

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 2000

 NINETY-FIFTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MARCH 24, 2000

The House of Representatives convened at 10:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

America the Beautiful was performed by Melissa Froehlich, harpist, and the St. Louis Park, Minnesota, Park High School Singers conducted by Amy Butzen.

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:

Abeler	Dorman	Holsten	Luther	Paymar	Sykora
Abrams	Dorn	Howes	Mahoney	Pelowski	Tingelstad
Anderson, B.	Entenza	Huntley	Mares	Peterson	Tomassoni
Anderson, I.	Erhardt	Jaros	Mariani	Pugh	Trimble
Bakk	Erickson	Jennings	Marko	Reuter	Tuma
Biernat	Finseth	Johnson	McCollum	Rhodes	Tunheim
Bishop	Folliard	Juhnke	McElroy	Rifenberg	Van Dellen
Boudreau	Fuller	Kahn	Milbert	Rostberg	Vandever
Bradley	Gerlach	Kalis	Molnau	Rukavina	Wagenius
Broecker	Gleason	Kelliher	Mulder	Schumacher	Wejzman
Buesgens	Gray	Kielkucki	Mullery	Seagren	Wenzel
Carlson	Greenfield	Knoblach	Murphy	Seifert, J.	Westerberg
Carruthers	Greiling	Koskinen	Ness	Seifert, M.	Westfall
Cassell	Gunther	Krinkie	Nornes	Skoe	Westrom
Chaudhary	Haake	Kubly	Olson	Skoglund	Wilkin
Clark, J.	Haas	Kuisle	Opatz	Smith	Winter
Clark, K.	Hackbarth	Larsen, P.	Orfield	Solberg	Wolf
Daggett	Harder	Larsen, D.	Osskopp	Stanek	Workman
Davids	Hasskamp	Lenczewski	Otremba	Stang	Spk. Sviggum
Dawkins	Hausman	Leppik	Ozment	Storm	
Dehler	Hilty	Lieder	Paulsen	Swapinski	
Dempsey	Holberg	Lindner	Pawlenty	Swenson	

A quorum was present.

Goodno, Leighton, McGuire and Rest were excused.

Osthoff was excused until 10:35 a.m.

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

REPORT FROM THE CHAIR OF THE
COMMITTEE ON WAYS AND MEANS

March 24, 2000

Edward A. Burdick
Chief Clerk of the House of Representatives
The State of Minnesota

Dear Mr. Burdick:

House Rule 4.03 requires the Chair of the Committee on Ways and Means to certify to the House of Representatives that the Committee has reconciled any finance and revenue bills with the budget resolution and targets.

Please accept this letter as certification that H. F. Nos. 4127 and 3692 reconcile with the budget resolution and targets.

Sincerely,

REPRESENTATIVE DAVE BISHOP
Chair, House Ways and Means Committee

REPORTS OF CHIEF CLERK

S. F. No. 1733 and H. F. No. 2555, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Carruthers moved that the rules be so far suspended that S. F. No. 1733 be substituted for H. F. No. 2555 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3626 and H. F. No. 3964, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Wilkin moved that the rules be so far suspended that S. F. No. 3626 be substituted for H. F. No. 3964 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 3692, A bill for an act relating to agriculture; amending feedlot permit provisions; providing specific requirements for feedlot permit rules; adding requirements for administrative penalty orders; amending Minnesota

Statutes 1998, sections 116.06, by adding a subdivision; 116.07, subdivision 7c; and 116.0713; Minnesota Statutes 1999 Supplement, sections 116.07, subdivision 7; and 116.072, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 18B.

Reported the same back with the following amendments:

Page 4, lines 11 to 14, delete the new language

Page 10, after line 20, insert:

"Sec. 7. [TIMELY RESPONSE TO PERMIT APPLICATIONS; REPORT ON NEEDS.]

(a) The legislature finds it very important for the pollution control agency to consistently provide an initial response to animal feedlot permit applications within 60 days after receipt of the application. The agency is strongly urged to establish procedures that will allow it to accomplish this timely response.

(b) If the agency determines that it is unable to accomplish timely response to animal feedlot permit applications using existing resources, the commissioner shall, not later than January 15, 2001, report to the environment and agriculture policy and finance committees of the Senate and House of Representatives on the additional resources needed to accomplish timely response."

Page 12, line 29, delete "7" and insert "8"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "requiring a report;"

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. 4127, A bill for an act relating to financing state and local government; providing a sales tax rebate; extending the time to qualify for and making certain other changes to the 1999 sales tax rebate; providing agricultural assistance; reducing individual income tax rates; making changes to income, franchise, withholding, sales and use, property, motor vehicle sales and registration, mortgage registry, health care provider, motor fuels, cigarette and tobacco, liquor, insurance premiums, lawful gambling, taconite production, solid waste, estate, and special taxes; changing and allowing tax credits, subtractions, and exemptions; conforming with changes in federal income tax provisions; providing for allocation and apportionment of income; changing property tax valuation, assessment, levy, classification, homestead, credit, aid, exemption, deferral, review, appeal, abatement, and distribution provisions; extending levy limits and changing levy authority; reducing rates of health care provider taxes; reducing rates on lawful gambling and solid waste management taxes; changing tax increment financing provisions; providing special authority for certain political subdivisions; changing and clarifying tax administration, collection, enforcement, interest, and penalty provisions; changing revenue recapture provisions; freezing the taconite production tax; regulating state and local business subsidies; modifying certain aids to local units of government; recodifying sales and use taxes; recodifying insurance tax laws; establishing a legislative budget office; validating corporations established by political subdivisions and regulating their financing; changing county reporting requirements; providing certain duties and powers to the commissioner of revenue, the state auditor, and to the attorney general; defining terms; classifying data; requiring studies; appropriating money; amending

Minnesota Statutes 1998, sections 3.98, subdivision 3; 8.30; 16A.46; 37.13; 43A.316, subdivision 9; 43A.317, subdivision 8; 60A.15, subdivision 1; 60A.19, subdivision 8; 60A.198, subdivision 3; 60A.208, subdivision 8; 60A.209, subdivision 3; 60C.17; 60E.04, subdivision 4; 60E.095; 61B.30, subdivision 1; 62C.01, subdivision 3; 62E.10, subdivision 1; 62E.13, subdivision 10; 62L.13, subdivision 3; 62T.10; 64B.24; 71A.04, subdivision 1; 79.252, subdivision 4; 79.34, subdivision 1a; 115A.55, subdivision 3; 115A.69, subdivision 6; 116A.25; 126C.01, by adding a subdivision; 126C.17, subdivision 10; 176A.08; 238.08, subdivision 3; 270.063, by adding a subdivision; 270.072, subdivision 2, and by adding a subdivision; 270A.03, subdivision 7; 270A.07, subdivision 1; 273.111, subdivision 3; 273.124, by adding a subdivision; 273.125, subdivision 8; 273.1398, by adding a subdivision; 273.37, subdivision 3; 275.065, subdivisions 3, 6, 8, and by adding a subdivision; 275.07, subdivision 1; 275.08, subdivision 1b; 275.70, by adding a subdivision; 275.72, subdivisions 1 and 3; 276.19, subdivision 1; 289A.08, by adding a subdivision; 289A.20, subdivision 2; 289A.26, subdivision 1; 289A.31, subdivision 7; 289A.35; 289A.60, subdivisions 1 and 14; 290.01, subdivisions 19c and 19d; 290.015, subdivisions 1, 3, and 4; 290.06, subdivision 22, and by adding a subdivision; 290.0671, subdivision 6; 290.0672, subdivisions 1 and 2; 290.0673, subdivision 8; 290.17, subdivision 2; 290.35, subdivisions 2, 3, and 6; 290.92, subdivisions 3, 28, and 29; 290B.04, by adding a subdivision; 290B.05, subdivision 3; 290B.07; 290B.08, subdivisions 1 and 2; 290B.09, subdivision 2; 295.50, subdivision 9b; 295.58; 296A.03, subdivision 5; 296A.21, subdivisions 2 and 3; 296A.22, subdivision 6; 297A.01, subdivisions 13, 15, 16, and by adding a subdivision; 297A.15, by adding a subdivision; 297A.25, subdivisions 5, 16, 34, 62, 76, and by adding subdivisions; 297B.01, subdivision 7; 297B.03; 297E.02, subdivision 2; 297F.01, subdivisions 7, 14, 17, and by adding subdivisions; 297F.08, subdivisions 2, 5, 8, and 9; 297F.13, subdivision 4; 297F.21, subdivisions 1 and 3; 297G.01, by adding a subdivision; 297G.03, subdivision 1; 297H.02, subdivision 2; 297H.03, subdivision 2; 297H.04, subdivision 2; 297H.13, subdivisions 2, 4, and by adding a subdivision; 360.035; 424.165; 429.011, subdivisions 2a and 5; 429.021, subdivision 1; 429.031, subdivision 1; 458A.09; 458A.30; 458D.23; 469.040, by adding a subdivision; 469.115; 469.127; 469.1734, subdivision 4; 469.174, subdivisions 9, 10, 11, 12, 14, and 22; 469.175, subdivisions 1a, 2, 2a, 3, 4, 5, and 6; 469.176, subdivisions 1b and 4d; 469.1761, subdivision 4; 469.1763, subdivision 2, and by adding a subdivision; 469.177, subdivision 1; 469.1813, subdivision 4; 473.388, subdivisions 4 and 7; 473.446, subdivision 1, and by adding a subdivision; 473.448; 473.545; 473.608, subdivision 2; and 477A.06, subdivision 3; Minnesota Statutes 1999 Supplement, sections 16D.09, subdivision 2; 43A.23, subdivision 1; 60A.19, subdivision 6; 116J.993, subdivision 3; 116J.994, subdivisions 1, 3, 4, 5, 6, 7, 8, and 9; 116J.995; 168.012, subdivision 1; 270.65; 270A.03, subdivision 2; 270A.07, subdivision 2; 272.02, subdivision 39, and by adding a subdivision; 273.11, subdivision 1a; 273.124, subdivisions 1, 8, and 14; 273.13, subdivisions 22, 23, 24, 25, and 31; 273.1382, subdivisions 1, 1a, and 1b; 273.1398, subdivision 1a; 275.065, subdivision 5a; 275.70, subdivision 5; 275.71, subdivisions 2, 3, and 4; 287.01, subdivision 2; 289A.02, subdivision 7; 289A.20, subdivision 4; 289A.55, subdivision 9; 290.01, subdivisions 19, 19b, and 31; 290.06, subdivisions 2c, 2d, and by adding a subdivision; 290.0671, subdivision 1; 290.0674, subdivision 2; 290.0675, subdivisions 1, 2, and 3; 290.091, subdivisions 1, 2, and 6; 290.191, subdivisions 2 and 3; 290.9725; 290A.03, subdivision 15; 290B.03, subdivision 1; 290B.05, subdivision 1; 291.005, subdivision 1; 295.52, subdivision 7; 295.53, subdivision 1; 297A.25, subdivisions 9 and 11; 297E.02, subdivisions 1, 4, and 6; 297F.08, subdivision 8a; 297H.05; 298.24, subdivision 1; 383D.74, subdivision 2; 469.101, subdivision 2; 469.1771, subdivision 1; 469.1813, subdivisions 1 and 6; 477A.011, subdivision 36; 477A.03, subdivision 2; 477A.06, subdivision 1; and 505.08, subdivision 3; Laws 1987, chapter 402, section 2, subdivisions 1, 4, and 5; Laws 1988, chapter 645, section 3, as amended; Laws 1995, First Special Session chapter 3, article 15, section 25; Laws 1997, chapter 231, article 1, section 19, subdivisions 1, as amended, and 3; Laws 1999, chapter 112, section 1, subdivision 1; Laws 1999, chapter 243, article 1, section 2; article 6, section 18; proposing coding for new law in Minnesota Statutes, chapters 3; 273; 278; 297A; 465; and 473; proposing coding for new law as Minnesota Statutes, chapter 297I; repealing Minnesota Statutes 1998, sections 60A.15; 60A.152; 60A.198, subdivision 6; 60A.199, subdivisions 2, 3, 4, 5, 6, 6a, 7, 8, 9, 10, and 11; 60A.209, subdivisions 4 and 5; 69.54; 69.55; 69.56; 69.57; 69.58; 69.59; 69.60; 69.61; 71A.04, subdivision 2; 270.072, subdivision 5; 270.075, subdivisions 3 and 4; 273.127; 273.1316; 297A.01; 297A.02; 297A.022; 297A.023; 297A.03; 297A.04; 297A.041; 297A.06; 297A.065; 297A.07; 297A.09; 297A.10; 297A.11; 297A.12; 297A.13; 297A.135; 297A.14; 297A.141; 297A.15, subdivision 7; 297A.16; 297A.17; 297A.18; 297A.21; 297A.211; 297A.213; 297A.22; 297A.23; 297A.24; 297A.25; 297A.2531; 297A.2545; 297A.255; 297A.256; 297A.2571; 297A.2572; 297A.2573; 297A.259; 297A.26; 297A.28; 297A.33, subdivision 2; 297A.44, subdivision 1; 297A.46; 297A.47; 297A.48; 299F.21; 299F.22; 299F.23; 299F.24; 299F.25; 299F.26; 465.715, subdivisions 1, 2, and 3; 469.055, subdivision 5; 469.101, subdivision 21; 469.135; 469.136; 469.137; 469.138; 469.139; 469.140; 469.174,

subdivision 13; 469.175, subdivision 6a; and 469.176, subdivision 4a; Minnesota Statutes 1999 Supplement, sections 290.06, subdivision 26; 290.9726, subdivision 7; and 465.715, subdivision 1a; Minnesota Rules, parts 2765.1500, subpart 6; and 8160.0300, subpart 4.

Reported the same back with the following amendments:

Page 7, line 29, delete "June 15" and insert "November 30"

Page 8, line 1, delete "June 15, 2000"

Page 28, line 7, strike "50 percent of"

Page 28, line 22, after "(4)" insert ".(11)."

Page 44, line 28, delete "1999 Supplement" and insert "1998"

Page 48, line 13, delete "\$2" and insert "\$1" and delete "\$4" and insert "\$3"

Page 68, after line 30, insert:

"Sec. 39. [REPORT ON ELECTRONIC CHECKOFF.]

The commissioner of revenue must report by February 1, 2001, to the committees on taxes of the house of representatives and the senate on implementing an electronic income tax checkoff program. The program must be designed to allow an individual who files an income tax return electronically to designate that a portion of the individual's tax liability reported on the return be deposited in one or more accounts established by law and dedicated to particular programs or purposes.

EFFECTIVE DATE: This section is effective the day following final enactment.

