The House of Representatives convened at 9:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Dr. George Weinman, Roseville Lutheran Church, Roseville, Minnesota.

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

The roll was called and the following members were present:

A quorum was present.

Folliard, Johnson, Paulsen and Rhodes were excused.

Ozment was excused until 9:25 a.m. Osthoff was excused until 9:35 a.m. Larsen, P., was excused until 9:55 a.m. Rest was excused until 10:25 a.m. Clark, K., was excused until 11:00 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Gerlach moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.
The Speaker called Boudreau to the Chair.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Kahn; Biernat; Mullery; Gray; Wagenius; Greenfield; Clark, K.; Wejcman; Kelliher; Orfield; Skoglund; Gleason and Jennings introduced:

H. F. No. 2439. A bill for an act relating to economic development; authorizing and providing state and local funds for redevelopment of the upper harbor area in Minneapolis; authorizing tax increment districts and local bonds; appropriating money.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Mares, Pawlenty, Hausman, Milbert and Van Dellen introduced:

H. F. No. 2440. A bill for an act relating to sports; requiring the amateur sports commission to develop, adopt, and implement a plan for new facilities statewide; authorizing grants and local bonds; appropriating money; amending Minnesota Statutes 1998, section 373.40, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 240A; and 373.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Seifert, J., introduced:


The bill was read for the first time and referred to the Committee on Civil Law.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 621

A bill for an act relating to public safety; adding various arson definitions relating to flammability; imposing penalties on students who use ignition devices inside educational buildings; amending Minnesota Statutes 1998, sections 609.561, subdivision 3; and 609.5631, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.
The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

We, the undersigned conferees for H. F. No. 621, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 621 be further amended as follows:

Page 2, line 31, after "fire" insert ", and arson in the first, second, third, or fourth degree was not committed."

We request adoption of this report and repassage of the bill.

House Conferees: DOUG FULLER, PEG LARSEN AND MARY JO McGUIRE.

Senate Conferees: STEVEN G. NOVAK, DAVE JOHNSON AND MICHELLE L. FISCHBACH.

Fuller moved that the report of the Conference Committee on H. F. No. 621 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 621, A bill for an act relating to public safety; adding various arson definitions relating to flammability; imposing penalties on students who use ignition devices inside educational buildings; amending Minnesota Statutes 1998, sections 609.561, subdivision 3; and 609.5631, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 113 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeler  Dorman  Holberg  Luther  Oskopp  Storm
Abrams  Dorn  Holsten  Mahoney  Otremba  Swenson
Anderson, B.  Entenza  Howes  Mares  Pawlenty  Sykora
Bakk  Erhardt  Huntley  Mariani  Pelowski  Tingelstad
Biernat  Erickson  Jennings  Marko  Peterson  Trumble
Bishop  Finseth  Juhnke  McCollum  Pugh  Tuma
Boudreau  Fuller  Kalis  McElroy  Reuter  Tunheim
Bradley  Gerlach  Kelliher  McGuire  Rifenberg  Vandeveer
Broecker  Gleason  Kielkucki  Milbert  Rostberg  Wagenius
Buenges  Goodno  Knoblach  Molnau  Schumacher  Wejcman
Carlson  Greenfield  Koskinen  Mulder  Seagren  Wenzel
Carruthers  Greiling  Kuby  Mullery  Seifert, J.  Westerberg
Cassell  Gunther  Kuisle  Munger  Seifert, M.  Westfall
Chaudhary  Haake  Larson, D.  Murphy  Skoe  Wilkin
Clark, J.  Haas  Leighton  Ness  Skoglund  Winter
Daggett  Hackbarth  Lenczewski  Nornes  Smith  Wolf
Davids  Harder  Leppik  Olson  Solberg  Workman
Dehler  Hasskamp  Lieder  Opatz  Stanek  Spk. Sviggum
Dempsey  Hilty  Lindner  Orfield  Stang
Those who voted in the negative were:

Anderson, I.  Gray  Jaros  Paymar  Tomassoni
Dawkins  Hausman  Kahn  Rukavina

The bill was repassed, as amended by Conference, and its title agreed to.

Anderson, I., was excused between the hours of 9:30 a.m. and 10:30 a.m.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1235, A bill for an act relating to agriculture; exempting livestock production facilities from the ambient hydrogen sulfide standards on days manure is being removed from barns or manure storage facilities; amending Minnesota Statutes 1998, section 116.0713.

PATRICK E. FLAHAVEN, Secretary of the Senate

Swenson moved that the House refuse to concur in the Senate amendments to H. F. No. 1235, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bill to be placed on the Calendar for the Day, immediately preceding the remaining bills on the Calendar for the Day, for Friday, May 7, 1999:

H. F. No. 1124.

CALENDAR FOR THE DAY

H. F. No. 1124 was reported to the House.
Smith moved to amend H. F. No. 1124, the second engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [16B.616] [BLEACHER SAFETY.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the following terms have the meanings given.

(b) "Place of public accommodation" means a public or privately owned sports or entertainment arena, gymnasium, auditorium, stadium, hall, special event center in a public park, or other facility for public assembly.

(c) "Bleacher" refers to any tiered or stepped seating facility, whether temporary or permanent, used in a place of public accommodation for the seating of its occupants.

Subd. 2. [APPLICATION.] All places of public accommodation must comply with the provisions of this section.

Subd. 3. [SAFETY REQUIREMENTS.] In places of public accommodation using bleacher seating, all bleachers or bleacher open spaces over 30 inches above grade or the floor below, must conform to the following safety requirements:

1. The open space between bleacher footboards, seats, and guardrails must not exceed four inches, unless approved safety nets are installed.

2. Bleachers must have vertical perimeter guardrails with no more than four-inch rail spacing between vertical rails or other approved guardrails which address climbability and are designed to prevent accidents. Safety nets and guardrail climbability shall be approved by the state building official pursuant to the alternate design section in the State Building Code.

3. Bleachers already in existence as of the effective date of this act must comply with the structural provisions of the 1998 State Building Code. All new bleachers manufactured, installed, sold, or distributed after July 1, 1999, must comply with the State Building Code in effect and paragraphs (1) and (2).

Subd. 4. [ENFORCEMENT.] (a) A statutory or home rule charter city that is not covered by the code because of action taken under section 16B.72 or 16B.73 is responsible for enforcement in the city of the code's requirements for bleacher safety. In all other areas where the code does not apply because of action taken under section 16B.72 or 16B.73, the county is responsible for enforcement of those requirements.

(b) Municipalities which have not adopted the code may enforce the code requirements for bleacher safety by either entering into a joint powers agreement for enforcement with another municipality which has adopted the code; or contracting for enforcement with a qualified and certified building official or state licensed design professional to enforce the code.

(c) Municipalities, school districts, organizations, individuals, and other persons, operating or owning places of public accommodation with bleachers, shall provide a signed certificate of compliance to the commissioner by the effective date of this section. The signed certificate shall be prepared by a qualified and certified building official or state licensed design professional and shall certify that the bleachers have been inspected and are in compliance with the requirements of this section and are structurally sound.

Subd. 5. [PENALTIES.] The commissioner, in addition to other remedies provided for violations of this chapter, shall forbid use of bleachers not in compliance with this section consistent with priorities established in rule.

Subd. 6. [PERIODIC INSPECTIONS.] At a minimum, bleacher footboards and guardrails must be reinspected every five years and a structural inspection must be made every ten years. Nothing in this section precludes a municipal authority from establishing additional reinspections pursuant to the State Building Code. Inspections can be completed in the same manner as provided in subdivision 4.
Sec. 2. Minnesota Statutes 1998, section 16B.72, is amended to read:

16B.72 [REFERENDA ON STATE BUILDING CODE IN NONMETROPOLITAN COUNTIES.]

Notwithstanding any other provision of law to the contrary, a county that is not a metropolitan county as defined by section 473.121, subdivision 4, may provide, by a vote of the majority of its electors residing outside of municipalities that have adopted the State Building Code before January 1, 1977, that no part of the State Building Code except the building requirements for handicapped persons, the requirements for bleacher safety, and the requirements for elevator safety applies within its jurisdiction.

