

STATE OF MINNESOTA

EIGHTY-SECOND SESSION — 2001

 TWENTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 28, 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 the Reverend Mr. Nathan Allen, St. Paul, 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	Dorman	Holberg	Leppik	Osthoff	Stang
Abrams	Dorn	Holsten	Lieder	Ozment	Swapinski
Anderson, B.	Eastlund	Howes	Lindner	Paulsen	Swenson
Anderson, I.	Entenza	Huntley	Lipman	Pawlenty	Sykora
Bakk	Erhardt	Jacobson	Luther	Paymar	Thompson
Bernardy	Erickson	Jaros	Mahoney	Pelowski	Tingelstad
Biernat	Evans	Jennings	Mares	Penas	Tuma
Bishop	Finseth	Johnson, J.	Mariani	Peterson	Vandever
Boudreau	Fuller	Johnson, R.	Marko	Pugh	Wagenius
Bradley	Gerlach	Johnson, S.	Marquart	Rhodes	Walker
Buesgens	Gleason	Juhnke	McElroy	Rifenberg	Walz
Carlson	Goodno	Kalis	McGuire	Ruth	Wasiluk
Cassell	Goodwin	Kelliher	Milbert	Schumacher	Wenzel
Clark, J.	Gray	Kielkucki	Molnau	Seagren	Westerberg
Clark, K.	Greiling	Knoblach	Mulder	Seifert	Westrom
Daggett	Gunther	Koskinen	Mullery	Sertich	Wilkin
Davids	Haas	Krinkie	Murphy	Skoe	Winter
Davnie	Hackbarth	Kubly	Ness	Skoglund	Wolf
Dawkins	Harder	Kuisle	Nornes	Slawik	Workman
Dehler	Hausman	Larson	Olson	Smith	Spk. Sviggum
Dempsey	Hilstrom	Leighton	Opatz	Solberg	
Dibble	Hilty	Lenczewski	Osskopp	Stanek	

A quorum was present.

Folliard, Kahn, Otremba and Rukavina were excused.

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

REPORTS OF CHIEF CLERK

S. F. No. 930 and H. F. No. 254, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Seifert moved that S. F. No. 930 be substituted for H. F. No. 254 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 971 and H. F. No. 64, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

McElroy moved that the rules be so far suspended that S. F. No. 971 be substituted for H. F. No. 64 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 972 and H. F. No. 466, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

McElroy moved that the rules be so far suspended that S. F. No. 972 be substituted for H. F. No. 466 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 46, A bill for an act relating to comprehensive local planning; reestablishing local control of comprehensive planning; repealing metropolitan land use planning and metropolitan council review of local comprehensive plans; making conforming changes; amending Minnesota Statutes 2000, sections 103B.231, subdivision 7; 103B.255, subdivision 8; 473.146, subdivision 1; 473.1551, subdivision 1; 473.173, subdivisions 3 and 4; 473.867, subdivisions 1 and 6; 473.871; and 473H.02, subdivisions 4 and 7; repealing Minnesota Statutes 2000, sections 103B.205, subdivisions 6, 7, and 10; 462.355, subdivision 1a; 473.175; 473.851; 473.852; 473.853; 473.854; 473.856; 473.857; 473.858; 473.859; 473.86; 473.861; 473.862; 473.863; 473.864; 473.865; 473.866; 473.868; 473.869; and 473.87.

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

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 177, A bill for an act relating to local government; providing for tort immunity for claims arising out of use or operation of a recreational motor vehicle on a highway right-of-way; amending Minnesota Statutes 2000, section 466.03, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 192, A bill for an act relating to local government; authorizing special taxing districts for emergency medical services; authorizing property tax levies; adding to the list of special taxing districts; amending Minnesota Statutes 2000, section 275.066; proposing coding for new law as Minnesota Statutes, chapter 144F.

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

The report was adopted.

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

H. F. No. 262, A bill for an act relating to health; requiring informed consent of a female upon whom an abortion is performed; providing civil remedies; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the recommendation that 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. 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, subdivision 3c.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

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

Subd. 3. [PERSONS MANDATED TO REPORT.] (a) A person who knows or has reason to believe a child is being neglected or physically or sexually abused, as defined in subdivision 2, or has been neglected or physically or sexually abused within the preceding three years, shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, or the county sheriff if the person is:

(1) a professional or professional's delegate who is engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, or law enforcement; or

(2) employed as a member of the clergy and received the information while engaged in ministerial duties, provided that a member of the clergy is not required by this subdivision to report information that is otherwise privileged under section 595.02, subdivision 1, paragraph (c).

The police department or the county sheriff, upon receiving a report, shall immediately notify the local welfare agency or agency responsible for assessing or investigating the report, orally and in writing. The local welfare agency, or agency responsible for assessing or investigating the report, upon receiving a report, shall immediately notify the local police department or the county sheriff orally and in writing. The county sheriff and the head of every local welfare agency, agency responsible for assessing or investigating reports, and police department shall

each designate a person within their agency, department, or office who is responsible for ensuring that the notification duties of this paragraph and paragraph (b) are carried out. Nothing in this subdivision shall be construed to require more than one report from any institution, facility, school, or agency.

(b) Any person may voluntarily report to the local welfare agency, agency responsible for assessing or investigating the report, police department, or the county sheriff if the person knows, has reason to believe, or suspects a child is being or has been neglected or subjected to physical or sexual abuse. The police department or the county sheriff, upon receiving a report, shall immediately notify the local welfare agency or agency responsible for assessing or investigating the report, orally and in writing. The local welfare agency or agency responsible for assessing or investigating the report, upon receiving a report, shall immediately notify the local police department or the county sheriff orally and in writing.

(c) A person mandated to report physical or sexual child abuse or neglect occurring within a licensed facility shall report the information to the agency specified under subdivisions 3b and 3c as responsible for licensing the assessing or investigating a facility licensed under sections 144.50 to 144.58; a facility licensed under section 241.021; 245A.01 to 245A.16, or 245B, or a facility licensed under chapter 245A; a school as defined in sections section 120A.05, subdivisions 9, 11, and 13; and, or section 124D.10; or a nonlicensed personal care provider organization as defined in sections section 256B.04, subdivision 16; and, or section 256B.0625, subdivision 19. ~~A health or corrections~~ An agency receiving a report may request the local welfare agency to provide assistance pursuant to subdivisions 10, 10a, and 10b.

(d) Any person mandated to report shall receive a summary of the disposition of any report made by that reporter, including whether the case has been opened for child protection or other services, or if a referral has been made to a community organization, unless release would be detrimental to the best interests of the child. Any person who is not mandated to report shall, upon request to the local welfare agency, receive a concise summary of the disposition of any report made by that reporter, unless release would be detrimental to the best interests of the child.

(e) For purposes of this subdivision, "immediately" means as soon as possible but in no event longer than 24 hours."

Page 2, after line 4, insert:

"Sec. 3. Minnesota Statutes 2000, section 626.556, subdivision 10b, is amended to read:

Subd. 10b. [DUTIES OF COMMISSIONER; NEGLECT OR ABUSE IN FACILITY.] (a) This section applies to the commissioners of human services, health, and children, families, and learning. The commissioner of the agency responsible for assessing or investigating the report shall immediately investigate if the report alleges that:

(1) a child who is in the care of a facility as defined in subdivision 2 is neglected, physically abused, or sexually abused by an individual in that facility, or has been so neglected or abused by an individual in that facility within the three years preceding the report; or

(2) a child was neglected, physically abused, or sexually abused by an individual in a facility defined in subdivision 2, while in the care of that facility within the three years preceding the report.

The commissioner of the agency responsible for assessing or investigating the report shall arrange for the transmittal to the commissioner of reports received by local agencies and may delegate to a local welfare agency the duty to investigate reports. In conducting an investigation under this section, the commissioner has the powers and duties specified for local welfare agencies under this section. The commissioner of the agency responsible for assessing or investigating the report or local welfare agency may interview any children who are or have been in the care of a facility under investigation and their parents, guardians, or legal custodians.

(b) Prior to any interview, the commissioner of the agency responsible for assessing or investigating the report or local welfare agency shall notify the parent, guardian, or legal custodian of a child who will be interviewed in the manner provided for in subdivision 10d, paragraph (a). If reasonable efforts to reach the parent, guardian, or legal custodian of a child in an out-of-home placement have failed, the child may be interviewed if there is reason to believe the interview is necessary to protect the child or other children in the facility. The commissioner of the agency responsible for assessing or investigating the report or local agency must provide the information required in this subdivision to the parent, guardian, or legal custodian of a child interviewed without parental notification as soon as possible after the interview. When the investigation is completed, any parent, guardian, or legal custodian notified under this subdivision shall receive the written memorandum provided for in subdivision 10d, paragraph (c).

(c) In conducting investigations under this subdivision the ~~commissioner or local welfare~~ agency responsible for assessing or investigating the report shall ~~obtain~~ be given access to information consistent with subdivision 10, paragraphs (g), (h), (i), and (j), and shall be granted the same access to the facility as the facility's licensing agency under the corresponding facility licensing statute. A facility that denies the investigating agency access to this information shall be subject to a negative licensing action by the appropriate licensing agency. When the agency responsible for assessing or investigating a report under this section and the licensing agency for the facility involved are not the same agency, the investigating agency and the licensing agency may share not public data as necessary to complete the investigation or to determine appropriate licensing action.

(d) Except for foster care and family child care, the commissioner has the primary responsibility for the investigations and notifications required under subdivisions 10d and 10f for reports that allege maltreatment related to the care provided by or in facilities licensed by the commissioner. The commissioner may request assistance from the local social services agency."

Page 2, line 6, delete "Section 1 is" and insert "Sections 1 to 3 are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "subdivision 3c" and insert "subdivisions 3, 3c, 10b"

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.

Seagren from the Committee on K-12 Education Finance to which was referred:

H. F. No. 422, A bill for an act relating to education; improving recruitment of excellent teachers in science, math, industrial technology, and special education and in rural areas; establishing a loan repayment program; providing for rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 122A.

Reported the same back with the following amendments:

Page 3, line 17, before the colon, insert "or for certification to teach in the field of science, math, industrial technology, or special education"

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. 625, A bill for an act relating to highways; imposing restrictions on the construction project on marked trunk highway No. 62 in Minneapolis and Richfield.

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.

Knoblach from the Committee on Capital Investment to which was referred:

H. F. No. 724, A bill for an act relating to public contracts; specifying procedures to be followed for certain professional service contracts; proposing coding for new law in Minnesota Statutes, chapter 16C.

Reported the same back with the following amendments:

Page 1, line 13, after the period, insert "This section does not apply to an agency contract that is subject to section 16B.33."

Page 1, line 15, delete "select" and insert "rank"

Page 1, line 16, after "qualifications" insert ", as described in subdivision 3,"

Page 1, line 19, delete "selected a contractor under"

Page 1, line 20, delete "subdivision 3" and insert "ranked prospective contractors based on the factors the agency specifies in accordance with subdivisions 3 and 4"

Page 2, line 23, delete "highest" and delete "contractor" and insert "contractors" and delete "mutually"

Page 2, delete lines 29 to 36 and insert:

"(b) The agency may negotiate with all ranked contractors until an agreement is reached or"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 735, A bill for an act relating to traffic regulations; prescribing restraint requirements for persons under age 18 in motor vehicles; requiring certain passengers to be transported in booster seats; extending seat belt use requirement to passengers in all seats of a passenger vehicle or commercial motor vehicle; eliminating certain exemptions from the seat belt requirement; increasing penalties for violation of child restraint and seat belt requirements; amending Minnesota Statutes 2000, sections 169.685, subdivisions 4, 5, 6, and 7; and 169.686, subdivisions 1 and 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 169.685, subdivision 5, is amended to read:

Subd. 5. [VIOLATION; PETTY MISDEMEANOR.] (a) Every motor vehicle operator, when transporting a child who is under the age of ~~four~~ nine and weighs less than 80 pounds on the streets and highways of this state in a motor vehicle equipped with factory-installed seat belts, shall equip and install for use in the motor vehicle, according to the manufacturer's instructions, a child passenger restraint system meeting federal motor vehicle safety standards.

(b) No motor vehicle operator who is operating a motor vehicle on the streets and highways of this state may transport a child under the age of one year in a seat of a motor vehicle equipped with a factory-installed seat belt unless the child is properly restrained in a rear-facing child passenger restraint system.

(c) No motor vehicle operator who is operating a motor vehicle on the streets and highways of this state may transport a child who is under the age of ~~four~~ nine and weighs less than 80 pounds in a seat of a motor vehicle equipped with a factory-installed seat belt, unless the child is properly fastened in ~~the~~ a child passenger restraint system.

(d) No motor vehicle operator who is operating a motor vehicle on the streets and highways of this state may transport a child who is under the age of nine and who weighs 80 pounds or more in a seat of a motor vehicle equipped with a factory-installed seat belt unless the child is wearing a seat belt, and a shoulder harness if available.

(e) Any motor vehicle operator who violates this subdivision is guilty of a petty misdemeanor and may be sentenced to pay a fine of not more than ~~\$50~~ \$75. The fine may be waived or the amount reduced if (1) the motor vehicle operator's driving record shows no previous violations of this subdivision, and (2) the motor vehicle operator produces evidence that within 14 days after the date of the violation a child passenger restraint system meeting federal motor vehicle safety standards was purchased or obtained for the exclusive use of the operator.

~~(f)~~ (f) The fines collected for violations of this subdivision must be deposited in the state treasury and credited to a special account to be known as the Minnesota child passenger restraint and education account.

Sec. 2. Minnesota Statutes 2000, section 169.686, subdivision 1, is amended to read:

Subdivision 1. [SEAT BELT REQUIREMENT.] (a) A properly adjusted and fastened seat belt, including both the shoulder and lap belt when the vehicle is so equipped, shall be worn by:

(1) the driver of a passenger vehicle or commercial motor vehicle;

(2) a passenger riding in the front seat of a passenger vehicle or commercial motor vehicle; and

(3) a passenger riding in any seat of a passenger vehicle who is older than ~~three~~ nine but younger than ~~11~~ 18 years of age.

(b) A person who is 15 years of age or older and who violates paragraph (a), clause (1) or (2), is subject to a fine of \$25. The driver of the passenger vehicle or commercial motor vehicle in which the violation occurred is subject to a \$25 fine for a violation of paragraph (a), clause (2) or (3), by a child of the driver under the age of 15 or any child under the age of 11. A peace officer may not issue a citation for a violation of this section unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation other than a violation involving motor vehicle equipment. The department of public safety shall not record a violation of this subdivision on a person's driving record.

Sec. 3. Minnesota Statutes 2000, section 169.686, subdivision 2, is amended to read:

Subd. 2. [SEAT BELT EXEMPTIONS.] This section shall not apply to:

(1) ~~a person driving a passenger vehicle in reverse;~~

~~(2) a person riding in a seat in which all the seating positions equipped with safety belts are occupied by other persons;~~

~~(3) a person who is in possession of a written certificate from a licensed physician verifying that because of medical unfitness or physical disability the person is unable to wear a seat belt;~~

~~(4) (2) a person who is actually engaged in work that requires the person to alight from and reenter a passenger vehicle at frequent intervals and who, while engaged in that work, does not drive or travel in that vehicle at a speed exceeding 25 miles per hour;~~

~~(5) (3) a rural mail carrier of the United States Postal Service while in the performance of duties;~~

~~(6) (4) a person driving or riding in a passenger vehicle manufactured before January 1, 1965; and~~

~~(7) (5) a person driving or riding in a pickup truck, as defined in section 168.011, subdivision 29, while engaged in normal farming work or activity.~~

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective August 1, 2001, and apply to violations committed on and after that date."

Delete the title and insert:

"A bill for an act relating to highway traffic regulations; prescribing restraint requirements for persons under age nine in passenger motor vehicles; increasing penalties for violation of child restraint law; extending seat belt use requirement to passengers under age 18 in all seats of a passenger motor vehicle; repealing certain exemptions from seat belt use requirement; amending Minnesota Statutes 2000, sections 169.685, subdivision 5; 169.686, subdivisions 1, 2."

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

The report was adopted.

Finseth from the Committee on Agriculture Policy to which was referred:

H. F. No. 747, A bill for an act relating to natural resources; permitting the harvesting of farmed cervidae on licensed shooting preserves; appropriating money; amending Minnesota Statutes 2000, sections 17.451, subdivision 2; and 17.452, subdivisions 5 and 8; proposing coding for new law in Minnesota Statutes, chapter 84.

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

The report was adopted.

Mares from the Committee on Education Policy to which was referred:

H. F. No. 770, A bill for an act relating to education; establishing a state board of education; amending Minnesota Statutes 2000, section 120A.05, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 127A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 120A.05, is amended by adding a subdivision to read:

Subd. 14a. [STATE BOARD OF EDUCATION.] "State board of education" or "state board" means the state board of education established under section 127A.03 that is charged with general supervision over educational agencies and other education-related matters.

[EFFECTIVE DATE.] This section is effective January 1, 2002.

Sec. 2. [127A.03] [STATE BOARD OF EDUCATION.]

Subdivision 1. [STATE BOARD ESTABLISHED; APPOINTMENTS; MEETINGS; CONFLICT OF INTEREST; ADMINISTRATIVE COSTS.] (a) The department of children, families, and learning is maintained under the direction of a state board of education composed of the following members: ten representative citizens of the state, at least one of whom resides in each congressional district in the state and two of whom serve as members at-large; the chancellor of the Minnesota state colleges and universities or a person appointed by the chancellor; and the president of the University of Minnesota or a person appointed by the president.

(b) Of the ten representative citizens of the state appointed to the state board of education, one member at-large is a student who is enrolled full-time in a Minnesota public high school at the time of the student's appointment and one member at-large previously shall have served as an elected member of a board of education of a school district.

(c) The governor appoints the representative citizen members of the state board with the advice and consent of the senate. The state board of education annually elects one of its members as president, but no member serves as president more than three consecutive years.

(d) The state board of education holds meetings on dates and at places it designates.

(e) No member shall hold any public office, or represent or be employed by any board of education or school district, public or private, and shall not voluntarily have any personal financial interest in any contract with a board of education or school district, or be engaged in any capacity where a conflict of interest may arise.

(f) The administrative costs of the state board of education must be paid out of department of children, families, and learning appropriations.

Subd. 2. [MEMBERSHIP; COMPENSATION.] The membership terms, compensation, removal of members, and filling of vacancies on the state board are as provided in section 15.0575.

Subd. 3. [RESIDENCY REQUIREMENT.] If a member ceases to be a resident of the congressional district from which the member was appointed, the member ceases to be a member of the state board. The governor appoints a successor within six months thereafter.

[EFFECTIVE DATE.] This section is effective January 1, 2002.

Sec. 3. Minnesota Statutes 2000, section 127A.05, subdivision 1, is amended to read:

Subdivision 1. [APPOINTMENT AND DUTIES.] (a) The department shall be under the administrative control of the commissioner of children, families, and learning which office is established. The ~~governor~~ commissioner is the secretary of the state board of education. The state board of education shall appoint the commissioner under the provisions of section 15.06. For purposes of section 15.06, the state board of education is the appointing authority.

(b) The commissioner serves at the pleasure of the board.

(c) The commissioner shall be a person who possesses educational attainment and breadth of experience in the administration of public education and of the finances pertaining thereto commensurate with the spirit and intent of this code. Notwithstanding any other law to the contrary, the commissioner may appoint two deputy commissioners who shall serve in the unclassified service. The commissioner shall also appoint other employees as may be necessary for the organization of the department. The commissioner shall perform such duties as the law and rules may provide and be held responsible for the efficient administration and discipline of the department. The commissioner is charged with the execution of powers and duties to promote public education in the state and to safeguard the finances pertaining thereto.

[EFFECTIVE DATE.] This section is effective January 1, 2002.

Sec. 4. [INITIAL STATE BOARD OF EDUCATION APPOINTMENTS.]

Initial appointments to the state board of education under section 2 are as follows:

(1) four members, at least one of whom resides in each of four congressional districts and one member at-large serve a two-year term; and

(2) four members, at least one of whom resides in each of the remaining four congressional districts not represented under clause (1) and one member at-large serve a four-year term.