Page 95, line 5, delete "of 2.4 percent of" and insert "as provided under clause (1) for"

Page 95, line 6, delete "3.4 percent of"

Page 95, line 10, after "(3)" insert "The entire market value of"

Page 95, line 16, delete "of 3.4 percent" and insert "as provided under clause (1) for the remaining market value in excess of the first tier"

Page 143, line 6, delete "sum of \$755,840,000 is" and insert "amounts necessary, up to \$763,315,000, are"

Page 157, line 14, after "amounts" insert "certified to be"

Page 161, line 1, delete "that calendar" and insert "fiscal" and after "year" insert "2000"

Page 161, line 13, delete "that"

Page 161, line 14, delete "calendar" and insert "fiscal" and after "year" insert "2001"

Page 162, line 17, delete "17" and insert "15"

Page 172, line 1, delete "19" and insert "15"

Page 175, line 36, after "(n)" insert "(i)" and delete the new language and reinstate the stricken language

Page 176, lines 2 to 6, delete the new language and insert ";(ii) A city with a population of 500 or under is exempt from the public hearing requirements under this subdivision; but its final certified levy under section 275.07, subdivision 1, for the current levy year, cannot exceed its proposed levy for the current levy year except as provided

under clause (m); and (iii) Any county or city over 500 population is exempt from this subdivision if its proposed property tax levy for the current levy year is less than or equal to its final levy certified under section 275.07, subdivision 1, for the previous levy year, except as provided under clause (m)"

Page 197, after line 24, insert:

"Sec. 23. Minnesota Statutes 1998, section 297A.25, is amended by adding a subdivision to read:

Subd. 92. [BLEACHER SAFETY COMPLIANCE.] The gross receipts from the sale of and storage, use, or consumption of tangible personal property are exempt if the property is used in, or incorporated into, the repair or improvement of bleachers in order to comply with the safety requirements of section 16B.616. This subdivision does not apply to purchases by contractors, subcontractors, or builders under a lump sum contract.

EFFECTIVE DATE: This section is effective for sales and purchases made after the day following final enactment of Laws 1999, chapter 250."

Delete page 212, line 21 to page 213, line 6 and insert:

"Sec. 4. Minnesota Statutes 1998, section 297E.02, is amended by adding a subdivision to read:

Subd. 2a. [TAX CREDIT FOR CERTAIN RAFFLES.] An organization may claim a credit equal to the tax reported under subdivision 1 resulting from a raffle the net proceeds of which have been used exclusively for the purposes of section 349.12, subdivision 25, paragraph (a), clause (2). The organization claiming the credit must do so on the monthly gambling tax return on which the raffle activity is reported under subdivision 1."

Page 227, after line 5, insert:

"Sec. 29. [REPEALER.]

Minnesota Statutes 1998, section 270.083, is repealed.

EFFECTIVE DATE: This section is effective the day following final enactment."

Page 418, after line 6, insert:

"Subd. 2. [OVERSIGHT.] The legislative coordinating commission may establish a subcommittee, as provided in section 3.305, subdivision 6, to exercise the powers and discharge the duties of the coordinating commission under sections 3.901 to 3.903. If established, the subcommittee must make recommendations on a process for implementation of the legislative budget office.

Subd. 3. [FISCAL NOTES.] The legislative coordinating commission or the subcommittee established under subdivision 2 is requested to establish a process for legislative review of fiscal notes submitted according to section 3.98."

Page 418, line 7, delete "2" and insert "4"

Page 433, after line 2, insert:

"Sec. 24. [TRANSFER FROM WORKERS' COMPENSATION ASSIGNED RISK PLAN.]

(a) On July 1, 2000, the commissioner of commerce shall direct the transfer of \$227,000,000 from the assigned risk plan fund under Minnesota Statutes, sections 79.251 and 79.252, to be paid into the state treasury and credited to the general fund.

(b) The amount of this transfer is limited to excess surplus in the assigned risk plan fund after any transfer authorized to be made on or before July 1, 2000, to the workers' compensation special compensation fund.

(c) The commissioner of commerce shall certify on July 1, 2000, the amount of excess surplus in the assigned risk plan fund. Excess surplus means the amount of the assigned risk plan surplus fund that exceeds the amount necessary to pay all current and future liabilities of the assigned risk plan, including, but not limited to:

(1) administrative expenses;

(2) benefit claims; and

(3) the amounts that would be due to insurers who have paid assessments to the assigned risk plan, if the assigned risk plan were dissolved under Minnesota Statutes, section 79.251, subdivision 8.

EFFECTIVE DATE: This section is effective the day following final enactment.

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 38, after the second semicolon, insert "providing for the transfer of excess surplus in the workers' compensation assigned risk plan;"

Page 2, line 2, delete "115A.55" and insert "115A.557"

Page 2, lines 9 and 10, delete "273.1398, by adding a subdivision;"

Page 2, line 19, delete "a subdivision" and insert "subdivisions"

Page 2, line 32, delete "subdivision 2" and insert "by adding a subdivision"

Page 2, line 61, delete "subdivision 1a" and insert "subdivisions 1a and 4a"

Page 2, line 66, delete everything after "2c" and insert "and 2d;"

Page 3, line 25, after "4;" insert "270.083;"

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. 2783, A bill for an act relating to the secretary of state; regulating fees; regulating the filing of annual registrations by corporations and other business entities with the secretary of state; providing for technical amendments to provisions regarding digital signatures; allowing the extension of duration of certain nonprofit corporations; amending Minnesota Statutes 1998, sections 5.12, subdivision 1; 5.14; 302A.821; 303.14, subdivision 1; 303.21, subdivision 3; 317A.801, subdivision 1; 317A.823; 317A.827; 318.02, by adding a subdivision; 322B.960; 323A.10-03; 325K.07, subdivision 3; 325K.10, subdivisions 1 and 2; 325K.18, subdivision 3; 325K.19; and 325K.23; Minnesota Statutes 1999 Supplement, sections 325K.05, subdivision 1; and 336.9-411; proposing coding for new law in Minnesota Statutes, chapters 5; and 308A; repealing Minnesota Statutes 1998, sections 303.07, subdivision 2; 303.14, subdivisions 3, 4, and 5; and 322B.960, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 5.12, subdivision 1, is amended to read:

Subdivision 1. [FEES.] The secretary of state shall charge a fee of \$5 for each certificate or certification of a copy of any document filed in the office of the secretary of state. The secretary of state shall charge a fee of \$3 for a copy of an original filing of a corporation, limited partnership, trade or service mark, or for the complete record of a

certificate of assumed name. The secretary of state shall charge a fee of \$3 for a copy of any or all subsequent filings of a corporation, limited partnership, or trade or service mark. The secretary of state shall charge a fee of \$1 per page for copies of other nonuniform commercial code documents filed with the secretary of state. At the time of filing, the secretary of state may provide at the public counter, without charge, a copy of a filing, ten or fewer pages in length, to the person making the filing.

Sec. 2. Minnesota Statutes 1998, section 5.14, is amended to read:

5.14 [TRANSACTION SURCHARGE.]

The secretary of state may impose a surcharge of \$20 on each transaction involving ~~over-the-counter~~ expedited service that ~~takes place at~~ is provided by the office of the secretary of state.

Sec. 3. [5.29] [BULK AGENT NAME AND ADDRESS CHANGES.]

The filing fee charged for filing an amendment is charged for each document filed when a registered agent changes its name or office address pursuant to sections 302A.123, subdivision 3, 303.10, 308A.025, subdivision 5, 317A.123, subdivision 3, 318.02, and 322B.135, subdivision 3, and chapters 322A, 323, and 323A, but the cumulative fee shall not exceed \$10,000 for entities governed by the provisions of chapters 302A, 303, 308A, 317A, 318, 322A, 322B, 323, and 323A.

Sec. 4. Minnesota Statutes 1998, section 16A.011, is amended by adding a subdivision to read:

Subd. 12a. [EXECUTIVE BRANCH STATE AGENCY.] "Executive branch state agency" means an agency in the executive branch of state government, but does not include constitutional officers.

Sec. 5. Minnesota Statutes 1998, section 302A.821, is amended to read:

302A.821 [MINNESOTA CORPORATE REGISTRATION.]

Subdivision 1. [~~INFORMATION REQUIRED ANNUAL REGISTRATION FORM.~~] Each calendar year beginning in the calendar year following the calendar year in which a corporation incorporates, the secretary of state must mail by first class mail an annual registration form to the registered office of each corporation as shown on the records of the secretary of state. The form must include the following notice:

"NOTICE: Failure to file this form by December 31 of this year will result in this corporation losing its good standing without further notice from the secretary of state."

Subd. 2. [INFORMATION REQUIRED.] A domestic corporation shall ~~once each calendar year~~ file with the secretary of state a registration by December 31 each calendar year containing:

- (a) the name of the corporation;
- (b) the address of its principal executive office, if different from the registered office address;
- (c) the address of its registered office and the name of the registered agent, if any;
- (d) the state of incorporation; and
- (e) the name and business address of the officer or other person exercising the principal functions of the chief executive officer of the corporation.

Subd. ~~2~~ 3. [INFORMATION PUBLIC.] The information required by subdivision ~~2~~ 3 is public data. Chapter 13 does not apply to this information.

~~Subd. 3. [LOSS OF GOOD STANDING.] A corporation that fails to file a registration pursuant to the requirements of subdivision 1 loses its good standing in this state. The corporation may regain its good standing in this state by filing a single annual registration and paying a \$25 fee.~~

~~Subd. 4. [NOTICE OF REPEATED VIOLATION.] If a corporation fails for three consecutive years to file a registration pursuant to the requirements of subdivision 1, the secretary of state shall give notice by first class mail to the corporation at its registered office that it has violated this section and is subject to dissolution by the office of the secretary of state if the delinquent registration is not filed pursuant to subdivision 1 and the \$25 fee paid within 60 days after the mailing of the notice. For purposes of this subdivision, "delinquent registration" means a single annual registration.~~

~~Subd. 5 4. [PENALTY.] (a) A corporation that has failed for three consecutive years to file a registration pursuant to the requirements of subdivision 1, has been notified of the failure pursuant to subdivision 4, and has failed to file the delinquent registration during the 60-day period described in subdivision 4, shall must be dissolved by the secretary of state as described in paragraph (b).~~

~~(b) Immediately after the expiration of the 60-day period described in paragraph (a), If the corporation has not filed the delinquent registration, the secretary of state shall issue a certificate of involuntary dissolution, and a copy of the certificate shall be filed in the office of the secretary of state. The original certificate shall be sent to the registered office of the corporation. for three consecutive calendar years, the secretary of state shall send by forwardable United States mail to the registered office of the corporation a postcard notifying the corporation that the corporation will be dissolved if no registration is filed with a \$25 fee pursuant to this section by the beginning of the following calendar year. The secretary of state shall annually inform the attorney general and the commissioner of revenue of the methods by which the names of corporations dissolved under this section during the preceding year may be determined. The secretary of state must also make available in an electronic format the names of the dissolved corporations. A corporation dissolved in this manner is not entitled to the benefits of section 302A.781. The liability, if any, of the shareholders of a corporation dissolved in this manner shall be determined and limited in accordance with section 302A.557, except that the shareholders shall have no liability to any director of the corporation under section 302A.559, subdivision 2.~~

~~Subd. 6. [REINSTATEMENT.] A corporation may, within one year of the date of the statutory dissolution, retroactively reinstate its corporate existence by filing a single annual registration and paying a \$25 fee. Filing the annual registration with the secretary of state:~~

- ~~(1) returns the corporation to active status as of the date of the statutory dissolution;~~
- ~~(2) validates contracts or other acts within the authority of the articles, and the corporation is liable for those contracts or acts; and~~
- ~~(3) restores to the corporation all assets and rights of the corporation and its shareholders to the extent they were held by the corporation and its shareholders before the statutory dissolution occurred, except to the extent that assets or rights were affected by acts occurring after the dissolution or sold or otherwise distributed after that time.~~

Sec. 6. Minnesota Statutes 1998, section 303.14, subdivision 1, is amended to read:

~~Subdivision 1. [FILED WITH SECRETARY OF STATE; CONTENTS.] Between January 15 and May 15, in each calendar year, every foreign corporation which holds a certificate of authority shall make and file with the secretary of state a report for the previous calendar year, setting forth:~~

- ~~(1) the name of the corporation and the state or country under the laws of which it is organized;~~
- ~~(2) if the name of the corporation does not end with the word "Corporation" or the word "Incorporated," or the abbreviation "Inc.," or does not contain the word "Company" or the abbreviation "Co." not immediately preceded by the word "and" or the character "&," then the name of the corporation with the word or abbreviation which it has agreed to add thereto for use in this state;~~

- ~~(3) the address of its registered office in this state and the name of its registered agent at such address;~~
- ~~(4) additional information necessary or appropriate to enable the secretary of state to determine the additional license fee, if any, payable by the corporation;~~
- ~~(5) a statement of the corporate taxable net income as stated in its appropriate Minnesota income tax return that was due in the previous year; and~~
- ~~(6) the fee required by section 303.07, subdivision 2. This fee shall be submitted with the annual report. Each calendar year beginning in the calendar year following the calendar year in which a corporation receives a certificate of authority to do business in Minnesota, the secretary of state must mail by first class mail an annual registration form to the registered office of each corporation as shown on the records of the secretary of state. The form must include the following notice:~~

"NOTICE: Failure to file this form by December 31 of this year will result in the revocation of the authority of this corporation to transact business in Minnesota without further notice from the secretary of state, pursuant to Minnesota Statutes, section 303.17."

The corporation will submit a \$115 fee with the annual registration and will set forth on the form:

- (1) the name of the corporation, and, if the corporation has designated an alternate name pursuant to section 303.05, subdivision 1, that alternate name;
- (2) the name of the registered agent of the corporation in Minnesota;
- (3) the address of its registered office;
- (4) the state of incorporation; and
- (5) the name and business address of the officer or other person exercising the principal functions of the chief executive officer of the corporation.

Sec. 7. Minnesota Statutes 1998, section 303.21, subdivision 3, is amended to read:

Subd. 3. [OTHER INSTRUMENTS.] A fee of \$50 shall be paid to the secretary of state for filing any instrument, other than the annual report required by section 303.14, required or permitted to be filed under the provisions of this chapter. ~~For filing the annual report a fee of \$20 must be paid to the secretary of state.~~ The fees shall be paid at the time of the filing of the instrument.

Sec. 8. [308A.995] [PERIODIC REGISTRATION.]

Subdivision 1. [PERIODIC REGISTRATION IN CERTAIN YEARS.] Each cooperative governed by this chapter must file a periodic registration with the secretary of state in each odd-numbered year. In these years, the secretary of state must mail by first class mail a registration form to the registered office of each cooperative as shown on the records of the secretary of state, or if no such address is in the records, to the location of the principal place of business shown on the records of the secretary of state. The form must include the following notice:

"NOTICE: Failure to file this form by December 31 of this year will result in the dissolution of this cooperative without further notice from the secretary of state, pursuant to Minnesota Statutes, section 308A.995, subdivision 4, paragraph (b)."

Subd. 2. [MINNESOTA COOPERATIVE REGISTRATION FORM.] In each calendar year in which a registration is to be filed, a cooperative must file with the secretary of state a registration by December 31 of that calendar year containing:

- (1) the name of the cooperative;

(2) the address of its registered office;

(3) the address of its principal place of business, if different from the registered office address; and

(4) the name and business address of the officer or other person exercising the principal functions of the chief executive officer of the cooperative.

Subd. 3. [INFORMATION PUBLIC.] The information required by subdivision 1 is public data.

Subd. 4. [PENALTY; DISSOLUTION.] (a) A cooperative that has failed to file a registration pursuant to the requirements of this section by December 31 of the calendar year for which the registration was required must be dissolved by the secretary of state as described in paragraph (b).