The county board may submit to the voters at a regular or special election the question of adopting the building code. The county board shall submit the question to the voters if it receives a petition for the question signed by a number of voters equal to at least five percent of those voting in the last general election. The question on the ballot must be stated substantially as follows:

"Shall the State Building Code be adopted in . . . . . . . . . . County?"

If the majority of the votes cast on the proposition is in the negative, the State Building Code does not apply in the subject county, outside home rule charter or statutory cities or towns that adopted the building code before January 1, 1977, except the building requirements for handicapped persons, the requirements for bleacher safety, and the requirements for elevator safety do apply.

Nothing in this section precludes a municipality or town that has not adopted the State Building Code from adopting and enforcing by ordinance or other legal means the State Building Code within its jurisdiction.

Sec. 3. Minnesota Statutes 1998, section 16B.73, is amended to read:

16B.73 [STATE BUILDING CODE IN MUNICIPALITIES UNDER 2,500; LOCAL OPTION.]

The governing body of a municipality whose population is less than 2,500 may provide that the State Building Code, except the requirements for handicapped persons, the requirements for bleacher safety, and the requirements for elevator safety, will not apply within the jurisdiction of the municipality, if the municipality is located in whole or in part within a county exempted from its application under section 16B.72. If more than one municipality has jurisdiction over an area, the State Building Code continues to apply unless all municipalities having jurisdiction over the area have provided that the State Building Code, except the requirements for handicapped persons, the requirements for bleacher safety, and the requirements for elevator safety, does not apply within their respective jurisdictions. Nothing in this section precludes a municipality or town from adopting and enforcing by ordinance or other legal means the State Building Code within its jurisdiction.

Sec. 4. Minnesota Statutes 1998, section 240A.09, is amended to read:

240A.09 [PLAN DEVELOPMENT; CRITERIA.]

The Minnesota amateur sports commission shall develop a plan to promote the development of proposals for new statewide public ice facilities including proposals for ice centers and matching grants based on the criteria in this section.

(a) For ice center proposals, the commission will give priority to proposals that come from more than one local government unit.

(b) In the metropolitan area as defined in section 473.121, subdivision 2, the commission is encouraged to give priority to the following proposals:

(1) proposals for construction of two or more ice sheets in a single new facility;
(2) proposals for construction of an additional sheet of ice at an existing ice center;

(3) proposals for construction of a new, single sheet of ice as part of a sports complex with multiple sports facilities; and

(4) proposals for construction of a new, single sheet of ice that will be expanded to a two-sheet facility in the future.

c) The commission shall administer a site selection process for the ice centers. The commission shall invite proposals from cities or counties or consortia of cities. A proposal for an ice center must include matching contributions including in-kind contributions of land, access roadways and access roadway improvements, and necessary utility services, landscaping, and parking.

d) Proposals for ice centers and matching grants must provide for meeting the demand for ice time for female groups by offering up to 50 percent of prime ice time, as needed, to female groups. For purposes of this section, prime ice time means the hours of 4:00 p.m. to 10:00 p.m. Monday to Friday and 9:00 a.m. to 8:00 p.m. on Saturdays and Sundays.

e) The location for all proposed facilities must be in areas of maximum demonstrated interest and must maximize accessibility to an arterial highway.

f) To the extent possible, all proposed facilities must be dispersed equitably, must be located to maximize potential for full utilization and profitable operation, and must accommodate noncompetitive family and community skating for all ages.

g) The commission may also use the funds to upgrade current facilities, purchase girls’ ice time, or conduct amateur women's hockey and other ice sport tournaments.

h) To the extent possible, 50 percent of all grants must be awarded to communities in greater Minnesota.

i) To the extent possible, technical assistance shall be provided to Minnesota communities by the commission on ice arena planning, design, and operation, including the marketing of ice time.

j) The commission may use funds for rehabilitation and renovation grants. Priority must be given to grant applications for indoor air quality improvements, including zero emission ice resurfacing equipment.

k) Grant funds may be used for ice centers designed for sports other than hockey.

l) Grant funds may be used to upgrade current facilities so they are in compliance with the bleacher safety requirements of section 16B.616.

Sec. 5. [325F.015] [UNSAFE BLEACHERS.]

Subdivision 1. [BLEACHER BAN.] No person shall manufacture, sell, distribute, or install bleachers within Minnesota that are not in compliance with section 16B.616. For purposes of this section, “person” means an individual, public or private entity, however organized, or a unit of state or local government.

Subd. 2. [PENALTY.] Any person who violates this section shall be subject to a civil penalty of $500 for each violation.

Sec. 6. [APPROPRIATION.]

$500,000 is appropriated from the general fund to the commissioner of administration to help the commissioner achieve compliance with the bleacher safety requirements of Minnesota Statutes, section 16B.616, and for the purpose of making grants to publicly owned places of public accommodation to assist them in achieving compliance
with the bleacher safety requirements of Minnesota Statutes, section 16B.616. The commissioner shall transfer money to the Minnesota amateur sports commission to make grants under this section. The Minnesota amateur sports commission shall give highest priority to grant requests from political subdivisions for whom the cost of compliance is the greatest financial hardship. State grants are available when the Minnesota amateur sports commission has determined matching funds in an amount equal to the grant have been committed. This is a one-time appropriation and is available until June 30, 2001.

Sec. 7. [CONSTRUCTION.]

Notwithstanding Minnesota Statutes, section 645.26 or other law to the contrary, section 6 of this act prevails over any irreconcilable provision passed in the same legislative session that appropriates money for the purpose of making grants to achieve compliance with bleacher safety requirements.

Sec. 8. [EFFECTIVE DATE.]

Sections 1, 2, 3, and 5 are effective January 1, 2001, except the provisions governing manufacture, sale, installation, or distribution of new bleachers are effective July 1, 1999.

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Munger was excused for the remainder of today’s session.

Juhnke offered an amendment to H. F. No. 1124, the second engrossment, as amended.

POINT OF ORDER

Reuter raised a point of order pursuant to rule 4.03 relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills that the Juhnke amendment was not in order. Speaker pro tempore Boudreau ruled the point of order well taken and the Juhnke amendment out of order.

Tomassoni appealed the decision of Speaker pro tempore Boudreau.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Ozment and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler  Boudreau  Carruthers  Davids  Dorn  Fuller
Anderson, B. Bradley  Cassell  Dawkins  Entenza  Gerlach
Bakk  Broecker  Chaudhary  Dehler  Erhardt  Gleason
Biernat  Buesgens  Clark, J.  Dempsey  Erickson  Goodno
Bishop  Carlson  Daggett  Dorman  Finseth  Gray
Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The Speaker resumed the Chair.

**LAY ON THE TABLE**

Molnau moved to lay the Tomassoni appeal of the decision of Speaker pro tempore Boudreau on the table.

A roll call was requested and properly seconded.

The question was taken on the Molnau motion and the roll was called.

McElroy moved that those not voting be excused from voting. The motion prevailed.

There were 69 yeas and 56 nays as follows:

Those who voted in the affirmative were:
Those who voted in the negative were:

Bakk
Biernat
Carlson
Carruthers
Chaudhary
Dorn
Entenza
Gleason
Gray
Greenfield

Greiling
Hasskamp
Hausman
Hilty
Huntley
Jaros
Jennings
Juhnke
Kahn
Kalis

Kelliher
Koskinen
Kubly
Larson, D.
Leighton
Lenczewski
Lieder
Lichten
Mahoney
Mariani

Marko
McCullum
McGuire
Milbert
Nullery
Mullery
Murphy
Otrema
Paymar
Pelowski

Peterson
Pugh
Rest
Rukavina
Schumacher

Trimble
Wagenius
Wojcik
Wenzel
Winter

Those who voted in the affirmative were:

Abrams
Anderson, B.
Bishop
Bouck
Buesgens
Carlson
Cassell
Clark, J.
Daggett
Davids
Dempsey
Dorn
Dorn

Boudreau
Broecker
Cassell
Dehler
Dorn
Dorothy

Tomassoni

The motion prevailed and the appeal of the decision of Speaker pro tempore Boudreau was laid on the table.