The membership terms, compensation, removal of members, and filling of vacancies on the state board otherwise are as provided in Minnesota Statutes, section 15.0575.

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

Sec. 5. [REVISOR'S INSTRUCTION.]

In the next and subsequent editions of Minnesota Statutes and Minnesota Rules, all references changed from the state board of education to the commissioner of children, families, and learning and all authority transferred from the state board of education to the commissioner of children, families, and learning under Laws 1998, chapter 398, and Laws 1999, chapter 241, shall be changed back to the state board of education. Among other things, and as an illustration only, these changes shall affect the authority to exercise general supervision over educational agencies and adopt or amend administrative rules. In addition, and consistent with the provisions of this act, the revisor of statutes, in consultation with house and senate counsel, shall make other necessary changes affecting the powers and duties of the state board of education, consistent with the law as it appeared in Minnesota Statutes 1996 and Minnesota Statutes 1997 Supplement, and in Minnesota Rules 1997 and supplements. The revisor shall prepare a report to the 2002 legislature showing where these changes were made. The changes identified by the revisor shall be effective January 1, 2002.

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

Amend the title as follows:

Page 1, line 3, delete "section" and insert "sections"

Page 1, line 4, after the semicolon, insert "127A.05, subdivision 1;"

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.

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

H. F. No. 797, A bill for an act relating to highways; imposing restrictions on reconstruction project on marked trunk highway No. 62 in Minneapolis and Richfield.

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. 812, A bill for an act relating to mental health; establishing duties for reducing and preventing suicides; establishing requirements for discharge plans and transition services for offenders with mental illness; providing coverage requirements for health plans; providing for a calculation to regional treatment centers based on population size; adjusting payment rates for certain mental health providers; establishing coverage requirements for mental health services and treatment; adding certain services covered under case management, community support, and day treatment services; requiring studies; defining certain mental health provisions; establishing team case management services and continuing care benefit program; covering certain transportation costs; adding provisions to the prepaid health plan; requiring development of a payment system; appropriating money; amending Minnesota Statutes 2000, sections 245.462, subdivisions 3, 6, 8, 18, 20, and by adding subdivisions; 245.466, subdivision 2; 245.470, by adding a subdivision; 245.4711, by adding a subdivision; 245.4871, subdivisions 10, 17, 27, 29, and by adding subdivisions; 245.4875, subdivision 2; 245.4876, subdivision 1, and by adding subdivisions; 245.488, by adding a subdivision; 245.4885, subdivision 1; 246.54; 256.969, subdivision 3a, and by adding a subdivision; 256B.0625, subdivision 17, and by adding subdivisions; 256B.69, by adding subdivisions; 260C.201, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 62Q; 145; 244; 245; 246; 256B; and 299A.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Commerce, Jobs and Economic Development.

The report was adopted.

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

H. F. No. 910, A bill for an act relating to education; establishing a board for educational administrators; transferring duties; providing for rulemaking; appropriating money; amending Minnesota Statutes 2000, sections 122A.162; 122A.163; 122A.18, subdivisions 1 and 4; 122A.20, subdivision 2; 122A.21; 214.01, subdivision 3; 214.04, subdivisions 1 and 3; and 214.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 122A.

Reported the same back with the following amendments:

Page 2, line 30, delete "member of the public" and insert "public member, as defined in section 214.02"

Page 4, line 6, after the period, insert "Other than the rules transferred to the board under section 5, the board may not adopt or amend rules under this section until the rules are approved by law."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 924, A bill for an act relating to human services; establishing a residential mental health grant program for facility upgrades; appropriating money.

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.

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

H. F. No. 977, A bill for an act relating to public employment; Minnesota state colleges and universities; merging unions for technical and community college employees; amending Minnesota Statutes 2000, sections 43A.06, subdivision 1; 179A.10, subdivision 2; 354B.21, subdivision 1; 354B.25, subdivision 1a; and 354C.11, subdivision 2.

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. 1021, A bill for an act relating to horse racing; card clubs; authorizing licensee of commission to detain persons suspected of cheating; proposing coding for new law in Minnesota Statutes, chapter 240.

Reported the same back with the following amendments:

Page 1, line 23, delete "not" and insert "neither" and after "to" insert "unnecessary or unreasonable force nor"

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

The report was adopted.

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

H. F. No. 1026, A bill for an act relating to land use; prohibiting adoption of official controls that conflict with a local land use plan; amending Minnesota Statutes 2000, sections 394.24, subdivision 1; and 462.357, subdivision 2.

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

The report was adopted.

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

H. F. No. 1043, A bill for an act relating to taxation; increasing the credit for research in the health care provider tax; amending Minnesota Statutes 2000, section 295.53, subdivision 4a.

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.

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

H. F. No. 1091, A bill for an act relating to natural resources; extending the environment and natural resources trust fund advisory committee; creating a task force; amending Minnesota Statutes 2000, sections 15.059, subdivision 5a; and 116P.06, subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

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

H. F. No. 1099, A bill for an act relating to the city of St. Paul; authorizing the issuance of general obligation bonds to finance and implement improvements to the city's technology infrastructure.

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

The report was adopted.

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

H. F. No. 1103, A bill for an act relating to the office of administrative hearings; providing the assessment to agencies of hearing costs not covered by general fund appropriations to the office; amending Minnesota Statutes 2000, section 14.53.

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.

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

H. F. No. 1160, A bill for an act relating to health; changing the frequency with which physician assistant delegated prescribing activities must be reviewed; amending Minnesota Statutes 2000, sections 147A.18, subdivision 1; and 147A.20.

Reported the same back with the recommendation that 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. 1218, A bill for an act relating to the metropolitan radio board; extending the expiration date for the board to 2005; amending Laws 1995, chapter 195, article 1, section 18, as amended.

Reported the same back with the following amendments:

Page 1, line 12, delete "2005" and insert "2003" in both places

Amend the title as follows:

Page 1, line 3, delete "2005" and insert "2003"

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.

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

H. F. No. 1219, A bill for an act relating to insurance; removing certain state involvement with the state fund mutual insurance company; repealing Minnesota Statutes 2000, sections 79.371; 176A.01; 176A.02; 176A.03; 176A.04; 176A.05; 176A.06; 176A.07; 176A.08; 176A.09; 176A.10; 176A.11; and 176A.12.

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. 1228, A bill for an act relating to appropriations; appropriating money to the commissioner of public safety for grants to Ramsey county for its ACE (All Children Excel) program and to Hennepin county for its Delinquents Under 10 Program.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [APPROPRIATIONS.]

(a) \$1,500,000 is appropriated for the biennium ending June 30, 2003, from the general fund to the commissioner of corrections for grants as follows: \$750,000 to Ramsey county for the expansion of the integrated systems juvenile crime prevention model called ACE (All Children Excel); and the balance to the Hennepin County Delinquents Under 10 Program.

(b) \$..... is appropriated for the biennium ending June 30, 2003, from the general fund to the commissioner of corrections for grants for training about, and expansion of, the ACE model to other interested counties."

Delete the title and insert:

"A bill for an act relating to appropriations; appropriating money to the commissioner of corrections for grants to Ramsey county for its ACE (All Children Excel) program, to Hennepin county for its Delinquents Under 10 Program, and for expansion to other counties."

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

The report was adopted.

Finseth from the Committee on Agriculture Policy to which was referred:

H. F. No. 1238, A bill for an act relating to agriculture; establishing a milk price control board; providing for minimum pricing of raw milk and maximum pricing of milk at wholesale and retail; creating the option for a milk supply quota system; allowing for pooling of milk payments; authorizing enforcement; imposing penalties; proposing coding for new law as Minnesota Statutes, chapter 32A.

Reported the same back with the following amendments:

Page 1, delete section 2

Page 1, line 24, delete "[32A.03]" and insert "[32A.02]"

Page 2, line 10, delete "32A.05" and insert "32A.04"

Page 3, line 7, delete "[32A.04]" and insert "[32A.03]"

Page 3, line 13, delete "[32A.05]" and insert "[32A.04]"

Page 3, line 33, delete "[32A.06]" and insert "[32A.05]"

Page 4, line 27, delete "[32A.07]" and insert "[32A.06]"

Page 4, line 33, delete "[32A.08]" and insert "[32A.07]"

Page 5, delete lines 4 to 12

Page 5, line 13, delete "3." and insert "2."

Page 5, line 14, delete "subdivisions 1 and 2" and insert "subdivision 1"

Page 6, delete lines 24 to 28

Page 6, line 29, delete "(i)" and insert "(h)"

Page 6, line 32, delete "4." and insert "3."

Page 7, line 3, delete "5." and insert "4."

Page 8, line 2, delete "[32A.09]" and insert "[32A.08]"

Page 10, line 1, delete "[32A.10]" and insert "[32A.09]"

Renumber the sections in sequence

With the recommendation that when so amended the bill be re-referred to the Committee on Civil Law without further recommendation.

The report was adopted.

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

H. F. No. 1241, A bill for an act relating to agriculture; requiring the delegation of feedlot permitting in certain counties; providing support funding; appropriating money; amending Minnesota Statutes 2000, section 116.07, subdivision 7.

Reported the same back with the following amendments:

Page 1, line 19, after "an" insert "appropriate"

Page 5, line 6, after the period, insert "Each county that participates in the delegated county program must be granted a minimum of \$7,500 per year."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Local Government and Metropolitan Affairs.

The report was adopted.

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

H. F. No. 1243, A bill for an act relating to agriculture; establishing a feedlot specialist program; providing funding; appropriating money; amending Minnesota Statutes 2000, section 116.07, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 17.

Reported the same back with the following amendments:

Page 1, delete lines 9 to 19

Page 1, line 20, delete "(c)" and insert "Subdivision 1. [PURPOSE.]"

Page 2, line 33, after "an" insert "appropriate"

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

The report was adopted.

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

H. F. No. 1264, A bill for an act relating to local government; requiring preparation of draft urban rivers guidelines.

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.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1270, A bill for an act relating to commerce; regulating currency exchanges, real estate brokers, real property appraisers, subdivided land sales licenses, residential contractors, and collection agencies; modifying certain continuing education requirements; regulating certain fees, costs, duties, rights, penalties, and recovery fund amounts; regulating nonprofit corporations; providing certain real property transaction disclosures; amending Minnesota Statutes 2000, sections 45.0295; 53A.081, subdivision 2; 60K.19, subdivision 8; 72B.04, subdivisions 6, 7; 80B.03, subdivision 4a; 82.195, subdivision 2; 82.196, subdivision 2; 82.197, subdivisions 1, 4, by adding a subdivision; 82.22, subdivision 13; 82.24, subdivision 8; 82.27, subdivision 3; 82.32; 82.34, subdivision 15; 82B.14; 83.25, subdivision 1; 317A.203; 326.91, subdivision 1; 326.975, subdivision 1; 332.33, by adding a subdivision; 332.41; 359.02; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 45.0295, is amended to read:

45.0295 [FEES.]

(a) The following fees shall be paid to the commissioner:

(1) for each hour or fraction of one hour of education course approval ~~for continuing education~~ sought, \$10; and

(2) for each ~~continuing education~~ course coordinator approval, \$100.

(b) All fees paid to the commissioner under this section are nonrefundable, except that an overpayment of a fee shall be returned upon proper application.

Sec. 2. Minnesota Statutes 2000, section 53A.081, subdivision 2, is amended to read:

Subd. 2. [INVESTIGATION.] The commissioner may at any time ~~and shall at least once in each year~~ investigate the currency exchange business of any licensee and of every person, partnership, association, and corporation engaged in the business of operating a currency exchange in the manner provided under section 45.027.

Sec. 3. Minnesota Statutes 2000, section 60K.19, subdivision 8, is amended to read:

Subd. 8. [MINIMUM EDUCATION REQUIREMENT.] Each person subject to this section shall complete a minimum of 30 credit hours of courses accredited by the commissioner during each 24-month licensing period. Any person whose initial licensing period extends more than six months shall complete 15 hours of courses accredited by the commissioner during the initial license period. Any person teaching or lecturing at an accredited course qualifies for ~~1-1/2~~ three times the number of credit hours that would be granted to a person completing the accredited

course. No more than 15 credit hours per licensing period may be credited to a person for courses sponsored by, offered by, or affiliated with an insurance company or its agents. Courses sponsored by, offered by, or affiliated with an insurance company or agent may restrict its students to agents of the company or agency.

Sec. 4. Minnesota Statutes 2000, section 72B.04, subdivision 6, is amended to read:

Subd. 6. [EXCEPTIONS.] A person who on January 1, 1972, meets all of the qualifications specified in subdivision 2 with regard to the class of license applied for and, if experience is one of the requisites, has gained the experience within the three years next preceding January 1, 1972, shall be eligible for the issuance of a license without taking an examination.

A person who has held a license of any given class or in any field or fields within three years prior to the application shall be entitled to a renewal of the license in the same class or in the same fields without taking an examination.

A person applying for a license as a crop hail adjuster shall not be required to comply with the requirements of subdivision 5.

The commissioner may issue a license under sections 72B.01 to 72B.14 without an examination, if the applicant presents sufficient and satisfactory evidence of having passed a similar examination in another state and if the commissioner, with the advice of the advisory board, has determined that the standards of such other state are equivalent to those in Minnesota for the class of license applied for. Any applicant who presents sufficient and satisfactory evidence of having successfully completed all six parts of the insurance institute of America program in adjusting or other programs approved by the commissioner shall be entitled to an adjuster's license without taking the examination prescribed in subdivision 5.

Sec. 5. Minnesota Statutes 2000, section 72B.04, subdivision 7, is amended to read:

Subd. 7. [LICENSE TERM.] ~~Every adjuster's and public adjuster solicitor's license shall be for a term expiring on October 31 next following the date of its issuance, and may be renewed for the ensuing calendar year upon the timely filing of an application for renewal.~~ (a) Initial licenses issued under this section are valid for a period not to exceed two years. Each initial license must expire on October 31 of the expiration year assigned by the commissioner.

(b) Licenses issued under this section may be renewed upon the timely filing of an application for renewal. Every renewal license is valid for a period of 24 months.

Sec. 6. Minnesota Statutes 2000, section 80B.03, subdivision 4a, is amended to read:

Subd. 4a. Within three ~~calendar~~ business days of the date of filing of the registration statement, the commissioner may by order summarily suspend the effectiveness of the takeover offer if the commissioner determines that the registration statement does not contain all of the information specified in subdivisions 2 and 6 or that the takeover offer materials provided to offerees do not provide full disclosure to offerees of all material information concerning the takeover offer. The suspension shall remain in effect only until the determination following a hearing held pursuant to subdivision 5.

Sec. 7. Minnesota Statutes 2000, section 82.195, subdivision 2, is amended to read:

Subd. 2. [CONTENTS.] All listing agreements must be in writing and must include:

- (1) a definite expiration date;
- (2) a description of the real property involved;

- (3) the list price and any terms required by the seller;
- (4) the amount of any compensation or commission or the basis for computing the commission;
- (5) a clear statement explaining the events or conditions that will entitle a broker to a commission;

(6) information regarding an override clause, if applicable, including a statement to the effect that the override clause will not be effective unless the licensee supplies the seller with a protective list within 72 hours after the expiration of the listing agreement;

(7) the following notice in not less than ten point boldface type immediately preceding any provision of the listing agreement relating to compensation of the licensee:

"NOTICE: THE ~~COMMISSION RATE~~ COMPENSATION FOR THE SALE, LEASE, RENTAL, OR MANAGEMENT OF REAL PROPERTY SHALL BE DETERMINED BETWEEN EACH INDIVIDUAL BROKER AND ~~THE~~ THE BROKER'S CLIENT.";

- (8) for residential property listings, the following "dual agency" disclosure statement:

If a buyer represented by broker wishes to buy your property, a dual agency will be created. This means that broker will represent both you and the buyer(s), and owe the same duties to the buyer(s) that broker owes to you. This conflict of interest will prohibit broker from advocating exclusively on your behalf. Dual agency will limit the level of representation broker can provide. If a dual agency should arise, you will need to agree that confidential information about price, terms, and motivation will still be kept confidential unless you instruct broker in writing to disclose specific information about you. All other information will be shared. Broker cannot act as a dual agent unless both you and the buyer(s) agree to it. By agreeing to a possible dual agency, you will be giving up the right to exclusive representation in an in-house transaction. However, if you should decide not to agree to a possible dual agency, and you want broker to represent you, you may give up the opportunity to sell your property to buyers represented by broker.

Seller's Instructions to Broker

Having read and understood this information about dual agency, seller(s) now instructs broker as follows:

- Seller(s) will agree to a dual agency representation
and will consider offers made by buyers represented by broker.
- Seller will not agree to a dual agency representation
and will not consider offers made by buyers represented by broker.

.....
Seller

.....
Broker

.....
Seller

By:
Salesperson

Date:;

(9) a notice requiring the seller to indicate in writing whether it is acceptable to the seller to have the licensee arrange for closing services or whether the seller wishes to arrange for others to conduct the closing. ~~The notice must also include the disclosure of any controlled business arrangement, as the term is defined in United States Code, title 12, section 2602, between the licensee and the real estate closing agent through which the licensee proposes to arrange closing services; and~~

(10) for residential listings, a notice stating that after the expiration of the listing agreement, the seller will not be obligated to pay the licensee a fee or commission if the seller has executed another valid listing agreement pursuant to which the seller is obligated to pay a fee or commission to another licensee for the sale, lease, or exchange of the real property in question. This notice may be used in the listing agreement for any other type of real estate.

Sec. 8. Minnesota Statutes 2000, section 82.196, subdivision 2, is amended to read:

Subd. 2. [CONTENTS.] All buyer's broker agreements must be in writing and must include:

- (1) a definite expiration date;
- (2) the amount of any compensation or commission, or the basis for computing the commission;
- (3) a clear statement explaining the services to be provided to the buyer by the broker, and the events or conditions that will entitle a broker to a commission or other compensation;
- ~~(4) a provision for cancellation of the agreement by either party upon terms agreed upon by the parties; a clear statement explaining if the agreement may be canceled and the terms under which the agreement may be canceled;~~
- (5) information regarding an override clause, if applicable, including a statement to the effect that the override clause will not be effective unless the licensee supplies the buyer with a protective list within 72 hours after the expiration of the buyer's broker agreement;
- (6) the following notice in not less than ten point bold face type immediately preceding any provision of the buyer's broker agreement relating to compensation of the licensee:

"NOTICE: ~~THE COMMISSION RATE COMPENSATION FOR THE PURCHASE, LEASE, RENTAL, OR MANAGEMENT OF REAL PROPERTY IS NEGOTIABLE AND~~ SHALL BE DETERMINED BETWEEN EACH INDIVIDUAL BROKER AND ~~ITS~~ THE BROKER'S CLIENT.";

(7) the following "dual agency" disclosure statement:

If you choose to purchase a property listed by broker, a dual agency will be created. This means that broker will represent both you and the seller(s), and owe the same duties to the seller(s) that broker owes to you. This conflict of interest will prohibit broker from advocating exclusively on your behalf. Dual agency will limit the level of representation broker can provide. If a dual agency should arise, you will need to agree that confidential information about price, terms, and motivation will still be kept confidential unless you instruct broker in writing to disclose specific information about you. All other information will be shared. Broker cannot act as a dual agent unless both you and the seller(s) agree to it. By agreeing to a possible dual agency, you will be giving up the right to exclusive representation in an in-house transaction. However, if you should decide not to agree to a possible dual agency, and you want broker to represent you, you may give up the opportunity to purchase the properties listed by broker.

Buyer's Instructions to Broker

..... Buyer(s) will agree to a dual agency representation and will consider properties listed by broker.

..... Buyer will not agree to a dual agency representation and will not consider properties listed by broker.

..... Buyer Broker

..... Buyer By: Salesperson

Date:; and

(8) for buyer's broker agreements which involve residential real property, a notice stating that after the expiration of the buyer's broker agreement, the buyer will not be obligated to pay the licensee a fee or commission if the buyer has executed another valid buyer's broker agreement pursuant to which the buyer is obligated to pay a fee or commission to another licensee for the purchase, lease, or exchange of real property.

