

## STATE OF MINNESOTA

## EIGHTY-SECOND SESSION — 2001

---

 TWENTY-THIRD DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 19, 2001

The House of Representatives convened at 3:00 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Pastor Ryan Brodin, Saint Philip's Lutheran Church, Fridley, Minnesota.

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

The roll was called and the following members were present:

Abeler	Dorn	Holsten	Lieder	Ozment	Swapinski
Abrams	Eastlund	Howes	Lindner	Paulsen	Swenson
Anderson, B.	Entenza	Huntley	Lipman	Pawlenty	Sykora
Anderson, I.	Erhardt	Jacobson	Luther	Paymar	Thompson
Bakk	Erickson	Jaros	Mahoney	Pelowski	Tingelstad
Bernardy	Evans	Jennings	Mares	Penas	Tuma
Biernat	Finseth	Johnson, J.	Mariani	Peterson	Vandever
Bishop	Folliard	Johnson, R.	Marko	Pugh	Wagenius
Boudreau	Fuller	Johnson, S.	Marquart	Rhodes	Walker
Bradley	Gerlach	Juhnke	McElroy	Rifenberg	Walz
Buesgens	Gleason	Kahn	McGuire	Rukavina	Wasiluk
Carlson	Goodno	Kalis	Milbert	Ruth	Wenzel
Cassell	Goodwin	Kelliher	Molnau	Schumacher	Westerberg
Clark, J.	Gray	Kielkucki	Mulder	Seagren	Westrom
Clark, K.	Greiling	Knoblach	Mullery	Seifert	Wilkin
Daggett	Gunther	Koskinen	Murphy	Sertich	Winter
Davids	Haas	Krinkie	Ness	Skoe	Wolf
Davnie	Hackbarth	Kubly	Nornes	Skoglund	Workman
Dawkins	Harder	Kuisle	Olson	Slawik	Spk. Sviggum
Dehler	Hausman	Larson	Opatz	Smith	
Dempsey	Hilstrom	Leighton	Osskopp	Solberg	
Dibble	Hilty	Lenczewski	Osthoff	Stanek	
Dorman	Holberg	Leppik	Otremba	Stang	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Swapinski 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 15, 2001

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 File:

H. F. No. 656, relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws.

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 Don Samuelson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2001 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. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2001</i>	<i>Date Filed 2001</i>
258	656	7 Resolution No. 1	10:15 a.m. March 15 10:15 a.m. March 15	March 15 March 15

Sincerely,

MARY KIFFMEYER  
Secretary of State

### REPORTS OF STANDING COMMITTEES

McElroy from the Committee on Jobs and Economic Development Finance to which was referred:

H. F. No. 23, A bill for an act relating to appropriations; authorizing and appropriating money for certain nontraditional career assistance training programs; amending Minnesota Statutes 2000, sections 256J.02, subdivision 2; and 268.0122, subdivision 2.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance without further recommendation.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 94, A bill for an act relating to natural resources; establishing penalties for gross overlimit violations of fish and game laws; setting certain restitution values; providing criminal penalties; amending Minnesota Statutes 2000, sections 97A.211, by adding a subdivision; 97A.225, subdivision 1; 97A.255, by adding a subdivision; and 97A.421, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 97A.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 3, after line 15, insert:

"Subd. 6. [VALUES FOR MINNOW DEALERS; PENALTIES.] (a) For purposes of this section and sections 97A.420 and 97A.421, game fish not over four inches in length are defined as "fingerlings," and the restitution value of each fingerling is \$1. The restitution values under subdivision 5 shall not be used when the fish are identified as fingerlings.

(b) A licensed minnow dealer or aquatic farm licensee who unlawfully takes, possesses, or transports 5,000 or more game fish fingerlings is guilty of a first degree overlimit violation.

(c) A licensed minnow dealer or aquatic farm licensee who unlawfully takes, possesses, or transports at least 1,500 but fewer than 5,000 fingerlings is guilty of a second degree gross overlimit violation.

(d) A licensed minnow dealer or aquatic farm licensee who unlawfully takes, possesses, or transports more than 500 but fewer than 1,500 fingerlings is guilty of a third degree gross overlimit violation.

(e) A licensed minnow dealer who unlawfully takes, possesses, or transports 500 or fewer fingerlings is guilty of a misdemeanor or petty misdemeanor as provided in section 17.4998 and is not subject to the gross overlimit provisions of this section and sections 97A.420 and 97A.421.

Subd. 7. [COMMERCIAL NETTING OPERATIONS.] (a) Incidentally taken game fish, from lawfully set and tended commercial nets, cribs, and bags, must be immediately returned to the water or tagged in accordance with section 97C.835, subdivisions 4 and 8.

(b) Game fish unlawfully taken, possessed, or transported are subject to this section and sections 97A.420 and 97A.421."

Page 3, line 18, delete "An" and insert "On certification by an enforcement officer to the commissioner of natural resources that probable cause existed to believe wild animals were taken, possessed, or transported in violation of section 97A.338, the"

Page 3, line 23, delete "during"

Page 3, delete line 24 and insert "until an action is taken under subdivision 6."

Page 3, line 31, delete "during the period of time the" and insert "until an action is taken under subdivision 6."

Page 3, delete line 32

Page 3, line 34, delete "during the time period the license is"

Page 3, line 35, after "subdivision" insert "until an action is taken under subdivision 6"

Page 5, delete lines 22 to 25 and insert "the commercial license if the applicant furnishes a corporate surety bond in favor of the state for \$1,000 for each commercial license to be released, payable upon violation of the game and fish laws. In lieu of a bond, the applicant may pay a temporary reinstatement fee of \$1,000, to be deposited to the game and fish fund, that is not refundable if the license is revoked under subdivision 6, paragraph (b)."

Page 6, after line 23, insert:

"Sec. 6. Minnesota Statutes 2000, section 97A.421, subdivision 5, is amended to read:

Subd. 5. [COMMISSIONER MAY REINSTATE CERTAIN LICENSES AFTER CONVICTION.] If the commissioner determines that the public welfare will not be injured, the commissioner may reinstate licenses voided under subdivision 1 and issue licenses to persons ineligible under subdivision 2 or 2a. The commissioner's authority applies only to licenses to:

(1) maintain and operate fur or game farms, aquatic farms, or private fish hatcheries;

(2) take fish ~~commercially in Lake of the Woods, Rainy Lake, Namakan Lake, or Lake Superior by commercial netting;~~

(3) buy fish from ~~Lake of the Woods, Rainy Lake, Namakan Lake, or Lake Superior~~ commercial fishing licensees listed in clause (2); and

(4) sell or export turtles or live minnows.

Sec. 7. Minnesota Statutes 2000, section 97C.505, is amended by adding a subdivision to read:

Subd. 8. [POSSESSION FOR MINNOW DEALERS.] When nets and traps are lawfully set and tended, minnows and incidentally taken game fish fingerlings not over four inches in length shall not be considered to be in possession until the minnows or fingerlings are placed on a motor vehicle or trailer for transport on land.

Page 6, line 36, delete "7" and insert "8"

Page 7, line 2, before the period, insert ", except that the gross overlimit provisions of the act are not effective for commercial and aquatic licensees until May 1, 2002"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "97A.211, by adding a subdivision;"

Page 1, line 7, delete "and" and after the second comma, insert "subdivision 5,"

Page 1, line 8, after the semicolon, insert "97C.505, by adding a subdivision;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 182, A bill for an act relating to community development; providing funding for Neighborhood Development Center, Inc.; appropriating money.

Reported the same back with the following amendments:

Page 1, line 9, after "of" insert "trade and" and after "for" insert "each year of"

Page 1, line 13, after the comma, insert "American Indian classes,"

With the recommendation that when so amended the bill be re-referred to the Committee on Jobs and Economic Development Finance without further recommendation.

The report was adopted.

Workman from the Committee on Transportation Policy to which was referred:

H. F. No. 204, A bill for an act relating to bridges; authorizing payment of engineering costs from the town bridge account; amending Minnesota Statutes 2000, section 161.082, subdivision 2a.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Transportation Finance.

The report was adopted.

Tuma from the Committee on Crime Prevention to which was referred:

H. F. No. 205, A bill for an act relating to crimes; requiring suspension of a driver's license for a period of one year if defendant was convicted of theft of gasoline; proposing coding for new law in Minnesota Statutes, chapter 171.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [332.505] [CIVIL LIABILITY FOR RECEIVING MOTOR FUEL WITHOUT PAYING.]

Subdivision 1. [DEFINITION.] For purposes of this section:

- (1) "motor fuel" means a liquid, regardless of its properties, used to propel a vehicle;
- (2) "retailer" means a person that sells motor fuel at retail; and
- (3) "vehicle" means a motor vehicle or watercraft that is self-propelled and that uses motor fuel for propulsion.

Subd. 2. [ACTS CONSTITUTING.] (a) The owner of a vehicle that receives motor fuel that was not paid for is liable to the retailer for the price of the motor fuel received and a service charge of up to \$20, or the actual costs of collection not to exceed \$30. This charge may be imposed upon the mailing of the notice under subdivision 3, if notice of the service charge was conspicuously displayed on the premises from which the motor fuel was received. The notice must include a statement that civil penalties will be imposed if payment is not received within 30 days. Only one service charge may be imposed under this paragraph for each incident.

(b) If the price of the motor fuel received is not paid within 30 days after the retailer has mailed notice under subdivision 3, the owner is liable to the retailer for the price of the motor fuel received, the service charge as provided in paragraph (a), plus a civil penalty not to exceed \$100 or the price of the motor fuel, whichever is greater. The civil penalty may not be imposed until 30 days after the mailing of the notice under subdivision 3.

Subd. 3. [NOTICE OF NONPAYMENT.] Notice of nonpayment that includes a citation to this section and a description of the penalties contained in it shall be sent by the retailer to the owner by regular mail, supported by an affidavit of service by mailing, to the address indicated by records on the vehicle under section 86B.401 or 168.346. The notice must include a signed statement by the employee who reported the act describing what the employee observed and the license number of the motor vehicle, if known. Failure of the owner to receive a notice is not a defense to liability under this section.

An affidavit of service by mailing must be retained by the retailer.

Subd. 4. [NOTICE OF DISPUTE.] If, within the 30-day period referred to in subdivision 2, paragraph (b), the owner sends written notice to the retailer disputing the retailer's claim that the owner received motor fuel from the retailer without paying for it, the retailer may collect the price of the motor fuel and the civil penalties imposed by this section only pursuant to a judgment rendered by a court of competent jurisdiction.

Upon receipt of the notice, the retailer shall cease all collection efforts.

Sec. 2. [EFFECTIVE DATE; APPLICATION.]

Section 1 is effective August 1, 2001, for causes of action arising on or after that date."

Delete the title and insert:

"A bill for an act relating to civil actions; providing civil remedies for receiving motor fuel from a motor fuel retail business without paying for it; proposing coding for new law in Minnesota Statutes, chapter 332."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Transportation Policy.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 268, A bill for an act relating to water; requiring the maintenance of lake levels at Lake Curren.

Reported the same back with the following amendments:

Page 1, line 8, delete everything after "County"

Page 1, line 9, delete everything before the period

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "requiring continuation of the diversion system"

Page 1, line 3, delete "levels"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Daids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 323, A bill for an act relating to motor vehicle fuel franchises; removing an expiration date; amending Minnesota Statutes 2000, section 80C.147.

Reported the same back with the following amendments:

Page 1, line 17, after the stricken period, insert "This section expires July 1, 2002."

Amend the title as follows:

Page 1, line 2, delete "removing" and insert "extending"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 326, A bill for an act relating to local and state government; providing that failure of a motion to approve a request is denial of the request; amending Minnesota Statutes 2000, section 15.99, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 15.99, subdivision 1, is amended to read:

Subdivision 1. [DEFINITION.] ~~For purposes of~~ In this section;

(a) "agency" means a department, agency, board, commission, or other group in the executive branch of state government; a statutory or home rule charter city, county, town, or school district; any metropolitan agency or regional entity; and any other political subdivision of the state;

(b) "request" means a request submitted in writing on forms provided by the agency. The agency must publish and make the forms available upon request.

Sec. 2. Minnesota Statutes 2000, section 15.99, subdivision 2, is amended to read:

Subd. 2. [DEADLINE FOR RESPONSE.] (a) Except as otherwise provided in this section and notwithstanding any other law to the contrary, an agency must approve or deny within 60 days a written request relating to zoning, septic systems, or expansion of the metropolitan urban service area for a permit, license, or other governmental approval of an action. Failure of an agency to deny a request within 60 days is approval of the request.

(b) Effect of certain tie votes. A tie vote of a multimember governing body is denial of a request if the tie vote results directly from a member of the governing body abstaining from voting because of a conflict of interest arising from a financial interest in the matter before the agency and the member abstaining states the reasons for abstention on the record. Notwithstanding paragraph (d), no additional written reasons for denial of a request under this paragraph are required.

(c) Motion to deny required. A resolution or other properly made motion made by a member of a multimember governing body to approve a request that fails is not denial of a request. A resolution or motion to deny must be made and adopted in order to deny a request.

(d) Reasons for denial required. If an agency, other than a multimember governing body, denies the request, it must state in writing the reasons for the denial at the time that it denies the request. If a multimember governing body denies the request, it must state the reasons for denial on the record at the time a motion to deny is adopted and provide in writing the reasons for the denial either at the time it denies the request or at the next official meeting of the governing body after the denial but within the time allowed for a decision under this section. The written reasons must be consistent with the reasons stated in the record at the time of the denial.



Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day after its final enactment."

Delete the title and insert:

"A bill for an act relating to agencies; clarifying the operation of deadlines for certain state and local agency actions; amending Minnesota Statutes 2000, section 15.99, subdivisions 1 and 2."

With the recommendation that when so amended the bill pass.

The report was adopted.

Tuma from the Committee on Crime Prevention to which was referred:

H. F. No. 414, A bill for an act relating to the maltreatment of minors; changing responsibility for assessing and investigating certain allegations of maltreatment; amending Minnesota Statutes 2000, section 626.556, subdivisions 3c and 10b.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 626.556, subdivision 3c, is amended to read:

Subd. 3c. [AGENCY RESPONSIBLE FOR ASSESSING OR INVESTIGATING REPORTS OF MALTREATMENT.] The following agencies are the administrative agencies responsible for assessing or investigating reports of alleged child maltreatment in facilities made under this section:

(1) the county local welfare agency is the agency responsible for assessing or investigating allegations of maltreatment in child foster care, family child care, and legally unlicensed child care ~~and~~;

(2) the department of human services is the agency responsible for assessing or investigating allegations of maltreatment in juvenile correctional facilities licensed under section 241.021 located in the local welfare agency's county;

~~(2)~~ (3) the department of human services is the agency responsible for assessing or investigating allegations of maltreatment in facilities licensed under chapters 245A and 245B, except for child foster care and family child care; and

~~(3)~~ (4) the department of health is the agency responsible for assessing or investigating allegations of child maltreatment in facilities licensed under sections 144.50 to 144.58, and in unlicensed home health care.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 2001."

Amend the title as follows:

Page 1, line 5, delete "subdivisions 3c and" and insert "subdivision 3c."

Page 1, delete line 6

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Policy.

The report was adopted.

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

H. F. No. 464, A bill for an act relating to state government; forbidding certain litigation and settlements; providing for deposit in the general fund of certain funds recovered through litigation or settlements; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 2000, section 8.31, subdivision 2c.

Reported the same back with the following amendments:

Page 2, after line 8, insert:

"(c) This section does not prohibit a state official from distributing money to a person or entity other than the state in litigation or potential litigation in which the state is a defendant or potential defendant."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Tuma from the Committee on Crime Prevention to which was referred:

H. F. No. 505, A bill for an act relating to criminal justice; requiring the commissioner of public safety to oversee a study on racial profiling; requiring a statewide model policy and local agency policies against racial profiling; requiring development of learning objectives against racial profiling for preservice and in-service training of peace officers; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 626.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [626.8471] [AVOIDING RACIAL PROFILING; POLICIES AND LEARNING OBJECTIVES REQUIRED.]

Subdivision 1. [PURPOSE.] The legislature finds that the reality or public perception of racial profiling alienates people from police, hinders community policing efforts, and causes law enforcement to lose credibility and trust among the people law enforcement is sworn to protect and serve. No stop initiated by a peace officer should be made without a legitimate reason; race, ethnicity, or national origin alone should never provide a sufficient reason. Law enforcement policies and training programs must emphasize the need to respect the balance between the rights of all persons to be free from unreasonable governmental intrusions and law enforcement's need to enforce the law.

Subd. 2. [DEFINITION.] "Racial profiling" means any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than:

(1) the behavior of that individual; or

(2) information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.

Racial profiling includes use of racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling does not include law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject.

Subd. 3. [STATEWIDE MODEL POLICY.] (a) The board of peace officer standards and training shall consult with the Minnesota chiefs of police association, the Minnesota sheriffs association, and the Minnesota police and peace officers association in developing an anti-racial profiling model policy governing the conduct of peace officers engaged in stops of citizens. This policy shall define racial profiling and identify conduct that violates the law.

(b) The board shall adopt a model policy and distribute the model policy to all chief law enforcement officers by August 1, 2001.

Subd. 4. [AGENCY POLICIES REQUIRED.] (a) By November 1, 2001, the chief law enforcement officer of every state and local law enforcement agency must establish and enforce a written anti-racial profiling policy governing the conduct of peace officers engaged in stops of citizens. The chief law enforcement officer shall ensure that each peace officer receives a copy of the agency's anti-racial profiling policy. The chief law enforcement officer also must ensure that each peace officer is aware of the policy's purpose and the conduct prohibited by it.

(b) The policy must, at a minimum, comply with the requirements of the model policy adopted by the board under subdivision 3.

(c) Every state and local law enforcement agency must certify to the board that it has adopted a written policy in compliance with the board's model policy.

(d) The board shall assist the chief law enforcement officer of each state and local law enforcement agency in developing and implementing anti-racial profiling policies under this subdivision.

Subd. 5. [PRESERVICE TRAINING LEARNING OBJECTIVES; REQUIREMENTS.] (a) By August 1, 2001, the board shall prepare learning objectives for preservice training to instruct peace officers in avoiding racial profiling when making stops of citizens. These learning objectives shall be included in the required curriculum of professional peace officer education programs.

(b) An individual is not eligible to take the peace officer licensing examination or the part-time peace officer licensing examination on or after June 1, 2002, unless:

(1) the individual has received the training described in paragraph (a); and

(2) the individual has completed a psychological evaluation demonstrating that the individual is not likely to engage in racial profiling.

Subd. 6. [IN-SERVICE TRAINING LEARNING OBJECTIVES.] By August 1, 2001, the board shall prepare learning objectives for in-service training to instruct peace officers in avoiding racial profiling when making stops of citizens. The board shall evaluate and monitor in-service training courses to ensure they satisfy the learning objectives.

Subd. 7. [CHIEF LAW ENFORCEMENT OFFICERS AND SUPERVISORS; REQUIREMENTS.] The executive director of the board of peace officer standards and training shall prepare training materials to provide chief law enforcement officers and other peace officers with supervisory authority with information on how to detect and respond to racial profiling by peace officers under their command. The training materials must address both the agency's anti-racial profiling policy and procedural components aimed at eliminating racial profiling in stops of citizens. The materials must include information on federal and state constitutional and statutory laws prohibiting

discrimination by law enforcement. The procedural information must describe conduct that is unlawful or inappropriate and present guidelines for reinforcing techniques that are lawful and appropriate. The procedural information shall discuss appropriate search and seizure and interviewing techniques.

Subd. 8. [POST BOARD; COMPLIANCE REVIEWS AUTHORIZED.] The board has authority to inspect state and local agency policies to ensure compliance with subdivision 4. The board may conduct this inspection based upon a complaint it receives about a particular agency or through a random selection process.

Sec. 2. [REGIONAL TRAINING SEMINARS.]

The board of peace officer standards and training shall facilitate regional seminars throughout the state to increase awareness about racial profiling issues unique to specific regions of the state and to promote a community-oriented response to the issue of racial profiling. The training seminars shall satisfy the learning objectives described in Minnesota Statutes, section 626.8471, subdivision 6. These seminars shall be completed by December 31, 2001.

Sec. 3. [REPORTS.]

By February 15, 2002, the executive director of the board of peace officer standards and training shall report to the house and senate committees with jurisdiction over criminal justice funding on the development of a model policy; learning objectives; regional training seminars, including attendance figures for the seminars; and the training materials prepared for chief law enforcement officers and other officers with supervisory authority.

Sec. 4. [APPROPRIATIONS.]

Subdivision 1. [PEACE OFFICER STANDARDS AND TRAINING BOARD.] \$400,000 is appropriated from the general fund to the executive director of the board of peace officer standards and training to conduct regional training seminars that are consistent with the learning objectives described in Minnesota Statutes, section 626.8471, subdivision 6, and to prepare training guidelines and materials under Minnesota Statutes, section 626.8471, subdivision 7.

Subd. 2. [COMMISSIONER OF PUBLIC SAFETY.] \$100,000 is appropriated to the commissioner of public safety to increase public awareness about racial profiling. This public awareness campaign shall include information for individuals who believe they have been subject to racial profiling on how to file a complaint.

These appropriations are available for the biennium ending June 30, 2003, and may not be used for any purposes other than the purposes specified in this subdivision.

Sec. 5. [EFFECTIVE DATE.]

Sections 1 to 4 are effective July 1, 2001."

Delete the title and insert:

"A bill for an act relating to public safety; finding that the perception of racial profiling by law enforcement alienates citizens from police, hinders community policing efforts, and causes law enforcement to lose credibility and trust among the citizens it tries to protect and serve; specifying that no stop of a citizen should be made without a legitimate reason and that race, ethnicity, or national origin alone never provide a sufficient reason; requiring a statewide model policy and local agency policies against racial profiling; requiring development of learning objectives against racial profiling for preservice and in-service training of peace officers; requiring training; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 626."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary Finance.

The report was adopted.

Goodno from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 526, A bill for an act relating to human services; appropriating money for compulsive gambling treatment and education.

Reported the same back with the recommendation that the bill be re-referred to the Committee on State Government Finance without further recommendation.

The report was adopted.

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

H. F. No. 684, A bill for an act relating to vegetation removal; cleaning up the capitol grounds.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 697, A bill for an act relating to taxation; providing a reduced class rate for certain property bordering public waters; amending Minnesota Statutes 2000, section 273.13, subdivision 23.