CALL OF THE HOUSE LIFTED

Reuter moved that the call of the House be suspended. The motion prevailed and it was so ordered.

Dorman, Westrom and Olson moved to amend H. F. No. 1124, the second engrossment, as amended, as follows:

Page 3, after line 10, insert:

"Subd. 7. [EXISTING BLEACHERS.] Bleachers already in existence on the effective date of this act that limit children under the age of 10 to sitting in the first three rows need not comply with any increased requirements in this act."

A roll call was requested and properly seconded.

Westrom moved to amend the Dorman et al amendment to H. F. No. 1124, the second engrossment, as amended, as follows:

Page 1, line 5, after "act" insert "that have signs"

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

The Speaker called Boudreau to the Chair.

The question recurred on the Dorman et al amendment, as amended, and the roll was called. There were 72 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Abrams
Anderson, B.
Bishop

Boudreau
Broecker
Buesgens
Carlson
Cassell
Clark, J.

Carson
Cassell
Clark, J.
Clark, J.
Clark, J.

Daggett
Davids
Dehler
Dempsey
Dorn
Dorn

Dorn
Dorn
Dorn
Dorn
Dorn

Erhardt
Finseth
Finseth
Finseth
Finseth

Fuller
Those who voted in the negative were:

Abeler  Gleason  Kelliher  McCollum  Rest  Trimble
Anderson, I.  Gray  Koskinen  McGuire  Rukavina  Tunheim
Bakk  Greenfield  Larson, D.  Milbert  Seagren  Wagenius
Biernat  Hackbarth  Leighton  Mullery  Seifert, J.  Wejcman
Bradley  Hausman  Lenczewski  Opatz  Skoe  Winter
Carruthers  Hilty  Leppik  Orfield  Skoglund  Workman
Chaudhary  Howes  Lieder  Osthoff  Smith  
Dawkins  Huntley  Luther  Otremba  Solberg  
Entenza  Jaros  Mariani  Paymar  Sykora  
Erickson  Jennings  Marko  Pugh  Tomassoni  

The motion prevailed and the amendment, as amended, was adopted.

Bradley, Ness, Davids and Boudreau moved to amend H. F. No. 1124, the second engrossment, as amended, as follows:

Page 1, line 18, delete "30" and insert "60"

The motion prevailed and the amendment was adopted.

Trimble, McCollum, Mahoney, Peterson, Tomassoni and Juhnke moved to amend H. F. No. 1124, the second engrossment, as amended, as follows:

Page 6, line 35, delete everything after the period

Page 6, delete line 36

Page 7, line 1, delete everything before "This"

A roll call was requested and properly seconded.

The question was taken on the Trimble et al amendment and the roll was called. There were 55 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Anderson, I.  Carlson  Clark, K.  Gleason  Greiling  Hausman
Bakk  Carruthers  Dawkins  Gray  Haake  Hilty
Biernat  Chaudhary  Entenza  Greenfield  Hasskamp  Huntley
Those who voted in the negative were:

Abeler  Abrams  Anderson, B.  Anderson, I.  Bakk  Bishop  Boudreau  Bradley  Bروeker  Buesgens  Cassell  Clark, J.  Daggett  Davids  Dehler

Those who voted in the affirmative were:

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

H. F. No. 1124, A bill for an act relating to public safety; requiring bleacher safety; providing penalties; appropriating money; amending Minnesota Statutes 1998, sections 16B.72; 16B.73; and 240A.09; proposing coding for new law in Minnesota Statutes, chapters 16B; and 325F.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 14 nays as follows:

Those who voted in the affirmative were:
Those who voted in the negative were:

Biernat  Buesgens  Gerlach  Huntley  Kalis  Mulder  Reuter
Buesgens  Jaros  Jennings  Krinkie  Lindner  Nornes  Seifert, M.

The bill was passed, as amended, and its title agreed to.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 176, A bill for an act relating to retirement; public employees retirement association; creating a local government correctional service retirement plan; modifying actuarial cost provision; providing a special property tax levy for certain county retirement contributions; amending Minnesota Statutes 1998, sections 3.85, subdivisions 11 and 12; 273.1385, subdivision 2; 275.70, subdivision 5; 353.27, subdivisions 2 and 3; 356.19, by adding a subdivision; 356.20, subdivision 2; 356.30, subdivision 3; 356.302, subdivision 7; and 356.303, subdivision 4; proposing coding for new law as Minnesota Statutes, chapter 353E; repealing Minnesota Statutes 1998, section 353.33, subdivision 3a.

Reported the same back with the following amendments:

Page 12, line 33, delete "50" and insert "47.5"

With the recommendation that when so amended the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 595, A bill for an act relating to economic development; imposing a specific standard of proof for certain petrofund reimbursement reductions; providing reimbursement for certain bulk petroleum plants upgrading or closing aboveground storage tanks; regulating the cleanup of contaminated land; modifying the application of the Uniform Fire Code to aboveground tanks; amending Minnesota Statutes 1998, sections 115C.08, subdivision 4; 115C.09, subdivision 3, and by adding a subdivision; 116J.562, subdivision 2; and 116J.567; proposing coding for new law in Minnesota Statutes, chapter 299F.
Reported the same back with the following amendments:

Page 8, after line 10, insert:

"Sec. 7. [UNDERGROUND TANKS ON FARMS.]

An owner or operator of a registered underground storage tank located on a farm in the state who fails to remove the underground storage tank in compliance with the requirements of Minnesota Rules, chapter 7150, before December 22, 2000, shall not be subject to any penalties under state law for failure to comply with the removal requirements of Minnesota Rules, chapter 7150, with regard to a tank located on a farm.

Sec. 8. [APPROPRIATION.]

$4,500,000 is appropriated from the general fund in fiscal year 2000 to the commissioner of finance for a grant to the port authority of the city of St. Paul for purposes of acquiring the Maxson Steel site located in the city of St. Paul, for associated relocation costs, and for purposes of demolition of existing structures, environmental remediation, and correction of unstable soils at the Maxson Steel site. This appropriation is contingent upon the city of St. Paul committing at least $1,000,000 to provide funding for the redevelopment of housing on property immediately adjacent to the Maxson Steel site."

Page 8, line 12, delete "6" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "providing a regulatory exception for underground tanks on farms; appropriating money;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 1077, A bill for an act relating to retirement; various statewide and local pension plans; providing special benefit coverage for privatized employees of the Luverne public hospital and the Waconia Ridgeview medical center; providing an ad hoc postretirement adjustment to Eveleth police and fire trust fund benefit recipients; establishing an additional postretirement adjustment for the Fairmont police relief association; extending survivor benefit provisions to include certain Fairmont police relief association survivors; providing a special ad hoc postretirement adjustment to certain retired St. Cloud police officers; authorizing the purchase of credit for certain periods of prior military service, out-of-state public school teaching service, maternity leaves, maternity breaks in employment, parochial and private school teaching service, Peace Corps service, VISTA service, and charter school teaching service; authorizing service credit purchases by certain plan members; authorizing the designation of a supplemental needs trust as an optional annuity form beneficiary; repealing the 30-year service maximum for monthly benefit volunteer firefighter relief associations; providing special benefit coverage for privatized Glencoe area health center employees; modifying governance provisions for the Minneapolis fire department relief association and the Minneapolis police relief association; permitting the purchase of service credit by various school district employees; amending Minnesota Statutes 1998, sections 356.55, subdivisions 1 and 6; and 423B.07; Laws 1977, chapter 61, section 6, as amended; proposing coding for new law in Minnesota Statutes, chapters 354; 354A; and 356; repealing Minnesota Statutes 1998, section 424A.02, subdivision 5; Laws 1998, chapter 390, article 1, section 1.

Reported the same back with the following amendments:
"ARTICLE 1
FUTURE PERA PENSION BENEFITS FOR
PRIVATIZED PUBLIC HOSPITAL EMPLOYEES

Section 1.  [353F.01] [PURPOSE AND INTENT.]