Sec. 9. Minnesota Statutes 2000, section 82.197, subdivision 1, is amended to read:

Subdivision 1. [AGENCY DISCLOSURE.] A real estate broker or salesperson shall provide to a consumer in the sale and purchase of a residential real property transaction at the first substantive contact with the consumer an agency disclosure form in substantially the form set forth in subdivision 4. The agency disclosure form shall be intended to provide a description of available options for agency and nonagency relationships, and a description of the role of a licensee under each option. The agency disclosure form shall provide a signature line for acknowledgment of receipt by the consumer.

Sec. 10. Minnesota Statutes 2000, section 82.197, subdivision 4, is amended to read:

Subd. 4. [AGENCY DISCLOSURE FORM.] The agency disclosure form shall be in substantially the form set forth below:

AGENCY RELATIONSHIPS IN REAL ESTATE TRANSACTIONS

Minnesota law requires that early in any relationship, real estate brokers or salespersons discuss with consumers what type of agency representation or relationship they desire.(1) The available options are listed below. This is not a contract. This is an agency disclosure form only. If you desire representation, you must enter into a written contract according to state law (a listing contract or a buyer representation contract). Until such time as you choose to enter into a written contract for representation or assistance, you will be treated as a customer of the broker or salesperson and not represented by the brokerage and will not receive any representation from the broker or salesperson. The broker or salesperson would then will be acting as a Seller's broker Facilitator (see paragraph F V below), or as a nonagent (see paragraph IV below) unless the broker or salesperson is representing another party as described below.

ACKNOWLEDGMENT: I/We acknowledge that I/We have been presented with the below-described options. I/We understand that until I/We have signed a representation contract, I/We are not represented by the broker/salesperson and information given to the broker/salesperson may be disclosed. I/We understand that written consent is required for a dual agency relationship. THIS IS A DISCLOSURE ONLY, NOT A CONTRACT FOR REPRESENTATION.

..... Signature

..... Date

..... Signature

..... Date

I.

Seller's Broker: A broker who lists a property, or a salesperson who is licensed to the listing broker, represents the Seller and acts on behalf of the Seller. ~~A broker or salesperson working with a Buyer may also act as a subagent of the Seller, in which case the Buyer is the broker's customer and is not represented by that broker.~~ A Seller's broker owes to the Seller the fiduciary duties described below.(2) The broker must also disclose to the Buyer ~~any~~ material facts as defined in Minnesota Statutes, section 82.197, subdivision 6, of which the broker is aware that could adversely and significantly affect the Buyer's use or enjoyment of the property. If a broker or salesperson who is working with a Buyer as a customer and is representing the Seller and to whom any information is disclosed, he or she must act in the Seller's best interest and must tell the Seller the any information disclosed to him or her, except confidential information acquired in a facilitator relationship (see paragraph V below). In that case, the Buyer will not be represented and will not receive advice and counsel from the broker or salesperson.

II.

Subagent: A broker or salesperson who is working with a Buyer but represents the Seller. In this case, the Buyer is the broker's customer and is not represented by that broker. If a broker or salesperson working with a Buyer as a customer is representing the Seller, he or she must act in the Seller's best interest and must tell the Seller any information that is disclosed to him or her. In that case, the Buyer will not be represented and will not receive advice and counsel from the broker or salesperson.

III.

Buyer's Broker: A Buyer may enter into an agreement for the broker or salesperson to represent and act on behalf of the Buyer. The broker may represent the Buyer only, and not the Seller, even if ~~the broker~~ he or she is being paid in whole or in part by the Seller. A Buyer's broker owes to the Buyer the fiduciary duties described below.(2) The broker must disclose to the Buyer ~~any~~ material facts as defined in Minnesota Statutes, section 82.197, subdivision 6, of which the broker is aware that could adversely and significantly affect the Buyer's use or enjoyment of the property. If a broker or salesperson working with a Seller as a customer is representing the Buyer, he or she must act in the Buyer's best interest and must tell the Buyer any information disclosed to him or her, except confidential information acquired in a facilitator relationship (see paragraph V below). In that case, the Seller will not be represented and will not receive advice and counsel from the broker or salesperson.

~~III.~~ IV.

Dual Agency-Broker Representing both Seller and Buyer: Dual agency occurs when one broker or salesperson represents both parties to a transaction, or when two salespersons licensed to the same broker each represent a party to the transaction. Dual agency requires the informed consent of all parties, and means that the broker and salesperson owe the same duties to the Seller and the Buyer. This role limits the level of representation the broker and salespersons can provide, and prohibits them from acting exclusively for either party. In a dual agency, confidential information about price, terms, and motivation for pursuing a transaction will be kept confidential unless one party instructs the broker or salesperson in writing to disclose specific information about ~~the party~~ writing him or her. Other information will be shared. Dual agents may not advocate for one party to the detriment of the other.(3)

Within the limitations described above, dual agents owe to both Seller and Buyer the fiduciary duties described below.(2) Dual agents must disclose to Buyers ~~any~~ material facts as defined in Minnesota Statutes, section 82.197, subdivision 6, of which the broker is aware that could adversely and significantly affect the Buyer's use or enjoyment of the property.

(3) If Seller(s) decides not to agree to a dual agency relationship, Seller(s) may give up the opportunity to sell the property to Buyers represented by the broker/salesperson. If Buyer(s) decides not to agree to a dual agency relationship, Buyer(s) may give up the opportunity to purchase properties listed by the broker.

Sec. 11. Minnesota Statutes 2000, section 82.197, is amended by adding a subdivision to read:

Subd. 6. [MATERIAL FACTS.] (a) Licensees shall disclose to any prospective purchaser all material facts of which the licensees are aware, which could adversely and significantly affect an ordinary purchaser's use or enjoyment of the property, or any intended use of the property of which the licensees are aware.

(b) It is not a material fact relating to real property offered for sale and no regulatory action shall be brought against a licensee for failure to disclose in any real estate transaction the fact or suspicion that the property:

(1) is or was occupied by an owner or occupant who is or was suspected to be infected with human immunodeficiency virus or diagnosed with acquired immunodeficiency syndrome; or

(2) was the site of an accidental death, natural death, or perceived paranormal activity.

(c) A licensee or employee of the licensee has no duty to disclose information regarding an offender who is required to register under section 243.166, or about whom notification is made under that section, and a licensee or employee of a licensee is immune from liability for failure to disclose this information if the broker or salesperson, in a timely manner, provides a written notice that information about the predatory offender registry and persons registered with the registry may be obtained by contacting local law enforcement where the property is located or the department of corrections.

(d) A licensee is not required to disclose, except as otherwise provided in paragraph (e), information relating to the physical condition of the property or any other information relating to the real estate transaction, if a written report that discloses the information has been prepared by a qualified third party and provided to the person. For the purposes of this paragraph, "qualified third party" means a federal, state, or local governmental agency, or any person whom the broker, salesperson, or a party to the real estate transaction reasonably believes has the expertise necessary to meet the industry standards of practice for the type of inspection or investigation that has been conducted by the third party in order to prepare the written report and who is acceptable to the person to whom the disclosure is being made.

(e) A licensee shall disclose to the parties to a real estate transaction any facts known by the broker or salesperson that contradict any information included in a written report, if a copy of the report is provided to the licensee, described in paragraph (d).

Sec. 12. Minnesota Statutes 2000, section 82.22, subdivision 13, is amended to read:

Subd. 13. [CONTINUING EDUCATION.] (a) After their first renewal date, all real estate salespersons and all real estate brokers shall be required to successfully complete 30 hours of real estate continuing education, either as a student or a lecturer, in courses of study approved by the commissioner, during each 24-month license period. At least 15 of the 30 credit hours must be completed during the first 12 months of the 24-month licensing period. Salespersons and brokers whose initial license period extends more than 12 months are required to complete 15 hours of real estate continuing education during the initial license period. Those licensees who will receive a 12-month license on July 1, 1995, because of the staggered implementation schedule must complete 15 hours of real estate continuing education as a requirement for renewal on July 1, 1996. Licensees may not claim credit for continuing education not actually completed as of the date their report of continuing education compliance is filed.

(b) The commissioner shall adopt rules defining the standards for course and instructor approval, and may adopt rules for the proper administration of this subdivision. The commissioner may not approve a course which can be completed by the student at home or outside the classroom without the supervision of an instructor approved by the department of commerce. The commissioner has discretion to establish a pilot program to explore delivery of except

accredited courses using new delivery technology, including interactive technology, and the Internet. ~~This pilot program expires on August 1, 2001. Courses in motivation, salesmanship, psychology, or time management shall not be approved by the commissioner for continuing education credit.~~

(c) Any program approved by Minnesota continuing legal education shall be approved by the commissioner of commerce for continuing education for real estate brokers and salespeople if the program or any part thereof relates to real estate.

(d) As part of the continuing education requirements of this section, the commissioner shall require that all real estate brokers and salespersons receive:

(1) at least ~~two hours~~ one hour of training during each license period in courses in laws or regulations on agency representation and disclosure; and

(2) at least ~~two hours~~ one hour of training during each license period in courses in state and federal fair housing laws, regulations, and rules, or other antidiscrimination laws.

~~Clause~~ Clauses (1) does and (2) do not apply to real estate salespersons and real estate brokers engaged solely in the commercial real estate business who file with the commissioner a verification of this status along with the continuing education report required under paragraph (a).

(e) The commissioner is authorized to establish a procedure for renewal of course accreditation.

(f) Approved courses may be sponsored or offered by a broker of a real estate company and may be held on the premises of a company licensed under this chapter. All course offerings must be open to any interested individuals. Access may be restricted by the sponsor based on class size only. Courses must not be approved if attendance is restricted to any particular group of people. A broker must comply with all continuing education rules prescribed by the commissioner.

(g) No more than one-half of the credit hours per licensing period, including continuing education required under subdivision 6, may be credited to a person for attending any combination of courses either:

(1) sponsored by, offered by, or affiliated with a real estate company or its agents; or

(2) offered using new delivery technology, including interactive technology, and the Internet.

Sec. 13. Minnesota Statutes 2000, section 82.24, subdivision 8, is amended to read:

Subd. 8. [ACCRUED INTEREST.] (a) Each broker shall maintain a pooled interest-bearing trust account for deposit of client funds. The interest accruing on the trust account, less reasonable transaction costs, must be paid to the state treasurer for deposit in the housing trust fund account created under section 462A.201 unless otherwise specified pursuant to an expressed written agreement between the parties to a transaction.

(b) For an account created under paragraph (a), each broker shall direct the financial institution to:

(1) pay the interest, less reasonable transaction costs, computed in accordance with the financial institution's standard accounting practice, at least quarterly, to the state treasurer; and

(2) send a statement to the state treasurer showing the name of the broker for whom the payment is made, the rate of interest applied, the amount of service charges deducted, and the account balance for the period in which the report is made.

The state treasurer shall credit the amount collected under this subdivision to the housing trust fund account established in section 462A.201.

(c) The financial institution must promptly notify the commissioner if a draft drawn on the account is dishonored. A draft is not dishonored if a stop payment order is requested by an issuer who has a good faith defense to payment on the draft.

Sec. 14. Minnesota Statutes 2000, section 82.27, subdivision 3, is amended to read:

Subd. 3. [ORDER TO SHOW CAUSE.] The commissioner shall issue an order requiring a licensee or applicant for a license to show cause why the license should not be revoked or suspended, or the licensee censured, or the application denied. The order shall be calculated to give reasonable notice of the time and place for hearing thereon, and shall state the ~~reasons~~ specific statute or rule that has been violated for the entry of the order. The commissioner may by order summarily suspend a license pending final determination of any order to show cause. If a license is suspended pending final determination of an order to show cause, a hearing on the merits shall be held within 30 days of the issuance of the order of suspension. All hearings shall be conducted in accordance with the provisions of chapter 14. After the hearing, the commissioner shall enter an order making such disposition of the matter as the facts require. If the licensee or applicant fails to appear at a hearing after having been duly notified of it, such person shall be deemed in default, and the proceeding may be determined against the licensee or applicant upon consideration of the order to show cause, the allegations of which may be deemed to be true.

Sec. 15. Minnesota Statutes 2000, section 82.34, subdivision 15, is amended to read:

Subd. 15. Any sums received by the commissioner pursuant to any provisions of this section shall be deposited in the state treasury, and credited to the real estate education, research and recovery fund, and said sums shall be allocated exclusively for the purposes provided in this section. All moneys in the fund are appropriated annually to the commissioner for the purposes of this section.

All money credited to the fund under section 462A.201 may only be used for purposes under subdivision 6, clause (g). Beginning in 1990, the commissioner must, on February 1 of each year, review the amount of money spent or allocated for uses under subdivision 6, clause (g), for the previous calendar year. If the amount spent or allocated is less than the amount credited to the fund under section 462A.201 during the same calendar year, the difference must be transferred from the fund to the housing trust fund account established in section 462A.201. If the fund balance exceeds \$6,000,000, the commissioner may suspend the fee imposed under subdivision 3.

Sec. 16. Minnesota Statutes 2000, section 82B.14, is amended to read:

82B.14 [EXPERIENCE REQUIREMENT.]

(a) As a prerequisite for licensing as a ~~registered real property appraiser~~ or licensed real property appraiser, an applicant must present evidence satisfactory to the commissioner that the person has obtained 2,000 hours of experience in real property appraisal.

As a prerequisite for licensing as a certified residential real property appraiser, an applicant must present evidence satisfactory to the commissioner that the person has obtained 2,500 hours of experience in real property appraisal.

As a prerequisite for licensing as a certified general real property appraiser, an applicant must present evidence satisfactory to the commissioner that the person has obtained 3,000 hours of experience in real property appraisal. At least 50 percent, or 1,500 hours, must be in nonresidential appraisal work.

(b) Each applicant for license under section 82B.11, subdivision 3, 4, or 5, shall give under oath a detailed listing of the real estate appraisal reports or file memoranda for which experience is claimed by the applicant. Upon request, the applicant shall make available to the commissioner for examination, a sample of appraisal reports that the applicant has prepared in the course of appraisal practice.

(c) Applicants may not receive credit for experience accumulated while unlicensed, if the experience is based on activities which required a license under this section.

Sec. 17. Minnesota Statutes 2000, section 83.25, subdivision 1, is amended to read:

Subdivision 1. No person shall offer or sell in this state any interest in subdivided lands without having obtained:

(1) a license under chapter 82; ~~and~~

~~(2) an additional license to offer or dispose of subdivided lands. This license may be obtained by submitting an application in writing to the commissioner upon forms prepared and furnished by the commissioner. Each application shall be signed and sworn to by the applicant and accompanied by a license fee of \$10 per year. The commissioner may also require an additional examination for this license.~~

Sec. 18. Minnesota Statutes 2000, section 317A.203, is amended to read:

317A.203 [NUMBER.]

A board of directors must consist of three or more individuals, with the number specified in or fixed in accordance with the articles or bylaws; ~~except that if the corporation has either one or two members with voting rights, the number of directors may be less than three but not less than the number of members with voting rights.~~

Sec. 19. Minnesota Statutes 2000, section 326.91, subdivision 1, is amended to read:

Subdivision 1. [CAUSE.] The commissioner may by order deny, suspend, or revoke any license or may censure a licensee, and may impose a civil penalty as provided for in section 45.027, subdivision 6, if the commissioner finds that the order is in the public interest, and that the applicant, licensee, or affiliate of an applicant or licensee, or other agent, owner, partner, director, governor, shareholder, member, officer, qualifying person, or managing employee of the applicant or licensee or any person occupying a similar status or performing similar functions:

(1) has filed an application for a license which is incomplete in any material respect or contains any statement which, in light of the circumstances under which it is made, is false or misleading with respect to any material fact;

(2) has engaged in a fraudulent, deceptive, or dishonest practice;

(3) is permanently or temporarily enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice involving any aspect of the business;

(4) has failed to reasonably supervise employees, agents, subcontractors, or salespersons, or has performed negligently or in breach of contract, so as to cause injury or harm to the public;

(5) has violated or failed to comply with any provision of sections 326.83 to 326.98 or any rule or order under sections 326.83 to 326.98;

(6) has been shown to be incompetent, untrustworthy, or financially irresponsible;

(7) has been convicted of a violation of the State Building Code or, in jurisdictions that do not enforce the State Building Code, has refused to correct a violation of the State Building Code when the violation has been certified by a Minnesota licensed structural engineer;

(8) has failed to use the proceeds of any payment made to the licensee for the construction of, or any improvement to, residential real estate, as defined in section 326.83, subdivision 17, for the payment of labor, skill, material, and machinery contributed to the construction or improvement, knowing that the cost of any labor performed, or skill, material, or machinery furnished for the improvement remains unpaid;

(9) has not furnished to the person making payment either a valid lien waiver as to any unpaid labor performed, or skill, material, or machinery furnished for an improvement, or a payment bond in the basic amount of the contract price for the improvement conditioned for the prompt payment to any person or persons entitled to payment;

(10) has engaged in conduct which was the basis for a contractor's recovery fund payment pursuant to section 326.975, which payment has not been reimbursed;

(11) has engaged in bad faith, unreasonable delays, or frivolous claims in defense of a civil lawsuit arising out of their activities as a licensee under this chapter;

(12) has had a judgment entered against them for failure to make payments to employees or subcontractors, and all appeals of the judgment have been exhausted or the period for appeal has expired;

(13) if unlicensed, has obtained a building permit by the fraudulent use of a fictitious license number or the license number of another, or, if licensed, has knowingly allowed an unlicensed person to use the licensee's license number for the purpose of fraudulently obtaining a building permit; or

(14) has made use of forged mechanics' lien waivers under chapter 514.

Sec. 20. Minnesota Statutes 2000, section 326.975, subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] (a) In addition to any other fees, each applicant for a license under sections 326.83 to 326.98 shall pay a fee to the contractor's recovery fund. The contractor's recovery fund is created in the state treasury and must be administered by the commissioner in the manner and subject to all the requirements and limitations provided by section 82.34 with the following exceptions:

(1) each licensee who renews a license shall pay in addition to the appropriate renewal fee an additional fee which shall be credited to the contractor's recovery fund. The amount of the fee shall be based on the licensee's gross annual receipts for the licensee's most recent fiscal year preceding the renewal, on the following scale:

Fee	Gross Receipts
\$100	under \$1,000,000
\$150	\$1,000,000 to \$5,000,000
\$200	over \$5,000,000

Any person who receives a new license shall pay a fee based on the same scale;

(2) the sole purpose of this fund is to compensate any aggrieved owner or lessee of residential property located within this state who obtains a final judgment in any court of competent jurisdiction against a licensee licensed under section 326.84, on grounds of fraudulent, deceptive, or dishonest practices, conversion of funds, or failure of performance arising directly out of any transaction when the judgment debtor was licensed and performed any of the activities enumerated under section 326.83, subdivision 19, on the owner's residential property or on residential property rented by the lessee, or on new residential construction which was never occupied prior to purchase by the owner, or which was occupied by the licensee for less than one year prior to purchase by the owner, and which cause of action arose on or after April 1, 1994;

(3) nothing may obligate the fund for more than \$50,000 per claimant, nor more than ~~\$50,000~~ \$75,000 per licensee; and

(4) nothing may obligate the fund for claims based on a cause of action that arose before the licensee paid the recovery fund fee set in clause (1), or as provided in section 326.945, subdivision 3.

(b) Should the commissioner pay from the contractor's recovery fund any amount in settlement of a claim or toward satisfaction of a judgment against a licensee, the license shall be automatically suspended upon the effective date of an order by the court authorizing payment from the fund. No licensee shall be granted reinstatement until the licensee has repaid in full, plus interest at the rate of 12 percent a year, twice the amount paid from the fund on the licensee's account, and has obtained a surety bond issued by an insurer authorized to transact business in this state in the amount of at least \$40,000.

Sec. 21. Minnesota Statutes 2000, section 332.33, is amended by adding a subdivision to read:

Subd. 4a. [EXAMINATION AND INVESTIGATION COSTS.] The licensee shall pay the costs of an examination or investigation by the commissioner or on the commissioner's behalf in the manner provided under section 60A.03, subdivision 5.