Reported the same back with the following amendments:

Page 5, delete lines 4 to 22 and insert:

"(h) Class 2c property consists of any parcel or contiguous parcels of unimproved real estate, excluding agricultural land classified under subdivision 23 that meets all the criteria in clauses (1) to (4):

(1) the property consists of at least 200 contiguous feet of unimproved real estate that borders public waters as contained in section 103G.005, subdivision 15, paragraph (a), clauses (1) to (5) and (7) to (9);

(2) the unimproved real estate is located within 400 feet from the ordinary high water elevation of the public waters. For purposes of this clause, "unimproved" means that the property, or that portion of the property qualifying under this paragraph, contains no structures, that there are no docks or landings on its shoreline, and that the natural terrain and vegetation has not been disturbed, or has been restored to native vegetation;

(3) the owner files an application with the county assessor by July 1 for classification under this paragraph for the subsequent assessment year; and

(4) the owner of the property signs a covenant agreement and files the covenant with the county assessor in the county where the property is located. The covenant agreement must include all of the following:

(i) legal description of the area to which the covenant applies;

(ii) name and address of the owner;

(iii) a statement that the land described in the covenant must be kept as undeveloped land for the duration of the covenant;

(iv) a statement that the landowner may initiate expiration of the covenant agreement by notifying the county assessor, in writing, with the date of expiration which must be at least eight years from the date of the expiration notice;

(v) a statement that the covenant is binding on the owner or owner's successor or assignee and runs with the land; and

(vi) a witnessed signature of the owner covenanting to keep the land in its undeveloped state as it existed on the date the covenant was signed.

Upon expiration of a covenant agreement in clause (4), the property which is sold is subject to additional taxes. The amount of additional taxes due on the property equals the difference between the taxes actually levied and the taxes that would have been imposed if the property had been valued and classified if class 2c did not apply. The additional taxes must be extended against the property on the tax list for the current year. No interest or penalties may be levied on the additional taxes if timely paid, and the additional taxes must be levied only with respect to the last seven years that the property was valued and assessed as class 2c property.

The tax imposed under this paragraph is a lien on the property assessed to the same extent and for the same duration as other real property taxes. The tax must be extended by the county auditor and, when payable, be collected and distributed in the same manner provided by law for the collection and distribution of other property taxes.

Class 2c has a class rate of 0.5 percent of market value.

[EFFECTIVE DATE.] This section is effective for the 2001 assessment and thereafter, for taxes payable in 2002 and thereafter. For taxes payable in 2002, the date for filing an application with the county assessor under this section, paragraph (h), clause (3), is September 1, 2001."

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

The report was adopted.

Tuma from the Committee on Crime Prevention to which was referred:

H. F. No. 699, A bill for an act relating to crime; requiring additional findings before pretrial release of a defendant accused of domestic abuse, harassment, or violation of an order for protection; providing that additional crimes and crimes from other jurisdictions may be used to enhance penalties; increasing criminal penalties; specifying standards for domestic abuse offender programs and requiring courts to sentence certain offenders to these programs; authorizing domestic abuse advocates to access private data in police reports; clarifying procedures for recognition of parentage and requiring separate proceedings; allowing certain prior statements of domestic abuse by the victim to be admissible in judicial proceedings; requiring probation agencies to adopt specialized policies for classifying the risk level of domestic abuse offenders; requiring data collection on disorderly conduct convictions; appropriating money to increase supervision of high risk domestic abuse offenders by means of caseload reduction; appropriating money to fund services for battered women; appropriating money for criminal justice intervention projects; appropriating money for monitoring judicial responses to domestic assault; amending Minnesota Statutes 2000, sections 257.75, subdivision 3; 299C.10, subdivision 1; 518B.01, subdivisions 3, 6, and 14; 609.224, subdivisions 2 and 4; 609.2242, subdivisions 2 and 4; 609.748, subdivision 6; 609.749, subdivisions 4 and 5; 629.341, subdivisions 1 and 4; and 629.72; proposing coding for new law in Minnesota Statutes, chapters 518B; 611A; and 634; repealing Minnesota Statutes 2000, section 609.2244, subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 518B.01, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms shall have the meanings given them:

(a) "Domestic abuse" means the following, if committed against a family or household member by a family or household member:

(1) physical harm, bodily injury, or assault;

(2) the infliction of fear of imminent physical harm, bodily injury, or assault; or

(3) terroristic threats, within the meaning of section 609.713, subdivision 1, ~~or~~ criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, or 609.345; interference with an emergency call within the meaning of section 609.78, subdivision 2; or harassment within the meaning of section 609.749.

(b) "Family or household members" means:

(1) spouses and former spouses;

(2) parents and children;

(3) persons related by blood;

(4) persons who are presently residing together or who have resided together in the past;

(5) persons who have a child in common regardless of whether they have been married or have lived together at any time;

(6) a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and

(7) persons involved in a significant romantic or sexual relationship.

Issuance of an order for protection on the ground in clause (6) does not affect a determination of paternity under sections 257.51 to 257.74. In determining whether persons are or have been involved in a significant romantic or sexual relationship under clause (7), the court shall consider the length of time of the relationship; type of relationship; frequency of interaction between the parties; and, if the relationship has terminated, length of time since the termination.

(c) "Qualified domestic violence-related offense" has the meaning given in section 609.02, subdivision 16.

Sec. 2. Minnesota Statutes 2000, section 518B.01, subdivision 3, is amended to read:

Subd. 3. [COURT JURISDICTION.] An application for relief under this section may be filed in the court having jurisdiction over dissolution actions, in the county of residence of either party, in the county in which a pending or completed family court proceeding involving the parties or their minor children was brought, or in the county in which the alleged domestic abuse occurred. There are no residency requirements that apply to a petition for an order for protection. In a jurisdiction which utilizes referees in dissolution actions, the court or judge may refer actions under this section to a referee to take and report the evidence in the action in the same manner and subject to the same limitations provided in section 518.13. Actions under this section shall be given docket priorities by the court.

Sec. 3. Minnesota Statutes 2000, section 518B.01, subdivision 6, is amended to read:

Subd. 6. [RELIEF BY THE COURT.] (a) Upon notice and hearing, the court may provide relief as follows:

- (1) restrain the abusing party from committing acts of domestic abuse;
  - (2) exclude the abusing party from the dwelling which the parties share or from the residence of the petitioner;
  - (3) exclude the abusing party from a reasonable area surrounding the dwelling or residence, which area shall be described specifically in the order;
  - (4) award temporary custody or establish temporary parenting time with regard to minor children of the parties on a basis which gives primary consideration to the safety of the victim and the children. Except for cases in which custody is contested, findings under section 257.025, 518.17, or 518.175 are not required. If the court finds that the safety of the victim or the children will be jeopardized by unsupervised or unrestricted parenting time, the court shall condition or restrict parenting time as to time, place, duration, or supervision, or deny parenting time entirely, as needed to guard the safety of the victim and the children. The court's decision on custody and parenting time shall in no way delay the issuance of an order for protection granting other relief provided for in this section. The court must not enter a parenting plan under section 518.1705 as part of an action for an order for protection;
  - (5) on the same basis as is provided in chapter 518, establish temporary support for minor children or a spouse, and order the withholding of support from the income of the person obligated to pay the support according to chapter 518;
  - (6) provide upon request of the petitioner counseling or other social services for the parties, if married, or if there are minor children;
  - (7) order the abusing party to participate in treatment or counseling services, including requiring the abusing party to successfully complete a domestic abuse counseling program or educational program under sections 518B.10 to 518B.13;
  - (8) award temporary use and possession of property and restrain one or both parties from transferring, encumbering, concealing, or disposing of property except in the usual course of business or for the necessities of life, and to account to the court for all such transfers, encumbrances, dispositions, and expenditures made after the order is served or communicated to the party restrained in open court;
  - (9) exclude the abusing party from the place of employment of the petitioner, or otherwise limit access to the petitioner by the abusing party at the petitioner's place of employment;
  - (10) order the abusing party to pay restitution to the petitioner;
  - (11) order the continuance of all currently available insurance coverage without change in coverage or beneficiary designation; and
  - (12) order, in its discretion, other relief as it deems necessary for the protection of a family or household member, including orders or directives to the sheriff, constable, or other law enforcement or corrections officer as provided by this section.
- (b) Any relief granted by the order for protection shall be for a fixed period not to exceed one year, except when the court determines a longer fixed period is appropriate. When a referee presides at the hearing on the petition, the order granting relief becomes effective upon the referee's signature.



(c) An order granting the relief authorized in paragraph (a), clause (1), may not be vacated or modified in a proceeding for dissolution of marriage or legal separation, except that the court may hear a motion for modification of an order for protection concurrently with a proceeding for dissolution of marriage upon notice of motion and motion. The notice required by court rule shall not be waived. If the proceedings are consolidated and the motion to modify is granted, a separate order for modification of an order for protection shall be issued.

(d) An order granting the relief authorized in paragraph (a), clause (2) or (3), is not voided by the admittance of the abusing party into the dwelling from which the abusing party is excluded.

(e) If a proceeding for dissolution of marriage or legal separation is pending between the parties, the court shall provide a copy of the order for protection to the court with jurisdiction over the dissolution or separation proceeding for inclusion in its file.

(f) An order for restitution issued under this subdivision is enforceable as civil judgment.

Sec. 4. Minnesota Statutes 2000, section 518B.01, subdivision 14, is amended to read:

Subd. 14. [VIOLATION OF AN ORDER FOR PROTECTION.] (a) A person who violates an order for protection issued by a judge or referee is subject to the penalties provided in paragraphs (b) to (d).

(b) Except as otherwise provided in paragraphs (c) and (d), whenever an order for protection is granted by a judge or referee or pursuant to a similar law of another state, the United States, the District of Columbia, tribal lands, or United States territories, and the respondent or person to be restrained knows of the order, violation of the order for protection is a misdemeanor. Upon a misdemeanor conviction under this paragraph, the defendant must be sentenced to a minimum of three days imprisonment and must be ordered to participate in counseling or other appropriate programs selected by the court. If the court stays imposition or execution of the jail sentence and the defendant refuses or fails to comply with the court's treatment order, the court must impose and execute the stayed jail sentence. A violation of an order for protection shall also constitute contempt of court and be subject to the penalties provided in chapter 588.

(c) A person is guilty of a gross misdemeanor who knowingly violates this subdivision during the time period between a previous qualified domestic violence-related offense conviction under this subdivision, sections 609.221 to 609.224; 609.2242; 609.713, subdivision 1 or 3; 609.748, subdivision 6; 609.749; or a similar law of another state, the District of Columbia, tribal lands, or United States territories; and the end of the five years following discharge from sentence for that conviction offense. Upon a gross misdemeanor conviction under this paragraph, the defendant must be sentenced to a minimum of ten days imprisonment and must be ordered to participate in counseling or other appropriate programs selected by the court. Notwithstanding section 609.135, the court must impose and execute the minimum sentence provided in this paragraph for gross misdemeanor convictions.

(d) A person is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the person knowingly violates this subdivision:

(1) during the time period between the first of two or more previous qualified domestic violence-related offense convictions under this section or sections 609.221 to 609.224; 609.2242; 609.713, subdivision 1 or 3; 609.748; subdivision 6; 609.749; or a similar law of another state, the District of Columbia, tribal lands, or United States territories; and the end of the five years following discharge from sentence for that conviction offense; or

(2) while possessing a dangerous weapon, as defined in section 609.02, subdivision 6.

Upon a felony conviction under this paragraph in which the court stays imposition or execution of sentence, the court shall impose at least a 30-day period of incarceration as a condition of probation. The court also shall order that the defendant participate in counseling or other appropriate programs selected by the court. Notwithstanding section 609.135, the court must impose and execute the minimum sentence provided in this paragraph for felony convictions.

(e) A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order granted pursuant to this section or a similar law of another state, the United States, the District of Columbia, tribal lands, or United States territories restraining the person or excluding the person from the residence or the petitioner's place of employment, even if the violation of the order did not take place in the presence of the peace officer, if the existence of the order can be verified by the officer. The probable cause required under this paragraph includes probable cause that the person knowingly violated the order. When the order is first served upon the person at a location at which, under the terms of the order, the person's presence constitutes a violation, the person shall not be arrested for violation of the order but shall be given a reasonable opportunity to leave the location in the presence of the peace officer. A person arrested under this paragraph shall be held in custody for at least 36 hours, excluding the day of arrest, Sundays, and holidays, unless the person is released earlier by a judge or judicial officer. A peace officer acting in good faith and exercising due care in making an arrest pursuant to this paragraph is immune from civil liability that might result from the officer's actions.

(f) If the court finds that the respondent has violated an order for protection and that there is reason to believe that the respondent will commit a further violation of the provisions of the order restraining the respondent from committing acts of domestic abuse or excluding the respondent from the petitioner's residence, the court may require the respondent to acknowledge an obligation to comply with the order on the record. The court may require a bond sufficient to deter the respondent from committing further violations of the order for protection, considering the financial resources of the respondent, and not to exceed \$10,000. If the respondent refuses to comply with an order to acknowledge the obligation or post a bond under this paragraph, the court shall commit the respondent to the county jail during the term of the order for protection or until the respondent complies with the order under this paragraph. The warrant must state the cause of commitment, with the sum and time for which any bond is required. If an order is issued under this paragraph, the court may order the costs of the contempt action, or any part of them, to be paid by the respondent. An order under this paragraph is appealable.

(g) Upon the filing of an affidavit by the petitioner, any peace officer, or an interested party designated by the court, alleging that the respondent has violated any order for protection granted pursuant to this section or a similar law of another state, the United States, the District of Columbia, tribal lands, or United States territories, the court may issue an order to the respondent, requiring the respondent to appear and show cause within 14 days why the respondent should not be found in contempt of court and punished therefor. The hearing may be held by the court in any county in which the petitioner or respondent temporarily or permanently resides at the time of the alleged violation, or in the county in which the alleged violation occurred, if the petitioner and respondent do not reside in this state. The court also shall refer the violation of the order for protection to the appropriate prosecuting authority for possible prosecution under paragraph (b), (c), or (d).

(h) If it is alleged that the respondent has violated an order for protection issued under subdivision 6 or a similar law of another state, the United States, the District of Columbia, tribal lands, or United States territories, and the court finds that the order has expired between the time of the alleged violation and the court's hearing on the violation, the court may grant a new order for protection under subdivision 6 based solely on the respondent's alleged violation of the prior order, to be effective until the hearing on the alleged violation of the prior order. If the court finds that the respondent has violated the prior order, the relief granted in the new order for protection shall be extended for a fixed period, not to exceed one year, except when the court determines a longer fixed period is appropriate.

(i) The admittance into petitioner's dwelling of an abusing party excluded from the dwelling under an order for protection is not a violation by the petitioner of the order for protection.

A peace officer is not liable under section 609.43, clause (1), for a failure to perform a duty required by paragraph (e).

(j) When a person is convicted under paragraph (b) or (c) of violating an order for protection and the court determines that the person used a firearm in any way during commission of the violation, the court may order that the person is prohibited from possessing any type of firearm for any period longer than three years or for the remainder of the person's life. A person who violates this paragraph is guilty of a gross misdemeanor. At the time

of the conviction, the court shall inform the defendant whether and for how long the defendant is prohibited from possessing a firearm and that it is a gross misdemeanor to violate this paragraph. The failure of the court to provide this information to a defendant does not affect the applicability of the firearm possession prohibition or the gross misdemeanor penalty to that defendant.

(k) Except as otherwise provided in paragraph (j), when a person is convicted under paragraph (b) or (c) of violating an order for protection, the court shall inform the defendant that the defendant is prohibited from possessing a pistol for three years from the date of conviction and that it is a gross misdemeanor offense to violate this prohibition. The failure of the court to provide this information to a defendant does not affect the applicability of the pistol possession prohibition or the gross misdemeanor penalty to that defendant.

(l) Except as otherwise provided in paragraph (j), a person is not entitled to possess a pistol if the person has been convicted under paragraph (b) or (c) after August 1, 1996, of violating an order for protection, unless three years have elapsed from the date of conviction and, during that time, the person has not been convicted of any other violation of this section. Property rights may not be abated but access may be restricted by the courts. A person who possesses a pistol in violation of this paragraph is guilty of a gross misdemeanor.

(m) If the court determines that a person convicted under paragraph (b) or (c) of violating an order for protection owns or possesses a firearm and used it in any way during the commission of the violation, it shall order that the firearm be summarily forfeited under section 609.5316, subdivision 3.

Sec. 5. [518B.10] [PURPOSE; STANDARDS FOR DOMESTIC ABUSE COUNSELING PROGRAMS AND EDUCATIONAL PROGRAMS.]

(a) The purpose of these standards is to establish minimum operating guidelines for those persons and programs providing either counseling programs or educational programs for court-ordered domestic abuse offenders or abusing parties.

(b) The purpose of domestic abuse counseling programs and domestic abuse educational programs is to:

(1) stop the violence;

(2) hold offenders and abusing parties accountable for their violence, challenge beliefs that contribute to violence and other abusive acts, and encourage behaviors that facilitate nonviolence and other nonabusive behaviors;

(3) promote victim safety by ensuring that programs and program staff work closely with victim advocates and the courts;

(4) ensure policies that address victim safety and victim contact; and

(5) ensure procedures for offenders and abusing parties who violate program conditions, conditions of probation, orders by the court, or who use violence while participating in the program.

Sec. 6. [518B.11] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] For the purposes of sections 518B.10 to 518B.13, the terms in this section have the meanings given them.

Subd. 2. [ABUSING PARTY.] "Abusing party" means the party against whom relief is ordered in a proceeding under section 518B.01, the Domestic Abuse Act.

Subd. 3. [COUNSELING PROGRAM; EDUCATIONAL PROGRAM.] A "counseling program" or "educational program" means a domestic abuse counseling program or domestic abuse educational program that provides court-ordered sessions, classes, or group meetings for domestic abuse offenders and abusing parties.

Subd. 4. [DOMESTIC ABUSE.] "Domestic abuse" has the meaning given in section 518B.01, subdivision 2. Domestic abuse also includes violations of section 518B.01, subdivisions 14 and 22.

Subd. 5. [OFFENDER.] "Offender" means a person convicted of committing domestic abuse or a person ordered by the court to participate in a domestic abuse counseling program or educational program based upon a conviction for a criminal offense.

Subd. 6. [PROGRAM.] "Program" means a domestic abuse counseling program or domestic abuse educational program.

Subd. 7. [RELEASE OF INFORMATION.] "Release of information" means a written document that allows a program to communicate about the offender or abusing party with the court, other providers, and the victim.

Subd. 8. [VICTIM.] "Victim" has the meaning given in section 611A.01, paragraph (b), and includes a battered woman, as defined by section 611A.31, subdivision 2.

Sec. 7. [518B.12] [DOMESTIC ABUSE COUNSELING PROGRAM OR EDUCATIONAL PROGRAM REQUIRED.]

Subdivision 1. [COURT-ORDERED DOMESTIC ABUSE COUNSELING PROGRAM OR EDUCATIONAL PROGRAM.] (a) Except as provided in paragraph (c), if the court stays imposition or execution of sentence for a domestic abuse offense and places the offender on probation, the court shall order that, as a condition of the stayed sentence, the offender participate in and successfully complete a counseling program or educational program that satisfies the requirements of section 518B.13, unless the court determines that some other sentence meets or exceeds the purposes described in section 518B.10, paragraph (b). In making its order, the court shall consider the recommendation of the corrections agent in the presentence domestic abuse investigation report on whether the offender shall be ordered to complete a domestic abuse counseling or educational program.

(b) Except as provided in paragraph (c), as part of any relief ordered under section 518B.01, subdivision 6, the court may order an abusing party to participate in and successfully complete a counseling program or educational program that satisfies the requirements of section 518B.13.

(c) If a counseling program or educational program is not available or the court makes written findings that such a program is inappropriate based upon the offender's or abusing party's mental illness, the court may send the offender or abusing party to a counselor who provides services consistent with the requirements in section 518B.13. This counselor must be knowledgeable about domestic abuse issues.

A program is available if it is within reasonable travel distance from the offender's home.

(d) The offender or abusing party must complete at least 24 sessions or 30 hours of a counseling program or educational program, unless the person's probation agent, if any, recommends fewer sessions based upon good cause.

(e) The court may require an offender to participate in a counseling program or educational program up to the entire amount of time an offender is on probation. The court may order that the offender be required to continue in the program for as long as the program counselor or facilitator requires, provided this time period is not longer than the person's term of probation.

(f) If culturally specific counseling programs or educational programs are available, the court may order the offender or abusing party to attend such counseling programs or educational programs, where appropriate.

Subd. 2. [CHEMICALLY DEPENDENT OFFENDERS.] If the offender or abusing party has a diagnosable chemical dependency problem, the court shall require the offender to complete chemical dependency treatment as a condition of probation, if reasonable.

Sec. 8. [518B.13] [STANDARDS FOR DOMESTIC ABUSE COUNSELING PROGRAMS AND DOMESTIC ABUSE EDUCATIONAL PROGRAMS.]

Subdivision 1. [LENGTH OF PROGRAM; SESSIONS.] Programs shall require offenders and abusing parties to attend a minimum of 24 sessions or 30 hours of programming, unless a probation agent has recommended fewer sessions under section 518B.12, subdivision 1. Each program session must last at least 1-1/2 hours.

Subd. 2. [POLICIES.] (a) Programs must have a written policy that requires counselors and facilitators to report to the court and to the offender's probation or corrections officer any threats of violence made by the offender or abusing party, acts of violence by the offender or abusing party, violation of court orders by the offender or abusing party, and violation of program rules that resulted in the offender's or abusing party's termination from the program.

(b) Programs shall have written policies that counselors and facilitators must be violence free in their own lives.

(c) Programs shall have written policies requiring that counselors and facilitators hold offenders and abusing parties solely responsible for their behavior.

Subd. 3. [INTAKE.] Each program shall conduct an intake process with each offender or abusing party. This intake process shall look for chemical dependency problems and possible risks the offender or abusing party might pose to self or others. If the offender or abusing party is chemically dependent, the program may refer the offender or abusing party to a chemical dependency treatment center. If the offender or abusing party poses a risk to self or others, the program shall report this information to the court, the probation or corrections officer, and the victim.

Subd. 4. [NOTICE TO VICTIM.] If the offender or abusing party is reported back to the court or is terminated from the program, the program shall notify the victim of the circumstances unless the victim requests otherwise.

Subd. 5. [RELEASE OF INFORMATION.] Programs shall require court-ordered offenders and abusing parties to sign a release of information authorizing communication regarding the offender's or abusing party's progress in the program to the court, the offender's probation or corrections officer, other providers, and the victim. The offender or abusing party may not enter the program if the offender does not sign a release.

