

## STATE OF MINNESOTA

## EIGHTY-FIRST SESSION — 2000

---

 ONE HUNDRED EIGHTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 17, 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 the Reverend Lonnie E. Titus, House Chaplain.

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

The roll was called and the following members were present:

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

A quorum was present.

Kubly, Milbert and Osthoff were excused.

Howes was excused until 9:35 a.m. Seifert, J., was excused until 10:30 a.m. Clark, K., was excused until 10:35 a.m.

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

**REPORTS OF STANDING COMMITTEES**

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

S. F. No. 689, A bill for an act relating to health; regulating complementary and alternative health care practitioners; establishing civil penalties; amending Minnesota Statutes 1999 Supplement, sections 13.99, by adding a subdivision; 147.09; and 214.01, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 146A.

Reported the same back with the following amendments to the unofficial engrossment:

Page 2, line 2, delete everything after "treatments" and insert a period

Page 2, delete lines 3 to 15

Page 4, delete lines 21 to 23 and insert:

"Subd. 2. [RULEMAKING.] The commissioner may adopt rules necessary to investigate complaints and enforce disciplinary actions as provided in subdivision 1. If the commissioner determines that rules are needed on any other topic related to this chapter, the commissioner must recommend to the legislature statutory language delegating rulemaking authority on these topics."

Page 6, line 10, delete the first "medically" and insert "mentally"

Page 14, line 6, delete "and the rules adopted under those sections"

Page 19, line 14, after the comma, insert "is subject to the jurisdiction of the commissioner under section 146A.01, subdivision 6, paragraph (a), clause (2)," and delete "if"

Page 26 after line 31, insert:

"Sec. 17. [REPORT.]

The commissioner of health must report to the house of representatives and senate governmental operations committees by October 1, 2000, on any rules or changes in law needed to implement Minnesota Statutes, chapter 146A."

Page 26, line 32, delete "17" and insert "18"

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "requiring a report;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Dauids from the Committee on Commerce to which was referred:

S. F. No. 1048, A bill for an act relating to utilities; creating advisory selection process for public utility commissioners; regulating ex parte communications with commissioners; amending Minnesota Statutes 1998, sections 216A.03, subdivisions 1 and 1a; and 216A.037; proposing coding for new law in Minnesota Statutes, chapter 216A.

Reported the same back with the following amendments to the unofficial engrossment:

Page 1, line 9, reinstate the second semicolon and delete "AND"

Page 1, line 10, after "CONDUCT" insert ";" and delete ";CONFIDENTIALITY RULES"

Page 4, delete lines 19 to 36

Page 5, delete lines 1 to 29

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 3386, A bill for an act relating to higher education; creating a separate subdivision for the salary procedure for the chancellor of the Minnesota state colleges and universities; authorizing chancellors and presidents to receive additional compensation for early contract termination; amending Minnesota Statutes 1998, sections 15A.081, subdivision 7b, and by adding a subdivision; and 136F.40.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 15A.081, subdivision 7b, is amended to read:

Subd. 7b. [HIGHER EDUCATION OFFICERS SERVICES OFFICE DIRECTOR.] ~~The board of trustees of the Minnesota state colleges and universities and~~ The higher education services council shall set the salary rates ~~rate~~ for, respectively, the chancellor of the Minnesota state colleges and universities and the director of the higher education services office. ~~The board or the~~ council shall submit the proposed salary change to the legislative coordinating commission for approval, modification, or rejection in the manner provided in section 3.855.

In deciding whether to recommend a salary increase, the ~~governing board or~~ council shall consider the performance of the ~~chancellor or director, including the chancellor's or director's progress toward attaining affirmative action goals.~~

Sec. 2. Minnesota Statutes 1998, section 15A.081, is amended by adding a subdivision to read:

Subd. 7c. [MINNESOTA STATE COLLEGES AND UNIVERSITIES CHANCELLOR.] ~~The board of trustees of the Minnesota state colleges and universities shall establish a salary range for the position of chancellor of the Minnesota state colleges and universities. The board shall submit the proposed salary range to the legislative coordinating commission for approval, modification, or rejection in the manner provided in section 3.855. The board shall establish the salary for the chancellor within the approved salary range.~~

In deciding whether to approve a salary increase, the board shall consider the performance of the chancellor.

Sec. 3. Minnesota Statutes 1998, section 136F.40, is amended to read:

136F.40 [APPOINTMENT OF PERSONNEL.]

Subdivision 1. [APPOINTMENT PROCEDURE.] The board shall appoint all presidents, teachers, and other necessary employees and shall prescribe their duties consistent with chapter 43A. Salaries and benefits of employees must be determined according to chapters 43A and 179A and other applicable provisions.

Subd. 2. [COMPENSATION.] Notwithstanding any other provision to the contrary, when establishing compensation the board may provide, through a contract, a liquidated salary amount or other compensation if a contract with a chancellor or president is terminated by the board prior to its expiration.

Any benefits shall be excluded in computation of retirement, insurance, and other benefits available through or from the state. Any benefits or additional compensation must be as provided under the plan approved under section 43A.18, subdivision 3a.

Sec. 4. [STUDY OF EDUCATIONAL FOUNDATIONS.]

