15, section 26, subdivisions 7 and 10; proposing coding for new law in Minnesota Statutes, chapters 120; 121; 123; 124; 124A; 124C; 125; 126; and 136D; repealing Minnesota Statutes 1994, sections 124A.03, subdivision 3b; 124B.02; 124B.10; 124B.20, subdivisions 2 and 3; and 136D.75; Minnesota Statutes 1995 Supplement, sections 120.1045, subdivision 3; 124B.01; 124B.03; and 124B.20, subdivision 1; Minnesota Rules, parts 8700.7700; 8700.7710; 8750.9000; 8750.9100; 8750.9200; 8750.9300; 8750.9400; 8750.9500; 8750.9600; and 8750.9700.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Johnson, A.; Carlson, L.; Entenza; Bertram and Ness have been appointed as such committee on the part of the House.

House File No. 2156 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 28, 1996

Mr. Pogemiller moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2156, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. Kelly moved that S.F. No. 1996 be taken from the table. The motion prevailed.

S.F. No. 1996: A bill for an act relating to family law; requiring specificity in visitation orders; modifying provisions for visitation expeditors; providing for the establishment of mandatory visitation dispute resolution programs; imposing penalties; amending Minnesota Statutes 1994, sections 518.175, subdivision 1; and 518.1751.

Mr. Kelly moved that the Senate do not concur in the amendments by the House to S.F. No. 1996, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2818:

H.F. No. 2818: A bill for an act relating to human services; changing provisions relating to certain public assistance programs; providing changes to long-term care; adding provisions to health care and health plan regulations; adding provisions for dental services, senior nutrition programs, and kinship caregiver support programs; authorizing studies and reports; appropriating money; amending Minnesota Statutes 1994, sections 62D.04, subdivision 5; 62N.10, subdivision 4; 62Q.075, subdivision 2; 144.0722, by adding a subdivision; 144.551, subdivision 1; 144.71, subdivisions 1 and 2; 144.72, subdivisions 1 and 2; 144.73, subdivision 1; 144.74; 144A.04, by adding a subdivision; 145.61, subdivision 5; 148.235, by adding a subdivision; 148C.01, by adding a subdivision; 148C.09, by adding a subdivision; 157.20, by adding a subdivision; 245.462, subdivision 4; 245.4871, subdivision 4; 245.94, subdivisions 2a and 3; 245.95, subdivision 2; 245.97, subdivision 6; 246.57, by adding a subdivision; 253B.11, subdivision 2; 256.482, by adding a subdivision; 256.73, subdivision 1, and by adding a subdivision; 256B.03, by adding a subdivision; 256B.056, subdivisions 1 and 1a; 256B.058, subdivision 2; 256B.0627, subdivisions 1, as amended, 4, as amended, 5, as amended, and by adding a subdivision; 256B.0913, subdivision 7, and by adding subdivisions; 256B.0915, subdivision 1b, and by adding subdivisions; 256B.15, by adding subdivisions; 256B.35, subdivision 1; 256B.37, subdivision 5; 256B.49, by adding a subdivision; 256B.501, by adding subdivisions; 256B.69, by adding a subdivision; 256D.16; 256I.04, subdivision 1; 256I.05, subdivision 1c, and by adding a subdivision; and 327.14, subdivision 8; Minnesota Statutes 1995 Supplement, sections 62Q.19, subdivisions 1 and 5; 62R.17; 144.122; 144.9503, subdivisions 6, 8, and 9; 144.9504, subdivisions 2, 7, and 8; 144.9505, subdivision 4; 144A.071, subdivision 3; 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, and 14, and by adding subdivisions; 157.16; 157.17, subdivision 2; 157.20, subdivision 1; 157.21; 252.27, subdivision 2a; 256.045, subdivision 3; 256.969, subdivisions 1, 2b, and 10; 256B.0575; 256B.0625, subdivisions 17, 19a, and 30; 256B.0628, subdivision 2; 256B.0913, subdivisions 5 and 15a; 256B.0915, subdivisions 3 and 3a; 256B.093, subdivision 3; 256B.15, subdivision 5; 256B.431, subdivision 25; 256B.432, subdivision 2; 256B.434, subdivision 10; 256B.49, subdivisions 6 and 7; 256B.501, subdivisions 5b and 5c; 256B.69, subdivisions 3a, 4, 5b, 6, and 21; 256D.02, subdivision 12a; 256D.03, subdivision 4; and 256I.04, subdivisions 2b and 3; Laws 1995, chapter 207, articles 1, section 2, subdivision 4; and 8, section 42, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 62J; 144; 145; 157; 252; 256; 256B; and 256E; proposing coding for new law as Minnesota Statutes, chapter 252B; repealing Minnesota Statutes 1994, sections 144.691, subdivision 4; 146.14; 146.20; Minnesota Statutes 1995 Supplement, sections 157.03; 157.15, subdivision 2; 157.18; 157.19; and 256B.69, subdivision 4a; Minnesota Rules, part 9505.5230.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Greenfield; Anderson, R.; Huntley; Onnen and Boudreau have been appointed as such committee on the part of the House.

House File No. 2818 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 1, 1996

Mr. Moe, R.D. for Mr. Samuelson, moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2818, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2782, 2377, 1303 and 2171.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 1, 1996

FIRST READING OF HOUSE BILLS

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

H.F. No. 2782: A bill for an act relating to local government; providing for creation of an advisory council on intergovernmental relations; proposing coding for new law in Minnesota Statutes, chapter 15.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2597, now on General Orders.

H.F. No. 2377: A bill for an act relating to state government; repealing obsolete laws; repealing Minnesota Statutes 1994, sections 1.17; 1.25; 1.331; 3.85, subdivision 7; 4.02; 4.45; 6.26; 10.05; 10.38; 15.07; 15.09; 15.14; 15.15; 15.793; 15A.083, subdivisions 2 and 3; 15A.15; 17.14, subdivision 2; 17.351, subdivision 2; 17.47, subdivision 5; 17.53, subdivisions 4 and 11; 17.693, subdivisions 3 and 7; 17.81, subdivision 6; 17.981; 17A.03, subdivision 4; 18.46, subdivision 14; 18.58; 18.77, subdivision 2; 18B.01, subdivision 16; 18B.065, subdivision 6; 18B.08, subdivision 5; 18C.105; 18C.531, subdivisions 6, 11, 19, 20, and 27; 19.50, subdivision 16; 19.64, subdivision 5; 21.72, subdivision 2; 21.81, subdivision 18; 24.135, subdivisions 6 and 7; 24.165; 25.33, subdivision 2; 25.44; 25.46; 27.01, subdivisions 1, 3, 6, and 9; 27.137, subdivisions 2, 3, 4, 6, and 8; 27.15; 29.21, subdivision 2; 30.01, subdivision 2; 31.51, subdivisions 10 and 12; 31.782, subdivision 2; 31.92, subdivision 1a; 31A.02, subdivision 3; 31A.30; 32.01, subdivisions 3 and 4; 32.077; 32.101; 32.201; 32.205; 32.207; 32.398, subdivision 2; 32.401, subdivision 4; 32.411, subdivision 6; 32.471, subdivision 2; 32.485; 32.531, subdivisions 2, 3, and 4; 35.01; 35.73; 42.02, subdivision 2; 42.06, subdivision 4; 42.09, subdivision 3; 43A.082; 43A.27, subdivision 6; 43A.317, subdivision 11; 43A.47; 47.202; 62D.12, subdivision 12; 84.024; 84.083, subdivision 2; 87.01; 89.013; 89.014; 90.005, subdivisions 1, 4, and 5; 115A.06, subdivision 4; 115A.08; 115A.09; 115A.14, subdivisions 1, 2, and 3; 115A.201; 115A.21; 115A.22; 115A.241; 115A.25; 115A.26; 115A.27; 115A.28, subdivision 1; 115A.29; 115A.291; 115A.97, subdivision 4; 116J.974; 116J.981; 116J.986; 118.02; 118.08; 119.04, subdivision 4; 124B.02; 124B.10; 124B.20, subdivisions 2 and 3; 136A.179; 137.03; 137.05; 137.06; 137.07; 137.08; 137.11; 137.14; 137.15; 137.33; 137.34, subdivision 2; 141.33; 141.34; 148B.34; 152.151; 161.041; 161.086; 166.01; 166.02; 166.03; 166.05; 166.06; 166.07; 166.08; 166.09; 166.10; 169.72, subdivision 3; 175.001, subdivision 5; 175.002; 175.003; 175.004; 175.005; 175.006, subdivision 4; 175.34; 176.1011; 177.34; 186.01; 186.02; 186.03; 186.04; 186.05; 186.06; 186.07; 186.08; 190.10; 191.09; 193.145, subdivision 1; 196.06, subdivision 2; 196.10; 196.11; 196.14; 196.15; 197.971; 197.972; 197.973; 197.974; 197.975; 197.976; 197.977; 197.978; 197.979; 197.98; 197.981; 197.982; 197.983; 197.984; 197.985; 197.986; 198.002, subdivision 4; 202A.17; 216C.19, subdivisions 10, 11, and 12; 216C.21; 216C.22; 216C.23; 216C.24; 246.44; 246.45; 246.46; 251.011, subdivisions 1, 4, 4a, 7, and 8; 254.02; 256B.56; 256B.57; 256B.58; 256B.59; 256B.60; 256B.61; 256B.62; 256B.63; 256E.07, subdivision 1a; 256E.08, subdivision 9; 261.251; 275.064; 280.12; 280.13; 280.25; 280.26; 281.15; 281.26; 281.27; 295.01; 298.226; 298.244; 299D.01, subdivision 5; 299F.01, subdivision 3; 345.20, subdivision 6; 352B.265; 353.011;