Subd. 6. [VICTIM PRIVACY.] (a) If a counselor or facilitator contacts the victim, the counselor or facilitator must not elicit any information that the victim does not want to provide. A counselor or facilitator who contacts a victim shall notify the victim of the right not to provide any information, and shall also notify the victim of how any information provided will be used and with whom it will be shared, and shall obtain the victim's permission before eliciting information from the victim or sharing information with anyone other than staff of the counseling program.

(b) Programs shall have written policies that require counselors and facilitators to inform victims of the confidentiality of information as provided by this subdivision. Programs must maintain separate files for information pertaining to the offender or abusing party and to the victim.

(c) If a counselor or facilitator contacts a victim, the counselor or facilitator shall provide the victim with referral information for support services.

Subd. 7. [CONFIDENTIALITY.] (a) Except as provided in paragraph (b), program staff may not disclose any confidential communication made by the offender or abusing party without the consent of the offender or abusing party.

(b) Programs must warn a potential victim of imminent danger based upon information provided by an offender or abusing party.

Subd. 8. [PROGRAM SETTING.] (a) The counseling program or educational program must provide services in a group setting, unless the offender or abusing party would be inappropriate in a group setting.

(b) Programs must provide separate sessions for male and female offenders and abusing parties.

Subd. 9. [MARRIAGE OR COUPLES COUNSELING.] Marriage or couples counseling will not be offered nor a referral made until the offender or abusing party has completed a domestic abuse counseling program or educational program for a minimum of the court-ordered number of sessions and the counselor or facilitator reasonably believes that the violence, intimidation, and coercion has ceased and the victim feels safe to participate.

Subd. 10. [PROGRAM COMPLETION; REPORT.] When the court-ordered offender or abusing party has completed the program, the counselor or facilitator shall report this information to the court and the offender's probation or corrections officer.

Subd. 11. [COORDINATION.] Programs shall coordinate with the court, probation and corrections officers, battered women's and domestic abuse programs, child protection services, and other providers to promote victim safety and offender accountability.

Sec. 9. Minnesota Statutes 2000, section 595.02, is amended by adding a subdivision to read:

Subd. 6. [CERTAIN OUT-OF-COURT STATEMENTS REGARDING DOMESTIC ABUSE ADMISSIBLE.] (a) As used in this section, "domestic abuse" has the meaning given in section 518B.01, subdivision 2.

(b) An out-of-court statement made by a victim of domestic abuse alleging, explaining, denying, or describing any act of domestic abuse against the person by another, not otherwise admissible by statute or rule of evidence, is admissible as substantive evidence if:

(1) the court finds, in a hearing outside the presence of the jury, that the time, content, and circumstances of the statement provide sufficient indicia of reliability;

(2) the domestic abuse victim either testifies at the proceeding or, if unavailable as a witness, there is corroborative evidence of the act; and

(3) the proponent of the statement notifies the adverse party of the proponent's intention to offer the statement and the particulars of the statement sufficiently in advance of the proceeding at which the proponent intends to offer the statement into evidence to provide the adverse party with a fair opportunity to prepare to respond to the statement.

In the absence of other factors indicating unreliability, recantation by a declarant is not a sufficient reason for denying admission of a statement under this section.

Sec. 10. Minnesota Statutes 2000, section 609.02, is amended by adding a subdivision to read:

Subd. 16. [QUALIFIED DOMESTIC VIOLENCE-RELATED OFFENSE.] "Qualified domestic violence-related offense" includes the following offenses: sections 518B.01, subdivision 14 (domestic abuse order for protection); 609.221 (first-degree assault); 609.222 (second-degree assault); 609.223 (third-degree assault); 609.2231 (fourth-degree assault); 609.224 (fifth-degree assault); 609.2242 (domestic assault); 609.342 (first-degree criminal sexual conduct); 609.343 (second-degree criminal sexual conduct); 609.344 (third-degree criminal sexual conduct); 609.345 (fourth-degree criminal sexual conduct); 609.377 (malicious punishment of a child); 609.713 (terroristic threats); 609.748, subdivision 6, (violation of restraining order); and 609.749 (harassment/stalking); and similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories.

Sec. 11. Minnesota Statutes 2000, section 609.224, subdivision 2, is amended to read:

Subd. 2. [GROSS MISDEMEANOR.] (a) Whoever violates the provisions of subdivision 1 against the same victim during the time period between a previous qualified domestic violence-related offense conviction or adjudication of delinquency under this section, sections 609.221 to 609.2231, 609.2242, 609.342 to 609.345;

~~609.377, or 609.713, or any similar law of another state~~; and the end of the five years following discharge from sentence or disposition for that ~~conviction or adjudication~~ offense, is guilty of a 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.

(b) Whoever violates the provisions of subdivision 1 within two years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency ~~under this section or sections 609.221 to 609.2231, 609.2242, 609.377, or 609.713, or any similar law of another state~~, is guilty of a 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.

(c) A caregiver, as defined in section 609.232, who is an individual and who violates the provisions of subdivision 1 against a vulnerable adult, as defined in section 609.232, is guilty of a 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.

Sec. 12. Minnesota Statutes 2000, section 609.224, subdivision 4, is amended to read:

Subd. 4. [FELONY.] (a) Whoever violates the provisions of subdivision 1 against the same victim during the time period between the first of any combination of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency ~~under this section or sections 609.221 to 609.2231, 609.2242, 609.342 to 609.345, 609.377, or 609.713, or any similar law of another state~~, and the end of the five years following discharge from sentence or disposition for that ~~conviction or adjudication~~ offense is guilty of a felony and may be sentenced to imprisonment for not more than five years or payment of a fine of not more than \$10,000, or both.

(b) Whoever violates the provisions of subdivision 1 within three years of the first of any combination of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency ~~under this section or sections 609.221 to 609.2231, 609.2242, 609.377, or 609.713, or any similar law of another state~~, is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Sec. 13. Minnesota Statutes 2000, section 609.2242, subdivision 2, is amended to read:

Subd. 2. [GROSS MISDEMEANOR.] Whoever violates subdivision 1 during the time period between a previous qualified domestic violence-related offense conviction or adjudication of delinquency ~~under this section or sections 609.221 to 609.2231, 609.224, 609.342 to 609.345, 609.377, or 609.713, or any similar law of another state~~, against a family or household member as defined in section 518B.01, subdivision 2, and the end of the five years following discharge from sentence or disposition for that ~~conviction or adjudication~~ offense is guilty of a 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.

Sec. 14. Minnesota Statutes 2000, section 609.2242, subdivision 4, is amended to read:

Subd. 4. [FELONY.] Whoever violates the provisions of this section or section 609.224, subdivision 1, against the same victim during the time period between the first of any combination of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency ~~under this section or sections 609.221 to 609.2231, 609.224, 609.342 to 609.345, 609.377, or 609.713, or any similar law of another state~~ and the end of the five years following discharge from sentence or disposition for that ~~conviction or adjudication~~ offense is guilty of a felony and may be sentenced to imprisonment for not more than five years or payment of a fine of not more than \$10,000, or both.

Sec. 15. Minnesota Statutes 2000, section 609.2244, subdivision 2, is amended to read:

Subd. 2. [REPORT.] (a) The department of corrections shall establish minimum standards for the report, including the circumstances of the offense, impact on the victim, the defendant's prior record, characteristics and history of alcohol and chemical use problems, and amenability to domestic abuse programs. The report is classified as private data on individuals as defined in section 13.02, subdivision 12. Victim impact statements are confidential.

(b) The report must include:

(1) a recommendation on any limitations on contact with the victim and other measures to ensure the victim's safety;

(2) a recommendation for the defendant to enter and successfully complete domestic abuse programming and any aftercare found necessary by the investigation, including a specific recommendation for the defendant to complete a domestic abuse counseling program or domestic abuse educational program under sections 518B.10 to 518B.13;

(3) a recommendation for chemical dependency evaluation and treatment as determined by the evaluation whenever alcohol or drugs were found to be a contributing factor to the offense;

(4) recommendations for other appropriate remedial action or care or a specific explanation why no level of care or action is recommended; and

(5) consequences for failure to abide by conditions set up by the court.

Sec. 16. Minnesota Statutes 2000, section 609.748, subdivision 6, is amended to read:

Subd. 6. [VIOLATION OF RESTRAINING ORDER.] (a) A person who violates a restraining order issued under this section is subject to the penalties provided in paragraphs (b) to (d).

(b) Except as otherwise provided in paragraphs (c) and (d), when a temporary restraining order or a restraining order is granted under this section and the respondent knows of the order, violation of the order is a misdemeanor.

(c) A person is guilty of a gross misdemeanor who knowingly violates the order during the time period between a previous qualified domestic violence-related offense conviction ~~under this subdivision; sections 609.221 to 609.224; 609.2242; 518B.01, subdivision 14; 609.713, subdivisions 1 or 3; or 609.749;~~ and the end of the five years following discharge from sentence for that ~~conviction~~ offense.

(d) A person is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the person knowingly violates the order:

(1) during the time period between the first of two or more previous qualified domestic violence-related offense convictions ~~under this subdivision or sections 518B.01, subdivision 14; 609.221 to 609.224; 609.2242; 609.713, subdivision 1 or 3; 609.749;~~ and the end of the five years following discharge from sentence for that ~~conviction~~ offense;

(2) because of the victim's or another's actual or perceived race, color, religion, sex, sexual orientation, disability as defined in section 363.01, age, or national origin;

(3) by falsely impersonating another;

(4) while possessing a dangerous weapon;

(5) with an intent to influence or otherwise tamper with a juror or a judicial proceeding or with intent to retaliate against a judicial officer, as defined in section 609.415, or a prosecutor, defense attorney, or officer of the court, because of that person's performance of official duties in connection with a judicial proceeding; or

(6) against a victim under the age of 18, if the respondent is more than 36 months older than the victim.

(e) A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order issued under subdivision 4 or 5 if the existence of the order can be verified by the officer.



(f) A violation of a temporary restraining order or restraining order shall also constitute contempt of court.

(g) Upon the filing of an affidavit by the petitioner, any peace officer, or an interested party designated by the court, alleging that the respondent has violated an order issued under subdivision 4 or 5, the court may issue an order to the respondent requiring the respondent to appear within 14 days and show cause why the respondent should not be held in contempt of court. The court also shall refer the violation of the order to the appropriate prosecuting authority for possible prosecution under paragraph (b), (c), or (d).

Sec. 17. Minnesota Statutes 2000, section 609.749, subdivision 4, is amended to read:

Subd. 4. [SECOND OR SUBSEQUENT VIOLATIONS; FELONY.] A person is guilty of a felony who violates any provision of subdivision 2 during the time period between a previous qualified domestic violence-related offense conviction or adjudication of delinquency ~~under this section; sections 609.221 to 609.2242; 518B.01, subdivision 14; 609.748, subdivision 6; or 609.713, subdivision 1 or 3; or a similar law from another state~~ and the end of the ten years following discharge from sentence or disposition for that ~~conviction or adjudication~~ offense.

Sec. 18. Minnesota Statutes 2000, section 609.749, subdivision 5, is amended to read:

Subd. 5. [PATTERN OF HARASSING CONDUCT.] (a) A person who engages in a pattern of harassing conduct with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause the victim under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim, is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both.

(b) For purposes of this subdivision, a "pattern of harassing conduct" means two or more acts within a five-year period that violate the provisions of any of the following or a similar law of another state, the United States, the District of Columbia, tribal lands, or United States territories:

- (1) this section;
- (2) section 609.713;
- (3) section 609.224;
- (4) section 609.2242;
- (5) section 518B.01, subdivision 14;
- (6) section 609.748, subdivision 6;
- (7) section 609.605, subdivision 1, paragraph (b), clauses (3), (4), and (7);
- (8) section 609.79;
- (9) section 609.795;
- (10) section 609.582;
- (11) section 609.595; or
- (12) section 609.765.

(c) When acts constituting a violation of this subdivision are committed in two or more counties, the accused may be prosecuted in any county in which one of the acts was committed for all acts constituting the pattern.

Sec. 19. Minnesota Statutes 2000, section 611A.201, subdivision 2, is amended to read:

Subd. 2. [DIRECTOR'S RESPONSIBILITIES.] The director shall have the following duties:

- (1) advocate for the rights of victims of domestic violence and sexual assault;
- (2) increase public education and visibility about the prevention of domestic violence and sexual assault;
- (3) encourage accountability regarding domestic violence and sexual assault at all levels of the system, and develop recommendations to improve accountability when the system fails;
- (4) support prosecution and civil litigation efforts regarding domestic violence and sexual assault at the federal and state levels;
- (5) study issues involving domestic violence and sexual assault and present findings and recommendations resulting from these studies to all branches of government;
- (6) initiate policy changes regarding domestic violence and sexual assault at all levels of government;
- ~~(6)~~ (7) coordinate existing resources and promote coordinated and immediate community responses to better serve victims of domestic violence and sexual assault;
- ~~(7)~~ (8) build partnerships among law enforcement, prosecutors, defenders, advocates, and courts to reduce the occurrence of domestic violence and sexual assault;
- ~~(8)~~ (9) encourage and support the efforts of health care providers, mental health experts, employers, educators, clergy members, and others, in raising awareness of and addressing how to prevent domestic violence and sexual assault;
- ~~(9)~~ (10) coordinate and maximize the use of federal, state, and local resources available to prevent domestic violence and sexual assault and leverage more resources through grants and private funding; and
- ~~(10)~~ (11) serve as a liaison between the executive director of the center for crime victim services and the commissioner of health with regard to the department of health's sexual violence prevention program funded by federal block grants, and oversee how this money is spent.

Sec. 20. [611A.203] [GRANT PROGRAM TO INCREASE SUPERVISION OF HIGH RISK DOMESTIC ABUSE OFFENDERS.]

Subdivision 1. [ESTABLISHMENT.] The commissioner of corrections shall administer a grant program and make grants to state and local correctional agencies supervising high risk domestic abuse offenders.

Subd. 2. [ELIGIBILITY.] State and local correctional agencies are eligible to apply for a grant under this section if they adopt and implement a specialized risk assessment scale to identify high risk domestic abuse offenders. This scale may assess the following risk factors:

- (1) the offender's prior offense history, including the number of prior offenses and victims and the duration of the offender's prior offense history;
- (2) the seriousness of the offense should the offender reoffend, including the degree of likely force or harm and the likelihood of the offender to engage in stalking behavior;
- (3) the offender's attitude, including motivation to change, willingness to accept assistance, and willingness to accept responsibility for the offender's actions;

(4) the offender's response to treatment efforts;

(5) the offender's history of substance abuse;

(6) the availability of community supports to the offender, including the availability and likelihood that the offender will be involved in therapeutic treatment;

(7) the offender's familial and social relationships;

(8) the offender's education, employment, and residential stability; and

(9) other appropriate factors.

Subd. 3. [REPORT.] By January 15, 2003, the commissioner of corrections shall report to the legislature on the grants made under this section.

Sec. 21. Minnesota Statutes 2000, section 629.72, is amended to read:

629.72 [BAIL IN CASES OF DOMESTIC ASSAULT OR ABUSE, HARASSMENT, VIOLATION OF AN ORDER FOR PROTECTION, OR VIOLATION OF A DOMESTIC ABUSE NO CONTACT ORDER.]

Subdivision 1. [DEFINITION; ALLOWING DETENTION IN LIEU OF CITATION; RELEASE DEFINITIONS.] (a) For purposes of this section, the following terms have the meanings given them.

(b) "Domestic abuse" has the meaning given in section 518B.01, subdivision 2.

(c) "Harassment" has the meaning given in section 609.749.

(d) "Violation of a domestic abuse no contact order" has the meaning given in section 518B.01, subdivision 22.

(e) "Violation of an order for protection" has the meaning given in section 518B.01, subdivision 14.

~~(b)~~ Subd. 1a. [ALLOWING DETENTION IN LIEU OF CITATION; RELEASE.] (a) Notwithstanding any other law or rule, an arresting officer may not issue a citation in lieu of arrest and detention to an individual charged with harassment ~~or charged with~~, domestic abuse, violation of an order for protection, or violation of a domestic abuse no contact order.

~~(b)~~ (b) Notwithstanding any other law or rule, an individual who is arrested on a charge of harassing any person ~~or of~~, domestic abuse, violation of an order for protection, or violation of a domestic abuse no contact order, must be brought to the police station or county jail. The officer in charge of the police station or the county sheriff in charge of the jail shall issue a citation in lieu of continued detention unless it reasonably appears to the officer or sheriff that ~~detention is necessary to prevent bodily harm to the arrested person or another, or there is a substantial likelihood the arrested person will fail to respond to a citation~~ release of the person (1) poses a threat to the alleged victim or another family or household member, (2) poses a threat to public safety, or (3) there is a substantial likelihood the arrested person will fail to appear at subsequent proceedings.

~~(c)~~ (c) If the arrested person is not issued a citation by the officer in charge of the police station or the county sheriff, the arrested person must be brought before the nearest available judge of the district court in the county in which the alleged harassment ~~or~~, domestic abuse, violation of an order for protection, or violation of a domestic abuse no contact order took place without unnecessary delay as provided by court rule.

Subd. 2. [JUDICIAL REVIEW; RELEASE; BAIL.] (a) The judge before whom the arrested person is brought shall review the facts surrounding the arrest and detention of a person arrested for domestic abuse, harassment, violation of an order for protection, or violation of a domestic abuse no contact order. The prosecutor or ~~other appropriate person~~ prosecutor's designee shall present relevant information involving the victim's or the victim's family's account of the alleged crime to the judge to be considered in determining the arrested person's release. ~~The arrested person must be ordered released pending trial or hearing on the person's personal recognizance or on an order to appear or upon the execution of an unsecured bond in a specified amount unless the judge determines that release (1) will be inimical to public safety, (2) will create a threat of bodily harm to the arrested person, the victim of the alleged harassment or domestic abuse, or another, or (3) will not reasonably assure the appearance of the arrested person at subsequent proceedings.~~ In making a decision concerning pretrial release of a person arrested for domestic abuse, harassment, violation of an order for protection, or violation of a domestic abuse no contact order, the judge shall review the facts of the arrest and detention of the person and determine whether: (i) release of the person poses a threat to the alleged victim, another family or household member, or public safety; or (ii) there is a substantial likelihood the person will fail to appear at subsequent proceedings. Before releasing a person arrested for or charged with a crime of domestic abuse, harassment, violation of an order for protection, or violation of a domestic abuse no contact order, the judge shall make findings on the record, to the extent possible, concerning the determination made in accordance with the factors specified in items (i) and (ii). The judge may impose conditions of release or bail, or both, on the person to protect the alleged victim or other family or household members and to ensure the appearance of the person at subsequent proceedings. These conditions may include an order:

(1) enjoining the person from threatening to commit or committing acts of domestic abuse or harassment against the alleged victim or other family or household members or from violating an order for protection or a domestic abuse no contact order;

(2) prohibiting the person from harassing, annoying, telephoning, contacting, or otherwise communicating with the alleged victim, either directly or indirectly;

(3) directing the person to vacate or stay away from the home of the alleged victim and to stay away from any other location where the alleged victim is likely to be;

(4) prohibiting the person from possessing a firearm or other weapon specified by the court;

(5) prohibiting the person from possessing or consuming alcohol or controlled substances; and

(6) specifying any other matter required to protect the safety of the alleged victim and to ensure the appearance of the person at subsequent proceedings.

(b) ~~If the judge determines release is not advisable, the judge may impose any conditions of release that will reasonably assure the appearance of the person for subsequent proceedings, or will protect the victim of the alleged harassment or domestic abuse, or may fix the amount of money bail without other conditions upon which the arrested person may obtain release.~~ If conditions of release are imposed, the judge shall issue a written order for conditional release. The court administrator shall immediately distribute a copy of the order for conditional release to the agency having custody of the arrested person and shall provide the agency having custody of the arrested person with any available information on the location of the victim in a manner that protects the victim's safety. Either the court or its designee or the agency having custody of the arrested person shall serve upon the defendant a copy of the order. Failure to serve the arrested person with a copy of the order for conditional release does not invalidate the conditions of release.

(c) If the judge imposes as a condition of release a requirement that the person have no contact with the alleged victim of the alleged harassment or domestic abuse, the judge may also, on its own motion or that of the prosecutor or on request of the victim, issue an ex parte temporary restraining order under section 609.748, subdivision 4, or an ex parte temporary order for protection under section 518B.01, subdivision 7. Notwithstanding section 518B.01, subdivision 7, paragraph (b), or 609.748, subdivision 4, paragraph (c), the temporary order is effective until the

defendant is convicted or acquitted, or the charge is dismissed, provided that upon request the defendant is entitled to a full hearing on the restraining order under section 609.748, subdivision 5, or on the order for protection under section 518B.01. The hearing must be held within seven days of the defendant's request.

Subd. 2a. [ELECTRONIC MONITORING AS A CONDITION OF PRETRIAL RELEASE.] (a) Until the commissioner of corrections has adopted standards governing electronic monitoring devices used to protect victims of domestic abuse, the court, as a condition of release, may not order a person arrested for a crime described in section 609.135, subdivision 5a, paragraph (b), to use an electronic monitoring device to protect a victim's safety.

(b) Notwithstanding paragraph (a), district courts in the tenth judicial district may order, as a condition of a release, a person arrested on a charge of a crime described in section 609.135, subdivision 5a, paragraph (b), to use an electronic monitoring device to protect the victim's safety. The courts shall make data on the use of electronic monitoring devices to protect a victim's safety in the tenth judicial district available to the commissioner of corrections to evaluate and to aid in development of standards for the use of devices to protect victims of domestic abuse.

Subd. 3. [RELEASE.] If the arrested person is not issued a citation by the officer in charge of the police station or the county sheriff pursuant to subdivision 1, and is not brought before a judge within the time limits prescribed by court rule, the arrested person shall be released by the arresting authorities, and a citation must be issued in lieu of continued detention.

Subd. 4. [SERVICE OF RESTRAINING ORDER OR ORDER FOR PROTECTION.] If a restraining order is issued under section 609.748 or an order for protection is issued under section 518B.01 while the arrested person is still in detention, the order must be served upon the arrested person during detention if possible.

Subd. 5. [VIOLATIONS OF CONDITIONS OF RELEASE.] The judge who released the arrested person shall issue a warrant directing that the person be arrested and taken immediately before the judge, if the judge:

- (1) receives an application alleging that the arrested person has violated the conditions of release; and
- (2) finds that probable cause exists to believe that the conditions of release have been violated.