The purpose of this chapter is to ensure, to the extent possible, that persons employed at public medical facilities who are privatized and consequently are excluded from retirement coverage by the public employees retirement association will be entitled to receive future retirement benefits under the general employees retirement plan of the public employees retirement association commensurate with the prior contributions made by them or made on their behalf upon the privatization of the medical facility.

Sec. 2.  [353F.02] [DEFINITIONS.]

Subdivision 1. [GENERAL.] As used in this chapter, unless the context clearly indicates otherwise, each of the terms in the following subdivisions has the meaning indicated.

Subd. 2. [ALLOWABLE SERVICE.] "Allowable service" has the meaning provided in section 353.01, subdivision 16, of the edition of Minnesota Statutes published in the year before the year in which the privatization occurred.

Subd. 3. [EFFECTIVE DATE.] "Effective date" means the date that the operation of the medical facility is assumed by another employer or the date that the medical facility is purchased by another employer and active membership in the public employees retirement association consequently terminates.

Subd. 4. [MEDICAL FACILITY.] "Medical facility" means:

(1) the Glencoe area health center;
(2) the Luverne public hospital; and
(3) the Waconia-Ridgeview medical center.

Subd. 5. [TERMINATED MEDICAL FACILITY EMPLOYEE.] "Terminated medical facility employee" means a person who:

(1) was employed on the day before the effective date by the medical facility; or
(2) terminated employment with the medical facility on the day before the effective date; and
(3) was a participant in the general employees retirement plan of the public employees retirement association at the time of termination of employment with the medical facility.

Subd. 6. [YEARS OF ALLOWABLE SERVICE.] "Years of allowable service" means the total number of years of allowable service under section 353.01, subdivision 18, of the edition of Minnesota Statutes published in the year before the year in which the privatization occurred.

Sec. 3.  [353F.03] [VESTING RULE FOR CERTAIN EMPLOYEES.]

Notwithstanding any provision of chapter 353 to the contrary, a terminated medical facility employee is eligible to receive a retirement annuity under section 353.29 of the edition of Minnesota Statutes published in the year before the year in which the privatization occurred, without regard to the requirement for three years of allowable service.
Sec. 4. [353F.04] [AUGMENTATION INTEREST RATE FOR TERMINATED MEDICAL FACILITY EMPLOYEES.]

The deferred annuity of a terminated medical facility employee is subject to augmentation in accordance with section 353.71, subdivision 2, of the edition of Minnesota Statutes published in the year in which the privatization occurred, except that the rate of interest for this purpose is 5.5 percent compounded annually until January 1 following the year in which such person attains age 55. From that date to the effective date of retirement, the rate is 7.5 percent. These increased augmentation rates are no longer applicable for any time after the terminated medical facility employee becomes covered again by a retirement fund enumerated in section 356.30, subdivision 3. These increased deferred annuity augmentation rates do not apply to a terminated transferred medical facility employee who begins receipt of a retirement annuity while employed by the employer which assumed operations of the medical facility or purchased the medical facility.

Sec. 5. [353F.05] [AUTHORIZATION FOR ADDITIONAL ALLOWABLE SERVICE FOR CERTAIN EARLY RETIREMENT PURPOSES.]

For the purpose of determining eligibility for early retirement benefits provided under section 353.30, subdivision 1a, of the edition of Minnesota Statutes published in the year before the year in which the privatization occurred, and notwithstanding any provision of chapter 353 to the contrary, the years of allowable service for a terminated medical facility employee who transfers employment on the effective date and does not apply for a refund of contributions under section 353.34, subdivision 1, of the edition of Minnesota Statutes published in the year before the year in which the privatization occurred, or any similar provision, includes service with the successor employer to the medical facility following the effective date. The successor employer shall provide any reports that the executive director of the public employees retirement association may reasonably request to permit calculation of benefits.

To be eligible for early retirement benefits under this section, the individual must separate from service with the successor employer to the medical facility. The terminated eligible individual, or an individual authorized to act on behalf of that individual, may apply for an annuity following application procedures under section 353.29, subdivision 4.

Sec. 6. [353F.06] [APPLICATION OF REEMPLOYED ANNUITANT EARNINGS LIMITATIONS.]

The reemployed annuitant earnings limitations of section 353.37 apply to any service by a terminated medical facility employee as an employee of the successor employer to the medical facility.

Sec. 7. [353F.07] [EFFECT ON REFUND.]

Notwithstanding any provision of chapter 353 to the contrary, terminated medical facility employees may receive a refund of employee accumulated contributions plus interest at the rate of six percent per year compounded annually in accordance with section 353.34, subdivision 2, of the edition of Minnesota Statutes published in the year in which the privatization occurred, at any time after the transfer of employment to the successor employer to the medical facility. If a terminated medical facility employee has received a refund from a pension plan enumerated in section 356.30, subdivision 3, the person may not repay that refund unless the person again becomes a member of one of those enumerated plans and complies with section 356.30, subdivision 2.

Sec. 8. [353F.08] [COUNSELING SERVICES.]

The medical facility and the executive director of the public employees retirement association shall provide terminated medical facility employees with counseling on their benefits available under the general employees retirement plan of the public employees retirement association during the 90 days following privatization.
Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective on the day following final enactment.

Page 9, line 1, after "(a)" insert "If the requirement of paragraph (f) is met."

Page 9, line 15, delete "board of trustees" and insert "chief administrative officer."

Page 9, line 34, delete "and" and insert "to the special fund of the relief association."

Page 10, line 2, delete "secretary" and insert "chief administrative officer."

Page 10, line 7, after "made" insert "in a given year."

Page 10, line 15, before "The" insert "(a)"

Page 10, after line 17, insert:

"(b) Any surviving spouse benefit increase under this section is first payable on the first day of the month next following the effective date of this section."

Page 12, lines 8 and 36, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 13, line 29, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 14, line 19, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 15, lines 7 and 33, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 16, line 27, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 17, line 20, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 18, line 14, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 19, lines 4 and 28, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 19, line 17, delete "356.53" and insert "356.55"

Page 20, line 17, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 21, line 32, before "Sections" insert "(a)" and after the period, insert "Section 15 is effective August 1, 1999."

(b) A teacher who retires on or before May 16, 1999, is not eligible to purchase service credit under the provisions of this article. A teacher who has rendered teaching service after May 16, 1999, and who has filed an application for retirement that is effective on or before July 1, 1999, may purchase service credit under this article on or before September 1, 1999, notwithstanding that the person is not a teacher rendering active teaching service on the date of the payment. Payment must be received on or before September 1, 1999. If this payment is received on or after the effective date of retirement, the increased benefit resulting from the purchase is effective on the first day of the month following the month during which payment is received."
Page 22, line 25, delete "January" and insert "July"

Page 23, line 1, after "TEACHER" insert "; PRIOR SERVICE CREDIT PURCHASE"

Page 24, line 18, delete "TEACHERS RETIREMENT ASSOCIATION" and insert "HOPKINS SCHOOL DISTRICT"

Page 24, lines 21 and 33, delete "274" and insert "270"

Page 25, line 6, delete "274" and insert "270"

Pages 30 to 33, delete article 8

Page 34, after line 25, insert:

"Section 1. Minnesota Statutes 1998, section 354.66, subdivision 5, is amended to read:

Subd. 5. [OTHER MEMBERSHIP PRECLUDED.] A teacher entitled to full accrual of allowable service credit and employee contributions for part time teaching service pursuant to this section shall not be entitled during the same period of time to be a member of, accrue allowable service credit in or make employee contributions to any other Minnesota public employee pension plan, except the plan established in chapter 3A or a volunteer firefighters' relief association governed by sections 69.771 to 69.776."

Page 34, line 27, after "CREDIT" insert "BY RUSH CITY SCHOOL DISTRICT EMPLOYEE"

Page 37, line 4, after "PERIOD" insert "BY VIRGINIA TEACHER"

Page 37, line 26, delete "1 to 3" and insert "2 to 4"

Renumber the articles in sequence

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, delete line 4

Page 1, line 5, delete everything before the semicolon, and insert "providing future PERA pension benefits for privatized public hospital employees"

Page 1, delete line 24

Page 1, line 25, delete everything before "modifying"

Page 1, line 30, after "sections" insert "354.66, subdivision 5;"

Page 1, line 34, after "356;" insert "proposing coding for new law as Minnesota Statutes, chapter 353F;"

Page 1, line 35, delete everything after "5"

Page 1, line 36, delete everything before the period

With the recommendation that when so amended the bill pass.