Sec. 22. Minnesota Statutes 2000, section 332.41, is amended to read:

332.41 [APPEALS.]

~~Subdivision 1. [FILING OF APPEAL.] In the rejection of an application for a license or the renewal thereof filed under sections 332.31 to 332.45 or of the suspension or revocation of a license granted under sections 332.31 to 332.45 the applicant or licensee may within 90 days after receipt of notice of such rejection, suspension, or revocation, file an appeal and thereafter prosecute the appeal in accordance with the provisions of the statutes governing appeal from, or review of, decisions of administrative agencies in this state.~~

~~Subd. 2. [SUPERSEDEAS.] The filing of an appeal from an order of the commissioner of commerce rejecting an application for a license by a collection agency engaged in business as of July 1, 1969, or rejecting an application for the renewal of a license, or suspending or revoking a license within 60 days after the date of such order, shall operate as a supersedeas which shall continue pending final determination of such appeal.~~

Appeal from a denial, suspension, revocation, or censure of a license must be made according to chapter 14.

Sec. 23. Minnesota Statutes 2000, section 359.02, is amended to read:

359.02 [TERM.]

A notary commissioned under section 359.01 holds office for five years, unless sooner removed by the governor or the district court, or by action of the commissioner. Within ~~seven months~~ 60 days before the expiration of the commission a notary may ~~be reappointed~~ apply for reappointment for a new term to commence and to be designated in the new commission as beginning upon the day immediately following the date of the expiration. A notary whose commission expires on January 1, 2005, may apply for reappointment six months before the expiration date. The reappointment takes effect and is valid although the appointing governor may not be in the office of governor on the effective day.

~~(a) All notary commissions issued before January 31, 1995, will expire on January 31, 1995.~~

~~(b) All notary commissions issued after January 31, 1995, will expire at the end of the licensing period, which will end every fifth year following January 31, 1995.~~

~~(c) All notary commissions issued during a licensing period expire at the end of that period as set forth in this section expire on January 31 of the fifth year following the year of issue.~~

Sec. 24. [EFFECTIVE DATE.]

Sections 1 to 6, 16, 17, 21, and 24 are effective the day following final enactment. Section 22 is effective January 1, 2001, and applies to claims arising from incidents or conduct occurring on or after that date."

Delete the title and insert:

"A bill for an act relating to commerce; regulating currency exchanges, real estate brokers, real property appraisers, subdivided land sales licenses, residential contractors, and collection agencies; modifying certain continuing education requirements; regulating certain fees, costs, duties, rights, and penalties; regulating nonprofit corporations; amending Minnesota Statutes 2000, sections 45.0295; 53A.081, subdivision 2; 60K.19, subdivision 8; 72B.04, subdivisions 6, 7; 80B.03, subdivision 4a; 82.195, subdivision 2; 82.196, subdivision 2; 82.197, subdivisions 1, 4, by adding a subdivision; 82.22, subdivision 13; 82.24, subdivision 8; 82.27, subdivision 3; 82.34, subdivision 15; 82B.14; 83.25, subdivision 1; 317A.203; 326.91, subdivision 1; 326.975, subdivision 1; 332.33, by adding a subdivision; 332.41; 359.02."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1280, A bill for an act relating to education; providing for a reading specialist licensure; amending requirements for elementary school teacher licenses; providing for rulemaking; amending Minnesota Statutes 2000, sections 122A.06, by adding a subdivision; 122A.09, subdivision 4; and 122A.18, subdivision 2a, and by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 14, delete "means effective reading instruction that includes"

Page 1, delete lines 15 to 23 and insert "includes instruction and practice in phonemic awareness, phonics and other word-recognition skills, and guided oral reading for beginning readers, as well as extensive silent reading, vocabulary instruction, comprehensive instruction, and instruction that fosters deep understanding and higher-order thinking for readers of all ages and proficiency levels."

Page 3, line 34, after the period, insert "The rules do not take effect until they are approved by law."

Page 4, line 18, before "The" insert "Not later than July 1, 2002."

With the recommendation that when so amended the bill pass.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1291, A bill for an act relating to human services; changing recovery provisions; amending Minnesota Statutes 2000, sections 62A.095, subdivision 1; and 256B.0913, subdivisions 12 and 14.

Reported the same back with the following amendments:

Page 1, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "sections" and insert "section"

Page 1, line 4, delete "62A.095, subdivision 1; and"

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. 1292, A bill for an act relating to human services; modifying provisions for family and adult self-sufficiency; amending Minnesota Statutes 2000, sections 256.98, subdivision 8; 256D.425, subdivision 1; 256J.08, subdivision 55a, and by adding a subdivision; 256J.21, subdivision 2; 256J.24, subdivisions 2 and 9; 256J.32, subdivision 4; 256J.39, subdivision 2; 256J.42, subdivisions 1, 3, and 4; 256J.45, subdivisions 1 and 2; 256J.46, subdivision 1; 256J.48, by adding a subdivision; 256J.49, subdivisions 2, 13, and by adding a subdivision; 256J.50, subdivisions 5, 10, and by adding a subdivision; 256J.515; 256J.52, subdivisions 2, 3, and 6; 256J.56; 256J.62, subdivisions 2a and 9; 256J.645; and 256K.03, subdivision 5; repealing Minnesota Statutes 2000, sections 256J.08, subdivision 50a; 256J.43; 256J.49, subdivision 11; and 256J.52, subdivision 5a.

Reported the same back with the following amendments:

Page 12, line 26, after "provide" insert "a face-to-face"

Page 12, line 32, strike the old language

Page 12, line 33, strike "orientation"

Page 14, line 21, after the period, insert:

"(b)"

Page 14, line 32, before "A" insert "(c)"

Page 15, line 13, strike "(b)" and insert "(d)"

Page 16, line 9, strike "(c)" and insert "(e)"

Page 16, line 20, after "a" insert "family violence"

Page 21, line 1, after "are" reinstate the stricken language

Page 21, line 2, delete the new language

Page 21, line 3, reinstate the stricken language and after the reinstated "with" insert "either (i)"

Page 21, line 4, reinstate the stricken language and before the semicolon insert "; or (ii) after October 1, 2001, an alternative employment plan, as defined in section 256J.49, subdivision 1a"

Page 25, line 14, after "AND" insert "FAMILY VIOLENCE"

Page 25, line 31, delete "in effect as of" and insert "prior to"

Page 27, lines 5 and 6, delete the new language

Pages 29 and 30, delete section 29

Page 32, lines 23 and 24, delete the new language

Page 33, line 23, after "50a;" insert "256J.12, subdivision 3; and" and delete "; and 256J.52, subdivision 5a"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 14, delete "subdivisions" and insert "subdivision" and delete "and 9"

Page 1, line 17, after "50a;" insert "256J.12, subdivision 3;" and after "256J.43;" insert "and" and delete everything after "11"

Page 1, line 18, delete everything before the period

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1298, A bill for an act relating to joint powers authority; authorizing a joint powers board that owns and operates sewage treatment facilities to issue general obligation bonds backed by the full faith and credit of the member governmental units; amending Minnesota Statutes 2000, section 471.59, subdivision 11.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CHISAGO LAKES JOINT SEWAGE TREATMENT COMMISSION BONDING AUTHORITY.]

Notwithstanding Minnesota Statutes, section 471.59, subdivision 11, the Chisago lakes joint sewage treatment commission, a joint powers board established by the county of Chisago, and the cities of Lindstrom, Chisago City, and Center City, to own and operate wastewater treatment facilities for the member local governments, may issue and sell general obligation bonds pursuant to Minnesota Statutes, sections 115.46, 444.075, and chapter 475, to acquire land for, construct, expand, furnish, equip, and modify its wastewater treatment facilities, and pledge the full faith and credit and taxing power of the governmental units that are members of the joint powers board. The joint powers board is a municipality within the meaning of Minnesota Statutes, chapter 475. Each government unit that is a member of the joint powers board must adopt a resolution authorizing the joint powers board to issue and sell the bonds before a referendum election on the issue can be held. A referendum election is required, as provided in Minnesota Statutes, section 475.58.

Sec. 2. [EFFECTIVE DATE; LOCAL APPROVAL.]

Section 1 is effective the day after final enactment. Section 1 does not require local approval, as provided in Minnesota Statutes, section 645.023, subdivision 1, paragraph (a)."

Delete the title and insert:

"A bill for an act relating to local government; authorizing the Chisago Lakes joint sewage treatment commission made up of Chisago county and the cities of Lindstrom, Chisago City, and Center City to issue and sell general obligation bonds for waste water treatment facilities; requiring resolutions and a referendum election."

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

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs 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 recommendation that 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. 1304, A bill for an act relating to health; modifying provisions for lead poisoning prevention; requiring a real property seller provide buyer with well water test results; repealing certain obsolete laws relating to hotel inspectors, duplication equipment, pay toilets, and enclosed sports arenas; amending Minnesota Statutes 2000, sections 144.9501, subdivisions 3, 4, 10, 11, 17, 17a, 18, 19, 20a, 20b, 20c, 21, 22, 22a, 23, 28a, 29, and by adding subdivisions; 144.9502, subdivision 8; 144.9503; 144.9504, subdivisions 1, 2, 5, 7, and 8; 144.9505; 144.9507, subdivision 5; 144.9508, subdivisions 1, 2, 3, 4, and 5; and 144.9509, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 103I; repealing Minnesota Statutes 2000, sections 144.073; 144.08; 144.1222, subdivision 3; 144.9501, subdivision 32; 144.9502, subdivision 6; 144.9503, subdivision 6; 144.9504, subdivisions 4 and 11; 144.9505, subdivisions 2 and 5; 144.9506; 144.9508, subdivision 6; and 145.425.

Reported the same back with the following amendments:

Page 7, line 2, delete "licensed by" and insert "registered with"

Page 22, line 4, after "by" insert "or are registered with"

Page 24, delete lines 14 to 22 and insert:

"Subd. 1f. [LEAD SAMPLING TECHNICIAN.] An individual performing lead sampling technician services shall first register with the commissioner. The commissioner shall not register an individual unless the individual shows evidence of successfully completing a training course in lead sampling. The commissioner shall specify the course of training and testing requirements. Proof of registration must be carried by the individual and be readily"

Page 30, line 18, delete the new language

Page 30, line 22, after "work" insert "and rules requiring registration of lead sampling technicians"

Page 30, line 23, strike "and" and insert a comma

Page 30, line 24, after "certificates" insert ", and registrations"

Page 32, line 24, delete "WELL TESTING AND OBSOLETE LAWS" and insert "MISCELLANEOUS PROVISIONS"

Pages 32 to 34, delete section 1 and insert:

"Section 1. Minnesota Statutes 2000, section 157.20, is amended by adding a subdivision to read:

Subd. 4. [ALTERNATIVE COMPLIANCE METHODS FOR DELEGATED AGENCIES.] (a) A local agency operating with a delegation agreement under section 145A.07 may request approval from the commissioner to supplant subdivisions 1 to 3 with alternative compliance methods. The local agency must submit to the commissioner:

(1) the alternative compliance methods that will be taken to ensure an equivalent degree of protection to public health, safety, or the environment;

(2) the reasons why alternative methods are requested;

(3) a plan for evaluating the effectiveness of the alternative methods;

(4) a statement that the local agency applying for approval of the alternative methods will comply with the terms, if granted; and

(5) other relevant information the commissioner determines necessary to evaluate the request.

(b) The commissioner may approve the request if the alternative methods will have no potential adverse effect on public health, safety, or the environment and if the alternative methods are equivalent to or superior to those prescribed in subdivisions 1 to 3. In approving the request, the commissioner may attach conditions the commissioner determines are needed to protect public health, safety, or the environment. The commissioner shall notify the local agency in writing of the commissioner's decision to approve or deny the request. If a request is denied, the commissioner shall specify the reasons for the denial."

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon and insert "providing alternative compliance methods for inspections of food and beverage service and lodging establishments"

Page 1, line 4, delete everything before the semicolon

Page 1, line 13, delete the second "and"

Page 1, line 14, delete everything after the semicolon and insert "and 157.20, by adding a subdivision;"

Page 1, line 15, delete everything before "repealing"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1320, A bill for an act relating to Hassan township; authorizing an economic development authority.

Reported the same back with the following amendments:

Page 1, line 24, delete "county" and insert "township"

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. 1353, A bill for an act relating to crime prevention; adopting a new compact for interstate adult offender supervision and repealing the existing compact; creating an advisory council on interstate adult offender supervision; requiring the appointment of a compact administrator; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 243; repealing Minnesota Statutes 2000, section 243.16.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [FINDINGS.]

The legislature finds that entering into the updated interstate compact on adult offenders, as proposed by the council of state governments, is of vital importance to the safety of the people of Minnesota. In the interest of public safety, the legislature needs to be fully informed of the advantages and disadvantages of entering into the compact and implementing it in Minnesota. The commissioner of corrections is charged with the duty to develop and implement policies regarding offenders on probation or supervised release that protect the best interests of the public. The commissioner of corrections is in the best position to fully inform the legislature of the impact of entering into, or not entering into, the compact and to analyze whether the state should give its full support and cooperation to this important venture.

Sec. 2. [LEGISLATIVE RECOMMENDATIONS; STATE POLICY PLAN.]

By December 1, 2001, the commissioner of corrections must submit legislative recommendations to the chairs and ranking minority members of the house and senate committees having jurisdiction over crime prevention and judiciary finance issues regarding the impact of entering into, or not entering into, the updated interstate compact on adult offenders, as proposed by the council of state governments. The commissioner must consult with other professionals in the corrections field and must consult with states that both have and have not entered into the compact. The commissioner must develop a plan for state policy in regard to handling interstate transfers of adult offenders. The commissioner must be prepared to act on and implement the recommendations and plan in 2002. In developing the legislative recommendations and state policy plan, the commissioner must consider fiscal impacts. Any costs associated with developing the legislative recommendations and state policy plan under this section must be absorbed within the commissioner's current budget."

Delete the title and insert:

"A bill for an act relating to crime prevention; requiring the commissioner of corrections to submit recommendations to the legislature regarding the impact of entering into the updated interstate compact on adult offenders; requiring the commissioner to develop a plan to handle interstate transfers of adult offenders."

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

The report was adopted.

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

H. F. No. 1373, A bill for an act relating to government data practices; authorizing bureau of criminal apprehension to charge of fee for Internet access to criminal history data; amending Minnesota Statutes 2000, section 13.87, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 13.87, is amended by adding a subdivision to read:

Subd. 3. [INTERNET ACCESS.] (a) Notwithstanding section 13.03, subdivision 3, paragraph (a), the bureau of criminal apprehension may charge a fee, not to exceed \$5 per inquiry, for Internet access to public criminal history data provided through August 1, 2005.

(b) The Web site must include a notice to the subject of data of the right to contest the accuracy or completeness of data, as provided under section 13.04, subdivision 4, and provide a telephone number and address that the subject may contact for further information on this process.

(c) The Web site must include the effective date of data that is posted.

(d) The Web site must include a description of the types of criminal history data not available on the site, including arrest data, juvenile data, criminal history data from other states, federal data, data on convictions where 15 years have elapsed since discharge of the sentence, and other data that are not accessible to the public."

Delete the title and insert:

"A bill for an act relating to government data practices; providing for Internet access to certain criminal history data; amending Minnesota Statutes 2000, section 13.87, by adding a subdivision."

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

The report was adopted.

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

H. F. No. 1390, A bill for an act relating to employment training; establishing a demonstration training project for spoken language interpreters.

Reported the same back with the following amendments:

Page 2, line 12, delete "maximum"

Page 2, line 13, delete "\$50,000" and insert "between \$50,000 and \$100,000"

Page 2, line 14, after the comma, insert "instruction for employers and providers on the appropriate use of interpreters."

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

The report was adopted.

Mares from the Committee on Education Policy to which was referred:

H. F. No. 1394, A bill for an act relating to education; allowing public elementary and secondary school students to possess and use asthma medications; proposing coding for new law in Minnesota Statutes, chapter 121A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 121A.22, subdivision 2, is amended to read:

Subd. 2. [EXCLUSIONS.] In addition, this section does not apply to drugs or medicine:

- (1) that can be purchased without a prescription;
- (2) that are used by a pupil who is 18 years old or older;
- (3) that are used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law;
- (4) that are used in situations in which, in the judgment of the school personnel who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;
- (5) that are used off the school grounds;
- (6) that are used in connection with athletics or extra curricular activities;
- (7) that are used in connection with activities that occur before or after the regular school day; ~~or~~
- (8) that are provided or administered by a public health agency in order to prevent or control an illness or a disease outbreak as provided for in sections 144.05 and 144.12; or
- (9) that are prescription asthma or reactive airway disease medication self-administered by a pupil with an asthma inhaler if the district has received a written authorization from the pupil's parent permitting the pupil to self-administer the medication, and the parent has not requested school personnel to administer the medication to the pupil. The parent must submit written authorization for the pupil to self-administer the medication each school year.

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete everything before the period and insert "amending Minnesota Statutes 2000, section 121A.22, subdivision 2"

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.

Finseth from the Committee on Agriculture Policy to which was referred:

H. F. No. 1396, A bill for an act relating to agriculture; extending the sunset date of the dairy producers board; appropriating money; amending Minnesota Statutes 2000, sections 15.059, subdivision 5a; and 17.76, subdivision 2.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

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

H. F. No. 1409, A bill for an act relating to employment; adding an alternative form for minor age certification; amending Minnesota Statutes 2000, section 181A.06, subdivision 1.

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

The report was adopted.

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

H. F. No. 1443, A bill for an act relating to human services; requiring the commissioner of human services to implement a medication therapy management pilot program; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

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

H. F. No. 1481, A bill for an act relating to conservation; modifying the definition of landowner for purposes of participation in the RIM program; increasing the amount of funding available to participants; amending Minnesota Statutes 2000, sections 103F.511, subdivision 6; and 103F.515, subdivision 6.

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.

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

H. F. No. 1487, A bill for an act relating to natural resources; modifying provisions rendered obsolete by the electronic licensing system; modifying the disposition of certain taxes and proceeds; clarifying certain licensing and training requirements; providing for removal of submerged vehicles; modifying watercraft license and title provisions; clarifying sale of live animals and animal portions; modifying rulemaking authority; modifying certain license revocation provisions; clarifying taxidermy and bow fishing provisions; modifying fish house requirements; repealing certain fleeing provisions; amending Minnesota Statutes 2000, sections 6.48; 84.788, subdivisions 3 and 4; 84.796; 84.798, subdivisions 3 and 5; 84.82, subdivision 2; 84.83, subdivisions 3 and 5; 84.862, subdivisions 1 and 2; 84.872, subdivision 1; 84.922, subdivisions 2 and 3; 86B.401, subdivisions 1, 3, and 4; 86B.705, subdivision 2; 86B.820, subdivision 13; 86B.825, subdivision 1; 86B.830, subdivision 1; 97A.065, subdivision 2; 97A.105, subdivisions 4 and 9; 97A.421, subdivision 1; 97A.425, subdivision 1; 97A.441, subdivision 1; 97A.512; 97B.055, subdivision 2; 97C.355, subdivision 1; and 297A.94; proposing coding for new law in Minnesota Statutes, chapter 86B; repealing Minnesota Statutes 2000, sections 84.792; and 84.801.

Reported the same back with the following amendments:

Page 18, after line 19, insert:

"Sec. 32. Minnesota Statutes 2000, section 97C.355, is amended by adding a subdivision to read:

Subd. 7a. [HOUSES LEFT OVERNIGHT.] A fish house, dark house, or block of ice that poses a hazard left on the ice overnight must be marked with reflective material on each side of the house or block of ice that poses a hazard. The reflective material must measure a total area of no less than two square inches on each side of the house or block of ice that poses a hazard. Violation of this subdivision is not subject to subdivision 8 or section 97A.301."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 24, before the first semicolon, insert ", and by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1497, A bill for an act relating to natural resources; exempting certain charges from legislative approval; modifying terms for certain lakeshore land exchanges to include leased farmed wild rice lands; authorizing public and private sales of certain state lands in Lake county; adding to a state forest; adding to and creating wildlife management areas; amending Minnesota Statutes 2000, section 16A.1283; Laws 1998, chapter 389, article 16, section 31, subdivision 2, as amended.