Subd. 6. [NOTICE REGARDING RELEASE OF ARRESTED PERSON.] (a) Immediately after issuance of a citation in lieu of continued detention under subdivision 1, or the entry of an order for release under subdivision 2, but before the arrested person is released, the agency having custody of the arrested person or its designee must make a reasonable and good faith effort to inform orally the alleged victim, local law enforcement agencies known to be involved in the case, if different from the agency having custody, and, at the victim's request any local battered women's and domestic abuse programs established under section 611A.32 or sexual assault programs of:

- (1) the conditions of release, if any;
- (2) the time of release;
- (3) the time, date, and place of the next scheduled court appearance of the arrested person and the victim's right to be present at the court appearance; and
- (4) if the arrested person is charged with domestic abuse, the location and telephone number of the area battered women's shelter as designated by the department of corrections.

(b) As soon as practicable after an order for conditional release is entered, the agency having custody of the arrested person or its designee must personally deliver or mail to the alleged victim a copy of the written order and written notice of the information in paragraph (a), clauses (2) and (3).

Subd. 7. [NOTICE TO VICTIM REGARDING BAIL HEARING.] When a person arrested for or a juvenile detained for domestic assault or harassment is scheduled to be reviewed under subdivision 2 for release from pretrial detention, the court shall make a reasonable good faith effort to notify: (1) the victim of the alleged crime; (2) if the victim is incapacitated or deceased, the victim's family; and (3) if the victim is a minor, the victim's parent or guardian. The notification must include:

- (a) the date and approximate time of the review;
- (b) the location where the review will occur;
- (c) the name and telephone number of a person that can be contacted for additional information; and
- (d) a statement that the victim and the victim's family may attend the review.

Sec. 22. [STUDY; INTERAGENCY TASK FORCE ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT PREVENTION.]

The interagency task force on domestic violence and sexual assault prevention is directed to study issues related to gender and domestic violence and to assess the needs of male victims of domestic violence. By January 15, 2002, the director of prevention of domestic violence and sexual assault shall report to the chairs and ranking minority members of the house and senate committees with jurisdiction over criminal justice policy and funding on the task force's study, findings, and recommendations.

Sec. 23. [APPROPRIATIONS.]

Subdivision 1. [CORRECTIONS.] \$5,000,000 is appropriated from the general fund to the commissioner of corrections for a grant program to increase supervision of high risk domestic abuse offenders who are on probation, conditional release, or supervised release by means of caseload reduction. The grants shall be used to reduce the number of offenders supervised by officers with specialized caseloads to an average of 35 offenders. This appropriation is available for the biennium ending June 30, 2003.

Subd. 2. [PUBLIC SAFETY.] (a) \$300,000 is appropriated from the general fund to the commissioner of public safety for grants to organizations to monitor and track judicial responses to domestic assault cases in three judicial districts.

(b) \$246,000 is appropriated from the general fund to the commissioner of public safety for grants to community advocacy and outreach programs under Minnesota Statutes, section 611A.32, to provide services in unserved and underserved counties. Programs serving small rural counties are encouraged to combine resources to serve multiple counties.

(c) \$100,000 is appropriated from the general fund to the commissioner of public safety for grants to enable programs to provide safe housing and services to men who are domestic abuse victims and their children.

(d) \$7,500,000 is appropriated from the general fund to the commissioner of public safety for per diem funding for shelters under Minnesota Statutes, section 611A.32, and for safe homes.

(e) \$..... is appropriated from the general fund to the commissioner of public safety for grants for criminal justice intervention programs.

(f) The appropriations in this subdivision are available for the biennium ending June 30, 2003.

Sec. 24. [REPEALER.]

Minnesota Statutes 2000, section 609.2244, subdivision 4, is repealed.

## Sec. 25. [EFFECTIVE DATES.]

Sections 4, 10 to 14, and 16 to 18 are effective August 1, 2001, and apply to crimes committed on or after that date. The remaining sections are effective July 1, 2001."

Delete the title and insert:

"A bill for an act relating to crime; requiring additional findings before pretrial release of a defendant accused of domestic abuse, harassment, or violation of an order for protection; defining qualified domestic violence-related offenses; providing that additional crimes and crimes from other jurisdictions may be used to enhance penalties; increasing criminal penalties; specifying standards for domestic abuse offender programs and requiring courts to sentence certain offenders to these programs; authorizing domestic abuse advocates to access private data in police reports; allowing certain prior statements of domestic abuse by the victim to be admissible in judicial proceedings; requiring probation agencies to adopt specialized policies for classifying the risk level of domestic abuse offenders; requiring data collection on disorderly conduct convictions; establishing a grant program to increase supervision of high risk domestic abuse offenders; appropriating money to increase supervision of high risk domestic abuse offenders by means of caseload reduction; appropriating money to fund services for battered women; appropriating money for criminal justice intervention projects; appropriating money for monitoring judicial responses to domestic assault; amending Minnesota Statutes 2000, sections 518B.01, subdivisions 2, 3, 6, 14; 595.02, by adding a subdivision; 609.02, by adding a subdivision; 609.224, subdivisions 2, 4; 609.2242, subdivisions 2, 4; 609.2244, subdivision 2; 609.748, subdivision 6; 609.749, subdivisions 4, 5; 611A.201, subdivision 2; 629.72; proposing coding for new law in Minnesota Statutes, chapters 518B; 611A; repealing Minnesota Statutes 2000, section 609.2244, subdivision 4."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Dauids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 739, A bill for an act relating to community development; providing funding for the 2004 Grand Excursion; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Jobs and Economic Development Finance without further recommendation.

The report was adopted.

Dauids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 808, A bill for an act relating to appropriations; appropriating money to the Mississippi river parkway commission.

Reported the same back with the following amendments:

Page 1, line 7, after the first "to" insert "the commissioner of trade and economic development for a grant to"

Amend the title as follows:

Page 1, line 2, delete the second "to" and insert "for"

With the recommendation that when so amended the bill be re-referred to the Committee on Jobs and Economic Development Finance without further recommendation.

The report was adopted.

Tuma from the Committee on Crime Prevention to which was referred:

H. F. No. 848, A bill for an act relating to crimes; enabling peace officers to execute search warrants on foreign corporations doing business in Minnesota to search for electronic evidence; allowing Minnesota corporations engaged in electronic communication services or remote computing services to provide electronic evidence when served with search warrants issued from other jurisdictions; enhancing penalties for dissemination and possession of pornographic work involving minors; amending Minnesota Statutes 2000, section 617.247, subdivisions 3 and 4; proposing coding for new law in Minnesota Statutes, chapter 626.

Reported the same back with the following amendments:

Page 1, after line 14, insert:

"Section 1. Minnesota Statutes 2000, section 8.16, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY.] The attorney general, or any deputy, assistant, or special assistant attorney general whom the attorney general authorizes in writing, has the authority in any county of the state to subpoena and require the production of any records of telephone companies, cellular phone companies, paging companies, the names and addresses of subscribers of private computer networks including Internet service providers or computer bulletin board systems, electric companies, gas companies, water utilities, chemical suppliers, hotels and motels, pawn shops, airlines, buses, taxis, and other entities engaged in the business of transporting people, and freight companies, self-service storage facilities, warehousing companies, package delivery companies, and other entities engaged in the businesses of transport, storage, or delivery, and records of the existence of safe deposit box account numbers and customer savings and checking account numbers maintained by financial institutions and safe deposit companies. Subpoenas may only be issued for records that are relevant to an ongoing legitimate law enforcement investigation."

Page 1, line 24, delete "subdivision 1" and insert "paragraph (a)"

Page 1, line 26, delete "ten" and insert "15"

Page 2, line 11, delete "subdivision 1" and insert "paragraph (a)"

Page 2, line 20, delete "14" and insert "18"

Page 4, line 27, delete "to 3" and insert ", 3, and 4" and delete everything after "2001" and insert ". Section 2 applies to crimes committed after August 1, 2001"

Page 4, line 28, delete everything before the period

Renumber the sections in sequence



Amend the title as follows:

Page 1, line 2, after the semicolon, insert "extending the attorney general's authority for administrative subpoenas;"

Page 1, line 11, delete "section" and insert "sections 8.16, subdivision 1; and"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Tuma from the Committee on Crime Prevention to which was referred:

H. F. No. 883, A bill for an act relating to public safety; authorizing use of the criminal justice data communications network for determining if civil commitment petitions of proposed patient as sexual psychopathic or sexually dangerous person should be filed; amending Minnesota Statutes 2000, section 299C.46, subdivision 3.

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

The report was adopted.

Tuma from the Committee on Crime Prevention to which was referred:

H. F. No. 912, A bill for an act relating to crime prevention; extending the operations of the arson strike force; amending Minnesota Statutes 2000, section 299F.058, subdivision 2.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Judiciary Finance.

The report was adopted.

Dauids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 965, A bill for an act relating to economic development; modifying the Minnesota investment fund; amending Minnesota Statutes 2000, section 116J.8731, subdivisions 4, 5, and 7.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Jobs and Economic Development Finance without further recommendation.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 980, A bill for an act relating to public construction and remodeling projects; exempting park buildings from legislative notification and review requirements; amending Minnesota Statutes 2000, section 16B.335, subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Capital Investment.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1004, A bill for an act relating to human services; changing provisions for supportive housing and managed care pilot project; appropriating money; amending Minnesota Statutes 2000, section 256K.25, subdivisions 1, 3, 4, and 5.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 1007, A bill for an act relating to trade regulations; prohibiting gasoline sales below cost; providing enforcement authority; amending Minnesota Statutes 2000, section 325D.01, subdivision 5, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 325D.

Reported the same back with the following amendments:

Page 2, line 3, delete "by the consumer"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Crime Prevention.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 1009, A bill for an act relating to agriculture; clarifying the definition of agricultural land; amending Minnesota Statutes 2000, section 97B.001, subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Agriculture Policy.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1064, A bill for an act relating to human services; expanding consumer support grant services; extending a provision related to hardship waivers; clarifying resource allocation for the home and community-based waiver for persons with mental retardation and related conditions; providing a choice of case manager and modifying other provisions related to services for persons with developmental disabilities; amending Minnesota Statutes 2000, sections 256.476, subdivision 4; 256B.0625, subdivision 19a; 256B.0916, subdivisions 1, 7, 9, and by adding a subdivision; and 256B.092, subdivision 2a.

Reported the same back with the following amendments:

Page 1, line 21, strike "If a"

Page 1, line 22, strike everything before the second "the"

Page 1, line 23, after "agency" insert "or contracted agency"

Page 6, delete lines 4 to 8 and insert:

"(e) The commissioner of finance shall not reduce the spending forecast for the coming biennium, if at the time of the forecast there is a waiting list for waiver services for persons with mental retardation or related conditions who need services within the next 30 months. Funds that would have resulted from a projected"

Page 6, line 19, delete "developmental disabilities" and insert "mental retardation or related conditions"

Page 6, delete line 22

Page 6, line 23, delete "requirements for this service" and insert "meet the requirements for provision of consumer-directed community supports"

Page 7, line 30, delete "developmental disabilities" and insert "mental retardation or related conditions"

Page 8, after line 28, insert:

"Sec. 9. [APPROPRIATION TO COMMISSIONER FOR WAIVER SERVICES.]

The amount of funds for the home and community-based waiver for persons with mental retardation or related conditions reduced in the November 2000 and February 2001 forecasts, due to a change in the average cost per person served, is appropriated to the commissioner of human services for the biennium ending June 30, 2003, to meet the needs of persons with mental retardation or related conditions waiting for waiver services."

Amend the title as follows:

Page 1, lines 8 and 9, delete "developmental disabilities" and insert "mental retardation or related conditions; appropriating money"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 1071, A bill for an act relating to natural resources; adding to and deleting from state parks and state recreation areas; redesccribing a state park boundary and administration; modifying administration of certain boathouse lot leases in Soudan underground mine state park; amending Minnesota Statutes 2000, section 85.012, subdivision 17; Laws 2000, chapter 486, section 4.

Reported the same back with the following amendments:

Page 4, delete lines 1 to 36

Page 5, delete lines 1 to 21 and insert:

"Subd. 2. [85.012] [Subd. 12.] [CASCADE RIVER STATE PARK, COOK COUNTY.] (a) The following areas are added to Cascade River state park, all in Cook county:

(1) the North Half of the Southwest Quarter, the Southwest Quarter of the Southwest Quarter, and the East Half of the Southeast Quarter of the Southeast Quarter EXCEPT the westerly 155 feet of the South Half of the East Half of the Southeast Quarter of the Southeast Quarter of Section 31; that part of the Northeast Quarter of the Southwest Quarter that lies southerly and southeasterly of county road No. 7 as it exists on January 13, 1976, of Section 32; the East 150 feet of Government Lot 4, lying South of highway 61, of Section 33; all in Township 61 North, Range 1 West;

(2) the North Half of the Northwest Quarter of Section 1; the Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northwest Quarter, the North Half of the Southwest Quarter, and the Southwest Quarter of the Southwest Quarter of Section 2; the East Half of the Northeast Quarter, the North Half of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter, the Northwest Quarter of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter, and the Southeast Quarter of Section 3; the Northeast Quarter of Section 9; the Northwest Quarter and the East 10 acres of the Southeast Quarter of the Northeast Quarter of Section 10; all in Township 60 North, Range 2 West; and

(3) that part of the Southwest Quarter that lies southerly and easterly of county road No. 45, and that part of the Southwest Quarter of the Southeast Quarter that lies southerly of county road No. 45 excepting therefrom that part of the Southwest Quarter of the Southeast Quarter described as follows: Commencing at the monument at the southwest corner of said SW1/4 of SE1/4, thence east along the south boundary of said SW1/4 a distance of 835 feet, and which is the point of beginning (marked with an iron stake); thence North 120 feet, more or less, to the centerline of Cook county road No. 45 (known as Pike Lake road); thence in a northwesterly direction along the centerline of Cook county road No. 45 a distance of 580.0 feet, more or less, to the intersection with the centerline of the former Babineau road; thence southeasterly along the centerline of the former Babineau road a distance of 370 feet, more or less, to intersect with the south boundary of said SW1/4 of SW1/4; thence East along the south boundary of said SW1/4 of SE1/4 a distance of 325 feet, more or less, to the point of beginning, containing approximately 1.9 acres, of Section 24; the East Half, the South Half of the Southwest Quarter, and that part of the Northwest Quarter that lies southerly of county road No. 45 of Section 25; that part of the Northeast Quarter of the Northeast Quarter that lies southerly of county road No. 45, the South Half of the Northeast Quarter, and the Southeast Quarter of Section 26; all of Section 35; all in Township 61 North, Range 2 West.

(b) The commissioner of natural resources shall manage the addition under paragraph (a) as a state park according to Minnesota Statutes, section 86A.05, subdivision 2, and in addition to other activities authorized in Cascade River state park, public hunting shall be allowed on public lands in that portion of the addition under paragraph (a) that lies north of Minnesota trunk highway No. 61."

Page 7, line 25, delete "and"

Page 7, line 26, before the period, insert "; and"

(4) the Southeast Quarter of the Southeast Quarter of Section 31"

Pages 8 to 10, delete section 7 and insert:

"Sec. 7. [REDESCRIBING GEORGE H. CROSBY MANITOU STATE PARK BOUNDARIES.]

[85.012] [Subd. 22.] [GEORGE H. CROSBY MANITOU STATE PARK, LAKE COUNTY.] (a) Notwithstanding any other law, including Laws 1955, chapter 144, George H. Crosby Manitou state park, heretofore established, shall consist of the following described lands, all in Lake county:

(1) the Southwest Quarter of the Southwest Quarter of Section 2; the Northwest Quarter, the West Half of the Southeast Quarter, the North Half of the Southwest Quarter, and the Southeast Quarter of the Southwest Quarter of Section 3; all in Township 57 North, Range 6 West;

(2) the Southwest Quarter of the Northwest Quarter and the Southwest Quarter of Section 14; the Southeast Quarter of the Northeast Quarter, the Southwest Quarter of the Northwest Quarter, and the South Half of Section 15; that part of the Southeast Quarter of the Northeast Quarter and that part of the South Half lying southerly and easterly of Lake county road No. 7 of Section 17; that part of the East Half and that part of the Southwest Quarter lying easterly of Lake county road No. 7 of Section 20; all of Sections 21 and 22; the Southwest Quarter of the Northeast Quarter, the North Half of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, and the Southwest Quarter of the Southwest Quarter of Section 23; the Northwest Quarter of the Northwest Quarter of Section 26; the Northeast Quarter of the Northeast Quarter, the South Half of the Northeast Quarter, the Northwest Quarter, the North Half of the Southwest Quarter, and the Southwest Quarter of the Southwest Quarter of Section 27; all of Section 28; the East Half and that part of the West Half lying southerly and easterly of Lake county road No. 7 of Section 29; that part of the Southeast Quarter of the Southeast Quarter lying southerly of Lake county road No. 7 of Section 30; the North Half of the Southeast Quarter and that part of the East Half of the Northeast Quarter lying easterly of Lake county road No. 7 of Section 31; the East Half, the Northwest Quarter, and the East Half of the Southwest Quarter of Section 32; all of Section 33; the West Half of the Northwest Quarter and the West Half of the Southwest Quarter of Section 34; all in Township 58 North, Range 6 West.

(b) The commissioner shall manage the state park as provided in Minnesota Statutes, section 86A.05, subdivision 3, but in addition to other activities authorized in George H. Crosby Manitou state park, shall allow public hunting in that portion of the park lying east of the Manitou river and north of Minnesota trunk highway No. 61.

(c) Notwithstanding Minnesota Statutes, section 85.012, subdivision 1, tax-forfeited land located within George H. Crosby Manitou state park is not withdrawn from sale and is not transferred from the custody, control, and supervision of the county board."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1081, A bill for an act relating to health; modifying review organization provisions; allowing review organizations to participate in Internet-based information sharing systems; permitting the release of certain data by review organizations; amending Minnesota Statutes 2000, sections 145.61, subdivision 5; and 145.64, subdivision 1, and by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 145.61, subdivision 5, is amended to read:

Subd. 5. [REVIEW ORGANIZATION.] "Review organization" means a nonprofit organization acting according to clause ~~(h)~~ (l), a committee as defined under section 144E.32, subdivision 2, or a committee whose membership is limited to professionals, administrative staff, and consumer directors, except where otherwise provided for by state or federal law, and which is established by one or more of the following: a hospital, a clinic, a nursing home, an ambulance service or first responder service regulated under chapter 144E, one or more state or local associations of professionals, an organization of professionals from a particular area or medical institution, a health maintenance organization as defined in chapter 62D, a community integrated service network as defined in chapter 62N, a nonprofit health service plan corporation as defined in chapter 62C, a preferred provider organization, a professional standards review organization established pursuant to United States Code, title 42, section 1320c-1 et seq., a

medical review agent established to meet the requirements of section 256B.04, subdivision 15, or 256D.03, subdivision 7, paragraph (b), the department of human services, a health provider cooperative operating under sections 62R.17 to 62R.26, or a nonprofit corporation ~~organized under chapter 317A~~ that owns, operates, or is established by one or more of the above referenced entities, to gather and review information relating to the care and treatment of patients for the purposes of:

(a) evaluating and improving the quality of health care ~~rendered in the area or medical institution or by the entity or organization that established the review organization;~~

(b) reducing morbidity or mortality;

(c) obtaining and disseminating statistics and information relative to the treatment and prevention of diseases, illness and injuries;

(d) developing and publishing guidelines showing the norms of health care in the area or medical institution or in the entity or organization that established the review organization;

(e) developing and publishing guidelines designed to keep within reasonable bounds the cost of health care;

(f) developing and publishing guidelines designed to improve the safety of care provided to individuals;

(g) reviewing the safety, quality, or cost of health care services provided to enrollees of health maintenance organizations, community integrated service networks, health service plans, preferred provider organizations, and insurance companies;

~~(g)~~ (h) acting as a professional standards review organization pursuant to United States Code, title 42, section 1320c-1 et seq.;

~~(h)~~ (i) determining whether a professional shall be granted staff privileges in a medical institution, membership in a state or local association of professionals, or participating status in a nonprofit health service plan corporation, health maintenance organization, community integrated service network, preferred provider organization, or insurance company, or whether a professional's staff privileges, membership, or participation status should be limited, suspended or revoked;

(i) (j) reviewing, ruling on, or advising on controversies, disputes or questions between:

(1) health insurance carriers, nonprofit health service plan corporations, health maintenance organizations, community integrated service networks, self-insurers and their insureds, subscribers, enrollees, or other covered persons;

(2) professional licensing boards and health providers licensed by them;

(3) professionals and their patients concerning diagnosis, treatment or care, or the charges or fees therefor;

(4) professionals and health insurance carriers, nonprofit health service plan corporations, health maintenance organizations, community integrated service networks, or self-insurers concerning a charge or fee for health care services provided to an insured, subscriber, enrollee, or other covered person;

(5) professionals or their patients and the federal, state, or local government, or agencies thereof;

(j) (k) providing underwriting assistance in connection with professional liability insurance coverage applied for or obtained by dentists, or providing assistance to underwriters in evaluating claims against dentists;

~~(k)~~ (l) acting as a medical review agent under section 256B.04, subdivision 15, or 256D.03, subdivision 7, paragraph (b);

~~(j)~~ (m) providing recommendations on the medical necessity of a health service, or the relevant prevailing community standard for a health service;

~~(m)~~ (n) providing quality assurance as required by United States Code, title 42, sections 1396r(b)(1)(b) and 1395i-3(b)(1)(b) of the Social Security Act;

~~(n)~~ (o) providing information to group purchasers of health care services when that information was originally generated within the review organization for a purpose specified by this subdivision; ~~or~~

~~(o)~~ (p) providing information to other, affiliated or nonaffiliated review organizations, when that information was originally generated within the review organization for a purpose specified by this subdivision, and as long as that information will further the purposes of a review organization as specified by this subdivision; or

(q) participating in a standardized incident reporting system, including Internet-based applications, to share information for the purpose of identifying and analyzing trends in medical error and iatrogenic injury.

Sec. 2. Minnesota Statutes 2000, section 145.63, is amended by adding a subdivision to read:

Subd. 3. [STANDARDIZED INCIDENT REPORTING SYSTEM.] Failure to participate in the standardized incident reporting system described in section 145.61, subdivision 5, clause (q), or to regularly monitor or update Internet-based data that are part of the standardized incident reporting system shall not make a person or review organization liable for damages or other relief.