367.411; 367.43; 373.013; 373.045; 374.03; 374.04; 374.06; 374.07; 374.22; 374.23; 375.24; 375.383; 375.435; 377.01; 377.03; 377.05; 383A.07, subdivisions 11, 21, 22, and 25; 383A.09; 383A.10; 383A.15; 383A.34; 383A.44; 383B.227; 383B.233; 383B.69; 383C.054; 383C.057; 383C.058; 383D.15; 383D.34; 383D.67; 386.375, subdivision 6; 388.19, subdivision 2; 390.26; 397.05; 397.06; 397.07; 397.08; 397.09; 397.10; 397.101; 397.102; 412.015, subdivision 1; 412.018, subdivision 2; 412.023, subdivision 4; 412.092; 441.01; 441.02; 441.03; 441.04; 441.05; 441.06; 441.07; 441.08; 441.09; 446A.10; 457.13; 458.1931; 458D.13; 465.681; 466.10; 466.12, subdivision 4; 471.74, subdivisions 1 and 3; 471.9975; 471.998; 471A.07; 473.204; 473.418; 473.608, subdivision 20; 473.855; 474.22; 475.75; 477A.011, subdivision 2; 477A.012, subdivisions 1, 3, 4, 7, and 8; 477A.013, subdivision 6; 477A.014, subdivision 1a; 487.12; 515B.1-110; 515B.1-111; 557.022; 611A.07, subdivision 2; 611A.23; 611A.42; 611A.44; 626.559, subdivision 4; 626.563, as amended; 626.855; and 641.111; Minnesota Statutes 1995 Supplement, sections 17A.091, subdivision 2; 115A.14, subdivision 4; 124B.01; 124B.03; 124B.20, subdivision 1; 135A.10, subdivision 1; 136A.043; 471.74, subdivision 2; 474.191; and 477A.012, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2092, now on General Orders.

H.F. No. 1303: A bill for an act relating to bilingual communication services; requiring state agencies to appoint persons to serve as liaisons with non-English-speaking people served by the agencies; directing agencies to prepare communication services plans; requiring the attorney general and the commissioner of administration to review and comment on the plans.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1299, now on General Orders.

H.F. No. 2171: A bill for an act relating to state government; clarifying powers of the pollution control agency board and commissioner; amending Minnesota Statutes 1994, sections 116.03, as amended; and 514.673, subdivision 3; Minnesota Statutes 1995 Supplement, section 116.02, by adding subdivisions.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2252, now on General Orders.

REPORTS OF COMMITTEES

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

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

H.F. No. 2205 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS

H.F. No.	S.F. No.
2205	2040

CONSENT CALENDAR

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

H.F. No.	S.F. No.
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Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2205 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2205 and insert the language after the enacting clause of S.F. No. 2040, the first engrossment; further, delete the title of H.F. No. 2205 and insert the title of S.F. No. 2040, the first engrossment.

And when so amended H.F. No. 2205 will be identical to S.F. No. 2040, and further recommends that H.F. No. 2205 be given its second reading and substituted for S.F. No. 2040, 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. 3013 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.
3013	2306				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 3013 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3013 and insert the language after the enacting clause of S.F. No. 2306, the first engrossment; further, delete the title of H.F. No. 3013 and insert the title of S.F. No. 2306, the first engrossment.

And when so amended H.F. No. 3013 will be identical to S.F. No. 2306, and further recommends that H.F. No. 3013 be given its second reading and substituted for S.F. No. 2306, and that the Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. Nos. 2205 and 3013 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Sams introduced--

Senate Resolution No. 105: A Senate resolution congratulating the Wadena-Deer Creek Girls Gymnastic Team for receiving the State Class A Gymnastics Academic Award.

Referred to the Committee on Rules and Administration.

Ms. Piper moved that H.F. No. 2013 be withdrawn from the Committee on Rules and Administration and re-referred to the Committee on Health Care. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the General Orders Calendar. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Ms. Robertson in the chair.

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

S.F. Nos. 1902, 2449, 1702, 1906, 1788, 2668, 1803, 2478 and H.F. No. 2284, which the committee recommends to pass.

S.F. No. 2445, which the committee recommends to pass, subject to the following motions:

Ms. Johnson, J.B. moved to amend S.F. No. 2445 as follows:

Page 4, line 13, delete "under" and after "13" insert "or under"

Page 13, line 8, delete "84.14" and insert "84.09"

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Lessard moved to amend S.F. No. 2445 as follows:

Page 3, after line 23, insert:

"Sec. 4. Minnesota Statutes 1994, section 97A.431, subdivision 2, is amended to read:

Subd. 2. [ELIGIBILITY.] Persons eligible for a moose license shall be determined under this section and commissioner's rule. A person is eligible for a moose license only if the person:

(1) is a resident;

(2) is at least age 16 before the season opens; and

(3) has not been issued taken a moose license for any of the last five seasons or after January 1, 1991."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Mr. Berg moved to amend the Lessard amendment to S.F. No. 2445 as follows:

Page 1, line 11, reinstate the stricken "any of" and before the reinstated "any" insert "in"

Page 1, line 12, reinstate the stricken "the last five seasons" and strike "after January 1, 1991"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Lessard amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Mr. Lessard moved to amend S.F. No. 2445 as follows:

Page 3, after line 23, insert:

"Sec. 4. Minnesota Statutes 1994, section 97A.411, subdivision 1, is amended to read:

Subdivision 1. [LICENSE PERIOD.] (a) Except as provided in paragraph (b), a license is valid during the lawful time within the license year that the licensed activity may be performed. A license year begins on the first day of March and ends on the last day of February.

(b) A license issued under section 97A.475, subdivision 6, clause (5), or section 97A.475, subdivision 7, clause (2), (3), (5), or (6) is valid for the full license period even if this period extends into the next license year, provided that the license period selected by the licensee begins at the time of issuance."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 6, after "to" insert "short-term fishing licenses,"

Page 1, line 11, after "4;" insert "97A.411, subdivision 1;"

The motion prevailed. So the amendment was adopted.

Mr. Berg moved to amend S.F. No. 2445 as follows:

Page 8, line 9, delete "and" and insert a comma

Page 8, line 10, after the first comma, insert "raccoons, and predators,"

The motion prevailed. So the amendment was adopted.

Mr. Ourada moved to amend S.F. No. 2445 as follows:

Page 13, after line 6, insert:

"Sec. 28. [REVIEW OF CONFLICT.]

The commissioner of natural resources shall review a conflict between hunters and landowners along the Mississippi river near Monticello and make recommendations, including increased enforcement, to local jurisdictions and to the environment and natural resources committees of the senate and the house of representatives."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Mr. Merriam moved to amend the Ourada amendment to S.F. No. 2445 as follows:

Page 1, lines 6 and 7, delete ", including increased enforcement,"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Ourada amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Mr. Laidig moved to amend S.F. No. 2445 as follows:

Page 13, after line 6, insert:

"Sec. 28. [TEMPORARY MOURNING DOVE SEASON AUTHORIZED.]

Subdivision 1. [AUTHORIZATION.] Notwithstanding Minnesota Statutes, section 97B.731, subdivision 2, the commissioner of natural resources may establish an open season and restrictions for taking mourning doves in that part of the state lying south and west of a line running along U.S. Route 14 from the Wisconsin border west to Mankato, then following the Minnesota River to Morton, then along U.S. Route 71 north to Blackduck, then continuing north on Minnesota Route 72 to Baudette.

Subd. 2. [REPORT.] The commissioner of natural resources shall report by February 1, 1998, to the environment and natural resources committees of the senate and house of representatives on the results of the mourning dove season established under subdivision 1. The report must include a description of the impact of the season on the mourning dove population in the designated area.

Subd. 3. [REPEALER.] This section is repealed effective December 31, 1997."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 34, as follows:

Those who voted in the affirmative were:

Berg
Dille
Fischbach

Frederickson
Hanson
Johnson, D.E.

Johnson, D.J.
Johnson, J.B.
Johnston

Laidig
Larson
Lesewski

Lessard
Merriam
Morse

Neuville
Ourada

Pariseau
Runbeck

Sams
Scheevel

Stevens
Stumpf

Terwilliger
Vickerman

Those who voted in the negative were:

Anderson
Belanger
Berglin
Betzold
Chandler
Cohen
Day

Flynn
Hottinger
Kiscaden
Kleis
Knutson
Kramer
Krentz

Limmer
Marty
Metzen
Mondale
Murphy
Novak
Oliver

Olson
Pappas
Piper
Pogemiller
Price
Ranum
Reichgott Junge

Riveness
Robertson
Samuelson
Solon
Spear
Wiener

The motion did not prevail. So the amendment was not adopted.