Prior to November 15, 2000, the board of trustees of the Minnesota state colleges and universities shall study and make recommendations on the use of educational foundation support for additional compensation and benefits for the position of chancellor and campus president. The study must include information about the use of foundation money for salary compensation at higher educational institutions in other states. The study shall be provided to the house higher education finance committee, the house ways and means committee, the senate higher education finance division, the senate education finance committee, and the legislative coordinating commission."

Delete the title and insert:

"A bill for an act relating to higher education; creating a separate subdivision for the salary procedure for the chancellor of the Minnesota state colleges and universities; authorizing chancellors and presidents to receive additional compensation from certain foundations; requiring a study; amending Minnesota Statutes 1998, sections 15A.081, subdivision 7b, and by adding a subdivision; and 136F.40."

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF SENATE BILLS

S. F. No. 3386 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Lenczewski introduced:

H. F. No. 4154, A bill for an act relating to ethics in government; prohibiting certain gifts to legislators; amending Minnesota Statutes 1999 Supplement, section 10A.071, subdivisions 1 and 2.

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

Lenczewski introduced:

H. F. No. 4155, A bill for an act relating to the legislature; modifying provisions for notice of legislative meetings; amending Minnesota Statutes 1998, section 3.055, subdivision 1.

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

Abeler, Nornes, Entenza and Westerberg introduced:

H. F. No. 4156, A bill for an act relating to education; requiring a study on increasing labor and fuel costs for pupil transportation.

The bill was read for the first time and referred to the Committee on K-12 Education 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. 2830, A bill for an act relating to crime prevention; enhancing the penalties for pimps of juvenile prostitutes; requiring a study by the commissioner of public safety and the executive director of the POST board on training peace officers to combat juvenile prostitution; amending Minnesota Statutes 1998, section 609.322, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2563, A bill for an act relating to liens; modifying mechanics' lien penalties; creating a civil cause of action; authorizing attorney fees; providing that proceeds are exempt from execution; imposing criminal penalties; amending Minnesota Statutes 1998, sections 514.02, subdivision 1, and by adding a subdivision; and 550.37, by adding a subdivision.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2671, A bill for an act relating to human services; mental retardation protection; requiring legislative recommendations.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3020, A bill for an act relating to human services; modifying provisions in long-term care; amending Minnesota Statutes 1998, sections 256B.411, subdivision 2; and 256B.431, subdivisions 1, 3a, 10, 16, 18, 21, 22, and 25; Minnesota Statutes 1999 Supplement, sections 256B.0913, subdivision 5; 256B.431, subdivisions 17 and 26; and 256B.434, subdivisions 3 and 4; repealing Minnesota Statutes 1998, sections 256B.03, subdivision 2; 256B.431, subdivisions 2, 2a, 2f, 2h, 2m, 2p, 2q, 3, 3b, 3d, 3h, 3j, 4, 5, 7, 8, 9, 9a, 12, and 24; 256B.48, subdivision 9; 256B.50, subdivision 3; and 256B.74, subdivision 3.

The Senate has appointed as such committee:

Senators Fischbach, Berglin and Kiscaden.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 2677, A bill for an act relating to crime prevention; recodifying the driving while impaired crimes and related provisions; making numerous clarifying, technical, and substantive changes in the pursuit of simplification; amending Minnesota Statutes 1998, section 629.471; Minnesota Statutes 1999 Supplement, sections 260B.171, subdivision 7; 260B.225, subdivision 4; and 609.035, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 169A; repealing Minnesota Statutes 1998, sections 168.042; 169.01, subdivisions 61, 68, 82, 83, 86, 87, 88, and 89; 169.121, subdivisions 1, 1a, 1b, 1d, 2, 3b, 3c, 5, 5a, 5b, 6, 7, 8, 9, 10, 10a, 11, and 12; 169.1211; 169.1215; 169.1216; 169.1217, subdivisions 2, 3, 4, 5, 6, and 8; 169.1218; 169.1219; 169.122, subdivisions 1, 2, 3, and 4; 169.123, subdivisions 2, 2a, 2b, 2c, 3, 4, 5, 5a, 5b, 6, 7, 8, and 10; 169.124; 169.125; 169.126; 169.1261;

169.1265; 169.128; and 169.129, subdivision 3; Minnesota Statutes 1999 Supplement, sections 169.121, subdivisions 1c, 3, 3d, 3f, and 4; 169.1217, subdivisions 1, 7, 7a, and 9; 169.122, subdivision 5; 169.123, subdivisions 1 and 5c; and 169.129, subdivision 1.

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

Senators Johnson, D. H.; Knutson; Kelly, R. C.; Neuville and Murphy.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Fuller moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2677. The motion prevailed.

Mr. Speaker:

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

S. F. No. 2456.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 2456

A bill for an act relating to local government; authorizing Wright county to convey certain county ditches to the cities of St. Michael and Albertville.

April 11, 2000

The Honorable Allan H. Spear  
President of the Senate

The Honorable Steve Sviggum  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2456, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

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

Senate Conferees: MARK OURADA, BOB LESSARD AND DALLAS C. SAMS.

House Conferees: BRUCE ANDERSON, TOM HACKBARTH AND STEVE SMITH.

Anderson, B., moved that the report of the Conference Committee on S. F. No. 2456 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2456, A bill for an act relating to local government; authorizing Wright county to convey certain county ditches to the cities of St. Michael and Albertville.