Reported the same back with the following amendments:

Page 7, after line 31, insert:

"Sec. 6. [CONVEYANCE OF SURPLUS STATE LAND; MOWER COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources may convey to the holders of the life estate for no consideration the surplus state land, including improvements, that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in Mower county in the Mentel wildlife management area and is described as: the West 270.00 feet of the South 460.00 feet of the SW 1/4 of the NW 1/4 of Section 5, Township 102 North, Range 17 West, subject to highway easement on the south side thereof. The described tract contains 2.85 acres, more or less.

(d) The commissioner has determined that the land is no longer needed for any state natural resource purpose and that the state's land management interests would best be served if the land was conveyed to the holders of the life estate. The holders of the life estate donated over 110 acres of land to the Mentel wildlife management area, including the land described in paragraph (c). The holders of the life estate have requested that the building site be returned to them. The conveyance gives the holders of the life estate full title free of state interest."

Page 8, line 8, delete "SE1/4-NE1/4 and SE1/4" and insert "NW1/4-SE1/4 and S1/2-SE1/4"

Page 8, after line 15, insert:

"Sec. 10. [PRIVATE CONVEYANCE OF CONSOLIDATED CONSERVATION LAND; AITKIN COUNTY.]

(a) Notwithstanding the classification and public sale provisions of Minnesota Statutes, chapters 84A and 282, or other law to the contrary, Aitkin county may sell to the city of Hill City the consolidated conservation land that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapters 84A and 282.

(b) The conveyance must be in a form approved by the attorney general and must provide that the land reverts to the state if it is not used for public purposes. The consideration for the conveyance must not be less than the appraised value of the timber. Proceeds shall be disposed of according to Minnesota Statutes, chapter 84A.

(c) The land that may be sold is located in Aitkin county and is described as: SE1/4-NE1/4 and NE1/4-SE1/4 of Section 22, Township 52 North, Range 26 West."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "authorizing conveyance of certain surplus state land in Mower county; authorizing conveyance of certain consolidated conservation land in Aitkin county;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1498, A bill for an act relating to highways; delaying beginning of construction and reconstruction of marked trunk highway No. 62 in Minneapolis and Richfield; requiring a report.

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.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1516, A bill for an act relating to children; amending the definition of child neglect; amending Minnesota Statutes 2000, section 626.556, subdivision 2.

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

The report was adopted.

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

H. F. No. 1543, A bill for an act relating to public safety; authorizing limited personal use of fireworks; requiring an affidavit of safety guidelines; providing for criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 624.

Reported the same back with the following amendments:

Page 1, lines 11, 15, 16, 20, 25, and 26, delete "1.4 gr" and insert "1.4G"

Page 1, line 19, after the period, insert "Personal use of fireworks is not permitted on public property."

Page 2, lines 6, 10, and 11, delete "1.4 gr" and insert "1.4G"

Page 2, line 10, delete "by minors"

Page 3, lines 5, 6, 9, 18, and 32, delete "1.4 gr" and insert "1.4G"

Page 3, lines 19 and 20, delete "1.4 gr" and insert "1.4G"

Page 4, line 3, delete "1.3 gr" and insert "1.3G"

Page 4, lines 9, 10, and 31, delete "1.4 gr" and insert "1.4G"

Page 4, line 27, delete "1.4 gr fireworks" and insert "novelty items"

Page 4, lines 29 and 30, delete "1.4 gr" and insert "1.4G"

Page 4, after line 36, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

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

The report was adopted.

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

H. F. No. 1544, A bill for an act relating to counties; providing a new standard of market value for new counties; providing for signatures from both affected areas on a petition to change county boundaries; requiring the secretary of state to certify the validity of the signatures; providing for a special election to fill vacancies or add members to a county board after the change of county boundaries; amending Minnesota Statutes 2000, sections 370.01; 370.02; 370.03; 370.10; 370.12; 370.13; repealing Minnesota Statutes 2000, section 370.11.

Reported the same back with the following amendments:

Page 1, line 22, delete the new language

Page 1, delete lines 23 to 29 and insert "A new county must have a total taxable market value of at least . . . percent of the total taxable market value of the county, or of the average total market value of the counties, included in the proposition. The determination of the taxable market value of a county must be made by the department of revenue."

Page 2, line 1, delete the new language

Page 2, line 33, after "seat" insert "for the new county and for the remainder of the existing county if not the current county seat"

Page 3, line 15, after "county" insert "and county seat as stated in the petition"

Page 3, after line 19, insert:

"Sec. 4. Minnesota Statutes 2000, section 370.07, is amended to read:

370.07 [CANVASS; PROCLAMATION; SECRETARY OF STATE; AUDITOR; NOTICE TO COUNTY COMMISSIONERS.]

The state canvassing board shall canvass the returns at the time of canvassing the votes cast for state officers, and in the same manner. The board may use the returns received from the election judges to correct errors and supply omissions in the returns of the county canvassing board. When the canvass is completed, the board shall file a

certificate declaring the result of the vote with the secretary of state. If the certificate shows that the proposition has received a majority of the votes cast in each affected county if changing county boundaries, and or has received a majority of the votes cast in the territory forming the proposed new county; and a majority of the votes cast in the remaining portion of the existing county if the proposition was for the establishment of a new county, the governor shall issue a proclamation declaring that the proposition has been adopted within ten days after completion of the canvass. The secretary of state shall record the certificate and proclamation, and transmit a certified copy of the proclamation to the auditor of each county whose territory is affected. The auditor shall, if the proposition was for the establishment of a new county, serve a certified copy on each of the persons elected as county commissioners of the new county. The proclamation shall also be published with the general laws enacted at the next session of the legislature."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "providing for canvass, proclamation, and certification of the vote on the proposition;"

Page 1, line 10, after "370.03;" insert "370.07;"

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.

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

H. F. No. 1583, A bill for an act relating to public employment; expanding eligibility for the public employees group long-term care insurance program; amending Minnesota Statutes 2000, section 43A.318, subdivision 1.

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

The report was adopted.

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

H. F. No. 1622, A bill for an act relating to human services; establishing a health care safety net preservation program; allowing voluntary agreements to expand intergovernmental transfers; proposing coding for new law in Minnesota Statutes, chapter 256B.

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.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1629, A bill for an act relating to family law; providing for a study of the proposed Uniform Parentage Act.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1634, A bill for an act relating to social work; applying the duty to warn law to social workers; allowing social workers to form and participate in professional firms; amending Minnesota Statutes 2000, sections 148B.281, by adding a subdivision; 319B.02, subdivision 19; 319B.40.

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

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1655, A bill for an act relating to relating to civil law; providing for civil actions against the state under the federal Age Discrimination in Employment Act and the federal Fair Labor Standards Act; proposing coding for new law in Minnesota Statutes, chapter 1.

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

The report was adopted.

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

H. F. No. 1657, A bill for an act relating to state employment; permitting retired state employees to purchase group long-term care insurance through the same plan offered to active state employees; amending Minnesota Statutes 2000, section 43A.318, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 26, after "43A.27," insert "subdivision 3,"

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

The report was adopted.

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

H. F. No. 1687, A bill for an act relating to Indian affairs council; adding one member to the advisory council; amending Minnesota Statutes 2000, section 3.922, subdivision 8.

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

The report was adopted.

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

H. F. No. 1734, A bill for an act relating to agriculture; providing a waiver from liability for certain landowners; allowing certain alternative disposal methods; modifying feedlot provisions; providing for a level 1 feedlot inventory; amending Minnesota Statutes 2000, section 116.07, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116.

Reported the same back with the following amendments:

Page 1, line 13, delete "other law or rule" and insert "Minnesota Rules, chapter 7020,"

Delete page 1, line 21, to page 2, line 9, and insert:

"(a) The agency may not require feedlot permittees to maintain records as to rainfall or snowfall as a condition of a general feedlot permit if the owner directs the commissioner or agent of the commissioner to data maintained by a government agency or educational institution.

(b) A feedlot permittee must give notice to the agency when the permittee proposes to transfer ownership or control of the feedlot to a new party. The commissioner may not unreasonably withhold or unreasonably delay approval of any such request. This request must be handled in accordance with sections 15.992 and 116.07.

(c) The environmental quality board must review and recommend modifications to environmental review rules related to phased actions and animal agriculture facilities. The board must report the recommendations to the chairs of the committees with jurisdiction over agriculture and the environment by January 1, 2002."

Page 2, line 10, delete "(e)" and insert "(d)"

Page 2, after line 14, insert:

"(e) Until a new definition of "phased actions" is adopted by legislation or through rulemaking, a responsible governmental unit shall apply interpretations or further definitions not set forth in Minnesota Rules, part 4410.0200, subpart 60, to a proposed feedlot project on a case-by-case basis and only after determination by staff that because of the nature or location of the proposed project, the proposed project has the potential for significant environmental effects."

Pages 2 and 3, delete section 3 and insert:

"Sec. 3. [MODIFIED LEVEL 1 FEEDLOT INVENTORY.]

(a) A delegated county that has completed a modified level 1 inventory that includes facility location, approximate number of animal units, and whether the facility is an open lot or confinement operation, may report that information to the agency in aggregate. A feedlot that is included in an inventory meeting these criteria has satisfied registration requirements.

(b) Complete registration information for a feedlot having 1,000 animal units or greater or a feedlot meeting the definition of a concentrated animal feeding operation as defined in Code of Federal Regulations, title 40, section 122.23, must be submitted to the agency."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1742, A bill for an act relating to local government; modifying the compensation limit for political subdivision employees; amending Minnesota Statutes 2000, sections 43A.17, subdivision 9; and 356.611, subdivision 1.

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

The report was adopted.

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

H. F. No. 1764, A bill for an act relating to historical preservation; ensuring protection for the historic Camp Coldwater Springs area; proposing coding for new law in Minnesota Statutes, chapter 138.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [COLDWATER SPRINGS.]

Subdivision 1. [RECOGNITION; PRESERVATION.] The state recognizes the traditional and cultural importance of the land in Hennepin county that comprises and surrounds historic Camp Coldwater Springs. Since 1805, these lands were part of a United States military reserve, later Fort Snelling Military Reserve and used by the Bureau of Mines, and are entitled to the protections of the Minnesota Historic Sites Act.

Subd. 2. [PROTECTION OF NATURAL FLOW.] The state and its political subdivisions shall not use the land described in subdivision 1, or take any action that affects the land, in a manner that diminishes the flow of water to or from Camp Coldwater Springs.

Sec. 2. Minnesota Statutes 2000, section 138.73, subdivision 13, is amended to read:

Subd. 13. Old Fort Snelling historic district in Hennepin county is located within the following boundaries: beginning at the intersection of the westerly Chicago, Milwaukee, St. Paul and Pacific Railroad (abandoned) right-of-way and the south boundary of Minnehaha state park extended (which is an extension of East 55th Street, Minneapolis); thence east along the extension of East 55th Street to the easterly county line of Hennepin county (center line of Mississippi river); thence southerly and easterly along said county line to the point of intersection of Hennepin, Ramsey and Dakota counties; thence easterly along the Ramsey-Dakota common boundary to intersection with the easterly line of Government Lot No. 2, Section 28, Township 28, north, range 23, west Dakota county; thence south on east line of said Government Lot No. 2, to intersection with the east-west quarter line of said Section 28; thence westerly on said east-west quarter line to the intersection with the easterly right-of-way line of

Minnesota state highway No. 5; thence southerly on said right-of-way line to intersect with the metropolitan airports commission boundary line extended; thence northwesterly along last described boundary line to intersection with a line parallel to Old Trunk Highway 100 (Bloomington Road) and 600 feet northwesterly thereof, measured on a line perpendicular to said highway; thence northeasterly on last described parallel line to intersect with the northerly right-of-way line of state highway No. 55; thence westerly on said right-of-way line to intersect with the westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad (abandoned); thence northerly on last described right-of-way line to the point of the beginning and there terminating. The tract herein described contains 580 acres more or less. This district also includes lands not otherwise described in this subdivision that are part of the Fort Snelling Historic District in the National Register of Historic Places, as the description of that district is amended from time to time.

Sec. 3. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to historic preservation; recognizing and extending the protection of the Minnesota Historic Sites Act to historic Camp Coldwater Springs; amending Minnesota Statutes 2000, section 138.73, subdivision 13."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1778, A bill for an act relating to veterans; providing for placement in the Capitol of a plaque commemorating the soldiers who participated in the Bataan Death March.

Reported the same back with the following amendments:

Page 1, line 11, delete "captured by the enemy and forced" and insert "ordered to surrender and forced by the enemy"

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

The report was adopted.

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

H. F. No. 1826, A bill for an act relating to veterans; changing certain educational assistance provisions; amending Minnesota Statutes 2000, section 197.75, subdivisions 1 and 2.

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.

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

H. F. No. 1830, A bill for an act relating to government data; authorizing certain accident data to be made public; amending Minnesota Statutes 2000, section 169.09, subdivision 13.

Reported the same back with the following amendments:

Page 3, line 11, delete "shall" and insert "may"

Page 3, line 16, delete "information" and insert "identification"

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. 1832, A bill for an act relating to human services; modifying MFIP provisions; modifying sanctions and program eligibility requirements for noncompliant MFIP recipients; establishing hardship extensions; amending Minnesota Statutes 2000, sections 256J.08, by adding a subdivision; 256J.09, subdivisions 2, 3; 256J.15, by adding a subdivision; 256J.24, subdivision 10; 256J.26, subdivision 1; 256J.31, subdivision 4; 256J.42, subdivision 1, by adding a subdivision; 256J.44, subdivision 1; 256J.46, subdivisions 1, 2a, by adding a subdivision; 256J.50, subdivisions 1, 7; 256J.56; 256J.57, subdivision 2; 256J.62, subdivision 9; 256J.625, subdivisions 1, 2, 4; 256J.751; proposing coding for new law in Minnesota Statutes, chapter 256J; repealing Minnesota Statutes 2000, sections 256J.42, subdivision 4; 256J.46, subdivision 1a.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 5, line 9, before the period, insert "for an assistance unit of the same size"

Page 5, line 20, delete "assistance unit" and insert "participant"

Page 5, line 22, after the period, insert "The assistance unit's MFIP grant must be reduced by the amount which would have otherwise been made available to the disqualified participant. Disqualification under this item does not make a participant ineligible for food stamps."

Page 6, line 11, strike "food stamps"

Page 6, strike lines 12 and 13

Page 6, line 14, strike everything before "food"

Page 6, line 16, after the period, insert "When a sanction under this clause is in effect, a job counselor must attempt to meet with the person face-to-face. During the face-to-face meeting, a job counselor must explain the consequences of a subsequent drug test failure and inform the participant of the right to appeal the sanction under section 256J.40. If a face-to-face meeting is not possible, a county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face meeting; and"

(2) for failing a drug test two times, the participant is permanently disqualified from receiving food stamps. Before a disqualification under this provision is imposed, a job counselor must attempt to meet with the participant face-to-face. During the face-to-face meeting, the job counselor must identify other resources that may be available to the participant to meet the needs of the family and inform the participant of the right to appeal the disqualification under section 256J.40. If a face-to-face meeting is not possible, a county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face meeting."

Page 7, delete section 8

Page 8, line 3, delete "60" and insert "180"

Page 8, line 4, delete "of the participant's 60th"

Page 8, line 6, after "appropriate" insert ", or if the participant is exempt under section 256J.56 from the employment and training services component,"

Page 8, line 33, delete "this subdivision" and insert "section 256J.42, subdivision 1,"

Page 9, line 10, after the first "in" insert "section 256J.42," and after "1" insert a comma

Page 9, line 33, delete "paragraph" and insert "subdivision"

Page 10, line 5, after the first "in" insert "section 256J.42," and after "1" insert a comma

Page 10, line 16, delete "clause" and insert "subdivision"

Page 14, line 5, strike "256J.72" and insert "256J.55"

Page 15, line 19, after the period, insert "Disqualification under this clause does not make a participant ineligible for food stamps."

Page 17, line 2, before the period, insert ", if the alternative employment plan and family violence provisions in section 256J.52, subdivision 6, are enacted during the 2001 session"

Page 24, lines 21 and 22, delete the new language

Page 27, line 33, delete "By January 1 of each year,"

Page 27, line 36, delete ". The report must also" and insert ", and, to the extent consistent with state and federal law, must"

Page 28, after line 4, insert:

"The report must be completed by January 1, 2002, and January 1 of each year thereafter and must comply with sections 3.195 and 3.197."

Reorder the sections in sequence

Amend the title as follows:

Page 1, lines 6 and 7, delete "256J.08, by adding a subdivision;"

Page 1, line 10, delete "subdivision 1,"

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.

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

H. F. No. 1835, A bill for an act relating to crime prevention; authorizing local government units to establish a financial crimes investigation unit; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A; repealing Minnesota Statutes 2000, section 299A.68.

Reported the same back with the following amendments:

Page 3, line 17, delete everything after "the" and insert "office of drug policy and violence prevention to"

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

The report was adopted.

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

H. F. No. 1840, A bill for an act relating to human services; extending the expiration date for certain advisory councils and committees; amending Minnesota Statutes 2000, section 15.059, subdivisions 5 and 5a.

Reported the same back with the following amendments:

Page 4, strike lines 3 and 4

Page 4, lines 32 and 33, reinstate the stricken language

Page 5, after line 13, insert:

"Sec. 3. Minnesota Statutes 2000, section 62J.692, subdivision 2, is amended to read:

Subd. 2. [MEDICAL EDUCATION AND RESEARCH ADVISORY COMMITTEE.] The commissioner shall appoint an advisory committee to provide advice and oversight on the distribution of funds appropriated for distribution under this section. In appointing the members, the commissioner shall:

- (1) consider the interest of all stakeholders;
- (2) appoint members that represent both urban and rural interests; and
- (3) appoint members that represent ambulatory care as well as inpatient perspectives.

The commissioner shall appoint to the advisory committee representatives of the following groups to ensure appropriate representation of all eligible provider groups and other stakeholders: public and private medical researchers; public and private academic medical centers, including representatives from academic centers offering

accredited training programs for physicians, pharmacists, chiropractors, dentists, nurses, and physician assistants; managed care organizations; employers; consumers and other relevant stakeholders. The advisory committee is governed by section 15.059 ~~for membership terms and removal of members and expires on June 30, 2001.~~

Sec. 4. Minnesota Statutes 2000, section 144.1481, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT; MEMBERSHIP.] The commissioner of health shall establish a 15-member rural health advisory committee. The committee shall consist of the following members, all of whom must reside outside the seven-county metropolitan area, as defined in section 473.121, subdivision 2:

(1) two members from the house of representatives of the state of Minnesota, one from the majority party and one from the minority party;

(2) two members from the senate of the state of Minnesota, one from the majority party and one from the minority party;

(3) a volunteer member of an ambulance service based outside the seven-county metropolitan area;

(4) a representative of a hospital located outside the seven-county metropolitan area;

(5) a representative of a nursing home located outside the seven-county metropolitan area;

(6) a medical doctor or doctor of osteopathy licensed under chapter 147;

(7) a midlevel practitioner;

(8) a registered nurse or licensed practical nurse;

(9) a licensed health care professional from an occupation not otherwise represented on the committee;

(10) a representative of an institution of higher education located outside the seven-county metropolitan area that provides training for rural health care providers; and

(11) three consumers, at least one of whom must be an advocate for persons who are mentally ill or developmentally disabled.

The commissioner will make recommendations for committee membership. Committee members will be appointed by the governor. In making appointments, the governor shall ensure that appointments provide geographic balance among those areas of the state outside the seven-county metropolitan area. The chair of the committee shall be elected by the members. ~~The terms, compensation, and removal of members are advisory~~ committee is governed by section 15.059, except that ~~the existence of the committee does not terminate and~~ members do not receive per diem compensation.

