

## STATE OF MINNESOTA

## EIGHTY-SECOND SESSION — 2001

## THIRTY-THIRD DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 11, 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 Lonnie E. Titus, House Chaplain.

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

The roll was called and the following members were present:

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

A quorum was present.

Biernat, Krinkie, Luther, Milbert and Murphy were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Mulder 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. 1056 and H. F. No. 1172, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Workman moved that the rules be so far suspended that S. F. No. 1056 be substituted for H. F. No. 1172 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1709 and H. F. No. 1404, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kuisle moved that S. F. No. 1709 be substituted for H. F. No. 1404 and that the House File be indefinitely postponed. The motion prevailed.

## PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

April 9, 2001

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

Dear Speaker Sviggum:

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

H. F. No. 556, relating to peace officers; authorizing federal law enforcement officers to exercise their arrest authority in this state under certain circumstances.

Sincerely,

JESSE VENTURA  
Governor

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

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable Don Samuelson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2001 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2001</i>	<i>Date Filed 2001</i>
	556	16	10:23 a.m. April 9	April 9
400		17	10:23 a.m. April 9	April 9

Sincerely,

MARY KIFFMEYER  
Secretary of State

### REPORTS OF STANDING COMMITTEES

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

H. F. No. 62, A bill for an act relating to tornado relief; providing disaster relief and other assistance for counties designated a major disaster area due to the July 25, 2000, tornado; appropriating money.

Reported the same back with the following amendments:

Page 2, line 45, delete "8" and insert "7"

Page 3, delete section 5

Page 6, delete sections 11 and 12

Renumber the sections in sequence

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

The report was adopted.

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

H. F. No. 110, A bill for an act relating to environment; requiring a risk evaluation for certain water quality standards; proposing coding for new law in Minnesota Statutes, chapter 115.

Reported the same back with the following amendments:

Page 1, line 9, delete "determine:" and insert "adopt standards that"

Page 1, delete lines 10 to 14 and insert "adequately protect fetuses, children, and adults with a"

Page 2, delete lines 1 to 16 and insert:

"Subd. 2. [MARGIN OF RISK.] If there is insufficient information for any risk under subdivision 1, the commissioner must adopt a specific margin of safety for that risk that shall be included in the overall margin of safety to protect human health."

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

The report was adopted.

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

H. F. No. 322, A bill for an act relating to health; modifying the Minnesota Utilization Review Act; amending Minnesota Statutes 2000, sections 62M.06, subdivision 3; 62M.09, subdivisions 3, 3a, 6, by adding a subdivision; 62M.10, subdivision 7.

Reported the same back with the following amendments:

Page 3, line 28, reinstate "~~appropriately licensed in~~" and after the first "~~the~~" insert "this" and reinstate "~~state~~"

Page 3, line 29, delete the new language

Page 3, line 30, delete the new language

Page 3, line 36, delete everything after "(b)"

Page 4, delete line 1

Page 4, line 19, after "report" insert "with the annual financial statement"

Page 4, after line 32, insert:

"Sec. 7. Minnesota Statutes 2000, section 147.091, is amended by adding a subdivision to read:

Subd. 1b. [UTILIZATION REVIEW.] The board may investigate allegations and impose disciplinary action as described in section 147.141 against a physician performing utilization review for a pattern of failure to exercise that degree of care that a physician reviewer of ordinary prudence making utilization review determinations for a utilization review organization would use under the same or similar circumstances. As part of its investigative

process, the board shall receive consultation or recommendation from physicians who are currently engaged in utilization review activities. The internal and external review processes under sections 62M.06 and 62Q.73 must be exhausted prior to an allegation being brought under this subdivision. Nothing in this subdivision creates, modifies, or changes existing law related to tort liability for medical negligence. Nothing in this subdivision preempts state peer review law protection in accordance with sections 145.61 to 145.67, federal peer review law, or current law pertaining to complaints or appeals."

Reorder the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 6, before the period, insert "; 147.091, by adding a subdivision"

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.

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

H. F. No. 382, A bill for an act relating to natural resources; providing for seasonal firefighters; making temporary emergency firefighters eligible for unemployment insurance; amending Minnesota Statutes 2000, sections 88.12, by adding a subdivision; and 268.035, subdivision 20.

Reported the same back with the following amendments:

Page 6, line 14, delete "Section 1 is" and insert "Sections 1 and 2 are"

Page 6, delete line 15

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

The report was adopted.

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

H. F. No. 440, A bill for an act relating to probate; providing for a background study before appointment of guardians or conservators; authorizing access to data on substantiated maltreatment of vulnerable adults; providing for background study systems and records in the department of human services; amending Minnesota Statutes 2000, section 525.539, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 245A; 525.

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.

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

H. F. No. 441, A bill for an act relating to the job skills partnership board; changing the membership of the board; imposing term limits; amending Minnesota Statutes 2000, section 116L.03, subdivisions 2, 3, and 5.

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.

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

H. F. No. 702, A bill for an act relating to human services; amending the local intervention grant formula; amending Minnesota Statutes 2000, section 256J.625.

Reported the same back with the following amendments:

Page 2, line 6, delete "\$5,000" and insert "\$20,000"

Page 3, line 22, delete the new language and strike "1" and insert "1b"

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. 918, A bill for an act relating to health; providing for certain disclosures and training in the care of Alzheimer's patients; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 144A.4605, subdivision 4, is amended to read:

Subd. 4. [LICENSE REQUIRED.] (a) A housing with services establishment registered under chapter 144D that is required to obtain a home care license must obtain an assisted living home care license according to this section or a class A or class E license according to rule. A housing with services establishment that obtains a class E license under this subdivision remains subject to the payment limitations in sections 256B.0913, subdivision 5, paragraph (h), and 256B.0915, subdivision 3, paragraph (g).

(b) A board and lodging establishment registered for special services as of December 31, 1996, and also registered as a housing with services establishment under chapter 144D, must deliver home care services according to sections 144A.43 to 144A.48, and may apply for a waiver from requirements under Minnesota Rules, parts 4668.0002 to 4668.0240, to operate a licensed agency under the standards of section 157.17. Such waivers as may be granted by the department will expire upon promulgation of home care rules implementing section 144A.4605.

(c) An adult foster care provider licensed by the department of human services and registered under chapter 144D may continue to provide health-related services under its foster care license until the promulgation of home care rules implementing this section.

(d) An assisted living home care provider licensed under this section must comply with the disclosure provisions of section 325F.691 to the extent they are applicable.

Sec. 2. Minnesota Statutes 2000, section 144D.03, is amended by adding a subdivision to read:

Subd. 1a. [REVIEW OF DISCLOSURE REQUIREMENTS.] As part of the registration process under this chapter, the commissioner shall examine for accuracy the written disclosure required under section 325F.691, if applicable.