Sec. 3. Minnesota Statutes 2000, section 145.64, subdivision 1, is amended to read:

Subdivision 1. [DATA AND INFORMATION.] ~~At~~ (a) Except as provided in subdivision 4, data and information acquired by a review organization, in the exercise of its duties and functions, or by an individual or other entity acting at the direction of a review organization, shall be held in confidence, shall not be disclosed to anyone except to the extent necessary to carry out one or more of the purposes of the review organization, and shall not be subject to subpoena or discovery. No person described in section 145.63 shall disclose what transpired at a meeting of a review organization except to the extent necessary to carry out one or more of the purposes of a review organization. The proceedings and records of a review organization shall not be subject to discovery or introduction into evidence in any civil action against a professional arising out of the matter or matters which are the subject of consideration by the review organization. Information, documents or records otherwise available from original sources shall not be immune from discovery or use in any civil action merely because they were presented during proceedings of a review organization, nor shall any person who testified before a review organization or who is a member of it be prevented from testifying as to matters within the person's knowledge, but a witness cannot be asked about the witness' testimony before a review organization or opinions formed by the witness as a result of its hearings. For purposes of this subdivision, records of a review organization include Internet-based data derived from data shared for the purposes of the standardized incident reporting system described in section 145.61, subdivision 5, clause (q).

(b) Notwithstanding paragraph (a), a review organization may release nonpatient-identified aggregate trend data on medical error and iatrogenic injury without violating this section or being subjected to a penalty under section 145.66 and without compromising the protections provided under sections 145.61 to 145.67 to the reporter of such information; to the review organization, its sponsoring organizations, and members; and to the underlying data and reports.

(c) The confidentiality protection and protection from discovery or introduction into evidence provided in this subdivision shall also apply to the governing body of the review organization and shall not be waived as a result of referral of a matter from the review organization to the governing body or consideration by the governing body of decisions, recommendations, or documentation of the review organization.

(d) The governing body of a hospital, health maintenance organization, or community integrated service network, that is owned or operated by a governmental entity, may close a meeting to discuss decisions, recommendations, deliberations, or documentation of the review organization. A meeting may not be closed except by a majority vote of the governing body in a public meeting. The closed meeting must be tape recorded and the tape must be retained by the governing body for five years.

Sec. 4. Minnesota Statutes 2000, section 145.64, is amended by adding a subdivision to read:

Subd. 4. [STANDARDIZED INCIDENT REPORTING SYSTEM DATA.] A review organization that is participating in a standardized incident reporting system described in section 145.61, subdivision 5, clause (q), may release data for purposes of the reporting system, provided that the data do not identify an individual and are not released in a manner in which an individual can be identified.

Sec. 5. Minnesota Statutes 2000, section 145.64, is amended by adding a subdivision to read:

Subd. 5. [COMMISSIONER OF HEALTH.] Nothing in this section shall be construed to prohibit or restrict the right of the commissioner of health to access the original information, documents, or records acquired by a review organization as permitted by law."

Delete the title and insert:

"A bill for an act relating to health; modifying review organization provisions; allowing review organizations to participate in Internet-based information sharing systems; permitting the release of certain data by review organizations; amending Minnesota Statutes 2000, sections 145.61, subdivision 5; 145.63, by adding a subdivision; 145.64, subdivision 1, by adding subdivisions."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1288, A bill for an act relating to human services; expanding the number of living-at-home block nurse programs and increasing program funding; appropriating money; amending Minnesota Statutes 2000, section 256B.0917, subdivision 8.

Reported the same back with the following amendments:

Page 1, line 26, after the semicolon, insert "and"

Page 2, strike lines 1 and 2

Page 2, line 3, strike "(4)" and insert "(3)"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.



Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 1302, A bill for an act relating to natural resources; extending certain advisory committees; modifying contracting authority; modifying stamp requirements; allowing certain grant money to carry forward; appropriating money; amending Minnesota Statutes 2000, sections 15.059, subdivision 5a; 84.025, subdivision 7; 84.0887, subdivision 4; 84.83, subdivision 3; 86A.21; 93.002, subdivision 1; 97A.045, subdivision 7; 97A.055, subdivision 4a; 97A.405, subdivision 2; 97A.411, subdivision 2; 97A.473, subdivisions 2, 3, and 5; 97A.474, subdivisions 2 and 3; 97A.475, subdivisions 5 and 10; 97A.485, subdivision 6; 97B.721; 97C.305; and 116P.06, subdivision 1; Laws 1996, chapter 407, section 32, subdivision 4.

Reported the same back with the following amendments:

Page 16, line 16, before the period, insert "half of which must be used for turkey management purposes under Minnesota Statutes, section 97A.075, subdivision 5"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1307, A bill for an act relating to public guardianship; appropriating money; amending Minnesota Statutes 2000, sections 252A.02, subdivisions 3, 12, 13, and by adding a subdivision; 252A.111, subdivisions 5 and 6; 252A.14; 252A.16, subdivision 1; 252A.19, subdivision 9; 252A.20, subdivision 1; 252A.21, subdivision 2; repealing Minnesota Statutes 2000, section 252A.111, subdivision 3.

Reported the same back with the following amendments:

Page 2, line 34, strike "directly or"

Page 2, line 35, delete "contract" and insert "contracting"

Page 4, delete section 9

Page 4, line 16, delete "10" and insert "9"

Page 4, line 32, delete "11" and insert "10"

Page 5, line 11, delete "12" and insert "11"

Page 5, delete line 15

Page 5, line 16, delete "those remaining on public guardianship"

Page 5, line 21, after "alternatives" insert a period

Page 5, delete lines 22 and 23

Page 5, line 24, delete "13" and insert "12"

Page 5, line 29, delete "12" and insert "11"

Page 5, line 35, delete "14" and insert "13"

Amend the title as follows:

Page 1, line 6, delete "252A.19, subdivision 9;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1412, A bill for an act relating to human services; providing medical assistance and alternative care reimbursement for certain employee travel costs in conjunction with services provided in the recipient's home; appropriating money; amending Minnesota Statutes 2000, sections 256B.0625, by adding a subdivision; and 256B.0913, subdivision 5.

Reported the same back with the following amendments:

Page 1, line 14, after the second comma, insert "and upon federal approval."

Page 2, after line 16, insert:

"**[EFFECTIVE DATE.]** This section is effective October 1, 2001, or upon federal approval, whichever is later."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Workman from the Committee on Transportation Policy to which was referred:

H. F. No. 1616, A bill for an act relating to public safety; repealing obsolete rules of the commissioner of public safety prescribing standards for sirens on emergency vehicles; repealing Minnesota Rules, parts 7420.0200; 7420.0300; 7420.0400; 7420.9910; 7420.9920; 7420.9930.

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

The report was adopted.

Workman from the Committee on Transportation Policy to which was referred:

H. F. No. 1688, A bill for an act relating to traffic regulations; providing certain exemptions for seasonal highway weight restrictions; amending Minnesota Statutes 2000, section 169.87, subdivision 4.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Transportation Finance without further recommendation.

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

S. F. No. 510, A bill for an act relating to counties; providing a process for making certain county offices appointive; amending Minnesota Statutes 2000, sections 375A.10, subdivision 5; 375A.12, subdivision 2, and by adding a subdivision; and 382.01.

Reported the same back with the following amendments:

Page 3, line 2, delete ", after adopting a"

Page 3, delete line 3

Page 3, line 4, delete "publish the resolution" and insert "must publish a resolution notifying the public of its intent to consider adopting the option"

Page 3, line 5, after the period, insert "Following the publication, the county board shall provide an opportunity at its next regular meeting for public comment relating to the option prior to formally adopting the option."

With the recommendation that when so amended the bill pass.

The report was adopted.

Tuma from the Committee on Crime Prevention to which was referred:

S. F. No. 711, A bill for an act relating to crime prevention; modifying the school trespass law; amending Minnesota Statutes 2000, section 609.605, subdivision 4.

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

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 323, 326, 883 and 1616 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 510 and 711 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Howes introduced:

H. F. No. 1873, A bill for an act relating to natural resources; appropriating money for the upper Mississippi comprehensive plan.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Abrams and McElroy introduced:

H. F. No. 1874, A bill for an act relating to taxation; classifying data; providing procedures for issuance of warrant for certain tax return information; changing procedures for disposition of seized contraband; defining certain property as contraband; changing and providing civil penalties; providing for a criminal penalty; appropriating money; amending Minnesota Statutes 2000, sections 16D.08, subdivision 2; 270A.11; 270B.02, subdivisions 2 and 3; 270B.03, subdivision 6; 270B.16; 289A.55, subdivision 9; 289A.60, subdivisions 1, 2, 7, and by adding a subdivision; 296A.24, subdivisions 1 and 2; 297A.91; 297E.16, subdivisions 1 and 2; 297F.20, subdivision 3; 297F.21, subdivisions 1, 2, and 3; 297G.20, subdivisions 3 and 4; and 626.11; repealing Minnesota Statutes 2000, sections 289A.60, subdivision 3; 296A.24, subdivision 3; 297E.16, subdivision 3; 297F.21, subdivision 4; and 297G.20, subdivision 5.

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

Wilkin and Gerlach introduced:

H. F. No. 1875, A bill for an act relating to the metropolitan airports commission; removing the mayors of Minneapolis and St. Paul from the membership of the metropolitan airports commission; amending Minnesota Statutes 2000, sections 473.604, subdivisions 1, 2, 3; 473.605, subdivision 2.

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

Wilkin, Jacobson, Abrams, Lipman, Holberg, Krinkie, Buesgens and Gerlach introduced:

H. F. No. 1876, A bill for an act relating to metropolitan government; requiring the metropolitan council to report on contracts for professional services; amending Minnesota Statutes 2000, section 473.13, by adding a subdivision.

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

Wilkin, Bradley, Otremba, Abeler, Boudreau, Mulder and Goodno introduced:

H. F. No. 1877, A bill for an act relating to health; prohibiting the board of regents of the University of Minnesota from obtaining AIDS prevention grants; amending Minnesota Statutes 2000, section 145.924.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

McGuire and Stanek introduced:

H. F. No. 1878, A bill for an act relating to crime prevention; amending the definition of local correctional fees; amending Minnesota Statutes 2000, section 244.18, subdivision 1.

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

Paymar, Opatz, Wagenius, Hausman, Mariani, Entenza, Greiling, Koskinen, Huntley and Kahn introduced:

H. F. No. 1879, A bill for an act relating to advertising; regulating certain political advertising and advertising adjacent to certain highways; amending Minnesota Statutes 2000, sections 173.01; 173.02, subdivisions 1, 8; 173.08, subdivision 1; 173.27; 211B.05, subdivisions 1, 2.

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

Gunther introduced:

H. F. No. 1880, A bill for an act relating to economic development; transferring authority for the travel information franchise program from the commissioner of transportation to the commissioner of trade and economic development; appropriating money; amending Minnesota Statutes 2000, sections 116J.615, subdivision 1; 160.276, subdivisions 1 and 3; 160.277; and 160.278, subdivision 3.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Ness introduced:

H. F. No. 1881, A bill for an act relating to agriculture; changing provisions of the agriculture best management practices loan program; amending Minnesota Statutes 2000, section 17.117.

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

Swenson introduced:

H. F. No. 1882, A bill for an act relating to agriculture; changing provisions of the shared savings loan program and the sustainable agriculture demonstration grant program; amending Minnesota Statutes 2000, sections 17.115; and 17.116.

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

Ness, Seagren, Mares, Greiling and Dorn introduced:

H. F. No. 1883, A bill for an act relating to education; expanding telecommunication access revenue program to intermediate school districts; creating an improved technology and curriculum development grant program; appropriating money; amending Minnesota Statutes 2000, sections 125B.20, subdivision 1; 125B.25, subdivision 9, by adding a subdivision; 126C.10, subdivision 13; Laws 2000, chapter 489, article 5, section 28, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 134; repealing Minnesota Statutes 2000, section 125B.20, subdivision 3.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Workman introduced:

H. F. No. 1884, A bill for an act relating to environment; providing that notice must be given or reasonable compensation paid to a solid waste collector for displacement of the collector's business; amending Minnesota Statutes 2000, section 115A.94, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Workman, Holsten, Finseth and Swenson introduced:

H. F. No. 1885, A bill for an act relating to motor vehicles; regulating dealers; clarifying licensed motor vehicle dealer bonding requirements; amending Minnesota Statutes 2000, section 168.27, subdivision 24.

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

Kahn; Smith; Davids; Gunther; Workman; Mullery; Haas; Oskopp; Goodno; Skoglund; Jennings; Walz; Seagren; Greiling; Winter; Rukavina; Boudreau; Sykora; Bradley; Abeler; Leighton; Paymar; Holberg; Clark, K.; Murphy; Entenza; Stang; Mahoney; Hackbarth; Pugh; Sertich; Johnson, S., and Larson introduced:

H. F. No. 1886, A bill for an act relating to employment; regulating the use of genetic testing in employment; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 181.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Abeler, Dorn, Greiling and Mares introduced:

H. F. No. 1887, A bill for an act relating to special education; establishing regional centers on autism-related disorders; proposing coding for new law in Minnesota Statutes, chapter 125A.

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

Ozment and Howes introduced:

H. F. No. 1888, A bill for an act relating to annexation; establishing a moratorium on certain annexation decisions.

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

Lipman, Entenza and Leighton introduced:

H. F. No. 1889, A bill for an act relating to partnership; regulating certain transition issues under the Uniform Partnership Act of 1994; amending Minnesota Statutes 2000, section 323A.12-02.

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

Seagren, Erickson, Mares, Greiling, Davnie, Dempsey, Holsten, Mariani, Gray, Skoe and Entenza introduced:

H. F. No. 1890, A bill for an act relating to education; authorizing grants for collaborative urban educator training programs; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Workman, Holsten and Jennings introduced:

H. F. No. 1891, A bill for an act relating to highways; advancing construction projects on I-494; suspending construction of I-35W/trunk highway No. 62 improvement project until I-494 work is completed; redirecting available funds from I-35W/trunk highway No. 62 project to I-494 project; imposing moratorium on issuance of certain permits and adoption of certain ordinances.

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

Clark, K.; Gray; Walker; Rhodes; Dibble; Kelliher and Hausman introduced:

H. F. No. 1892, A bill for an act relating to human rights; making technical changes; amending Minnesota Statutes 2000, sections 363.03, subdivision 8; 363.05, subdivision 1; 363.073, subdivision 1; and 363.074; repealing Minnesota Statutes 2000, sections 363.01, subdivision 20; and 363.03, subdivision 8b.

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

Sertich introduced:

H. F. No. 1893, A bill for an act relating to employment; regulating payment of wages; prohibiting employers from requiring employees or job applicants to pay for background checks or training; amending Minnesota Statutes 2000, section 181.03; proposing coding for new law in Minnesota Statutes, chapter 181.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Thompson, Seifert and Erickson introduced:

H. F. No. 1894, A bill for an act relating to gambling; modifying definition of lawful purpose; amending Minnesota Statutes 2000, section 349.12, subdivision 25.

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

Dibble; Paymar; Paulsen; McElroy; Davnie; Wagenius; Skoglund; Kelliher; Walker; Kahn; Johnson, S.; Lenczewski; Hilstrom; Vandever; Clark, K.; Entenza; Mariani; Evans; Hausman; Rhodes and Gleason introduced:

H. F. No. 1895, A bill for an act relating to the metropolitan airports commission; restructuring commission membership; amending Minnesota Statutes 2000, sections 473.604; 473.605, subdivision 2; 473.606, subdivision 1; repealing Minnesota Statutes 2000, section 15A.0815, subdivision 4.

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

Skoglund, Mares, Erhardt, Rhodes, Rukavina, Murphy, Winter, Pugh, Smith, Dehler and Peterson introduced:

H. F. No. 1896, A bill for an act relating to retirement; providing a second social security coverage referendum for members of the legislators retirement plan; creating the coordinated program of the legislators retirement plan; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 3A; 355.

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

Wasiluk introduced:

H. F. No. 1897, A bill for an act relating to the environment; extending the expiration date of the solid waste council and the prevention, reduction, and recycling advisory council; amending Minnesota Statutes 2000, sections 15.059, subdivision 5a; and 115A.12.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Dibble introduced:

H. F. No. 1898, A bill for an act relating to government data; providing for classification of certain data; amending Minnesota Statutes 2000, section 13.719, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 13.

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

Workman introduced:

H. F. No. 1899, A bill for an act relating to transportation; providing for design-build contracts for transportation projects; proposing coding for new law in Minnesota Statutes, chapter 161.

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

Dibble introduced:

H. F. No. 1900, A bill for an act relating to the metropolitan council; providing for the transfer or disposal of interceptor facilities; proposing coding for new law in Minnesota Statutes, chapter 473.

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



Mullery introduced:

H. F. No. 1901, A bill for an act relating to human services; establishing an auto lease program under MFIP; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256J.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

McGuire, Tuma and Skoglund introduced:

H. F. No. 1902, A bill for an act relating to crime; providing that the court determine eligibility for placement in the challenge incarceration program; amending Minnesota Statutes 2000, sections 244.17, subdivision 1; 609.105, by adding a subdivision.

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

Tingelstad introduced:

H. F. No. 1903, A bill for an act relating to human services; changing provisions for relative custody assistance payment and adoption assistance; requiring equalization of difficulty-of-care rates; amending Minnesota Statutes 2000, sections 257.85, by adding a subdivision; 259.67, subdivision 4; repealing Minnesota Rules, part 9560.0082, subpart 3.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Mahoney, Dawkins and Johnson, S., introduced:

H. F. No. 1904, A bill for an act relating to the city of St. Paul; changing the membership and appointment process of the citizen review panel for neighborhood investments from the city's part of the sales tax; amending Laws 1998, chapter 389, article 8, section 37, subdivision 2.

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

Davnie, McElroy, Paulsen, Kuisle, Skoglund, Lenczewski, Larson, Dibble, Gleason, Kelliher and Wagenius introduced:

H. F. No. 1905, A bill for an act relating to metropolitan government; establishing the legislative commission on the metropolitan airports commission; providing for oversight of the metropolitan airports commission's operating and capital budgets, work program, and capital improvement program; requiring legislative authorization for the metropolitan airports commission to adopt its budget, work program, and capital improvement program; proposing coding for new law in Minnesota Statutes, chapters 3; 473.

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

Mullery introduced:

H. F. No. 1906, A bill for an act relating to the environment; appropriating money for a study of the cumulative impact of industrial emissions in north and northeast Minneapolis.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Biernat and Abrams introduced:

H. F. No. 1907, A bill for an act relating to education finance; making the general education levy a state-determined, state-collected levy; amending Minnesota Statutes 2000, sections 126C.13, subdivision 4; 273.1382, subdivisions 1, 2; 275.02; 275.065, subdivision 1; repealing Minnesota Statutes 2000, sections 126C.13, subdivisions 1, 2, 3; 273.1382, subdivision 3.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

McGuire, Tuma and Skoglund introduced:

H. F. No. 1908, A bill for an act relating to crimes; modifying requirements for reporting gunshot wounds; amending Minnesota Statutes 2000, sections 626.52, subdivision 2; and 626.53.

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

Stanek introduced:

H. F. No. 1909, A bill for an act relating to retirement; state patrol retirement plan; extending plan coverage to law enforcement officers employed by the office of special investigations of the department of corrections; authorizing the transfer of prior service credit; amending Minnesota Statutes 2000, sections 352.01, subdivision 2b; and 352B.01, subdivision 2.

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

Tuma introduced:

H. F. No. 1910, A bill for an act relating to corrections; deleting and repealing obsolete provisions relating to reports, food products, and parole agent residence requirements; amending Minnesota Statutes 2000, sections 241.67, subdivision 8; 243.05, subdivision 6; 243.53, subdivision 1; 244.173; Laws 1996, chapter 436, section 16, as amended; repealing Minnesota Statutes 2000, sections 241.19; 241.272, subdivision 7; 242.51.

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

Tuma, Olson and Eastlund introduced:

H. F. No. 1911, A bill for an act relating to crime prevention; establishing a request for proposals to operate a values-based prerelease program with a community reintegration component at a minimum custody correctional facility; appropriating money.

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

Pugh introduced:

H. F. No. 1912, A bill for an act relating to retirement; authorizing public pension fund members to designate a new beneficiary under a joint and survivor annuity at the time of marriage dissolution; proposing coding for new law in Minnesota Statutes, chapter 356.

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

Wenzel and Otremba introduced:

H. F. No. 1913, A bill for an act relating to education finance; increasing the general education formula allowance; authorizing a levy for districts in statutory operating debt; amending Minnesota Statutes 2000, sections 126C.10, subdivision 2; 126C.42, by adding a subdivision.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Erickson, Hilty, Rhodes, Solberg and Kahn introduced:

H. F. No. 1914, A bill for an act relating to state government; creating the technology enterprise fund and board; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16E.

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

Jaros introduced:

H. F. No. 1915, A bill for an act relating to state government; permitting the office of technology to solicit and accept advertising revenue; proposing coding for new law in Minnesota Statutes, chapter 16E.

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

Jennings introduced:

H. F. No. 1916, A bill for an act relating to taxation; property; providing that property owned by a nonprofit historical society is exempt from taxation; amending Minnesota Statutes 2000, section 272.02, by adding a subdivision.

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

Kelliher introduced:

H. F. No. 1917, A bill for an act relating to environment finance; appropriating money for brownfield assessments for potential redevelopment by community nonprofit organizations; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Tuma; Fuller; Hilstrom; Johnson, S., and Sykora introduced:

H. F. No. 1918, A bill for an act relating to public defense; providing for the salary of the state public defender; amending Minnesota Statutes 2000, sections 15A.083, subdivision 4; and 611.23.

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

Penas, Carlson and Ness introduced:

H. F. No. 1919, A bill for an act relating to education finance; creating ongoing funding for career and technical education programs; appropriating money; amending Minnesota Statutes 2000, section 124D.453, subdivisions 1, 2, 3, 4, by adding subdivisions; repealing Minnesota Statutes 2000, section 124D.453, subdivision 5; Laws 1999, chapter 241, article 3, section 5, as amended.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Rhodes introduced:

H. F. No. 1920, A bill for an act relating to employment; regulating an employee's right to receive certain employment termination information; amending Minnesota Statutes 2000, section 181.933, subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Workman and Kalis introduced:

H. F. No. 1921, A bill for an act relating to transit; authorizing a study of bus transit ways; prohibiting a bus transit way in part of the southwest light rail transit corridor; amending Laws 2000, chapter 479, article 1, section 3, subdivision 3.

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

Mulder introduced:

H. F. No. 1922, A bill for an act relating to education; allowing school districts to determine when to begin the school year; amending Minnesota Statutes 2000, section 120A.40.

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

Mulder introduced:

H. F. No. 1923, A bill for an act relating to education; allowing a small school district located on the border to employ a teacher licensed in a contiguous state under a short-term contract; proposing coding for new law in Minnesota Statutes, chapter 122A.

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

Mares introduced:

H. F. No. 1924, A bill for an act relating to education; providing for technology for improving learning grants; appropriating money.

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

Walker, Bradley, Huntley and Koskinen introduced:

H. F. No. 1925, A bill for an act relating to crime victims; authorizing the director of the Minnesota center for crime victim services to adopt rules to administer the battered women's shelter per diem program; amending Minnesota Statutes 2000, section 611A.372.