Sec. 5. Minnesota Statutes 2000, section 145A.10, subdivision 10, is amended to read:

Subd. 10. [STATE AND LOCAL ADVISORY COMMITTEES.] (a) A state community health advisory committee is established to advise, consult with, and make recommendations to the commissioner on the development, maintenance, funding, and evaluation of community health services. ~~Section 15.059, subdivision 5, applies to this committee.~~ Each community health board may appoint a member to serve on the committee. The committee must meet at least quarterly, and special meetings may be called by the committee chair or a majority of the members. Members or their alternates may receive a per diem and must be reimbursed for travel and other necessary expenses while engaged in their official duties. Notwithstanding section 15.059, subdivision 5, or other law to the contrary, the advisory committee does not expire.

(b) The city councils or county boards that have established or are members of a community health board must appoint a community health advisory committee to advise, consult with, and make recommendations to the community health board on matters relating to the development, maintenance, funding, and evaluation of community health services. The committee must consist of at least five members and must be generally representative of the population and health care providers of the community health service area. The committee must meet at least three times a year and at the call of the chair or a majority of the members. Members may receive a per diem and reimbursement for travel and other necessary expenses while engaged in their official duties.

(c) State and local advisory committees must adopt bylaws or operating procedures that specify the length of terms of membership, procedures for assuring that no more than half of these terms expire during the same year, and other matters relating to the conduct of committee business. Bylaws or operating procedures may allow one alternate to be appointed for each member of a state or local advisory committee. Alternates may be given full or partial powers and duties of members.

Sec. 6. [REPEALER.]

Minnesota Statutes 2000, sections 256B.071, subdivision 5; and 256B.0911, subdivision 8, are repealed.

Sec. 7. [EFFECTIVE DATE.]

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

Delete the title and insert:

"A bill for an act relating to state government; modifying the expiration date for certain advisory councils and committees; eliminating certain advisory committees; amending Minnesota Statutes 2000, sections 15.059, subdivisions 5, 5a; 62J.692, subdivision 2; 144.1481, subdivision 1; 145A.10, subdivision 10; repealing Minnesota Statutes 2000, sections 256B.071, subdivision 5; 256B.0911, subdivision 8."

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.

Mares from the Committee on Education Policy to which was referred:

H. F. No. 1850, A bill for an act relating to education; establishing a three-year pilot project to explore alternative models for delivering education by expanding the flexible learning year program.

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

The report was adopted.

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

H. F. No. 1851, A bill for an act relating to human services; requiring the commissioner of human services to identify and address nonfinancial barriers to provider participation in state health care programs.

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.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1857, A bill for an act relating to dispute resolution; providing for arbitration of disputes; adopting the Uniform Arbitration Act; amending Minnesota Statutes 2000, sections 80C.146, subdivision 2; 122A.40, subdivision 15; 122A.41, subdivision 13; 179.09; 325E.37, subdivision 5; 325F.665, subdivision 6; 469.1762; and 572A.02, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 572B; repealing Minnesota Statutes 2000, sections 572.08; 572.09; 572.10; 572.11; 572.12; 572.13; 572.14; 572.15; 572.16; 572.17; 572.18; 572.19; 572.20; 572.21; 572.22; 572.23; 572.24; 572.25; 572.26; 572.27; 572.28; 572.29; and 572.30.

Reported the same back with the following amendments:

Page 4, line 6, before the period, insert "except in the case of a grievance arising under a collective bargaining agreement when an arbitrator shall decide"

Page 6, line 17, delete "subsection" and insert "subsections" and after "(c)" insert "and (d)"

Page 7, after line 4, insert:

"(d) An arbitrator shall decide whether to consolidate one or more grievances arising under a collective bargaining agreement."

Page 14, line 2, after "if" insert "punitive damages are authorized by the agreement of the parties to the arbitration proceeding and if"

Page 14, line 8, delete "or" and insert "and"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1859, A bill for an act relating to state government; creating the department of economic and workforce development; transferring certain duties of the departments of trade and economic development, economic security, and labor and industry; providing for a transition team; appropriating money; amending Minnesota Statutes 2000, section 15.01.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Commerce, Jobs and Economic Development.

The report was adopted.

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

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.

Reported the same back with the following amendments:

Pages 3 and 4, delete section 5

Page 4, line 18, delete "EXCEPTION" and insert "PROCEDURE" and delete "No" and insert "A"

Page 4, line 20, delete "returns or" and delete "maintained" and insert "received"

Page 4, line 21, delete everything after "revenue"

Page 4, line 22, delete everything before "may" and insert "from the Internal Revenue Service pursuant to an agreement to exchange tax return information" and delete "unless" and insert "if"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 10, delete "270B.16;"

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

The report was adopted.

Finseth from the Committee on Agriculture Policy to which was referred:

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.

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

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

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.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2000, section 303.17, subdivision 2, is amended to read:

Subd. 2. [NOTICE TO CORPORATION.] On finding that any default has occurred, pursuant to subdivision 1, clauses (1) to (3) or (5), the secretary of state shall give notice by mail to the corporation, at its registered office in this state, that the default exists and that its certificate of authority will be revoked unless the default shall be cured within 30 days after the mailing of the notice.

Sec. 2. Minnesota Statutes 2000, section 303.17, subdivision 3, is amended to read:

Subd. 3. [REVOCACTION AFTER 30 DAYS.] ~~The secretary of state shall revoke the certificate of authority of such a corporation to do business in this state if such default shall not be cured with such period of 30 days; provided, that for good cause shown the secretary of state may enlarge the period from time to time, but the aggregate of such enlargements shall not exceed 180 days or the period of any applicable extension granted by the department of revenue of time for filing the income tax return of the corporation, whichever is greater that has failed to file an annual registration pursuant to section 303.14 and is subject to subdivision 1, clause (4). The secretary of state must issue a certificate of revocation, and the certificate must be filed in the office of the secretary of state. The secretary of state must annually inform the attorney general and the commissioner of revenue of the methods by which the names of corporations revoked under this section during the preceding year may be determined. The secretary of state must also make available in an electronic format the names of the revoked corporations. The secretary of state must revoke the certificate of authority of such a corporation subject to subdivision 1, clauses (1) to (3) or (5), to do business in this state if the default is not cured within 30 days; provided that for good cause shown the secretary of state may extend the 30-day period from time to time, but in no event may the aggregate of all extensions granted exceed 180 days or the period of any applicable extension granted by the department of revenue of time for filing the income tax return of the corporation, whichever is greater.~~

Sec. 3. Minnesota Statutes 2000, section 303.17, subdivision 4, is amended to read:

Subd. 4. [CERTIFICATE OF REVOCATION.] Upon revoking the certificate of authority of a corporation subject to subdivision 1, clauses (1) to (3) or (5), the secretary of state shall:

- (1) issue a certificate of revocation; and
- (2) mail to the corporation, at its registered office in this state, a notice of the revocation."

Page 1, line 6, delete "Section 1." and insert "Sec. 4."

Page 2, line 4, delete "2" and insert "5"

Page 2, line 21, delete "2" and insert "5"

Delete the title and insert:

"A bill for an act relating to filings with the secretary of state; providing for the orderly revocation of delinquent foreign corporations; regulating certain transition issues under the Uniform Partnership Act of 1994; amending Minnesota Statutes 2000, sections 303.17, subdivisions 2, 3, 4; 323A.12-02."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 3, line 36, after the period, insert "The name submitted by the Minnesota chapter of the associated general contractors must be submitted to the commissioner within seven days after the commissioner requests it."

Page 4, line 5, delete everything after "responses" and insert "to a request for qualifications or request for proposals when the member has a financial interest in any of the persons who respond to that request for qualifications or request for proposals. "Financial interest" includes, but is not limited to, being or serving as an owner, employee, partner, limited liability partner, shareholder, joint venturer, family member, officer, or director or a person responding to a request for qualifications or request for proposals for a specific project, or having any other economic interest in that person. The members of the technical review committee must be treated as state employees in the event of litigation resulting from any action arising out of their service on the committee."

Page 4, delete line 6

Page 4, line 17, after the period, insert "The technical review committee shall recommend the most highly qualified responders to the commissioner."

Page 4, delete lines 26 to 28

Page 7, line 20, delete "bids" and insert "responses"

Page 7, line 23, after "(a)" insert "This subdivision applies only to design-build contracts where the commissioner has prequalified the responders."

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.

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

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.

Reported the same back with the following amendments:

Page 1, line 9, delete "MINIMUM CUSTODY" and insert "ADULT"

Page 1, line 15, delete "minimum custody"

Page 1, line 16, after "facility" insert "with a custody level of less than four"

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

The report was adopted.

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

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.

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.

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

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.

Reported the same back with the following amendments:

Page 1, after line 10, insert:

"ARTICLE 1

INSURANCE PRODUCERS

Section 1. [60K.30] [PURPOSE AND SCOPE.]

(a) Sections 60K.30 to 60K.56 govern the qualifications and procedures for the licensing of insurance producers.

(b) Except as to the underlying requirement that a surplus lines agent or broker obtain an insurance producer license, this chapter does not apply to surplus lines agents or brokers licensed under sections 60A.195 to 60A.209, except as provided in sections 60K.29 and 60K.42, subdivision 2."

Page 2, line 18, delete "insurance"

Page 2, line 31, delete "insurance"

Page 4, delete lines 29 to 36 and insert:

"(3) a person who secures and furnishes information for the purpose of group life insurance, group property and casualty insurance, group annuities, group or blanket accident and health insurance; or for the purpose of enrolling individuals under plans; issuing certificates under plans or otherwise assisting in administering plans; or performs administrative services related to mass marketed property and casualty insurance; where no commission is paid to the person for the service;"

Page 5, delete lines 1 to 3

Page 10, line 29, delete the first "credit"

Page 17, line 27, delete "insurance"

Page 21, line 24, delete "credit life or disability,"

Page 21, line 36, after the period, insert "This subdivision does not apply to limited lines insurance under section 60K.38, subdivision 1, paragraph (c)."

Page 25, line 13, delete "INSURANCE"

Page 34, line 30, delete "27" and insert "28"

Page 34, after line 30, insert:

"ARTICLE 2

CORRECTIVE, CONFORMING, AND OTHER PROVISIONS

Section 1. Minnesota Statutes 2000, section 13.7191, subdivision 6, is amended to read:

Subd. 6. [~~INSURANCE AGENT PRODUCER LICENSING; TERMINATION.~~] Access to data on insurance ~~agent producer~~ terminations held by the commissioner of commerce is governed by section ~~60K.40~~ 60K.51.

Sec. 2. Minnesota Statutes 2000, section 43A.317, subdivision 12, is amended to read:

Subd. 12. [STATUS OF AGENTS.] Notwithstanding sections ~~60K.03, subdivision 5,~~ 60K.49 and 72A.07, the program may use, and pay referral fees, commissions, or other compensation to, agents licensed as ~~life and health agents~~ insurance producers under chapter 60K or licensed under section 62C.17, regardless of whether the agents are appointed to represent the particular health carriers or community integrated service networks that provide the coverage available through the program. When acting under this subdivision, an agent is not an agent of the health carrier or community integrated service network, with respect to that transaction.

Sec. 3. Minnesota Statutes 2000, section 60A.02, subdivision 7, is amended to read:

Subd. 7. [INSURANCE AGENT OR INSURANCE AGENCY.] An "insurance agent" or "insurance agency" is ~~a person~~ an insurance producer licensed under sections 60K.30 to 60K.56 acting under express authority from, and an appointment ~~pursuant to section 60K.02~~ by, an insurer and on its behalf to solicit insurance, or to appoint other ~~agents~~ insurance producers to solicit insurance, or to write and countersign policies of insurance, or to collect premiums therefor within this state, or to exercise any or all these powers when so authorized by the insurer. The term "person" includes a natural person, a partnership, a corporation, or other entity, including an insurance agency.

Sec. 4. Minnesota Statutes 2000, section 60A.14, is amended to read:

60A.14 [FEES.]

Subdivision 1. [FEES OTHER THAN EXAMINATION FEES.] In addition to the fees and charges provided for examinations, the following fees must be paid to the commissioner for deposit in the general fund:

(a) by township mutual fire insurance companies:

- (1) for filing certificate of incorporation \$25 and amendments thereto, \$10;
- (2) for filing annual statements, \$15;
- (3) for each annual certificate of authority, \$15;

(4) for filing bylaws \$25 and amendments thereto, \$10.

(b) by other domestic and foreign companies including fraternal and reciprocal exchanges:

(1) for filing certified copy of certificate of articles of incorporation, \$100;

(2) for filing annual statement, \$225;

(3) for filing certified copy of amendment to certificate or articles of incorporation, \$100;

(4) for filing bylaws, \$75 or amendments thereto, \$75;

(5) for each company's certificate of authority, \$575, annually.

(c) the following general fees apply:

(1) for each certificate, including certified copy of certificate of authority, renewal, valuation of life policies, corporate condition or qualification, \$25;

(2) for each copy of paper on file in the commissioner's office 50 cents per page, and \$2.50 for certifying the same;

(3) for license to procure insurance in unadmitted foreign companies, \$575;

(4) for valuing the policies of life insurance companies, one cent per \$1,000 of insurance so valued, provided that the fee shall not exceed \$13,000 per year for any company. The commissioner may, in lieu of a valuation of the policies of any foreign life insurance company admitted, or applying for admission, to do business in this state, accept a certificate of valuation from the company's own actuary or from the commissioner of insurance of the state or territory in which the company is domiciled;

(5) for receiving and filing certificates of policies by the company's actuary, or by the commissioner of insurance of any other state or territory, \$50;

(6) for each appointment of an agent filed with the commissioner, ~~a domestic insurer shall remit \$5 and all other insurers shall remit \$3~~ \$10;

(7) for filing forms and rates, \$75 per filing;

(8) for annual renewal of surplus lines insurer license, \$300.

The commissioner shall adopt rules to define filings that are subject to a fee.

Subd. 2. [RETALIATORY PROVISIONS.] When, by the laws of any other state or nation, any fines, penalties, licenses, or fees additional to, or in excess of, those imposed by this section upon foreign insurance companies and their agents, are imposed upon insurance companies of this state or their agents doing business in such state, the same fines, penalties, licenses, and fees shall be imposed upon all insurance companies of that state and their agents doing business in this state, so long as such laws of such other state remain in force. This subdivision does not apply to agent appointment fees required under subdivision 1, clause (6).

Sec. 5. Minnesota Statutes 2000, section 60A.171, subdivision 1, is amended to read:

Subdivision 1. (a) After an agency contractual relationship has been in effect for a period of three years, an insurance company writing fire or casualty loss insurance in this state may not terminate the agency contractual relationship with any appointed agent unless the company has attempted to rehabilitate the agent as provided in subdivision 4. The insurer shall provide written notice of intent to rehabilitate.

(b) If the agent and company are not able to reach a mutually acceptable plan of rehabilitation, the company may terminate the agency contractual relationship after providing written notice of termination to the agent at least 90 days in advance.

(c) The notice of termination must include the reasons for termination and a copy of the notice of intent to rehabilitate.

(d) An insurance company may not terminate an agency contract based upon any of the following:

(1) an adverse loss experience for a single year;

(2) the geographic location of the agent's auto and homeowners insurance business; or

(3) the performance of obligations required of an insurer under Minnesota Statutes.

(e) For purposes of this section, "fire or casualty loss insurance" means any line of insurance which an insurance agent with a personal lines, property, or casualty license under sections 60K.30 to 60K.56 may write in this state.

Sec. 6. Minnesota Statutes 2000, section 60A.198, subdivision 3, is amended to read:

Subd. 3. [PROCEDURE FOR OBTAINING LICENSE.] A person licensed as an agent in this state pursuant to other law may obtain a surplus lines license by doing the following:

(a) filing an application in the form and with the information the commissioner may reasonably require to determine the ability of the applicant to act in accordance with sections 60A.195 to 60A.209;

(b) maintaining an agent's license in this state;

(c) agreeing to file with the commissioner of revenue all returns required by chapter 297I and paying to the commissioner of revenue all amounts required under chapter 297I; and

(d) paying a fee as prescribed by section ~~60K.06, subdivision 2, paragraph (a), clause (4)~~ 60K.55.

Sec. 7. Minnesota Statutes 2000, section 62A.41, subdivision 4, is amended to read:

Subd. 4. [UNLICENSED SALES.] Notwithstanding section ~~60K.02, subdivision 1~~ 60K.32, a person who acts or assumes to act as an insurance ~~agent~~ producer without a valid license for the purpose of selling or attempting to sell Medicare supplement insurance, and the person who aids or abets the actor, is guilty of a felony and is subject to a civil penalty of not more than \$5,000 per violation.

Sec. 8. Minnesota Statutes 2000, section 62C.17, subdivision 5, is amended to read:

Subd. 5. A person shall not be qualified for a license if upon examination or reexamination it is determined that the person is incompetent to act as ~~an agent or solicitor~~ a producer, if the person has acted in any manner which would disqualify a person to hold a license as an insurance ~~agent or solicitor~~ producer under sections ~~60K.01 to 60K.18~~ 60K.30 to 60K.56, or if the person fails to produce documents subpoenaed by the commissioner, or fails to appear at a hearing to which the person is a party or has been subpoenaed, if the production of documents or appearance is lawfully required.

Sec. 9. Minnesota Statutes 2000, section 62D.22, subdivision 8, is amended to read:

Subd. 8. [INSURANCE AGENTS.] All agents, solicitors, and brokers engaged in soliciting or dealing with enrollees or prospective enrollees of a health maintenance organization, whether employees or under contract to the health maintenance organization, shall be subject to the provisions of sections ~~60K.01 to 60K.18~~ 60K.30 to 60K.56,

concerning the licensure of ~~health insurance agents, solicitors, and brokers, producers~~ and lawful rules thereunder. Medical doctors and others who merely explain the operation of health maintenance organizations shall be exempt from the provisions of sections ~~60K.01 to 60K.18~~ 60K.30 to 60K.56. Section ~~60K.03~~ 60K.37, subdivision ~~2~~ 1, shall not apply except as to provide for an examination of an applicant in the applicant's knowledge concerning the operations and benefits of health maintenance organizations and related insurance matters.

Sec. 10. Minnesota Statutes 2000, section 62H.10, subdivision 4, is amended to read:

Subd. 4. [BROKER.] "Broker" means an agent engaged in brokerage business pursuant to section ~~60K.08~~ 60K.49.

Sec. 11. Minnesota Statutes 2000, section 62L.12, subdivision 3, is amended to read:

Subd. 3. [AGENT'S LICENSURE.] An agent licensed under chapter 60K or section 62C.17 who knowingly and willfully breaks apart a small group for the purpose of selling individual health plans to eligible employees and dependents of a small employer that meets the participation and contribution requirements of section 62L.03, subdivision 3, is guilty of an unfair trade practice and subject to disciplinary action, including the revocation or suspension of license, under section ~~60K.11~~ 60K.43 or 62C.17. The action must be by order and subject to the notice, hearing, and appeal procedures specified in section ~~60K.11~~ 60K.43. The action of the commissioner is subject to judicial review as provided under chapter 14.

Sec. 12. Minnesota Statutes 2000, section 62S.30, is amended to read:

62S.30 [APPROPRIATENESS OF RECOMMENDED PURCHASE.]

In recommending the purchase or replacement of a long-term care insurance policy or certificate, an agent shall comply with section ~~60K.14~~ 60K.46, subdivision 4.

Sec. 13. Minnesota Statutes 2000, section 64B.33, is amended to read:

64B.33 [LICENSING OF AGENTS.]

Agents of societies shall be licensed in accordance with the provisions of chapters 60A and 60K regulating the licensing, revocation, suspension, or termination of license of resident and nonresident agents, except as otherwise provided in section ~~60K.05~~ 60K.35.