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

The question was taken on the repassage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

S. F. No. 2785.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

## CONFERENCE COMMITTEE REPORT ON S. F. NO. 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.

April 12, 2000

The Honorable Allan H. Spear  
President of the Senate

The Honorable Steve Sviggum  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2785, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 2785 be further amended as follows:

Page 2, delete section 3 and insert:

"Sec. 3. Minnesota Statutes 1998, section 169.87, is amended by adding a subdivision to read:

Subd. 6. [RECYCLING VEHICLES.] Weight restrictions imposed under subdivisions 1 and 2 do not apply to a two-axle vehicle that does not exceed 20,000 pounds per single axle and is used exclusively for recycling, while engaged in recycling in a political subdivision that mandates curbside recycling pickup.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment and are repealed June 1, 2003."

Delete the title and insert:

"A bill for an act relating to motor vehicles; exempting certain utility-owned vehicles and recycling vehicles from certain weight restrictions; amending Minnesota Statutes 1998, sections 169.825, by adding a subdivision; and 169.87, by adding subdivisions."

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

Senate Conferees: STEVE L. MURPHY, DAVE JOHNSON AND DENNIS R. FREDERICKSON.

House Conferees: TOM WORKMAN, MARK BUESGENS AND AL JUHNKE.

Workman moved that the report of the Conference Committee on S. F. No. 2785 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

The Speaker called Paulsen to the Chair.

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 third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 94 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Hilty	Molnau	Pugh	Tingelstad
Abrams	Dorn	Holberg	Mulder	Reuter	Tomassoni
Anderson, B.	Entenza	Holsten	Murphy	Rhodes	Tuma
Anderson, I.	Erhardt	Howes	Ness	Rifenberg	Van Dellen
Biernat	Erickson	Huntley	Nornes	Rostberg	Vandever
Bishop	Finseth	Jennings	Olson	Schumacher	Wenzel
Boudreau	Fuller	Juhnke	Opatz	Seagren	Westerberg
Bradley	Gerlach	Kielkucki	Orfield	Seifert, M.	Westfall
Broecker	Gleason	Knoblach	Osskopp	Smith	Westrom
Buesgens	Goodno	Kuisle	Otremba	Solberg	Wilkin
Cassell	Gunther	Larsen, P.	Ozment	Stanek	Winter
Clark, J.	Haake	Leighton	Paulsen	Stang	Wolf
Daggett	Haas	Leppik	Pawlenty	Storm	Workman
Davids	Hackbarth	Lindner	Paymar	Swapinski	Spk. Sviggum
Dehler	Harder	Mares	Pelowski	Swenson	
Dempsey	Hasskamp	McElroy	Peterson	Sykora	

Those who voted in the negative were:

Bakk	Gray	Kahn	Lieder	Mullery	Tunheim
Carlson	Greenfield	Kalis	Luther	Rest	Wagenius
Carruthers	Greiling	Kelliher	Mahoney	Rukavina	
Chaudhary	Hausman	Koskinen	Marko	Skoe	
Dawkins	Jaros	Larson, D.	McCollum	Skoglund	
Folliard	Johnson	Lenczewski	McGuire	Trimble	

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

Mr. Speaker:

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

S. F. No. 2946.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 2946

A bill for an act relating to motor fuels; limiting the use of certain oxygenates in gasoline sold in Minnesota; amending Minnesota Statutes 1998, section 239.761, subdivision 6; Minnesota Statutes 1999 Supplement, section 239.791, subdivision 1.

April 6, 2000

The Honorable Allan H. Spear  
President of the Senate

The Honorable Steve Sviggum  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2946, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 2946 be further amended as follows:

Page 1, line 14, delete "one-half" and insert "one-third"

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

Senate Conferees: JIM VICKERMAN, KENRIC J. SCHEEVEL AND BOB LESSARD.

House Conferees: DAN DORMAN, MARK WILLIAM HOLSTEN AND MARGARET ANDERSON KELLIHER.

Dorman moved that the report of the Conference Committee on S. F. No. 2946 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

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

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

Those who voted in the affirmative were:

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

Tunheim	Wagenius	Westfall	Winter	Spk. Sviggum
Van Dellen	Wenzel	Westrom	Wolf	
Vanderveer	Westerberg	Wilkin	Workman	

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

Mr. Speaker:

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

H. F. No. 3839, A bill for an act relating to health; modifying provisions for speech-language pathologists, audiologists, unlicensed mental health practitioners, alcohol and drug counselors, and hearing instrument dispensers; requiring a study; extending a board; amending Minnesota Statutes 1998, sections 148.512, subdivision 5; 148.515, subdivision 3; 148.517, by adding a subdivision; 148.518, subdivision 2; 148.5193, subdivisions 1, 2, 4, 6, and by adding a subdivision; 148.5196, subdivision 3; 148B.60, subdivision 3; 148B.68, subdivision 1; 148B.69, by adding a subdivision; 148B.71, subdivision 1; 148C.01, subdivisions 2, 7, 9, 10, and by adding a subdivision; 148C.03, subdivision 1; 148C.04, by adding subdivisions; 148C.06, subdivisions 1 and 2; 148C.09, subdivisions 1 and 1a; 148C.10, by adding a subdivision; 148C.11, subdivision 1; 153A.13, subdivision 9, and by adding subdivisions; 153A.14, subdivisions 1, 2a, 2h, 4, 4a, and by adding subdivisions; and 153A.15, subdivision 1; Laws 99, chapter 223, article 2, section 81, as amended; repealing Minnesota Statutes 1998, sections 148.5193, subdivisions 3 and 5; and 148C.04, subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Goodno moved that the House refuse to concur in the Senate amendments to H. F. No. 3839, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