(b) If the cooperative has not filed the registration by December 31 of that calendar year, the secretary of state must issue a certificate of involuntary dissolution, and the certificate must be filed in the office of the secretary of state. The secretary of state must annually inform the attorney general and the commissioner of revenue of the methods by which the names of cooperatives dissolved under this section during the preceding year may be determined. The secretary of state must also make available in an electronic format the names of the dissolved cooperatives. A cooperative dissolved in this manner is not entitled to the benefits of section 308A.981.

Subd. 5. [REINSTATEMENT.] A cooperative may, within one year of the date of dissolution under this section, retroactively reinstate its existence by filing a single annual registration and paying a \$25 fee. Filing the annual registration with the secretary of state:

(1) returns the cooperative to active status as of the date of the dissolution;

(2) validates contracts or other acts within the authority of the articles, and the cooperative is liable for those contracts or acts; and

(3) restores to the cooperative all assets and rights of the cooperative and its shareholders or members to the extent they were held by the cooperative and its shareholders or members before the dissolution occurred, except to the extent that assets or rights were affected by acts occurring after the dissolution or sold or otherwise distributed after that time.

Sec. 9. Minnesota Statutes 1998, section 317A.801, subdivision 1, is amended to read:

Subdivision 1. [EXTENSION BY AMENDMENT.] A corporation whose period of duration provided in the articles has expired and that has continued to operate despite that expiration may reinstate its articles and extend the period of corporate duration, including making the duration perpetual, after the date of expiration by filing an amendment to the articles as set forth in this section. This section also applies to corporations that may have been formed under prior laws governing nonprofit corporations and that expired before chapter 317 was repealed on January 1, 1990.

Sec. 10. Minnesota Statutes 1998, section 317A.823, is amended to read:

317A.823 [ANNUAL CORPORATE REGISTRATION.]

Subdivision 1. [~~NOTICE FROM SECRETARY OF STATE; ANNUAL REGISTRATION REQUIRED.~~] (a) Except for corporations to which paragraph (c) applies, ~~before July 1 of each calendar year beginning in the calendar year following the calendar year in which a corporation incorporates,~~ the secretary of state shall mail a corporate registration form to each corporation that incorporated or filed a corporate registration during either of the previous two calendar years at its last registered office address listed on the records of the secretary of state. The form must include the exact legal corporate name and registered office address currently on file with the secretary of state along with the name of the person who performs the functions of the president. The secretary of state may also give notice

~~of the requirement to file the annual registration by any other means the secretary of state considers appropriate. must mail by first class mail an annual registration form to the registered office of each corporation as shown on the records of the secretary of state. The form must include the following notice:~~

~~"NOTICE: Failure to file this form by December 31 of this year will result in the dissolution of this corporation without further notice from the secretary of state, pursuant to Minnesota Statutes, section 317A.823, subdivision 2, paragraph (b)."~~

~~(b) A corporation shall file a corporate registration with the secretary of state once each calendar year. If the corporation has changed its registered office address to an address other than that listed on the records of the secretary of state, the corporation shall file the new registered office address on the registration form. If the registration shows a change of registered office address, the registration must be signed by an authorized person. A fee of \$35 must be paid for filing the registered office address change. The new address must comply with section 317A.011, subdivision 2, and must have been approved by the board. A nonprofit corporation must file with the secretary of state a registration by December 31 of each calendar year containing:~~

~~(1) the name of the corporation;~~

~~(2) the address of its registered office;~~

~~(3) the name of its registered agent, if any; and~~

~~(4) the name and business address of the officer or other person exercising the principal functions of president of the corporation.~~

~~(c) The timely filing of an annual financial report and audit or an annual financial statement under section 69.051, subdivision 1 or 1a, by a volunteer firefighter relief association, as reflected in the notification by the state auditor under section 69.051, subdivision 1c, constitutes presentation of the corporate registration. The secretary of state may reject the registration by the volunteer firefighter relief association. Rejection must occur if the information provided to the state auditor does not match the information in the records of the secretary of state. The volunteer firefighter relief association may amend the articles of incorporation as provided in sections 317A.131 to 317A.151 so that the information from the state auditor may be accepted for filing. The timely filing of an annual financial report and audit or an annual financial statement under section 69.051, subdivision 1 or 1a, does not relieve the volunteer firefighter relief association of the requirement to file amendments to the articles of incorporation directly with the secretary of state.~~

~~Subd. 2. [~~LOSS OF GOOD STANDING PENALTY.~~] A corporation that files an initial corporate registration under section 317A.821 or that is incorporated on or after January 1, 1990, and that does not file a corporate registration during a calendar year loses its good standing after December 31 of that year. To regain its good standing, the corporation must file a single annual corporate registration and pay a \$25 fee.~~

~~Subd. 3. [~~NOTICE; DISSOLUTION.~~] If a corporation fails to file a report required under this section for three consecutive calendar years, the secretary of state shall give notice to the corporation by first-class mail at its registered office and by any other means of notice that the secretary of state considers appropriate, that it has violated this section and is subject to dissolution under section 317A.827 if the delinquent registration is not filed with a \$25 fee within 60 days after the mailing of the notice or the date of the alternative notice. For purposes of this subdivision, "delinquent registration" means a single registration. A corporation that fails to file the delinquent annual registration within the 60 days is dissolved under section 317A.827 (a) A corporation that has failed to file a registration pursuant to the requirements of subdivision 1 must be dissolved by the secretary of state as described in paragraph (b).~~

~~(b) If the corporation has not filed the delinquent registration, the secretary of state must issue a certificate of involuntary dissolution, and the certificate must be filed in the office of the secretary of state. The secretary of state must annually inform the attorney general and the commissioner of revenue of the methods by which the names of~~

corporations dissolved under this section during the preceding year may be determined. The secretary of state must also make available in an electronic format the names of the dissolved corporations. A corporation dissolved in this manner is not entitled to the benefits of section 317A.781.

Sec. 11. Minnesota Statutes 1998, section 317A.827, is amended to read:

317A.827 ~~[ADMINISTRATIVE DISSOLUTION CONTINUATION FOR CERTAIN PURPOSES; REINSTATEMENT.]~~

Subdivision 1. ~~[PROCEDURE.]~~ If a corporation fails to file the initial registration by December 31, 1997, or if it fails to file the delinquent registration before expiration of the 60-day period in section 317A.823, subdivision 3, the secretary of state shall immediately issue a certificate of involuntary dissolution. The secretary of state shall send the original certificate to the registered office of the corporation and file a copy in the office of the secretary of state. The secretary of state shall annually inform the attorney general of the methods by which the names of corporations dissolved under this section during the previous year may be determined. ~~A corporation dissolved under this section is not entitled to the benefits of section 317A.781, subdivision 1.~~

~~Subd. 2.~~ [ATTORNEY GENERAL POWERS CONTINUED.] A corporation dissolved under this section 317A.823 continues for three years after the dissolution date for the sole purpose of supervision, investigation, and other actions by the attorney general under sections 8.31 and 501B.40 and 501B.41.

Subd. 3 ~~2.~~ [REINSTATEMENT.] A corporation dissolved under section 317A.823 may, ~~within one year of the date of the statutory dissolution,~~ retroactively reinstate its corporate existence by filing a single annual registration and paying a \$25 fee. Filing the annual registration with the secretary of state:

- (1) returns the corporation to active status as of the date of the ~~statutory~~ dissolution;
- (2) validates contracts or other acts within the authority of the articles, and the corporation is liable for those contracts or acts; and
- (3) restores to the corporation all assets and rights of the corporation and its members to the extent they were held by the corporation and its members before the ~~statutory~~ dissolution occurred, except to the extent that assets or rights were affected by acts occurring after the dissolution or sold or otherwise distributed after that time.

Sec. 12. Minnesota Statutes 1998, section 318.02, is amended by adding a subdivision to read:

Subd. 6. [NON-MINNESOTA TRUSTS.] An association organized under the laws of another state may register by using the process described in subdivision 1. The registration must be accompanied by a certificate from a state authenticating the prior registration of the association in that state. The Minnesota registration does not create a new association and the association continues to be governed by the laws of the state of prior registration with respect to internal governance. Amendments to a declaration of trust will also follow the process described in subdivision 1. The fees stated in subdivision 1 apply to these transactions.

Sec. 13. Minnesota Statutes 1998, section 322B.960, is amended to read:

322B.960 ~~[BIENNIAL ANNUAL REGISTRATION.]~~

Subdivision 1. ~~[INFORMATION REQUIRED ANNUAL REGISTRATION FORM.]~~ Starting January 1, 1995, a limited liability company, whether domestic or foreign, shall once every other year file with the secretary of state a registration containing:

- (a) the name of the limited liability company;
- (b) the alternate name, if any, a foreign limited liability company has adopted for use in this state;

(c) the address of its registered office;

(d) the name of its registered agent, if any;

(e) the jurisdiction of organization; and

(f) the name and business address of the manager or other person exercising the principal functions of the chief manager of the limited liability company. Each calendar year beginning in the calendar year following the calendar year in which a limited liability company files articles of organization, the secretary of state must mail by first class mail an annual registration form to the registered office of each limited liability company as shown on the records of the secretary of state. The form must include the following notice:

"NOTICE: Failure to file this form by December 31 of this year will result in the dissolution of this limited liability company without further notice from the secretary of state, pursuant to Minnesota Statutes, section 322B.960."

Subd. 2. [DUE DATE FOR FILING INFORMATION REQUIRED.] A registration is due two years from: (1) the date the limited liability company is formed or registered with the secretary of state; or (2) the date of the last registration. The biennial registration will be due on or before the anniversary date of formation or registration in Minnesota. The secretary of state shall mail a registration form to each limited liability company no less than 90 days before the registration is due. The registration form must be sent to the last registered office address filed with the secretary of state. A domestic or foreign limited liability company must file with the secretary of state a registration by December 31 each calendar year beginning in the calendar year following the calendar year in which the limited liability company formed containing:

(1) the name of the limited liability company or the name under which a foreign limited liability company has registered in this state;

(2) the address of its principal executive office, if different from the registered address;

(3) the address of its registered office;

(4) the name of its registered agent, if any;

(5) the state or jurisdiction of organization; and

(6) the name and business address of the manager or other person exercising the principal functions of the chief manager of the limited liability company.

Subd. 3. [AMENDMENTS ON REGISTRATION FORM.] A domestic limited liability company which needs to amend its name, registered office address, or registered agent may make these amendments on the biennial annual registration form. If an amendment is made on the biennial annual registration form, it must be signed by an authorized person. The fee listed in section 322B.175 applies to these amendments.

Subd. 4. [LOSS OF GOOD STANDING.] A limited liability company that fails to file a registration pursuant to the requirements of subdivision 1 loses its good standing in this state. The limited liability company may regain its good standing in this state by filing a single annual registration and paying a \$50 fee.

Subd. 5. [ADMINISTRATIVE TERMINATION PENALTY.] (a) If A domestic limited liability company that has not filed a registration during a reporting period pursuant to the requirements of subdivision 3, the secretary of state shall notify the limited liability company that it will be is administratively terminated if the biennial registration is not filed by the due date of the next registration. This notice must be sent to the limited liability company at its registered office address of record as part of the registration form. If the limited liability company does not file the biennial registration by the due date, the secretary of state shall administratively terminate the existence of the

~~limited liability company. The secretary of state shall issue a certificate of administrative termination which shall must be sent to the limited liability company at its registered office address filed in the office of the secretary of state. A copy of the certificate must be filed with the secretary of state. The secretary of state must also make available in an electronic format the names of the terminated limited liability companies.~~

~~(b) If A non-Minnesota limited liability company that has not filed a registration during a reporting period pursuant to the requirements of subdivision 3, the secretary of state shall notify the limited liability company that shall have its authority to do business in Minnesota will be revoked if the biennial registration is not filed by the due date of the next registration. This notice must be sent to the limited liability company at its registered office address of record as part of the registration form. If the limited liability company does not file the biennial registration by the due date, the secretary of state shall revoke the authority of the limited liability company to do business in Minnesota. The secretary of state shall must issue a certificate of revocation which shall must be sent to the limited liability company at its registered office address filed in the office of the secretary of state. A copy of the certificate must be filed with the secretary of state. The secretary of state must also make available in an electronic format the names of the revoked non-Minnesota limited liability companies.~~

Subd. 65. [REINSTATEMENT.] If a limited liability company is administratively terminated or has its authority to do business in Minnesota revoked, it may retroactively reinstate its existence or authority to do business by filing a single ~~biennial~~ annual registration and paying a \$50 ~~\$25~~ fee but only within one year of the date of the termination or revocation.

(a) For a domestic limited liability company, filing the ~~biennial~~ annual registration with the secretary of state:

(1) returns the limited liability company to active status as of the date of the administrative termination;

(2) validates contracts or other acts within the authority of the articles, and the limited liability company is liable for those contracts or acts; and

(3) restores to the limited liability company all assets and rights of the limited liability company and its members to the extent they were held by the limited liability company and its members before the administrative termination occurred, except to the extent that assets or rights were affected by acts occurring after the termination, sold, or otherwise distributed after that time.

(b) For a non-Minnesota limited liability company, filing the ~~biennial~~ annual registration restores the limited liability company's ability to do business in Minnesota and the rights and privileges which accompany that authority.

Sec. 14. Minnesota Statutes 1998, section 323A.10-03, is amended to read:

323A.10-03 [ANNUAL REGISTRATION.]

(a) Each calendar year beginning in the calendar year following the calendar year in which a partnership files a statement of qualification or in which a foreign partnership becomes authorized to transact business in this state, the secretary of state must mail by first class mail an annual registration form to the street address of the partnership's chief executive office, if located in Minnesota, the office in this state, if the chief executive office is not located in Minnesota, or address of the registered agent of the partnership as shown on the records of the secretary of state when the chief executive office is not located in Minnesota and no other Minnesota office exists. The form must include the following notice:

"NOTICE: Failure to file this form by December 31 of this year will result in the revocation of the statement of qualification of this limited liability partnership without further notice from the secretary of state pursuant to Minnesota Statutes, section 323A.10-03, subsection (d)."

(b) A limited liability partnership, and a foreign limited liability partnership authorized to transact business in this state, shall file an annual registration in the office of the secretary of state which contains:

(1) the name of the limited liability partnership and the state or other jurisdiction under whose laws the foreign limited liability partnership is formed;

(2) the street address, including the zip code, of the partnership's chief executive office and, if different, the street address, including the zip code, of an office of the partnership in this state, if any; and

(3) if the partnership does not have an office in this state, the name and street address, including the zip code, of the partnership's current agent for service of process.

(c) An annual registration must be filed once each calendar year beginning in the year following the calendar year in which a partnership files a statement of qualification or a foreign partnership becomes authorized to transact business in this state.

(d) The secretary of state ~~will~~ must revoke the statement of qualification of a partnership that fails to file an annual registration when due or pay the required filing fee. ~~To do so, the secretary of state shall provide the partnership 60 days' written notice of intent to revoke the statement. The notice must be mailed to the partnership at its chief executive office set forth in the last filed statement of qualification or annual registration. The notice must specify the annual registration that has not been filed, the fee that has not been paid, and the effective date of the revocation. The revocation is not effective if the annual registration is filed and the fee is paid before the effective date of the revocation. The secretary of state must issue a certificate of revocation which must be filed in the office of the secretary of state. The secretary of state must also make available in an electronic format the names of the revoked limited liability companies.~~

(e) A revocation under subsection (d) only affects a partnership's status as a limited liability partnership and is not an event of dissolution of the partnership.