Sec. 14. Minnesota Statutes 2000, section 65B.09, subdivision 1, is amended to read:

Subdivision 1. [AGENTS' RESPONSIBILITY.] Every person licensed under sections ~~60K.02 and 60K.03~~ 60K.30 to 60K.56 who is authorized to solicit, negotiate or effect automobile insurance on behalf of any member shall:

(1) offer to place coverage through the facility for any qualified applicant who is ineligible or unacceptable for coverage in the insurer or insurers for whom the agent is authorized to solicit, negotiate or effect automobile insurance. Provided, that the failure of an agent to make such an offer to a qualified applicant shall not subject the agent to any liability to the applicant;

(2) forward to the facility all applications and any deposit premiums which are required by the plan of operation, rules and procedures of the facility, if the qualified applicant accepts the offer to have coverage placed through the facility;

(3) be entitled to receive compensation for placing insurance through the facility at the uniform rates of compensation as provided in the plan of operation, and all members shall pay such compensation.

Sec. 15. Minnesota Statutes 2000, section 72A.07, is amended to read:

72A.07 [VIOLATIONS OF LAWS RELATING TO AGENTS, PENALTIES.]

Any person, firm, or corporation violating, or failing to comply with, any of the provisions of sections ~~60K.01 to 60K.18~~ 60K.30 to 60K.56 and any person who acts in any manner in the negotiation or transaction of unlawful insurance with an insurance company not licensed to do business in the state, or who, as principal or agent, violates any provision of law relating to the negotiation or effecting of contracts of insurance, shall be guilty of a misdemeanor. Upon the filing of a complaint by the commissioner of commerce in a court of competent jurisdiction against any person violating any provisions of this section, the county attorney of the county in which the violation occurred shall prosecute the person. Upon the conviction of any agent of any violation of the provisions of sections ~~60K.01 to 60K.18~~ 60K.30 to 60K.56, the commissioner shall suspend the authority of the agent to transact any insurance business within the state for a period of not less than three months. Any insurer employing an agent and failing to procure an appointment, as required by sections ~~60K.01 to 60K.18~~ 60K.30 to 60K.56, or allowing the agent to transact business for it within the state before an appointment has been procured, shall pay the commissioner, for the use of the state, a penalty of \$25 for each offense. Each sale of an insurance policy by an agent who is not appointed by an insurance company shall constitute a separate offense, but no insurer shall be required to pay more than \$300 in penalties as a result of the activities of a single unappointed agent. In the event of failure to pay a penalty within ten days' after notice from the commissioner, the authority of the insurer to do business in this state shall be revoked by the commissioner until the penalty is paid. No insurer whose authority is revoked shall be readmitted until it shall have complied with all the terms and conditions imposed for admission in the first instance. Any action taken by the commissioner under this section shall be subject to review by the district court of the county in which the office of the commissioner is located.

Sec. 16. Minnesota Statutes 2000, section 72A.125, subdivision 2, is amended to read:

Subd. 2. [SALE BY AUTO RENTAL COMPANIES.] An auto rental company that offers or sells rental vehicle personal accident insurance, personal effects insurance, or liability insurance in this state in conjunction with the rental of a vehicle shall only sell these products if the forms and rates have met the relevant requirements of section 61A.02, 62A.02, or other relevant sections requiring approval of forms and rates taking into account the possible infrequency and severity of loss that may be incurred. An auto rental company offering insurance products for sale shall conduct a training program for its agents or employees, which must be submitted to the commissioner for approval. Sections ~~60K.01 to 60K.19~~ 60K.30 to 60K.56 do not apply if the persons engaged in the sale of these products are employees of the auto rental company who do not receive commissions or other remuneration for selling the product in addition to their regular compensation. Compensation may not be determined in any part by the sale of insurance products. The auto rental company before engaging in the sale of the product must file with the commissioner the following documents:

- (1) an appointment of the commissioner as agent for service of process;
- (2) an agreement that the auto rental company assumes all responsibility for the authorized actions of all unlicensed employees who sell the insurance product on its behalf in conjunction with the rental of its vehicles;
- (3) an agreement that the auto rental company with respect to itself and its employees will be subject to this chapter regarding the marketing of the insurance products and the conduct of those persons involved in the sale of insurance products in the same manner as if it were a licensed agent.

An auto rental company failing to file the documents in clauses (1) to (3) is guilty of an individual violation as to the unlicensed sale of insurance for each sale that occurs after August 1, 1987, until they make the required filings. Each individual sale after August 1, 1987, and prior to the filing required by this section is subject to, in addition to any other penalties allowable by law, up to a \$200 per violation fine. Further, the sale of the insurance product by an auto rental company or any employee or agent of the company after August 1, 1987, without having complied with this section shall be deemed to be in acceptance of the provisions of this section.

Insurance sold pursuant to this subdivision must be limited in availability to rental vehicle customers though coverage may extend to the customer, other drivers, and passengers using or riding in the rented vehicles; and limited in duration to a period equal to and concurrent with that of the vehicle rental.

Persons purchasing rental vehicle personal accident insurance, personal effects insurance, or liability insurance may be provided a certificate summarizing the policy provisions in lieu of a copy of the policy if a copy of the policy is available for inspection at the place of sale and a free copy of the policy may be obtained from the auto rental company's home office.

The commissioner may, after a hearing, revoke an auto rental company's right to operate under this section if the company has violated the insurance laws of this state and the revocation is in the public interest.

Sec. 17. [72A.48] [NONDISCLOSURE OF NONPUBLIC PERSONAL INFORMATION.]

No person engaged in the business of insurance shall disclose any nonpublic personal information contrary to the provisions of Title V of the Gramm-Leach-Bliley Act, United States Code, title 15, sections 6801 to 6827. A violation of this section is considered an unfair or deceptive act or practice in the business of insurance and is subject to the penalties and remedies under sections 72A.17 to 72A.32.

Sec. 18. Minnesota Statutes 2000, section 72A.201, subdivision 3, is amended to read:

Subd. 3. [DEFINITIONS.] For the purposes of this section, the following terms have the meanings given them.

(1) [ADJUSTER OR ADJUSTERS.] "Adjuster" or "adjusters" is as defined in section 72B.02.

(2) [AGENT.] "Agent" means insurance agents or insurance agencies licensed pursuant to sections ~~60K.01 to 60K.18~~ 60K.30 to 60K.56, and representatives of these agents or agencies.

(3) [CLAIM.] "Claim" means a request or demand made with an insurer for the payment of funds or the provision of services under the terms of any policy, certificate, contract of insurance, binder, or other contracts of temporary insurance. The term does not include a claim under a health insurance policy made by a participating provider with an insurer in accordance with the participating provider's service agreement with the insurer which has been filed with the commissioner of commerce prior to its use.

(4) [CLAIM SETTLEMENT.] "Claim settlement" means all activities of an insurer related directly or indirectly to the determination of the extent of liabilities due or potentially due under coverages afforded by the policy, and which result in claim payment, claim acceptance, compromise, or other disposition.

(5) [CLAIMANT.] "Claimant" means any individual, corporation, association, partnership, or other legal entity asserting a claim against any individual, corporation, association, partnership, or other legal entity which is insured under an insurance policy or insurance contract of an insurer.

(6) [COMPLAINT.] "Complaint" means a communication primarily expressing a grievance.

(7) [INSURANCE POLICY.] "Insurance policy" means any evidence of coverage issued by an insurer including all policies, contracts, certificates, riders, binders, and endorsements which provide or describe coverage. The term includes any contract issuing coverage under a self-insurance plan, group self-insurance plan, or joint self-insurance employee health plans.

(8) [INSURED.] "Insured" means an individual, corporation, association, partnership, or other legal entity asserting a right to payment under their insurance policy or insurance contract arising out of the occurrence of the contingency or loss covered by the policy or contract. The term does not apply to a person who acquires rights under a mortgage.

(9) [INSURER.] "Insurer" includes any individual, corporation, association, partnership, reciprocal exchange, Lloyds, fraternal benefits society, self-insurer, surplus line insurer, self-insurance administrator, and nonprofit service plans under the jurisdiction of the department of commerce.

(10) [INVESTIGATION.] "Investigation" means a reasonable procedure adopted by an insurer to determine whether to accept or reject a claim.

(11) [NOTIFICATION OF CLAIM.] "Notification of claim" means any communication to an insurer by a claimant or an insured which reasonably apprises the insurer of a claim brought under an insurance contract or policy issued by the insurer. Notification of claim to an agent of the insurer is notice to the insurer.

(12) [PROOF OF LOSS.] "Proof of loss" means the necessary documentation required from the insured to establish entitlement to payment under a policy.

(13) [SELF-INSURANCE ADMINISTRATOR.] "Self-insurance administrator" means any vendor of risk management services or entities administering self-insurance plans, licensed pursuant to section 60A.23, subdivision 8.

(14) [SELF-INSURED OR SELF-INSURER.] "Self-insured" or "self-insurer" means any entity authorized pursuant to section 65B.48, subdivision 3; chapter 62H; section 176.181, subdivision 2; Laws of Minnesota 1983, chapter 290, section 171; section 471.617; or section 471.981 and includes any entity which, for a fee, employs the services of vendors of risk management services in the administration of a self-insurance plan as defined by section 60A.23, subdivision 8, clause (2), subclauses (a) and (d).

Sec. 19. Minnesota Statutes 2000, section 270B.07, subdivision 1, is amended to read:

Subdivision 1. [DISCLOSURE TO LICENSING AUTHORITIES.] The commissioner may disclose return information with respect to returns filed under Minnesota tax laws to licensing authorities of the state or political subdivisions of the state to the extent necessary to enforce the license clearance programs under sections ~~60K.42~~ 60K.44, 82.27, 147.091, 148.10, 150A.08, and 270.72.

Sec. 20. [EFFECTIVE DATE.]

Sections 1 to 17 and 19 are effective July 1, 2002. Section 18 is effective July 1, 2001.

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 4, delete "a criminal penalty" and insert "penalties" and after the semicolon, insert "amending Minnesota Statutes 2000, sections 13.7191, subdivision 6; 43A.317, subdivision 12; 60A.02, subdivision 7; 60A.14; 60A.171, subdivision 1; 60A.198, subdivision 3; 62A.41, subdivision 4; 62C.17, subdivision 5; 62D.22, subdivision 8; 62H.10, subdivision 4; 62L.12, subdivision 3; 62S.30; 64B.33; 65B.09, subdivision 1; 72A.07; 72A.125, subdivision 2; 72A.201, subdivision 3; 270B.07, subdivision 1;"

Page 1, line 5, delete "chapter" and insert "chapters" and after the semicolon, insert "72A;"

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

The report was adopted.

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

H. F. No. 2036, A bill for an act relating to Goodhue county; permitting the appointment of the auditor-treasurer.

Reported the same back with the following amendments:

Page 1, line 5, after "AUDITOR-TREASURER" insert "; RECORDER"

Page 1, line 8, delete "is" and insert "and county recorder are"

Page 2, delete lines 6 to 10, and insert:

"The county board may provide for the appointment of the county auditor-treasurer and the county recorder as permitted in this act if the resolution to make the office appointed is approved by 80 percent of the members of the county board. Before the adoption of the resolution, the county board must publish a resolution notifying the public of its intent to consider adopting the option once each week for two consecutive weeks in the official publication of the county. 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. The resolution"

Page 2, line 12, delete "21" and insert "30"

Amend the title as follows:

Page 1, line 3, before the period, insert "and recorder"

With the recommendation that when so amended the bill pass.

The report was adopted.

Mares from the Committee on Education Policy to which was referred:

H. F. No. 2064, A bill for an act relating to education; establishing a task force to oversee revision of the profile of learning and develop statewide testing consistent with the revised profile of learning; appropriating money.

Reported the same back with the following amendments:

Page 1, line 24, after "develop" insert "academic"

Page 2, line 13, delete "the" and insert "tenth grade" and delete "grade 10" and insert "order"

Page 2, after line 34, insert:

"Sec. 2. [INTERIM APPLICABILITY OF PROFILE OF LEARNING REQUIREMENTS.]

Notwithstanding other law or rule to the contrary, a school district is prohibited from making state and local profile of learning requirements a condition for high school graduation until the legislature under section 1 acts to approve the task force report. If the legislature approves the task force report, a school district must implement the provisions of the revised profile of learning, consistent with the approved task force report.

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

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "providing for interim applicability of profile of learning requirements;"

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.

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

H. F. No. 2074, A bill for an act relating to contracts; regulating public works contracts; proposing coding for new law in Minnesota Statutes, chapter 15.

Reported the same back with the following amendments:

Page 1, line 19, delete "purports to waive, release, or extinguish" and insert "waives, releases, or extinguishes"

Page 1, line 20, delete "obtain" and insert "obtains"

Page 1, line 25, delete ", is against public policy and"

Page 2, line 7, delete "is not intended" and insert "does not make"

Page 2, line 8, delete "to render"

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

The report was adopted.

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

H. F. No. 2193, A bill for an act relating to motor vehicles; authorizing issuance of "choose life" license plates; establishing an adoption support account and appropriating money in the account to the commissioner of human services for grants to counties to support adoption; amending Minnesota Statutes 2000, section 168.1291, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 168.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [168.1299] [SPECIAL "CHOOSE LIFE" PLATES; ACCOUNT.]

Subdivision 1. [GENERAL REQUIREMENTS AND PROCEDURES.] (a) The registrar shall issue special "Choose Life" license plates to an applicant who:

(1) is an owner or joint owner of a passenger automobile, pickup truck, or van;

- (2) pays a fee of \$10 to cover the costs of handling and manufacturing the plates;
- (3) pays the registration tax required under section 168.013;
- (4) pays the fees required under this chapter;
- (5) pays a minimum contribution of \$25 annually to the special account created in subdivision 6; and
- (6) complies with laws and rules governing registration and licensing of vehicles and drivers.

(b) The "Choose Life" license plate application form must clearly indicate that the contribution specified under paragraph (a), clause (5), is a minimum annual contribution to receive the license plates and that the applicant may make an additional contribution to the account.

Subd. 2. [DESIGN.] The registrar shall approve the design of the special plates featuring a brightly colored, crayon-like drawing image of two children and the words "Choose Life."

Subd. 3. [NO REFUND.] Contributions under this section are not refundable.

Subd. 4. [PLATE TRANSFERS.] Notwithstanding section 168.12, subdivision 1, on payment of a transfer fee of \$5, plates issued under this section may be transferred to another passenger automobile, pickup truck, or van owned or jointly owned by the person to whom the special plates were issued.

Subd. 5. [FEES CREDITED.] The fees collected under this section, not including the contributions collected under subdivision 1, paragraph (a), clause (5), must be deposited in the state treasury and credited to the highway user tax distribution fund.

Subd. 6. [ADOPTION SUPPORT ACCOUNT.] (a) Contributions under subdivision 1, paragraph (a), clause (5), must be paid to the registrar of motor vehicles and credited to a special account known as the adoption support account, which is established in the general fund. Money in the account is annually appropriated to the registrar for distribution to the counties as provided in paragraph (b).

(b) The registrar shall distribute money in the account annually to each county in proportion to the contributions received from residents of each county into the account under subdivision 1, paragraph (a), clause (5). Each county receiving funds under this subdivision shall distribute the funds to nongovernmental, nonprofit agencies whose services are limited to counseling and meeting the physical needs of pregnant women who are committed to placing their children for adoption. Funds may not be distributed to any agency that is directly or indirectly involved in or associated with abortion activities, including (1) counseling for or referrals to abortion clinics, (2) providing medical abortion-related procedures, or (3) pro-abortion advertising. Funds may not be distributed to any agency that charges women for services received.

(c) An agency that receives funds under this subdivision must use at least 70 percent of those funds to (1) provide for the material needs of pregnant women who are committed to placing their children for adoption, including clothing, housing, medical care, food, utilities, and transportation, or (2) provide for the needs of infants awaiting placement with adoptive parents.

(d) An agency that receives funds under this subdivision shall spend any funds remaining after expenditures for the purposes of paragraph (c) for adoption counseling, training, or advertising, but not for administrative expenses, legal expenses, or capital expenditures.

(e) An agency that receives funds under this subdivision shall submit an annual audit, prepared by a certified public accountant, to the county. The county may conduct a consolidated audit in lieu of the annual audit. Unused funds that exceed ten percent of the funds received by an agency in a fiscal year must be returned to the county, and the county shall distribute these funds to other qualified agencies.

Subd. 7. [RECORD.] The registrar of motor vehicles shall maintain a record of the number of license plates issued in each county.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 2001."

Amend the title as follows:

Page 1, line 5, delete "commissioner of human services" and insert "registrar of motor vehicles"

Page 1, line 6, delete everything after the semicolon

Page 1, delete line 7

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

The report was adopted.

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

H. F. No. 2203, A bill for an act relating to highways; allowing judicial review of public purpose and necessity for taking property for county highway or town road; amending Minnesota Statutes 2000, sections 163.12, subdivisions 7, 10; 164.07, subdivisions 7, 10.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 46, 177, 724, 910, 977, 1026, 1160, 1219, 1270, 1280, 1292, 1304, 1409, 1487, 1497, 1516, 1583, 1634, 1655, 1657, 1687, 1734, 1742, 1764, 1850, 1857, 1889 and 2036 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 930, 971 and 972 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Lindner; Rhodes; Clark, K.; Mahoney; Olson; Davids; Walz; Hackbarth; Westerberg; Sertich; Larson and Ruth introduced:

H. F. No. 2258, A bill for an act relating to housing; housing finance agency; consolidating supportive housing related programs into the housing trust fund program; consolidating development and redevelopment programs into the economic development and challenge fund program; consolidating the full cycle homeownership services program and the foreclosure prevention and assistance programs; lengthening the time after which a loan under the rehabilitation loan program may be forgiven; eliminating tenant income limits under the home improvement loan program for the owner-occupied rental buildings; authorizing project-based rental assistance in the bridges program; authorizing the aggregation of earnings from investments of moneys appropriated to the agency; making technical and conforming changes; amending Minnesota Statutes 2000, sections 462A.01; 462A.03, subdivisions 1, 6, 10, and by adding a subdivision; 462A.04, subdivision 6; 462A.05, subdivisions 14, 14a, 16, 22, and 26; 462A.06, subdivisions 1 and 4; 462A.07, subdivisions 10 and 12; 462A.073, subdivision 1; 462A.15; 462A.17, subdivision 3; 462A.20, subdivision 3; 462A.201, subdivisions 2 and 6; 462A.204, subdivision 3; 462A.205, subdivisions 4 and 4a; 462A.209; 462A.2091, subdivision 3; 462A.2093, subdivision 1; 462A.2097; 462A.21, subdivisions 5, 10, and by adding subdivisions; 462A.222, subdivision 1a; 462A.24; and 462A.33, subdivisions 1, 2, 3, 5, and by adding a subdivision; Laws 2000, chapter 488, article 8, section 2, subdivision 6; repealing Minnesota Statutes 2000, sections 462A.201, subdivision 4; 462A.207; 462A.209, subdivision 4; 462A.21, subdivision 17; 462A.221, subdivision 4; 462A.30, subdivision 2; and 462A.33, subdivisions 4, 6, and 7.

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

Gunther, Harder and Kalis introduced:

H. F. No. 2259, A bill for an act relating to medical assistance; providing a rate increase for a nursing home in Martin county; appropriating money; amending Minnesota Statutes 2000, section 256B.434, by adding a subdivision.

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

Gunther, Harder and Kalis introduced:

H. F. No. 2260, A bill for an act relating to medical assistance; providing a rate increase for a nursing home in Martin county; appropriating money; amending Minnesota Statutes 2000, section 256B.434, by adding a subdivision.

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

Daggett, Erhardt, Walker and Dempsey introduced:

H. F. No. 2261, A bill for an act relating to charitable organizations; exempting certain sales to benefit certain charitable organizations from the sales and use tax; providing that certain employer distributions to persons who have made payroll or retirement deductions for combined charitable organizations are not lotteries; amending Minnesota Statutes 2000, sections 297A.70, subdivision 13; 609.75, subdivision 1.

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

Fuller, Skoe, Lieder, Penas, Solberg and Kalis introduced:

H. F. No. 2262, A bill for an act relating to capital improvements; appropriating money to construct the Headwaters Science Center in Bemidji; authorizing the sale of state bonds.

