

## STATE OF MINNESOTA

## EIGHTY-FIRST SESSION — 2000

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 NINETY-SEVENTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 28, 2000

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

Prayer was offered by Pastor Jeff Lervik of the Evangelical Lutheran Church of America.

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:

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

A quorum was present.

Seifert, J., was excused.

Rhodes was excused until 9:45 a.m. Wenzel was excused until 10:15 a.m. Stanek was excused until 10:40 a.m. Abeler was excused until 11:00 a.m.

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

**PETITIONS AND COMMUNICATIONS**

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

March 27, 2000

The Honorable Steve Sviggum  
Speaker of the House of Representatives  
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 2836, relating to the military; clarifying eligibility for membership in the National Guard and the organized militia.

H. F. No. 3222, relating to state government; modifying reporting requirements for health-related boards; changing membership requirements for the health professionals services program committee.

H. F. No. 3332, relating to agriculture; allowing the commissioner of agriculture to establish alternative term expiration dates for members of the dairy research and promotion council.

H. F. No. 3433, relating to the St. Paul port authority; changing the powers and jurisdiction with respect to recreation facilities and recreation purposes.

Sincerely,

JESSE VENTURA  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2000 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for

preservation, pursuant to the State Constitution, Article IV, Section 23:

| <i>S.F.<br/>No.</i> | <i>H.F.<br/>No.</i> | <i>Session Laws<br/>Chapter No.</i> | <i>Time and<br/>Date Approved<br/>2000</i> | <i>Date Filed<br/>2000</i> |
|---------------------|---------------------|-------------------------------------|--|----------------------------|
|                     | 2836                | 283                                 | 2:35 p.m. March 27                         | March 27                   |
|                     | 3222                | 284                                 | 2:35 p.m. March 27                         | March 27                   |
|                     | 3332                | 285                                 | 2:38 p.m. March 27                         | March 27                   |
|                     | 3433                | 286                                 | 2:40 p.m. March 27                         | March 27                   |
| 2813                |                     | 287                                 | 2:40 p.m. March 27                         | March 27                   |

Sincerely,

MARY KIFFMEYER  
Secretary of State

### **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Anderson, I., introduced:

H. F. No. 4132, A bill for an act relating to claims against the state; requiring payment of a claim for underpayment of a paving contract.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Krinkie introduced:

H. F. No. 4133, A bill for an act relating to state government; specifying procedures to avoid conflicts of interest in state contracts; requiring certain procedures to be followed in making changes to certain state contracts and solicitation documents for certain state contracts; amending Minnesota Statutes 1998, section 16C.04, subdivision 2; and 16C.08, by adding a subdivision.

The bill was read for the first time and referred to the Committee on State Government Finance.

### **MESSAGES FROM THE SENATE**

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 2809, A bill for an act relating to human services; clarifying admissions criteria for the Ah-Gwah-Ching center; requiring the center to provide information on and promote the use of the geriatric rapid assessment stabilization program; proposing coding for new law in Minnesota Statutes, chapter 251.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2719, A bill for an act relating to insurance; auto; regulating rental vehicle coverages; amending Minnesota Statutes 1998, section 65B.49, subdivision 5a.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 2795, 3169, 2761, 1896, 3156, 3216, 2968 and 2949.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 2803, 1126, 2785, 3198, 2499, 2683, 1038 and 3410.

PATRICK E. FLAHAVEN, Secretary of the Senate

### **FIRST READING OF SENATE BILLS**

S. F. No. 2795, A bill for an act relating to state government; regulating investments; modifying investment options for the medical education endowment fund and the tobacco use prevention and local public health endowment fund; amending Minnesota Statutes 1998, section 11A.24, subdivisions 5 and 6; Minnesota Statutes 1999 Supplement, sections 62J.694, subdivisions 1 and 2; and 144.395, subdivisions 1 and 2.

The bill was read for the first time.

Mares moved that S. F. No. 2795 and H. F. No. 3597, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3169, A bill for an act relating to family law; providing for parenting plans; changing certain terminology; appropriating money; amending Minnesota Statutes 1998, sections 15.87; 119A.37; 124D.23, subdivision 8; 256L.01, subdivision 3a; 257.541; 257.75, subdivision 3; 257A.01, subdivision 2; 257A.03, subdivision 2; 480.30, subdivision 1; 494.015, subdivision 1; 517.08, subdivision 1c; 518.003, subdivision 3, and

by adding a subdivision; 518.131, subdivisions 1, 2, 3, 7, and by adding a subdivision; 518.156; 518.157, subdivisions 1 and 3; 518.165, subdivision 1; 518.17, subdivision 1; 518.175, subdivisions 1, 1a, 2, 3, 5, 6, and 8; 518.1751; 518.176, subdivision 2; 518.177; 518.179, subdivision 1; 518.18; 518.612; 518.619, subdivision 1; 518.68, subdivisions 1 and 2; 518B.01, subdivisions 4, 6, and 8; 519.11, subdivision 1a; 609.26, subdivision 2; 629.341, subdivision 3; and 631.52, subdivision 1; Minnesota Statutes 1999 Supplement, sections 119A.45; 257.66, subdivision 3; 494.03; 518.155; 518.165, subdivision 2; 518.178; 518.551, subdivision 5; and 609.26, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 518.

The bill was read for the first time.

Dawkins moved that S. F. No. 3169 and H. F. No. 3311, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2761, A bill for an act relating to municipalities; limiting tort liability for geographic information systems information; amending Minnesota Statutes 1998, section 466.03, by adding a subdivision.

The bill was read for the first time.

Holberg moved that S. F. No. 2761 and H. F. No. 3149, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1896, A bill for an act relating to human services; changing provisions for erroneous payment of medical assistance money; changing probate provisions for estates subject to medical assistance claims and medical assistance liens; amending Minnesota Statutes 1998, sections 256B.064; 256B.15, subdivisions 1a and 4; 514.981, subdivision 6; 524.3-801; and 525.312; proposing coding for new law in Minnesota Statutes, chapters 524; and 525.

The bill was read for the first time.

Boudreau moved that S. F. No. 1896 and H. F. No. 1662, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3156, A bill for an act relating to health; providing patient protections; requiring coverage for medical clinical trials; amending Minnesota Statutes 1998, sections 62D.17, subdivision 1; 62J.38; 62Q.56; and 62Q.58; Minnesota Statutes 1999 Supplement, sections 45.027, subdivision 6; 245.462, subdivision 18; and 245.4871, subdivision 27; proposing coding for new law in Minnesota Statutes, chapter 62Q.

The bill was read for the first time.

Goodno moved that S. F. No. 3156 and H. F. No. 3610, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3216, A bill for an act relating to education; repealing, modifying, and expanding certain provisions of the kindergarten through grade 12 education code; amending Minnesota Statutes 1998, sections 120A.05, by adding subdivisions; 120A.22, subdivisions 1 and 5; 120B.11, subdivision 5; 120B.22, subdivision 1; 121A.06; 121A.11, subdivision 1; 121A.15; 121A.26; 121A.27; 121A.28; 121A.29, subdivision 1; 121A.32, subdivision 1; 121A.34; 121A.55; 121A.69, subdivision 3; 122A.09, subdivision 6; 122A.15; 122A.22; 122A.40, subdivisions 3, 8, and 19; 122A.41, subdivision 15; 122A.51; 122A.68, subdivisions 1 and 7; 122A.69; 122A.70, subdivision 2; 122A.91; 122A.92; 123B.02, subdivisions 1 and 2; 123B.04, subdivisions 2 and 5; 123B.09, subdivision 8; 123B.143, subdivision 1; 123B.147, as amended; 123B.49, subdivision 1; 123B.51, subdivisions 1 and 5; 123B.83, subdivision 1; 123B.90, subdivision 1; 124D.02, subdivision 1; 124D.03, subdivision 3; 124D.09, subdivisions 5,