(f) A partnership whose statement of qualification has been revoked may apply to the secretary of state for reinstatement within one year after the effective date of the revocation. A partnership must file an annual registration to apply for reinstatement and pay a reinstatement fee of \$135.

(g) A reinstatement under subsection (f) relates back to and takes effect as of the effective date of the revocation, and the partnership's status as a limited liability partnership continues as if the revocation had never occurred.

Sec. 15. Minnesota Statutes 1999 Supplement, section 325K.05, subdivision 1, is amended to read:

Subdivision 1. [LICENSE CONDITIONS.] To obtain or retain a license, a certification authority must:

(1) be the subscriber of a certificate issued by the secretary and published in a recognized repository;

(2) employ as operative personnel only persons who have not been convicted within the past 15 years of a felony or a crime involving fraud, false statement, or deception;

(3) employ as operative personnel only persons who have demonstrated knowledge and proficiency in following the requirements of this chapter;

(4) file with the secretary a suitable guaranty, unless the certification authority is a department, office, or official of a federal, state, city, or county governmental entity that is self-insured;

(5) use a trustworthy system, including a secure means for limiting access to its private key;

(6) present proof to the secretary of having working capital reasonably sufficient, according to rules adopted by the secretary, to enable the applicant to conduct business as a certification authority;

(7) register its business organization with the secretary, unless the applicant is a governmental entity or is otherwise prohibited from registering;

(8) require a potential subscriber to appear in person before the certification authority, or an agent of the certification authority, to prove the subscriber's identity before a certificate is issued to the subscriber; and

(9) comply with all further licensing requirements established by rule by the secretary.

The secretary may, by rule, establish standards by which the in-person registration required in clause (8) may be waived.

Sec. 16. Minnesota Statutes 1998, section 325K.07, subdivision 3, is amended to read:

Subd. 3. [CIVIL PENALTY.] The secretary may by order impose and collect a civil monetary penalty against a licensed certification authority for a violation of this chapter in an amount not to exceed \$5,000 per incident, ~~or 90 percent of the recommended reliance limit of a material certificate, whichever is less.~~ In case of a violation continuing for more than one day, each day is considered a separate incident. The secretary may adopt rules setting the standards governing the determination of the penalty amounts.

Sec. 17. Minnesota Statutes 1998, section 325K.10, subdivision 1, is amended to read:

Subdivision 1. [CONDITIONS.] A licensed certification authority may issue a certificate to a subscriber only after all of the following conditions are satisfied:

(1) the certification authority has received a request for issuance signed by the prospective subscriber; ~~and~~

(2) the prospective subscriber or the prospective subscriber's duly authorized agent must appear before the licensed certification authority to present the request; and

(3) the certification authority has confirmed that:

(i) the prospective subscriber is the person to be listed in the certificate to be issued;

(ii) if the prospective subscriber is acting through one or more agents, the subscriber duly authorized each agent to have custody of the subscriber's private key and to request issuance of a certificate listing the corresponding public key;

(iii) the information in the certificate to be issued is accurate;

(iv) the prospective subscriber rightfully holds the private key corresponding to the public key to be listed in the certificate;

(v) the prospective subscriber holds a private key capable of creating a digital signature;

(vi) the public key to be listed in the certificate can be used to verify a digital signature affixed by the private key held by the prospective subscriber; and

(vii) the certificate provides information sufficient to locate or identify one or more repositories in which notification of the revocation or suspension of the certificate will be listed if the certificate is suspended or revoked.

The requirements of this subdivision may not be waived or disclaimed by either the licensed certification authority, the subscriber, or both.

Sec. 18. Minnesota Statutes 1998, section 325K.10, subdivision 2, is amended to read:

Subd. 2. [PUBLICATION.] If the subscriber accepts the issued certificate, the licensed certification authority shall publish a signed copy of the certificate in a recognized repository, as the certification authority and the subscriber named in the certificate may agree, unless a contract between the certification authority and the subscriber provides otherwise. If the subscriber does not accept the certificate, a licensed certification authority shall not publish it, or shall cancel its publication if the certificate has already been published.

Sec. 19. Minnesota Statutes 1998, section 325K.18, subdivision 3, is amended to read:

Subd. 3. [QUALIFIED RIGHT TO PAYMENT.] (a) To recover a qualified right to payment against a surety or issuer of a suitable guaranty, the claimant must:

(1) file written notice of the claim with the ~~secretary~~ issuer of the suitable guarantee stating the name and address of the claimant, the amount claimed, and the grounds for the qualified right to payment, ~~and any other information required by rule by the secretary~~; and

(2) append to the notice a certified copy of the judgment on which the qualified right to payment is based.

(b) Recovery of a qualified right to payment from the proceeds of the suitable guaranty is barred unless the claimant substantially complies with this subdivision.

Sec. 20. Minnesota Statutes 1998, section 325K.19, is amended to read:

325K.19 [SATISFACTION OF SIGNATURE REQUIREMENTS.]

(a) Where a rule of law requires a signature, or provides for certain consequences in the absence of a signature, that rule is satisfied by a digital signature, if:

(1)(i) the digital signature is that of a public or local official as defined in section 10A.01, subdivisions 22 and 35, on government records described in section 15.17; or

(ii) no party affected by a digital signature objects to the use of digital signatures in lieu of a signature, and the objection may be evidenced by refusal to provide or accept a digital signature;

(2) that digital signature is verified by reference to the public key listed in a valid certificate issued by a licensed certification authority;

(3) that digital signature was affixed by the signer with the intention of signing the message and after the signer has had an opportunity to review items being signed; and

(4) the recipient has no knowledge or notice that the signer either:

(i) breached a duty as a subscriber; or

(ii) does not rightfully hold the private key used to affix the digital signature.

(b) However, nothing in this chapter precludes a mark from being valid as a signature under other applicable law.

Sec. 21. Minnesota Statutes 1998, section 325K.23, is amended to read:

325K.23 [~~CERTIFICATE AS ACKNOWLEDGMENT~~ ACKNOWLEDGMENTS.]

Subdivision 1. [CERTIFICATES.] Unless otherwise provided by law or contract, a certificate issued by a licensed certification authority ~~is~~ satisfies the requirement for an acknowledgment pursuant to section 358.41 of a digital

signature verified by reference to the public key listed in the certificate, regardless of whether words of an express acknowledgment appear with the digital signature and regardless of whether the signer physically appeared before the certification authority when the digital signature was created, if that digital signature is:

- (1) verifiable by that certificate; and
- (2) affixed when that certificate was valid.

Subd. 2. [DIGITAL SIGNATURES.] If the digital signature is used as an acknowledgment, then the certification authority is responsible to the same extent as a notary up to any limit on liability stated in the certification authority's certification practice statement for failure to satisfy the requirements for an acknowledgment. The certification authority may not disclaim or limit, other than as provided in section 325K.17, the effect of this section.

Sec. 22. Minnesota Statutes 1999 Supplement, section 336.9-411, is amended to read:

336.9-411 [COMPUTERIZED FILING SYSTEM.]

(a) The secretary of state shall develop and implement a statewide computerized filing system to accumulate and disseminate information relative to lien statements, financing statements, state and federal tax lien notices, and other Uniform Commercial Code documents. The computerized filing system must allow information to be entered and retrieved from the computerized filing system by county recorders, the department of revenue, the department of economic security, and the Internal Revenue Service.

(b) County recorders shall enter information relative to lien statements, financing statements, state and federal tax lien notices, and other Uniform Commercial Code documents filed in their offices into a central database maintained by the secretary of state. The information must be entered under the rules of the secretary of state. This requirement does not apply to tax lien notices filed under sections 268.058, subdivision 1, paragraph (b), clause (2); 270.69, subdivision 2, paragraph (b), clause (2); and 272.488, subdivision 1, but does apply to entry of the date and time of receipt and county recorder's file number of those notices.

(c) The secretary of state may allow private parties to have electronic access to the computerized filing system and to other computerized records maintained by the secretary of state on a fee basis, except that visual access to electronic display terminals at the public counters at the secretary of state's office will be without charge and available during public counter hours, and access by law enforcement personnel, acting in an official capacity, will be without charge. If the computerized filing system allows a form of electronic access to information regarding the obligations of debtors, the access must be available 24 hours a day, every day of the year.

Notwithstanding section 13.49, private parties who have electronic access to computerized records may view the social security number information about a debtor that is of record.

(d) The secretary of state shall adopt rules to implement the computerized filing system. The rules must:

(1) allow filings to be made at the offices of all county recorders and the secretary of state's office as required by section 336.9-401;

(2) establish a central database for all information relating to liens and security interests that are filed at the offices of county recorders and the secretary of state;

(3) provide procedures for entering data into a central database;

(4) allow the offices of all county recorders and the secretary of state's office to add, modify, and delete information in the central database as required by the Uniform Commercial Code;

(5) allow the offices of all county recorders and the secretary of state's office to have access to the central database for review and search capabilities;

(6) allow the offices of all county recorders to have electronic access to the computerized business information records on file with the secretary of state;

(7) require the secretary of state to maintain the central database;

(8) provide security and protection of all information in the central database and monitor the central database to ensure that unauthorized entry is not allowed;

(9) require standardized information for entry into the central database;

(10) prescribe an identification procedure for debtors and secured parties that will enhance lien and financing statement searches; and

(11) prescribe a procedure for phasing-in or converting from the existing filing system to a computerized filing system.

(e) The secretary of state, county recorders, and their employees and agents shall not be liable for any loss or damages arising from errors in or omissions from information entered into the computerized filing system as a result of the electronic transmission of tax lien notices under sections 268.058, subdivision 1, paragraph (b), clause (2); 270.69, subdivision 2, paragraph (b), clause (2); 272.483; and 272.488, subdivisions 1 and 3.

Sec. 23. [REPEALER.]

Minnesota Statutes 1998, sections 303.07, subdivision 2; 303.14, subdivisions 3, 4, and 5; and 322B.960, subdivision 3, are repealed.

Sec. 24. [EFFECTIVE DATE.]

Sections 5, 6, 7, 10, 11, 13, and 14 are effective January 1, 2001."

Delete the title and insert:

"A bill for an act relating to state government; defining a term for the purposes of chapter 16A; regulating fees of the secretary of state; regulating the filing of annual registrations by corporations and other business entities with the secretary of state; providing for technical amendments to provisions regarding digital signatures; allowing the extension of duration of certain nonprofit corporations; amending Minnesota Statutes 1998, sections 5.12, subdivision 1; 5.14; 16A.011, by adding a subdivision; 302A.821; 303.14, subdivision 1; 303.21, subdivision 3; 317A.801, subdivision 1; 317A.823; 317A.827; 318.02, by adding a subdivision; 322B.960; 323A.10-03; 325K.07, subdivision 3; 325K.10, subdivisions 1 and 2; 325K.18, subdivision 3; 325K.19; and 325K.23; Minnesota Statutes 1999 Supplement, sections 325K.05, subdivision 1; and 336.9-411; proposing coding for new law in Minnesota Statutes, chapters 5; and 308A; repealing Minnesota Statutes 1998, sections 303.07, subdivision 2; 303.14, subdivisions 3, 4, and 5; and 322B.960, subdivision 3."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3692 and 4127 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1733, 3626 and 2783 were read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2891, A bill for an act relating to transportation; appropriating money for state road construction, public transit, and other purposes; establishing an intergovernmental cooperative facilities loan fund; establishing a major transportation projects commission; restricting expenditures for commuter rail and light rail transit; canceling bonding authorization for light rail transit; directing a study of freeway ramp meters in the metropolitan area; providing for a grant to the University of Minnesota for design and engineering of personal rapid transit; directing a study of high-occupancy vehicle lane use by certain vehicles; providing for approval of and payment under supplemental goods or services agreements of the commissioner of transportation; authorizing suspension of motor vehicle registration when tax is paid by dishonored check; exempting dealers in firefighting equipment from motor vehicle dealer licensing; providing for commuter rail plan dispute resolution; providing for inspection of vehicles of motor carriers; requiring the budget for light rail transit to include cost of utility relocation; requiring a municipality to issue permits for a specific business or use that uses river transportation as a major mode of transportation once a special permit has been issued and an environmental assessment worksheet has been completed; expanding eligibility for replacement transit service program; requiring a report on metro mobility; establishing working group to assess impact of DM&E rail line project; requiring study and legislative report on statewide public safety radio system; clarifying a definition of state license and service fees; sunsetting a department fee and an account; amending Minnesota Statutes 1998, sections 16A.6701, subdivision 1; 161.32, by adding a subdivision; 168.27, subdivision 8; 168A.29, subdivision 1; 169.781, by adding a subdivision; 174.35; 216B.16, by adding a subdivision; 221.131, subdivision 4; 221.132; and 473.388, subdivision 2; Minnesota Statutes 1999 Supplement, sections 168.17; 174.88; 174.86, subdivision 2, and by adding a subdivision; and 221.0252, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 161; 174; and 462; repealing Minnesota Statutes 1998, section 299A.70.

The Senate has appointed as such committee:

Senators Johnson, D. E.; Flynn; Ourada; Robling and Kelly, R. C.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 3047, A bill for an act relating to real property; title insurance; modifying mortgage release certificate language to include assignment of rents and profits; amending Minnesota Statutes 1998, sections 507.401, subdivisions 1, 3, and 6; and 559.17, by adding a subdivision; repealing Minnesota Statutes 1998, section 507.401, subdivision 7.

The Senate has appointed as such committee:

Senators Scheid, Wiener and Limmer.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 3286, A bill for an act relating to education; amending state graduation requirements; amending graduation rules; amending Minnesota Statutes 1998, sections 120A.41; and 120B.03, subdivision 2, and by adding subdivisions; Minnesota Statutes 1999 Supplement, sections 120B.02; and 120B.30, subdivision 1; repealing Minnesota Statutes 1998, sections 120B.03, subdivisions 1 and 3; and 120B.04; Minnesota Rules, parts 3501.0330, subparts 2, item A, and 7, item B; 3501.0370, subparts 1, 2, and 4; 3501.0420, subparts 1, item D, and 4; and 3501.0430.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Pogemiller, Scheid and Robertson.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Ness moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 3286. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 2946, A bill for an act relating to motor fuels; limiting the use of certain oxygenates in gasoline sold in Minnesota; amending Minnesota Statutes 1998, section 239.761, subdivision 6; Minnesota Statutes 1999 Supplement, section 239.791, subdivision 1.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Vickerman, Scheevel and Lessard.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Dorman moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2946. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2569.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2569

A bill for an act relating to insurance; authorizing insurance coverage for vicarious liability for punitive and exemplary damages; regulating the terms of certain fraternal benefit society board members; amending Minnesota Statutes 1998, sections 60A.06, by adding a subdivision; and 64B.03.

March 17, 2000

The Honorable Allan H. Spear
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2569, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

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

Senate Conferees: LINDA SCHEID, JOHN C. HOTTINGER AND DAVE KLEIS.