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

Erickson; Anderson, B., and Kielkucki introduced:

H. F. No. 2263, A bill for an act relating to elections; authorizing use of certain tribal identification cards for election day registration purposes; amending Minnesota Statutes 2000, section 201.061, subdivision 3.

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

Walz; Tuma; Johnson, J.; Eastlund; Penas and Jacobson introduced:

H. F. No. 2264, A bill for an act relating to crime; providing mandatory minimum sentences for offenders convicted of certain criminal sexual conduct crimes; amending Minnesota Statutes 2000, sections 609.342, subdivision 2; and 609.343, subdivision 2.

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

Skoe and Lieder introduced:

H. F. No. 2265, A bill for an act relating to libraries; providing a grant for the Fosston public library accessibility project; appropriating money.

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

Jacobson, by request, introduced:

H. F. No. 2266, A bill for an act relating to the environment; placing a mandatory deposit on all beverage containers; establishing redemption centers; requiring a report; appropriating money; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 116F.

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

Lipman introduced:

H. F. No. 2267, A bill for an act relating to metropolitan agricultural preserves; permitting an exception to the maximum residential density requirement of long-term agricultural land under certain specific conditions; amending Minnesota Statutes 2000, section 473H.03, by adding a subdivision.

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

Skoe, Howes and Daggett introduced:

H. F. No. 2268, A bill for an act relating to taxation; property; including certain small resorts in 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.

Gunther, Swenson, Bakk, Dorn, Lieder, Rukavina, Sertich, Skoe, Winter and Peterson introduced:

H. F. No. 2269, A bill for an act relating to education finance; increasing state equalization aid for school district debt service levies and operating referendum revenue; amending Minnesota Statutes 2000, sections 123B.53, subdivisions 4, 5; 126C.17, subdivisions 5, 6, 7, 8.

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

Kahn; Skoglund; Clark, J.; Smith and Luther introduced:

H. F. No. 2270, A bill for an act relating to judgments; providing for the disclosure and satisfaction of certain outstanding judgment debts; proposing coding for new law in Minnesota Statutes, chapter 550.

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

McGuire introduced:

H. F. No. 2271, A bill for an act relating to violence; requiring the department of children, families, and learning to prepare a report on effective ways to control juvenile access to violent video games; requiring a scientific study on how violent video games encourage aggressive acts by juveniles.

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

Abeler, Westerberg, Tingelstad, Bernardy, Koskinen and Hackbarth introduced:

H. F. No. 2272, A bill for an act relating to human services; providing a rate adjustment for a nursing facility in Anoka county; amending Minnesota Statutes 2000, section 256B.434, by adding a subdivision.

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

Knoblach introduced:

H. F. No. 2273, A bill for an act relating to capital improvements; reenacting certain corrective amendments made by Laws 2000, chapter 499, sections 12, 15, 17, and 18, to the last Omnibus Capital Improvements Act, Laws 2000, chapter 492, article 1, section 1; section 22, subdivision 3; section 25; and section 26, subdivision 1.

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

McGuire introduced:

H. F. No. 2274, A bill for an act relating to family and early childhood education; allowing adult basic education programs to apply for telecommunications access grants; allowing adult basic education programs to apply for telecommunications access revenue; appropriating money; amending Minnesota Statutes 2000, sections 125B.20, subdivisions 1, 2, 4; 125B.25, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 124D; repealing Laws 1997, First Special Session chapter 4, article 9, section 13, as amended.

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

Anderson, B.; Cassell; Erickson; Mares; Dehler; Lipman; Gerlach; Oskopp; Marquart; Otremba; Luther; Thompson; Johnson, S.; Paulsen; Johnson, J.; Seifert; Molnau; Davids; Rifenberg; Kuisle; Lindner; Holberg; Olson; Hackbarth; Vandever and Howes introduced:

H. F. No. 2275, A bill for an act relating to education; providing for instruction in the proper etiquette, display, and respect of the United States flag; amending Minnesota Statutes 2000, section 121A.11, by adding a subdivision.

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

Kahn, Oskopp, Kelliher, Ozment, Jennings, Wagenius, Hilty, Hausman and Osthoff introduced:

H. F. No. 2276, A bill for an act relating to the environment; restricting outdoor light pollution; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Jennings and Eastlund introduced:

H. F. No. 2277, A bill for an act relating to education; describing a continual learning plan; ensuring that a pupil enrolled in a learning year program has sufficient time to complete district graduation requirements; establishing a process to correct audit findings; prohibiting a penalty; amending Minnesota Statutes 2000, sections 124D.128, subdivision 3, by adding a subdivision; 126C.05, subdivision 15.

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

Otremba, Greiling and Anderson, I., introduced:

H. F. No. 2278, A bill for an act relating to agriculture; providing funding for mental health consulting support to farm families and business operators; appropriating money.

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

Dawkins introduced:

H. F. No. 2279, A bill for an act relating to tax increment financing; city of St. Paul; authorizing special income limits for a housing district.

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

Milbert and Pugh introduced:

H. F. No. 2280, A bill for an act relating to retirement; Minnesota state retirement system general state employees retirement plan; authorizing the purchase of service credit as a department of transportation laborer 1 by certain persons.

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

Swenson introduced:

H. F. No. 2281, A bill for an act relating to education; authorizing a fund transfer for independent school district No. 2859, Glencoe-Silver Lake; authorizing an additional levy for independent school district No. 2859, Glencoe-Silver Lake.

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

Osskopp introduced:

H. F. No. 2282, A bill for an act relating to taxes; sales and use tax; exempting construction materials and equipment for a maintenance facility in the city of Hastings and for improvement of the city hall in the city of Lake City; amending Minnesota Statutes 2000, sections 297A.71, by adding subdivisions; 297A.75.

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

Johnson, R.; Kahn; Tingelstad; Wagenius and Huntley introduced:

H. F. No. 2283, A bill for an act relating to health; requiring a study of the level of strontium 90 in baby teeth of small children; appropriating money.

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

Stanek introduced:

H. F. No. 2284, A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water or wetlands in Hennepin county.

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

Carlson introduced:

H. F. No. 2285, A bill for an act relating to retirement; providing for a prior service credit purchase from the Minneapolis teachers retirement fund association; repealing Laws 2000, chapter 461, article 19, section 6.

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

Erickson, Penas, Carlson, Dorn and Marquart introduced:

H. F. No. 2286, A bill for an act relating to education; addressing the state's teacher shortage; providing for the mentoring of new teachers in order to improve instruction and retain qualified teachers; improving recruitment of excellent teachers in science, math, industrial technology, and special education and in rural areas; establishing a loan repayment program; providing for rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 122A.

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

Smith and Opatz introduced:

H. F. No. 2287, A bill for an act relating to retirement; including certain employees in the correctional employees retirement plan; providing coverage for prior state service; amending Minnesota Statutes 2000, section 352.91, by adding a subdivision.

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

Ness, Finseth, Westrom and Davids introduced:

H. F. No. 2288, A bill for an act relating to animal feedlots; providing state cost-share money for the expense of certain feedlot environmental reviews; appropriating money.

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

Osskopp introduced:

H. F. No. 2289, A bill for an act relating to education; providing for instruction in the proper etiquette, display, and respect of the United States flag; amending Minnesota Statutes 2000, section 121A.11, by adding a subdivision.

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

Opatz and Dehler introduced:

H. F. No. 2290, A bill for an act relating to higher education; Minnesota state colleges and universities; providing for acquisition of certain facilities by the board of trustees; modifying source of funding for certain capital improvements at St. Cloud State University; amending Minnesota Statutes 2000, section 136F.60, subdivision 2; Laws 2000, chapter 492, article 1, section 3, subdivision 19.

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

Skoglund and Stanek introduced:

H. F. No. 2291, A bill for an act relating to crime victims; implementing an automated victim notification system; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

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

Stanek introduced:

H. F. No. 2292, A bill for an act relating to transportation; appropriating money to metropolitan council for demonstration pilot project to provide express bus service between downtown Minneapolis and locations outside transit taxing district.

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

Leighton, Davids, Schumacher and Jennings introduced:

H. F. No. 2293, A bill for an act relating to manufactured homes; clarifying the amount that may be charged to residents for utility services; amending Minnesota Statutes 2000, section 327C.04, subdivision 3.

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

Clark, K.; Skoglund and Koskinen introduced:

H. F. No. 2294, A bill for an act relating to insurance; health; regulating preadoption coverage; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Mullery; Erhardt; Abrams; Paulsen; Lenczewski; Skoglund; Leppik; Smith; Seagren; Kelliher; Rhodes; Hilstrom; Dibble; Clark, K.; Wagenius; Kahn; Carlson; Gleason; Luther and Sykora introduced:

H. F. No. 2295, A bill for an act relating to courts; providing for tax court jurisdiction in certain property tax cases; amending Minnesota Statutes 2000, sections 271.01, subdivision 5; 271.21, subdivision 2.

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

Otremba introduced:

H. F. No. 2296, A bill for an act relating to family and early childhood education finance; creating a pilot parent education program for parents of children ages five to 18; appropriating money.

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

Marquart and Milbert introduced:

H. F. No. 2297, A bill for an act relating to taxation; property; changing the formula for determining limited market value; extending the sunset date 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.

Clark, K.; Gray; Fuller and Walker introduced:

H. F. No. 2298, A bill for an act relating to employment; providing funding for various opportunities industrialization center programs; appropriating money.

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

Davnie, Bernardy and Goodwin introduced:

H. F. No. 2299, A bill for an act relating to education; removing the prohibition on rules relating to special education caseloads or number of pupils; establishing a measurement for special education caseloads; amending Minnesota Statutes 2000, section 125A.07; 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.

Haas and Huntley introduced:

H. F. No. 2300, A bill for an act relating to health care; providing for assessments of proposed health coverage mandates; amending Minnesota Statutes 2000, section 62J.152, subdivisions 1, 7; proposing coding for new law in Minnesota Statutes, chapter 62J.

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

Rhodes introduced:

H. F. No. 2301, A bill for an act relating to taxation; sales and use; exempting sales of investment coins and bullion; amending Minnesota Statutes 2000, section 297A.67, by adding a subdivision.

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

Ness, Skoe, Solberg, Bakk and Kuisle introduced:

H. F. No. 2302, A bill for an act relating to game and fish; limiting hunters to taking one deer annually; amending Minnesota Statutes 2000, sections 97A.075, subdivision 1; 97A.411, subdivision 3; 97A.441, subdivision 7; 97B.301, subdivisions 2, 7; repealing Minnesota Statutes 2000, sections 97A.485, subdivision 2a; 97B.301, subdivision 4.

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

Huntley, Swapinski and Jaros introduced:

H. F. No. 2303, A bill for an act relating to human services; providing an exception to the nursing home moratorium; 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 Finance.

Kielkucki and Cassell introduced:

H. F. No. 2304, A bill for an act relating to education; requiring school boards to allow nonpublic school students to be eligible to fully participate in extracurricular activities; amending Minnesota Statutes 2000, sections 123B.36, subdivision 1; and 123B.49, subdivision 4.

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

Hausman and Entenza introduced:

H. F. No. 2305, A bill for an act relating to highways; directing commissioner of transportation to place directional signs for certain colleges and universities on I-94.

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

Jennings introduced:

H. F. No. 2306, A bill for an act relating to economic development; coordinating drinking water and wastewater funding requests; authorizing rulemaking; amending Minnesota Statutes 2000, section 446A.07, subdivisions 4 and 11.

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

Pugh and Milbert introduced:

H. F. No. 2307, A bill for an act relating to public employment; extending the probationary period for firefighters; amending Minnesota Statutes 2000, section 420.08.

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

Kuisle, Rifenberg, Molnau, Ruth and Lieder introduced:

H. F. No. 2308, A bill for an act relating to taxes; sales and use; exempting purchases for certain road projects; amending Minnesota Statutes 2000, section 297A.70, by adding a subdivision.

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

Kuisle, Molnau and Holberg introduced:

H. F. No. 2309, A bill for an act relating to highways; prohibiting the commissioner of transportation from using certain considerations in programming or constructing trunk highway projects.

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

McGuire introduced:

H. F. No. 2310, A bill for an act relating to commerce; banning the sale or rental of certain video games to children; prohibiting the public showing, display, or other exhibition of certain video games in specified places; providing remedies; requiring a study; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 325I.

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

McGuire introduced:

H. F. No. 2311, A bill for an act relating to education; early childhood developmental screening; amending Minnesota Statutes 2000, sections 121A.16; 121A.17, subdivisions 1, 3, 4, 5; 121A.19.

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

Walker introduced:

H. F. No. 2312, A bill for an act relating to child protection; changing a presumption in proceedings for termination of parental rights; amending Minnesota Statutes 2000, section 260C.301, subdivision 1.

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

Opatz introduced:

H. F. No. 2313, A bill for an act relating to education; providing for tenth grade testing; amending Minnesota Statutes 2000, section 120B.30, subdivision 1.

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

Schumacher introduced:

H. F. No. 2314, A bill for an act relating to retirement; providing correctional plan coverage for the director of the Reshape program; amending Minnesota Statutes 2000, section 352.91, subdivision 3d.

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

Knoblach introduced:

H. F. No. 2315, A bill for an act relating to appropriations; appropriating money to assist the St. Cloud police department to purchase crime lab equipment.

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

Wenzel introduced:

H. F. No. 2316, A bill for an act relating to liens; modifying lien for attorney fees; making clarifying and technical changes; amending Minnesota Statutes 2000, section 481.13.

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

Knoblach introduced:

H. F. No. 2317, A bill for an act relating to higher education; appropriating money to the board of trustees of the Minnesota state colleges and universities for a collaborative program for teacher recruitment and development between St. Cloud State University and independent school district No. 742, St. Cloud.

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

Rhodes, Bishop and Biernat introduced:

H. F. No. 2318, A bill for an act relating to elections; limiting independent expenditures by political parties on behalf of their own candidates as a condition of receiving a public subsidy; requiring additional public disclosure; changing times and procedures for distribution of certain public subsidies; limiting certain multicandidate expenditures by political parties; changing certain requirements; limiting certain contributions; imposing civil penalties; appropriating money; amending Minnesota Statutes 2000, sections 10A.01, subdivision 18; 10A.20, subdivision 6b, by adding a subdivision; 10A.25, subdivision 1, by adding subdivisions; 10A.27, subdivisions 2, 10; 10A.275, subdivision 1; 10A.28, subdivision 1; 10A.31, subdivisions 5, 7, by adding a subdivision; 10A.322; 290.06, subdivision 23.

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

Johnson, R.; Otremba; Dorn; Gunther and Tingelstad introduced:

H. F. No. 2319, A bill for an act relating to employment; appropriating money for the dislocated homemaker program.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. Nos. 910, 1031, 1428, 1047 and 1413.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 910, A bill for an act relating to traffic regulations; redefining "residential roadway"; amending Minnesota Statutes 2000, section 169.01, subdivision 81.

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

S. F. No. 1031, A bill for an act relating to veterans; changing certain educational assistance provisions; amending Minnesota Statutes 2000, section 197.75, subdivisions 1 and 2.

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

S. F. No. 1428, A bill for an act relating to crime prevention; clarifying the impaired driving consecutive sentencing provisions; amending Minnesota Statutes 2000, sections 169A.28, subdivision 2; 609.035, subdivision 2.

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

S. F. No. 1047, A bill for an act relating to data practices; apartment manager background checks; requiring certain checks to be performed on individuals who have resided in Minnesota less than ten years; amending Minnesota Statutes 2000, section 299C.68, subdivisions 2 and 3.

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

S. F. No. 1413, A bill for an act relating to corrections; requiring the commissioner of corrections to contract with the commissioner of human services for background studies of individuals providing services in secure and nonsecure juvenile residential and detention facilities; amending Minnesota Statutes 2000, section 241.021, subdivision 6.

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

CONSENT CALENDAR

Pawlenty moved that the Consent Calendar be continued. The motion prevailed.

CALENDAR FOR THE DAY

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

MOTIONS AND RESOLUTIONS

Mulder moved that the name of Davnie be added as an author on H. F. No. 91. The motion prevailed.

Huntley moved that the name of Abeler be added as an author on H. F. No. 279. The motion prevailed.

Mares moved that the names of Sykora and Jacobson be added as authors on H. F. No. 1058. The motion prevailed.

Tingelstad moved that the names of Bernardy and Jacobson be added as authors on H. F. No. 1199. The motion prevailed.

Tingelstad moved that the names of Bernardy and Jacobson be added as authors on H. F. No. 1200. The motion prevailed.

Tingelstad moved that the names of Abeler, Greiling, Evans, Goodwin and Johnson, J., be added as authors on H. F. No. 1534. The motion prevailed.

Boudreau moved that the name of Abeler be added as an author on H. F. No. 1590. The motion prevailed.

Westerberg moved that the name of Abeler be added as an author on H. F. No. 1842. The motion prevailed.

Abeler moved that the name of Jacobson be added as an author on H. F. No. 1850. The motion prevailed.

Workman moved that the name of Abeler be added as an author on H. F. No. 1891. The motion prevailed.

Walker moved that the name of Abeler be added as an author on H. F. No. 1925. The motion prevailed.

Goodno moved that the name of Abeler be added as an author on H. F. No. 1958. The motion prevailed.

Vandever moved that the name of Abeler be added as an author on H. F. No. 1965. The motion prevailed.

Koskinen moved that the name of Abeler be added as an author on H. F. No. 1972. The motion prevailed.

Gray moved that the name of Abeler be added as an author on H. F. No. 1974. The motion prevailed.

Erhardt moved that the name of Abeler be added as an author on H. F. No. 1979. The motion prevailed.

Bernardy moved that the name of Abeler be added as an author on H. F. No. 1995. The motion prevailed.

Johnson, J., moved that the name of Harder be added as an author on H. F. No. 2107. The motion prevailed.

Bernardy moved that the name of Abeler be added as an author on H. F. No. 2145. The motion prevailed.

Dauids moved that the name of Westerberg be added as an author on H. F. No. 2170. The motion prevailed.

Jacobson moved that the name of Greiling be added as an author on H. F. No. 2185. The motion prevailed.

Kelliher moved that the names of Gleason and Dibble be added as authors on H. F. No. 2187. The motion prevailed.

Vandever moved that the names of Seagren and Ozment be added as authors on H. F. No. 2193. The motion prevailed.

Stang moved that the name of Rhodes be added as an author on H. F. No. 2241. The motion prevailed.

Anderson, B., moved that H. F. No. 214, now on the General Register, be re-referred to the Committee on State Government Finance. The motion prevailed.

Stanek moved that H. F. No. 260 be recalled from the Committee on Judiciary Finance and be re-referred to the Committee on State Government Finance. The motion prevailed.

Seagren moved that H. F. No. 422 be recalled from the Committee on Jobs and Economic Development Finance and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

Leppik moved that H. F. No. 735 be recalled from the Committee on Judiciary Finance and be re-referred to the Committee on Crime Prevention. The motion prevailed.

Dempsey moved that H. F. No. 910, now on the General Register, be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

Murphy moved that H. F. No. 912 be recalled from the Committee on Judiciary Finance and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

McElroy moved that H. F. No. 1270, now on the General Register, be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Krinkie moved that H. F. No. 1669 be recalled from the Committee on Commerce, Jobs and Economic Development and be re-referred to the Committee on Local Government and Metropolitan Affairs. The motion prevailed.

Smith moved that H. F. No. 1697 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Civil Law. The motion prevailed.

Larson moved that H. F. No. 1704 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Civil Law. The motion prevailed.

Rhodes moved that H. F. No. 1859 be recalled from the Committee on Jobs and Economic Development Finance and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

Stanek moved that H. F. No. 2227 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Judiciary Finance. The motion prevailed.

Huntley, Swapinski, Murphy, Kahn, Jaros, Sertich, Pugh, Hilstrom, McGuire, Milbert and Solberg introduced:

House Resolution No. 12, A house resolution congratulating the University of Minnesota-Duluth women's hockey team on winning the 2001 NCAA Women's Ice Hockey Championship.

The resolution was referred to the Committee on Higher Education Finance.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, March 29, 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., Thursday, March 29, 2001.

EDWARD A. BURDICK, Chief Clerk, House of Representatives