Sec. 3. Minnesota Statutes 2000, section 144D.04, subdivision 2, is amended to read:

Subd. 2. [CONTENTS OF CONTRACT.] An elderly housing with services contract, which need not be entitled as such to comply with this section, shall include at least the following elements in itself or through supporting documents or attachments:

- (1) name, street address, and mailing address of the establishment;
- (2) the name and mailing address of the owner or owners of the establishment and, if the owner or owners is not a natural person, identification of the type of business entity of the owner or owners;
- (3) the name and mailing address of the managing agent, through management agreement or lease agreement, of the establishment, if different from the owner or owners;
- (4) the name and address of at least one natural person who is authorized to accept service on behalf of the owner or owners and managing agent;
- (5) statement describing the registration and licensure status of the establishment and any provider providing health-related or supportive services under an arrangement with the establishment;
- (6) term of the contract;
- (7) description of the services to be provided to the resident in the base rate to be paid by resident;
- (8) description of any additional services available for an additional fee from the establishment directly or through arrangements with the establishment;
- (9) fee schedules outlining the cost of any additional services;
- (10) description of the process through which the contract may be modified, amended, or terminated;
- (11) description of the establishment's complaint resolution process available to residents including the toll-free complaint line for the office of ombudsman for older Minnesotans;
- (12) the resident's designated representative, if any;
- (13) the establishment's referral procedures if the contract is terminated;
- (14) criteria used by the establishment to determine who may continue to reside in the elderly housing with services establishment;

(15) billing and payment procedures and requirements;

(16) statement regarding the ability of residents to receive services from service providers with whom the establishment does not have an arrangement; and

(17) statement regarding the availability of public funds for payment for residence or services in the establishment.

Sec. 4. Minnesota Statutes 2000, section 144D.06, is amended to read:

144D.06 [OTHER LAWS.]

A housing with services establishment shall obtain and maintain all other licenses, permits, registrations, or other governmental approvals required of it in addition to registration under this chapter. A housing with services establishment is subject to the provisions of section 325F.691 and chapter 504B.

Sec. 5. [325F.691] [DISCLOSURE OF SPECIAL CARE STATUS REQUIRED.]

Subdivision 1. [PERSONS TO WHOM DISCLOSURE IS REQUIRED.] Housing with services establishments, as defined in sections 144D.01 to 144D.07, that secure, segregate, or provide a special program or special unit for residents with a diagnosis of Alzheimer's disease or other dementias or that advertise, market, or otherwise promote the establishment as providing specialized care for Alzheimer's disease or other dementias are considered a "special care unit." All special care units shall provide a written disclosure to the following:

(1) the commissioner of health;

(2) the office of ombudsman for older Minnesotans; and

(3) each person seeking placement within a residence, or the person's authorized representative, before an agreement to provide the care is entered into.

Subd. 2. [CONTENT.] Written disclosure shall include, but is not limited to, the following:

(1) a statement of the overall philosophy and how it reflects the special needs of residents with Alzheimer's disease or other dementias;

(2) the criteria for determining who may reside in the special care unit;

(3) the process used for assessment and establishment of the service plan or agreement, including how the plan is responsive to changes in the resident's condition;

(4) staffing credentials, job description, and staff duties and availability, including any training specific to dementia;

(5) physical environment as well as design and security features that specifically address the needs of residents with Alzheimer's disease or other dementias;

(6) frequency and type of programs and activities for residents of the special care unit;

(7) involvement of families in resident care and availability of family support programs;

(8) fee schedules for additional services to the residents of the special care unit; and

(9) a statement that residents will be given a written notice 30 days prior to changes in the fee schedule.



Subd. 3. [DUTY TO UPDATE.] Substantial changes to disclosures must be reported to the parties listed in subdivision 1 at the time the change is made.

Subd. 4. [REMEDY.] The attorney general may seek the remedies set forth in section 8.31 for repeated or flagrant violations of this section. However, no private right of action may be maintained as provided under section 8.31, subdivision 3a."

Delete the title and insert:

"A bill for an act relating to health; requiring certain disclosures in providing care to Alzheimer's and other dementia patients; amending Minnesota Statutes 2000, sections 144A.4605, subdivision 4; 144D.03, by adding a subdivision; 144D.04, subdivision 2; 144D.06; proposing coding for new law in Minnesota Statutes, chapter 325F."

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.

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

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

Reported the same back with the 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. 1019, A bill for an act relating to transportation; modifying certain state contract procedures; providing for posting highway construction and maintenance bids or bid records electronically or over the Internet; modifying seasonal highway weight limitations; making clarifying changes; amending Minnesota Statutes 2000, sections 16C.05, subdivision 2; 16C.06, subdivisions 1, 2; 16C.08, subdivision 2; 161.32, subdivisions 1, 1b, 1e; 169.825, subdivision 11.

Reported the same back with the following amendments:

Pages 1 and 2, delete sections 1 and 2

Page 2, lines 26 and 34, delete "\$100,000" and insert "\$50,000"

Page 3, delete section 4

Page 6, after line 11, insert:

"Sec. 6. Minnesota Statutes 2000, section 169.87, is amended by adding a subdivision to read:

Subd. 7. [READY-MIX VEHICLES.] Until June 30, 2004, weight restrictions imposed under subdivisions 1 and 2 do not apply to a vehicle that does not exceed 14,000 pounds per single axle while carrying ready-mix and traveling to or from a job site."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "16C.05, subdivision 2;" and delete "subdivisions 1," and insert "subdivision"

Page 1, line 9, delete "16C.08, subdivision 2;"

Page 1, line 10, before the period, insert "; 169.87, by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

Holsten from the Committee on Environment and Natural Resources Finance to which was referred:

H. F. No. 1083, A bill for an act relating to agriculture; appropriating money for beaver damage control grants.

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.