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

Biernat, Mares, Greiling and Davnie introduced:

H. F. No. 1926, A bill for an act relating to education; requiring the adoption of technology standards; establishing technology for staff development grants; requiring a statewide audit of technology; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 125B.

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

Koskinen, Jennings and Walker introduced:

H. F. No. 1927, A bill for an act relating to welfare; excluding 50 percent of child support received by an MFIP family for purposes of determining the family's income; amending Minnesota Statutes 2000, section 256J.21, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 256J.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Walker, Bradley, Huntley and Koskinen introduced:

H. F. No. 1928, A bill for an act relating to human services; modifying provisions in health care access programs; amending Minnesota Statutes 2000, sections 245B.02, by adding a subdivision; 245B.03, subdivision 1; 252.28, subdivisions 3a and 3b; 256B.056, subdivisions 1a, 4, and 5a; 256B.0595, subdivisions 1 and 2; 256B.0625, subdivision 9; 256B.0635, subdivision 1; 256B.071, subdivision 2; 256B.094, subdivisions 6 and 8; 256B.5013, subdivision 1; 256B.69, subdivision 3a; 256D.03, subdivision 3; and 256L.15, subdivision 1a; Laws 1996, chapter 451, article 2, sections 61 and 62; repealing Minnesota Statutes 2000, section 256B.071, subdivision 5; Laws 1995, chapter 178, article 2, section 46, subdivision 10; Laws 1996, chapter 451, article 2, sections 12, 14, 16, 18, 29, and 30.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Huntley, Slawik and Pugh introduced:

H. F. No. 1929, A bill for an act relating to welfare; deleting a provision that would require the county agency to count \$100 of a rental or housing subsidy as unearned income for purposes of the MFIP program; repealing provisions related to the September Alien Verification for Entitlements federal program; amending Minnesota

Statutes 2000, sections 256D.053, subdivision 1; and 256J.37, subdivision 9; repealing Minnesota Statutes 2000, sections 256.01, subdivision 18; and 256J.32, subdivision 7a; Laws 1997, chapter 203, article 9, section 21; Laws 1998, chapter 407, article 6, section 111; and Laws 2000, chapter 488, article 10, sections 28 and 30.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Rukavina; Solberg; Bakk; Anderson, I., and Sertich introduced:

H. F. No. 1930, A bill for an act relating to the northeast Minnesota economic protection trust; limiting expenditures from the trust; amending Minnesota Statutes 2000, section 298.296, subdivision 2.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Davnie; Osskopp; Ozment; Hilty; Anderson, I.; Sertich; Bakk; Smith; Mahoney; Rukavina; Swapinski and Thompson introduced:

H. F. No. 1931, A bill for an act relating to occupational safety and health; providing data practices provisions for occupational safety and health investigations; amending Minnesota Statutes 2000, section 182.659, subdivision 8.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Goodwin, Bernardy, Biernat and Evans introduced:

H. F. No. 1932, A bill for an act relating to transportation; establishing multimodal transportation fund and dedicating portion of sales tax collected in metropolitan area to the fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 160.

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

Rukavina and Molnau introduced:

H. F. No. 1933, A bill for an act relating to state government; requiring life-cycle costing in state contracts; amending Minnesota Statutes 2000, sections 16C.03, subdivision 3; 16C.25; 161.32, subdivision 1b.

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

Stanek and Smith introduced:

H. F. No. 1934, A bill for an act relating to government data; providing for a National Crime Prevention and Privacy Compact; providing for an electronic information sharing system between the federal government and the state to access criminal history data; proposing coding for new law in Minnesota Statutes, chapter 299C.

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

Clark, K.; Davids; Mahoney; Evans and Paymar introduced:

H. F. No. 1935, A bill for an act relating to economic development; providing a self-sufficiency definition; proposing coding for new law in Minnesota Statutes, chapter 4A.

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

Seagren, Mares, Biernat, Buesgens, Greiling and Ness introduced:

H. F. No. 1936, A bill for an act relating to education; amending charter schools provisions; obligating charter school operators to incorporate before entering into contracts; making teachers a majority of the members of the charter school board of directors by the end of a school's third year of operation; increasing the amount available to a sponsor to evaluate the performance of a charter school in its first three years of operation; establishing criteria the commissioner must use to approve or disapprove a charter school's application for building lease aid; amending Minnesota Statutes 2000, sections 124D.10, subdivisions 4, 15; 124D.11, subdivision 4.

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

Mulder introduced:

H. F. No. 1937, A bill for an act relating to the environment; providing liability protections under the state superfund statute for a voluntary cleanup by a person who is not responsible for the release; amending Minnesota Statutes 2000, section 115B.175, subdivision 1.

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

Kahn, Hilty, Rhodes, Thompson and Solberg introduced:

H. F. No. 1938, A bill for an act relating to state government; programs administered by the department of administration; modifying privacy provisions; extending the expiration date of certain advisory councils; extending the term of the shared-savings program for energy conservation in state-owned buildings; authorizing Indian tribal governments to be served by the state information infrastructure; adding political subdivisions to the state risk management program; repealing statutory authority for the citizens council on Voyageurs National Park; canceling the conveyance of surplus land to Sauk Centre; amending Minnesota Statutes 2000, sections 13.64; 16B.055, by adding a subdivision; 16B.27, subdivision 3; 16B.32, subdivision 2; 16B.465, subdivision 1a; 16B.76, subdivision 1; 16B.85, subdivisions 2 and 3; and 16C.17, subdivision 2; repealing Minnesota Statutes 2000, section 84B.11; Laws 2000, chapter 326.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Carlson, Gray, Dorn, Pelowski and Ozment introduced:

H. F. No. 1939, A bill for an act relating to education; imposing a fiduciary responsibility on the sponsor of a charter school; requesting the legislative auditor to study and report on charter school operations; amending Minnesota Statutes 2000, section 124D.10, subdivision 25.

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

Sertich, Gunther, Davids, Westerberg and McElroy introduced:

H. F. No. 1940, A bill for an act relating to economic development; modifying the capital access program; amending Minnesota Statutes 2000, sections 116J.876, by adding a subdivision; 116J.8761; and 116J.8762, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 116J.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Gunther, Davids, Westerberg, McElroy and Clark, K., introduced:

H. F. No. 1941, A bill for an act relating to economic development; clarifying provisions in the job skills partnership program; amending Minnesota Statutes 2000, sections 116L.02; 116L.04, subdivision 1a; and 116L.06, subdivision 5.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Ozment introduced:

H. F. No. 1942, A bill for an act relating to economic development; modifying provisions relating to the wastewater infrastructure funding program; amending Minnesota Statutes 2000, sections 446A.07, by adding a subdivision; and 446A.072, subdivisions 3, 4, and 5.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Stang introduced:

H. F. No. 1943, A bill for an act relating to state employment; extending a civil service pilot project; amending Laws 1995, chapter 248, article 13, section 2, subdivision 2, as amended.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Holberg, Sviggum, Pawlenty, Molnau, Abrams and Buesgens introduced:

H. F. No. 1944, A bill for an act relating to taxation; providing for the creation of special taxing districts to capture incremental property to finance operating costs of light rail transit; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Mulder introduced:

H. F. No. 1945, A bill for an act relating to public employment labor relations; defining health care nonprofessionals as "essential employees"; amending Minnesota Statutes 2000, section 179A.03, subdivision 7.

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



Cassell introduced:

H. F. No. 1946, A bill for an act relating to agriculture; changing provisions of the value-added agricultural product processing and marketing grant program; amending Minnesota Statutes 2000, section 17.101, subdivision 5.

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

Mulder introduced:

H. F. No. 1947, A bill for an act relating to health; modifying the Vital Statistics Act; modifying access to adoption records; providing criminal penalties; amending Minnesota Statutes 2000, sections 144.212, subdivisions 2a, 3, 5, 7, 8, 9, and 11; 144.214, subdivisions 1, 3, and 4; 144.215, subdivisions 1, 3, 4, 6, and 7; 144.217; 144.218; 144.221, subdivisions 1 and 3; 144.222, subdivision 2; 144.223; 144.225, subdivisions 1, 2, 3, 4, and 7; 144.226, subdivisions 1 and 3; 144.227; and 260C.317, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2000, sections 144.1761; 144.217, subdivision 4; and 144.219.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Molnau introduced:

H. F. No. 1948, A bill for an act relating to transportation; providing for advertising, submitting, receiving, or posting highway construction and maintenance bids, security guarantees, or contract bid records electronically or over the Internet; amending Minnesota Statutes 2000, section 161.32, subdivisions 1, 1a, 1b, and 1e.

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

Westerberg introduced:

H. F. No. 1949, A bill for an act relating to highways; modifying provisions governing trunk highway bond proceeds and highway bond-financed property; amending Minnesota Statutes 2000, section 16A.641, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 167.

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

Gunther introduced:

H. F. No. 1950, A bill for an act relating to employment; removing references to search firms in the employment agencies law; amending Minnesota Statutes 2000, sections 184.29; 184.30, subdivision 1; 184.38, subdivisions 6, 8, 9, 10, 11, 17, 18, and 20; 184.41; repealing Minnesota Statutes 2000, sections 184.22, subdivisions 2, 3, 4, and 5; 184.37, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Goodno, Davids, Jennings, Kalis and Haas introduced:

H. F. No. 1951, A bill for an act relating to insurance; regulating the use of HIV and bloodborne pathogen tests; amending Minnesota Statutes 2000, section 72A.20, subdivision 29.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Rhodes, Gunther and Dibble introduced:

H. F. No. 1952, A bill for an act relating to housing; authorizing municipalities to include affordable housing requirements in subdivision regulations; requiring cities to offer regulatory relief to housing developers who voluntarily meet housing affordability thresholds; appropriating money; amending Minnesota Statutes 2000, section 462.358, subdivision 2a, by adding a subdivision.

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

Rhodes, McElroy and Paymar introduced:

H. F. No. 1953, A bill for an act relating to housing; streamlining the residential development process; authorizing the state building official to have final interpretive authority of the State Building Code; authorizing the construction codes advisory council to establish a technical advisory group; requiring a report; establishing the State Building Code as the building standard for the state of Minnesota; authorizing municipalities to require developers to include affordable housing; modifying the requirements for adoption or amendment of zoning ordinances; amending Minnesota Statutes 2000, sections 16B.63, by adding a subdivision; 327A.01, subdivision 2; 327A.02, subdivisions 1 and 3; 462.351; 462.352, by adding a subdivision; and 462.357, subdivisions 1, 2, and by adding a subdivision; repealing Minnesota Statutes 2000, section 462.357, subdivision 5.

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

Kuisle, Sviggum, Rifenberg, Davids and Dempsey introduced:

H. F. No. 1954, A bill for an act relating to local government; allowing specified municipal contributions to the general fund of a volunteer firefighters relief association; amending Minnesota Statutes 2000, section 424A.06, subdivision 2.

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

Davids introduced:

H. F. No. 1955, A bill for an act relating to insurance; providing qualifications and procedures for the licensing of insurance producers; prescribing a criminal penalty; proposing coding for new law in Minnesota Statutes, chapter 60K; repealing Minnesota Statutes 2000, sections 60K.01; 60K.02; 60K.03; 60K.04; 60K.05; 60K.06; 60K.07; 60K.081; 60K.09; 60K.10; 60K.11; 60K.12; 60K.13; 60K.14; 60K.15; 60K.16; 60K.17; 60K.18; 60K.19; 60K.20.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Goodno, Huntley, Folliard, Bradley and Abeler introduced:

H. F. No. 1956, A bill for an act relating to human services; providing program options for certain persons with developmental disabilities; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Goodno introduced:

H. F. No. 1957, A bill for an act relating to human services; establishing the Medicare payment rate as the rate for all nursing facility residents for the first 100 days following admission; appropriating money; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision; repealing Minnesota Statutes 2000, section 256B.434, subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Goodno; Mares; Haas; Goodwin; Koskinen; Johnson, S.; Larson; Walz; Workman; Harder; Gray; Lieders; Davnie; Biernat and Otremba introduced:

H. F. No. 1958, A resolution memorializing the President and the Congress of the United States to take whatever action is necessary to reduce or eliminate the disparities between the states in Medicare+Choice benefits.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Holberg introduced:

H. F. No. 1959, A bill for an act relating to government data practices; providing for classification of certain data; eliminating reporting redundancy; abolishing administrative remedies; amending Minnesota Statutes 2000, sections 13.719, by adding a subdivision; 138.17, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 2000, section 13.081.

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

Stanek introduced:

H. F. No. 1960, A bill for an act relating to crime prevention; clarifying provisions of the sex offender registration law, registration law for other offenders, and law requiring submission of a biological specimen for DNA testing; providing criminal penalties; requiring additional offenders to submit a biological specimen for DNA testing; amending Minnesota Statutes 2000, sections 243.166, subdivisions 1, 3, 4a, 6; 243.167, subdivision 1; 609.117, subdivision 2; repealing Minnesota Statutes 2000, section 243.166, subdivision 10.

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

Davnie, Dempsey, Schumacher, Gray and Dorn introduced:

H. F. No. 1961, A bill for an act relating to education; encouraging nonlicensed community experts to make progress toward obtaining licensure; requiring school districts to notify parents when students receive instruction from nonlicensed community experts; amending Minnesota Statutes 2000, section 122A.25, subdivision 2, and by adding a subdivision.

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

Marquart, Solberg and Wenzel introduced:

H. F. No. 1962, A bill for an act relating to human services; providing an exception to the moratorium on new nursing facility beds; amending Minnesota Statutes 2000, section 144A.071, subdivision 4a.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Abrams introduced:

H. F. No. 1963, A bill for an act relating to elections; local government referenda on bonding and levy questions; requiring such questions to be placed before the voters only at the general election for the jurisdiction presenting the question; regulating certain information about such ballot questions; requiring certain reports to be filed in connection with spending on such questions; amending Minnesota Statutes 2000, sections 205.02, subdivision 2; 205.10, subdivision 1; 205A.05, subdivision 1; 211A.02, subdivision 2, by adding a subdivision; 297A.99, subdivision 3; 373.40, subdivision 2; 375.20; 458.40; 469.053, subdivision 5; 469.0724; 469.190, subdivision 5; 475.58, subdivisions 1, 1a, by adding a subdivision; 475.59; proposing coding for new law in Minnesota Statutes, chapter 211B.

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

Haas introduced:

H. F. No. 1964, A bill for an act relating to commerce; clarifying that a small employer alternative benefit plan may exclude maternity benefits; amending Minnesota Statutes 2000, section 62L.055.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Vandever, Juhnke, Westerberg and Ruth introduced:

H. F. No. 1965, A bill for an act relating to highways; appropriating money to the commissioner of transportation for greater Minnesota interregional corridor improvements, metropolitan area bottlenecks, and advantages to transit.

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

Mulder introduced:

H. F. No. 1966, A bill for an act relating to family and early childhood education finance; modifying Head Start; appropriating money; amending Minnesota Statutes 2000, section 119A.52.

The bill was read for the first time and referred to the Committee on Family and Early Childhood Education Finance.

Mulder introduced:

H. F. No. 1967, A bill for an act relating to health occupations; moving regulation of social workers from the board of social work to the commissioner of health; replacing the licensure system for social work with a registration system; amending Minnesota Statutes 2000, sections 148B.18, subdivisions 2a, 3a, 10, 11, 12, by adding subdivisions; 148B.185; 148B.20; 148B.21; 148B.215; 148B.22; 148B.24; 148B.25; 148B.26; 148B.27; 148B.281; 148B.282; 148B.283; 148B.284, subdivision 2; 148B.285; 148B.286; 148B.287; 148B.288; 148B.289; 214.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 148B; repealing Minnesota Statutes 2000, sections 148B.18, subdivisions 3, 4a, 8, 9; 148B.19; 148B.28.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Marquart, Finseth, Penas, Goodno and Lieder introduced:

H. F. No. 1968, A bill for an act relating to natural resources; adding a river as a canoe and boating route; appropriating money; amending Minnesota Statutes 2000, section 85.32, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Westrom, Nornes, Bradley, Juhnke, Kubly, Fuller and Cassell introduced:

H. F. No. 1969, A bill for an act relating to human services; excluding from licensure nonresidential child care programs and services that are provided by an unrelated individual to children from two or three unrelated families; amending Minnesota Statutes 2000, section 245A.03, subdivisions 2, 2b, 4, and 5.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Solberg, Smith, Bishop, Skoglund and Murphy introduced:

H. F. No. 1970, A bill for an act relating to courts; requesting the supreme court to establish a task force to develop a plan for implementation of a state-funded central office for certain court-appointed civil counsel.

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

Abeler, Goodno, Nornes and Huntley introduced:

H. F. No. 1971, A bill for an act relating to health and human services; providing funding for the Center for Victims of Torture; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Koskinen, Bernardy and Goodwin introduced:

H. F. No. 1972, A bill for an act relating to appropriations; appropriating money for the Mississippi riverbank stabilization project.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Workman, Lieder, Molnau, Larson and Holberg introduced:

H. F. No. 1973, A bill for an act relating to transportation; regulating state highways in municipalities; making conforming changes; amending Minnesota Statutes 2000, sections 160.85, subdivision 3; and 161.1245, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 161; repealing Minnesota Statutes 2000, sections 161.17; 161.171; 161.172; 161.173; 161.174; 161.175; 161.176; 161.177; and 473.181, subdivision 1.

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

Gray, McElroy, Dawkins, Harder, Pawlenty and Seagren introduced:

H. F. No. 1974, A bill for an act relating to taxation; individual income; modifying the education credit and subtraction; allowing certain credits to be assigned; providing duties and powers to commissioner of revenue; amending Minnesota Statutes 2000, sections 290.01, subdivision 19b; 290.0674, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Stang, Davids, McElroy, Dempsey and Otremba introduced:

H. F. No. 1975, A bill for an act relating to local government; permitting an alternative method of protecting deposits of public funds; changing the required collateral percentage; amending Minnesota Statutes 2000, sections 118A.01, by adding a subdivision; 118A.03, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 118A; repealing Minnesota Statutes 2000, section 118A.03, subdivisions 4, 5, 6, and 7.

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

Knoblach introduced:

H. F. No. 1976, A bill for an act relating to taxes; sales and use; exempting purchase of construction materials and equipment used in construction of a water treatment facility in the city of Waite Park; amending Minnesota Statutes 2000, sections 297A.71, by adding a subdivision; 297A.75.

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

Holberg introduced:

H. F. No. 1977, A bill for an act relating to government data; clarifying language relating to opinions issued by the commissioner of administration; abolishing statutory administrative remedies; amending Minnesota Statutes 2000, sections 13.072, subdivision 2; 13.08, subdivision 4; repealing Minnesota Statutes 2000, section 13.081.

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

Erhardt introduced:

H. F. No. 1978, A bill for an act relating to elections; requiring voters to provide picture identification; amending Minnesota Statutes 2000, section 204C.10.

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

Erhardt introduced:

H. F. No. 1979, A bill for an act relating to taxation; property; reducing class rates on commercial and industrial property, utility property, and apartments; increasing the education homestead credit; amending Minnesota Statutes 2000, sections 273.13, subdivisions 24 and 25; and 273.1382, subdivision 1a.

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

Peterson introduced:

H. F. No. 1980, A bill for an act relating to human services; allowing individuals providing certain services under contract at a nursing facility to be eligible for compensation-related increases provided for the July 1, 2002, rate year; amending Minnesota Statutes 2000, section 256B.431, subdivision 28.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Schumacher, Gleason and Thompson introduced:

H. F. No. 1981, A bill for an act relating to taxation; property; eliminating the sunset on limited market value; amending Minnesota Statutes 2000, section 273.11, subdivision 1a.

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

Peterson introduced:

H. F. No. 1982, A bill for an act relating to human services; providing nursing facility wage increases for employees and individuals providing certain services under contract; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Davids introduced:

H. F. No. 1983, A bill for an act relating to commerce; enacting the Financial Information Privacy Model Act from the National Conference of Insurance Legislators; amending Minnesota Statutes 2000, section 72A.501; proposing coding for new law as Minnesota Statutes, chapter 60M; repealing Minnesota Statutes 2000, sections 72A.494; and 72A.502.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Olson, Schumacher, Kielkucki and Stang introduced:

H. F. No. 1984, A bill for an act relating to local government; appropriating money for aeration of Indian lake in Wright county.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Pelowski introduced:

H. F. No. 1985, A bill for an act relating to taxation; providing that a portion of the general sales and use tax be paid to cities for transportation purposes; appropriating money; amending Minnesota Statutes 2000, section 297A.94.

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

Rukavina and Molnau introduced:

H. F. No. 1986, A bill for an act relating to highways; establishing pilot project to study application of anticorrosion substances to trunk highways and bridges.

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

Anderson, I.; Juhnke; Wenzel; Winter and Mullery introduced:

H. F. No. 1987, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 12; authorizing the legislature to call special sessions.

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

Davids introduced:

H. F. No. 1988, A bill for an act relating to commerce; regulating motor vehicle sales and distribution; specifying legislative purpose and intent; amending Minnesota Statutes 2000, section 80E.01.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Davids introduced:

H. F. No. 1989, A bill for an act relating to appropriations; appropriating money for flood mitigation and prevention.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Stang introduced:

H. F. No. 1990, A bill for an act relating to water; modifying restrictions on watershed district borrowing; amending Minnesota Statutes 2000, section 103D.335, subdivision 17.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Stang and Davids introduced:

H. F. No. 1991, A bill for an act relating to commerce; regulating motor vehicle sales and distribution; specifying unfair and illegal practices by manufacturers, distributors, and factory branches; amending Minnesota Statutes 2000, section 80E.13.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.



Bernardy; Holsten; Osthoff; Wagenius; Kelliher; Johnson, S., and Goodwin introduced:

H. F. No. 1992, A bill for an act relating to appropriations; appropriating money for clean water partnership grants.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Johnson, S.; Tuma; Greiling; Skoglund and Paymar introduced:

H. F. No. 1993, A bill for an act relating to crime prevention; establishing a mental health court pilot program for criminal offenders in the second judicial district; authorizing the sharing of certain corrections and detention data for supervision purposes; appropriating money; amending Minnesota Statutes 2000, section 13.85, subdivision 2.

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

Stang introduced:

H. F. No. 1994, A bill for an act relating to liquor; authorizing the use of machines to premix and dispense intoxicating liquor; amending Minnesota Statutes 2000, section 340A.508, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Bernardy, Evans, Koskinen, Abrams, Greiling, Winter, Goodwin, Walker, Dawkins, Thompson, Wasiluk and Luther introduced:

H. F. No. 1995, A bill for an act relating to taxation; individual income; allowing the full deductibility of health insurance premiums; amending Minnesota Statutes 2000, section 290.01, subdivision 19b.