6, 7, and 12; 124D.10, subdivisions 1 and 19; 124D.115, subdivision 3; 124D.118, subdivisions 2 and 3; 124D.28, subdivision 1; 124D.29, by adding a subdivision; 124D.30, subdivision 3; 124D.34, subdivision 4; 124D.35; 124D.37; 124D.40, subdivision 2; 124D.41; 124D.42, subdivision 7; 124D.46, subdivision 1; 124D.47, subdivision 2; 124D.49, subdivision 3; 124D.50, subdivisions 2 and 3; 124D.65, subdivision 6; 124D.74, subdivision 1; 124D.88, subdivision 2; 124D.892; 124D.894; 124D.94, subdivision 4; 125B.05, subdivisions 1 and 2; 126C.17, subdivision 11; 126C.31; 127A.05, subdivision 3; 127A.06; 127A.41, subdivision 7; Minnesota Statutes 1999 Supplement, sections 122A.40, subdivision 5; 122A.58, subdivision 1; 122A.60, subdivision 1; 123A.06, subdivision 1; 123B.02, subdivision 3; 123B.36, subdivision 1; 123B.43; 123B.445; 123B.49, subdivision 4; 123B.73, subdivision 1; 123B.90, subdivision 2; 123B.91, subdivision 1; 124D.10, subdivisions 6 and 15; 124D.94, subdivision 2; 125B.20, subdivisions 1 and 4; 126C.05, subdivision 1; 126C.48, subdivision 8; 127A.05, subdivision 1; 127A.42, subdivision 2; 129C.10, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 1998, sections 120A.41; 120B.10; 120B.11, subdivisions 3, 4, and 7; 120B.24; 121A.03, subdivision 3; 121A.11, subdivision 2; 121A.16; 121A.32, subdivisions 2, 4, and 5; 121A.41, subdivision 3; 122A.162; 122A.19, subdivision 2; 122A.32; 122A.33; 122A.40, subdivision 6; 122A.42; 122A.43, subdivisions 1, 2, 3, 4, and 6; 122A.45; 122A.49; 122A.52; 122A.53; 122A.54; 122A.55; 122A.56; 122A.57; 122A.71; 122A.72, subdivisions 1, 2, 3, and 5; 122A.75; 123A.07; 123A.15, subdivision 1; 123A.35; 123A.36, subdivisions 3, 4, 5, 6, 7, 8, 9, 10, and 11; 123A.37; 123A.38; 123A.39, subdivisions 1, 2, and 4; 123A.40; 123A.41, subdivisions 1 and 4; 123A.43; 123B.02, subdivisions 5, 6, 10, 11, 13, and 16; 123B.04, subdivision 4; 123B.11; 123B.147, subdivisions 1 and 3; 123B.15; 123B.16; 123B.17; 123B.18; 123B.19; 123B.40; 123B.49, subdivisions 2 and 3; 123B.51, subdivisions 2, 3, and 4; 123B.744; 123B.84; 123B.87; 123B.88, subdivisions 11, 13, 18, 20, and 22; 123B.93; 123B.95, subdivision 3; 124D.02, subdivisions 2, 3, and 4; 124D.03, subdivisions 5, 7, 9, and 10; 124D.06; 124D.07; 124D.081, subdivision 1; 124D.09, subdivisions 2, 8, 25, and 26; 124D.10, subdivision 13; 124D.115, subdivisions 1 and 2; 124D.118, subdivision 1; 124D.12; 124D.123; 124D.124; 124D.125; 124D.128, subdivisions 1, 3, 4, 5, and 6; 124D.31; 124D.34, subdivision 5; 124D.43; 124D.46, subdivision 3; 124D.47, subdivision 1; 124D.50, subdivisions 1, 2, and 3; 124D.60, subdivision 3; 124D.65, subdivisions 8, 9, and 10; 124D.68, subdivision 1; 124D.72; 124D.81, subdivision 7; 124D.88, subdivision 1; 124D.895; 124D.90, subdivision 5; 124D.91; 124D.92; 124D.93, subdivisions 2, 3, and 6; 125B.02; 125B.07, subdivisions 1 and 5; 125B.09; 125B.11; 127A.05, subdivision 5; and 127A.41, subdivision 4; Minnesota Statutes 1999 Supplement, sections 122A.72, subdivision 4; 123A.06, subdivision 3; 123A.36, subdivisions 1 and 2; 123B.02, subdivision 9; 123B.88, subdivisions 12 and 21; 124D.121; 124D.122; 124D.126; 124D.127; 124D.128, subdivisions 2 and 7; 124D.93, subdivisions 1, 4, and 5; and 125B.07, subdivision 3; Minnesota Rules, parts 3505.4300; 3520.0400; 3530.2610; 3530.2612; 3530.2614; 3530.2616; 3530.2618; 3530.2620; 3530.2622; 3530.2624; 3530.2626; 3530.2628; 3530.2630; 3530.2632; 3530.2634; 3530.2636; 3530.2638; 3530.2640; 3530.2642; 3530.2644; 3545.0600; 3545.0700; 3545.0800; 3545.0900; and 3550.0100.

The bill was read for the first time.

Seagren moved that S. F. No. 3216 and H. F. No. 2590, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2968, A bill for an act relating to lake improvement districts; modifying provisions relating to lake improvement districts; amending Minnesota Statutes 1998, sections 103B.535; 103B.545, subdivision 1; 103B.551, subdivision 1; 103B.555, subdivision 1; and 103B.571, subdivision 3.

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

S. F. No. 2949, A bill for an act relating to natural resources; providing for the establishment of heritage forest areas in specified counties; amending Minnesota Statutes 1998, section 84.944, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 89.

The bill was read for the first time.

Boudreau moved that S. F. No. 2949 and H. F. No. 2613, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2803, A bill for an act relating to accountants; modifying licensing requirements; requiring the board of accountancy to implement a voluntary registration of accounting practitioners; amending Minnesota Statutes 1998, section 326.19, subdivisions 1, 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 326.

The bill was read for the first time.

Tuma moved that S. F. No. 2803 and H. F. No. 2969, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1126, A bill for an act relating to civil actions; clarifying the economic loss doctrine; providing for a comprehensive statute governing economic loss; proposing coding for new law in Minnesota Statutes, chapter 604.

The bill was read for the first time.

Pawlenty moved that S. F. No. 1126 and H. F. No. 1267, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2785, A bill for an act relating to motor vehicles; exempting utility-owned vehicles from certain weight restrictions; amending Minnesota Statutes 1998, sections 169.825, by adding a subdivision; and 169.87, by adding a subdivision.

The bill was read for the first time.

Workman moved that S. F. No. 2785 and H. F. No. 3274, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3198, A bill for an act relating to human services; establishing a process to close nursing facilities and reallocate the savings to other facilities; requiring budget neutrality; proposing coding for new law in Minnesota Statutes, chapter 256B.

The bill was read for the first time.

Bradley moved that S. F. No. 3198 and H. F. No. 3537, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2499, A bill for an act relating to human services; clarifying medical assistance reimbursement requirements for speech language pathologists; amending Minnesota Statutes 1999 Supplement, section 256B.0625, subdivision 8b.

The bill was read for the first time.

Mulder moved that S. F. No. 2499 and H. F. No. 3477, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2683, A bill for an act relating to game and fish; exempting archery bows used for bow fishing from casing requirement; authorizing disability permits for taking rough fish and hunting small game with a crossbow; amending Minnesota Statutes 1998, sections 97B.051; 97B.055, subdivision 2; and 97B.106.

The bill was read for the first time.

Hackbarth moved that S. F. No. 2683 and H. F. No. 2889, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1038, A bill for an act relating to health occupations; establishing licensing requirements for occupational therapists and occupational therapy assistants; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Rules, parts 4666.0010; 4666.0020; 4666.0030; 4666.0040; 4666.0050; 4666.0060; 4666.0070; 4666.0080; 4666.0090; 4666.0100; 4666.0200; 4666.0300; 4666.0400; 4666.0500; 4666.0600; 4666.0700; 4666.0800; 4666.0900; 4666.1000; 4666.1100; 4666.1200; 4666.1300; and 4666.1400.

The bill was read for the first time.

Howes moved that S. F. No. 1038 and H. F. No. 947, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3410, A bill for an act relating to child protection; modifying provisions relating to child neglect and domestic violence; adding a definition for a child exposed to domestic violence; amending Minnesota Statutes 1998, section 626.556, by adding a subdivision; Minnesota Statutes 1999 Supplement, section 626.556, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 626.

The bill was read for the first time.

Boudreau moved that S. F. No. 3410 and H. F. No. 3176, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day, immediately following the remaining bills on the Calendar for the Day, for Tuesday, March 28, 2000:

S. F. No. 2865; H. F. No. 2570; S. F. Nos. 2510, 3005, 3369, 3307, 3412, 3283, 2676, 3260, 2653 and 2951; H. F. No. 2889; and S. F. Nos. 2546, 2511 and 3025.

#### CALENDAR FOR THE DAY

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

Kielkucki moved that H. F. No. 3497 be continued on the Calendar for the Day.

Pursuant to rule 1.21, H. F. No. 3497 was returned to the General Register.

H. F. No. 2731 was reported to the House.

Dauids moved to amend H. F. No. 2731, the second engrossment, as follows:

Page 3, line 11, after "competing" insert:

"(1)"

Page 3, line 19, after "conditions" insert "; or

(2) if it has an existing direct or indirect ownership interest in a new motor vehicle dealer in this state as of January 1, 2000, and has no more than four franchised dealers in this state. A manufacturer, distributor, or factory branch described in this clause that has unaffiliated dealers of the same line make in this state may acquire an interest in existing dealers of that line make but it may not establish any new dealership in which it would own interest or approve an additional location for the sale of new motor vehicles by an affiliated dealership. A manufacturer, distributor, or factory branch described in this clause is permitted to alter its ownership interest in a new motor vehicle dealer"

Page 4, delete lines 24 to 27

The motion prevailed and the amendment was adopted.