The report was adopted.
Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 1180. A bill for an act relating to retirement; various public pension plans; expanding the membership of the state correctional employees retirement plan to include certain Minnesota extended treatment options program employees; downsizing the early retirement reduction rates for various public safety plans; grandparenting public employee police and fire plan coverage for certain Rice county correctional employees; requiring Rice county to repay certain police state aid amounts; providing employer penalties for pension plan membership certification failures or errors; providing special retirement coverage for certain state fire marshal employees; requiring a study; clarifying various Minneapolis employees retirement plan survivor benefit provisions; increasing the number of vendors for certain tax-sheltered annuities for educational employees; modifying various benefit provisions for certain Minnesota state college and university system employees; authorizing the establishment of volunteer rescue squad relief associations by Kandiyohi county and the city of Litchfield; merging the pre-March 1, 1999, local police and paid fire consolidation accounts into the public employees police and fire plan; extending the minimum volunteer firefighter fire state aid amount to post-1993 relief association members; providing a targeted early retirement incentive program for certain employees of the metropolitan council; making miscellaneous changes in the legislators retirement plan, the Minnesota state college and university system individual retirement account plan, the Minnesota state retirement system, and the teachers retirement association; reducing the membership of the legislative commission on pensions and retirement; amending Minnesota Statutes 1998, sections 3.85, subdivisions 3 and 12; 3A.02, subdivision 1b; 43A.27, subdivision 3; 69.021, subdivisions 7 and 10; 69.031, subdivision 5; 122A.46, subdivision 2; 136F.48; 352.03, subdivision 1; 352.90; 352.91, by adding a subdivision; 353.01, subdivisions 2b, 10, and 16; 353.03, subdivision 4; 353.64, subdivision 1; 353.65, subdivisions 2 and 3; 353.651, subdivision 4; 353A.083, by adding a subdivision; 353A.09, subdivisions 4 and 5; 353D.01, subdivision 2; 353D.02, by adding a subdivision; 353D.03, subdivision 3; 354.05, subdivision 40; 354.06, subdivisions 1 and 7; 354.10, subdivision 4; 354.445; 354.66, subdivisions 1b, 1c, and 3; 354B.24, subdivision 3; 354B.25, subdivisions 2, 3, and 5; 354C.11; 354C.12, subdivision 4; 356.19, by adding a subdivision; 356.215, subdivision 4g; 356.24, subdivision 1; 422A.06, subdivisions 3 and 6; 422A.101, subdivision 4; 422A.18, subdivision 2; 422A.22, subdivisions 4 and 5; 422A.23; and 423A.02, subdivisions 1b, 2, and by adding subdivisions; proposing new law in Minnesota Statutes, chapters 352; 353; 354B; 356; and 422A; repealing Minnesota Statutes 1998, sections 353.65, subdivision 3a; and 422A.16, subdivision 3a.

Reported the same back with the following amendments:

Page 64, line 28, after "1999" insert "and the accrued benefits of the members are the obligation of the public employees police and fire fund"

Page 65, line 24, delete everything after "plan"

Page 65, line 25, delete everything before "as"

Page 66, line 17, delete everything after "plan"

Page 66, delete line 18

Page 66, line 26, delete "in effect on"

Page 66, delete line 27

Page 66, line 28, delete everything before "as"

Page 67, line 7, delete everything after "plan"

Page 67, delete line 8

Page 67, line 9, delete everything before "as"
Page 70, line 18, delete "on December 31" and insert "during the month of January, without any interest, or if made after January 31, but before the next following December 31, is payable with interest for the period since January 1 at a rate which is equal to the preretirement interest rate assumption specified in section 356.215, subdivision 4d, applicable to the fund expressed as a monthly rate and compounded on a monthly basis or if made after December 31 of the year in which the additional municipal contribution is due is payable with interest at a rate which is four percent greater than the highest interest rate assumption specified in section 356.215, subdivision 4d, expressed as a monthly rate and compounded monthly from January 1 of the year in which the additional municipal contribution is due until the date on which payment is made."

Page 70, delete lines 19 to 21

Page 71, line 2, after "terminated" insert ", and all benefits accrued up to the date of termination are the obligation of the public employees police and fire fund"

Page 73, after line 31, insert:

"Sec. 13. Minnesota Statutes 1998, section 353A.09, is amended by adding a subdivision to read:

Subd. 5a. [AUTHORITY TO MODIFY CONTRIBUTION RATES.] (a) Notwithstanding subdivisions 4 and 5, a municipality associated with a consolidation account, with municipal governing body approval, may implement the contribution rates specified in section 353.65, subdivisions 2 and 3, rather than the rates specified in subdivisions 4 and 5.

(b) If the contribution rates specified in section 353.65, subdivisions 2 and 3, are subsequently modified, the applicable municipal governing body must approve that subsequent modification.

(c) The municipal governing body approval must be in the form of a municipal resolution. The municipal resolution must specify the effective date for the contribution rate modification. The municipal resolution must be filed with the executive director of the public employees retirement association, the state auditor, the secretary of state, and the executive director of the legislative commission on pensions and retirement."

Page 79, line 12, after "(e)" insert "Additional amortization state aid payable to the public employees retirement association on behalf of a municipality must be credited by the executive director of the public employees retirement association against any additional municipal contribution to which the applicable municipality is obligated to make under section 353A.09, subdivision 5, or section 353.665, subdivision 8.

(f)"

Page 82, line 5, delete "14" and insert "15"

Page 82, line 6, delete "13" and insert "14"

Renumber the sections in sequence

Correct internal crossreferences

Amend the title as follows:

Page 1, line 44, delete "and 5" and insert ", 5, and by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.
Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 2127, A bill for an act relating to public administration; imposing and modifying conditions and limitations on the use of public debt; providing for the Dakota county community development agency and the Cuyuna Range joint powers economic development authority; reenacting certain provisions relating to taxes, abatements, and tax increments; clarifying the treatment of property of certain limited liability companies for certain property tax exemption purposes; amending Minnesota Statutes 1998, sections 126C.55, subdivision 7; 272.02, by adding a subdivision; 383D.41, subdivisions 1, 2, 3, and by adding subdivisions; 473.39, by adding a subdivision; 475.56; and 475.60, subdivisions 1 and 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

S. F. No. 1485, A bill for an act relating to professions; modifying provisions of the board of architecture, engineering, land surveying, landscape architecture, geoscience, and interior design relating to fees and continuing education; increasing penalties; amending Minnesota Statutes 1998, section 326.111, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Rules, part 1800.0500, subpart 3.

Reported the same back with the following amendments:

Page 1, delete section 1
Renumber the sections in sequence
Amend the title as follows:
Page 1, line 5, delete "fees and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

S. F. No. 1572, A bill for an act relating to natural resources; modifying provisions for the exchange or sale of leased lakeshore lots; amending Laws 1998, chapter 389, article 16, section 31, subdivisions 2, 3, and 4.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

S. F. No. 1636, A bill for an act relating to governmental operations; providing for regulatory relief for local units of government; proposing coding for new law in Minnesota Statutes, chapter 14.

Reported the same back with the following amendments:

Page 2, line 12, delete everything after the period
Page 2, delete line 13 and insert "The"

Page 2, line 14, delete "other" and insert "any" and delete "persons" and insert "person, at the option of any of them, may submit written material for the assigned administrative law judge's consideration"

Page 2, line 15, before "receipt" insert "the chief administrative law judge's"

Page 2, delete lines 33 and 34

Page 2, line 35, delete everything before "If"

With the recommendation that when so amended the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

S. F. No. 1721, A bill for an act relating to public employees; ratifying certain labor agreements and compensation plans; providing for transfer of vacation and sick leave for certain employees; modifying per diem provision for special mediators; modifying procedures for the listing of arbitrators; exempting epidemiologists from a salary cap; making technical changes; amending Minnesota Statutes 1998, sections 3.096; 43A.17, subdivision 4; 179.02, subdivision 2; 179A.03, subdivision 14; 179A.04, subdivision 3; 179A.10, subdivision 1; and 179A.16, subdivision 2; repealing Minnesota Statutes 1998, section 43A.17, subdivision 12.