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

Sertich introduced:

H. F. No. 1996, A bill for an act relating to commerce; regulating claims against the recovery portion of the real estate education, research, and recovery fund; requiring accelerated claims payment under certain circumstances; amending Minnesota Statutes 2000, section 82.34, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Hilstrom, Tuma, Skoglund, Stanek and Murphy introduced:

H. F. No. 1997, A bill for an act relating to public safety; modifying weapons training requirements in rules of the board of private detective and protective agent services; amending Minnesota Statutes 2000, section 326.3361, subdivision 1.

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

Goodwin, Bernardy, Jaros, Rukavina and Biernat introduced:

H. F. No. 1998, A bill for an act relating to taxation; individual income; expanding the long-term care credit; appropriating money; amending Minnesota Statutes 2000, section 290.0672, subdivision 2, and by adding subdivisions.

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

Johnson, S.; Seifert; Pelowski; Goodwin and Cassell introduced:

H. F. No. 1999, A bill for an act relating to higher education; providing for reallocation of funding for public post-secondary systems.

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

Goodwin, Jaros, Rukavina and Evans introduced:

H. F. No. 2000, A bill for an act relating to retirement; providing service credit in the correctional employees plan.

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

Bishop, Pelowski, Tuma and Opatz introduced:

H. F. No. 2001, A bill for an act relating to higher education; expanding appropriations for certain enrollments; amending Minnesota Statutes 2000, section 135A.031, subdivision 2.

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

Howes, Winter and Pelowski introduced:

H. F. No. 2002, A bill for an act relating to environment; modifying provisions relating to mercury reduction; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Evans, McGuire, Goodwin, Greiling and Hackbarth introduced:

H. F. No. 2003, A bill for an act relating to governmental operations; appropriating money for subregional regional planning.

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

Kahn; Kelliher; Kalis; Johnson, R.; Otremba; Abeler and Peterson introduced:

H. F. No. 2004, A bill for an act relating to agriculture; providing for an advisory task force to develop optional labeling protocols for bioengineered-free foods; appropriating money; amending Minnesota Statutes 2000, sections 18F.01; 18F.02, subdivisions 2a, 4, 5, by adding subdivisions.

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

Anderson, B., and Olson introduced:

H. F. No. 2005, A bill for an act relating to taxation; sales and use; exempting the purchase of construction materials and equipment used in constructing an addition to the civic center in the city of Buffalo; amending Minnesota Statutes 2000, sections 297A.71, by adding a subdivision; 297A.75.

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

Kahn, Hilty, Skoglund, Kelliher, Rhodes, Thompson, Davids, Murphy, Paymar, Wagenius, Biernat, Huntley, Dawkins, McGuire, Tuma, Smith, Pugh and Bishop introduced:

H. F. No. 2006, A bill for an act relating to state employees; providing the same protection from genetic discrimination that is provided to federal employees; proposing coding for new law in Minnesota Statutes, chapter 43A.

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

Wagenius, Greiling, Bishop, Mares and Sykora introduced:

H. F. No. 2007, A bill for an act relating to education; requiring a review of English language learner education.

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

Dawkins introduced:

H. F. No. 2008, A bill for an act relating to community education; appropriating money for the Eritrean community center of Minnesota.

The bill was read for the first time and referred to the Committee on Family and Early Childhood Education Finance.

Tuma; Lindner; Anderson, B.; Olson and Clark, J., introduced:

H. F. No. 2009, A bill for an act relating to the Minnesota sentencing guidelines commission; requiring legislative approval of sentencing guideline modifications; amending Minnesota Statutes 2000, section 244.09, subdivision 11.

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

Gunther and Dawkins introduced:

H. F. No. 2010, A bill for an act relating to housing; appropriating money for home ownership assistance and homebuyer education.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Dawkins introduced:

H. F. No. 2011, A bill for an act relating to affordable housing; appropriating money to the urban Indian housing program.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Bernardy, Koskinen, Hackbarth, Tingelstad and Abeler introduced:

H. F. No. 2012, A bill for an act relating to education finance; increasing the state commitment to the debt service equalization aid program; lowering the initial local levy; fixing the equalizing factor to the average statewide tax base; appropriating money; amending Minnesota Statutes 2000, sections 123B.53, subdivisions 4 and 5; and 123B.54.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

McElroy, Davids and Entenza introduced:

H. F. No. 2013, A bill for an act relating to franchises; requiring good cause for failure to renew a franchise; requiring notice of action to be taken by a franchisor; amending Minnesota Statutes 2000, section 80C.14, subdivisions 3, 4.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Smith, Larson, Mares, Hackbarth and Anderson, I., introduced:

H. F. No. 2014, A bill for an act relating to peace officers; authorizing permits for retired peace officers to carry pistols; amending Minnesota Statutes 2000, section 624.714, by adding a subdivision.

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

Johnson, R.; Juhnke; Wenzel; Kalis; Hilty; Murphy and Winter introduced:

H. F. No. 2015, A bill for an act relating to agriculture; appropriating money for cost-share payments to organic farmers.

The bill was read for the first time and referred to the Committee on Agriculture and Rural Development Finance.

Winter, Harder, Peterson, Kubly, Otremba, Mulder, Juhnke, Greiling, Kalis and Johnson, R., introduced:

H. F. No. 2016, A bill for an act relating to agriculture; providing funding for the development of a soybean oilseed processing facility; appropriating money.

The bill was read for the first time and referred to the Committee on Agriculture and Rural Development Finance.

Clark, K.; Mahoney; Sertich; Huntley; Swapinski; Paymar; Jaros; Rukavina and Boudreau introduced:

H. F. No. 2017, A bill for an act relating to employment; appropriating money for the Minnesota employment center for people who are deaf or hard of hearing.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Krinkie; Molnau; Clark, J.; Workman and Holberg introduced:

H. F. No. 2018, A bill for an act relating to highways; authorizing counties to contract with commissioner of transportation to maintain trunk highways; proposing coding for new law in Minnesota Statutes, chapter 161.

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

Sykora, Leppik, Folliard, Erickson and Abrams introduced:

H. F. No. 2019, A bill for an act relating to education; providing for elementary classroom Web site grants; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Kubly, Westrom, Skoe, Osskopp and Kuisle introduced:

H. F. No. 2020, A bill for an act relating to taxation; property; allowing certain agricultural parcels to qualify for homestead classification; amending Minnesota Statutes 2000, section 273.124, subdivision 14.

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

Workman and Davids introduced:

H. F. No. 2021, A bill for an act relating to insurance; prohibiting discrimination in vehicle insurance policies; prohibiting the collection and use of personal information; amending Minnesota Statutes 2000, section 72A.20, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 72A.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Paulsen, Davids and Mahoney introduced:

H. F. No. 2022, A bill for an act relating to residential building contractors; requiring the commissioner of commerce to notify current customers of licensees against whom enforcement actions are taken; amending Minnesota Statutes 2000, section 326.91, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Kuisle, Erhardt, Winter and Abrams introduced:

H. F. No. 2023, A bill for an act relating to taxes; sales and use tax; exempting certain machinery and equipment used to provide telecommunications services; amending Minnesota Statutes 2000, section 297A.68, by adding a subdivision.

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

Osskopp introduced:

H. F. No. 2024, A bill for an act relating to local government; modifying provisions relating to community-based planning; amending Minnesota Statutes 2000, sections 4A.08; 394.22, subdivision 9, and by adding a subdivision; 394.232, subdivisions 1, 2, 3, 4, 5, 6, and by adding subdivisions; 462.352, subdivision 5; 462.3535, subdivisions 1, 2, 3, 4, 6, 7, 8, and 9; Laws 1999, chapter 250, article 1, section 115; proposing coding for new law in Minnesota Statutes, chapter 4A; repealing Minnesota Statutes 2000, sections 394.232, subdivisions 7 and 8; and 462.3535, subdivisions 5 and 10.

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

Kuisle and Davids introduced:

H. F. No. 2025, A bill for an act relating to traffic regulations; prohibiting the projection of hand-held light from a moving motor vehicle; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Otremba and Cassell introduced:

H. F. No. 2026, A bill for an act relating to health; modifying fee and reimbursement provisions for hearing instrument dispensers; requiring certain rule amendments; amending Minnesota Statutes 2000, sections 153A.17; 256B.0625, subdivision 8b.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Jacobson and Tingelstad introduced:

H. F. No. 2027, A bill for an act relating to taxation; repealing obsolete cigarette and tobacco products tax rules; repealing Minnesota Rules, parts 8120.0200; 8120.0500; 8120.0700; 8120.0900; 8120.1300; 8120.1600; 8120.2000; 8120.2100; 8120.2200; 8120.2300; 8120.2500; 8120.2700; 8120.2800; 8120.3000; 8120.3200; 8120.4300; 8120.4400; 8120.4500; 8120.4600; 8120.4900; 8120.5000; 8120.5100; and 8120.5300.

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

Nornes introduced:

H. F. No. 2028, A bill for an act relating to the environment; modifying provisions relating to environmental audits; changing the reporting date for the pollution control agency's annual performance report; amending Minnesota Statutes 2000, sections 114C.21, subdivision 8; 114C.24, subdivision 3; and 116.011.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Haas introduced:

H. F. No. 2029, A bill for an act relating to state employment; authorizing the commissioner of employee relations to administer a postretirement health care account plan; amending Minnesota Statutes 2000, section 43A.27, subdivision 3.

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

Krinkie introduced:

H. F. No. 2030, A bill for an act relating to government data practices; providing for a uniform treatment of business data submitted to and collected by government entities; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 2000, sections 13.592; 13.5921; 13.5922; 13.593; 13.594; 13.5951; 13.5952; 13.5953; 13.596; 13.5965; 13.643, subdivision 4; 16C.06, subdivision 3.

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

The Speaker called Abrams to the Chair.

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

Pawlenty, for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Rule 4.03 of the Permanent Rules of the House of Representatives for the 82nd Session shall read as follows:

"4.03 WAYS AND MEANS COMMITTEE; BUDGET RESOLUTION; EFFECT ON EXPENDITURE AND REVENUE BILLS. The Committee on Ways and Means must hold hearings as necessary to determine state expenditures and revenues for the fiscal biennium.

Within 20 days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session in the odd-numbered year, the Committee on Ways and Means must adopt and report a budget resolution, in the form of a House resolution. The budget resolution must set: (a) the maximum limit on net expenditures for the next fiscal biennium for the general fund, excluding any expenditures for tax reduction and relief; and (b) an amount or amounts to be set aside as a budget reserve and a cash flow account. The House budget resolution must not specify, limit, or prescribe revenues or expenditures by any category other than those specified in clauses (a) and (b). After the House adopts the budget resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the House, acting upon a subsequent report of the Committee on Ways and Means, adopts a different limit or limits for the same

fiscal biennium. During the regular session in the even-numbered year, before the Committee on Ways and Means reports a bill containing net expenditures in excess of the general fund expenditures in the current fiscal biennium estimated by the most recent state budget forecast, the Committee must adopt a budget resolution that accounts for the net expenditures. After the Committee adopts the budget resolution, it is effective during the regular session that year, unless the Committee adopts a different or amended resolution.

Within 14 days after the House or the Committee on Ways and Means adopts a budget resolution, the Committee must adopt, by resolution, limits for each budget category represented by the major finance and revenue bills identified in this Rule. The Committee may also, by resolution, set limits for funds other than the general fund. After the Committee adopts a resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the Committee subsequently adopts different or amended limits for the same fiscal biennium.

The Committee on Ways and Means may not combine any of the major finance or revenue bills.

Major finance and revenue bills are:

- the agriculture and rural development finance bill;
- the higher education finance bill;
- the K-12 education finance bill;
- the family and early childhood education finance bill;
- the environment and natural resources finance bill;
- the health and human services finance bill;
- the state government finance bill;
- the jobs and economic development finance bill;
- the transportation finance bill;
- the judiciary finance bill;
- the omnibus capital investment bill; and
- the omnibus tax bill.

After the adoption of a resolution by the House or by the Committee on Ways and Means, each finance committee, the Committee on Capital Investment, and the Committee on Taxes must reconcile each finance and revenue bill described in Rule 4.10 and Rule 4.11 with the resolution or resolutions. When reporting a bill, the committee must provide to the Committee on Ways and Means a fiscal statement on the bill and a written statement certifying that the committee has reconciled the fiscal effect of the bill with the resolution or resolutions and that the bill, as reported by the committee, together with other bills reported and expected to be reported by the committee, does not and will not exceed the limits specified in the resolution or resolutions.

After the adoption of a resolution by the House or the Committee on Ways and Means, the Committee on Ways and Means must reconcile finance and revenue bills with the resolution or resolutions. When reporting a bill, the chair of the Committee must certify to the House that the Committee has reconciled the bill with the resolution or resolutions and that the bill, as reported by the Committee, together with other bills reported and expected to be reported by the Committee, does not and will not exceed the limits specified in the resolution or resolutions.



After the adoption of a resolution by the House or the Committee on Ways and Means, an amendment to a bill is out of order if it would cause any of the limits specified in the resolution or resolutions to be exceeded. Whether an amendment is out of order under this Rule is a question to be decided on the Floor by the Speaker or other presiding officer and in committee by the person chairing the committee meeting. In making the determination, the Speaker or other presiding officer or the committee chair may consider: (1) the limits in a resolution; (2) the effect of existing laws on revenues and expenditures; (3) the effect of amendments previously adopted to the bill under consideration; (4) the effect of bills previously recommended by a committee or bills previously passed in the legislative session by the House or by the legislature; (5) whether expenditure increases or revenue decreases that would result from the amendment are offset by decreases in other expenditures or increases in other revenue specified by the amendment; and (6) other information reasonably related to expenditure and revenue amounts.

After a resolution is adopted by the House or the Committee on Ways and Means, the Committee must cause to be published a summary of the estimated fiscal effect on the general fund of each bill that has been referred to the Committee on Ways and Means by a finance committee, the Capital Investment Committee, or the Committee on Taxes and of each bill that has been reported by the Committee on Ways and Means."

Rule 4.12 of the Permanent Rules of the House of Representatives for the 82nd Session shall read as follows:

"4.12 BILLS AFFECTING DEBT AND CAPITAL PROJECTS. The Committee on Capital Investment has jurisdiction over legislation affecting debt obligations issued by the state and capital projects of the state, including the planning, acquiring and bettering of public lands and buildings and other state projects of a capital nature. Except as provided in Rule 1.15, a House or Senate bill that directly and specifically affects debt obligations or capital projects of the state must be referred to the Committee on Capital Investment before the bill receives its second reading.

Referral is not required by this Rule if the bill deals primarily with the financing of state capital facilities using trunk highway funds, with transportation projects financed without debt obligations of the state, or with the local financing of capital facilities of local governments. Referral is not required by this Rule if the bill has a negligible effect on debt obligations and capital projects of the state as determined by the chair of the Committee on Capital Investment with the concurrence of the chair of the Committee on Ways and Means. Referral is not required by this Rule if the bill is a major finance or revenue bill identified in Rule 4.03, unless the bill directly and specifically affects debt obligations of the state, but if a major finance or revenue bill contains a provision that directly and specifically affects capital projects of the state, the chair of the finance or tax committee reporting the bill must notify the chair of the Committee on Capital Investment of the provision before the bill is considered by the House.

The Speaker, by announcement, must assign to each finance committee the appropriate jurisdiction for recommendations on debt obligations and capital projects of the state. The finance committee must submit recommendations within its jurisdiction to the committee on Capital Investment for further disposition. The Committee on Capital Investment must enter in the committee record the recommendations of each finance committee that submits recommendations. If a recommendation of the finance committee with jurisdiction expressly disapproves appropriations or the issuance of debt obligations for a specific capital project, the Capital Investment Committee may not report a bill authorizing appropriations or the issuance of debt for that project.

A bill with a fiscal effect reported by the Committee on Capital Investment must be accompanied by a statement of its fiscal effect, is exempt from the referral required by Rule 4.10, and must be referred to the Committee on Ways and Means. This referral is not required if the bill has a negligible fiscal effect, as determined by the chair of the Committee on Capital Investment with the concurrence of the chair of the Committee on Ways and Means."

Solberg, Carlson and Anderson, I., moved to amend the Report from the Committee on Rules and Legislative Administration relating to the Permanent Rules of the House for the 82nd Session as follows:

Page 1, line 19, after "expenditures" insert "and revenues"

A roll call was requested and properly seconded.

The question was taken on the Solberg et al amendment and the roll was called. There were 65 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Evans	Jennings	Lenczewski	Opatz	Skoglund
Bakk	Folliard	Johnson, R.	Lieder	Osthoff	Slawik
Bernardy	Gleason	Johnson, S.	Luther	Otremba	Solberg
Biernat	Goodwin	Juhnke	Mahoney	Paymar	Swapinski
Carlson	Gray	Kahn	Mariani	Pelowski	Thompson
Clark, K.	Greiling	Kalis	Marko	Peterson	Wagenius
Davnie	Hausman	Kelliher	Marquart	Pugh	Walker
Dawkins	Hilstrom	Koskinen	McGuire	Rukavina	Wasiluk
Dibble	Hilty	Kubly	Milbert	Schumacher	Wenzel
Dorn	Huntley	Larson	Mullery	Sertich	Winter
Entenza	Jaros	Leighton	Murphy	Skoe	

Those who voted in the negative were:

Abeler	Dempsey	Harder	Lipman	Penas	Tuma
Abrams	Dorman	Holberg	Mares	Rhodes	Vandever
Anderson, B.	Eastlund	Holsten	McElroy	Rifenberg	Walz
Bishop	Erhardt	Howes	Molnau	Ruth	Westerberg
Boudreau	Erickson	Jacobson	Mulder	Seagren	Westrom
Bradley	Finseth	Johnson, J.	Ness	Seifert	Wilkin
Buesgens	Fuller	Kielkucki	Nornes	Smith	Wolf
Cassell	Gerlach	Knoblach	Olson	Stanek	Workman
Clark, J.	Goodno	Krinkie	Osskopp	Stang	Spk. Sviggum
Daggett	Gunther	Kuisle	Ozment	Swenson	
Davids	Haas	Leppik	Paulsen	Sykora	
Dehler	Hackbarth	Lindner	Pawlenty	Tingelstad	

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

#### CALL OF THE HOUSE

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

Abeler	Clark, J.	Entenza	Greiling	Jaros	Kubly
Abrams	Clark, K.	Erhardt	Gunther	Jennings	Kuisle
Anderson, B.	Daggett	Erickson	Haas	Johnson, J.	Larson
Anderson, I.	Davids	Evans	Hackbarth	Johnson, R.	Leighton
Bakk	Davnie	Finseth	Harder	Johnson, S.	Lenczewski
Bernardy	Dawkins	Folliard	Hausman	Juhnke	Leppik
Biernat	Dehler	Fuller	Hilstrom	Kalis	Lieder
Bishop	Dempsey	Gerlach	Hilty	Kelliher	Lindner
Boudreau	Dibble	Gleason	Holberg	Kielkucki	Lipman
Bradley	Dorman	Goodno	Holsten	Knoblach	Luther
Carlson	Dorn	Goodwin	Huntley	Koskinen	Mahoney
Cassell	Eastlund	Gray	Jacobson	Krinkie	Mares

Mariani	Murphy	Pelowski	Seagren	Swapinski	Wasiluk
Marko	Nornes	Penas	Seifert	Swenson	Wenzel
Marquart	Olson	Peterson	Sertich	Sykora	Westerberg
McElroy	Opatz	Pugh	Skoe	Thompson	Westrom
McGuire	Osskopp	Rhodes	Skoglund	Tingelstad	Wilkin
Milbert	Otremba	Rifenberg	Slawik	Tuma	Winter
Molnau	Paulsen	Rukavina	Solberg	Vandever	Wolf
Mulder	Pawlenty	Ruth	Stanek	Wagenius	Workman
Mullery	Paymar	Schumacher	Stang	Walker	Spk. Sviggum

Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Anderson, I., moved to amend the Report from the Committee on Rules and Legislative Administration relating to the Permanent Rules of the House for the 82nd Session as follows:

Page 1, line 11, after the period, insert "Per diem payments made to House members pursuant to House Rule 8.10 shall be in the same per diem amount as those made to Senate members during the 2001-2002 biennium, retroactive to January 1, 2001."

Page 1, line 11, start a new paragraph beginning with "The committee"

The Speaker resumed the Chair.

The question was taken on the Anderson, I., amendment and the roll was called. There were 64 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dibble	Hilstrom	Lieder	Otremba	Swapinski
Bakk	Dorman	Hilty	Luther	Ozment	Swenson
Biernat	Dorn	Huntley	Mahoney	Paymar	Wagenius
Bishop	Erhardt	Jaros	Mares	Peterson	Walker
Bradley	Finseth	Johnson, S.	Mariani	Pugh	Wasiluk
Carlson	Gleason	Juhnke	McGuire	Rukavina	Wenzel
Clark, K.	Goodno	Kahn	Mullery	Sertich	Winter
Daggett	Gray	Kalis	Murphy	Skoe	Wolf
Davids	Greiling	Kelliher	Ness	Skoglund	Workman
Dawkins	Gunther	Kubly	Opatz	Solberg	
Dehler	Hausman	Leighton	Osthoff	Stang	

Those who voted in the negative were:

Abeler	Davnie	Gerlach	Jacobson	Kuise	McElroy
Abrams	Dempsey	Goodwin	Jennings	Larson	Milbert
Anderson, B.	Eastlund	Haas	Johnson, J.	Lenczewski	Molnau
Bernardy	Entenza	Hackbarth	Johnson, R.	Leppik	Mulder
Boudreau	Erickson	Harder	Kielkucki	Lindner	Nornes
Buesgens	Evans	Holberg	Knoblach	Lipman	Olson
Cassell	Folliard	Holsten	Koskinen	Marko	Osskopp
Clark, J.	Fuller	Howes	Krinkie	Marquart	Paulsen

Pawlenty	Rifenberg	Seifert	Sykora	Vandever	Wilkin
Pelowski	Ruth	Slawik	Thompson	Walz	Spk. Sviggum
Penas	Schumacher	Smith	Tingelstad	Westerberg	
Rhodes	Seagren	Stanek	Tuma	Westrom	

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

Lenczewski moved to amend the Report from the Committee on Rules and Legislative Administration relating to the Permanent Rules of the House for the 82nd Session as follows:

Page 1, line 23, after the period, insert "Any comparisons made by the House to the governor's budget must exclude expenditures for tax reduction and relief."

A roll call was requested and properly seconded.