The Speaker called Boudreau to the Chair.

H. F. No. 2731, A bill for an act relating to commerce; motor vehicle sales and distribution; regulating unfair practices by manufacturers, distributors, and factory branches; amending Minnesota Statutes 1998, sections 80E.13; and 80E.14, subdivision 1.

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 117 yeas and 12 nays as follows:

Those who voted in the affirmative were:

|              |          |            |            |          |          |
|--------------|----------|------------|------------|----------|----------|
| Abrams       | Daggett  | Gray       | Jennings   | Leppik   | Murphy   |
| Anderson, I. | Dauids   | Greenfield | Johnson    | Lieder   | Ness     |
| Bakk         | Dawkins  | Greiling   | Juhnke     | Lindner  | Nornes   |
| Biernat      | Dehler   | Gunther    | Kahn       | Luther   | Olson    |
| Bishop       | Dempsey  | Haake      | Kalis      | Mahoney  | Opatz    |
| Boudreau     | Dorn     | Haas       | Kelliher   | Mares    | Orfield  |
| Bradley      | Entenza  | Hackbarth  | Kielkucki  | Mariani  | Osskopp  |
| Broecker     | Erhardt  | Harder     | Koskinen   | Marko    | Osthoff  |
| Carlson      | Erickson | Hasskamp   | Kubly      | McCollum | Otremba  |
| Carruthers   | Finseth  | Hausman    | Kuisle     | McElroy  | Ozment   |
| Cassell      | Folliard | Hilty      | Larsen, P. | McGuire  | Paulsen  |
| Chaudhary    | Fuller   | Holberg    | Larson, D. | Milbert  | Paylenty |
| Clark, J.    | Gerlach  | Holsten    | Leighton   | Molnau   | Paymar   |
| Clark, K.    | Gleason  | Howes      | Lenczewski | Mullery  | Pelowski |

|           |             |           |            |            |              |
|-----------|-------------|-----------|------------|------------|--------------|
| Peterson  | Rukavina    | Smith     | Sykora     | Vandev eer | Winter       |
| Pugh      | Schumacher  | Solberg   | Tingelstad | Wagenius   | Wolf         |
| Rest      | Seagren     | Stang     | Tomassoni  | Wejcm an   | Spk. Sviggum |
| Rhodes    | Seifert, M. | Storm     | Trimble    | Westerberg |              |
| Rifenberg | Skoe        | Swapinski | Tuma       | Westfall   |              |
| Rostberg  | Skoglund    | Swenson   | Tunheim    | Westrom    |              |

Those who voted in the negative were:

|              |        |          |         |            |         |
|--------------|--------|----------|---------|------------|---------|
| Anderson, B. | Dorman | Huntley  | Krinkie | Reuter     | Wilkin  |
| Buesgens     | Goodno | Knoblach | Mulder  | Van Dellen | Workman |

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

S. F. No. 2363 was reported to the House.

Larsen, P., moved to amend S. F. No. 2363 as follows:

Page 3, after line 31, insert:

"(d) The department of employee relations shall pay the costs of any reports provided under this section."

The motion prevailed and the amendment was adopted.

Larsen, P., moved to amend S. F. No. 2363, as amended, as follows:

Page 4, line 10, after "providers" insert "or addressing issues of fraud or errors in claims submissions"

The motion prevailed and the amendment was adopted.

Dempsey moved to amend S. F. No. 2363, as amended, as follows:

Page 1, line 8, delete "62Q.78" and insert "62Q.79"

Page 4, after line 26, insert:

"Sec. 5. [62Q.79] [PROMPT PAYMENT REQUIRED.]

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

(b) "Clean claim" means a claim that has no defect or impropriety, including any lack of any required substantiating documentation, or particular circumstance requiring special treatment that prevents timely payment from being made on a claim under this section.

(c) "Third-party administrator" means a third-party administrator or other entity subject to section 60A.23, subdivision 8, and Minnesota Rules, chapter 2767.

Subd. 2. [CLAIMS PAYMENTS.] (a) This section applies to clean claims submitted to a dental organization or third-party administrator for dental care services. All dental organizations and third-party administrators must pay claims that are clean claims within 30 calendar days after the date upon which the dental organization or third-party administrator received the claim.

(b) If a dental organization or third-party administrator does not pay or deny a clean claim within the period provided in paragraph (a), the dental organization or third-party administrator must pay interest on the claim for the period beginning on the day after the required payment date specified in paragraph (a) and ending on the date on which the dental organization or third-party administrator makes the payment or denies the claim. In any payment, the dental organization or third-party administrator must itemize any interest payment being made separately from other payments being made for services provided.

(c) The rate of interest paid by a dental organization or third-party administrator under this subdivision shall be 1.5 percent per month or any part of a month.

(d) A dental organization or third-party administrator is not required to make an interest payment on a claim for which payment has been delayed for purposes of reviewing potentially fraudulent or abusive billing practices.

(e) The commissioner may not assess a financial administrative penalty against a dental organization for violation of this subdivision."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 2363, A bill for an act relating to health; regulating dental benefit plans; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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:

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

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

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

S. F. No. 3055 was reported to the House.

There being no objection, S. F. No. 3055 was temporarily laid over on the Calendar for the Day.

S. F. No. 2444, A bill for an act relating to state lands; authorizing conveyance of certain surplus state land in Stearns county.

The Speaker resumed the Chair.

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 116 yeas and 13 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

|            |         |          |          |         |
|------------|---------|----------|----------|---------|
| Greenfield | Kahn    | Mullery  | Solberg  | Wejcman |
| Greiling   | Mahoney | Osthoff  | Trimble  |         |
| Hilty      | Mariani | Skoglund | Wagenius |         |

The bill was passed and its title agreed to.

S. F. No. 2905 was reported to the House.

Kuisle moved to amend S. F. No. 2905 as follows:

Page 2, line 26, after "cooperative" insert "created by a joint powers agreement"

The motion prevailed and the amendment was adopted.

S. F. No. 2905, A bill for an act relating to municipalities; increasing certain dollar limits in the Uniform Municipal Contracting Law; providing an exemption for certain cooperative purchasing; authorizing county purchases on credit cards; providing for personal liability for county officers and employees for unauthorized credit card purchases; amending Minnesota Statutes 1998, section 471.345, subdivisions 3, 4, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 375.

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:

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

|           |            |            |          |         |              |
|-----------|------------|------------|----------|---------|--------------|
| Tomassoni | Tunheim    | Wagenius   | Westfall | Winter  | Spk. Sviggum |
| Trimble   | Van Dellen | Wejcman    | Westrom  | Wolf    |              |
| Tuma      | Vandever   | Westerberg | Wilkin   | Workman |              |

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

S. F. No. 2894, A bill for an act relating to occupational safety and health; classifying certain communications regarding discrimination complaints as privileged; amending Minnesota Statutes 1998, section 182.669, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 2828 was reported to the House.

Osskopp moved that S. F. No. 2828 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 1733 was reported to the House.

Carruthers moved to amend S. F. No. 1733 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2555, the first engrossment:

"Section 1. [340B.101] [CIVIL ACTION; INTOXICATION OF PERSON UNDER AGE 21.]

Subdivision 1. [RIGHT OF ACTION.] (a) A spouse, child, parent, guardian, employer, or other person injured in person, property, or means of support, or who incurs other pecuniary loss, by an intoxicated person under 21 years of age has for all damages sustained a right of action in the person's own name against a person who is 21 years or older who:

(1) had control over the premises and furnished, sold, bartered, gave to or purchased for, other than by sale licensed under chapter 340A, a person under the age of 21 years alcoholic beverages that caused the intoxication of that person,

(2) had control over the premises and being in a reasonable position to prevent the consumption of alcoholic beverages by the person under the age of 21 years, knowingly or recklessly permitted such consumption and the consumption caused the intoxication of the person under the age of 21 years, or

(3) sold, bartered, furnished or gave to or purchased for, other than by sale licensed under chapter 340A, a person under the age of 21 years alcoholic beverages that caused the intoxication of that person.

(b) All damages recovered by a minor under this section must be paid either to the minor or to the minor's parent, guardian, or next friend as the court directs.

(c) An intoxicated person under age 21 who caused the injury has no right of action under this section.

Subd. 2. [SUBROGATION CLAIMS DENIED.] There shall be no recovery by any insurance company for any subrogation claim pursuant to any subrogation clause of the uninsured, underinsured, collision, or other first-party coverages of a motor vehicle insurance policy as a result of payments made by the company to persons who have claims that arise in whole or in part under this section."