H.F. No. 2420, which the committee recommends to pass with the following amendment offered by Ms. Robertson:

Amend H.F. No. 2420, as amended pursuant to Rule 49, adopted by the Senate February 14, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 2258.)

Delete everything after the enacting clause and insert:

"Section 1. [471.342] [INFLOW AND INFILTRATION PROGRAM.]

Subdivision 1. [CITY.] In this section, "city" means a home rule charter or statutory city.

Subd. 2. [INFLOW AND INFILTRATION.] In this section, "inflow and infiltration" means water other than wastewater that enters a sanitary sewer system, including sewer service connections, from the ground through defective pipes, pipe joints, connections, or manholes, or from sources such as, but not limited to, roof borders, cellar drains, yard drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers, catch basins, cooling towers, storm waters, surface runoff, street wastewaters, or drainage.

Subd. 3. [PROGRAM AUTHORITY.] A city may establish an inflow and infiltration prevention program and provide loans and grants to property owners to assist the owners in financing the cost of abating inflow and infiltration on their property.

Subd. 4. [PROGRAM GUIDELINES.] The city shall establish guidelines to govern the program. The guidelines shall establish criteria for program eligibility and standards for compliance with the program. Prior to adoption of the program guidelines, the city council must conduct a public hearing on the proposed guidelines after giving at least ten days' published notice of the hearing.

Subd. 5. [PROGRAM FINANCING.] The city may finance the program with federal, state, private, or city funds. City funds include, but are not limited to, general fund appropriations, sanitary or storm sewer utility funds, and fees or charges."

Delete the title and insert:

"A bill for an act relating to cities; authorizing cities to establish a program to prevent the inflow and infiltration of storm water into a city's sanitary sewer system; authorizing cities to make loans and grants to property owners in connection with the program; providing for financing of the program; proposing coding for new law in Minnesota Statutes, chapter 471."

The motion prevailed. So the amendment was adopted.

H.F. No. 2752, which the committee recommends to pass with the following amendments offered by Messrs. Price, Betzold, Ms. Reichgott Junge and Mr. Riveness:

Mr. Price moved to amend H.F. No. 2752, as amended pursuant to Rule 49, adopted by the Senate March 1, 1996, as follows:

(The text of the amended House File is identical to S.F. No. 2472.)

Page 4, line 33, after "transaction" insert ", renewal, or extension"

Page 5, line 33, after "loan" insert "plus"

Page 6, line 3, delete "325G.15" and insert "325J.13"

Page 8, line 5, after "prosecution" insert "or civil action"

The motion prevailed. So the amendment was adopted.

Mr. Betzold moved to amend H.F. No. 2752, as amended pursuant to Rule 49, adopted by the Senate March 1, 1996, as follows:

(The text of the amended House File is identical to S.F. No. 2472.)

Page 8, after line 5, insert:

"Sec. 10. [325J.095] [MOTOR VEHICLE TITLE PAWN TRANSACTIONS; SPECIAL PROVISIONS.]

(a) In addition to the other requirements of this chapter, a pawnbroker who holds a title to a motor vehicle as part of a pawn transaction shall:

(1) be licensed as a used motor vehicle dealer under section 168.27, and post such license on the pawnshop premises;

(2) report each motor vehicle title pawn transaction to the appropriate local law enforcement agency within 24 hours of the pawn transaction;

(3) verify that there are no liens or encumbrances against the motor vehicle with the department of public safety; and

(4) verify that the pledgor has automobile insurance on the motor vehicle as required by law.

(b) A pawnbroker may not charge more than \$150 to recover a motor vehicle covered by a pawn transaction or more than \$10 per day for storage costs after recovery of the motor vehicle.

(c) A pawnbroker may not sell a motor vehicle covered by a pawn transaction until 90 days after recovery of the motor vehicle."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Ms. Reichgott Junge moved to amend the Betzold amendment to H.F. No. 2752 as follows:

Page 1, delete lines 21 to 23

Page 1, line 24, delete "(c)" and insert "(b)"

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Riveness moved to amend the Betzold amendment to H.F. No. 2752 as follows:

Page 1, delete lines 14 to 16

Page 1, line 17, delete "(3)" and insert "(2)"

Page 1, line 19, delete "(4)" and insert "(3)"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Betzold amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 1893, which the committee recommends to pass with the following amendment offered by Mr. Stevens:

Page 2, line 7, after "(c)" insert "If federal welfare reform legislation is enacted,"

Page 3, line 32, before "Payors" insert "These"

Page 4, line 6, before the period, insert "by first class mail"

Page 8, after line 17, insert:

"Sections 1 to 6 are effective July 1, 1996."

The motion prevailed. So the amendment was adopted.

S.F. No. 2116, which the committee recommends to pass with the following amendments offered by Messrs. Solon, Stevens, Frederickson, and Terwilliger:

Mr. Solon moved to amend S.F. No. 2116 as follows:

Pages 1 and 2, delete section 1

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Stevens moved to amend S.F. No. 2116 as follows:

Page 5, after line 19, insert:

"Sec. 6. [340A.511] [CERTAIN SIZES MAY BE SOLD.]

Notwithstanding any rule of the commissioner of public safety, an off-sale retailer of intoxicating liquor may sell distilled spirits in bottles of 50, 500, and 700 milliliters."

Re-number the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 14, before "repealing" insert "proposing coding for new law in Minnesota Statutes, chapter 340A;"

Mr. Stevens then moved to amend the Stevens amendment to S.F. No. 2116 as follows:

Page 1, lines 4 and 5, delete "Notwithstanding any rule of the commissioner of public safety,"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Stevens amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Mr. Frederickson moved to amend S.F. No. 2116 as follows:

Page 5, line 16, delete "notice" and insert "sampling"

The motion prevailed. So the amendment was adopted.

Mr. Terwilliger moved to amend S.F. No. 2116 as follows:

Page 6, after line 8, insert:

"Sec. 9. [CHILDREN'S FOUNDATION; WINE AUCTION.]

Notwithstanding Minnesota Statutes, section 340A.405, or any other law to the contrary, any

city within Hennepin county, upon approval by the commissioner of public safety, may issue a temporary license for the off-sale of wine at an auction for a children's foundation. The restrictions of Minnesota Statutes, section 340A.405, subdivision 4, do not apply to a license under this section except that a license may authorize the off-sale of wine for no more than three consecutive days. Notwithstanding Minnesota Statutes, section 340A.418, subdivision 2, paragraph (c), an auction held under this section may be in conjunction with a wine tasting governed by Minnesota Statutes, section 340A.418."

Page 6, line 12, delete "and" and insert a comma and after " 9" insert ", and 10"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 9, after "licenses;" insert "authorizing certain cities to issue a temporary license for a certain wine auction;"

The motion prevailed. So the amendment was adopted.

Mr. Solon moved to amend S.F. No. 2116 as follows:

Page 4, lines 9 and 12, strike "and" and after "cordials" insert ", and distilled spirits"

The motion prevailed. So the amendment was adopted.

S.F. No. 2418, which the committee recommends to pass with the following amendments offered by Mr. Riveness:

Page 4, line 5, after the second comma, insert "Minnesota state colleges and universities,"

The motion prevailed. So the amendment was adopted.

Mr. Riveness then moved to amend S.F. No. 2418 as follows:

Page 3, delete lines 1 to 32 and insert:

"Subd. 11. "Audit" as used in this subdivision means a financial audit, a program evaluation, a best practices review, or an investigation. Data relating to an audit are not public ~~or with respect to data on individuals are confidential~~ until the final report of the audit has been ~~published~~ released by the legislative auditor or the audit is no longer being actively pursued. Upon release of a final report by the legislative auditor, data relating to an audit are public, except data otherwise classified by state statute or federal law as not public.

(a) ~~Data that support the conclusions of the report and relating to an audit that the legislative auditor reasonably believes will result be used in litigation are not public and with respect to data on individuals are confidential until the litigation has been completed or is no longer being actively pursued.~~

(b) ~~Data on individuals that could reasonably be used to determine the identity of an individual supplying data for an audit are private if the data supplied by the individual were needed for an audit and the individual would not have provided the data to the legislative auditor without an assurance that the individual's identity would remain private, or the legislative auditor reasonably believes that the subject would not have provided the data expecting the subject's identity would remain private.~~

(c) For purposes of this subdivision "proprietary data" means the following data supplied to the legislative auditor if public disclosure of the data would harm the economic interests of the subject of the data:

(1) data on individuals who are not government employees or officials; or

(2) data on organizations that are not agencies of the state, a statewide system, or a political subdivision.

"Proprietary data" excludes data directly related to financial transactions involving public money.

(d) Proprietary data are classified as private or nonpublic. If, before releasing an audit report, the legislative auditor provides an individual with data relating to the audit for the purpose of review and verification of the data, the individual must protect the data from unlawful disclosure and be subject to the penalties and liabilities provided in sections 13.08 and 13.09.

(e) The definitions of terms provided in section 13.02 apply for purposes of this subdivision."

The motion prevailed. So the amendment was adopted.

Mrs. Pariseau moved to amend S.F. No. 2418 as follows:

Page 1, after line 20, insert:

"Section 1. Minnesota Statutes 1994, section 3.97, subdivision 2, is amended to read:

Subd. 2. The legislative audit commission is ~~created~~. ~~The commission~~ consists of:

- (1) the majority leader of the senate and the president of the senate or their designees;
- (2) the chair of the senate committee on taxes or a designee who is a member of the committee;
- (3) the chair of the senate committee on governmental operations and reform or a designee who is a member of the committee;
- (4) the chair of the senate committee on finance or a designee who is a member of the committee;
- (5) ~~three~~ five members of the senate appointed by the senate minority leader;
- (6) the speaker of the house and the chair of the house committee on rules or their designees;
- (7) the chair of the house committee on taxes or a designee who is a member of the committee;
- (8) the chair of the house committee on governmental operations and gaming or a designee who is a member of the committee;
- (9) the chair of the house ways and means committee or a designee who is a member of the committee; and
- (10) ~~three~~ five members of the house appointed by the house minority leader.

The appointed members of the commission shall serve for a term commencing upon appointment and expiring at the opening of the next regular session of the legislature in the odd-numbered year and until a successor is appointed. A vacancy in the membership of the commission shall be filled for the unexpired term in a manner that will preserve the representation established by this subdivision.

The commission shall elect its chair and other officers as it may determine necessary. It shall meet at the call of the chair or the executive secretary. The members shall serve without compensation but be reimbursed for their reasonable expenses as members of the legislature. The commission may exercise the powers prescribed by section 3.153."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "enlarging the membership of the legislative audit commission;"

Page 1, line 9, after "subdivisions" insert "2,"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 35, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Kramer	Oliver	Runbeck
Day	Johnston	Larson	Olson	Scheevel
Dille	Kiscaden	Lesewski	Ourada	Stevens
Fischbach	Kleis	Limmer	Pariseau	Terwilliger
Frederickson	Knutson	Neuville	Robertson	

Those who voted in the negative were:

Anderson	Johnson, D.J.	Marty	Pappas	Sams
Berg	Johnson, J.B.	Merriam	Piper	Samuelson
Berglin	Kelly	Metzen	Pogemiller	Solon
Betzold	Krentz	Moe, R.D.	Price	Spear
Cohen	Kroening	Mondale	Ranum	Stumpf
Flynn	Langseth	Morse	Reichgott Junge	Vickerman
Janezich	Lessard	Murphy	Riveness	Wiener

The motion did not prevail. So the amendment was not adopted.

S.F. No. 2643, which the committee reports progress, subject to the following motions:

Mr. Oliver moved to amend S.F. No. 2643 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1994, section 152.11, is amended by adding a subdivision to read:

Subd. 4. Notwithstanding subdivisions 1 and 2, a person may dispense a controlled substance included in schedule II, III, or IV of section 152.02 with a prescription written by a doctor of medicine, a doctor of osteopathy licensed to practice medicine, a doctor of dental surgery, a doctor of dental medicine, a doctor of podiatry, or a doctor of veterinary medicine lawfully licensed to prescribe in any state or jurisdiction of the United States if the prescription is being billed:

(1) by a mail-order pharmacy located in Minnesota; or

(2) for a person who is physically present in Minnesota at the time the prescription is filled but is not a resident of Minnesota.

Sec. 2. Minnesota Statutes 1994, section 152.11, is amended by adding a subdivision to read:

Subd. 5. Nothing in this section may be construed to authorize a person licensed in a state or jurisdiction outside Minnesota to prescribe a controlled substance with intent to assist another in taking the other's own life in violation of section 609.215 with intent or knowledge that the prescription will be dispensed in Minnesota, regardless of whether the prescription would be unlawful in the state in which the person is licensed."

Amend the title accordingly

Mr. Oliver then moved to amend the Oliver amendment to S.F. No. 2643, adopted by the Senate March 4, 1996, as follows:

Page 1, line 13, delete "billed" and insert "filled"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Oliver amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 2643 was then progressed.

H.F. No. 2558, which the committee recommends to pass with the following amendments offered by Mr. Samuelson:

Amend H.F. No. 2558, as amended pursuant to Rule 49, adopted by the Senate February 14, 1996, as follows:

(The text of the amended House File is identical to S.F. No. 2335.)

Page 1, after line 26, insert:

"Nothing in this section requires a nurse to perform a medical procedure or technique at the direction of a physician, podiatrist, or dentist that is illegal in this state."

Mr. Samuelson then moved to amend the Samuelson amendment to H.F. No. 2558 as follows:

Page 1, line 7, delete "requires" and insert "allows"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Samuelson amendment, as amended. The motion prevailed. So the Samuelson amendment, as amended, was adopted.

S.F. No. 2435, which the committee recommends to pass with the following amendments offered by Mr. Knutson:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 1994, section 2.724, subdivision 3, is amended to read:

Subd. 3. [RETIRED JUSTICES AND JUDGES.] (a) The chief justice of the supreme court may assign a retired justice of the supreme court to act as a justice of the supreme court pursuant to subdivision 2 or as a judge of any other court. The chief justice may assign a retired judge of any court to act as a judge of any court except the supreme court. A judge acting pursuant to this subdivision paragraph shall receive pay and expenses in the amount and manner provided by law for judges serving on the court to which the retired judge is assigned, less the amount of retirement pay which the judge is receiving.

(b) A judge who has been elected to office and who has resigned in good standing and is not practicing law may also be appointed to serve as judge of any court except the supreme court. A former judge acting under this paragraph will receive pay and expenses in the amount established by the supreme court."

Amend the title as follows:

Page 1, line 7, delete "by adding a subdivision" and insert "subdivision 3"

Mr. Knutson then moved to amend the Knutson amendment to S.F. No. 2435 as follows:

Page 1, line 16, delete "resigned" and insert "retired as a judge"

Page 1, line 18, delete "former" and insert "retired"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Knutson amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Orders of Business of Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills. The motion prevailed.

REPORTS OF COMMITTEES

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

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

H.F. No. 3217: A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

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

Page 2, after line 19, insert:

"Sec. 4. [DEPARTMENT OF REVENUE.]

\$4,180.40 is appropriated from the general fund to the commissioner of revenue to pay a refund of use tax overpaid in 1989 and for which a refund claim was not filed until after the statute of limitations had expired."

Page 23, after line 32, insert:

"Sec. 7 Minnesota Statutes 1994, section 3.739, subdivision 2, is amended to read:

Subd. 2. [EVALUATION AND PAYMENT OF CLAIMS.] Claims of \$500 or less subject to this section shall be investigated by the state or local agency responsible for supervising the work to determine if the claim is valid and if the loss is covered by the claimant's insurance. The investigating agency shall submit all appropriate claims to the department of corrections. Subject to the limitations contained in subdivision 2a, the department shall pay the portion of an approved claim that is not covered by the claimant's insurance. This payment shall be made within a reasonable time. On or before the first day of each legislative session, the department shall submit to the appropriate committees of the senate and the house of representatives a list of the claims paid by it during the preceding calendar year and shall be reimbursed by legislative appropriation for the claims paid. For the purposes of this paragraph, in the case of a juvenile claimant the term "claimant's insurance" includes the insurance of the juvenile's parents if the juvenile is covered by the insurance.

A claim in excess of \$500, and a claim that was not paid by the department may be presented to, heard, and determined by the appropriate committees of the senate and the house of representatives and, if approved, shall be paid pursuant to legislative claims procedure.

No juvenile claimant receiving payment under this section may be identified by name either in the list of claimants submitted by the department or in the legislative appropriation.

Sec. 8. Minnesota Statutes 1994, section 3.739, subdivision 2a, is amended to read:

Subd. 2a. [LIMITATIONS.] Compensation paid under this section is limited to reimbursement for medical expenses and compensation for permanent total or partial disability or death. Reimbursement for medical expenses under this section is limited to the amount which would be payable for the same expenses under the medical assistance program authorized under chapter 256B. No compensation shall be paid under this section for pain and suffering. Payments made under this section shall be reduced by any proceeds received by the claimant or the medical care provider from any insurance policy covering the loss. For the purposes of this section, "insurance policy" does not include the medical assistance program authorized under chapter 256B or the general assistance medical care program authorized under chapter 256D."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, before the period, insert "; amending Minnesota Statutes 1994, section 3.739, subdivisions 2 and 2a"

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

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

H.F. No. 2413: A bill for an act relating to cemeteries; clarifying procedures for examination of certain accounts and records by the state auditor; providing for transfer of cemeteries to and from local units of government; amending Minnesota Statutes 1994, sections 149.13, subdivision 5; 306.02, subdivision 2; 306.025; 306.243, by adding a subdivision; and 306.97.

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

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

H.F. No. 2040: A bill for an act relating to housing; providing for waiver of fees and surcharges imposed on motor vehicle registration data requests under certain circumstances; requiring the tenant's full name and date of birth in a written lease; requiring tenant screening reports and unlawful detainer case files to include certain information; requesting a study; amending Minnesota Statutes 1994, sections 168.345, subdivision 3, and by adding a subdivision; 504.012; 504.181, subdivision 1; 504.30, subdivision 4, and by adding a subdivision; and 566.05.

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

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

H.F. No. 2380: A bill for an act relating to motor vehicles; specifying percentages of the motorcycle safety fund that may be spent on administration and motorcycle safety instruction; amending Minnesota Statutes 1995 Supplement, section 126.115, subdivision 3.

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

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

S.F. No. 2376: A bill for an act relating to state land; modifying provisions for the establishment of boundary lines; modifying provisions relating to the sale of trust lands; authorizing the commissioner of natural resources to pay certain outstanding real estate taxes and assessments; authorizing the commissioner of natural resources to transfer improvements on state-owned land; authorizing the commissioner of natural resources to sell certain land; authorizing the private sale of certain land; amending Minnesota Statutes 1994, sections 84.0273; 92.06, subdivisions 1 and 4; 92.16, subdivision 1; and 94.10, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 92; and 94.

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

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

S.F. No. 1824: A bill for an act relating to crime; requiring suspension of a driver's license for a person charged with fleeing a peace officer in a motor vehicle; requiring revocation after conviction of that offense; amending Minnesota Statutes 1994, section 609.487, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 171.

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

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

S.F. No. 1775: A bill for an act relating to game and fish; requiring a turkey stamp; setting a fee; directing use of proceeds; amending Minnesota Statutes 1994, sections 97A.055, subdivisions 4 and 4a; 97A.075, by adding a subdivision; 97A.475, subdivision 5; 97B.603; and 97B.721.

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

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

S.F. No. 2852: A bill for an act relating to the organization and operation of state government; appropriating money for economic development and certain agencies of state government; amending Minnesota Statutes 1994, sections 116J.873, as amended; 138.664, by adding a subdivision; 138.762, subdivision 4; 138.763, subdivision 1; 216B.16, by adding a subdivision; 469.056, subdivision 2; and 469.303; Minnesota Statutes 1995 Supplement, section 79.561, subdivision 3; Laws 1994, chapter 573, sections 1, subdivisions 6 and 7; 4; 5, subdivision 2; Laws 1995, chapter 231, article 1, section 33; repealing Minnesota Statutes 1994, sections 13.99, subdivision 27c; 116S.01; 116S.02; 116S.03; 116S.04; 116S.05; 116S.06; 116S.07; 116S.08; 116S.09; 116S.10; 116S.11; 138.662, subdivision 5; and 268.9783, subdivision 8; Laws 1988, chapter 684, article 1, section 23.

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

Page 1, line 27, delete "\$ 11,206,000" and insert "\$ 11,216,000"

Page 1, line 32, delete "\$ 14,099,000" and insert "\$ 14,109,000"

Page 2, after line 5, insert:

"The amounts that may be spent from this appropriation for each purpose are as follows:"

Page 2, after line 6, insert:

"1996" 1997"

Page 2, line 10, after the period, insert "\$250,000 of this appropriation is for a grant to the Morrison county rural development finance authority established under Laws 1982, chapter 437. The authority shall use the grant only for capital improvements to a paper and wood products manufacturer in the county primarily for the purposes of facility upgrading and expansion of the manufacturer's capability to utilize recycled wastepaper as a fiber source. Minnesota Statutes, section 116J.991, applies to the grant. The commissioner shall make the grant only if the commissioner determines that the grant will be matched by at least \$500,000 from other sources."

Page 2, line 19, delete "25,000" and insert "90,000"

Page 2, line 20, delete "\$25,000" and insert "\$90,000"

Page 2, line 22, delete "Research" and insert "Resource" and after the period, insert:

"This appropriation must not be used for the purpose of a study of cold weather research needs and opportunities in the state, but may only be expended for staffing and operation of the center."

Page 2, after line 24, insert:

"The amounts that may be spent from this appropriation for each purpose are as follows:"

Page 3, line 32, delete "365,000" and insert "310,000"

Page 3, line 33, delete "\$365,000" and insert "\$310,000"

Page 4, delete section 12

Page 5, line 12, before the period, insert ", unless the person is found liable for negligent or intentional misconduct"

Page 5, delete section 14

Page 6, line 25, delete "However,"

Page 6, delete lines 26 to 28 and insert:

"Sec. 16. Laws 1994, chapter 573, section 5, subdivision 1, is amended to read:

Subdivision 1. [PUBLIC UTILITIES COMMISSION; STUDY COSTS.] \$300,000 is appropriated from the general fund to the public utilities commission.

\$75,000 of this appropriation is for administrative expenses of the commission under sections 1 and 2.

\$225,000 of this appropriation is for expenses of the team of scientific advisors and the commission liaison.

This appropriation remains available until June 30, 1996 1998."

Page 9, line 14, strike "If the amount of" and delete "a requested" and strike "grant is"

Page 9, line 15, delete the new language and strike the old language

Page 9, delete line 16 and insert "~~reduction shall be given to the applicant~~ This limit covers all money paid to complete the same project, whether paid to one or more grant recipients and whether paid in one or more fiscal years. The portion of"

Page 9, line 23, delete "loaned" and insert "made"

Page 9, line 24, before "store" insert "casino or a"

Page 9, line 25, delete "a"

Page 9, line 26, delete "wage" and insert "total compensation, including benefits not mandated by law," and delete "100" and insert "110"

Page 10, line 1, delete "wage" and insert "compensation"

Pages 10 and 11, delete sections 23 and 24

Page 11, line 16, delete "firm"

Page 12, line 25, delete "Laws 1994, chapter 643, as amended" and insert "section 16A.695, for leases or management contracts entered into with respect to property acquired with the proceeds of state general obligation bonds before before May 17, 1994"

Page 12, line 27, after "under" insert "the"

Page 12, line 29, delete "other state agencies" and insert "the commissioner of finance" and delete "a" and insert "the"

Page 13, line 6, strike "it can meet" and insert "the area meets"

Page 13, line 8, delete ", or includes" and insert "; provided, that the area may exceed the population standard if the excess population is from"

Page 13, after line 12, insert:

"Sec. 25. Minnesota Statutes 1995 Supplement, section 473.252, is amended to read:

473.252 [TAX BASE REVITALIZATION ACCOUNT.]

Subdivision 1. [DEFINITION.] For the purposes of this section, "municipality" means a statutory or home rule charter city or town participating in the local housing incentives program under section 473.254, or a county in the metropolitan area.

Subd. 1a. [DEVELOPMENT AUTHORITY.] For the purpose of this section, "development authority" means a statutory or home rule charter city, housing and redevelopment authority, economic development authority, or a port authority.

Subd. 2. [SOURCES OF FUNDS.] The council shall credit to the tax base revitalization account within the fund the amount, if any, provided for under section 473.167, subdivision 3a, paragraph (b), and the amount, if any, distributed to the council under section 473F.08, subdivision 3b.

Subd. 3. [DISTRIBUTION OF FUNDS.] (a) The council must use the funds in the account to make grants to municipalities or development authorities for the cleanup of polluted land in the metropolitan area. A grant to a metropolitan county or a development authority must be used for a project in a participating municipality. The council shall prescribe and provide the grant application form to municipalities. The council must consider the probability of funding from other sources when making grants under this section.

(b)(1) The legislature expects that applications for grants will exceed the available funds and the council will be able to provide grants to only some of the applicant municipalities. If applications for grants for qualified sites exceed the available funds, the council shall make grants that provide the highest return in public benefits for the public costs incurred, that encourage commercial and industrial development that will lead to the preservation or growth of living-wage jobs and that enhance the tax base of the recipient municipality.

(2) In making grants, the council shall establish regular application deadlines in which grants will be awarded from the available money in the account. If the council provides for application cycles of less than six-month intervals, the council must reserve at least 40 percent of the receipts of the account for a year for application deadlines that occur in the second half of the year. If the applications for grants exceed the available funds for an application cycle, no more than one-half of the funds may be granted to projects in a statutory or home rule charter city and no more than three-quarters of the funds may be granted to projects located in cities of the first class.

(c) A municipality may use the grant to provide a portion of the local match requirement for project costs that qualify for a grant under sections 116J.551 to 116J.557.

Sec. 26. Laws 1980, chapter 595, section 3, as amended by Laws 1985, chapter 194, section 29; Laws 1988, chapter 572, section 2; and Laws 1988, chapter 594, sections 1 to 5, is amended by adding a subdivision to read:

Subd. 13. [ECONOMIC DEVELOPMENT.] When the agency exercises its powers for industrial development or to establish industrial development districts for purposes under Minnesota Statutes, sections 469.048 to 469.068, the term "industrial," when used in relation to industrial development purposes, includes "economic" and "economic development.""