Reported the same back with the following amendments:

Page 2, delete lines 29 to 31

Page 2, line 32, delete "10" and insert "9"

With the recommendation that when so amended the bill pass.

The report was adopted.

**SECOND READING OF HOUSE BILLS**

H. F. Nos. 176, 595, 1077, 1180 and 2127 were read for the second time.

**SECOND READING OF SENATE BILLS**

S. F. Nos. 1485, 1572, 1636 and 1721 were read for the second time.
MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 319.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 319, A bill for an act relating to retirement; various pension plans; providing special benefit coverage for privatized employees of the Luverne public hospital, the Waconia Ridgeview medical center, and the Glencoe area health center; creating a local government correctional service retirement plan; modifying actuarial cost provision; providing a special property tax levy for certain county retirement contributions; providing an ad hoc postretirement adjustment to Eveleth police and fire trust fund benefit recipients; establishing an additional postretirement adjustment for the Fairmont police relief association; extending survivor benefit provisions to include certain Fairmont police relief association survivors; providing a special ad hoc postretirement adjustment to certain retired St. Cloud police officers; merging the pre-March 1, 1999, local police and paid fire consolidation accounts into the public employees police and fire plan; extending the minimum volunteer firefighter fire state aid amount to post-1993 relief association members; modifying governance provisions for the Minneapolis fire department relief association and the Minneapolis police relief association; providing a targeted early retirement incentive program for certain employees of the metropolitan council; permitting the purchase of service credit by various public employees; mandating certain school district service credit purchase payments; making miscellaneous changes in the legislators retirement plan, the Minnesota state colleges and university system individual retirement account plan, the Minnesota state retirement system, and the teachers retirement association; including supplemental needs trusts as recipients of optional annuity forms; eliminating the service credit maximum for monthly benefit volunteer fire relief associations; mandating school district repayment of certain omitted deduction interest charges; expanding the membership of the state correctional employees retirement plan to include certain Minnesota extended treatment options program employees; downsizing the early retirement reduction rates for various public safety plans; grandparenting public employee police and fire plan coverage for certain Rice county correctional employees; requiring Rice county to repay certain police state aid amounts; providing employer penalties for pension plan membership certification failures or errors; providing special retirement coverage for certain state fire marshal employees; authorizing the purchase of credit for certain periods of prior military service, out-of-state public teaching service, maternity leaves, maternity breaks-in-employment, parochial or private school teaching service, Peace Corps service or VISTA service; clarifying various Minneapolis employees retirement plan survivor benefit provisions; increasing the number of vendors for certain tax-sheltered annuities for educational employees; modifying various benefit provisions for certain Minnesota state colleges and universities employees; reducing the membership of the legislative commission on pensions and retirement; requiring a study; authorizing the Minnesota state retirement system, the public employees retirement association, and the teachers retirement association to purchase or construct an administrative building; authorizing the issuance of certain revenue bonds; amending Minnesota Statutes 1998, sections 3.85, subdivisions 3, 11, and 12; 3A.02, subdivision 1b; 43A.27, subdivision 3; 69.021, subdivisions 7 and 10; 69.031, subdivision 5; 122A.46, subdivision 2; 136F.48; 273.1385, subdivision 2; 352.03, subdivision 1; 352.90; 352.91, by adding a subdivision; 352.92, subdivisions 1 and 2; 352.93, subdivision 2a; 352B.08, subdivision 2a; 353.01, subdivisions 2b, 10, and 16; 353.03, subdivision 4; 353.27, subdivisions 2 and 3; 353.64, subdivision 1; 353.65, subdivisions 2 and 3; 353.651, subdivision 4; 353A.083, by
adding a subdivision; 353A.09, subdivisions 4, 5, and by adding a subdivision; 354.05, subdivision 40; 354.06, subdivisions 1 and 7; 354.10, subdivision 4; 354.445; 354.66, subdivisions 1b, 1c, and 3; 354B.24, subdivision 3; 354B.25, subdivisions 2, 3, and 5; 354C.11; 354C.12, subdivision 4; 356.19, by adding subdivisions; 356.20, subdivision 2; 356.215, subdivision 4g; 356.24, subdivision 1; 356.30, subdivision 3; 356.302, subdivision 7; and 356.303, subdivision 4; 356.55, subdivisions 1 and 6; 422A.06, subdivisions 3 and 6; 422A.101, subdivision 4; 422A.18, subdivision 2; 422A.22, subdivisions 4 and 5; and 422A.23; 423A.02, subdivisions 1b, 2, and by adding subdivisions; and 423B.07; Laws 1977, chapter 61, section 6, as amended; proposing coding for new law in Minnesota Statutes, chapters 352; 353; 354; 354A; 354B; 356; and 422A; proposing coding for new law as Minnesota Statutes, chapters 353E; and 353F; repealing Minnesota Statutes 1998, sections 353.33, subdivision 3a; 353.65, subdivision 3a; 422A.16, subdivision 3a; and 424A.02, subdivision 5; Laws 1998, chapter 390, article 1, section 1.

The bill was read for the first time.

Mares moved that S. F. No. 319 and H. F. No. 1077, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

**CALENDAR FOR THE DAY**

H. F. No. 1195 was reported to the House.

Van Dellen moved that H. F. No. 1195 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 709 was reported to the House.

Tunheim moved to amend S. F. No. 709 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 937, the first engrossment:

"Section 1. Minnesota Statutes 1998, section 16C.16, subdivision 7, is amended to read:

Subd. 7. [ECONOMICALLY DISADVANTAGED AREAS.] The commissioner may award up to a **six percent preference in the amount bid on state procurement to small businesses located in an economically disadvantaged area. A business is located in an economically disadvantaged area if:

1. the owner resides in or the business is located in a county in which the median income for married couples is less than 70 percent of the state median income for married couples;

2. the owner resides in or the business is located in an area designated a labor surplus area by the United States Department of Labor; or

3. the business is a rehabilitation facility or work activity program.

The commissioner may designate one or more areas designated as targeted neighborhoods under section 469.202 or as enterprise zones under section 469.167 as economically disadvantaged areas for purposes of this subdivision if the commissioner determines that this designation would further the purposes of this section. If the owner of a small business resides or is employed in a designated area, the small business is eligible for any preference provided under this subdivision."
The department of revenue shall gather data necessary to make the determinations required by clause (1), and
shall annually certify counties that qualify under clause (1). An area designated a labor surplus area retains that
status for 120 days after certified small businesses in the area are notified of the termination of the designation by
the United States Department of Labor.

Sec. 2. [REPEALER.]

Minnesota Rules, part 1230.1860, item A, is repealed."

The motion prevailed and the amendment was adopted.

Tunheim and Bakk moved to amend S. F. No. 709, as amended, as follows:

Page 1, line 12, before "The" insert "(a) Except as otherwise provided in paragraph (b)."

Page 1, line 15, after the period, insert:

"(b) The commissioner may award up to a four percent preference in the amount bid on state construction to
businesses located in an economically disadvantaged area.

(c)"

Page 1, line 25, before "The" insert "(d)"

Page 2, line 6, before "The" insert "(e)"

Page 2, lines 7 and 8, before "clause" insert "paragraph (c)."

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "providing an exception;"

The motion prevailed and the amendment was adopted.

S. F. No. 709, A bill for an act relating to state procurement; authorizing the commissioner of administration to
award a preference of as much as six percent in the amount bid for specified goods or services to small
businesses; amending Minnesota Statutes 1998, section 16C.16, subdivision 7; repealing Minnesota Rules,
part 1230.1860, item A.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 81 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Anderson, I.  Carlson  Chaudhary  Davids  Dempsey  Entenza
Bakk    Carruthers  Clark, J.  Dawkins  Dorman  Finseth
Biernat  Cassell  Clark, K.  Dehler  Dorn  Gleason
The bill was passed, as amended, and its title agreed to.