Delete the title and insert:

"A bill for an act relating to alcoholic beverages; imposing civil third-party liability for damages caused by intoxication of persons under age 21; prohibiting certain subrogation claims; proposing coding for new law as Minnesota Statutes, chapter 340B."

The motion prevailed and the amendment was adopted.

S. F. No. 1733, A bill for an act relating to alcoholic beverages; imposing civil third-party liability for damages caused by intoxication of persons under age 21; prohibiting certain subrogation claims; 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 92 yeas and 39 nays as follows:

Those who voted in the affirmative were:

|            |            |            |          |            |              |
|------------|------------|------------|----------|------------|--------------|
| Abrams     | Erickson   | Howes      | Lieder   | Ozment     | Tingelstad   |
| Biernat    | Finseth    | Huntley    | Lindner  | Paulsen    | Trimble      |
| Bradley    | Folliard   | Jennings   | Luther   | Pawlenty   | Tuma         |
| Broecker   | Fuller     | Johnson    | Mahoney  | Paymar     | Van Dellen   |
| Carlson    | Gleason    | Juhnke     | Mares    | Pelowski   | Vanderveer   |
| Carruthers | Goodno     | Kahn       | Marko    | Pugh       | Wagenius     |
| Cassell    | Greenfield | Kalis      | McCollum | Rest       | Wejcman      |
| Chaudhary  | Greiling   | Kelliher   | McGuire  | Rhodes     | Wenzel       |
| Clark, K.  | Gunther    | Knoblach   | Milbert  | Schumacher | Westerberg   |
| Daggett    | Haake      | Koskinen   | Molnau   | Seagren    | Wolf         |
| Davids     | Haas       | Kubly      | Ness     | Skoe       | Workman      |
| Dempsey    | Hasskamp   | Larsen, P. | Nornes   | Skoglund   | Spk. Sviggum |
| Dorman     | Hausman    | Larson, D. | Olson    | Smith      |              |
| Dom        | Hilty      | Leighton   | Opatz    | Stanek     |              |
| Entenza    | Holberg    | Lenczewski | Orfield  | Storm      |              |
| Erhardt    | Holsten    | Leppik     | Osthoff  | Swenson    |              |

Those who voted in the negative were:

|              |           |           |           |             |          |
|--------------|-----------|-----------|-----------|-------------|----------|
| Anderson, B. | Dawkins   | Kielkucki | Osskopp   | Seifert, M. | Westfall |
| Anderson, I. | Dehler    | Krinkie   | Otremba   | Solberg     | Westrom  |
| Bakk         | Gerlach   | Kuise     | Peterson  | Stang       | Wilkin   |
| Bishop       | Gray      | Mariani   | Reuter    | Swapinski   | Winter   |
| Boudreau     | Hackbarth | McElroy   | Rifenberg | Sykora      |          |
| Buesgens     | Harder    | Mulder    | Rostberg  | Tomassoni   |          |
| Clark, J.    | Jaros     | Mullery   | Rukavina  | Tunheim     |          |

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

The Speaker called Abrams to the Chair.

S. F. No. 2865 was reported to the House.

Tingelstad moved that S. F. No. 2865 be returned to the General Register. The motion prevailed.

S. F. No. 2510, A bill for an act relating to real property; common interest ownership communities; redemptions of realty; making technical changes; modifying procedural requirements; amending Minnesota Statutes 1998, sections 115.55, subdivision 7; 514.15; 550.24; 580.24; and 581.10; Minnesota Statutes 1999 Supplement, sections 515B.1-102; and 515B.1-116; repealing Minnesota Statutes 1998, section 550.25.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 3005 was reported to the House.

Sykora moved to amend S. F. No. 3005 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 3103, the second engrossment:

"Section 1. Minnesota Statutes 1998, section 245A.03, subdivision 2, is amended to read:

Subd. 2. [EXCLUSION FROM LICENSURE.] ~~Sections 245A.01 to 245A.16 do~~ This chapter does not apply to:

(1) residential or nonresidential programs that are provided to a person by an individual who is related unless the residential program is a child foster care placement made by a local social services agency or a licensed child-placing agency, except as provided in subdivision 2a;

(2) nonresidential programs that are provided by an unrelated individual to persons from a single related family;

(3) residential or nonresidential programs that are provided to adults who do not abuse chemicals or who do not have a chemical dependency, a mental illness, mental retardation or a related condition, a functional impairment, or a physical handicap;

(4) sheltered workshops or work activity programs that are certified by the commissioner of economic security;

(5) programs for children enrolled in kindergarten to the 12th grade and prekindergarten special education in a school as defined in section 120A.22, subdivision 4, and programs serving children in combined special education and regular prekindergarten programs that are operated or assisted by the commissioner of children, families, and learning;

(6) nonresidential programs primarily for children that provide care or supervision, without charge for ten or fewer days a year, and for periods of less than three hours a day while the child's parent or legal guardian is in the same building as the nonresidential program or present within another building that is directly contiguous to the building in which the nonresidential program is located;

(7) nursing homes or hospitals licensed by the commissioner of health except as specified under section 245A.02;

(8) board and lodge facilities licensed by the commissioner of health that provide services for five or more persons whose primary diagnosis is mental illness who have refused an appropriate residential program offered by a county agency. This exclusion expires on July 1, 1990;

(9) homes providing programs for persons placed there by a licensed agency for legal adoption, unless the adoption is not completed within two years;

(10) programs licensed by the commissioner of corrections;

(11) recreation programs for children or adults that operate for fewer than 40 calendar days in a calendar year or programs operated by a park and recreation board of a city of the first class whose primary purpose is to provide social and recreational activities to school age children, provided the program is approved by the park and recreation board;

(12) programs operated by a school as defined in section 120A.22, subdivision 4, whose primary purpose is to provide child care to school-age children, provided the program is approved by the district's school board;

(13) Head Start nonresidential programs which operate for less than 31 days in each calendar year;

(14) noncertified boarding care homes unless they provide services for five or more persons whose primary diagnosis is mental illness or mental retardation;

(15) nonresidential programs for nonhandicapped children provided for a cumulative total of less than 30 days in any 12-month period;

(16) residential programs for persons with mental illness, that are located in hospitals, until the commissioner adopts appropriate rules;

(17) the religious instruction of school-age children; Sabbath or Sunday schools; or the congregate care of children by a church, congregation, or religious society during the period used by the church, congregation, or religious society for its regular worship;

(18) camps licensed by the commissioner of health under Minnesota Rules, chapter 4630;

(19) mental health outpatient services for adults with mental illness or children with emotional disturbance;

(20) residential programs serving school-age children whose sole purpose is cultural or educational exchange, until the commissioner adopts appropriate rules;

(21) unrelated individuals who provide out-of-home respite care services to persons with mental retardation or related conditions from a single related family for no more than 90 days in a 12-month period and the respite care services are for the temporary relief of the person's family or legal representative;

(22) respite care services provided as a home and community-based service to a person with mental retardation or a related condition, in the person's primary residence;

(23) community support services programs as defined in section 245.462, subdivision 6, and family community support services as defined in section 245.4871, subdivision 17;

(24) the placement of a child by a birth parent or legal guardian in a preadoptive home for purposes of adoption as authorized by section 259.47; or

(25) settings registered under chapter 144D which provide home care services licensed by the commissioner of health to fewer than seven adults.

For purposes of clause (6), a building is directly contiguous to a building in which a nonresidential program is located if it shares a common wall with the building in which the nonresidential program is located or is attached to that building by skyway, tunnel, atrium, or common roof.

Sec. 2. Minnesota Statutes 1998, section 245A.03, is amended by adding a subdivision to read:

Subd. 5. [EXCLUDED HOUSING WITH SERVICES PROGRAMS; RIGHT TO SEEK LICENSURE.] Nothing in this section shall prohibit a housing with services program that is excluded from licensure under subdivision 2, clause (25), from seeking a license under this chapter. The commissioner shall ensure that any application received from such an excluded provider is processed in the same manner as all other applications for licensed adult foster care.

Sec. 3. Minnesota Statutes 1998, section 245A.04, subdivision 3, is amended to read:

Subd. 3. [BACKGROUND STUDY OF THE APPLICANT; DEFINITIONS.] (a) Before the commissioner issues a license, the commissioner shall conduct a study of the individuals specified in paragraph (c), clauses (1) to (5), according to rules of the commissioner.

Beginning January 1, 1997, the commissioner shall also conduct a study of employees providing direct contact services for nonlicensed personal care provider organizations described in paragraph (c), clause (5).

The commissioner shall recover the cost of these background studies through a fee of no more than \$12 per study charged to the personal care provider organization.