House Conferees: BILL HAAS, GREGORY M. DAVIDS AND THOMAS PUGH.

Haas moved that the report of the Conference Committee on S. F. No. 2569 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2569, A bill for an act relating to insurance; authorizing insurance coverage for vicarious liability for punitive and exemplary damages; regulating the terms of certain fraternal benefit society board members; amending Minnesota Statutes 1998, sections 60A.06, by adding a subdivision; and 64B.03.

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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Holberg	Lieder	Pawlenty	Tingelstad
Abrams	Dorman	Holsten	Lindner	Paymar	Tomassoni
Anderson, B.	Dorn	Hoves	Luther	Pelowski	Trimble
Anderson, I.	Entenza	Huntley	Mahoney	Peterson	Tuma
Bakk	Erhardt	Jaros	Mares	Pugh	Tunheim
Biernat	Erickson	Jennings	Marko	Reuter	Van Dellen
Bishop	Finseth	Johnson	McCollum	Rhodes	Vandever
Boudreau	Folliard	Juhnke	McElroy	Rifenberg	Wagenius
Bradley	Fuller	Kahn	Milbert	Rostberg	Wenzel
Broecker	Gerlach	Kalis	Molnau	Rukavina	Westerberg
Buesgens	Gleason	Kelliher	Mulder	Seagren	Westfall
Carlson	Greenfield	Kielkucki	Mullery	Seifert, J.	Westrom
Carruthers	Greiling	Knoblach	Murphy	Seifert, M.	Wilkin
Cassell	Gunther	Koskinen	Ness	Skoe	Winter
Chaudhary	Haake	Krinkie	Nornes	Smith	Wolf
Clark, J.	Haas	Kubly	Opatz	Solberg	Workman
Clark, K.	Hackbarth	Kuisle	Orfield	Stang	Spk. Sviggum
Daggett	Harder	Larsen, P.	Osskopp	Storm	
Davids	Hasskamp	Larson, D.	Otremba	Swapinski	
Dawkins	Hausman	Lenczewski	Ozment	Swenson	
Dehler	Hilty	Leppik	Paulsen	Sykora	

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

Mr. Speaker:

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

S. F. Nos. 3455 and 3259.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3455, A bill for an act relating to crime prevention; limiting the liability of financial institutions that provide information in good faith on stolen, forged, or fraudulent checks in the course of an investigation; making it a crime to falsely report stolen checks to a financial institution or to possess, sell, receive, or transfer stolen or counterfeit checks; providing criminal penalties and forfeiture remedies for such conduct; expanding the racketeering crime to include organized criminal activity involving stolen or counterfeit checks; making technical corrections to

certain penalties; amending Minnesota Statutes 1998, section 299A.61, subdivision 3; Minnesota Statutes 1999 Supplement, sections 609.527, subdivision 3; 609.531, subdivision 1; and 609.902, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time.

Stanek moved that S. F. No. 3455 and H. F. No. 2751, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3259, A bill for an act relating to the state building code; providing for certain energy code rules to remain in effect.

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

CALENDAR FOR THE DAY

H. F. No. 3708 was reported to the House.

Jennings moved that H. F. No. 3708 be temporarily laid over on the Calendar for the Day. The motion prevailed.

S. F. No. 3145, A bill for an act relating to the city of Minnetonka; providing a variation from the general statutory priority for designation of a qualified newspaper for publication of its official proceedings and public notices.

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	Dawkins	Harder	Kubly	Ness	Schumacher
Abrams	Dehler	Hasskamp	Kuisle	Nornes	Seagren
Anderson, B.	Dempsey	Hausman	Larsen, P.	Olson	Seifert, J.
Anderson, I.	Dorman	Hilty	Larson, D.	Opatz	Seifert, M.
Bakk	Dorn	Holberg	Lenczewski	Orfield	Skoe
Biernat	Entenza	Holsten	Leppik	Osskopp	Skoglund
Bishop	Erhardt	Howes	Lieder	Otremba	Smith
Boudreau	Erickson	Huntley	Lindner	Ozment	Solberg
Bradley	Finseth	Jaros	Luther	Paulsen	Stanek
Broecker	Folliard	Jennings	Mahoney	Pawlenty	Stang
Buesgens	Fuller	Johnson	Mares	Paymar	Storm
Carlson	Gerlach	Juhnke	Marko	Pelowski	Swapinski
Carruthers	Gleason	Kahn	McCollum	Peterson	Swenson
Cassell	Greenfield	Kalis	McElroy	Pugh	Sykora
Chaudhary	Greiling	Kelliher	Milbert	Reuter	Tingelstad
Clark, J.	Gunther	Kielkucki	Molnau	Rhodes	Tomassoni
Clark, K.	Haake	Knoblach	Mulder	Rifenberg	Trimble
Daggett	Haas	Koskinen	Mullery	Rostberg	Tuma
Davids	Hackbarth	Krinkie	Murphy	Rukavina	Tunheim

Van Dellen	Wejcman	Westfall	Winter	Spk. Sviggum
Vandev eer	Wenzel	Westrom	Wolf	
Wagenius	Westerberg	Wilkin	Workman	

The bill was passed and its title agreed to.

H. F. No. 3497 was reported to the House.

Tuma moved that H. F. No. 3497 be temporarily laid over on the Calendar for the Day. The motion prevailed.

S. F. No. 2326 was reported to the House.

Trimble moved to amend S. F. No. 2326 as follows:

Page 1, after line 8, insert:

"Sec. 2. [SUNSET.]

Section 1 expires four years following the day of final enactment."

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

S. F. No. 2326, A bill for an act relating to state government; designating the monarch as the state butterfly; proposing coding for new law in Minnesota Statutes, chapter 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 105 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Hackbarth	Kielkucki	Milbert	Rostberg
Anderson, I.	Dempsey	Harder	Koskinen	Murphy	Rukavina
Bakk	Dorman	Hasskamp	Kubly	Ness	Schumacher
Biernat	Dorn	Hausman	Larsen, P.	Nornes	Seagren
Bishop	Entenza	Hilty	Larson, D.	Opatz	Seifert, J.
Boudreau	Erhardt	Holberg	Lenczewski	Orfield	Skoglund
Bradley	Folliard	Holsten	Leppik	Osskopp	Smith
Broecker	Fuller	Hoves	Lieder	Otremba	Solberg
Carlson	Gleason	Jaros	Lindner	Ozment	Stanek
Cassell	Gray	Jennings	Luther	Pawlenty	Stang
Chaudhary	Greenfield	Johnson	Mahoney	Paymar	Storm
Clark, K.	Greiling	Juhnke	Mares	Pelowski	Swapinski
Daggett	Gunther	Kahn	Marko	Peterson	Swenson
Davids	Haake	Kalis	McCollum	Pugh	Sykora
Dawkins	Haas	Kelliher	McElroy	Rhodes	Tingelstad

Tomassoni	Vandever	Wenzel	Westrom	Wolf
Tunheim	Wagenius	Westerberg	Wilkin	Workman
Van Dellen	Wejcman	Westfall	Winter	Spk. Sviggum

Those who voted in the negative were:

Abrams	Clark, J.	Huntley	Molnau	Paulsen	Skoe
Anderson, B.	Erickson	Knoblach	Mulder	Reuter	Trimble
Buesgens	Finseth	Krinkie	Mullery	Rifenberg	Tuma
Carruthers	Gerlach	Kuisle	Olson	Seifert, M.	

The bill was passed and its title agreed to.

S. F. No. 3581 was reported to the House.

Paulsen moved to amend S. F. No. 3581 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 3974, the first engrossment:

"Section 1. Minnesota Statutes 1998, section 37.21, is amended to read:

37.21 [SALE OF LIQUORS.]

Subdivision 1. [LIQUOR PROHIBITED.] No person may sell, barter, give away, or otherwise dispose of or introduce, have, or keep for barter, gift, or sale, any intoxicating liquors of any kind upon or within one-half mile of the state fairgrounds, or aid and abet any of those acts. The presence and possession of any kind of these liquors, in any quantity, upon the person or upon the premises leased or occupied by any person within these limits is a public nuisance and is prima facie evidence of the purpose of the person to barter, give away, or sell the liquor. Any person who violates this section is guilty of a misdemeanor.

Subd. 2. [EXCEPTIONS.] Notwithstanding subdivision 1, the state agricultural society may authorize, under terms and conditions it chooses, the sale, possession, and consumption of intoxicating liquors at special events taking place on the fairgrounds at times other than during the annual fair including, but not limited to, family reunions, class reunions, weddings, conventions, and similar events.

Sec. 2. Minnesota Statutes 1998, section 340A.101, subdivision 7, is amended to read:

Subd. 7. [CLUB.] "Club" is an incorporated organization organized under the laws of the state for civic, fraternal, social, or business purposes, for intellectual improvement, or for the promotion of sports, or a congressionally chartered veterans' organization, which:

(1) has more than ~~50~~ 20 members;

(2) has owned or rented a building or space in a building for more than one year that is suitable and adequate for the accommodation of its members;

(3) is directed by a board of directors, executive committee, or other similar body chosen by the members at a meeting held for that purpose. No member, officer, agent, or employee shall receive any profit from the distribution or sale of beverages to the members of the club, or their guests, beyond a reasonable salary or wages fixed and voted each year by the governing body.

Sec. 3. Minnesota Statutes 1999 Supplement, section 340A.404, subdivision 2, is amended to read:

Subd. 2. [SPECIAL PROVISION; CITY OF MINNEAPOLIS.] (a) The city of Minneapolis may issue an on-sale intoxicating liquor license to the Guthrie Theater, the Cricket Theatre, the Orpheum Theatre, and the State Theatre, notwithstanding the limitations of law, or local ordinance, or charter provision relating to zoning or school or church distances. The licenses authorize sales on all days of the week to holders of tickets for performances presented by the theaters and to members of the nonprofit corporations holding the licenses and to their guests.

(b) The city of Minneapolis may issue an intoxicating liquor license to 510 Groveland Associates, a Minnesota cooperative, for use by a restaurant on the premises owned by 510 Groveland Associates, notwithstanding limitations of law, or local ordinance, or charter provision.

(c) The city of Minneapolis may issue an on-sale intoxicating liquor license to Zuhrah Shrine Temple for use on the premises owned by Zuhrah Shrine Temple at 2540 Park Avenue South in Minneapolis, notwithstanding limitations of law, or local ordinances, or charter provision relating to zoning or school or church distances.

(d) The city of Minneapolis may issue an on-sale intoxicating liquor license to the American Association of University Women, Minneapolis branch, for use on the premises owned by the American Association of University Women, Minneapolis branch, at 2115 Stevens Avenue South in Minneapolis, notwithstanding limitations of law, or local ordinances, or charter provisions relating to zoning or school or church distances.

(e) The city of Minneapolis may issue an on-sale wine license and an on-sale 3.2 percent malt liquor license to a restaurant located at 5000 Penn Avenue South, and an on-sale wine license and an on-sale malt liquor license to a restaurant located at 1931 Nicollet Avenue South, notwithstanding any law or local ordinance or charter provision.

(f) The city of Minneapolis may issue an on-sale wine license and an on-sale malt liquor license to the Brave New Workshop Theatre located at 3001 Hennepin Avenue South, ~~and to the Theatre de la Jeune Lune, the Illusion Theatre located at 528 Hennepin Avenue South, and the Hollywood Theatre located at 2815 Johnson Street Northeast,~~ notwithstanding any law or local ordinance or charter provision. The license authorizes sales on all days of the week.

(g) The city of Minneapolis may issue an on-sale intoxicating liquor license to University Gateway Corporation, a Minnesota nonprofit corporation, for use by a restaurant or catering operator at the building owned and operated by the University Gateway Corporation on the University of Minnesota campus, notwithstanding limitations of law, or local ordinance or charter provision. The license authorizes sales on all days of the week.

Sec. 4. [340A.34] [WINEMAKING ON PREMISES STORE.]

A commercial establishment in which individuals make wine on the premises for personal and family use only and not for resale, using ingredients or materials or both supplied by the establishment, is not required to be licensed under this chapter if the establishment is operated in accordance with Code of Federal Regulations, title 27, section 24.75. No person under the age of 21 years may participate in the making of wine in such an establishment. Alcoholic beverages may not be sold or otherwise provided to customers of an establishment described in this section unless the establishment holds the appropriate license for such sale or provision.

Sec. 5. [340A.419] [WINE TASTINGS CONDUCTED BY EXCLUSIVE LIQUOR STORE.]

Subdivision 1. [DEFINITION.] For purposes of this section, a "wine tasting" is an event of not more than four hours' duration at which persons pay a fee to participate and are allowed to consume wine by the glass without paying a separate charge for each glass.

Subd. 2. [TASTINGS.] (a) Notwithstanding any other law, an exclusive liquor store may conduct a wine tasting on the premises of a holder of an on-sale intoxicating liquor license that is not a temporary license if the exclusive liquor store complies with this section.

(b) No wine at a wine tasting under this section may be sold for off-premises consumption. A participant in the tasting may fill out a form indicating preferences for wine. The form may be held on the premises of the exclusive liquor store to assist the participant in making an off-sale purchase at a later date.

(c) Notwithstanding any other law, an exclusive liquor store may purchase or otherwise obtain wine for a wine tasting conducted under this section from a wholesaler licensed to sell wine. The wholesaler may sell or give wine to an exclusive liquor store for a wine tasting conducted under this section and may provide personnel to assist in the wine tasting.

(d) An exclusive liquor store that conducts a wine tasting under this section must use any fees collected from participants in the tasting only to defray the cost of conducting the tasting.

Sec. 6. Laws 1999, chapter 202, section 15, is amended to read:

Sec. 15. [CITY OF BEMIDJI; LIQUOR LICENSE.]

The city of Bemidji may issue one on-sale intoxicating liquor license in addition to the number authorized by law. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, other than Minnesota Statutes, section 340A.412, subdivision 4, paragraph (a), clause (8), apply to the licenses license authorized under this section.

Sec. 7. [CITY OF DULUTH; LAKE SUPERIOR CENTER AUTHORITY.]

Notwithstanding any law, ordinance, or charter provision to the contrary, the city of Duluth may issue an on-sale intoxicating liquor license to the Lake Superior Center authority for certain events at the Lake Superior Center. The license shall limit the sale of intoxicating liquor to persons leasing space in the Lake Superior Center and their guests for the purpose of conducting any convention, banquet, conference, meeting, or social affair. The fee for the license shall be set by the Duluth city council. The license must be issued in accordance with laws governing issuance of on-sale intoxicating liquor licenses in cities of the first class not inconsistent with this section and with city charter provisions and ordinances not inconsistent with this section.

Sec. 8. [CITY OF SPRINGFIELD; AUTHORIZATION.]

The city of Springfield may authorize a holder of a retail on-sale intoxicating liquor license issued by the city to dispense intoxicating liquor at an event on December 31, 2000, and January 1, 2001, at a facility owned by the city, notwithstanding Minnesota Statutes, section 340A.504, subdivision 3. All provisions of Minnesota Statutes, section 340A.404, subdivision 4, paragraph (a), apply to the authority granted under this section. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license authorized under this section.

Sec. 9. [CITY OF EVELETH; LIQUOR LICENSE.]