Pawlenty moved that the Lenczewski amendment to the Report from the Committee on Rules and Legislative Administration be referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The Speaker called Abrams to the Chair.

The question was taken on the Pawlenty motion and the roll was called. There were 69 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Harder	Lipman	Penas	Tuma
Abrams	Dorman	Holberg	Mares	Rhodes	Vandever
Anderson, B.	Eastlund	Holsten	McElroy	Rifenberg	Walz
Bishop	Erhardt	Howes	Molnau	Ruth	Westerberg
Boudreau	Erickson	Jacobson	Mulder	Seagren	Westrom
Bradley	Finseth	Johnson, J.	Ness	Seifert	Wilkin
Buesgens	Fuller	Kielkucki	Nornes	Smith	Wolf
Cassell	Gerlach	Knoblach	Olson	Stanek	Workman
Clark, J.	Goodno	Krinkie	Osskopp	Stang	Spk. Sviggum
Daggett	Gunther	Kuisele	Ozment	Swenson	
Davids	Haas	Leppik	Paulsen	Sykora	
Dehler	Hackbarth	Lindner	Pawlenty	Tingelstad	

Those who voted in the negative were:

Anderson, I.	Clark, K.	Entenza	Gray	Huntley	Juhnke
Bakk	Davnie	Evans	Greiling	Jaros	Kahn
Bernardy	Dawkins	Folliard	Hausman	Jennings	Kalis
Biernat	Dibble	Gleason	Hilstrom	Johnson, R.	Kelliher
Carlson	Dorn	Goodwin	Hilty	Johnson, S.	Koskinen

Kubly	Mahoney	Mullery	Pelowski	Skoe	Wagenius
Larson	Mariani	Murphy	Peterson	Skoglund	Walker
Leighton	Marko	Opatz	Pugh	Slawik	Wasiluk
Lenczewski	Marquart	Osthoff	Rukavina	Solberg	Wenzel
Lieder	McGuire	Otremba	Schumacher	Swapinski	Winter
Luther	Milbert	Paymar	Sertich	Thompson	

The motion prevailed and the Lenczewski amendment to the Report from the Committee on Rules and Legislative Administration was referred to the Committee on Rules and Legislative Administration.

#### MOTION TO LAY ON THE TABLE

Lenczewski moved that the Report from the Committee on Rules and Legislative Administration be laid on the table.

A roll call was requested and properly seconded.

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

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

There were 65 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Evans	Jennings	Lenczewski	Opatz	Skoglund
Bakk	Folliard	Johnson, R.	Lieder	Osthoff	Slawik
Bernardy	Gleason	Johnson, S.	Luther	Otremba	Solberg
Biernat	Goodwin	Juhnke	Mahoney	Paymar	Swapinski
Carlson	Gray	Kahn	Mariani	Pelowski	Thompson
Clark, K.	Greiling	Kalis	Marko	Peterson	Wagenius
Davnie	Hausman	Kelliher	Marquart	Pugh	Walker
Dawkins	Hilstrom	Koskinen	McGuire	Rukavina	Wasiluk
Dibble	Hilty	Kubly	Milbert	Schumacher	Wenzel
Dorn	Huntley	Larson	Mullery	Sertich	Winter
Entenza	Jaros	Leighton	Murphy	Skoe	

Those who voted in the negative were:

Abeler	Dempsey	Harder	Lipman	Penas	Tuma
Abrams	Dorman	Holberg	Mares	Rhodes	Vandever
Anderson, B.	Eastlund	Holsten	McElroy	Rifenberg	Walz
Bishop	Erhardt	Howes	Molnau	Ruth	Westerberg
Boudreau	Erickson	Jacobson	Mulder	Seagren	Westrom
Bradley	Finseth	Johnson, J.	Ness	Seifert	Wilkin
Buesgens	Fuller	Kielkucki	Nornes	Smith	Wolf
Cassell	Gerlach	Knoblach	Olson	Stanek	Workman
Clark, J.	Goodno	Krinkie	Osskopp	Stang	Spk. Sviggum
Daggett	Gunther	Kuisle	Ozment	Swenson	
Davids	Haas	Leppik	Paulsen	Sykora	
Dehler	Hackbarth	Lindner	Pawlenty	Tingelstad	

The motion did not prevail.

## MOTION FOR RECONSIDERATION

Entenza moved that the vote whereby the Anderson, I., amendment to the Report from the Committee on Rules and Legislative Administration which was not adopted earlier today be now reconsidered. The motion prevailed.

The Anderson, I., amendment to the Report from the Committee on Rules and Legislative Administration relating to the Permanent Rules of the House for the 82nd Session was again reported to the House.

Anderson, I., modified his amendment as follows:

Page 1, line 11, after the period, insert "Per diem payments made to House members pursuant to House Rule 8.10 shall be up to \$66.00 per day during the 2001-2002 biennium, retroactive to January 1, 2001."

Page 1, line 11, start a new paragraph beginning with "The committee"

The question was taken on the Anderson, I., amendment and the roll was called. There were 75 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dorman	Holsten	Lieder	Otremba	Stang
Bakk	Dorn	Huntley	Luther	Ozment	Swapinski
Biernat	Entenza	Jaros	Mahoney	Paymar	Swenson
Bishop	Erhardt	Jennings	Mares	Peterson	Wagenius
Bradley	Finseth	Johnson, R.	Mariani	Pugh	Walker
Carlson	Gleason	Johnson, S.	Marko	Rhodes	Wasiluk
Clark, K.	Goodno	Juhnke	McGuire	Rukavina	Wenzel
Daggett	Gray	Kahn	Milbert	Sertich	Winter
Davids	Greiling	Kalis	Mullery	Skoe	Wolf
Davnie	Gunther	Kelliher	Murphy	Skoglund	Workman
Dawkins	Hausman	Kubly	Ness	Smith	
Dehler	Hilstrom	Leighton	Opatz	Solberg	
Dibble	Hilty	Leppik	Osthoff	Stanek	

Those who voted in the negative were:

Abeler	Erickson	Howes	Lindner	Pawlenty	Thompson
Abrams	Evans	Jacobson	Lipman	Pelowski	Tingelstad
Anderson, B.	Folliard	Johnson, J.	Marquart	Penas	Tuma
Bernardy	Fuller	Kielkucki	McElroy	Rifenberg	Vandever
Boudreau	Gerlach	Knoblach	Molnau	Ruth	Walz
Buesgens	Goodwin	Koskinen	Mulder	Schumacher	Westerberg
Cassell	Haas	Krinkie	Nornes	Seagren	Westrom
Clark, J.	Hackbarth	Kuistle	Olson	Seifert	Wilkin
Dempsey	Harder	Larson	Osskopp	Slawik	Spk. Sviggum
Eastlund	Holberg	Lenczewski	Paulsen	Sykora	

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

The question recurred on the Pawlenty motion that the Report from the Committee on Rules and Legislative Administration, as amended, relating to the Permanent Rules of the House for the 82nd Session be now adopted and the roll was called. There were 33 yeas and 101 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dawkins	Hausman	Knobloch	Rhodes	Wasiluk
Bakk	Dehler	Holsten	Leppik	Rukavina	Wenzel
Bishop	Dorman	Huntley	Luther	Sertich	Wolf
Bradley	Erhardt	Jaros	Mariani	Skoglund	
Daggett	Goodno	Juhnke	Murphy	Solberg	
Davids	Gray	Kahn	Osthoff	Stang	

Those who voted in the negative were:

Abeler	Erickson	Jacobson	Lipman	Ozment	Swapinski
Abrams	Evans	Jennings	Mahoney	Paulsen	Swenson
Anderson, B.	Finseth	Johnson, J.	Mares	Pawlenty	Sykora
Bernardy	Folliard	Johnson, R.	Marko	Paymar	Thompson
Biernat	Fuller	Johnson, S.	Marquart	Pelowski	Tingelstad
Boudreau	Gerlach	Kalis	McElroy	Penas	Tuma
Buesgens	Gleason	Kelliher	McGuire	Peterson	Vandever
Carlson	Goodwin	Kielkucki	Milbert	Pugh	Wagenius
Cassell	Greiling	Koskinen	Molnau	Rifenberg	Walker
Clark, J.	Gunther	Krinkie	Mulder	Ruth	Walz
Clark, K.	Haas	Kubly	Mullery	Schumacher	Westerberg
Davnie	Hackbarth	Kuisle	Ness	Seagren	Westrom
Dempsey	Harder	Larson	Nornes	Seifert	Wilkin
Dibble	Hilstrom	Leighton	Olson	Skoe	Winter
Dorn	Hilty	Lenczewski	Opatz	Slawik	Workman
Eastlund	Holberg	Lieder	Osskopp	Smith	Spk. Sviggum
Entenza	Howes	Lindner	Otremba	Stanek	

The motion did not prevail and the Report from the Committee on Rules and Legislative Administration, as amended, relating to the Permanent Rules of the House for the 82nd Session was not adopted.

### 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, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 47, A bill for an act relating to economic development; requiring a closed iron mine and related facilities to be maintained for a period of time; providing extra unemployment benefits for certain workers laid off from the LTV Mining Company; amending Minnesota Statutes 2000, section 93.003.

PATRICK E. FLAHAVER, Secretary of the Senate

McElroy moved that the House refuse to concur in the Senate amendments to H. F. No. 47, 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.

Mr. Speaker:

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

S. F. No. 7.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 7, A bill for an act relating to crime prevention; imposing criminal penalties for killing or harming animals trained to assist persons with disabilities; proposing coding for new law in Minnesota Statutes, chapter 609.

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

### 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 for Monday, March 19, 2001:

H. F. Nos. 274, 1159 and 550; S. F. No. 509; H. F. Nos. 1046 and 208; S. F. Nos. 647 and 63; H. F. Nos. 704 and 867; and S. F. No. 346.

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

### CALENDAR FOR THE DAY

H. F. No. 274 was reported to the House.

Dorman moved to amend H. F. No. 274, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 116.92, subdivision 6, is amended to read:

Subd. 6. [MERCURY THERMOMETERS PROHIBITED.] (a) ~~A medical facility may not routinely distribute thermometers~~ manufacturer, wholesaler, or retailer may not sell or distribute at no cost a thermometer containing mercury that was manufactured after June 1, 2001.



(b) Paragraph (a) does not apply to:

(1) an electronic thermometer with a battery containing mercury if the battery is in compliance with section 325E.125;

(2) a mercury thermometer used for food research and development or food processing, including meat, dairy products, and pet food processing;

(3) a mercury thermometer that is a component of an animal agriculture climate control system or industrial measurement system until such time as the system is replaced or a nonmercury component for the system is available;  
or

(4) a mercury thermometer used for calibration of other thermometers, apparatus, or equipment, unless a nonmercury calibration standard is approved for the application by the National Institute of Standards and Technology.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective January 1, 2002."

Delete the title and insert:

"A bill for an act relating to the environment; restricting the sale of mercury thermometers; amending Minnesota Statutes 2000, section 116.92, subdivision 6."

The motion prevailed and the amendment was adopted.

H. F. No. 274, A bill for an act relating to the environment; restricting the sale of mercury thermometers; amending Minnesota Statutes 2000, section 116.92, subdivision 6.

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.

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

There were 123 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abeler	Clark, J.	Entenza	Gunther	Jennings	Lenczewski
Abrams	Clark, K.	Erhardt	Haas	Johnson, J.	Leppik
Anderson, B.	Daggett	Erickson	Hackbarth	Johnson, R.	Lieder
Anderson, I.	Davids	Evans	Harder	Johnson, S.	Lipman
Bakk	Davnie	Folliard	Hausman	Juhnke	Luther
Bernardy	Dawkins	Fuller	Hilstrom	Kahn	Mahoney
Biernat	Dehler	Gerlach	Hilty	Kalis	Mares
Bishop	Dempsey	Gleason	Holsten	Kelliher	Mariani
Boudreau	Dibble	Goodno	Hoves	Knoblach	Marko
Bradley	Dorman	Goodwin	Huntley	Kubly	Marquart
Carlson	Dorn	Gray	Jacobson	Larson	McElroy
Cassell	Eastlund	Greiling	Jaros	Leighton	McGuire

Milbert	Osthoff	Pugh	Skoglund	Thompson	Westrom
Molnau	Otremba	Rhodes	Slawik	Tingelstad	Wilkin
Mullery	Ozment	Rifenberg	Smith	Tuma	Winter
Murphy	Paulsen	Rukavina	Solberg	Vandever	Wolf
Ness	Pawlenty	Ruth	Stanek	Wagenius	Workman
Nornes	Paymar	Schumacher	Stang	Walker	Spk. Sviggum
Olson	Pelowski	Seagren	Swapinski	Wasiluk	
Opatz	Penas	Sertich	Swenson	Wenzel	
Osskopp	Peterson	Skoe	Sykora	Westerberg	

Those who voted in the negative were:

Buesgens	Kielkucki	Kuisle	Mulder
Finseth	Krinkie	Lindner	Seifert

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

#### CALL OF THE HOUSE LIFTED

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

H. F. No. 1159, A bill for an act relating to public finance; funding for Gillette Children's Speciality Healthcare; transportation and capital improvements; authorizing spending for public purposes; authorizing spending to acquire and to better land and buildings and other improvements of a capital nature; amending earlier authorizations; authorizing and reauthorizing sale of state bonds; converting certain capital project financing from general obligation bonding to general fund cash; appropriating money; amending Laws 2000, chapter 479, article 1, section 2, subdivision 11; and by adding a section; Laws 2000, chapter 492, article 1, section 18, subdivision 1; and section 26, 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 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Daggett	Folliard	Holsten	Kubly	McElroy
Abrams	Davids	Fuller	Howes	Kuisle	McGuire
Anderson, B.	Davnie	Gerlach	Huntley	Larson	Milbert
Anderson, I.	Dawkins	Gleason	Jacobson	Leighton	Molnau
Bakk	Dehler	Goodno	Jaros	Lenczewski	Mulder
Bernardy	Dempsey	Goodwin	Jennings	Leppik	Mullery
Biernat	Dibble	Gray	Johnson, J.	Lieder	Murphy
Bishop	Dorman	Greiling	Johnson, R.	Lindner	Ness
Boudreau	Dorn	Gunther	Johnson, S.	Lipman	Nornes
Bradley	Eastlund	Haas	Juhnke	Luther	Olson
Buesgens	Entenza	Hackbarth	Kahn	Mahoney	Opatz
Carlson	Erhardt	Harder	Kalis	Mares	Osskopp
Cassell	Erickson	Hilstrom	Kelliher	Mariani	Osthoff
Clark, J.	Evans	Hilty	Kielkucki	Marko	Otremba
Clark, K.	Finseth	Holberg	Knoblach	Marquart	Ozment

Paulsen	Rhodes	Skoe	Swapinski	Wagenius	Wilkin
Pawlenty	Rifenberg	Skoglund	Swenson	Walker	Winter
Paymar	Rukavina	Slawik	Sykora	Walz	Wolf
Pelowski	Ruth	Smith	Thompson	Wasiluk	Workman
Penas	Schumacher	Solberg	Tingelstad	Wenzel	Spk. Sviggum
Peterson	Seagren	Stanek	Tuma	Westerberg	
Pugh	Seifert	Stang	Vandev eer	Westrom	

Those who voted in the negative were:

Krinkie

The bill was passed and its title agreed to.

H. F. No. 550, A bill for an act relating to higher education; extending authority to adopt rules for Edvest.

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 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Holberg	Lieder	Otremba	Stang
Abrams	Eastlund	Holsten	Lindner	Ozment	Swapinski
Anderson, B.	Entenza	Howes	Lipman	Paulsen	Swenson
Anderson, I.	Erhardt	Huntley	Luther	Pawlenty	Sykora
Bakk	Erickson	Jacobson	Mahoney	Paymar	Thompson
Bernardy	Evans	Jaros	Mares	Pelowski	Tingelstad
Biernat	Finseth	Jennings	Mariani	Penas	Tuma
Bishop	Folliard	Johnson, J.	Marko	Peterson	Vandev eer
Boudreau	Fuller	Johnson, R.	Marquart	Pugh	Wagenius
Bradley	Gerlach	Johnson, S.	McElroy	Rhodes	Walker
Carlson	Gleason	Juhnke	McGuire	Rifenberg	Walz
Cassell	Goodno	Kahn	Milbert	Rukavina	Wasiluk
Clark, J.	Goodwin	Kalis	Molnau	Ruth	Wenzel
Clark, K.	Gray	Kelliher	Mulder	Schumacher	Westerberg
Daggett	Greiling	Kielkucki	Mullery	Seagren	Westrom
Davids	Gunther	Knoblach	Murphy	Seifert	Wilkin
Davnie	Haas	Kubly	Ness	Sertich	Winter
Dawkins	Hackbarth	Kuisle	Nornes	Skoe	Wolf
Dehler	Harder	Larson	Olson	Skoglund	Workman
Dempsey	Hausman	Leighton	Opatz	Slawik	Spk. Sviggum
Dibble	Hilstrom	Lenczewski	Osskopp	Smith	
Dorman	Hilty	Leppik	Osthoff	Solberg	

Those who voted in the negative were:

Buesgens            Krinkie

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.

### **MOTIONS AND RESOLUTIONS**

Wenzel moved that the name of Erickson be added as an author on H. F. No. 126. The motion prevailed.

Lenczewski moved that the name of Gerlach be added as an author on H. F. No. 381. The motion prevailed.

Greiling moved that her name be stricken as an author on H. F. No. 478. The motion prevailed.

Bishop moved that the name of Tingelstad be added as an author on H. F. No. 678. The motion prevailed.

Gunther moved that the names of Jaros, Huntley, Swapinski, Murphy and Goodwin be added as authors on H. F. No. 1003. The motion prevailed.

Dauids moved that the name of Erickson be added as an author on H. F. No. 1007. The motion prevailed.

Olson moved that the name of Abeler be added as an author on H. F. No. 1028. The motion prevailed.

Clark, J., moved that the names of Erickson and Eastlund be added as authors on H. F. No. 1046. The motion prevailed.

Thompson moved that the name of Tingelstad be added as an author on H. F. No. 1080. The motion prevailed.

Rhodes moved that the name of Thompson be added as an author on H. F. No. 1250. The motion prevailed.

Daggett moved that the name of Marquart be added as an author on H. F. No. 1288. The motion prevailed.

Mares moved that the name of Workman be added as chief author on H. F. No. 1314. The motion prevailed.

Buesgens moved that his name be stricken and the name of Kuisle be added as chief author on H. F. No. 1366. The motion prevailed.

Solberg moved that the name of Thompson be added as an author on H. F. No. 1391. The motion prevailed.

Tingelstad moved that the names of Greiling, Evans, Juhnke, Bernardy, Kubly and Jacobson be added as authors on H. F. No. 1394. The motion prevailed.

Ruth moved that her name be stricken as an author on H. F. No. 1413. The motion prevailed.

Kuisle moved that his name be stricken and the name of Buesgens be added as chief author on H. F. No. 1470. The motion prevailed.

Pelowski moved that the name of Mariani be added as an author on H. F. No. 1566. The motion prevailed.

Pelowski moved that the name of Mariani be added as an author on H. F. No. 1567. The motion prevailed.

Slawik moved that the name of Abeler be added as an author on H. F. No. 1588. The motion prevailed.

Boudreau moved that the name of Westerberg be added as an author on H. F. No. 1590. The motion prevailed.

Holberg moved that her name be stricken as an author on H. F. No. 1606. The motion prevailed.

Smith moved that his name be stricken as an author on H. F. No. 1606. The motion prevailed.

Gerlach moved that the names of Buesgens, Holberg, Wilkin, Hackbarth, Tingelstad and Vandever be added as authors on H. F. No. 1614. The motion prevailed.

Koskinen moved that her name be stricken as an author on H. F. No. 1617. The motion prevailed.

Haas moved that the name of Marquart be added as an author on H. F. No. 1626. The motion prevailed.

Pelowski moved that his name be stricken as an author on H. F. No. 1649. The motion prevailed.

Haas moved that the name of Dibble be added as an author on H. F. No. 1657. The motion prevailed.

Bradley moved that the name of Mulder be added as an author on H. F. No. 1658. The motion prevailed.

Holsten moved that the names of Pugh, Tingelstad, Sviggum, Bakk, Erickson, Howes and Lenczewski be added as authors on H. F. No. 1671. The motion prevailed.

Wilkin moved that the names of Lipman and Leighton be added as authors on H. F. No. 1738. The motion prevailed.

Holberg moved that the names of Wilkin and Lipman be added as authors on H. F. No. 1766. The motion prevailed.

Walz moved that the name of Nornes be added as an author on H. F. No. 1778. The motion prevailed.

Koskinen moved that her name be stricken as an author on H. F. No. 1805. The motion prevailed.

McGuire moved that the name of Koskinen be added as an author on H. F. No. 1812. The motion prevailed.

Dorman moved that the name of Rifenberg be added as an author on H. F. No. 1815. The motion prevailed.

Erickson moved that the name of Thompson be added as an author on H. F. No. 1826. The motion prevailed.

Holberg moved that the name of Knoblach be added as an author on H. F. No. 1861. The motion prevailed.

Greiling moved that H. F. No. 423 be recalled from the Committee on Governmental Operations and Veterans Affairs Policy and be re-referred to the Committee on Transportation Policy. The motion prevailed.

Entenza moved that H. F. No. 1270 be recalled from the Committee on Jobs and Economic Development Finance and be re-referred to the Committee on Civil Law. The motion prevailed.

Johnson, S., moved that H. F. No. 1325 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Judiciary Finance. The motion prevailed.

Boudreau moved that H. F. No. 1471 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Civil Law. The motion prevailed.

Boudreau moved that H. F. No. 1633 be recalled from the Committee on Health and Human Services Policy and be re-referred to the Committee on Health and Human Services Finance. The motion prevailed.

Nornes moved that H. F. No. 1746 be recalled from the Committee on K-12 Education Finance and be re-referred to the Committee on Family and Early Childhood Education Finance. The motion prevailed.

Solberg moved that H. F. No. 1752 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

Goodno moved that H. F. No. 1833 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

Kelliher moved that H. F. No. 1841 be recalled from the Committee on Local Government and Metropolitan Affairs and be re-referred to the Committee on Taxes. The motion prevailed.

Abeler, Bradley, Otremba, Mulder and Dorn introduced:

House Resolution No. 9, A house resolution recognizing the years 2000 through 2010 as the "Bone and Joint Decade."

The resolution was referred to the Committee on Health and Human Services Policy.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 47:

Rukavina, McElroy, Bakk, Abrams and Holberg.

#### ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 3:00 p.m., Wednesday, March 21, 2001. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Wednesday, March 21, 2001.

EDWARD A. BURDICK, Chief Clerk, House of Representatives