Beginning August 1, 1997, the commissioner shall conduct all background studies required under this chapter for adult foster care providers who are licensed by the commissioner of human services and registered under chapter 144D. The commissioner shall conduct these background studies in accordance with this chapter. The commissioner shall initiate a pilot project to conduct up to 5,000 background studies under this chapter in programs with joint licensure as home and community-based services and adult foster care for people with developmental disabilities when the license holder does not reside in the foster care residence.

(b) Beginning July 1, 1998, the commissioner shall conduct a background study on individuals specified in paragraph (c), clauses (1) to (5), who perform direct contact services in a nursing home or a home care agency licensed under chapter 144A or a boarding care home licensed under sections 144.50 to 144.58, when the subject of the study resides outside Minnesota; the study must be at least as comprehensive as that of a Minnesota resident and include a search of information from the criminal justice data communications network in the state where the subject of the study resides.

(c) The applicant, license holder, the bureau of criminal apprehension, the commissioner of health and county agencies, after written notice to the individual who is the subject of the study, shall help with the study by giving the commissioner criminal conviction data and reports about the maltreatment of adults substantiated under

section 626.557 and the maltreatment of minors in licensed programs substantiated under section 626.556. The individuals to be studied shall include:

- (1) the applicant;
- (2) persons over the age of 13 living in the household where the licensed program will be provided;
- (3) current employees or contractors of the applicant who will have direct contact with persons served by the facility, agency, or program;
- (4) volunteers or student volunteers who have direct contact with persons served by the program to provide program services, if the contact is not directly supervised by the individuals listed in clause (1) or (3); and
- (5) any person who, as an individual or as a member of an organization, exclusively offers, provides, or arranges for personal care assistant services under the medical assistance program as authorized under sections 256B.04, subdivision 16, and 256B.0625, subdivision 19.

The juvenile courts shall also help with the study by giving the commissioner existing juvenile court records on individuals described in clause (2) relating to delinquency proceedings held within either the five years immediately preceding the application or the five years immediately preceding the individual's 18th birthday, whichever time period is longer. The commissioner shall destroy juvenile records obtained pursuant to this subdivision when the subject of the records reaches age 23.

For purposes of this section and Minnesota Rules, part 9543.3070, a finding that a delinquency petition is proven in juvenile court shall be considered a conviction in state district court.

For purposes of this subdivision, "direct contact" means providing face-to-face care, training, supervision, counseling, consultation, or medication assistance to persons served by a program. For purposes of this subdivision, "directly supervised" means an individual listed in clause (1), (3), or (5) is within sight or hearing of a volunteer to the extent that the individual listed in clause (1), (3), or (5) is capable at all times of intervening to protect the health and safety of the persons served by the program who have direct contact with the volunteer.

A study of an individual in clauses (1) to (5) shall be conducted at least upon application for initial license and reapplication for a license. The commissioner is not required to conduct a study of an individual at the time of reapplication for a license or if the individual has been continuously affiliated with a foster care provider licensed by the commissioner of human services and registered under chapter 144D, other than a family day care or foster care license, if: (i) a study of the individual was conducted either at the time of initial licensure or when the individual became affiliated with the license holder; (ii) the individual has been continuously affiliated with the license holder since the last study was conducted; and (iii) the procedure described in paragraph (d) has been implemented and was in effect continuously since the last study was conducted. For the purposes of this section, a physician licensed under chapter 147 is considered to be continuously affiliated upon the license holder's receipt from the commissioner of health or human services of the physician's background study results. For individuals who are required to have background studies under clauses (1) to (5) and who have been continuously affiliated with a foster care provider that is licensed in more than one county, criminal conviction data may be shared among those counties in which the foster care programs are licensed. A county agency's receipt of criminal conviction data from another county agency shall meet the criminal data background study requirements of this section.

The commissioner may also conduct studies on individuals specified in clauses (3) and (4) when the studies are initiated by:

- (i) personnel pool agencies;
- (ii) temporary personnel agencies;

(iii) educational programs that train persons by providing direct contact services in licensed programs; and

(iv) professional services agencies that are not licensed and which contract with licensed programs to provide direct contact services or individuals who provide direct contact services.

Studies on individuals in items (i) to (iv) must be initiated annually by these agencies, programs, and individuals. Except for personal care provider organizations, no applicant, license holder, or individual who is the subject of the study shall pay any fees required to conduct the study.

(1) At the option of the licensed facility, rather than initiating another background study on an individual required to be studied who has indicated to the licensed facility that a background study by the commissioner was previously completed, the facility may make a request to the commissioner for documentation of the individual's background study status, provided that:

(i) the facility makes this request using a form provided by the commissioner;

(ii) in making the request the facility informs the commissioner that either:

(A) the individual has been continuously affiliated with a licensed facility since the individual's previous background study was completed, or since October 1, 1995, whichever is shorter; or

(B) the individual is affiliated only with a personnel pool agency, a temporary personnel agency, an educational program that trains persons by providing direct contact services in licensed programs, or a professional services agency that is not licensed and which contracts with licensed programs to provide direct contact services or individuals who provide direct contact services; and

(iii) the facility provides notices to the individual as required in paragraphs (a) to (d), and that the facility is requesting written notification of the individual's background study status from the commissioner.

(2) The commissioner shall respond to each request under paragraph (1) with a written or electronic notice to the facility and the study subject. If the commissioner determines that a background study is necessary, the study shall be completed without further request from a licensed agency or notifications to the study subject.

(3) When a background study is being initiated by a licensed facility or a foster care provider that is also registered under chapter 144D, a study subject affiliated with multiple licensed facilities may attach to the background study form a cover letter indicating the additional facilities' names, addresses, and background study identification numbers. When the commissioner receives such notices, each facility identified by the background study subject shall be notified of the study results. The background study notice sent to the subsequent agencies shall satisfy those facilities' responsibilities for initiating a background study on that individual.

(d) If an individual who is affiliated with a program or facility regulated by the department of human services or department of health or who is affiliated with a nonlicensed personal care provider organization, is convicted of a crime constituting a disqualification under subdivision 3d, the probation officer or corrections agent shall notify the commissioner of the conviction. The commissioner, in consultation with the commissioner of corrections, shall develop forms and information necessary to implement this paragraph and shall provide the forms and information to the commissioner of corrections for distribution to local probation officers and corrections agents. The commissioner shall inform individuals subject to a background study that criminal convictions for disqualifying crimes will be reported to the commissioner by the corrections system. A probation officer, corrections agent, or corrections agency is not civilly or criminally liable for disclosing or failing to disclose the information required by this paragraph. Upon receipt of disqualifying information, the commissioner shall provide the notifications required in subdivision 3a, as appropriate to agencies on record as having initiated a background study or making a request for documentation of the background study status of the individual. This paragraph does not apply to family day care and child foster care programs.

(e) The individual who is the subject of the study must provide the applicant or license holder with sufficient information to ensure an accurate study including the individual's first, middle, and last name; home address, city, county, and state of residence for the past five years; zip code; sex; date of birth; and driver's license number. The applicant or license holder shall provide this information about an individual in paragraph (c), clauses (1) to (5), on forms prescribed by the commissioner. By January 1, 2000, for background studies conducted by the department of human services, the commissioner shall implement a system for the electronic transmission of: (1) background study information to the commissioner; and (2) background study results to the license holder. The commissioner may request additional information of the individual, which shall be optional for the individual to provide, such as the individual's social security number or race.

(f) Except for child foster care, adult foster care, and family day care homes, a study must include information related to names of substantiated perpetrators of maltreatment of vulnerable adults that has been received by the commissioner as required under section 626.557, subdivision 9c, paragraph (i), and the commissioner's records relating to the maltreatment of minors in licensed programs, information from juvenile courts as required in paragraph (c) for persons listed in paragraph (c), clause (2), and information from the bureau of criminal apprehension. For child foster care, adult foster care, and family day care homes, the study must include information from the county agency's record of substantiated maltreatment of adults, and the maltreatment of minors, information from juvenile courts as required in paragraph (c) for persons listed in paragraph (c), clause (2), and information from the bureau of criminal apprehension. The commissioner may also review arrest and investigative information from the bureau of criminal apprehension, the commissioner of health, a county attorney, county sheriff, county agency, local chief of police, other states, the courts, or the Federal Bureau of Investigation if the commissioner has reasonable cause to believe the information is pertinent to the disqualification of an individual listed in paragraph (c), clauses (1) to (5). The commissioner is not required to conduct more than one review of a subject's records from the Federal Bureau of Investigation if a review of the subject's criminal history with the Federal Bureau of Investigation has already been completed by the commissioner and there has been no break in the subject's affiliation with the license holder who initiated the background studies.