S. F. No. 768, A bill for an act relating to Ramsey county; making changes in the personnel process; amending Minnesota Statutes 1998, section 383A.288, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 66 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Anderson, I.  Gray  Kahn  Mahoney  Orfield  Seifert, J.
Bakk  Greenfield  Kahn  Mahoney  Orfield  Seifert, J.
Biernat  Greiling  Kelliher  Mariani  Ortegbia  Skoglund
Carlson  Haake  Koskinen  Marko  Osskopp  Solberg
Carruthers  Hasskamp  Kubly  McCollum  Paymar  Tomassoni
Chaudhary  Hausman  Larson, P.  McGuire  Pelowski  Trimble
Clark, K.  Hilty  Larson, D.  Milbert  Peterson  Tunheim
Dawkins  Huntley  Leighton  Mullery  Rest  Wagenius
Dorn  Jaros  Lenczewski  Murphy  Rostberg  Wejcmann
Entenza  Jennings  Lieder  Ness  Rukavina  Wenzel
Gleason  Juhnke  Luther  Opatz  Schumacher  Winter

Those who voted in the negative were:

Abeler  Bishop  Broecker  Clark, J.  Dehler  Erickson
Abrams  Boudreaux  Buesgens  Daggett  Dorman  Finseth
Anderson, B.  Bradley  Cassell  Davids  Erhardt  Fuller

Those who voted in the negative were:

Abeler  Daggett  Haas  Mares  Reuter  Sykora
Abrams  Erikson  Holberg  McElroy  Rifenberg  Tuma
Anderson, B.  Erickson  Holsten  Molnau  Seagren  Van Dellen
Bishop  Fuller  Kielkucki  Mulder  Seifert, J.  Vandevene
Boudreaux  Gerlach  Knoblauch  Ness  Smith  Wilkin
Bradley  Goodno  Krinkie  Olson  Stancek  Wolf
Broecker  Gunther  Larsen, P.  Ozment  Storm  Workman
Buesgens  Haake  Lindner  Pawlenty  Swenson  Spk. Sviggum
Gerlach        Holsten        McElroy        Reuter        Storm        Westfall
Goodno        Howes        Molnau        Rifenberg        Swenson        Westrom
Gunther       Kielkucki    Mulder        Seagren        Sykora        Wilkin
Haas          Knoblach      Nornes        Seifert, M.      Tingelstad      Wolf
Hackbart      Krinkie      Olson        Smith        Tuma        Workman
Harder        Kuisle       Osskopp       Stanek        Vandeveer      Spk. Sviggum
Holberg       Leppik       Pawlenty      Stang        Westerberg

The bill was not passed.

S. F. No. 1094. A bill for an act relating to probate; changing provisions of the Uniform Probate Code; changing nomination provisions for conservators and guardians; amending Minnesota Statutes 1998, sections 524.2-101; 524.2-702; 524.3-916; and 525.544, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler        Dorman        Holberg        Lindner        Otrema        Storm
Abrams        Dorn          Holsten        Luther        Ozment        Swenson
Anderson, B.  Entenza       Howes         Mahoney       Pawlenty      Sykora
Anderson, I.  Erhardt       Huntley        Mares         Paymar        Tingelstad
Bakk          Erickson      Jaros          Marko         Pelowski      Tomassoni
Biernat       Finseth       Jennings       McCollum      Peterson      Trimble
Bishop        Fuller        Juhnke        McElroy       Reuter        Tuma
Boudreau      Gerlach       Kahn          McGuire       Rifenberg     Vandeveer
Bradley       Gleason       Kalis         Milbert       Rostberg      Wejcman
Broecker      Goodno       Kellihier     Mornau        Rukavina      Wenzel
Buesgens      Gray          Kielkucki     Molnau        Schumacher    Westerberg
Carlson       Greenfield    Knoblach      Mulder        Seagren       Westfall
Carruthers    Greiling      Koskenen      Mullery       Seifert, J.    Westrom
Cassell       Gunther       Krinkie       Murphy        Seifert, M.    Wilkin
Chaudhary     Haake         Kubly         Ness          Skoe          Winter
Clark, J.     Haas          Kuisle        Ness          Skoglund      Wolf
Clark, K.     Hackbart      Larsen, P.     Olson         Skole          Smith
Daggett       Harder        Larson, D.     Opatz         Solberg       Workman
Dawkins       Hasskamp      Lenczewski    Orfield       Spk. Sviggum
Dehler        Hausman       Leppik        Osskopp       Stanek        Stang
Dempsey       Hilty         Lieder        Oshoff
S. F. No. 84. A bill for an act relating to government; providing for protection of public officials and employees; prohibiting the filing of fraudulent liens; providing civil remedies; proposing coding for new law in Minnesota Statutes, chapter 514.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler
Abrams
Anderson, B.
Anderson, I.
Biernat
Bishop
Boudreau
Bradley
Broecker
Buesgens
Carlson
Carruthers
Cassell
Chaudhary
Clark, J.
Clark, K.
Daggett
Davids
Dawkins
Dehler
Dempsey
Dorman
Dorn
Entenza
Erickson
Finseth
Fuller
Gerlach
Gleason
Goodno
Gray
Greenfield
Greiling
Gunther
Haake
Haas
Hackbarth
Harder
Hasskamp
Hausman
Hilty
Holberg
Holsten
Huntley
Jennings
Juhnke
Kahn
Kalis
Kelliher
Kielkucki
Knoblach
Koskeni
Krinke
Kubly
Kuisle
Larsen, P.
Larson, D.
Leighton
Lenczewski
Leppik
Lieder
Lindner
Luther
Mares
Marko
McCollum
McElroy
McGuire
Milbert
Molnau
Muller
Mullery
Murphy
Ness
Nornes
Olson
Opatz
Orfield
Osskopp
Osthoff
Otremba
Ozment
Pawlenty
Pelowski
Pugh
Rest
Reuter
Rifenberg
Rostberg
Rukavina
Schumacher
Seagren
Seifert, J.
Seifert, M.
Sei
Sko
Skeglund
Smith
Solberg
Stanek
Stang
Storm
Swenson
Sykora
Tingelstad
Tomassoni
Trimble
Tuma
Tunheim
Van Dellen
Vandeveer
Wagens
Wejcman
Wenz
Westfall
Westerberg
Wilkin
Winter
Wolf
Workman
Spk. Sviggum

The bill was passed and its title agreed to.

S. F. No. 685 was reported to the House.

Wolf moved to amend S. F. No. 685, the unofficial engrossment, as follows:

Page 2, delete lines 8 to 15 and insert:

"(d) The commission shall:

(1) require owners of coin-operated or public pay telephones to provide coin-free access to 911 emergency service or to another approved emergency service;

(2) establish standards, by standing order, for coin-operated or public pay telephones to access 911 emergency services, including, but not limited to, timing of the transmission, location information and class of service designation; and
(3) require owners of coin-operated or public pay telephone to provide free access to the telecommunications relay service for the communication impaired.

(e) Owners of coin-operated or public pay telephones must post at each coin-operated or public pay telephone location:"

Page 2, delete lines 20 and 21
Page 2, line 22, delete "calls;"
Page 3, line 33, delete "subscribers" and insert "subscriber access lines"
Page 3, line 35, delete "subscribers" and insert "subscriber access lines"
Page 4, line 1, delete "subscribers" and insert "subscriber access lines"
Page 4, line 3, delete "subscribers" and insert "subscriber access lines"
Page 4, line 5, delete "subscribers" and insert "subscriber access lines"
Page 4, line 7, delete "subscribers" and insert "subscriber access lines"
Page 4, line 9, delete "subscribers" and insert "subscriber access lines"
Page 4, line 11, delete "subscribers" and insert "subscriber access lines"
Page 6, line 15, after the period, insert:

"(c) A complaint requesting an expedited proceeding, unless filed by the department of public service or the attorney general, must set forth the actions and the dates of the actions taken by the party filing the complaint to attempt to resolve the alleged violations with the party against whom the complaint is filed, including any requests that the party against whom the complaint is filed correct the conduct giving rise to the violations alleged in the complaint. If no such actions were taken by the complainant, the complaint shall set forth the reasons why no such actions were taken. The commission may order an expedited proceeding even if the party filing the complaint fails to meet this requirement if the commission determines that it would be in the public interest to go forward with the expedited proceeding without information in the complaint on attempts to resolve the dispute.