Page 14, line 20, delete "(a)"

Page 14, delete lines 22 to 26

Page 14, line 28, delete everything after "Sections" and insert "10 to 19; 22; 25; 27;"

Page 14, line 31, delete everything after the period

Page 14, delete lines 32 to 35 and insert "Section 23 is effective July 1, 1997. Section 26 is effective upon compliance by the governing body of the city of Minneapolis with Minnesota Statutes, section 645.021, subdivision 3."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "138.762,"

Page 1, line 7, delete everything before "216B.16"

Page 1, line 9, delete "section" and insert "sections"

Page 1, line 10, after "3;" insert "and 473.252; Laws 1980, chapter 595, section 3, as amended;"

Page 1, line 11, delete "subdivision" and insert "subdivisions 1 and"

Page 1, line 13, delete from "13.99," through page 1, line 18, to "23" and insert "138.662, subdivision 5; and 268.9783, subdivision 8"

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

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

H.F. No. 2112: A bill for an act relating to the environment; authorizing establishment of municipal individual sewage treatment system and contaminated well loan programs; proposing coding for new law in Minnesota Statutes, chapter 115.

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

Page 2, line 24, after "construction" insert "of a building"

Page 3, line 1, delete "on" and insert "for"

Page 3, line 3, after the period, insert "If an assessment is made for an improvement that provides sewage treatment or water supply services to more than one property, the assessment is assessed equally against each property or water supply that receives a direct benefit from the system, or in some more equitable manner agreed to by the owners of each of the benefitted properties."

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

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

S.F. No. 2365: A bill for an act relating to metropolitan government; providing for local zoning conformity in certain cases; modifying a certain levy limitation for the metropolitan council; allowing for distribution of funds from the tax base revitalization account to development authorities; providing for distribution of funds from the livable communities demonstration account; authorizing the metropolitan council to issue bonds; requiring a transfer between certain accounts of the council; amending Minnesota Statutes 1994, sections 462.357, subdivision 2; 473.167, subdivisions 2a and 4; Minnesota Statutes 1995 Supplement, sections 469.1782, subdivision 1; 473.167, subdivisions 2 and 3; and 473.252; Laws 1989, chapter 279, section 7, subdivision 6; repealing Minnesota Statutes 1994, section 473.167, subdivision 5; Minnesota Statutes 1995 Supplement, section 473.167, subdivision 3a.

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

Pages 6 and 7, delete section 5 and insert:

"Sec. 5. Minnesota Statutes 1995 Supplement, section 473.167, subdivision 3, is amended to read:

Subd. 3. [TAX.] The council may levy a tax on all taxable property in the metropolitan area, as defined in section 473.121, to provide funds for loans made pursuant to subdivisions 2 and 2a and for the tax base revitalization account in the metropolitan livable communities fund, established

~~under section 473.251. This tax for the right-of-way acquisition loan fund and the tax base revitalization account shall be certified by the council, levied, and collected in the manner provided by section 473.13. The tax shall be in addition to that authorized by section 473.249 and any other law and shall not affect the amount or rate of taxes which may be levied by the council or any metropolitan agency or local governmental unit. The amount of the levy shall be as determined and certified by the council, provided that the property tax levied by the metropolitan council for the right-of-way acquisition loan fund and the tax base revitalization account shall not exceed the following amount for the years specified:~~

~~(a) for taxes payable in 1988, the product of 5/100 of one mill multiplied by the total assessed valuation of all taxable property located within the metropolitan area as adjusted by the provisions of Minnesota Statutes 1986, sections 272.64; 273.13, subdivision 7a; and 275.49;~~

~~(b) for taxes payable in 1989, except as provided in section 473.249, subdivision 3, the product of (1) the metropolitan council's property tax levy limitation for the right-of-way acquisition loan fund for the taxes payable year 1988 determined under clause (a) multiplied by (2) an index for market valuation changes equal to the assessment year 1988 total market valuation of all taxable property located within the metropolitan area divided by the assessment year 1987 total market valuation of all taxable property located within the metropolitan area;~~

~~(c) for taxes payable in 1990, an amount not to exceed \$2,700,000; and~~

~~(d) for taxes payable in 1991 and subsequent years, the product of (1) the metropolitan council's property tax levy limitation for the right-of-way acquisition loan fund under this subdivision for the taxes payable in 1988 determined under clause (a) 1996 multiplied by (2) an index for market valuation changes equal to the total market valuation of all taxable property located within the metropolitan area for the current taxes payable year divided by the total market valuation of all taxable property located within the metropolitan area for taxes payable in 1988 1995.~~

~~For the purpose of determining the metropolitan council's property tax levy limitation for the right-of-way acquisition loan fund and tax base revitalization account in the metropolitan livable communities fund, under section 473.251, for the taxes payable year 1988 and subsequent years under this subdivision, "total market valuation" means the total market valuation of all taxable property within the metropolitan area without valuation adjustments for fiscal disparities (chapter 473F), tax increment financing (sections 469.174 to 469.179), and high voltage transmission lines (section 273.425)."~~

Page 9, after line 29, insert:

"Subd. 4. [TAX.] The council may levy a tax on all taxable property in the metropolitan area, as defined in section 473.121, to provide funds for the tax base revitalization account in the metropolitan livable communities fund. This tax for the tax base revitalization account shall be certified by the council, levied, and collected in the manner provided by section 473.13. The tax shall be in addition to that authorized by section 473.249 and any other law and shall not affect the amount or rate of taxes which may be levied by the council or any metropolitan agency or local governmental unit.

The amount of the levy shall be as determined and certified by the council, provided that the tax levied by the metropolitan council for the tax base revitalization account shall not exceed the product of (1) the metropolitan council's levy for the tax base revitalization account under section 473.167, subdivision 3, for taxes payable in 1996 multiplied by (2) an index for market valuation changes equal to the total market valuation of all taxable property located within the metropolitan area for the current taxes payable year divided by the total market valuation of all taxable property located within the metropolitan area for taxes payable in 1996.

For the purpose of determining the metropolitan council's property tax levy limitation for the tax base revitalization account, "total market valuation" means the total market valuation of all taxable property within the metropolitan area without valuation adjustments for fiscal disparities (chapter 473F), tax increment financing (sections 469.174 to 469.179), and high voltage transmission lines (section 273.425).

Subd. 5. [STATE REVIEW.] The commissioner of revenue shall certify the council's levy limitation under this section to the council by August 1 of the levy year. The council must certify its proposed property tax levy to the commissioner of revenue by September 1 of the levy year. The commissioner of revenue shall annually determine whether the property tax for the tax base revitalization account certified by the metropolitan council for levy following the adoption of its proposed budget is within the levy limitation imposed by this section. The determination must be completed prior to September 10 of each year. If current information regarding market valuation in any county is not transmitted to the commissioner in a timely manner, the commissioner may estimate the current market valuation within that county for purposes of making the calculation.

Sec. 8. Minnesota Statutes 1995 Supplement, section 473.704, subdivision 18, is amended to read:

Subd. 18. The commission may establish a research program to evaluate the effects of control programs on other fauna. The purpose of the program is to identify the types and magnitude of the adverse effects of the control program on fish and wildlife and associated food chain invertebrates. The commission may conduct research through contracts with qualified outside researchers. ~~The commission may finance the research program each year at a level up to 2.5 percent of its annual budget, until December 31, 1995."~~

Page 15, after line 6, insert:

"Sec. 13. [ACQUISITION OF THE MET CENTER PROPERTY.]

Notwithstanding anything to the contrary in sections 10 to 14, the authority granted to the metropolitan council to acquire real property does not authorize acquisition of the met center property as defined in Minnesota Statutes, section 473.551, subdivision 12, by eminent domain."

Page 15, line 12, delete "9" and insert "10" and delete "11" and insert "12"

Page 15, line 15, delete "9, 11, and 12" and insert "10 and 12 to 14"

Page 15, line 17, delete "10" and insert "11"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 15, after the semicolon, insert "473.704, subdivision 18;"

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

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

H.F. No. 2415: A bill for an act relating to housing; modifying procedures for allocating bonding authority to cities for single-family housing; making technical corrections; amending Minnesota Statutes 1994, sections 474A.061, subdivision 2b; 474A.131, subdivisions 1 and 1a; and 474A.14; Minnesota Statutes 1995 Supplement, sections 474A.061, subdivisions 2a and 2c; and 474A.091, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 474A.

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

Page 1, after line 11, insert:

"Section 1. Minnesota Statutes 1994, section 462A.222, subdivision 1, is amended to read:

Subdivision 1. [CREDIT RESERVATIONS.] The agency shall reserve a portion of the annual state ceiling for low-income housing credits provided under section 42 of the Internal Revenue Code of 1986, as amended, to (1) cities with a population of at least 50,000 that have a housing and redevelopment authority; (2) cities located in three or more counties that have a housing and redevelopment authority; and (3) counties with a population of 100,000 or more that have a housing and redevelopment authority. A city or county is eligible to receive a reserved portion of

the state ceiling under this subdivision if it submits a written request to the agency within 45 days after June 2, 1987, to act as a designated housing credit agency as provided in section 42 of the Internal Revenue Code of 1986, as amended. A city or county may designate its housing and redevelopment authority as the agency to receive reserved low-income housing credits on behalf of the city or county. The city of Minneapolis or the city of Saint Paul may designate the Minneapolis/Saint Paul housing finance board to receive reserved low-income housing credits on behalf of each city.