When the commissioner has reasonable cause to believe that further pertinent information may exist on the subject, the subject shall provide a set of classifiable fingerprints obtained from an authorized law enforcement agency. For purposes of requiring fingerprints, the commissioner shall be considered to have reasonable cause under, but not limited to, the following circumstances:

- (1) information from the bureau of criminal apprehension indicates that the subject is a multistate offender;
- (2) information from the bureau of criminal apprehension indicates that multistate offender status is undetermined; or
- (3) the commissioner has received a report from the subject or a third party indicating that the subject has a criminal history in a jurisdiction other than Minnesota.

(g) An applicant's or license holder's failure or refusal to cooperate with the commissioner is reasonable cause to disqualify a subject, deny a license application or immediately suspend, suspend, or revoke a license. Failure or refusal of an individual to cooperate with the study is just cause for denying or terminating employment of the individual if the individual's failure or refusal to cooperate could cause the applicant's application to be denied or the license holder's license to be immediately suspended, suspended, or revoked.

(h) The commissioner shall not consider an application to be complete until all of the information required to be provided under this subdivision has been received.

(i) No person in paragraph (c), clause (1), (2), (3), (4), or (5) who is disqualified as a result of this section may be retained by the agency in a position involving direct contact with persons served by the program.

(j) Termination of persons in paragraph (c), clause (1), (2), (3), (4), or (5), made in good faith reliance on a notice of disqualification provided by the commissioner shall not subject the applicant or license holder to civil liability.

(k) The commissioner may establish records to fulfill the requirements of this section.

(l) The commissioner may not disqualify an individual subject to a study under this section because that person has, or has had, a mental illness as defined in section 245.462, subdivision 20.

(m) An individual subject to disqualification under this subdivision has the applicable rights in subdivision 3a, 3b, or 3c.

(n) For the purposes of background studies completed by tribal organizations performing licensing activities otherwise required of the commissioner under this chapter, after obtaining consent from the background study subject, tribal licensing agencies shall have access to criminal history data in the same manner as county licensing agencies and private licensing agencies under this chapter.

Sec. 4. Minnesota Statutes 1998, section 245A.04, subdivision 3b, is amended to read:

Subd. 3b. [RECONSIDERATION OF DISQUALIFICATION.] (a) The individual who is the subject of the disqualification may request a reconsideration of the disqualification.

The individual must submit the request for reconsideration to the commissioner in writing. A request for reconsideration for an individual who has been sent a notice of disqualification under subdivision 3a, paragraph (b), clause (1) or (2), must be submitted within 30 calendar days of the disqualified individual's receipt of the notice of disqualification. A request for reconsideration for an individual who has been sent a notice of disqualification under subdivision 3a, paragraph (b), clause (3), must be submitted within 15 calendar days of the disqualified individual's receipt of the notice of disqualification. Removal of a disqualified individual from direct contact shall be ordered if the individual does not request reconsideration within the prescribed time, and for an individual who submits a timely request for reconsideration, if the disqualification is not set aside. The individual must present information showing that:

(1) the information the commissioner relied upon is incorrect or inaccurate. If the basis of a reconsideration request is that a maltreatment determination or disposition under section 626.556 or 626.557 is incorrect, and the commissioner has issued a final order in an appeal of that determination or disposition under section 256.045, the commissioner's order is conclusive on the issue of maltreatment; or

(2) the subject of the study does not pose a risk of harm to any person served by the applicant or license holder.

(b) The commissioner may set aside the disqualification under this section if the commissioner finds that the information the commissioner relied upon is incorrect or the individual does not pose a risk of harm to any person served by the applicant or license holder. In determining that an individual does not pose a risk of harm, the commissioner shall consider the consequences of the event or events that lead to disqualification, whether there is more than one disqualifying event, the vulnerability of the victim at the time of the event, the time elapsed without a repeat of the same or similar event, documentation of successful completion by the individual studied of training or rehabilitation pertinent to the event, and any other information relevant to reconsideration. In reviewing a disqualification under this section, the commissioner shall give preeminent weight to the safety of each person to be served by the license holder or applicant over the interests of the license holder or applicant.

(c) Unless the information the commissioner relied on in disqualifying an individual is incorrect, the commissioner may not set aside the disqualification of an individual in connection with a license to provide family day care for children, foster care for children in the provider's own home, or foster care or day care services for adults in the provider's own home if:

(1) less than ten years have passed since the discharge of the sentence imposed for the offense; and the individual has been convicted of a violation of any offense listed in sections 609.20 (manslaughter in the first degree), 609.205 (manslaughter in the second degree), criminal vehicular homicide under 609.21 (criminal vehicular homicide and injury), 609.215 (aiding suicide or aiding attempted suicide), felony violations under 609.221 to 609.2231 (assault

in the first, second, third, or fourth degree), 609.713 (terroristic threats), 609.235 (use of drugs to injure or to facilitate crime), 609.24 (simple robbery), 609.245 (aggravated robbery), 609.25 (kidnapping), 609.255 (false imprisonment), 609.561 or 609.562 (arson in the first or second degree), 609.71 (riot), burglary in the first or second degree under 609.582 (burglary), 609.66 (dangerous weapon), 609.665 (spring guns), 609.67 (machine guns and short-barreled shotguns), 609.749 (harassment; stalking), 152.021 or 152.022 (controlled substance crime in the first or second degree), 152.023, subdivision 1, clause (3) or (4), or subdivision 2, clause (4) (controlled substance crime in the third degree), 152.024, subdivision 1, clause (2), (3), or (4) (controlled substance crime in the fourth degree), 609.224, subdivision 2, paragraph (c) (fifth-degree assault by a caregiver against a vulnerable adult), 609.228 (great bodily harm caused by distribution of drugs), 609.23 (mistreatment of persons confined), 609.231 (mistreatment of residents or patients), 609.2325 (criminal abuse of a vulnerable adult), 609.233 (criminal neglect of a vulnerable adult), 609.2335 (financial exploitation of a vulnerable adult), 609.234 (failure to report), 609.265 (abduction), 609.2664 to 609.2665 (manslaughter of an unborn child in the first or second degree), 609.267 to 609.2672 (assault of an unborn child in the first, second, or third degree), 609.268 (injury or death of an unborn child in the commission of a crime), 617.293 (disseminating or displaying harmful material to minors), a gross misdemeanor offense under 609.324, subdivision 1 (other prohibited acts), a gross misdemeanor offense under 609.378 (neglect or endangerment of a child), a gross misdemeanor offense under 609.377 (malicious punishment of a child), 609.72, subdivision 3 (disorderly conduct against a vulnerable adult); or an attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or an offense in any other state, the elements of which are substantially similar to the elements of any of the foregoing offenses;

(2) regardless of how much time has passed since the discharge of the sentence imposed for the offense, the individual was convicted of a violation of any offense listed in sections 609.185 to 609.195 (murder in the first, second, or third degree), 609.2661 to 609.2663 (murder of an unborn child in the first, second, or third degree), a felony offense under 609.377 (malicious punishment of a child), a felony offense under 609.324, subdivision 1 (other prohibited acts), a felony offense under 609.378 (neglect or endangerment of a child), 609.322 (solicitation, inducement, and promotion of prostitution), 609.342 to 609.345 (criminal sexual conduct in the first, second, third, or fourth degree), 609.352 (solicitation of children to engage in sexual conduct), 617.246 (use of minors in a sexual performance), 617.247 (possession of pictorial representations of a minor), 609.365 (incest), a felony offense under sections 609.2242 and 609.2243 (domestic assault), a felony offense of spousal abuse, a felony offense of child abuse or neglect, a felony offense of a crime against children, or an attempt or conspiracy to commit any of these offenses as defined in Minnesota Statutes, or an offense in any other state, the elements of which are substantially similar to any of the foregoing offenses;

(3) within the seven years preceding the study, the individual committed an act that constitutes maltreatment of a child under section 626.556, subdivision 10e, and that resulted in substantial bodily harm as defined in section 609.02, subdivision 7a, or substantial mental or emotional harm as supported by competent psychological or psychiatric evidence; or

(4) within the seven years preceding the study, the individual was determined under section 626.557 to be the perpetrator of a substantiated incident of maltreatment of a vulnerable adult that resulted in substantial bodily harm as defined in section 609.02, subdivision 7a, or substantial mental or emotional harm as supported by competent psychological or psychiatric evidence.

In the case of any ground for disqualification under clauses (1) to (4), if the act was committed by an individual other than the applicant or license holder residing in the applicant's or license holder's home, the applicant or license holder may seek reconsideration when the individual who committed the act no longer resides in the home.

The disqualification periods provided under clauses (1), (3), and (4) are the minimum applicable disqualification periods. The commissioner may determine that an individual should continue to be disqualified from licensure because the license holder or applicant poses a risk of harm to a person served by that individual after the minimum disqualification period has passed.