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. 2591, A bill for an act relating to local government; changing economic development authority of certain nonmetro counties; creating the Koochiching county economic development commission; authorizing Yellow Medicine county to establish an economic development commission; amending Minnesota Statutes 1998, section 298.17; proposing coding for new law in Minnesota Statutes, chapter 469.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, I., moved that the House refuse to concur in the Senate amendments to H. F. No. 2591, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2451

A bill for an act relating to telecommunications; modifying telephone company property depreciation provisions; amending Minnesota Statutes 1998, section 237.22; repealing Minnesota Statutes 1998, section 237.773, subdivision 5; Minnesota Rules, parts 7810.7000; 7810.7100; 7810.7200; 7810.7300; 7810.7400; 7810.7500; 7810.7600; 7810.7700; 7810.7800; 7810.7900; and 7810.8000.

April 12, 2000

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

We, the undersigned conferees for H. F. No. 2451, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 2451 be further amended as follows:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1998, section 216C.051, subdivision 9, is amended to read:

Subd. 9. [EXPIRATION.] This section is repealed ~~June 30, 2000~~ March 15, 2001."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "extending expiration date of legislative electric energy task force;"

Page 1, line 4, delete "section" and insert "sections 216C.051, subdivision 9; and"

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

House Conferees: GREGORY M. DAVIDS, KEN WOLF AND LOREN JENNINGS.

Senate Conferees: STEVEN G. NOVAK AND MARK OURADA.

Dauids moved that the report of the Conference Committee on H. F. No. 2451 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2451, A bill for an act relating to telecommunications; modifying telephone company property depreciation provisions; amending Minnesota Statutes 1998, section 237.22; repealing Minnesota Statutes 1998, section 237.773, subdivision 5; Minnesota Rules, parts 7810.7000; 7810.7100; 7810.7200; 7810.7300; 7810.7400; 7810.7500; 7810.7600; 7810.7700; 7810.7800; 7810.7900; and 7810.8000.

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

The question was taken on the repassage of the bill and the roll was called. There were 122 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Buesgens	Gerlach	Kahn	Krinkie	Reuter
----------	---------	------	---------	--------

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

### CALENDAR FOR THE DAY

H. F. No. 3491 was reported to the House.

Davids moved that H. F. No. 3491 be returned to the General Register. The motion prevailed.

S. F. No. 2830 was reported to the House.

Biernat, Skoglund, Stanek and Broecker moved to amend S. F. No. 2830 as follows:

Page 1, after line 8, insert:

"Section. 1. Minnesota Statutes 1998, section 609.2231, subdivision 1, is amended to read:

Subdivision 1. [PEACE OFFICERS.] Whoever physically assaults a peace officer licensed under section 626.845, subdivision 1, when that officer is effecting a lawful arrest or executing any other duty imposed by law ~~and inflicts demonstrable bodily harm~~ is guilty of a ~~felony~~ gross misdemeanor and may be sentenced to imprisonment for not

more than one year or to payment of a fine of not more than \$3,000, or both. If the assault inflicts demonstrable bodily harm, the person is guilty of a felony and may be sentenced to imprisonment for not more than ~~two~~ three years or to payment of a fine of not more than ~~\$4,000~~ \$6,000, or both."

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 Biernat et al amendment and the roll was called. There were 119 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Gray	Krinkie	Tomassoni
Bakk	Jaros	Rukavina	

The motion prevailed and the amendment was adopted.

S. F. No. 2830, A bill for an act relating to crime; providing that a person may be charged with escape from custody when they escape after lawful arrest but prior to the commencement of trial proceedings; amending Minnesota Statutes 1998, section 609.485, subdivision 2; Minnesota Statutes 1999 Supplement, section 609.485, subdivision 4.

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 119 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Jaros	Reuter	Tomassoni
Gray	Krinkie	Rukavina	Westrom

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

S. F. No. 3139 was reported to the House.

Mullery moved to amend S. F. No. 3139 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2968, the first engrossment:

"Section 1. Minnesota Statutes 1998, section 198.03, subdivision 1, is amended to read:

Subdivision 1. [DISCRETIONARY ADMISSION.] Any person otherwise eligible for admission to the Minnesota veterans homes, except that the person has means of support, may, at the discretion of the board, be admitted to one of the Minnesota veterans homes upon entering into and complying with the terms of a contract made by the person with the board, providing for reasonable compensation to be paid by such person to the state of Minnesota for care, support, and maintenance in the home. Any earnings derived by the person from participating in a work therapy program while the person is a resident of the home may not be considered a means of support. Refunds or rebates of state sales taxes may not be considered a means of support.

## Sec. 2. [198.37] [TRANSITIONAL HOUSING.]

The board may establish programs to assist homeless or disabled veterans on the campuses of the veterans homes. The board may use federal grant money for the Hastings veterans home to purchase a single-family dwelling, make necessary repairs and improvements with the help of the department of administration, and operate the program. Continuation of these programs will be contingent on the availability of federal funds.

## Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective for tax refunds or rebates paid after June 30, 1999."

Delete the title and insert:

"A bill for an act relating to veterans homes; providing sales tax rebates are not income for the support test for residents; providing for programs to assist homeless or disabled veterans; amending Minnesota Statutes 1998, section 198.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 198."

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Mullery and Dempsey moved to amend S. F. No. 3139, as amended, as follows:

Page 2, line 1, delete "a" and delete "dwelling" and insert "dwellings"

The motion prevailed and the amendment was adopted.

S. F. No. 3139, A bill for an act relating to veterans homes; providing sales tax rebates are not income for the support test for residents; amending Minnesota Statutes 1998, section 198.03, 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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

H. F. No. 2757 was reported to the House.

Jennings moved to amend H. F. No. 2757, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 216B.2424, subdivision 3, is amended to read:

Subd. 3. [FUEL EXEMPTION.] Over the duration of the contract of a biomass power facility selected to satisfy the mandate in subdivision 5, fuel sources that are not biomass may be used to satisfy up to 25 percent of the fuel requirements of a biomass power facility selected to satisfy the biomass power mandate in subdivision 5, except that agricultural wastes and agricultural processing wastes, such as oat hulls, may be used to satisfy more than 25 percent of the fuel requirements of a power facility selected to satisfy the biomass power mandate in subdivision 5 if the wastes are co-fired with the fuel authorized for the facility. A biomass power facility selected to satisfy the mandate in subdivision 5 also may use fuel sources that are not biomass during any period when biomass fuel sources are not reasonably available to the facility due to any circumstances constituting an act of God. Fuel sources that are not biomass used during such a period of biomass fuel source unavailability shall not be counted toward the 25 percent exemption provided in this subdivision. For purposes of this subdivision, "act of God" means any natural disaster or other natural phenomenon of an exceptional, inevitable, or irresistible character, including, but not limited to, flood, fire, drought, earthquake, and crop failure resulting from climatic conditions, infestation, or disease.

Sec. 2. Minnesota Statutes 1998, section 216B.2424, subdivision 5, is amended to read:

Subd. 5. [MANDATE.] (a) A public utility, as defined in section 216B.02, subdivision 4, that operates a nuclear-powered electric generating plant within this state must construct and operate, purchase, or contract to construct and operate (1) by December 31, 1998, 50 megawatts of electric energy installed capacity generated by farm-grown closed-loop biomass scheduled to be operational by December 31, 2001; and (2) by December 31, 1998, an additional 75 megawatts of installed capacity so generated scheduled to be operational by December 31, 2002. Of the 125 megawatts of biomass electricity installed capacity required under this subdivision, no more than 50 megawatts of this capacity may be provided by a facility that uses poultry litter as its primary fuel source and any such facility: (i) need not use biomass that complies with the definition in subdivision 1; (ii) must enter into a contract with the public utility for such capacity, that has an average purchase price per megawatt hour over the life of the contract that is equal to or less than the average purchase price per megawatt hour over the life of the contract in contracts approved by the public utilities commission before April 1, 2000, to satisfy the mandate of this section, and file that contract with the public utilities commission prior to September 1, 2000; and (iii) such capacity must be scheduled to be operational by December 31, 2002. Of the total 125 megawatts of biomass electric energy installed capacity required under this section, no more than 75 megawatts may be provided by a single project. Of the 75 megawatts of biomass electric energy installed capacity required under clause (2), no more than 25 megawatts

of this capacity may be provided by a St. Paul district heating and cooling system cogeneration facility utilizing waste wood as a primary fuel source. The St. Paul district heating and cooling system cogeneration facility need not use biomass that complies with the definition in subdivision 1. The public utility must accept and consider on an equal basis with other proposals a proposal to satisfy the requirements of this section that includes a project that exceeds the megawatt capacity requirements of either clause (1) or (2) and that proposes to sell the excess capacity to the public utility or to other purchasers.

(b) If a public utility files a contract with the commission for electric energy installed capacity that uses poultry litter as its primary fuel source, the commission must do a preliminary review of the contract to determine if it meets the purchase price criteria provided in paragraph (a), clause (ii), of this subdivision. The commission shall perform its review and advise the parties of its determination within 30 days of filing of such a contract by a public utility. A public utility may submit by September 1, 2000, a revised contract to address the commission's preliminary determination.

(c) The commission shall finally approve, modify, or disapprove no later than July 1, 2001 all contracts submitted by a public utility as of September 1, 2000 to meet the mandate set forth in this subdivision.

(d) If a public utility subject to this section exercises an option to increase the generating capacity of a project in a contract approved by the commission prior to the effective date of this act to satisfy the mandate in this subdivision, the public utility must notify the commission by September 1, 2000, that it has exercised the option and include in the notice the amount of additional megawatts to be generated under the option exercised. Any review by the commission of the project after exercise of such an option shall be based on the same criteria used to review the existing contract.

Sec. 3. Minnesota Statutes 1998, section 216B.2424, is amended by adding a subdivision to read:

Subd. 6. [REMAINING MEGAWATT COMPLIANCE PROCESS.] (a) If there remain megawatts of biomass power generating capacity to fulfill the mandate in subdivision 5 after the commission has taken final action on all contracts filed by September 1, 2000, by a public utility, this subdivision governs final compliance with the biomass energy mandate in subdivision 5 subject to the requirements of subdivision 7.

(b) To the extent not inconsistent with this subdivision, the provisions of subdivisions 2, 3, 4, and 5 apply to proposals subject to this subdivision.

(c) A public utility must submit proposals to the commission to complete the biomass mandate. The commission shall require a public utility subject to this section to issue a request for competitive proposals for projects for electric generation utilizing biomass as defined in paragraph (f) of this subdivision to provide the remaining megawatts of the mandate. The commission shall set an expedited schedule for submission of proposals to the utility, selection by the utility of proposals or projects, negotiation of contracts, and review by the commission of the contracts or projects submitted by the utility to the commission.

(d) Notwithstanding the provisions of subdivisions 1 to 5 but subject to the provisions of subdivision 7, a new or existing facility proposed under this subdivision that is fueled either by biomass or by co-firing biomass with non-biomass may satisfy the mandate in this section. Such a facility need not use biomass that complies with the definition in subdivision 1 if it uses biomass as defined in paragraph (f) of this subdivision. Generating capacity produced by co-firing of biomass that is operational as of the effective date of this act does not meet the requirements of the mandate, except that additional co-firing capacity added at an existing facility after the effective date of this act may be used to satisfy this mandate. Only the number of megawatts of capacity at a facility which co-fires biomass that are directly attributable to the biomass and that become operational after the effective date of this act count toward meeting the biomass mandate in this section.

(e) Nothing in this subdivision precludes a facility proposed and approved under this subdivision from using fuel sources that are not biomass in compliance with subdivision 3.

(f) Notwithstanding the provisions of subdivision 1, for proposals subject to this subdivision, "biomass" includes farm-grown closed-loop biomass, agricultural wastes, including animal, poultry, and plant wastes, and waste wood, including chipped wood, bark, brush, residue wood, and sawdust.

(g) Nothing in this subdivision affects in any way contracts entered into as of the effective date of this act to satisfy the mandate in subdivision 5.

(h) Nothing in this subdivision requires a public utility to retrofit its own power plants for the purpose of co-firing biomass fuel, nor is a utility prohibited from retrofitting its own power plants for the purpose of co-firing biomass fuel to meet the requirements of this subdivision.

Sec. 4. Minnesota Statutes 1998, section 216B.2424, is amended by adding a subdivision to read:

Subd. 7. [EFFECT ON EXISTING PROJECTS.] The commission may not approve a project proposed after the effective date of this act which would have an adverse impact on the ability of a project approved before the effective date of this act to obtain an adequate supply of the fuel source designated for the project.

Sec. 5. Minnesota Statutes 1998, section 216B.2424, is amended by adding a subdivision to read:

Subd. 8. [AGRICULTURAL BIOMASS REQUIREMENT.] Of the 125 megawatts mandated in subdivision 5, at least 75 megawatts of the generating capacity must be generated by facilities that use agricultural biomass as the principal fuel source. For purposes of this subdivision, agricultural biomass includes only farm-grown closed-loop biomass and agricultural waste, including animal, poultry, and plant wastes. For purposes of this subdivision, principal fuel source means a fuel source that satisfies at least 75 percent of the fuel requirements of an electric power generating facility. Nothing in this subdivision is intended to expand the fuel source requirements of subdivision 5.

Sec. 6. [EFFECTIVE DATE.]

Sections 1 to 5 are effective the day following final enactment."

Amend the title accordingly

A roll call was requested and properly seconded.

Jennings moved to amend the Jennings amendment to H. F. No. 2757, the first engrossment, as follows:

Page 1, line 11, delete everything after "that"

Page 1, line 12, delete "processing" and insert "crop"

Page 3, line 28, delete "is" and insert "it"

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

The question recurred on the Jennings amendment, as amended, and the roll was called. There were 115 yeas and 14 nays as follows:

Those who voted in the affirmative were:

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

Dawkins	Hausman	Larsen, P.	Ness	Rukavina	Tunheim
Dehler	Hilty	Larson, D.	Nornes	Schumacher	Van Dellen
Dempsey	Holberg	Leighton	Olson	Seagren	Vandever
Dorman	Holsten	Lenczewski	Opatz	Seifert, J.	Wejman
Dorn	Howes	Leppik	Osskopp	Seifert, M.	Wenzel
Erhardt	Huntley	Lieder	Otremba	Skoe	Westerberg
Erickson	Jaros	Lindner	Ozment	Smith	Westfall
Finseth	Jennings	Mahoney	Paulsen	Solberg	Westrom
Fuller	Johnson	Mares	Pawlenty	Stanek	Wilkin
Gerlach	Juhnke	Mariani	Pelowski	Stang	Wolf
Goodno	Kahn	Marko	Peterson	Storm	Workman
Gunther	Kalis	McCollum	Pugh	Swapinski	Spk. Sviggum
Haake	Kelliher	McElroy	Rest	Swenson	
Haas	Kielkucki	McGuire	Reuter	Sykora	
Hackbarth	Knoblach	Molnau	Rhodes	Tingelstad	
Harder	Krinkie	Mulder	Rifenberg	Tomassoni	
Hasskamp	Kuisle	Murphy	Rostberg	Tuma	

Those who voted in the negative were:

Biernat	Greenfield	Luther	Paymar	Wagenius
Folliard	Greiling	Mullery	Skoglund	Winter
Gleason	Koskinen	Orfield	Trimble	

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

Harder was excused for the remainder of today's session.

The Speaker called Abrams to the Chair.

Kahn moved to amend H. F. No. 2757, the first engrossment, as amended, as follows:

Page 6, after line 1, insert:

"Sec. 6. Minnesota Statutes 1998, section 216B.2424, is amended by adding a subdivision to read:

Subd. 9. [EXPEDITED MANDATE COMPLIANCE.] (a) Notwithstanding anything to the contrary in subdivisions 1 to 5, this subdivision governs final compliance with the biomass energy mandate in subdivision 5. Not more than 50 megawatts of the original mandate are subject to this subdivision unless the commissioner of the department reports to the public utilities commission by July 1, 2000, that projects approved by the commission by February 1, 2000, cannot be built to provide a full 75 megawatts of the mandate. If the full 75 megawatts cannot be fulfilled, only those remaining after the approved projects are under an enforceable contract may be added to the 50 megawatts governed by this subdivision.

(b) By May 1, 2000, a public utility subject to this section, in consultation with the department, shall propose and the public utilities commission shall approve a request for competitive proposals, based on the utility's most recent all resource request for proposals for projects for electric generation utilizing biomass fuels to meet the remaining megawatts of the mandate in this section. The utility shall accept proposals under the approved request until September 1, 2000, and shall develop, in consultation with the department, and file with the commission a list of acceptable projects as soon after September 1, 2000, as reasonably feasible. The utility shall negotiate contracts with the proposers of the projects and present the proposed contracts to the commission as soon as reasonably feasible, but not later than April 1, 2001. The commission shall approve, modify, or reject the contracts not later than December 31, 2001.

(c) For the purposes of this subdivision, "biomass fuel" includes farm-grown closed-loop biomass, agricultural wastes, including animal, poultry, plant wastes and wastes wood. Any of these materials may be used to complete the biomass mandate as long as they comprise at least 75 percent of the fuel source for a new electric generation plant or a minimum of three percent of the total output or at least five megawatts of energy if the materials are used as fuel at an existing electric generation plant. Only the number of megawatts produced by an existing plant that are directly attributable to the biomass fuel source count towards meeting the biomass mandate in this section. Biomass fuel that is in use as a fuel in an existing power plant on the effective date of this act cannot be used to complete the biomass mandate under this subdivision.

(d) Nothing in this subdivision affects in any way contracts entered into under subdivisions 1 to 5. No project approved under this subdivision may adversely affect any project that is the subject of a contract entered into under those subdivisions. Nothing in this subdivision requires the utility to retrofit its own power plants for the purposes of cofiring biomass fuel, nor is the utility prohibited from retrofitting its own power plants for the purpose of cofiring biomass fuel."

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 Kahn amendment and the roll was called. There were 31 yeas and 99 nays as follows:

Those who voted in the affirmative were:

Biernat	Dehler	Greiling	Koskinen	Mullery	Wejcman
Carlson	Entenza	Hasskamp	Leighton	Orfield	
Carruthers	Folliard	Hausman	Luther	Paymar	
Chaudhary	Gleason	Hilty	Mariani	Rest	
Clark, K.	Gray	Kahn	McCollum	Skoglund	
Dawkins	Greenfield	Kelliher	McGuire	Wagenius	

Those who voted in the negative were:

Abeler	Erhardt	Juhnke	Mulder	Rostberg	Trimble
Abrams	Erickson	Kalis	Murphy	Rukavina	Tuma
Anderson, B.	Finseth	Kielkucki	Ness	Schumacher	Tunheim
Anderson, I.	Fuller	Knoblach	Nornes	Seagren	Van Dellen
Bakk	Gerlach	Krinkie	Olson	Seifert, J.	Vandever
Bishop	Goodno	Kuisle	Opatz	Seifert, M.	Wenzel
Boudreau	Gunther	Larsen, P.	Osskopp	Skoe	Westerberg
Bradley	Haake	Larson, D.	Otremba	Smith	Westfall
Broecker	Haas	Lenczewski	Ozment	Solberg	Westrom
Buesgens	Hackbarth	Leppik	Paulsen	Stanek	Wilkin
Cassell	Holberg	Lieder	Pawlenty	Stang	Winter
Clark, J.	Holsten	Lindner	Pelowski	Storm	Wolf
Daggett	Howes	Mahoney	Peterson	Swapinski	Workman
Davids	Huntley	Mares	Pugh	Swenson	Spk. Sviggum
Dempsey	Jaros	Marko	Reuter	Sykora	
Dorman	Jennings	McElroy	Rhodes	Tingelstad	
Dorn	Johnson	Molnau	Rifenberg	Tomassoni	

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

H. F. No. 2757, A bill for an act relating to energy; regulating a state mandate requiring certain electric energy to be generated by using biomass as a fuel; amending Minnesota Statutes 1998, section 216B.2424, subdivisions 3, 5, and by adding subdivisions.

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 105 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Huntley	Mares	Reuter	Tingelstad
Abrams	Dempsey	Jaros	Marko	Rhodes	Tomassoni
Anderson, B.	Dorman	Jennings	McElroy	Rifenberg	Trimble
Anderson, I.	Dorn	Johnson	Molnau	Rostberg	Tuma
Bakk	Entenza	Juhnke	Mulder	Rukavina	Tunheim
Bishop	Erhardt	Kalis	Murphy	Schumacher	Van Dellen
Boudreau	Erickson	Kielkucki	Ness	Seagren	Vandever
Bradley	Finseth	Knoblach	Nornes	Seifert, J.	Wenzel
Broecker	Fuller	Krinkie	Olson	Seifert, M.	Westerberg
Buesgens	Gerlach	Kuisle	Opatz	Skoe	Westfall
Carlson	Goodno	Larsen, P.	Osskopp	Smith	Westrom
Carruthers	Gunther	Larson, D.	Ozment	Solberg	Wilkin
Cassell	Haake	Leighton	Paulsen	Stanek	Wolf
Chaudhary	Haas	Lenczewski	Pawlenty	Stang	Workman
Clark, J.	Hackbarth	Leppik	Pelowski	Storm	Spk. Sviggum
Daggett	Holberg	Lieder	Peterson	Swapinski	
Dauids	Holsten	Lindner	Pugh	Swenson	
Dawkins	Howes	Mahoney	Rest	Sykora	

Those who voted in the negative were:

Biernat	Gray	Hilty	Luther	Mullery	Skoglund
Clark, K.	Greenfield	Kahn	Mariani	Orfield	Wagenius
Folliard	Greiling	Kelliher	McCollum	Otremba	Wejcmán
Gleason	Hasskamp	Koskinen	McGuire	Paymar	Winter

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

S. F. No. 2827 was reported to the House.

Holberg moved that S. F. No. 2827 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 3028 was reported to the House.

Boudreau moved to amend S. F. No. 3028 as follows:

Page 1, after line 14, insert:

"Sec. 2. Laws 1995, chapter 207, article 8, section 37, is amended to read:

Sec. 37. [256.0121] [SOUTHERN CITIES COMMUNITY HEALTH CLINIC.]

Subdivision 1. [SERVICE PROVISION.] The commissioner of human services shall provide medically necessary psychiatric and dental services to developmentally disabled clients in the Faribault service area through the Southern Cities Community Health Clinic. For purposes of this requirement, the Faribault service area is expanded to also include geographic areas of the state within 100 miles of Faribault.

Subd. 2. [CONSULTATION REQUIRED.] The commissioner of human services shall consult with ~~the Faribault community task force~~ providers of psychiatric and dental services to developmentally disabled clients, family members of developmentally disabled clients, and the chairs of the house health and human services finance committee and the senate health and family security budget division, and the exclusive representatives before making any decisions about when considering policy changes related to:

- (1) the future of the Southern Cities Community Health Clinic;
- (2) the services currently provided by that clinic to developmentally disabled clients in the Faribault regional center catchment area; and
- (3) changes in the model for providing those services.

Subd. 3. [GUARANTEE OF SERVICE AVAILABILITY; LEGISLATIVE APPROVAL.] The department of human services shall guarantee the provision of medically necessary psychiatric and dental services to developmentally disabled clients in the Faribault service area through the Southern Cities Community Health Clinic until or unless other appropriate arrangements have been made to provide those clients with those services and legislative approval has been obtained for these arrangements."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 3028, A bill for an act relating to vulnerable adults; specifying rights for reconsideration and review of determinations regarding maltreatment; amending Minnesota Statutes 1998, section 626.557, subdivisions 9c, 9d, and 12b; Minnesota Statutes 1999 Supplement, section 13.99, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Biernat	Buesgens	Clark, J.	Dehler	Erhardt
Abrams	Bishop	Carlson	Clark, K.	Dempsey	Erickson
Anderson, B.	Boudreau	Carruthers	Daggett	Dorman	Finseth
Anderson, I.	Bradley	Cassell	Davids	Dorn	Folliard
Bakk	Broecker	Chaudhary	Dawkins	Entenza	Fuller

Gerlach	Jaros	Lieder	Opatz	Schumacher	Tuma
Gleason	Jennings	Lindner	Orfield	Seagren	Tunheim
Goodno	Johnson	Luther	Osskopp	Seifert, J.	Van Dellen
Gray	Juhnke	Mahoney	Otremba	Seifert, M.	Vandever
Greenfield	Kahn	Mares	Ozment	Skoe	Wagenius
Greiling	Kalis	Mariani	Paulsen	Skoglund	Wejcman
Gunther	Kelliher	Marko	Pawlenty	Smith	Wenzel
Haake	Kielkucki	McCollum	Paymar	Solberg	Westerberg
Haas	Knoblach	McElroy	Pelowski	Stanek	Westfall
Hackbarth	Koskinen	McGuire	Peterson	Stang	Westrom
Hasskamp	Krinkie	Molnau	Pugh	Storm	Wilkin
Hausman	Kuisle	Mulder	Rest	Swapinski	Winter
Hilty	Larsen, P.	Mullery	Reuter	Swenson	Wolf
Holberg	Larson, D.	Murphy	Rhodes	Sykora	Workman
Holsten	Leighton	Ness	Rifenberg	Tingelstad	Spk. Sviggum
Howes	Lenczewski	Nornes	Rostberg	Tomassoni	
Huntley	Leppik	Olson	Rukavina	Trimble	

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

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

### MOTIONS AND RESOLUTIONS

Abeler moved that the names of Rifenberg and Dempsey be added as authors on H. F. No. 4153. The motion prevailed.

### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2591:

Anderson, I.; Seifert, M., and Kuisle.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3839:

Goodno, Boudreau and Wejcman.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2677:

Fuller; Stanek; Broecker; Larson, D., and Carruthers.

## ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 9:00 a.m., Tuesday, April 18, 2000. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 9:00 a.m., Tuesday, April 18, 2000.

EDWARD A. BURDICK, Chief Clerk, House of Representatives