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

H. F. No. 1293, A bill for an act relating to state government; codifying reorganization order No. 181; transferring the remaining duties of the commissioner of public service to the commissioner of commerce; providing for inspection of light capacity scales; transferring the administration and enforcement of the Unfair Cigarette Sales Act from the commissioner of revenue to the commissioner of commerce; appropriating money; amending Minnesota Statutes 2000, sections 3C.12, subdivision 2; 13.679; 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 16B.32, subdivision 2; 16B.335, subdivision 4; 16B.56, subdivision 1; 16B.76, subdivision 1; 17.86, subdivision 3; 18.024, subdivision 1; 43A.08, subdivision 1a; 45.011, subdivision 1; 45.012; 103F.325, subdivisions 2 and 3; 115A.15, subdivision 5; 116O.06, subdivision 2; 123B.65, subdivisions 1, 3, and 5; 161.45, subdivision 1; 168.61, subdivision 1; 169.073; 174.03, subdivision 7; 181.30; 216A.01; 216A.035; 216A.036; 216A.05, subdivision 1; 216A.07, subdivision 1; 216A.08; 216A.085, subdivision 3; 216B.02, subdivisions 1, 7, and 8; 216B.16, subdivisions 1, 2, 6b, and 15; 216B.162, subdivisions 7 and 11; 216B.1675, subdivision 9; 216B.241, subdivisions 1a, 1b, and 2b; 216C.01, subdivisions 1, 2, and 3; 216C.051, subdivision 6; 216C.37, subdivision 1; 216C.40, subdivision 4; 237.02; 237.075, subdivisions 2 and 9; 237.082; 237.21; 237.30; 237.462, subdivision 6; 237.51, subdivisions 1, 5, and 5a; 237.52, subdivisions 2, 4, and 5; 237.54, subdivision 2; 237.55; 237.59, subdivision 2; 237.768; 239.01; 239.10; 270.06; 297F.04, subdivision 1; 297F.13, subdivision 4; 325D.33, subdivision 8, and by adding a subdivision; 325D.405; 325D.415; 325E.11; 325E.115, subdivision 2; 326.243; and 484.50; repealing Minnesota Statutes 2000, sections 216A.06; 237.69, subdivision 3; and 325D.33, subdivision 5.

Reported the same back with the following amendments:

Pages 1 to 51, delete sections 1 to 70

Pages 52 to 56, delete sections 72 to 77

Page 56, line 17, delete "This article" and insert "Section 1"

Page 64, line 20, after the period, insert "Consistent with Minnesota Statutes, section 15.039, subdivision 6, the commissioner of finance shall transfer a portion of the general fund appropriations in fiscal years 2002 and 2003 for the department of revenue to the department of commerce for the enforcement and administration of Minnesota Statutes, sections 325D.30 to 325D.42."

Page 64, delete lines 21 to 26

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "codifying reorganization"

Page 1, delete lines 3 and 4

Page 1, line 5, delete "of commerce;"

Page 1, line 9, delete "appropriating money;"

Page 1, line 10, delete everything after "sections"

Page 1, delete lines 11 to 14

Page 1, line 15, delete "subdivision 1a;" and delete "45.012;"

Page 1, delete lines 16 to 31

Page 1, line 32, delete "237.768; 239.01;"

Page 1, line 34, delete "325E.11;"

Page 1, delete line 35

Page 1, lines 36 and 37, delete "sections 216A.06; 237.69, subdivision 3; and" and insert "section"

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

The report was adopted.

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

H. F. No. 1310, A bill for an act relating to construction; giving the state building official final authority for interpreting the State Building Code and prescribing its enforcement; requiring municipalities to submit annual reports on construction-related fees; regulating construction-related fees; prohibiting municipalities from requiring waivers of rights as a condition for issuance of a construction-related permit; amending Minnesota Statutes 2000, sections 16B.61, subdivision 1; 16B.62, subdivision 1; 16B.63, by adding a subdivision; 326.90, subdivision 1; 462.353, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 16B; 462.

Reported the same back with the following amendments:

Page 2, line 26, delete "more restrictive than" and insert "different from"

Page 2, line 27, before the period, insert "unless local physical conditions merit otherwise as determined by the municipality"

With the recommendation that when so amended the bill pass.

The report was adopted.

Molnau from the Committee on Transportation Finance to which was referred:

H. F. No. 1365, A bill for an act relating to agriculture; providing grants and incentives to motor fuel outlets that install pumps and equipment to dispense cleaner fuel; providing five-year tax exemption for E85 fuel; appropriating money; amending Minnesota Statutes 2000, sections 296A.07, subdivision 3; 297A.68, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 41A.

Reported the same back with the following amendments:

Delete page 2, line 32, to page 3, line 2, and insert:

"(b) The commissioner of finance shall transfer the following amounts from the general fund to the highway user tax distribution fund on the first day of the fiscal years indicated:

(1) for fiscal year 2002, \$220,000; and

(2) for fiscal years 2003 through 2006, \$500,000.

These transfers are intended to reimburse the highway user tax distribution fund for the loss of revenue for fiscal years 2002 through 2006 resulting from section 2."

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

The report was adopted.

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

H. F. No. 1376, A bill for an act relating to human services; changing certain licensing provisions; amending Minnesota Statutes 2000, sections 13.46, subdivision 4; 144.057, subdivision 3; 214.104; 245A.03, subdivision 2b; 245A.04, subdivisions 3a, 3b, 3c, 3d; 245A.05; 245A.06; 245A.07; 245A.08; 245A.16, subdivision 1; 245B.08, subdivision 3; 256.045, subdivisions 3, 3b, 4; 626.556, subdivision 10i; 626.557, subdivisions 3, 9d; 626.5572, subdivision 17.

Reported the same back with the following amendments:

Page 28, line 32, after the headnote insert "(a)"

Page 29, after line 19, insert:

"(b) The commissioner is liable to the license holder for exemplary and actual damages of not more than \$50,000 when:

(1) the commissioner immediately suspends a license under paragraph (a);

(2) the administrative law judge determines, after a review of the facts in an expedited hearing under chapter 14 and Minnesota Rules, parts 1400.5100 to 1400.5900, that the immediate suspension was unwarranted based on the facts; and

(3) a final determination has been made.

The state is deemed to have waived any immunity to a cause of action for an unwarranted immediate suspension of a license under paragraph (a)."

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.

Ness from the Committee on Agriculture and Rural Development Finance to which was referred:

H. F. No. 1547, A bill for an act relating to agriculture; extending certain advisory committees and a review board; changing provisions of the value-added agricultural product processing and marketing grant program; eliminating the late fee for renewal of a license to use the Minnesota grown logo or labeling; clarifying a term related to the Minnesota grown matching account; providing for uniformity with certain federal dairy regulations; changing provisions of the shared savings loan program and the sustainable agriculture demonstration grant program; changing certain shell egg regulations; changing financing provisions of a cooperative meat inspection program; clarifying the definition of agricultural land; modifying provisions relating to the rural finance authority; prohibiting tampering with clock-hour meters on farm tractors; prescribing criminal and civil penalties; providing a coyote conflict management option; suspending a rule; repealing obsolete or unnecessary provisions; amending Minnesota Statutes 2000, sections 15.059, subdivision 5a; 17.101, subdivision 5; 17.102, subdivision 3; 17.109, subdivision 3; 17.115; 17.116; 17.136; 18B.305, subdivision 3; 28A.20; 29.23, subdivisions 2, 3, 4; 29.237; 31.101, by adding a subdivision; 31A.21, subdivision 2; 32.21, subdivision 4; 32.394, subdivision 4; 32.415; 32.475, subdivision 2; 32.70, subdivisions 7, 8; 41B.025, subdivision 1; 41B.03, subdivision 2; 41B.036; 41B.043, subdivisions 1b, 2; 41B.046, subdivision 2; 97B.001, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 325E; 348; repealing Minnesota Statutes 2000, sections 17.039; 17.042; 17.06; 17.07; 17.108; 17.139; 17.45; 17.4996; 17.76; 17.861; 17A.091, subdivision 1; 17B.21; 17B.23; 17B.24; 17B.25; 17B.26; 17B.27; 18.205; 24.001; 24.002; 24.12; 24.131; 24.135; 24.141; 24.145; 24.151; 24.155; 24.161; 24.171; 24.175; 24.18; 24.181; 25.47; 27.185; 29.025; 29.049; 30.50; 30.51; 31.185; 31.73; 31B.07; 32.11; 32.12; 32.18; 32.19; 32.20; 32.203; 32.204; 32.206; 32.208; 32.471, subdivision 1; 32.474; 32.481, subdivision 2; 32.529; 32.53; 32.531, subdivisions 1, 5, 6, 7; 32.5311; 32.5312; 32.532; 32.533; 32.534; 32.55, subdivisions 15, 16, 17; 33.001; 33.002; 33.01; 33.011; 33.02; 33.03; 33.031; 33.032; 33.06; 33.07; 33.08; 33.09; 33.091; 33.111; 35.04; 35.14; 35.84.

Reported the same back with the following amendments:

Page 5, after line 10, insert:

"Sec. 2. Minnesota Statutes 2000, section 17.039, is amended to read:

17.039 [ETHICAL GUIDELINES FOR FARM ADVOCATES.]

~~The commissioner of agriculture shall establish not later than August 1, 1986, ethical guidelines for farm advocates who perform the duties of an advocate. The Ethical guidelines developed by the commissioner must be part of the contract with each farm advocate."~~

Page 6, delete lines 21 to 27

Page 27, line 32, delete "17.039;"

Page 28, line 10, delete "2" and insert "3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, delete line 6

Page 1, line 7, delete "or labeling;"

Page 1, line 22, after "5a;" insert "17.039;" and delete "17.102, subdivision 3;"

Page 1, line 33, delete "17.039;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Holsten from the Committee on Environment and Natural Resources Finance to which was referred:

H. F. No. 1612, A bill for an act relating to waters; modifying water appropriation permit provisions; establishing fees; amending Minnesota Statutes 2000, sections 103G.271, subdivisions 1, 5, and 5a; and 103G.301, subdivision 2.

Reported the same back with the following amendments:

Page 4, after line 1, insert:

"Sec. 5. [DAM INVENTORY AND ASSESSMENT.]

The commissioner of natural resources shall cooperate with the United States Army Corps of Engineers in carrying out the inventory and assessment, and the repair of dams that are a risk to public safety, that were constructed in this state by the Works Progress Administration, the Works Projects Administration, and the Civilian Conservation Corps, as mandated by section 524 of Public Law Number 106-541."

Amend the title as follows:

Page 1, line 3, after "fees;" insert "requiring cooperation with a dam inventory;"

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. 1704, A bill for an act relating to government data; authorizing dissemination of certain juvenile data; amending Minnesota Statutes 2000, sections 299C.095, subdivision 1; and 299C.13.

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. 1782, A bill for an act relating to natural resources; adding a river as a canoe and boating route; amending Minnesota Statutes 2000, section 85.32, subdivision 1.

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. 1807, A bill for an act relating to children; providing for measures to improve child support collection and enforcement; providing civil penalties; amending Minnesota Statutes 2000, sections 13B.06, subdivision 7; 256.741, subdivisions 1, 5, and 8; 256.979, subdivisions 5 and 6; 393.07, by adding a subdivision; 518.5513, subdivision 5; 518.575, subdivision 1; 518.5851, by adding a subdivision; 518.5853, by adding a subdivision; 518.6195; 518.64, subdivision 2; 518.641, subdivisions 1, 2, 3, and by adding a subdivision; and 548.091, subdivision 1a; repealing Minnesota Statutes 2000, section 518.641, subdivisions 4 and 5.

Reported the same back with the following amendments:

Page 6, line 1, after "funds" insert "by certified mail"

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.

Wolf from the Committee on Regulated Industries to which was referred:

H. F. No. 1817, A bill for an act relating to utilities; modifying provisions regulating utility facilities in railroad rights-of-way; amending Minnesota Statutes 2000, section 237.04.

Reported the same back with the following amendments:

Page 2, after line 32, insert:

"(d) For the purposes of this section, "parallel" or "paralleling" means that the relevant utility facilities run adjacent to and alongside the lines of a railroad for no more than 2,640 feet, or another distance agreed to by the parties, before the utility facilities cross the railroad lines, terminate, or exit the railroad right-of-way.

## Sec. 2. [DEPARTMENT TO MAKE RECOMMENDATIONS.]

The commissioner of commerce shall work with interested parties to develop recommendations on issues involving the use of public and private rights-of-way for utility facilities and shall report those recommendations to the chairs of the house of representatives and senate committees with jurisdiction over utility and transportation issues by November 15, 2001."

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. 1871, A bill for an act relating to human services; changing the supplementary service rate; amending Minnesota Statutes 2000, section 256I.05, subdivision 1d.

Reported the same back with the following amendments:

Page 1, line 11, strike "for the fiscal year ending June 30, 1998"

Page 2, line 20, delete "for case mix A" and insert "of the adult case mix class A rate established for purposes of the community alternatives for disabled individuals program"

Page 2, after line 20, insert:

"Sec. 2. Minnesota Statutes 2000, section 256I.05, is amended by adding a subdivision to read:

Subd. 1f. [SUPPLEMENTARY SERVICE RATE INCREASES ON OR AFTER JULY 1, 2001.] For rate years beginning on or after July 1, 2001, a county agency may increase the supplementary service rate for recipients of assistance under section 256I.04 who reside in a residence that is licensed by the commissioner of health as a boarding care home but is not certified for purposes of the medical assistance program. The supplementary service rate shall not exceed the nonfederal share of the statewide weighted average monthly medical assistance nursing facility payment rate for case mix class A.

## Sec. 3. [APPROPRIATION.]

\$...... is appropriated from the general fund to the commissioner of human services for the biennium beginning July 1, 2001, for the purposes of sections 1 and 2."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "appropriating money;"

Page 1, line 4, after "1d" insert ", by adding a subdivision"

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance without further recommendation.

The report was adopted.



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

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

Reported the same back with the following amendments:

Page 3, line 3, strike "expires on"

Page 3, line 4, strike "June 30," and delete "2006" and insert "does not expire"

Page 7, line 14, delete "84B.11" and insert "16B.58, subdivision 7"

Amend the title as follows:

Page 1, line 10, delete "statutory" and insert "the parking surcharge for vehicles occupied by one person;"

Page 1, delete line 11

Page 1, line 12, delete "National Park;"

Page 1, line 18, delete "84B.11" and insert "16B.58, subdivision 7"

With the recommendation that when so amended the bill pass.

The report was adopted.

McElroy from the Committee on Jobs and Economic Development Finance 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 penalties; 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; proposing coding for new law in Minnesota Statutes, chapters 60K; 72A; 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, line 28, delete "60K.29 and 60K.42" and insert "60K.31 and 60K.53"

Page 44, delete section 17

Page 46, line 29, delete "17 and 19" and insert "16 and 18"

Page 46, line 30, delete "18" and insert "17"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 13, delete "chapters" and insert "chapter" and delete "72A;"

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. 2132, A bill for an act relating to marriage; changing the license fee; providing for a reduced fee for couples who obtain premarital education; providing for disposition of the fee; modifying funding mechanisms for parenting time centers and the MN ENABL program; appropriating money; amending Minnesota Statutes 2000, section 517.08, subdivisions 1b and 1c.

Reported the same back with the following amendments:

Page 2, line 14, delete "\$15" and insert "\$20"

Pages 3 and 4, delete sections 2 and 3 and insert:

"Sec. 2. Minnesota Statutes 2000, section 517.08, subdivision 1c, is amended to read:

Subd. 1c. [DISPOSITION OF LICENSE FEE.] (a) Of the marriage license fee collected pursuant to subdivision 1b, paragraph (a), \$15 must be retained by the county. The court administrator ~~shall~~ must pay \$55 to the state treasurer to be deposited as follows:

(1) \$50 in the general fund;

(2) \$3 in the special revenue fund to be appropriated to the commissioner of children, families, and learning for supervised parenting time facilities under section 119A.37; and

(3) \$2 in the special revenue fund to be appropriated to the commissioner of health for developing and implementing the MN ENABL program under section 145.9255.

(b) Of the \$20 fee under subdivision 1b, paragraph (b), \$15 must be retained by the county. The state court administrator must pay \$5 to the state treasurer to be distributed as provided in paragraph (a), clauses (2) and (3)."

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, delete line 6

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

The report was adopted.

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

H. F. No. 2147, A bill for an act relating to the city of South St. Paul; declaring that it is a public purpose for the city to transfer a certain parcel of real estate to a private entity for construction of single-family housing.

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

The report was adopted.

Holsten from the Committee on Environment and Natural Resources Finance to which was referred:

H. F. No. 2191, A bill for an act relating to appropriations; appropriating money for local road wetland replacement.

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.

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

H. F. No. 2225, A bill for an act relating to workers' compensation; making technical changes; requiring interest earned on revenue collected by the special compensation fund to be deposited into the fund; extending a pilot program; providing for payment of various penalties to the commissioner of labor and industry; amending Minnesota Statutes 2000, sections 176.042, subdivision 2; 176.102, subdivisions 3a, 11, 14; 176.103, subdivision 3; 176.129, subdivisions 10, 13, by adding a subdivision; 176.1351, subdivision 5; 176.138; 176.1812, subdivision 6; 176.191, subdivision 1a; 176.194, subdivision 4; 176.221, subdivisions 1, 3, 3a, 6; 176.231, subdivisions 2, 6, 10; 176.238, subdivision 10; repealing Minnesota Statutes 2000, section 176.445.

Reported the same back with the following amendments:

Page 12, after line 18, insert:

"Sec. 13. Minnesota Statutes 2000, section 176.192, is amended to read:

176.192 [BOMB DISPOSAL UNIT EMPLOYEES.]

For purposes of this chapter, a member of a bomb disposal unit approved by the commissioner of public safety and employed by a municipality defined in section 466.01, is considered an employee of the department of public safety solely for the purposes of this chapter when disposing of or neutralizing bombs or other similar hazardous explosives, as defined in section 299C.063, ~~for another municipality or otherwise~~ outside the jurisdiction of the employer-municipality ~~but within the state.~~"

Page 17, line 30, delete "22" and insert "23"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, after "1a;" insert "176.192;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sykora from the Committee on Family and Early Childhood Education Finance to which was referred:

H. F. No. 2229, A bill for an act relating to education; early childhood; modifying the definition of child; establishing a pool of up to two percent of the annual appropriation to provide assistance to children age 14; amending Minnesota Statutes 2000, sections 119B.011, subdivision 4; 119B.02, subdivision 1.

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

The report was adopted.

Leppik from the Committee on Higher Education Finance to which was referred:

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.

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.

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

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.

Reported the same back with the following amendments:

Page 2, after line 19, insert:

"Sec. 3. Minnesota Statutes 2000, section 446A.07, is amended by adding a subdivision to read:

Subd. 12. [DESIGNATED GROWTH AREAS.] A municipality may identify areas for new development that will connect to an existing wastewater treatment system and are consistent with its comprehensive land use plan as designated growth areas. Notwithstanding subdivisions 10 and 11, the commissioner of the pollution control agency,

with concurrence from the authority and commissioner of the state planning agency or the metropolitan council, may place projects for new collection systems in designated growth areas on the project priority list with a minimum of 100 points in order to encourage future development in areas of the state that are less environmentally sensitive.

Sec. 4. Minnesota Statutes 2000, section 473.516, subdivision 1, is amended to read:

Subdivision 1. [ACQUISITION AND OPERATION.] Without limiting the grant or enumeration of any of the powers conferred on the council under sections 473.501 to 473.549, the council shall have the specific power to acquire by purchase, lease, condemnation, gift or grant any real or personal property, positive and negative easements and water and air rights, and it may construct, enlarge, improve, replace, repair, maintain and operate waste facilities in the metropolitan area deemed to be necessary or convenient in connection with the processing or disposal of waste resulting from sewage treatment, and the council may contract for the maintenance and operation of such waste facilities, subject to the bidding requirements of section 473.523. The council must ensure that each metropolitan wastewater treatment plant must plan for and be capable of adequate sewage sludge disposal capacity that equally disperses servicing throughout the metropolitan area. Septic system sludge disposal must be provided by the council at the closest wastewater treatment plant to the septic systems needing maintenance and disposal. The council may authorize towns and townships to establish sites for the collection of sewage sludge before ultimate disposal, and towns and townships may contract with other cities for this purpose. The council may accept for processing waste derived from outside the metropolitan area in the state, as well as waste derived from within the metropolitan area, and may fix and collect fees and charges for the acceptance of waste as the council determines to be reasonable, but the fees and charges must be equitable to all metropolitan sludge disposal users of the treatment systems."

Page 2, line 22, delete "implementing" and insert "incorporating"

Page 2, line 24, delete the old period and insert a new period

Page 2, after line 24, insert:

"Sec. 6. [EFFECTIVE DATE.]

Section 4 is effective the day following final enactment."

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "modifying prioritization process for water pollution control funding; modifying metropolitan sewage sludge disposal;"

Page 1, line 5, delete "section" and insert "sections" and delete "and 11" and insert ", 11, by adding a subdivision; 473.516, subdivision 1"

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. 2350, A bill for an act relating to local government; specifying means of financing multijurisdictional programs in Hennepin county; amending Minnesota Statutes 2000, section 383B.79, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 10, delete "or"

Page 1, delete line 11

Page 1, line 12, delete "goals of the multijurisdictional program."

Page 1, delete lines 14 and 15

Page 1, line 16, delete "the multijurisdictional program" and insert "include any part of the costs of a project described in section 469.002, subdivision 12"

Page 1, line 23, after "transit" insert ", commuter rail."

Page 1, line 24, delete "it" and insert "either of those" and delete everything after "building"

Page 1, delete line 25

Page 2, delete line 1 and insert "designed or used primarily for professional sports."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "authorizing Hennepin county to include costs of certain projects in a capital improvement plan and the issuance of bonds therefor; imposing some restrictions on the capital improvement purposes;"

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

The report was adopted.

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

H. F. No. 2362, A resolution memorializing Congress to pass legislation requiring cigarettes that are less likely to start fires.

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

The report was adopted.

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

H. F. No. 2390, A bill for an act relating to human services; including coverage under medical assistance for targeted case management services; providing targeted case management services; amending Minnesota Statutes 2000, section 256B.0625, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256B.

Reported the same back with the following amendments:

Page 7, line 9, delete "non-county-contracted" and insert "contracted" and after "providers" insert "other than the county"

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. 2413, A bill for an act relating to human services; providing monthly rates for group residential housing; amending Minnesota Statutes 2000, sections 144D.01, subdivision 4; 256L.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 144D.

Reported the same back with the following amendments:

Page 5, line 12, delete everything after the period

Page 5, delete lines 13 to 19

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.

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

S. F. No. 1301, A bill for an act relating to changing certain bid and performance and payment bond thresholds; amending Minnesota Statutes 2000, section 469.015, subdivisions 1, 2, 3, and 5.

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

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 702, 1007, 1019, 1310, 1547, 1612, 1704, 1817, 1938, 1955 and 2225 were read for the second time.

## **SECOND READING OF SENATE BILLS**

S. F. Nos. 1056, 1709 and 1301 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Osskopp introduced:

H. F. No. 2433, A bill for an act relating to vulnerable adults; modifying provisions dealing with assessment and investigation of reports; providing for enforcement authority by the attorney general over certain offenses against vulnerable adults; amending Minnesota Statutes 2000, sections 8.31, subdivision 1; 256.021, subdivision 3; 626.557, subdivisions 9c, 9e, 10, 12b.

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

Dibble; Kelliher; Davnie; Opatz; Mariani; Clark, K.; Gray and Hausman introduced:

H. F. No. 2434, A bill for an act relating to highways; establishing categories of community preservation routes in the county state-aid highway system and municipal state-aid street system; providing for adoption of construction and reconstruction; proposing coding for new law in Minnesota Statutes, chapter 162.

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

Gleason introduced:

H. F. No. 2435, A bill for an act relating to real property; property adjacent to Cedar Avenue in Richfield; requiring transfer by the metropolitan airports commission of the property.

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

McElroy, Sviggum and Abrams introduced:

H. F. No. 2436, A bill for an act relating to taxation; reducing the taconite production tax rate; providing for payment of the taconite production tax in installments; providing for certain grants from the Minnesota minerals 21st century fund; changing distributions of the production tax; providing an exemption from the sales tax for certain tangible personal property used in the taconite industry; making sales of capital equipment used in taconite mining and refining an up-front exemption; amending Minnesota Statutes 2000, sections 116J.423; 297A.68, subdivision 5, by adding a subdivision; 297A.75, subdivision 1; 298.24, subdivision 1; 298.27; 298.28, subdivisions 4, 6, 7, 9a, 9b, 10; repealing Minnesota Statutes 2000, section 298.28, subdivision 9.

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

Erickson, Lindner, Eastlund, Holberg, Sykora and Seagren introduced:

H. F. No. 2437, A bill for an act relating to education; providing for gender separated wrestling teams; amending Minnesota Statutes 2000, section 121A.04, subdivision 3; repealing Minnesota Rules, part 3535.3200, subpart 4.

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



Winter, Peterson and Kubly introduced:

H. F. No. 2438, A bill for an act relating to agriculture; requiring a study of and report on certain grain inspection fees; appropriating money.

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

Gerlach, Pawlenty, Holberg, Ozment, Wilkin and Dempsey introduced:

H. F. No. 2439, A bill for an act relating to Dakota county; appropriating money for feasibility and environmental studies and preliminary engineering for the Cedar Avenue transportation corridor.

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

Stang introduced:

H. F. No. 2440, A bill for an act relating to taxes; sales and use; exempting materials and supplies used in the construction of a combined city and fire hall in the city of Rockville; amending Minnesota Statutes 2000, section 297A.71, by adding a subdivision.

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

Dehler; Milbert; Anderson, I.; Gunther and Sertich introduced:

H. F. No. 2441, A bill for an act relating to the state lottery; authorizing the director of the state lottery to establish video lottery terminals; providing duties and powers to the director of the state lottery; providing for the use of video lottery revenues; prescribing penalties; providing for local authority to adopt regulation of the lottery; amending Minnesota Statutes 2000, sections 297A.259; 349A.01, subdivisions 10, 11, 12, by adding subdivisions; 349A.06, subdivisions 1, 5, 8, by adding subdivisions; 349A.07, subdivision 1; 349A.08, subdivisions 1, 5, 8; 349A.09, subdivision 1; 349A.10, subdivisions 2, 3, 4, 5; 349A.11; 349A.12, subdivisions 1, 2; 349A.13; 609.651, subdivision 1; 609.75, subdivision 4; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 349A; repealing Minnesota Statutes 2000, section 349A.06, subdivision 10.

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

Gunther introduced:

H. F. No. 2442, A bill for an act relating to capital improvements; appropriating wastewater funding for the city of Lewisville; authorizing state bonds.

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

Vandevor and Workman introduced:

H. F. No. 2443, A bill for an act relating to highways; designating the speed limit on Anoka county state-aid highway No. 49 in the city of Lino Lakes; requiring a reconstructed highway segment to have a design speed of 45 miles per hour.

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

McElroy, Lenczewski and Milbert introduced:

H. F. No. 2444, A bill for an act relating to tax increment financing; requiring registration and providing for regulation of consultants; proposing coding for new law in Minnesota Statutes, chapter 469.

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

Anderson, I., introduced:

H. F. No. 2445, A bill for an act relating to education; providing that a dismissed pupil may not enroll in another school district to avoid being dismissed under the Pupil Fair Dismissal Act; providing that a behavior agreement between a district and pupil may carry to a new enrolling district; amending Minnesota Statutes 2000, section 121A.55.

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

Folliard introduced:

H. F. No. 2446, A bill for an act relating to education; providing for on-line learning; amending Minnesota Statutes 2000, section 126C.05, subdivision 15.

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

Abrams, Milbert, Lenczewski and McElroy introduced:

H. F. No. 2447, A bill for an act relating to taxation; making minor and technical changes in tax increment financing, abatement, and related development statutes; amending Minnesota Statutes 2000, sections 273.1399, subdivision 6; 276A.01, subdivision 3; 469.174, subdivisions 10, 10a, 12; 469.175, subdivision 1, by adding a subdivision; 469.176, subdivisions 1b, 1c, 1e, 3, 4, 4g, by adding a subdivision; 469.177, subdivision 1; 469.178, by adding a subdivision; 469.1812, subdivision 2; 469.1813, subdivisions 4, 6; 475.58, subdivision 1; amending Laws 1997, chapter 231, article 10, section 25; Laws 2000, chapter 490, article 11, section 26.

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

Davnie; Kahn; Dibble; Clark, K.; Mariani and Walker introduced:

H. F. No. 2448, A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 1; authorizing permanent resident noncitizens to vote in local elections.

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

Daggett, Lenczewski and McElroy introduced:

H. F. No. 2449, A bill for an act relating to taxation; use tax; authorizing certain taxpayers to file and pay use tax with the income tax return; amending Minnesota Statutes 2000, sections 289A.08, subdivision 13; and 289A.11, subdivision 1.

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

Rukavina, Sertich, Bakk and Howes introduced:

H. F. No. 2450, A bill for an act relating to taxation; changing the rate of the taconite production tax; providing for distribution of taconite production tax proceeds; changing the definition of tax relief area for certain purposes; providing state aid to certain local governments receiving certain taconite production tax distributions; appropriating money; amending Minnesota Statutes 2000, sections 116J.424; 126C.48, subdivision 8; 273.134; 273.135, subdivisions 1, 2; 273.136, subdivision 2; 273.1391, subdivision 2; 276A.01, subdivision 2; 298.018, subdivisions 1, 2; 298.17; 298.22, subdivision 2, by adding a subdivision; 298.2211, subdivision 2; 298.2213, subdivision 3; 298.2214, subdivision 1; 298.223, subdivision 1; 298.225, subdivision 1; 298.24, subdivision 1; 298.28, subdivisions 1, 3, 4, 6, 7, 9, 9a, 9b, 10, 11, 15; 298.282, subdivision 1; 298.292, subdivision 2; 298.293; 298.298; 471.58.

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

Wenzel introduced:

H. F. No. 2451, A bill for an act relating to education finance; establishing a laboratory school to develop innovative teaching techniques that enhance student learning under the direction of the Little Falls school district at the Randall school building in the Little Falls school district; authorizing the renovation of the Randall facility; appropriating money.

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

Folliard introduced:

H. F. No. 2452, A bill for an act relating to environment; requiring toxic pollution prevention plans to include specific provisions on reducing persistent bioaccumulative toxics; providing a surcharge on releases of persistent bioaccumulative toxics; providing for information on persistent bioaccumulative toxics for pollution permits; providing funding for the pollution prevention program relating to persistent bioaccumulative toxics; appropriating money; amending Minnesota Statutes 2000, sections 115D.03, by adding subdivisions; 115D.07, subdivision 2; 115D.08, subdivision 1; 115D.10; 115D.12, subdivision 1, by adding a subdivision; 116.07, by adding a subdivision.

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

Davnie; Kahn; Gray; Dibble; Clark, K.; Mariani and Walker introduced:

H. F. No. 2453, A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 1; authorizing local units of government to permit permanent resident noncitizens to vote in local elections.

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

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 47, A bill for an act relating to economic development; requiring a closed iron mine and related facilities to be maintained for a period of time; providing extra unemployment benefits for certain workers laid off from the LTV Mining Company; amending Minnesota Statutes 2000, section 93.003.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 974, 1269, 1919 and 2005.

PATRICK E. FLAHAVEN, Secretary of the Senate

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

S. F. No. 974, A bill for an act relating to local government; adding exceptions to the local public officer's conflict of interest law; amending Minnesota Statutes 2000, section 471.88, by adding subdivisions.

The bill was read for the first time.

Solberg moved that S. F. No. 974 and H. F. No. 610, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1269, 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.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 1919, A bill for an act relating to the city of St. Paul; changing the membership and appointment process of the citizen review panel for neighborhood investments from the city's part of the sales tax; amending Laws 1998, chapter 389, article 8, section 37, subdivision 2.

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

S. F. No. 2005, A bill for an act relating to highways; designating the State Trooper Theodore "Ted" Foss Memorial Highway; amending Minnesota Statutes 2000, section 161.14, by adding a subdivision.

The bill was read for the first time.

Stanek moved that S. F. No. 2005 and H. F. No. 2161, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

### CONSENT CALENDAR

H. F. No. 2119, A bill for an act relating to charitable organizations; amending report filing requirements; amending Minnesota Statutes 2000, section 309.53, subdivisions 1, 2.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

### CALENDAR FOR THE DAY

H. F. No. 1280 was reported to the House.

Seagren moved that H. F. No. 1280 be returned to the General Register. The motion prevailed.

### MOTIONS AND RESOLUTIONS

Mullery moved that the name of Clark, K., be added as an author on H. F. No. 23. The motion prevailed.

Mullery moved that the name of Clark, K., be added as an author on H. F. No. 41. The motion prevailed.

Bernardy moved that the names of Wagenius; Walker; Biernat; Koskinen; Skoglund; Clark, K.; Dibble; Kahn; Gray; Davnie; Mullery and Gleason be added as authors on H. F. No. 524. The motion prevailed.

Dehler moved that the name of Otremba be added as an author on H. F. No. 748. The motion prevailed.

Gunther moved that the names of Penas and Juhnke be added as authors on H. F. No. 1003. The motion prevailed.

Rifenberg moved that her name be stricken as an author on H. F. No. 1323. The motion prevailed.

Mulder moved that the name of Penas be added as an author on H. F. No. 1337. The motion prevailed.

Dorman moved that the name of Juhnke be added as an author on H. F. No. 1365. The motion prevailed.

Wolf moved that his name be stricken as an author on H. F. No. 1423. The motion prevailed.

Mullery moved that the name of Clark, K., be added as an author on H. F. No. 1541. The motion prevailed.

Mullery moved that the name of Clark, K., be added as an author on H. F. No. 1631. The motion prevailed.

Bradley moved that the name of Abeler be added as an author on H. F. No. 1658. The motion prevailed.

Mullery moved that the name of Clark, K., be added as an author on H. F. No. 1668. The motion prevailed.

Holsten moved that the name of Schumacher be added as an author on H. F. No. 1671. The motion prevailed.

Holberg moved that the name of Juhnke be added as an author on H. F. No. 1944. The motion prevailed.

Ness moved that the name of Juhnke be added as an author on H. F. No. 2052. The motion prevailed.

Finseth moved that the name of Penas be added as an author on H. F. No. 2066. The motion prevailed.

Erickson moved that the name of Lipman be added as an author on H. F. No. 2263. The motion prevailed.

Gunther moved that the name of Harder be added as an author on H. F. No. 2269. The motion prevailed.

McElroy moved that the name of Rifenberg be added as an author on H. F. No. 2339. The motion prevailed.

Dorman moved that his name be stricken as an author on H. F. No. 2344. The motion prevailed.

McElroy moved that the name of Rifenberg be added as an author on H. F. No. 2431. The motion prevailed.

Davids moved that H. F. No. 460 be recalled from the Committee on Education Policy and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

Pawlenty moved that H. F. No. 1023, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Mares moved that H. F. No. 1647 be recalled from the Committee on Transportation Finance and be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Workman moved that H. F. No. 1790 be recalled from the Committee on Judiciary Finance and be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

McGuire moved that H. F. No. 1878 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Judiciary Finance. The motion prevailed.

Huntley moved that H. F. No. 2381 be recalled from the Committee on Higher Education Finance and be re-referred to the Committee on Health and Human Services Policy.

A roll call was requested and properly seconded.

The question was taken on the Huntley motion and the roll was called. There were 60 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Evans	Jaros	Larson	Opatz	Skoglund
Bakk	Folliard	Jennings	Leighton	Otremba	Slawik
Bernardy	Gleason	Johnson, R.	Lenczewski	Paymar	Solberg
Carlson	Goodwin	Johnson, S.	Lieder	Pelowski	Swapinski
Clark, K.	Gray	Juhnke	Mahoney	Peterson	Thompson
Davnie	Greiling	Kahn	Mariani	Pugh	Wagenius
Dawkins	Hausman	Kalis	Marko	Rukavina	Walker
Dibble	Hilstrom	Kelliher	Marquart	Schumacher	Wasiluk
Dorn	Hilty	Koskinen	McGuire	Sertich	Wenzel
Entenza	Huntley	Kubly	Mullery	Skoe	Winter

Those who voted in the negative were:

Abeler	Dempsey	Harder	Lipman	Penas	Tuma
Abrams	Dorman	Holberg	Mares	Rhodes	Vandever
Anderson, B.	Eastlund	Holsten	McElroy	Rifenberg	Walz
Bishop	Erhardt	Howes	Molnau	Ruth	Westerberg
Boudreau	Erickson	Jacobson	Mulder	Seagren	Westrom
Bradley	Finseth	Johnson, J.	Ness	Seifert	Wilkin
Buesgens	Fuller	Kielkucki	Nornes	Smith	Wolf
Cassell	Gerlach	Knoblach	Olson	Stanek	Workman
Clark, J.	Goodno	Krinkie	Osskopp	Stang	Spk. Sviggum
Daggett	Gunther	Kuisle	Ozment	Swenson	
Davids	Haas	Leppik	Paulsen	Sykora	
Dehler	Hackbarth	Lindner	Pawlenty	Tingelstad	

The motion did not prevail.

Kahn, Osthoff, Ozment, Leppik and Anderson, I., introduced:

House Concurrent Resolution No. 2, A house concurrent resolution honoring the life and service of the late Regents' Professor John R. Borchert for his countless contributions to the University and the state of Minnesota.

## SUSPENSION OF RULES

Kahn moved that the rules be so far suspended that House Concurrent Resolution No. 2 be now considered and be placed upon its adoption. The motion prevailed.

## HOUSE CONCURRENT RESOLUTION NO. 2

A house concurrent resolution honoring the life and service of the late Regents' Professor John R. Borchert for his countless contributions to the University and the state of Minnesota.

*Whereas*, Dr. John R. Borchert served his country with distinction in World War II as part of "The Greatest Generation"; and

*Whereas*, Dr. Borchert constantly challenged people to make existing institutions respond to newly identified needs, displayed unbounded curiosity about every place he visited and studied, and saw something positive in every person he met; and

*Whereas*, Dr. Borchert inspired three generations of students at the University of Minnesota to investigate their surroundings, understand their place in the world, leave it a better place than they found it, and go on to public and university service; and

*Whereas*, Dr. Borchert applied his knowledge and exercised his citizenship in the service of local land use planning and highway efforts through service in Golden Valley, the St. Croix River valley, the Metropolitan Council, the University's Center for Urban and Regional Affairs, the Minnesota Planning Agency, the Minnesota Department of Transportation, the Legislative Commission on Minnesota Resources, the Minnesota Experimental City project, and countless task forces and committees; and

*Whereas*, Dr. Borchert always impressed upon legislators he helped and other public officials the importance of acquiring appropriate natural resource data before making significant natural resource decisions; and

*Whereas*, Dr. Borchert was a pioneer in America in helping develop modern Geographic Information Systems, then using his extraordinary leadership in applying these information techniques to help protect and plan wise use of Minnesota's lands, lakes, and lakeshores; and

*Whereas*, Dr. Borchert served with distinction as a University of Minnesota Regents' Professor Emeritus of Geography, as President of the Association of American Geographers, as a contributing member of the National Academy of Sciences, as writer of several important books on national and state issues, and as the winner of several national and state awards; *Now, Therefore,*

*Be It Resolved* by the House of Representatives, the Senate concurring, that it honors the great and many contributions Dr. Borchert made to our University, to the state entities that he wisely counselled, to the many students urged on to make further contributions, and to all the state's citizens.

*Be It Further Resolved* that the Chief Clerk of the House of Representatives is directed to prepare enrolled copies of this resolution, to be authenticated by his signature and those of the Speaker of the House of Representatives, the Chair of the Senate Rules and Administration Committee, and the Secretary of the Senate, and transmit them to the family of Dr. John R. Borchert, the President of the University of Minnesota, the Chair of the Board of Regents, the Chair of the University of Minnesota Geography Department, the Director of the Center for Urban and Regional Affairs, and the Governor of Minnesota.

Kahn moved that House Concurrent Resolution No. 2 be now adopted. The motion prevailed and House Concurrent Resolution No. 2 was adopted.



ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 3:00 p.m., Tuesday, April 17, 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., Tuesday, April 17, 2001.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