(d) The commissioner shall respond in writing or by electronic transmission to all reconsideration requests for which the basis for the request is that the information relied upon by the commissioner to disqualify is incorrect or inaccurate within 30 working days of receipt of a request and all relevant information. If the basis for the request is that the individual does not pose a risk of harm, the commissioner shall respond to the request within 15 working days after receiving the request for reconsideration and all relevant information. If the disqualification is set aside, the commissioner shall notify the applicant or license holder in writing or by electronic transmission of the decision.

(e) Except as provided in subdivision 3c, the commissioner's decision to disqualify an individual, including the decision to grant or deny a rescission or set aside a disqualification under this section, is the final administrative agency action and shall not be subject to further review in a contested case under chapter 14 involving a negative licensing appeal taken in response to the disqualification or involving an accuracy and completeness appeal under section 13.04.

Sec. 5. Minnesota Statutes 1999 Supplement, section 245A.04, subdivision 3d, is amended to read:

Subd. 3d. [DISQUALIFICATION.] When a background study completed under subdivision 3 shows any of the following: a conviction of one or more crimes listed in clauses (1) to (4); the individual has admitted to or a preponderance of the evidence indicates the individual has committed an act or acts that meet the definition of any of the crimes listed in clauses (1) to (4); or an administrative determination listed under clause (4), the individual shall be disqualified from any position allowing direct contact with persons receiving services from the license holder:

(1) regardless of how much time has passed since the discharge of the sentence imposed for the offense, and unless otherwise specified, regardless of the level of the conviction, the individual was convicted of any of the following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in the second degree); 609.195 (murder in the third degree); 609.2661 (murder of an unborn child in the first degree); 609.2662 (murder of an unborn child in the second degree); 609.2663 (murder of an unborn child in the third degree); 609.322 (solicitation, inducement, and promotion of prostitution); 609.342 (criminal sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in the fourth degree); 609.352 (solicitation of children to engage in sexual conduct); 609.365 (incest); felony offense under 609.377 (malicious punishment of a child); a felony offense under 609.378 (neglect or endangerment of a child); a felony offense under 609.324, subdivision 1 (other prohibited acts); 617.246 (use of minors in sexual performance prohibited); 617.247 (possession of pictorial representations of minors); a felony offense under sections 609.2242 and 609.2243 (domestic assault), a felony offense of spousal abuse, a felony offense of child abuse or neglect, a felony offense of a crime against children; or attempt or conspiracy to commit any of these offenses as defined in Minnesota Statutes, or an offense in any other state or country, where the elements are substantially similar to any of the offenses listed in this clause;

(2) if less than 15 years have passed since the discharge of the sentence imposed for the offense; and the individual has received a felony conviction for a violation of any of these offenses: sections 609.20 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); 609.21 (criminal vehicular homicide and injury); 609.215 (suicide); 609.221 to 609.2231 (assault in the first, second, third, or fourth degree); repeat offenses under 609.224 (assault in the fifth degree); repeat offenses under 609.3451 (criminal sexual conduct in the fifth degree); 609.713 (terroristic threats); 609.235 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated robbery); 609.25 (kidnapping); 609.255 (false imprisonment); 609.561 (arson in the first degree); 609.562 (arson in the second degree); 609.563 (arson in the third degree); repeat offenses under 617.23 (indecent exposure; penalties); repeat offenses under 617.241 (obscene materials and performances; distribution and exhibition prohibited; penalty); 609.71 (riot); 609.66 (dangerous weapons); 609.67 (machine guns and short-barreled shotguns); 609.749 (harassment; stalking; penalties); 609.228 (great bodily harm caused by distribution of drugs); 609.2325 (criminal abuse of a vulnerable adult); 609.2664 (manslaughter of an unborn child in the first degree); 609.2665 (manslaughter of an unborn child in the second degree); 609.267 (assault of an unborn child in the first degree); 609.2671 (assault of an unborn child in the second degree); 609.268 (injury or death of an unborn child in the commission of a crime); ~~609.378 (neglect or endangerment of a child); 609.324, subdivision 1 (other prohibited acts)~~; 609.52 (theft); 609.2335 (financial exploitation of a vulnerable adult); 609.521 (possession of shoplifting gear);

609.582 (burglary); 609.625 (aggravated forgery); 609.63 (forgery); 609.631 (check forgery; offering a forged check); 609.635 (obtaining signature by false pretense); 609.27 (coercion); 609.275 (attempt to coerce); 609.687 (adulteration); 260C.301 (grounds for termination of parental rights); and chapter 152 (drugs; controlled substance). An attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or an offense in any other state or country, the elements of which are substantially similar to the elements of the offenses in this clause. If the individual studied is convicted of one of the felonies listed in this clause, but the sentence is a gross misdemeanor or misdemeanor disposition, the lookback period for the conviction is the period applicable to the disposition, that is the period for gross misdemeanors or misdemeanors;

(3) if less than ten years have passed since the discharge of the sentence imposed for the offense; and the individual has received a gross misdemeanor conviction for a violation of any of the following offenses: sections 609.224 (assault in the fifth degree); 609.2242 and 609.2243 (domestic assault); violation of an order for protection under 518B.01, subdivision 14; 609.3451 (criminal sexual conduct in the fifth degree); repeat offenses under 609.746 (interference with privacy); repeat offenses under 617.23 (indecent exposure); 617.241 (obscene materials and performances); 617.243 (indecent literature, distribution); 617.293 (harmful materials; dissemination and display to minors prohibited); 609.71 (riot); 609.66 (dangerous weapons); 609.749 (harassment; stalking; penalties); 609.224, subdivision 2, paragraph (c) (assault in the fifth degree by a caregiver against a vulnerable adult); 609.23 (mistreatment of persons confined); 609.231 (mistreatment of residents or patients); 609.2325 (criminal abuse of a vulnerable adult); 609.233 (criminal neglect of a vulnerable adult); 609.2335 (financial exploitation of a vulnerable adult); 609.234 (failure to report maltreatment of a vulnerable adult); 609.72, subdivision 3 (disorderly conduct against a vulnerable adult); 609.265 (abduction); 609.378 (neglect or endangerment of a child); 609.377 (malicious punishment of a child); 609.324, subdivision 1a (other prohibited acts; minor engaged in prostitution); 609.33 (disorderly house); 609.52 (theft); 609.582 (burglary); 609.631 (check forgery; offering a forged check); 609.275 (attempt to coerce); or an attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or an offense in any other state or country, the elements of which are substantially similar to the elements of any of the offenses listed in this clause. If the defendant is convicted of one of the gross misdemeanors listed in this clause, but the sentence is a misdemeanor disposition, the lookback period for the conviction is the period applicable to misdemeanors; or

(4) if less than seven years have passed since the discharge of the sentence imposed for the offense; and the individual has received a misdemeanor conviction for a violation of any of the following offenses: sections 609.224 (assault in the fifth degree); 609.2242 (domestic assault); violation of an order for protection under 518B.01 (Domestic Abuse Act); violation of an order for protection under 609.3232 (protective order authorized; procedures; penalties); 609.746 (interference with privacy); 609.79 (obscene or harassing phone calls); 609.795 (letter, telegram, or package; opening; harassment); 617.23 (indecent exposure; penalties); 609.2672 (assault of an unborn child in the third degree); 617.293 (harmful materials; dissemination and display to minors prohibited); 609.66 (dangerous weapons); 609.665 (spring guns); 609.2335 (financial exploitation of a vulnerable adult); 609.234 (failure to report maltreatment of a vulnerable adult); 609.52 (theft); 609.27 (coercion); or an attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or an offense in any other state or country, the elements of which are substantially similar to the elements of any of the offenses listed in this clause; failure to make required reports under section 626.556, subdivision 3, or 626.557, subdivision 3, for incidents in which: (i) the final disposition under section 626.556 or 626.557 was substantiated maltreatment, and (ii) the maltreatment was recurring or serious; or substantiated serious or recurring maltreatment of a minor under section 626.556 or of a vulnerable adult under section 626.557 for which there is a preponderance of evidence that the maltreatment occurred, and that the subject was responsible for the maltreatment. For the purposes of this section, serious maltreatment means sexual abuse; maltreatment resulting in death; or maltreatment resulting in serious injury or harm which reasonably requires the care of a physician whether or not the care of a physician was sought; or abuse resulting in serious injury. For purposes of this section, abuse resulting in serious injury means: bruises, bites, skin laceration or tissue damage; fractures; dislocations; evidence of internal injuries; head injuries with loss of consciousness; extensive second-degree or third-degree burns and other burns for which complications are present; extensive second-degree or third-degree frostbite, and others for which complications are present; irreversible mobility or avulsion of teeth; injuries to the eyeball; ingestion of foreign substances and objects that are harmful; near drowning; and heat exhaustion or sunstroke. For purposes of this section, "care of a physician" is treatment received

or ordered by a physician, but does not include diagnostic testing, assessment, or observation. For the purposes of this section, recurring maltreatment means more than one incident of maltreatment for which there is a preponderance of evidence that the maltreatment occurred, and that the subject was responsible for the maltreatment.

Sec. 6. [INSTRUCTION TO REVISOR.]

In the next edition of Minnesota Statutes, the revisor of statutes shall replace any references to "sections 245A.01 to 245A.16" in chapter 245A with "this chapter."

Sec. 7. [EFFECTIVE DATES.]

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

Delete the title and insert:

"A bill for an act relating to health and human services; establishing the right to seek licensure for excluded adult foster care providers; changing requirements to background studies for licensed programs; establishing tribal licensing agency access to criminal history data; clarifying tort liability licensing exception for county agencies; amending Minnesota Statutes 1998, sections 245A.03, subdivision 2, and by adding a subdivision; and 245A.04, subdivisions 3 and 3b; Minnesota Statutes 1999 Supplement, section 245A.04, subdivision 3d."

The motion prevailed and the amendment was adopted.

S. F. No. 3005, A bill for an act relating to health and human services; establishing the right to seek licensure for excluded adult foster care providers; changing requirements to background studies for licensed programs; establishing tribal licensing agency access to criminal history data; amending Minnesota Statutes 1998, sections 245A.03, subdivision 2, and by adding a subdivision; and 245A.04, subdivisions 3 and 3b; Minnesota Statutes 1999 Supplement, section 245A.04, subdivision 3d; proposing coding for new law in Minnesota Statutes, chapter 245A.

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:

|              |          |            |            |            |          |
|--------------|----------|------------|------------|------------|----------|
| Abrams       | Daggett  | Goodno     | Huntley    | Larson, D. | Mulder   |
| Anderson, B. | Davids   | Gray       | Jaros      | Leighton   | Mullery  |
| Anderson, I. | Dawkins  | Greenfield | Jennings   | Lenczewski | Murphy   |
| Bakk         | Dehler   | Greiling   | Johnson    | Leppik     | Ness     |
| Biernat      | Dempsey  | Gunther    | Juhnke     | Lieder     | Nornes   |
| Boudreau     | Dorman   | Haake      | Kahn       | Lindner    | Olson    |
| Bradley      | Dorn     | Haas       | Kalis      | Luther     | Opatz    |
| Broecker     | Entenza  | Hackbarth  | Kelliher   | Mahoney    | Orfield  |
| Buesgens     | Erhardt  | Harder     | Kielkucki  | Mares      | Osskopp  |
| Carlson      | Erickson | Hasskamp   | Knoblach   | Mariani    | Osthoff  |
| Carruthers   | Finseth  | Hausman    | Koskinen   | Marko      | Otremba  |
| Cassell      | Folliard | Hilty      | Krinkie    | McElroy    | Ozment   |
| Chaudhary    | Fuller   | Holberg    | Kubly      | McGuire    | Paulsen  |
| Clark, J.    | Gerlach  | Holsten    | Kuisle     | Milbert    | Pawlenty |
| Clark, K.    | Gleason  | Howes      | Larsen, P. | Molnau     | Paymar   |

|           |             |           |            |            |              |
|-----------|-------------|-----------|------------|------------|--------------|
| Pelowski  | Rostberg    | Smith     | Sykora     | Vandever   | Wilkin       |
| Peterson  | Rukavina    | Solberg   | Tingelstad | Wagenius   | Winter       |
| Pugh      | Schumacher  | Stanek    | Tomassoni  | Wejman     | Wolf         |
| Rest      | Seagren     | Stang     | Trimble    | Wenzel     | Workman      |
| Reuter    | Seifert, M. | Storm     | Tuma       | Westerberg | Spk. Sviggum |
| Rhodes    | Skoe        | Swapinski | Tunheim    | Westfall   |              |
| Rifenberg | Skoglund    | Swenson   | Van Dellen | Westrom    |              |

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

S. F. No. 3369, A bill for an act relating to the environment; providing for grants for special purpose districts with environmental responsibilities; authorizing pilot projects for the restructuring of the organization and operation of special purpose districts; authorizing grants from the board of government innovation and cooperation for the development and implementation of pilot projects.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 3307 was reported to the House.

Speaker pro tempore Abrams called Boudreau to the Chair.

S. F. No. 3307 was read for the third time.

Holberg moved that S. F. No. 3307 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 3055, which was temporarily laid over earlier today on the Calendar for the Day, was again reported to the House.

Greenfield and Davids moved to amend S. F. No. 3055 as follows:

Page 1, line 24, delete everything after "150A"

Page 1, line 25, delete everything before the period

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Greenfield and Davids amendment and the roll was called. There were 24 yeas and 106 nays as follows:

Those who voted in the affirmative were:

|            |            |            |          |         |            |
|------------|------------|------------|----------|---------|------------|
| Carruthers | Greenfield | Koskinen   | Marko    | Orfield | Skoglund   |
| Davids     | Huntley    | Lenczewski | McCollum | Osthoff | Van Dellen |
| Dawkins    | Kahn       | Luther     | Milbert  | Pugh    | Wagenius   |
| Gray       | Kelliher   | Mariani    | Mullery  | Rest    | Wejzman    |

Those who voted in the negative were:

|              |          |           |            |          |             |
|--------------|----------|-----------|------------|----------|-------------|
| Abeler       | Daggett  | Haake     | Knoblach   | Mulder   | Rhodes      |
| Abrams       | Dehler   | Haas      | Krinkie    | Murphy   | Rifenberg   |
| Anderson, B. | Dempsey  | Hackbarth | Kubly      | Ness     | Rostberg    |
| Anderson, I. | Dorman   | Harder    | Kuisle     | Nornes   | Rukavina    |
| Bakk         | Dorn     | Hasskamp  | Larsen, P. | Olson    | Schumacher  |
| Biernat      | Erhardt  | Hilty     | Larson, D. | Opatz    | Seagren     |
| Bishop       | Erickson | Holberg   | Leighton   | Osskopp  | Seifert, M. |
| Boudreau     | Finseth  | Holsten   | Leppik     | Otremba  | Skoe        |
| Bradley      | Folliard | Howes     | Lieder     | Ozment   | Smith       |
| Broecker     | Fuller   | Jaros     | Lindner    | Paulsen  | Solberg     |
| Buesgens     | Gerlach  | Jennings  | Mahoney    | Pawlenty | Stanek      |
| Carlson      | Gleason  | Johnson   | Mares      | Paymar   | Stang       |
| Cassell      | Goodno   | Juhnke    | McElroy    | Pelowski | Storm       |
| Chaudhary    | Greiling | Kalis     | McGuire    | Peterson | Swapinski   |
| Clark, J.    | Gunther  | Kielkucki | Molnau     | Reuter   | Swenson     |

|            |         |            |          |         |              |
|------------|---------|------------|----------|---------|--------------|
| Sykora     | Trimble | Vandev eer | Westfall | Winter  | Spk. Sviggum |
| Tingelstad | Tuma    | Wenzel     | Westrom  | Wolf    |              |
| Tomassoni  | Tunheim | Westerberg | Wilkin   | Workman |              |

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

S. F. No. 3055, A bill for an act relating to health plans; regulating contract stacking; providing a remedy; expanding the scope of provisions regulating network shadow contracting; requiring the commissioner of health to study the impact of regulating shadow contracting; amending Minnesota Statutes 1999 Supplement, section 62Q.74, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

|            |          |            |          |
|------------|----------|------------|----------|
| Dawkins    | Kahn     | Van Dellen | Wejcm an |
| Greenfield | Skoglund | Wagenius   |          |

The bill was passed and its title agreed to.

S. F. No. 3412 was reported to the House.

Paulsen moved that S. F. No. 3412 be continued on the Calendar for the Day. The motion prevailed.

The Speaker resumed the Chair.

S. F. No. 3283, A bill for an act relating to natural resources; providing for civil enforcement of metal traction device sticker requirements for snowmobiles; amending Minnesota Statutes 1999 Supplement, sections 84.8712, subdivisions 2, 3, 4, and 6; and 84.8713, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

There being no objection, the order of business reverted to Messages from the Senate.

### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

H. F. No. 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; authorizing certain light rail transit spending if approved by the voters; 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; providing for the transfer of excess surplus in the workers' compensation assigned risk plan; 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.557, 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; 273.37, 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 subdivisions; 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, by adding a subdivision; 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, subdivisions 1a and 4a; 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 and 2d; 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, as amended; 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; 270.083; 273.127; 273.13, subdivision 24a; 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; 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Abrams moved that the House refuse to concur in the Senate amendments to H. F. No. 4127, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

#### ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 9:00 a.m., Wednesday, March 29, 2000. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 a.m., Wednesday, March 29, 2000.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