Sec. 2. Minnesota Statutes 1994, section 462A.222, subdivision 1a, is amended to read:

Subd. 1a. [DETERMINATION OF REGIONAL CREDIT POOLS.] The agency shall divide the annual per capita amount used in determining the state ceiling for low-income housing tax credits provided under section 42 of the Internal Revenue Code of 1986, as amended ~~through December 31, 1989~~, into a metropolitan pool and a greater Minnesota pool. The metropolitan pool shall serve the metropolitan area as defined in section 473.121, subdivision 2. The greater Minnesota pool shall serve the remaining counties of the state. The percentage of the annual per capita amount allotted to each pool must be determined as follows:

(a) The percentage set-aside for projects involving a qualified nonprofit organization as provided in section 42 of the Internal Revenue Code of 1986, as amended ~~through December 31, 1989~~, must be deducted from the annual per capita amount used in determining the state ceiling.

(b) Of the remaining amount, the metropolitan pool must be allotted a percentage equal to the metropolitan counties' percentage of the total number of state recipients of: aid to families with dependent children, general assistance, Minnesota supplemental aid, and supplemental security income in the state, as reported annually by the department of human services. The greater Minnesota pool must be allotted the amount remaining after the metropolitan pool's percentage has been allotted.

The set-aside for qualified nonprofit organizations must be divided between the two regional pools in the same percentage as determined for the credit amounts above.

Sec. 3. Minnesota Statutes 1994, section 462A.222, subdivision 3, is amended to read:

Subd. 3. [ALLOCATION PROCEDURE.] (a) Projects will be awarded tax credits in three competitive rounds on an annual basis. The date for applications for each round must be determined by the agency. No allocating agency may award tax credits prior to the application dates established by the agency.

(b) Each allocating agency must meet the requirements of section 42(m) of the Internal Revenue Code of 1986, as amended through December 31, 1989, for the allocation of tax credits and the selection of projects.

(c) For projects that are eligible for an allocation of credits pursuant to section 42(h)(4) of the Internal Revenue Code of 1986, as amended, tax credits may only be allocated if the project satisfies the requirements of the allocating agency's qualified allocation plan. For projects that are eligible for an allocation of credits pursuant to section 42(h)(4) of the Internal Revenue Code of 1986, as amended, for which the agency is the issuer of the bonds for the project, or the issuer of the bonds for the project is located outside the jurisdiction of a city or county that has received reserved tax credits, the applicable allocation plan is the agency's qualified allocation plan.

(d) For applications submitted for the first round, an allocating agency may allocate tax credits only to the following types of projects:

(1) in the metropolitan area:

(i) new construction or substantial rehabilitation of projects in which, for the term of the extended use period, at least 75 percent of the total tax credit units are single-room occupancy, efficiency, or one bedroom units and which are affordable by households whose income does not exceed 30 percent of the median income;

(ii) new construction or substantial rehabilitation family housing projects that are not restricted

to persons who are 55 years of age or older and in which, for the term of the extended use period, at least 75 percent of the tax credit units contain two or more bedrooms and at least one-third of the 75 percent contain three or more bedrooms; or

(iii) substantial rehabilitation projects in neighborhoods targeted by the city for revitalization;

(2) outside the metropolitan area, projects which meet a locally identified housing need and which are in short supply in the local housing market as evidenced by credible data submitted with the application;

(3) projects that are not restricted to persons of a particular age group and in which, for the term of the extended use period, a percentage of the units are set aside and rented to persons:

(i) with a serious and persistent mental illness as defined in section 245.462, subdivision 20, paragraph (c);

(ii) with a developmental disability as defined in United States Code, title 42, section 6001, paragraph (5), as amended through December 31, 1990;

(iii) who have been assessed as drug dependent persons as defined in section 254A.02, subdivision 5, and are receiving or will receive care and treatment services provided by an approved treatment program as defined in section 254A.02, subdivision 2;

(iv) with a brain injury as defined in section 256B.093, subdivision 4, paragraph (a); or

(v) with permanent physical disabilities that substantially limit one or more major life activities, if at least 50 percent of the units in the project are accessible as provided under Minnesota Rules, chapter 1340;

(4) projects which preserve existing subsidized housing which is subject to prepayment if the use of tax credits is necessary to prevent conversion to market rate use; or

(5) projects financed by the Farmers Home Administration, or its successor agency, which meet statewide distribution goals.

(d) (e) Before the date for applications for the second round, the allocating agencies other than the agency shall return all uncommitted and unallocated tax credits to the pool from which they were allocated, along with copies of any allocation or commitment. In the second round, the agency shall allocate the remaining credits from the regional pools to projects from the respective regions.

(e) (f) In the third round, all unallocated tax credits must be transferred to a unified pool for allocation by the agency on a statewide basis.

(f) (g) Unused portions of the state ceiling for low-income housing tax credits reserved to cities and counties for allocation may be returned at any time to the agency for allocation.

(h) If an allocating agency determines, at any time after the initial commitment or allocation for a specific project, that a project is no longer eligible for all or a portion of the low-income housing tax credits committed or allocated to the project, the credits must be transferred to the agency to be reallocated pursuant to the procedures established in paragraphs (e) to (g); provided that if the tax credits for which the project is no longer eligible are from the current year's annual ceiling and the allocating agency maintains a waiting list, the allocating agency may continue to commit or allocate the credits until not later than October 1, at which time any uncommitted credits must be transferred to the agency.

Sec. 4. Minnesota Statutes 1994, section 462A.222, subdivision 4, is amended to read:

Subd. 4. [DISTRIBUTION PLAN.] (a) By October 1, 1990, the metropolitan council, in consultation with the agency and representatives of local government and housing and redevelopment authorities, shall develop and submit to the agency a plan for allocating tax credits in 1991 and thereafter in the metropolitan area, based on regional housing needs and priorities.

The agency may amend the distribution plan after consultation with the metropolitan council, representatives of local governments, and housing and redevelopment authorities.

(b) By October 1, 1990, the agency, in consultation with representatives of local government and housing and redevelopment authorities, shall develop a plan for allocating tax credits in 1991 and thereafter in greater Minnesota, based on regional housing needs and priorities. The agency may amend the distribution plan after consultation with representatives of local governments and housing and redevelopment authorities.

(c) In preparing the distribution plans, the metropolitan council and the agency shall estimate the number of households in the metropolitan area and in greater Minnesota, respectively, who are paying more than 50 percent of their income for rent and the cost of providing sufficient rental or other assistance so that no household pays more than 50 percent of its income for rent. In addition, the metropolitan council and the agency shall identify the nature and scope of existing programs which primarily serve families at 60 percent of the median income and individuals at 30 percent of the median income. In preparing the estimate, the metropolitan council and the agency shall rely on existing and available data and shall report the results to the legislature no later than January 31, 1991.

Sec. 5. Minnesota Statutes 1994, section 462A.223, subdivision 2, is amended to read:

Subd. 2. [DESIGNATED AGENCY.] The agency is designated as a housing credit agency to allocate the portion of the state ceiling for low-income housing tax credits (1) not reserved to cities and counties under section 462A.222; (2) not accepted for allocation by eligible cities and counties; (3) returned to the agency for allocation; and (4) not otherwise reserved to the agency for allocation under subdivision 1. Low-income housing tax credits shall be allocated by the agency as provided in section 462A.222. The agency shall make no allocation for projects located within the jurisdiction of the cities or counties that have received tax credits under section 462A.222, subdivision 1, except from the percentage set-aside for projects involving a qualified nonprofit organization as provided under section 42 of the Internal Revenue Code of 1986, as amended through December 31, 1989, until the amounts reserved to the cities and counties for allocation have been allocated or committed or returned to the agency for allocation. In order that all of a project's credits are allocated by a single allocating agency, the agency may reserve additional tax credits to a city or county that has received tax credits under section 462A.222, subdivision 1, for a project that has already received a commitment or allocation of tax credits from an eligible city or county, if all of the tax credits reserved to the eligible city or county have been committed or allocated.

Sec. 6. Minnesota Statutes 1994, section 462C.05, is amended by adding a subdivision to read:

Subd. 6a. [QUALIFIED ALLOCATION PLAN REQUIREMENT.] Multifamily housing developments described in subdivision 1 for which an application is submitted for low-income housing tax credits provided under section 42 of the Internal Revenue Code of 1986, as amended, must also satisfy the qualified allocation plan applicable to the area in which the project is located."

Page 5, line 36, delete "462A.045" and insert "474A.045"

Page 10, after line 18, insert:

"Sec. 15. [EXCEPTION TO SINGLE-FAMILY MORTGAGE BOND ALLOCATION USAGE TEST.]

Notwithstanding Minnesota Statutes, section 474A.061, subdivision 2a, paragraph (g), a city that received an allotment of bonding authority from the housing pool in 1995 and had not used at least 50 percent of its allotment by January 31, 1996, may apply to the housing pool for a single-family mortgage bond or mortgage credit certificate program allocation or receive an allotment from the housing pool in 1997. This section applies to each local government unit in a consortium which received an allotment in 1995 from the housing pool.

Sec. 16. [EFFECTIVE DATE.]

Sections 1 to 6 are effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "making technical and policy changes to the low-income housing tax credit program;"

Page 1, line 5, after "sections" insert "462A.222, subdivisions 1, 1a, 3, and 4; 462A.223, subdivision 2; 462C.05, by adding a subdivision;"

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

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

S.F. No. 2457: A bill for an act relating to public employees; regulating the salaries of certain higher education officers; prescribing the form and use of uniform collective bargaining settlement forms; ratifying certain labor agreements and compensation plans; appropriating money; amending Minnesota Statutes 1994, sections 3.855, subdivision 4; 43A.17, subdivision 1; 179A.03, subdivision 4; and 179A.07, by adding a subdivision; Minnesota Statutes 1995 Supplement, sections 15A.081, subdivision 7b; 43A.18, subdivision 2; and 179A.04, subdivision 3.

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

Page 11, line 12, delete everything before "until"

Page 11, line 16, delete "\$....." and insert "\$50,000"

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

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

S.F. No. 1865: A bill for an act relating to motor vehicles; allowing special motorcycle license plates for Vietnam veterans; imposing conditions on issuance of driver's licenses to persons under age 18; amending Minnesota Statutes 1994, sections 168.123, subdivisions 1 and 4; and 171.05, by adding a subdivision; Minnesota Statutes 1995 Supplement, section 171.04, subdivision 1.

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

Page 1, line 13, after the comma, insert "or for a single plate in the case of a motorcycle plate,"

Page 1, line 18, after "issue" insert ":

(1)" and after "applicant" delete the colon

Page 1, line 19, delete everything before "who"

Page 2, line 3, delete "described in subdivision 2, paragraph (a)," and insert "a special motorcycle license plate as described in subdivision 2, paragraph (a), or another special license plate designed by the commissioner of public safety to an applicant who is a Vietnam veteran who served after July 1, 1961, and before July 1, 1978, and"

Page 2, line 32, delete "plates" and insert "a plate"

Page 2, line 35, delete "plates were" and insert "plate was"

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

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

S.F. No. 2205: A bill for an act relating to agriculture; changing provisions of the consolidated food licensing law; amending Minnesota Statutes 1994, sections 28A.04, subdivision 1; 28A.09, subdivision 1; 28A.15, subdivisions 7 and 8; 28A.16; and 28A.17; Minnesota Statutes 1995 Supplement, sections 28A.03; and 28A.08, subdivision 1.

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

Page 5, line 25, strike the first "or" and insert a comma

Page 5, line 26, reinstate the stricken comma and delete "and"

Page 6, line 25, delete the second "1997" and insert "1998"

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

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

S.F. No. 1873: A bill for an act relating to health; expanding eligibility for the MinnesotaCare program; amending Minnesota Statutes 1995 Supplement, section 256.9354, subdivision 5.

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

Page 2, after line 17, insert:

"Sec. 2. [APPROPRIATION.]

The appropriation in Laws 1995, chapter 234, article 11, section 2, for the department of human services for fiscal year 1996 is reduced by \$265,000, and the appropriation for fiscal year 1997 is increased by \$174,000."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "appropriating money;"

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

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

S.F. No. 2284: A bill for an act relating to the military; changing the reenlistment bonus program; amending Minnesota Statutes 1994, section 192.501, as amended.

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

Page 2, lines 33 and 34, delete "tuition charges at a state university" and insert "the top rate of tuition as set by the board of trustees of Minnesota state colleges and universities"

Page 4, after line 23, insert:

"Sec. 2. [REPORT.]

The adjutant general shall report to the chairs of the senate committee on finance and the house of representatives committee on ways and means by March 1, 1997, on the results achieved by the changes in financial incentives for national guard members made by this act.

Sec. 3. [EFFECTIVE DATE.]

This act is effective July 1, 1996."

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

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

S.F. No. 2120: A bill for an act relating to insurance; providing a process for resolving state

claims for certain landfill cleanup costs and associated damages with insurers; authorizing an action by the state for recovery from insurers after a reasonable opportunity for settlement; proposing coding for new law in Minnesota Statutes, chapter 115B; repealing Minnesota Statutes 1994, sections 115B.44, subdivision 1; and 115B.46; Minnesota Statutes 1995 Supplement, sections 115B.44, subdivision 2; and 115B.45.

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

Page 1, lines 17 and 24, delete "which" and insert "that"

Page 1, line 25, delete "such" and insert "the"

Page 3, line 18, after "facility" insert "and to explain to the commissioner the person's efforts to discover and provide the information"

Page 3, line 22, after "OF" insert "POTENTIAL "

Page 3, line 27, after "person's" insert "potential"

Page 3, line 30, after "of" insert "potential"

Page 3, line 34, after "policyholder's" insert "potential"

Page 4, line 3, delete everything after "and" and insert "settlement of claims or demands, or the defense of"

Page 4, line 5, delete "qualified to reconstruct" and insert "to assist in reconstructing" and after "and" insert "potential"

Page 4, line 9, after "OF" insert "POTENTIAL "

Page 4, lines 11 and 15, after "confirm" insert "potential"

Page 4, line 18, after "identifying" insert "potential"

Page 4, line 35, delete "issuing" and insert "providing potential"

Page 6, line 6, after "mediation" insert "under this subdivision"

Page 6, line 35, after the period, insert "Environmental claims unrelated to the qualified facility or facilities that are subject to the state settlement offer may be included within the settlement negotiation process provided under this section at the discretion of the attorney general, provided that the state will not bear any costs of mediation or alternative dispute resolution arising from the unrelated claims."

Page 7, line 16, delete "their" and insert "an equitable"

Page 7, line 22, delete the colon and insert a comma

Page 7, delete lines 23 to 26

Page 7, line 27, delete everything before the first "the" and after "finds" insert ", in the discretion of the attorney general,"

Page 11, line 4, after "policy" insert "under which coverage may be provided,"

Page 11, line 5, delete "and"

Page 11, delete line 6 and insert "subject to the statutory and common law that applies to the determination of those rights"

Page 11, line 7, delete everything before the period

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2376, 1824, 1775, 2852, 2365, 2457, 1865, 2205, 1873, 2284 and 2120 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 3217, 2413, 2040, 2380, 2112 and 2415 were read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Mondale moved that the name of Ms. Wiener be added as a co-author to S.F. No. 2365. The motion prevailed.

RECONSIDERATION

Ms. Krentz moved that the vote whereby S.F. No. 1945 failed to pass the Senate on March 1, 1996, be now reconsidered.

S.F. No. 1945: A bill for an act relating to elevators; regulating persons who may do elevator work; amending Minnesota Statutes 1995 Supplement, sections 16B.747, subdivision 1; and 16B.748; proposing coding for new law in Minnesota Statutes, chapter 16B.

CALL OF THE SENATE

Ms. Krentz imposed a call of the Senate for the balance of the proceedings on S.F. No. 1945. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the motion of Ms. Krentz.

The roll was called, and there were yeas 56 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Belanger	Knutson	Limmer	Merriam	Runbeck
Berg				

The motion prevailed. So the vote was reconsidered.

S.F. No. 1945 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 37 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Janezich	Metzen	Piper	Solon
Berglin	Johnson, D.J.	Moe, R.D.	Pogemiller	Spear
Betzold	Johnson, J.B.	Mondale	Price	Stumpf
Cohen	Kelly	Morse	Ranum	Vickerman
Flynn	Kroening	Murphy	Reichgott Junge	Wiener
Frederickson	Langseth	Novak	Riveness	
Hanson	Lessard	Ourada	Sams	
Hottinger	Marty	Pappas	Samuelson	

Those who voted in the negative were:

Belanger	Johnson, D.E.	Kramer	Limmer	Pariseau
Berg	Johnston	Krentz	Merriam	Robertson
Day	Kiscaden	Laidig	Neuville	Runbeck
Dille	Kleis	Larson	Oliver	Scheevel
Fischbach	Knutson	Lesewski	Olson	Terwilliger

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

RECONSIDERATION

Mr. Johnson, D.J. moved that the vote whereby S.F. No. 1587 failed to pass the Senate on March 1, 1996, be now reconsidered. The motion prevailed.

S.F. No. 1587: A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited lands that border public water in Sherburne county.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

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

Ms. Johnston voted in the negative.

So the bill passed and its title was agreed to.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Moe, R.D. introduced--

S.F. No. 2869: A bill for an act relating to metropolitan area watershed districts; limiting their

authority; amending Minnesota Statutes 1994, section 103B.205, subdivision 13; repealing Minnesota Statutes 1994, section 103B.251, subdivision 9.

Referred to the Committee on Environment and Natural Resources.

RECESS

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

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 2818: Mr. Samuelson, Ms. Berglin, Mr. Sams, Ms. Kiscaden and Mr. Terwilliger.

S.F. No. 1996: Mr. Kelly, Ms. Robertson and Mr. Cohen.

Mr. Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

MEMBERS EXCUSED

Messrs. Beckman, Chmielewski and Finn were excused from the Session of today. Mr. Chandler was excused from the Session of today at 3:45 p.m. Mr. Novak was excused from the Session of today from 1:45 to 4:45 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Tuesday, March 5, 1996. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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