Notwithstanding other law, the city of Eveleth may issue one on-sale intoxicating liquor license to the Quad Cities Joint Recreational Center authority. The authority may, but shall not be required to, contract with an independent contractor to operate the on-sale liquor establishment. The independent contractor need not hold a license in its own name. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license authorized under this section.

Sec. 10. [WINE LICENSE; MAIN STREET STAGE THEATRE.]

The city of Anoka may issue an on-sale wine license to the Lyric Arts Company of Anoka, Inc. for the Main Street Stage Theatre. The license authorizes sales on all days of the week to holders of tickets for performances at the theater. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license authorized under this section.

Sec. 11. [EFFECTIVE DATE; LOCAL APPROVAL.]

Section 3 is effective the day after the governing body of Minneapolis and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3. Section 6 is effective the day after the governing body of Bemidji and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3. Section 7 is effective the day after the governing body of Duluth and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3. Section 8 is effective the day after the governing body of Springfield and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3. Section 9 is effective the day after the governing body of Eveleth and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3. Section 10 is effective the day after the governing body of Anoka and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3."

Delete the title and insert:

"A bill for an act relating to liquor; providing exceptions to the prohibition on intoxicating liquors at the state fairgrounds; modifying the definition of "club"; authorizing the city of Minneapolis to issue an on-sale wine and malt liquor license for the Illusion Theatre and the Hollywood Theatre; exempting winemaking-on-premises stores from state licensing with certain restrictions; authorizing exclusive liquor stores to conduct wine tastings; exempting an on-sale intoxicating liquor license in Bemidji from statutory restrictions on proximity to a state university; authorizing the cities of Duluth, Springfield, and Eveleth to issue on-sale intoxicating liquor licenses; authorizing the city of Anoka to issue an on-sale wine license; amending Minnesota Statutes 1998, sections 37.21; and 340A.101, subdivision 7; Minnesota Statutes 1999 Supplement, section 340A.404, subdivision 2; Laws 1999, chapter 202, section 15; proposing coding for new law in Minnesota Statutes, chapter 340A."

The motion prevailed and the amendment was adopted.

Davids moved to amend S. F. No. 3581, as amended, as follows:

Page 6, after line 27, insert:

"Sec. 11. [INTOXICATING LIQUOR; SUNDAY SALES; ON-SALE; SHERMAN TOWNSHIP.]

An election conducted in Sherman township in Redwood county on the question of the issuance by the county of Sunday sales licenses to establishments located in the town may be held on the day of the annual election of town officers or at a special election called and conducted by the town board. The cost of the election must be borne by the applicant for the Sunday sales license."

Page 7, line 12, after the period, insert:

"Section 11 is effective the day after the governing body of Sherman township in Redwood county and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Biernat and Abrams moved to amend S. F. No. 3581, as amended, as follows:

Page 1, after line 18, insert:

"ARTICLE 1"

Page 5, after line 21, insert:

"ARTICLE 2"

Section 1. Minnesota Statutes 1998, section 340A.101, is amended by adding a subdivision to read:

Subd. 27a. [THEATER.] "Theater" means a building containing an auditorium in which live dramatic, musical, dance, or literary performances are regularly presented to holders of tickets for those performances.

Sec. 2. Minnesota Statutes 1998, section 340A.404, subdivision 1, is amended to read:

Subdivision 1. [CITIES.] (a) A city may issue an on-sale intoxicating liquor license to the following establishments located within its jurisdiction:

(1) hotels;

(2) restaurants;

(3) bowling centers;

(4) clubs or congressionally chartered veterans organizations with the approval of the commissioner, provided that the organization has been in existence for at least three years and liquor sales will only be to members and bona fide guests;

(5) sports facilities located on land owned by the metropolitan sports commission; and

(6) exclusive liquor stores.

(b) A city may issue an on-sale intoxicating liquor license, an on-sale wine license, or an on-sale malt liquor license to a theater within the city. A license issued under this paragraph authorizes sales on all days of the week to holders of tickets for performances presented by the theater.

Sec. 3. Minnesota Statutes 1998, section 340A.413, subdivision 4, is amended to read:

Subd. 4. [EXCLUSIONS FROM LICENSE LIMITS.] On-sale intoxicating liquor licenses may be issued to the following entities by a city, in addition to the number authorized by this section:

(1) clubs, or congressionally chartered veterans organizations;

(2) restaurants located at a racetrack licensed under chapter 240;

(3) establishments that are issued licenses to sell wine under section 340A.404, subdivision 5; and

(4) theaters that are issued licenses under section 340A.404, subdivision 1, paragraph (b), or 2.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 3581, A bill for an act relating to liquor; authorizing the city of Minneapolis to issue an on-sale wine and malt liquor license for the Illusion Theatre and the Hollywood Theatre; authorizing winemaking on premises stores; authorizing the city of St. Paul to issue an on-sale wine and malt liquor license to the Great American History Theater; exempting an on-sale intoxicating liquor license in Bemidji from statutory restrictions on proximity to a state university; authorizing the cities of Duluth, Springfield, and Eveleth, to issue on-sale intoxicating liquor licenses; authorizing the city of Anoka to issue an on-sale wine license; amending Minnesota Statutes 1999 Supplement, section 340A.404, subdivisions 2 and 2b; Laws 1999, chapter 202, section 15; proposing coding for new law in Minnesota Statutes, chapter 340A.

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 98 yeas and 31 nays as follows:

Those who voted in the affirmative were:

Abrams	Entenza	Huntley	Mares	Paymar	Tomassoni
Anderson, I.	Erhardt	Jaros	Mariani	Pelowski	Trimble
Bakk	Erickson	Jennings	Marko	Peterson	Tuma
Biernat	Folliard	Johnson	McCollum	Pugh	Tunheim
Bishop	Fuller	Juhnke	Milbert	Rhodes	Van Dellen
Boudreau	Gerlach	Kahn	Molnau	Rostberg	Wejcman
Bradley	Gray	Kelliher	Mullery	Rukavina	Wenzel
Carlson	Greenfield	Kielkucki	Murphy	Schumacher	Westerberg
Carruthers	Gunther	Koskinen	Ness	Seifert, M.	Westrom
Chaudhary	Haas	Kuisle	Nornes	Skoe	Wilkin
Clark, J.	Hackbarth	Larsen, P.	Opatz	Smith	Winter
Daggett	Harder	Larson, D.	Orfield	Solberg	Wolf
Davids	Hasskamp	Lenczewski	Osskopp	Stang	Spk. Sviggum
Dawkins	Hausman	Leppik	Otremba	Storm	
Dehler	Hilty	Lieder	Ozment	Swapinski	
Dorman	Holsten	Luther	Paulsen	Sykora	
Dorn	Howes	Mahoney	Pawlenty	Tingelstad	

Those who voted in the negative were:

Abeler	Dempsey	Knoblach	Olson	Skoglund	Workman
Anderson, B.	Finseth	Krinkie	Osthoff	Stanek	
Broecker	Greiling	Kubly	Reuter	Swenson	
Buesgens	Haake	Lindner	Rifenberg	Vandevier	
Cassell	Holberg	McElroy	Seagren	Wagenius	
Clark, K.	Kalis	Mulder	Seifert, J.	Westfall	

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

H. F. No. 3505 was reported to the House.

Dauids moved to amend H. F. No. 3505, the first engrossment, as follows:

Page 2, delete line 6 to page 5, line 27

Renumber sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 3505, A bill for an act relating to commerce; regulating certain disclosures; authorizing insurance against vicarious liability for certain damages; specifying the license term and fees of a managing general agent; regulating securities broker-dealers and investment advisers; authorizing the commissioner to withdraw certain inactive registration applications; extending a real estate continuing education pilot project; regulating the contractor recovery fund; making collection agencies responsible for the acts of collectors; providing standards of conduct for notarial acts; regulating unclaimed property; amending Minnesota Statutes 1998, sections 45.027, subdivision 7a; 60H.03, by adding a subdivision; 60K.03, subdivision 4; 80A.04, subdivisions 2 and 3; 80A.07, subdivision 1; 80A.10, subdivision 2; 80C.05, subdivision 4; 80C.07; 82.22, subdivision 13; 82A.04, subdivision 4, and by adding a subdivision; 82B.14; 83.23, by adding a subdivision; 308A.711, subdivision 1; 326.975, subdivision 1; and 345.515; Minnesota Statutes 1999 Supplement, sections 60A.06, subdivision 1; and 80A.15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 332; and 359.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dawkins	Hackbarth	Krinkie	Mullery	Rifenberg
Abrams	Dehler	Harder	Kubly	Murphy	Rostberg
Anderson, B.	Dempsey	Hasskamp	Kuisele	Ness	Rukavina
Anderson, I.	Dorman	Hausman	Larsen, P.	Nornes	Schumacher
Bakk	Dorn	Hilty	Larson, D.	Olson	Seagren
Biernat	Entenza	Holberg	Lenczewski	Opatz	Seifert, J.
Bishop	Erhardt	Holsten	Leppik	Orfield	Seifert, M.
Boudreau	Erickson	Howes	Lieder	Osskopp	Skoe
Bradley	Finseth	Huntley	Lindner	Osthoff	Skoglund
Broecker	Folliard	Jaros	Luther	Otremba	Smith
Buesgens	Fuller	Jennings	Mahoney	Ozment	Solberg
Carlson	Gerlach	Johnson	Mares	Paulsen	Stanek
Carruthers	Gleason	Juhnke	Mariani	Pawlenty	Stang
Cassell	Gray	Kahn	Marko	Paymar	Storm
Chaudhary	Greenfield	Kalis	McCollum	Pelowski	Swapinski
Clark, J.	Greiling	Kelliher	McElroy	Peterson	Swenson
Clark, K.	Gunther	Kielkucki	Milbert	Pugh	Sykora
Daggett	Haake	Knoblach	Molnau	Reuter	Tingelstad
Dauids	Haas	Koskinen	Mulder	Rhodes	Tomassoni

Trimble	Van Dellen	Wejcman	Westfall	Winter	Spk. Sviggum
Tuma	Vandev eer	Wenzel	Westrom	Wolf	
Tunheim	Wagenius	Westerberg	Wilkin	Workman	

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

The Speaker called Boudreau to the Chair.

S. F. No. 3023 was reported to the House.

Workman moved that S. F. No. 3023 be continued on the Calendar for the Day. The motion prevailed.

H. F. No. 3409 was reported to the House.

Bradley moved to amend H. F. No. 3409, the first engrossment, as follows:

Page 2, after line 26, insert:

"Sec. 3. Minnesota Statutes 1998, section 252.28, is amended by adding a subdivision to read:

Subd. 3b. [OLMSTED COUNTY LICENSING EXEMPTION.] (a) Notwithstanding subdivision 3, the commissioner may license service sites each accommodating up to five residents moving from a 43-bed intermediate care facility for persons with mental retardation or related conditions located in Olmsted county that is closing under section 252.292.

(b) Notwithstanding the provisions of any other state law or administrative rule, the rate provisions of section 256I.05, subdivision 1, apply to the exception in this subdivision."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Bradley moved to amend H. F. No. 3409, the first engrossment, as amended, as follows:

Page 2, after line 26, insert:

"Sec. 3. Minnesota Statutes 1999 Supplement, section 245.462, subdivision 4, is amended to read:

Subd. 4. [CASE MANAGEMENT SERVICE PROVIDER.] (a) "Case management service provider" means a case manager or case manager associate employed by the county or other entity authorized by the county board to provide case management services specified in section 245.4711.

(b) A case manager must:

(1) be skilled in the process of identifying and assessing a wide range of client needs;

(2) be knowledgeable about local community resources and how to use those resources for the benefit of the client;

(3) have a bachelor's degree in one of the behavioral sciences or related fields including, but not limited to, social work, psychology, or nursing from an accredited college or university. A case manager must have at least 2,000 hours of supervised experience in the delivery of services to adults with mental illness, must be skilled in the process of identifying and assessing a wide range of client needs, and must be knowledgeable about local community resources and how to use those resources for the benefit of the client or meet the requirements of paragraph (c); and

(4) meet the supervision and continuing education requirements described in paragraphs (d), (e), and (f), as applicable.

~~(b) Supervision for a case manager during the first year of service providing case management services shall be one hour per week of clinical supervision from a case management supervisor. After the first year, the case manager shall receive regular ongoing supervision totaling 38 hours per year, of which at least one hour per month must be clinical supervision regarding individual service delivery with a case management supervisor. The remainder may be provided by a case manager with two years of experience. Group supervision may not constitute more than one-half of the required supervision hours. Clinical supervision must be documented in the client record.~~

~~(c) A case manager with a bachelor's degree who is not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in mental illness and mental health services annually.~~

~~(d) A case manager with a bachelor's degree but without 2,000 hours of supervised experience described in paragraph (a), must complete 40 hours of training approved by the commissioner covering case management skills and the characteristics and needs of adults with serious and persistent mental illness.~~

~~(e) (c) Case managers without a bachelor's degree must meet one of the requirements in clauses (1) to (3):~~

~~(1) have three or four years of experience as a case manager associate as defined in this section;~~

~~(2) be a registered nurse without a bachelor's degree and have a combination of specialized training in psychiatry and work experience consisting of community interaction and involvement or community discharge planning in a mental health setting totaling three years; or~~

~~(3) be a person who qualified as a case manager under the 1998 department of human service federal waiver provision and meet the continuing education and mentoring requirements in this section.~~

(d) A case manager with at least 2,000 hours of supervised experience in the delivery of services to adults with mental illness must receive regular ongoing supervision and clinical supervision totaling 38 hours per year of which at least one hour per month must be clinical supervision regarding individual service delivery with a case management supervisor. The remaining 26 hours of supervision may be provided by a case manager with two years of experience. Group supervision may not constitute more than one-half of the required supervision hours. Clinical supervision must be documented in the client record.

(e) A case manager without 2,000 hours of supervised experience in the delivery of services to adults with mental illness must:

(1) receive clinical supervision regarding individual service delivery from a mental health professional at least one hour per week until the requirement of 2,000 hours of experience is met; and

(2) complete 40 hours of training approved by the commissioner in case management skills and the characteristics and needs of adults with serious and persistent mental illness.

(f) A case manager who is not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in mental illness and mental health services annually.

(g) A case manager associate (CMA) must:

(1) work under the direction of a case manager or case management supervisor ~~and must;~~

(2) be at least 21 years of age. ~~A case manager associate must also;~~

(3) have at least a high school diploma or its equivalent; and

(4) meet one of the following criteria:

~~(1)~~ (i) have an associate of arts degree in one of the behavioral sciences or human services;

~~(2)~~ (ii) be a registered nurse without a bachelor's degree;

~~(3)~~ (iii) within the previous ten years, have three years of life experience with serious and persistent mental illness as defined in section 245.462, subdivision 20; or as a child had severe emotional disturbance as defined in section 245.4871, subdivision 6; or have three years life experience as a primary caregiver to an adult with serious and persistent mental illness within the previous ten years;

~~(4)~~ (iv) have 6,000 hours work experience as a nondegreed state hospital technician; or

~~(5)~~ (v) be a mental health practitioner as defined in section 245.462, subdivision 17, clause (2).

Individuals meeting one of the criteria in ~~clauses (1) to (4)~~ items (i) to (iv), may qualify as a case manager after four years of supervised work experience as a case manager associate. Individuals meeting the criteria in ~~clause (5)~~ item (v), may qualify as a case manager after three years of supervised experience as a case manager associate.

(h) A case management ~~associates~~ associate must meet the following supervision, mentoring, and continuing education requirements:

(1) have 40 hours of preservice training described under paragraph ~~(d)~~ and (e), clause (2);

(2) receive at least 40 hours of continuing education in mental illness and mental health services annually. ~~Case manager associates shall; and~~

(3) receive at least five hours of mentoring per week from a case management mentor.

A "case management mentor" means a qualified, practicing case manager or case management supervisor who teaches or advises and provides intensive training and clinical supervision to one or more case manager associates. Mentoring may occur while providing direct services to consumers in the office or in the field and may be provided to individuals or groups of case manager associates. At least two mentoring hours per week must be individual and face-to-face.

~~(g)~~ (i) A case management supervisor must meet the criteria for mental health professionals, as specified in section 245.462, subdivision 18.

~~(h)~~ (j) An immigrant who does not have the qualifications specified in this subdivision may provide case management services to adult immigrants with serious and persistent mental illness who are members of the same ethnic group as the case manager if the person:

(1) is currently enrolled in and is actively pursuing credits toward the completion of a bachelor's degree in one of the behavioral sciences or a related field including, but not limited to, social work, psychology, or nursing from an accredited college or university;

(2) completes 40 hours of training as specified in this subdivision; and

(3) receives clinical supervision at least once a week until the requirements of this subdivision are met.

Sec. 4. Minnesota Statutes 1999 Supplement, section 245.4871, subdivision 4, is amended to read:

Subd. 4. [CASE MANAGEMENT SERVICE PROVIDER.] (a) "Case management service provider" means a case manager or case manager associate employed by the county or other entity authorized by the county board to provide case management services specified in subdivision 3 for the child with severe emotional disturbance and the child's family. ~~A case manager must have experience and training in working with children.~~

(b) A case manager must:

(1) have experience and training in working with children;

(2) have at least a bachelor's degree in one of the behavioral sciences or a related field including, but not limited to, social work, psychology, or nursing from an accredited college or university or meet the requirements of paragraph (d);

~~(2) have at least 2,000 hours of supervised experience in the delivery of mental health services to children;~~

(3) have experience and training in identifying and assessing a wide range of children's needs; and

(4) be knowledgeable about local community resources and how to use those resources for the benefit of children and their families; and

(5) meets the supervision and continuing education requirements of paragraphs (e), (f), and (g), as applicable.

(c) ~~The~~ A case manager may be a member of any professional discipline that is part of the local system of care for children established by the county board.

(d) A case manager without a bachelor's degree must meet one of the requirements in clauses (1) to (3):

(1) have three or four years of experience as a case manager associate;

(2) be a registered nurse without a bachelor's degree who has a combination of specialized training in psychiatry and work experience consisting of community interaction and involvement or community discharge planning in a mental health setting totaling three years; or

(3) be a person who qualified as a case manager under the 1998 department of human services waiver provision and meets the continuing education, supervision, and mentoring requirements in this section.

(e) ~~The~~ A case manager ~~shall~~ with at least 2,000 hours of supervised experience in the delivery of mental health services to children must receive regular ongoing supervision and clinical supervision totaling 38 hours per year, of which at least one hour per month must be clinical supervision regarding individual service delivery with a case management supervisor. The remainder other 26 hours of supervision may be provided by a case manager with two years of experience. Group supervision may not constitute more than one-half of the required supervision hours.

~~(e)~~ (f) A case managers with a bachelor's degree but manager without 2,000 hours of supervised experience in the delivery of mental health services to children with emotional disturbance must:

(1) begin 40 hours of training approved by the commissioner of human services in case management skills and in the characteristics and needs of children with severe emotional disturbance before beginning to provide case management services; and

(2) receive clinical supervision regarding individual service delivery from a mental health professional at least one hour each week until the requirement of 2,000 hours of experience is met.

~~(g) A case manager who is not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in severe emotional disturbance and mental health services annually.~~

~~(h) Clinical supervision must be documented in the child's record. When the case manager is not a mental health professional, the county board must provide or contract for needed clinical supervision.~~

~~(i) The county board must ensure that the case manager has the freedom to access and coordinate the services within the local system of care that are needed by the child.~~

~~(h) Case managers who have a bachelor's degree but are not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in severe emotional disturbance and mental health services annually.~~

~~(i) Case managers without a bachelor's degree must meet one of the requirements in clauses (1) to (3):~~

~~(1) have three or four years of experience as a case manager associate;~~

~~(2) be a registered nurse without a bachelor's degree who has a combination of specialized training in psychiatry and work experience consisting of community interaction and involvement or community discharge planning in a mental health setting totaling three years; or~~

~~(3) be a person who qualified as a case manager under the 1998 department of human service federal waiver provision and meets the continuing education and mentoring requirements in this section.~~

(j) A case manager associate (CMA) must:

(1) work under the direction of a case manager or case management supervisor ~~and must;~~

(2) be at least 21 years of age. ~~A case manager associate must also;~~

(3) have at least a high school diploma or its equivalent; and

(4) meet one of the following criteria:

~~(1)~~ (i) have an associate of arts degree in one of the behavioral sciences or human services;

~~(2)~~ (ii) be a registered nurse without a bachelor's degree;

~~(3)~~ (iii) have three years of life experience as a primary caregiver to a child with serious emotional disturbance as defined in section 245.4871, subdivision 6, within the previous ten years;

~~(4)~~ (iv) have 6,000 hours work experience as a nondegreed state hospital technician; or

~~(5)~~ (v) be a mental health practitioner as defined in section 245.462, subdivision ~~17~~ 26, clause (2).

Individuals meeting one of the criteria in ~~clauses (1) items (i) to (4) (iv)~~ items (i) to (4) (iv) may qualify as a case manager after four years of supervised work experience as a case manager associate. Individuals meeting the criteria in ~~clause (5) item (v)~~ item (v) may qualify as a case manager after three years of supervised experience as a case manager associate.

(k) Case manager associates must meet the following supervision, mentoring, and continuing education requirements;

(1) have 40 hours of preservice training described under paragraph ~~(e)~~ (f), clause (1), ~~and;~~

(2) receive at least 40 hours of continuing education in severe emotional disturbance and mental health service annually. ~~Case manager associates shall; and~~

(3) receive at least five hours of mentoring per week from a case management mentor. A "case management mentor" means a qualified, practicing case manager or case management supervisor who teaches or advises and provides intensive training and clinical supervision to one or more case manager associates. Mentoring may occur while providing direct services to consumers in the office or in the field and may be provided to individuals or groups of case manager associates. At least two mentoring hours per week must be individual and face-to-face.

~~(l)~~ (l) A case management supervisor must meet the criteria for a mental health professional as specified in section 245.4871, subdivision 27.

~~(m)~~ (m) An immigrant who does not have the qualifications specified in this subdivision may provide case management services to child immigrants with severe emotional disturbance of the same ethnic group as the immigrant if the person:

(1) is currently enrolled in and is actively pursuing credits toward the completion of a bachelor's degree in one of the behavioral sciences or related fields at an accredited college or university;

(2) completes 40 hours of training as specified in this subdivision; and

(3) receives clinical supervision at least once a week until the requirements of obtaining a bachelor's degree and 2,000 hours of supervised experience are met.

Sec. 5. Minnesota Statutes 1998, section 256B.0625, subdivision 19a, is amended to read:

Subd. 19a. [PERSONAL CARE SERVICES.] Medical assistance covers personal care services in a recipient's home. To qualify for personal care services, recipients or responsible parties must be able to identify the recipient's needs, direct and evaluate task accomplishment, and provide for health and safety. Approved hours may be used outside the home when normal life activities take them outside the home and when, without the provision of personal care, their health and safety would be jeopardized. To use personal care services at school, the recipient or responsible party must provide written authorization in the care plan identifying the chosen provider and the daily amount of services to be used at school. Total hours for services, whether actually performed inside or outside the recipient's home, cannot exceed that which is otherwise allowed for personal care services in an in-home setting according to section 256B.0627. Medical assistance does not cover personal care services for residents of a hospital, nursing facility, intermediate care facility, health care facility licensed by the commissioner of health, or unless a resident who is otherwise eligible is on leave from the facility and the facility either pays for the personal care services or forgoes the facility per diem for the leave days that personal care services are used. All personal care services must be provided according to section 256B.0627. Personal care services may not be reimbursed if the personal care assistant is the spouse or legal guardian of the recipient or the parent of a recipient under age 18, or the responsible party or the foster care provider of a recipient who cannot direct the recipient's own care unless, in the case of a foster care provider, a county or state case manager visits the recipient as needed, but not less than every six months, to monitor the health and safety of the recipient and to ensure the goals of the care plan are met. Parents of adult recipients, adult children of the recipient or adult siblings of the recipient may be reimbursed for personal care services if they are not the recipient's legal guardian and are granted a waiver under section 256B.0627. Until July 1, 2001, and notwithstanding the provisions of section 256B.0627, subdivision 4, paragraph (b), clause (4), the noncorporate legal guardian or conservator of an adult, who is not the responsible party and not the personal care provider organization, may be granted a hardship waiver under section 256B.0627, to be reimbursed to provide personal care assistant services to the recipient, and shall not be considered to have a service provider interest for purposes of participation on the screening team under section 256B.092, subdivision 7."

Page 3, after line 8, insert:

"Sec. 4. Minnesota Statutes 1999 Supplement, section 256B.0627, subdivision 1, is amended to read:

Subdivision 1. [DEFINITION.] (a) "Assessment" means a review and evaluation of a recipient's need for home care services conducted in person. Assessments for private duty nursing shall be conducted by a registered private duty nurse. Assessments for home health agency services shall be conducted by a home health agency nurse. Assessments for personal care assistant services shall be conducted by the county public health nurse or a certified public health nurse under contract with the county. A face-to-face assessment must include: a documentation of health status assessment and, determination of need, evaluation of service ~~outcomes, collection of case data effectiveness~~, identification of appropriate services and, service plan development or modification, coordination of services, referrals and follow-up to appropriate payers and community resources, completion of required reports, ~~obtaining~~ recommendation of service authorization, and consumer education. Once the need for personal care assistant services is determined under this section, the county public health nurse or certified public health nurse under contract with the county is responsible for communicating this recommendation to the commissioner and the recipient. A face-to-face assessment for personal care services is conducted on those recipients who have never had a county public health nurse assessment. A face-to-face assessment must occur at least annually or when there is a significant change in the recipient's condition or when there is a change in the need for personal care assistant services. A service update may substitute for the annual face-to-face assessment when there is not a significant change in recipient condition or a change in the need for personal care assistant service. A service update or review for temporary increase includes a review of initial baseline data, evaluation of service ~~outcomes effectiveness~~, redetermination of service need, modification of service plan and appropriate referrals, update of initial forms, obtaining service authorization, and on going consumer education. Assessments for medical assistance home care services for mental retardation or related conditions and alternative care services for developmentally disabled home and community-based waived recipients may be conducted by the county public health nurse to ensure coordination and avoid duplication. Assessments must be completed on forms provided by the commissioner within 30 days of a request for home care services by a recipient or responsible party.

(b) "Care plan" means a written description of personal care assistant services developed by the qualified professional with the recipient or responsible party to be used by the personal care assistant with a copy provided to the recipient or responsible party.

(c) "Home care services" means a health service, determined by the commissioner as medically necessary, that is ordered by a physician and documented in a service plan that is reviewed by the physician at least once every 62 days for the provision of home health services, or private duty nursing, or at least once every 365 days for personal care. Home care services are provided to the recipient at the recipient's residence that is a place other than a hospital or long-term care facility or as specified in section 256B.0625.

(d) "Medically necessary" has the meaning given in Minnesota Rules, parts 9505.0170 to 9505.0475.

(e) "Personal care assistant" means a person who: (1) is at least 18 years old, except for persons 16 to 18 years of age who participated in a related school-based job training program or have completed a certified home health aide competency evaluation; (2) is able to effectively communicate with the recipient and personal care provider organization; (3) effective July 1, 1996, has completed one of the training requirements as specified in Minnesota Rules, part 9505.0335, subpart 3, items A to D; (4) has the ability to, and provides covered personal care services according to the recipient's care plan, responds appropriately to recipient needs, and reports changes in the recipient's condition to the supervising qualified professional; (5) is not a consumer of personal care services; and (6) is subject to criminal background checks and procedures specified in section 245A.04.

(f) "Personal care provider organization" means an organization enrolled to provide personal care services under the medical assistance program that complies with the following: (1) owners who have a five percent interest or more, and managerial officials are subject to a background study as provided in section 245A.04. This applies to currently enrolled personal care provider organizations and those agencies seeking enrollment as a personal care provider organization. An organization will be barred from enrollment if an owner or managerial official of the

organization has been convicted of a crime specified in section 245A.04, or a comparable crime in another jurisdiction, unless the owner or managerial official meets the reconsideration criteria specified in section 245A.04; (2) the organization must maintain a surety bond and liability insurance throughout the duration of enrollment and provides proof thereof. The insurer must notify the department of human services of the cancellation or lapse of policy; and (3) the organization must maintain documentation of services as specified in Minnesota Rules, part 9505.2175, subpart 7, as well as evidence of compliance with personal care assistant training requirements.

(g) "Responsible party" means an individual residing with a recipient of personal care services who is capable of providing the supportive care necessary to assist the recipient to live in the community, is at least 18 years old, and is not a personal care assistant. Responsible parties who are parents of minors or guardians of minors or incapacitated persons may delegate the responsibility to another adult during a temporary absence of at least 24 hours but not more than six months. The person delegated as a responsible party must be able to meet the definition of responsible party, except that the delegated responsible party is required to reside with the recipient only while serving as the responsible party. Foster care license holders may be designated the responsible party for residents of the foster care home if case management is provided as required in section 256B.0625, subdivision 19a. For persons who, as of April 1, 1992, are sharing personal care services in order to obtain the availability of 24-hour coverage, an employee of the personal care provider organization may be designated as the responsible party if case management is provided as required in section 256B.0625, subdivision 19a.

(h) "Service plan" means a written description of the services needed based on the assessment developed by the nurse who conducts the assessment together with the recipient or responsible party. The service plan shall include a description of the covered home care services, frequency and duration of services, and expected outcomes and goals. The recipient and the provider chosen by the recipient or responsible party must be given a copy of the completed service plan within 30 calendar days of the request for home care services by the recipient or responsible party.

(i) "Skilled nurse visits" are provided in a recipient's residence under a plan of care or service plan that specifies a level of care which the nurse is qualified to provide. These services are:

(1) nursing services according to the written plan of care or service plan and accepted standards of medical and nursing practice in accordance with chapter 148;

(2) services which due to the recipient's medical condition may only be safely and effectively provided by a registered nurse or a licensed practical nurse;

(3) assessments performed only by a registered nurse; and

(4) teaching and training the recipient, the recipient's family, or other caregivers requiring the skills of a registered nurse or licensed practical nurse."

Page 11, line 26, delete "attendant" and insert "assistant"

Page 11, line 30, delete "attendant" and insert "assistant"

Page 21, line 1, delete "will" and insert "shall"

Page 21, line 5, after "waived" insert "by the commissioner of health" and after "to" insert "enable facilities to"

Page 21, line 6, delete the comma and insert "and"

Page 21, line 7, delete everything after "residents" and insert "without a duplication of or increase in"

Page 22, line 6, delete "deteriorating" and insert "change in"

Page 22, line 7, after "difficult" insert "for the person"

Page 22, line 8, delete everything after "time" and insert "because it is medically"

Page 22, line 9, delete everything before the semicolon and insert "contraindicated"

Page 22, line 11, before the semicolon, insert "under section 256B.092"

Page 23, line 14, delete "this information will" and insert "monthly bed use data shall"

Page 23, line 16, delete "can" and insert "may"

Page 23, lines 26 and 28, delete the comma

Page 27, line 20, delete "(v)" and delete "the subdivision" and insert "this paragraph"

Page 27, after line 23, insert:

"Sec. 13. [EFFECTIVE DATE.]

Section 5, amending section 256B.0625, subdivision 19a, is effective the day following final enactment."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 3409, A bill for an act relating to human services; modifying provisions in continuing care services for persons with disabilities; amending Minnesota Statutes 1998, sections 62D.09, subdivision 8; 252.28, by adding a subdivision; and 256B.0625, subdivision 19a; Minnesota Statutes 1999 Supplement, sections 62Q.73, subdivision 2; 245.462, subdivision 4; 245.4871, subdivision 4; 256B.0625, subdivision 19c; 256B.0627, subdivisions 1, 5, 8, and 11; 256B.501, subdivision 8a; 256B.5011, subdivision 2; 256B.5013, subdivision 1, and by adding subdivisions; and 256B.77, subdivision 8.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Carlson	Dorman	Greenfield	Holsten	Knoblach
Abrams	Carruthers	Dorn	Greiling	Howes	Koskinen
Anderson, B.	Cassell	Entenza	Gunther	Huntley	Krinkie
Anderson, I.	Chaudhary	Erhardt	Haake	Jaros	Kubly
Bakk	Clark, J.	Erickson	Haas	Jennings	Kuisle
Biernat	Clark, K.	Finseth	Hackbarth	Johnson	Larsen, P.
Bishop	Daggett	Folliard	Harder	Juhnke	Larson, D.
Boudreau	Davids	Fuller	Hasskamp	Kahn	Lenczewski
Bradley	Dawkins	Gerlach	Hausman	Kalis	Leppik
Broecker	Dehler	Gleason	Hilty	Kelliher	Lieder
Buesgens	Dempsey	Gray	Holberg	Kielkucki	Lindner

Luther	Murphy	Pawlenty	Seagren	Swenson	Wenzel
Mahoney	Ness	Paymar	Seifert, J.	Sykora	Westerberg
Mares	Nornes	Pelowski	Seifert, M.	Tingelstad	Westfall
Mariani	Olson	Peterson	Skoe	Tomassoni	Westrom
Marko	Opatz	Pugh	Skoglund	Trimble	Wilkin
McCollum	Orfield	Reuter	Smith	Tuma	Winter
McElroy	Osskopp	Rhodes	Solberg	Tunheim	Wolf
Milbert	Osthoff	Rifenberg	Stanek	Van Dellen	Workman
Molnau	Otremba	Rostberg	Stang	Vandever	Spk. Sviggum
Mulder	Ozment	Rukavina	Storm	Wagenius	
Mullery	Paulsen	Schumacher	Swapinski	Wejzman	

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

S. F. No. 2896 was reported to the House.

Luther and Huntley moved to amend S. F. No. 2896 as follows:

Page 4, delete section 3

Amend the title accordingly

A roll call was requested and properly seconded.

Nornes moved that S. F. No. 2896 be continued on the Calendar for the Day. The motion prevailed.

H. F. No. 3134 was reported to the House.

Skoglund moved to amend H. F. No. 3134, the second engrossment, as follows:

Page 2, line 16, before the period, insert "except for control of disease-bearing mosquito encephalitis outbreaks"

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

H. F. No. 3134, A bill for an act relating to natural resources; modifying authority of the metropolitan mosquito control commission to enter certain lands; amending Minnesota Statutes 1998, section 473.704, subdivision 17.

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 121 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holsten	Lindner	Pawlenty	Tomassoni
Abrams	Dorn	Howes	Luther	Paymar	Trimble
Anderson, B.	Entenza	Huntley	Mahoney	Pelowski	Tuma
Anderson, I.	Erhardt	Jaros	Mares	Pugh	Tunheim
Bakk	Erickson	Jennings	Mariani	Reuter	Van Dellen
Biernat	Finseth	Johnson	Marko	Rhodes	Vandever
Bishop	Folliard	Juhnke	McCollum	Rifenberg	Wagenius
Boudreau	Fuller	Kahn	McElroy	Rostberg	Wejcman
Bradley	Gerlach	Kalis	Milbert	Rukavina	Wenzel
Broecker	Gleason	Kelliher	Molnau	Schumacher	Westerberg
Buesgens	Gray	Kielkucki	Mulder	Seagren	Westfall
Carlson	Greiling	Knoblach	Mullery	Seifert, J.	Westrom
Cassell	Gunther	Koskinen	Murphy	Seifert, M.	Wilkin
Chaudhary	Haake	Krinkie	Ness	Skoe	Winter
Clark, J.	Haas	Kubly	Nornes	Stanek	Workman
Clark, K.	Hackbarth	Kuise	Olson	Stang	Spk. Sviggum
Daggett	Harder	Larsen, P.	Opatz	Storm	
Davids	Hasskamp	Larson, D.	Orfield	Swapinski	
Dawkins	Hausman	Lenczewski	Osskopp	Swenson	
Dehler	Hilty	Leppik	Ozment	Sykora	
Dempsey	Holberg	Lieder	Paulsen	Tingelstad	

Those who voted in the negative were:

Carruthers	Osthoff	Skoglund	Solberg
Greenfield	Peterson	Smith	

The bill was passed and its title agreed to.

S. F. No. 2748 was reported to the House.

Fuller moved that S. F. No. 2748 be continued on the Calendar for the Day. The motion prevailed.

H. F. No. 2940, A bill for an act relating to the environment; modifying the drycleaner environmental response and reimbursement law; amending Minnesota Statutes 1998, section 115B.49, subdivision 4, as amended, and 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 119 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Bishop	Broecker	Cassell	Daggett
Abrams	Bakk	Boudreau	Buesgens	Chaudhary	Davids
Anderson, B.	Biernat	Bradley	Carlson	Clark, J.	Dawkins

Dehler	Hackbarth	Krinkie	Mulder	Rifenberg	Tomassoni
Dempsey	Harder	Kubly	Mullery	Rostberg	Trimble
Dorman	Hasskamp	Kuisle	Murphy	Schumacher	Tuma
Dorn	Hausman	Larsen, P.	Ness	Seagren	Tunheim
Entenza	Hilty	Larson, D.	Olson	Seifert, J.	Van Dellen
Erickson	Holberg	Lenczewski	Opatz	Seifert, M.	Vandever
Finseth	Holsten	Leppik	Osskopp	Skoe	Wagenius
Folliard	Howes	Lieder	Osthoff	Skoglund	Wenzel
Fuller	Huntley	Lindner	Ozment	Smith	Westerberg
Gerlach	Jennings	Luther	Paulsen	Solberg	Westfall
Gleason	Johnson	Mahoney	Pawlenty	Stanek	Westrom
Gray	Juhnke	Mares	Paymar	Stang	Wilkin
Greenfield	Kalis	Marko	Pelowski	Storm	Winter
Greiling	Kelliher	McCollum	Peterson	Swapinski	Wolf
Gunther	Kielkucki	McElroy	Pugh	Swenson	Workman
Haake	Knoblach	Milbert	Reuter	Sykora	Spk. Sviggum
Haas	Koskinen	Molnau	Rhodes	Tingelstad	

Those who voted in the negative were:

Carruthers	Jaros	Mariani	Otremba	Wejcman
Clark, K.	Kahn	Orfield	Rukavina	

The bill was passed and its title agreed to.

S. F. No. 2397 was reported to the House.

Luther, Abeler, Storm, Howes, Huntley and Tingelstad moved to amend S. F. No. 2397, the unofficial engrossment, as follows:

Page 2, line 1, after the period, insert "Members of the safety committee must include employee representatives of job classifications that would use or may reasonably anticipate encountering any device in the category being evaluated in the performance of the employee's duties."

Page 2, line 2, after the period, insert "Members of this subcommittee must include employee representatives of job classifications that would use or may reasonably anticipate encountering any device in the category being evaluated in the performance of the employee's duties."

Page 2, line 20, delete "and"

Page 2, line 21, delete the period and insert " and

(8) the injured employee's opinion about whether any other engineering, administrative, or work practice control could have prevented the injury and the basis for that opinion."

A roll call was requested and properly seconded.

The question was taken on the Luther et al amendment and the roll was called. There were 125 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Holsten	Lindner	Pawlenty	Swenson
Abrams	Dorman	Howes	Luther	Paymar	Sykora
Anderson, B.	Dorn	Huntley	Mahoney	Pelowski	Tingelstad
Anderson, I.	Entenza	Jaros	Mares	Peterson	Tomassoni
Bakk	Erhardt	Jennings	Mariani	Pugh	Trimble
Biernat	Erickson	Johnson	Marko	Reuter	Tuma
Bishop	Finseth	Juhnke	McCollum	Rhodes	Tunheim
Boudreau	Folliard	Kahn	McElroy	Rostberg	Van Dellen
Bradley	Fuller	Kalis	Milbert	Rukavina	Vandever
Broecker	Gleason	Kelliher	Molnau	Schumacher	Wagenius
Buesgens	Gray	Kielkucki	Mullery	Seagren	Wejzman
Carlson	Greenfield	Knoblach	Murphy	Seifert, J.	Wenzel
Carruthers	Greiling	Koskinen	Ness	Seifert, M.	Westerberg
Cassell	Gunther	Krinkie	Nornes	Skoe	Westfall
Chaudhary	Haake	Kubly	Olson	Skoglund	Westrom
Clark, J.	Hackbarth	Kuise	Opatz	Smith	Wilkin
Clark, K.	Harder	Larsen, P.	Osskopp	Solberg	Winter
Daggett	Hasskamp	Larson, D.	Osthoff	Stanek	Wolf
Davids	Hausman	Lenczewski	Otremba	Stang	Workman
Dawkins	Hilty	Leppik	Ozment	Storm	Spk. Sviggum
Dehler	Holberg	Lieder	Paulsen	Swapinski	

Those who voted in the negative were:

Gerlach	Mulder	Rifenberg
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The motion prevailed and the amendment was adopted.

Mulder moved to amend S. F. No. 2397, the unofficial engrossment, as amended, as follows:

Page 2, delete lines 3 to 5

A roll call was requested and properly seconded.

The question was taken on the Mulder amendment and the roll was called. There were 11 yeas and 117 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Buesgens	Kielkucki	Lindner	Olson	Rifenberg
Bradley	Gerlach	Kuise	Mulder	Reuter	

Those who voted in the negative were:

Abeler	Entenza	Howes	Mares	Peterson	Tomassoni
Abrams	Erhardt	Huntley	Mariani	Pugh	Trimble
Anderson, I.	Erickson	Jaros	Marko	Rhodes	Tuma
Bakk	Finseth	Jennings	McCollum	Rostberg	Tunheim
Biernat	Folliard	Johnson	Milbert	Rukavina	Van Dellen
Boudreau	Fuller	Juhnke	Molnau	Schumacher	Vandever
Broecker	Gleason	Kahn	Mullery	Seagren	Wagenius
Carlson	Gray	Kalis	Murphy	Seifert, J.	Wejzman
Carruthers	Greenfield	Kelliher	Ness	Seifert, M.	Wenzel
Cassell	Greiling	Knoblach	Nornes	Skoe	Westerberg
Chaudhary	Gunther	Koskinen	Opatz	Skoglund	Westfall
Clark, J.	Haake	Krinkie	Orfield	Smith	Westrom
Clark, K.	Haas	Kubly	Osskopp	Solberg	Wilkin
Daggett	Hackbarth	Larsen, P.	Osthoff	Stanek	Winter
Davids	Harder	Larson, D.	Otremba	Stang	Wolf
Dawkins	Hasskamp	Lenczewski	Ozment	Storm	Workman
Dehler	Hausman	Leppik	Paulsen	Swapinski	Spk. Sviggum
Dempsey	Hilty	Lieder	Pawlenty	Swenson	
Dorman	Holberg	Luther	Paymar	Sykora	
Dorn	Holsten	Mahoney	Pelowski	Tingelstad	

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

S. F. No. 2397, A bill for an act relating to occupational health and safety; establishing standards for employer activities to reduce occupational exposure to bloodborne pathogens through sharps injuries; proposing coding for new law in Minnesota Statutes, chapter 182.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dawkins	Haas	Knoblach	Milbert	Peterson
Abrams	Dehler	Hackbarth	Koskinen	Molnau	Pugh
Anderson, B.	Dempsey	Harder	Krinkie	Mulder	Reuter
Anderson, I.	Dorman	Hasskamp	Kubly	Mullery	Rhodes
Bakk	Dorn	Hausman	Kuisle	Murphy	Rifenberg
Biernat	Entenza	Hilty	Larsen, P.	Ness	Rostberg
Boudreau	Erhardt	Holberg	Larson, D.	Nornes	Rukavina
Bradley	Erickson	Holsten	Lenczewski	Olson	Schumacher
Broecker	Finseth	Howes	Leppik	Opatz	Seagren
Buesgens	Folliard	Huntley	Lieder	Orfield	Seifert, J.
Carlson	Fuller	Jaros	Lindner	Osskopp	Seifert, M.
Carruthers	Gerlach	Jennings	Luther	Osthoff	Skoe
Cassell	Gleason	Johnson	Mahoney	Otremba	Skoglund
Chaudhary	Gray	Juhnke	Mares	Ozment	Smith
Clark, J.	Greenfield	Kahn	Mariani	Paulsen	Solberg
Clark, K.	Greiling	Kalis	Marko	Pawlenty	Stanek
Daggett	Gunther	Kelliher	McCollum	Paymar	Stang
Davids	Haake	Kielkucki	McElroy	Pelowski	Storm

Swapinski	Tomassoni	Van Dellen	Wenzel	Wilkin	Spk. Sviggum
Swenson	Trimble	Vandevier	Westerberg	Winter	
Sykora	Tuma	Wagenius	Westfall	Wolf	
Tingelstad	Tunheim	Wejzman	Westrom	Workman	

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

Buesgens moved that H. F. No. 2810, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Gerlach moved that H. F. No. 3225 be recalled from the Committee on Civil Law and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Tunheim moved that S. F. No. 2575 be recalled from the Committee on Jobs and Economic Development Policy and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

The Speaker resumed the Chair.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2946:

Dorman, Holsten and Kelliher.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Daggett announced her intention to place H. F. No. 4127 on the Fiscal Calendar for Monday, March 27, 2000.

ADJOURNMENT

Molnau moved that when the House adjourns today it adjourn until 11:00 a.m., Monday, March 27, 2000. The motion prevailed.

Molnau moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Monday, March 27, 2000.

EDWARD A. BURDICK, Chief Clerk, House of Representatives