(d)"

Page 6, line 21, delete "(c)" and insert "(e)"
Page 7, line 1, delete "(d)" and insert "(f)"
Page 7, line 17, delete "(c)" and insert "(g)"
Page 7, line 21, delete "(f)" and insert "(h)"
Page 7, line 27, delete "(g)" and insert "(i)"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.
Otremba was excused for the remainder of today's session.

Jennings, Huntley, Kahn and Lieder moved to amend S. F. No. 685, the unofficial engrossment, as amended, as follows:

Page 3, line 30, delete "$100,000" and insert "$25,000"

Page 4, line 1, delete "50,000 - 100,000" and insert "over 50,000" and delete "$10,000" and insert "$25,000"

Page 4, line 2, delete the semicolon, and insert a period

Page 4, delete lines 3 to 12

A roll call was requested and properly seconded.

The question was taken on the Jennings et al amendment and the roll was called. There were 61 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Anderson, B.  Greenfield  Kahn  Marko  Peterson  Tomassoni
Anderson, I.  Greiling  Kalis  McCollum  Pugh  Tunheim
Bakk   Hackbarth  Kelliher  McGuire  Rest  Vandeveer
Biernat  Hasskamp  Koskinen  Mullery  Rostberg  Wagenius
Carlson  Hausman  Kubly  Murphy  Rukavina  Wejcman
Chaudhary  Hilty  Larson, D.  Olson  Schumacher  Wenzel
Clark, K.  Howes  Leighton  Opatz  Skoe
Dorn  Huntley  Lenczewski  Orfield  Skoglund
Entenza  Jaros  Lieder  Osskopp  Smith
Erickson  Jennings  Luther  Paymar  Solberg
Gleason  Juhnke  Mahoney  Pelowski  Swenson

Those who voted in the negative were:

Abeler  Davids  Gunther  Leppik  Ozment  Tingelstad
Abrams  Dawkins  Haake  Lindner  Pawlenty  Tuma
Bishop  Dehler  Haas  Mares  Reuter  Westerberg
Boudreau  Dempsey  Harder  Mariani  Rifenberg  Westfall
Bradley  Dorman  Holberg  McElroy  Seagren  Wilkin
Broecker  Erhardt  Holsten  Milbert  Seifert, J.  Winter
Buesgens  Finseth  Kielluddi  Molnau  Seifert, M.  Wolf
Carruthers  Fuller  Knoblauch  Mulder  Stanek  Workman
Cassell  Gerlach  Krinkie  Ness  Stang  Spk. Svigum
Clark, J.  Goodno  Kuizle  Nornes  Storm
Daggett  Gray  Larsen, P.  Ostoff  Sykora

The motion did not prevail and the amendment was not adopted.
Clark, K., moved to amend S. F. No. 685, the unofficial engrossment, as amended, as follows:

Page 2, line 5, delete "237.06."

Page 2, line 6, delete "237.09."

A roll call was requested and properly seconded.

The question was taken on the Clark, K., amendment and the roll was called. There were 57 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Anderson, I.    Gleason    Juhnke    Luther    Orfield    Solberg
Bakk            Gray       Kahn      Mahoney    Paymar      Tomassoni
Biernat         Greenfield Koskinen  McCollum  Pelowski    Tunheim
Carlson         Greiling   Kelliher  Mariani    Marko       Wagenius
Carruthers      Hasskamp   Koskinen  McCollum  Pugh        Wejcman
Chaudhary       Hausman   Kubly     McGuire    Rest        Wenzel
Clark, K.       Hilty      Larson, D. Milbert    Rukavina    Winter
Dawkins         Huntley   Leighton  Mullery    Schumacher
Dorn            Jaros      Lenczewski Murphy    Skoe
Entenza         Jennings  Lieder    Opatz      Skoglund

Those who voted in the negative were:

Abeler          Dehler     Hackbarth  Mares      Rostberg    Vandeveer
Abrams          Dempsey   Harder    McElroy    Seagren     Westerberg
Anderson, B.    Dorman    Holberg   Molnau     Seifert, J.  Westfall
Bishop          Erhardt   Holsten   Mulder     Seifert, M.  Westrom
Boudreau        Erickson  Howes     Ness       Smith       Wilkin
Bradley         Finseth   Kielkucki Nornes     Stanek      Wolf
Broecker        Fuller    Knoblach  Olson      Stang       Workman
Buesgens        Gerlach   Krinkie    Osskopp    Storm       Spk. Sviggum
Cassell         Goodno    Kuisele   Ozment     Swenson
Clark, J.       Gunther   Larsen, P. Pawlenty    Sykora
Daggett         Haake     Leppik    Reuter     Tingelstad
Davids          Haas      Lindner   Rifenberg  Tuma

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

S. F. No. 685, A bill for an act relating to telecommunications; deregulating coin-operated or public pay telephones under state law; authorizing the public utilities commission to assess administrative penalties for anticompetitive activities by telecommunication providers; amending Minnesota Statutes 1998, section 237.5799; proposing coding for new law in Minnesota Statutes, chapter 237.

The bill was read for the third time, as amended, and placed upon its final passage.
The question was taken on the passage of the bill and the roll was called. There were 74 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Abeler  Davids  Haas  Lenczewski  Pelowski  Sykora  
Abrams  Dawkins  Hackbarth  Leppik  Pugh  Tingelstad  
Bishop  Dehler  Harder  Luther  Rest  Tuma  
Boudreau  Dempsey  Holberg  Mares  Reuter  Vandeventer  
Bradley  Dorman  Holsten  McElroy  Rifenberg  Wenzel  
Broecker  Dom  Howes  Milbert  Rostberg  Westerberg  
Buesgens  Erhardt  Kielkucki  Molnau  Seagren  Wilkin  
Carlson  Erickson  Knoblach  Mulder  Seifert, J.  Wolf  
Carruthers  Fuller  Krinkie  Ness  Seifert, M.  Spk. Sviggum  
Cassell  Gerlach  Kuisele  Oskopp  Stanek  
Chaudhary  Goodno  Larsen, P.  Osthoff  Stang  
Clark, J.  Gunther  Larson, D.  Ozment  Storm  
Daggett  Haake  Leighton  Pawlenty  Swenson  

Those who voted in the negative were:

Anderson, B.  Greenfield  Kahn  McCollum  Peterson  Wagenius  
Anderson, I.  Greiling  Kalis  McGuire  Rukavina  Wejcman  
Bakk  Hasskamp  Kelliher  Mullery  Schumacher  Westfall  
Biernat  Hausman  Koskinen  Murphy  Skoe  Westrom  
Clark, K.  Hilty  Kuly  Nornes  Skoglund  Winter  
Entenza  Huntley  Lieder  Olson  Smith  Workman  
Finseth  Jaros  Mahoney  Opatz  Solberg  
Gleason  Jennings  Mariani  Orfield  Tomassoni  
Gray  Juhnke  Marko  Paymar  Tunheim  

The bill was passed, as amended, and its title agreed to.

Molnau moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

**MOTIONS AND RESOLUTIONS**

Mahoney moved that H. F. No. 1330 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

**ANNOUNCEMENTS BY THE SPEAKER**

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1235:

Swenson, Harder and Skoe.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 148:

Haas; Seifert, J., and Entenza.
The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 233:

Bishop, Biernat and Tuma.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1404:

Skoglund, Stanek and Biernat.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1821:

Gunther, Storm and Gray.

ADJOURNMENT

Molnau moved that when the House adjourns today it adjourn until 10:00 a.m., Monday, May 10, 1999. The motion prevailed.

Molnau moved that the House adjourn. The motion prevailed, and Speaker pro tempore Boudreau declared the House stands adjourned until 10:00 a.m., Monday, May 10, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives