

STATE OF MINNESOTA

EIGHTY-THIRD SESSION — 2004

 SIXTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 26, 2004

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

Prayer was offered by Pastor Barbara Lindgren, United Methodist Churches in Long Prairie and Grey Eagle, 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	Demmer	Hilstrom	Latz	Otremba	Soderstrom
Abrams	Dempsey	Hilty	Lenczewski	Otto	Solberg
Adolphson	Dill	Holberg	Lesch	Ozment	Stang
Anderson, B.	Dorman	Hoppe	Lieder	Paulsen	Strachan
Anderson, I.	Dorn	Hornstein	Lindgren	Paymar	Swenson
Anderson, J.	Eastlund	Howes	Lindner	Pelowski	Thao
Atkins	Eken	Huntley	Lipman	Penas	Thissen
Beard	Ellison	Jacobson	Magnus	Peterson	Tingelstad
Bernardy	Entenza	Jaros	Mahoney	Powell	Urdahl
Biernat	Erhardt	Johnson, J.	Mariani	Pugh	Vandever
Blaine	Erickson	Johnson, S.	Marquart	Rhodes	Walker
Borrell	Finstad	Juhnke	McNamara	Rukavina	Walz
Boudreau	Fuller	Kahn	Meslow	Ruth	Wardlow
Bradley	Gerlach	Kelliher	Mullery	Samuelson	Wasiluk
Brod	Goodwin	Klinzing	Murphy	Seagren	Westerberg
Buesgens	Greiling	Knoblach	Nelson, C.	Seifert	Westrom
Carlson	Gunther	Koenen	Nelson, M.	Sertich	Wilkin
Clark	Haas	Kohls	Nelson, P.	Severson	Zellers
Cornish	Hackbarth	Krinkie	Nornes	Sieben	Spk. Sviggum
Cox	Harder	Kuisle	Olson, M.	Simpson	
Davnie	Hausman	Lanning	Opatz	Slawik	
DeLaForest	Heidgerken	Larson	Osterman	Smith	

A quorum was present.

Davids; Newman; Olsen, S.; Sykora and Wagenius were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Holberg 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. 1613 and H. F. No. 1719, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Rhodes moved that S. F. No. 1613 be substituted for H. F. No. 1719 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 1071, A bill for an act relating to traffic regulations; providing for speed limits of 65 miles per hour during daytime and 55 miles per hour during nighttime on paved two-lane trunk highways, beginning June 1, 2004; requiring a report; amending Minnesota Statutes 2002, sections 169.14, subdivision 2; 169.99, subdivision 1b; 171.12, subdivision 6.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 169.99, subdivision 1b, is amended to read:

Subd. 1b. [SPEED.] The uniform traffic ticket must provide a blank or space wherein:

(1) an officer who issues a citation for a violation of section 169.14, subdivision 2, paragraph (a), clause (3), must specify whether the speed was greater than ten miles per hour in excess of the lawful speed; and

(2) an officer who issues a citation for exceeding a speed limit of 60 miles per hour must specify whether the speed was greater than five miles per hour in excess of the lawful speed.

Sec. 2. Minnesota Statutes 2002, section 171.12, subdivision 6, is amended to read:

Subd. 6. [CERTAIN CONVICTIONS NOT RECORDED.] The department shall not keep on the record of a driver any conviction for:

(1) a violation of section 169.14, subdivision 2, paragraph (a), clause (3), unless the violation consisted of a speed greater than ten miles per hour in excess of the lawful speed; or

(2) a violation of a speed limit of 60 miles per hour unless the violation consisted of a speed greater than five miles per hour in excess of the lawful speed.

Sec. 3. [REPORT REQUIRED.]

The commissioner of transportation shall conduct engineering and traffic investigations of speeds on trunk highways that (1) are part of the United States highway numbering system, and (2) have a speed limit of 55 miles per hour. After conducting the engineering and traffic investigation on any such highway, the commissioner shall designate a speed limit of 60 miles per hour on the highway if the commissioner determines on the basis of the investigation that such a speed limit is reasonable and safe. The commissioner shall report by February 1, 2005, to

the chairs of the legislative committees having jurisdiction over transportation policy and finance on each highway on which the commissioner has conducted an engineering and traffic investigation under this section, and in each case describe the results of the investigation and the commissioner's ensuing action.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective June 1, 2004."

Delete the title and insert:

"A bill for an act relating to traffic regulations; providing that violation of 60 miles per hour speed limit that does not exceed five miles per hour not be recorded on driving record; requiring the commissioner of transportation to conduct engineering and traffic investigations on certain trunk highways and adjust speed limits accordingly; amending Minnesota Statutes 2002, sections 169.99, subdivision 1b; 171.12, subdivision 6."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1166, A bill for an act relating to natural resources; proposing an amendment to the Minnesota Constitution, by adding a section to article XI; increasing the sales tax one-fourth of one percent on taxable sales for natural resource purposes; creating a heritage enhancement fund; amending Minnesota Statutes 2002, sections 297A.62, subdivision 1; 297A.94; 297B.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 97A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

CONSTITUTIONAL AMENDMENT

Section 1. [CONSTITUTIONAL AMENDMENT.]

An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, a section will be added to article XI, to read:

Sec. 15. Beginning July 1, 2005, until June 30, 2025, the sales and use tax receipts equal to the state sales and use tax of one-fourth of one percent on sales and uses taxable under the general state sales and use tax law, plus penalties and interest and reduced by any refunds, are dedicated as follows: 38 percent of the receipts shall be deposited in the heritage enhancement fund and may be spent only to improve, enhance, or protect the state's fish, wildlife, and habitat; 27 percent of the receipts shall be deposited in the parks and trails fund and may be spent only on parks, trails, and zoos in the state; 35 percent of the receipts shall be deposited in the clean water fund and may be spent only on protection and restoration of the state's water resources. A heritage enhancement fund, park and trail fund, and clean water fund are created in the state treasury. The money dedicated under this section shall be appropriated by law and shall not be used as a substitute for traditional funding sources for the purposes specified,

but the dedicated money shall supplement traditional sources of funding for those purposes. Land acquired by fee or easement with money deposited in the heritage enhancement fund under this section must be open to public taking of fish and game during the open season unless otherwise provided by law.

Sec. 2. [SUBMISSION TO VOTERS.]

The proposed amendment shall be submitted to the people at the 2004 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to provide funding beginning July 1, 2005, to improve, enhance, or protect the state's fish, wildlife, and habitat; its parks, trails, and zoos; and its water resources by dedicating the sales and use tax receipts equal to the state sales and use tax of one-fourth of one percent on taxable sales until the year 2025?"

Yes
No"

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 apply to sales and uses occurring after June 30, 2005.

ARTICLE 2

CONFORMING CHANGES

Section 1. Minnesota Statutes 2002, section 10A.01, subdivision 35, is amended to read:

Subd. 35. [PUBLIC OFFICIAL.] "Public official" means any:

- (1) member of the legislature;
- (2) individual employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, or researcher, legislative analyst, or attorney in the Office of Senate Counsel and Research or House Research;
- (3) constitutional officer in the executive branch and the officer's chief administrative deputy;
- (4) solicitor general or deputy, assistant, or special assistant attorney general;
- (5) commissioner, deputy commissioner, or assistant commissioner of any state department or agency as listed in section 15.01 or 15.06;
- (6) member, chief administrative officer, or deputy chief administrative officer of a state board or commission that has either the power to adopt, amend, or repeal rules under chapter 14, or the power to adjudicate contested cases or appeals under chapter 14;
- (7) individual employed in the executive branch who is authorized to adopt, amend, or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;
- (8) executive director of the State Board of Investment;

- (9) deputy of any official listed in clauses (7) and (8);
- (10) judge of the Workers' Compensation Court of Appeals;
- (11) administrative law judge or compensation judge in the State Office of Administrative Hearings or referee in the Department of Economic Security;
- (12) member, regional administrator, division director, general counsel, or operations manager of the metropolitan council;
- (13) member or chief administrator of a metropolitan agency;
- (14) director of the Division of Alcohol and Gambling Enforcement in the Department of Public Safety;
- (15) member or executive director of the Higher Education Facilities Authority;
- (16) member of the board of directors or president of Minnesota Technology, Inc.; ~~or~~
- (17) member of the board of directors or executive director of the Minnesota State High School League; or
- (18) member of the Heritage Enhancement Council.

Sec. 2. [85.0195] [PARKS AND TRAILS FUND; EXPENDITURES.]

Subdivision 1. [FUND.] The parks and trails fund is established in the Minnesota Constitution, article XI, section 15. All money earned by the parks and trails fund must be credited to the fund.

Subd. 2. [EXPENDITURES.] Money in the parks and trails fund may be spent only on state and regional parks, trails, and zoos. Subject to appropriation by law, receipts to the fund must be allocated in separate accounts as follows:

- (1) 38 percent of the receipts may be spent only for state park and recreation area purposes;
- (2) 11 percent of the receipts may be spent only for state trail purposes;
- (3) 30 percent of the receipts may be spent only for metropolitan area, as defined in section 473.121, regional park and trail grants, including grant-in-aid trails;
- (4) 18 percent of the receipts may be spent only for nonmetropolitan area regional park and trail grants, including grant-in-aid trails; and
- (5) three percent of the receipts may be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory, and the Duluth Zoo.

Sec. 3. [97A.056] [HERITAGE ENHANCEMENT FUND; HERITAGE ENHANCEMENT COUNCIL.]

Subdivision 1. [HERITAGE ENHANCEMENT FUND.] (a) The heritage enhancement fund is established in the Minnesota Constitution, article XI, section 15. All money earned by the heritage enhancement fund must be credited to the fund.

(b) At least 72 percent of the money appropriated from the fund must be spent on specific fish and wildlife and habitat projects.

(c) 25 percent of the money appropriated from the fund must be spent on payments to private landowners for fishing and hunting privileges.

Subd. 2. [HERITAGE ENHANCEMENT COUNCIL.] (a) A Heritage Enhancement Council of 15 members is created, on November 15, 2004, consisting of:

(1) two members of the senate appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration;

(2) two members of the house of representatives appointed by the speaker of the house;

(3) four public members representing hunting, fishing, and wildlife interests appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration;

(4) four public members representing hunting, fishing, and wildlife interests appointed by the speaker of the house; and

(5) three public members representing hunting, fishing, and wildlife interests appointed by the governor.

(b) Legislative members appointed under paragraph (a), clauses (1) and (2), serve as nonvoting members. One member from the senate and one member from the house of representatives must be from the minority caucus. Legislative members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the council. The removal and, beginning July 1, 2005, the compensation of public members are as provided in section 15.0575.

(c) Members shall elect a chair, vice chair, secretary, and other officers as determined by the council. The chair may convene meetings as necessary to conduct the duties prescribed by this section.

(d) Membership terms are two years, except that members shall serve on the council until their successors are appointed.

(e) Vacancies occurring on the council do not affect the authority of the remaining members of the council to carry out their duties. Vacancies shall be filled in the same manner as under paragraph (a).

Subd. 3. [DUTIES OF COUNCIL.] (a) The council, in consultation with statewide and local fishing, hunting, and wildlife groups, shall develop a biennial budget plan for expenditures from the heritage enhancement fund. The biennial budget plan may include grants to statewide and local fishing, hunting, and wildlife groups to improve, enhance, or protect fish and wildlife resources.

(b) In the biennial budget submitted to the legislature, the governor shall submit separate budget detail for planned expenditures from the heritage enhancement fund as recommended by the council.

(c) As a condition of acceptance of an appropriation from the heritage enhancement fund, an agency or entity receiving an appropriation shall submit a work program and quarterly progress reports for appropriations from the heritage enhancement fund to the members of the heritage enhancement council in the form determined by the council.

Subd. 4. [COUNCIL ADMINISTRATION.] (a) The council may employ personnel and contract with consultants as necessary to carry out functions and duties of the council. Permanent employees shall be in the unclassified service. The council may request staff assistance, legal opinion, and data from agencies of state government as needed for the execution of the responsibilities of the council.

(b) Beginning July 1, 2005, the administrative expenses of the council shall be paid from the heritage enhancement fund.

(c) A council member or an employee of the council may not participate in or vote on a decision of the council relating to an organization in which the member or employee has either a direct or indirect personal financial interest. While serving on or employed by the council, a person shall avoid any potential conflict of interest.

Subd. 5. [COUNCIL MEETINGS.] Meetings of the council and other groups the council may establish must be conducted in accordance with chapter 13D. Except where prohibited by law, the council shall establish additional processes to broaden public involvement in all aspects of its deliberations.

Sec. 4. [103F.765] [CLEAN WATER FUND; EXPENDITURES.]

Subdivision 1. [FUND.] The clean water fund is established in the Minnesota Constitution, article XI, section 15. All money earned by the clean water fund must be credited to the fund.

Subd. 2. [EXPENDITURES.] Subject to appropriation, money in the clean water fund may be spent only on:

- (1) monitoring, investigations, and analysis of the quality of Minnesota's water resources;
- (2) state and local activities to protect, preserve, and improve the quality of Minnesota's water resources; and
- (3) assistance to individuals and organizations for water quality improvement projects.

Subd. 3. [CLEAN WATERS COUNCIL; MEMBERSHIP; APPOINTMENT.] A Clean Waters Council of 17 members is created on November 15, 2004. The members of the council shall elect a chair from the nonagency members of the council. The commissioners of natural resources, agriculture, and the Pollution Control Agency, and the executive director of the Board of Water and Soil Resources, shall each appoint one person from their respective agency to serve as a member of the council. The commissioner of the Pollution Control Agency, in consultation with the other state agencies represented on the council, shall appoint 13 additional nonagency members of the council as follows:

- (1) two members representing statewide farm organizations;
- (2) two members representing business organizations;
- (3) two members representing environmental organizations;
- (4) one member representing soil and water conservation districts;
- (5) one member representing watershed districts;
- (6) one member representing organizations focused on improvement of Minnesota lakes or streams;

(7) one member representing an organization of county governments;

(8) two members representing organizations of city governments; and

(9) one member representing the Metropolitan Council established under section 473.123.

Subd. 4. [TERMS; COMPENSATION; REMOVAL.] Terms, compensation, removal, and filling of vacancies for the council shall be as provided in section 15.059, subdivisions 2, 3, and 4.

Subd. 5. [RECOMMENDATIONS ON APPROPRIATION OF FUNDS.] The Clean Waters Council shall recommend to the governor the manner in which money from the clean water fund should be appropriated for the purposes identified in subdivision 2.

Subd. 6. [BIENNIAL REPORT TO LEGISLATURE.] By December 1 of each even-numbered year, the council shall submit a report to the legislature on the activities for which money from the clean water fund has been or will be spent for the current biennium, and the activities for which money from the account is recommended to be spent in the next biennium.

Subd. 7. [COUNCIL MEETINGS.] Meetings of the council and other groups the council may establish must be conducted in accordance with chapter 13D. Except where prohibited by law, the council shall establish additional processes to broaden public involvement in all aspects of its deliberations.

Sec. 5. [EFFECTIVE DATE.]

This article is effective November 15, 2004, if the constitutional amendment proposed in article 1 is adopted by the voters."

Delete the title and insert:

"A bill for an act relating to natural resources; proposing an amendment to the Minnesota Constitution, by adding a section to article XI; dedicating sales tax proceeds of one-fourth of one percent of taxable sales for natural resource purposes; creating a heritage enhancement fund and council, a parks and trails fund, and a clean water fund and council; requiring a report; amending Minnesota Statutes 2002, section 10A.01, subdivision 35; proposing coding for new law in Minnesota Statutes, chapters 85; 97A; 103F."

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.

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

H. F. No. 1681, A bill for an act relating to health; conforming to federal tax changes to encourage consumer-driven health plans; encouraging efficiency in providing health care; reforming medical malpractice liability; reducing and providing a moratorium on state-imposed private-sector health coverage mandates; providing a pilot project for health plans that do not cover all mandated benefits; eliminating capital expenditure reporting requirements; permitting nonprofit hospitals to garnish state tax refunds; permitting file-and-use for health insurance policy forms; permitting for-profit health maintenance organizations; transferring regulatory authority for health maintenance organizations; addressing the cost-shifting impacts of public sector health care programs; amending

Minnesota Statutes 2002, sections 16A.10, by adding a subdivision; 43A.23, by adding a subdivision; 62A.02, subdivision 2; 62D.02, subdivision 4, by adding a subdivision; 62D.03, subdivision 1; 62D.04, subdivision 1; 62Q.65; 72A.20, by adding a subdivision; 147.03, subdivision 1; 256B.04, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 62J.26, by adding a subdivision; 144.7063, subdivision 3; 270A.03, subdivision 2; 290.01, subdivisions 19, 31; proposing coding for new law in Minnesota Statutes, chapters 3; 62J; 62L; 62Q; 144; 147; 151; 604; repealing Minnesota Statutes 2002, sections 62A.309; 62J.17, as amended.

Reported the same back with the following amendments:

Page 3, delete lines 18 to 25 and insert "pharmacy shall provide at the point of service to a person receiving a prescription drug, an explanation that includes the retail price of the drug, the person's co-payment amount, and the amount the pharmacy will be reimbursed for the prescription drug by the person's employer-sponsored plan or health plan company."

Pages 19 to 21, delete section 6 and insert:

"Sec. 6. [62Q.37] [AUDITS CONDUCTED BY A NATIONALLY RECOGNIZED INDEPENDENT ORGANIZATION.]

Subdivision 1. [APPLICABILITY.] This section applies only to (i) a nonprofit health service plan corporation operating under chapter 62C; (ii) a health maintenance organization operating under chapter 62D; (iii) a community integrated service network operating under chapter 62N; and (iv) managed care organizations operating under chapter 256B, 256D, or 256L.

Subd. 2. [DEFINITIONS.] For purposes of this section, the following terms have the meanings given.

(a) "Commissioner" means the commissioner of health for purposes of regulating health maintenance organizations and community integrated service networks; the commissioner of commerce for purposes of regulating nonprofit health service plan corporations; or the commissioner of human services for the purpose of contracting with managed care organizations serving persons enrolled in programs under chapter 256B, 256D, or 256L.

(b) "Health plan company" means (i) a nonprofit health service plan corporation operating under chapter 62C; (ii) a health maintenance organization operating under chapter 62D; (iii) a community integrated service network operating under chapter 62N; or (iv) a managed care organization operating under chapter 256B, 256D, or 256L.

(c) "Nationally recognized independent organization" means (i) an organization that sets specific national standards governing health care quality assurance processes, utilization review, provider credentialing, marketing, and other topics covered by this chapter and other chapters and audits and provides accreditation to those health plan companies that meet those standards. The American Accreditation Health Care Commission (URAC), the National Committee for Quality Assurance (NCQA), and the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) are, at a minimum, defined as nationally recognized independent organizations; and (ii) the Centers for Medicare and Medicaid Services for purposes of reviews or audits conducted of health plan companies under Part C of Title XVIII of the Social Security Act or under section 1876 of the Social Security Act.

(d) "Performance standard" means those standards relating to quality management and improvement, access and availability of service, utilization review, provider selection, provider credentialing, marketing, member rights and responsibilities, complaints, appeals, grievance systems, enrollee information and materials, enrollment and disenrollment, subcontractual relationships and delegation, confidentiality, continuity and coordination of care, assurance of adequate capacity and services, coverage and authorization of services, practice guidelines, health information systems, and financial solvency.

Subd. 3. [AUDITS.] The commissioner may conduct routine audits and investigations as prescribed under the commissioner's respective state authorizing statutes. If a nationally recognized independent organization has conducted an audit of the health plan company using audit procedures that are comparable to or more stringent than the commissioner's audit procedures:

(1) the commissioner may accept the independent audit and require no further audit if the results of the independent audit show that the performance standard being audited meets or exceeds state standards;

(2) the commissioner may accept the independent audit and limit further auditing if the results of the independent audit show that the performance standard being audited partially meets state standards;

(3) the health plan company must demonstrate to the commissioner that the nationally recognized independent organization that conducted the audit is qualified and that the results of the audit demonstrate that the particular performance standard partially or fully meets state standards; and

(4) if the commissioner has partially or fully accepted an independent audit of the performance standard, the commissioner may use the finding of a deficiency with regard to statutes or rules by an independent audit as the basis for a targeted audit or enforcement action.

Subd. 4. [DISCLOSURE OF NATIONAL STANDARDS AND REPORTS.] The health plan company shall provide the commissioner:

(1) a copy of the current nationally recognized independent organization's standards upon which the acceptable accreditation status has been granted; and

(2) a copy of the most current final audit report issued by the nationally recognized independent organization.

Subd. 5. [ACCREDITATION NOT REQUIRED.] Nothing in this section requires a health plan company to seek an acceptable accreditation status from a nationally recognized independent organization.

Subd. 6. [CONTINUED AUTHORITY.] Nothing in this section precludes the commissioner from conducting audits and investigations, or requesting data as granted under the commissioner's respective state authorizing statutes.

Subd. 7. [HUMAN SERVICES.] The commissioner of human services shall implement this section in a manner that is consistent with applicable federal laws and regulations.

Subd. 8. [CONFIDENTIALITY.] Any documents provided to the commissioner related to the audit report that may be accepted under this section are private data on individuals pursuant to chapter 13 and may only be released as permitted under section 60A.03, subdivision 9."

Page 24, line 4, delete "human services" and insert "health"

Page 24, line 27, after the period, insert "Payment and reimbursement data collected by the commissioner in the course of implementing this section shall be classified as not public data under Minnesota Statutes, chapter 13, except that data shall be classified as public data not on individuals if the information collected was already accessible to the public under the policies of the private sector entity providing the data."

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.

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

H. F. No. 1737, A bill for an act relating to local government; permitting the city of Lake Elmo to adopt and implement a long-term comprehensive plan.

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

The report was adopted.

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

H. F. No. 1743, A bill for an act relating to utilities; repealing sunset of provisions relating to performance-based regulation plans; repealing requirement for a report on these plans; making technical correction; amending Minnesota Statutes 2002, section 216B.16, subdivision 16; Laws 1997, chapter 25, section 3; repealing Minnesota Statutes 2002, section 216B.1675, subdivision 13.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 216B.1675, subdivision 1, is amended to read:

Subdivision 1. [PURPOSE.] Performance-based regulation plans for public utilities offering natural gas services are authorized in order to provide quality service at rates that can reasonably and reliably be expected to be materially lower than rates would be under current regulation and to reduce the cost of regulation. Performance-based regulation plans are intended to provide the utility with increased earnings for efficient performance and decreased earnings for inefficient performance.

Sec. 2. Minnesota Statutes 2002, section 216B.1675, subdivision 3, is amended to read:

Subd. 3. [PLAN CONTENTS.] The commission may approve a performance regulation plan for natural gas distribution services upon finding that the plan:

(1) contains a benchmark or measure of gas distribution costs that is a reasonable and reliable predictor of the utility's rates for gas distribution service under cost-of-service regulation;

(2) ensures that rates for gas distribution services to customers under the plan will be materially lower than the rates would be under cost-of-service regulation as predicted by the benchmark in clause (1);

(3) links the utility's earnings to its performance by permitting higher utility earnings than under cost-of-service regulation only when the utility's performance is more efficient than the benchmark;

(4) can be reasonably and reliably expected to offer lower administrative costs than would otherwise be experienced under cost-of-service regulation;

(5) contains a reasonable limit on utility earnings;

(6) ~~is compatible with the development of increased competition in the natural gas industry;~~

~~(7) has adequate provisions to prevent the degradation of service quality; and~~

(8) (7) provides for gathering of relevant data and evaluation of the plan's effect on rates, service quality, utility earnings, competition in providing natural gas, and regulatory costs.

Sec. 3. Minnesota Statutes 2002, section 216B.1675, subdivision 13, is amended to read:

Subd. 13. [GENERAL EVALUATION.] The commission shall evaluate the effectiveness of all plans approved under this section and submit its findings to the legislature by January 1, ~~2005~~ 2012.

Sec. 4. Laws 1997, chapter 25, section 3, is amended to read:

Sec. 3. [EFFECTIVE DATE; EXPIRATION.]

Sections 1 and 2 are effective ~~on August 1, 1997, and expire January 1, 2006.~~"

Delete the title and insert:

"A bill for an act relating to utilities; modifying the purpose of performance-based regulation plans; deleting certain criteria used to review and approve these plans; changing the date of a required report on the effectiveness of these plans; removing the expiration date for provisions relating to these plans; amending Minnesota Statutes 2002, section 216B.1675, subdivisions 1, 3, 13; Laws 1997, chapter 25, section 3."

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

The report was adopted.

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

H. F. No. 1801, A bill for an act relating to commerce; requiring more detail in reports from municipalities on building code enforcement; requiring prelicensing education of residential building contractors; making changes in continuing education; providing homebuyers with access to information about avoidance of moisture and other problems; permitting successful home warranty claimants to recover attorney fees and expenses; requiring building contractors to meet personally with claimants to discuss disputed home warranty claims; amending Minnesota Statutes 2002, sections 326.87, subdivision 1; 326.89, subdivision 2; 326.96; 327A.05; Minnesota Statutes 2003 Supplement, section 16B.685; proposing coding for new law in Minnesota Statutes, chapter 326.

Reported the same back with the following amendments:

Page 1, line 22, after "REPORT" insert "; RESPONSE TO SURPLUS FEES"

Page 1, line 23, before "Beginning" insert "(a)"

Page 2, after line 15, insert:

"(b) If a municipality's fees collected in a calendar year exceed its expenses related to the municipal activities for which those fees were collected, the municipality must include in the report required under paragraph (a) either:

(1) a description of the municipality's plan to reduce future fee revenue, so as to eliminate any future surplus;

(2) a description of the municipality's plan to increase the quantity or quality of its activities for which the fees are collected, so as to eliminate future surplus; or

(3) an explanation of why the municipality reasonably does not expect the surplus experienced in that calendar year to be repeated in future years."

Page 2, line 33, after "security" insert ", including but not limited to lead abatement and lead-safe cleanup rules and procedures"

Page 6, line 3, delete "homeowners" and insert "owners and prospective owners of newly constructed homes"

Page 6, line 9, delete "history and condition of"

Page 6, delete lines 29 to 36 and insert:

"Subd. 3. [WEB PAGE ON HOME INSPECTION.] (a) The commissioner must create and maintain a Web page providing information and advice on:

(1) the benefits to a prospective home buyer of having the home inspected by a qualified home inspector prior to making a final commitment to buy the home; and

(2) how to select and make best use of a home inspector.

(b) The Web page must state that there is no state certification or licensing program for home inspectors and that any person can engage in that business, regardless of whether the person has experience or knowledge that qualifies the person to do home inspecting.

(c) The Web page may provide links to recognized associations of home inspectors and other sources of information on home inspections, but must not provide links to particular home inspectors."

Page 7, delete lines 1 to 4

Page 7, lines 14 and 25, after "party" insert "and the vendor refused to perform the vendor's obligations under the warranty without a good faith basis for the refusal"

Page 7, delete lines 26 to 36 and insert:

"Subd. 3. [COMMUNICATION REQUIRED REGARDING CLAIM.] (a) Prior to commencing an action under this chapter, the vendee must contact the vendor in writing by certified mail, return receipt requested, specifying in reasonable detail the basis of the cause of action.

(b) Following receipt of the notice described in paragraph (a), the vendor must within 10 days make a written request to the vendee to inspect the dwelling. The vendee must ensure that the dwelling is made available for inspection no later than 30 days after the vendee receives the written request from the vendor for an inspection, and the vendor must inspect the dwelling on the agreed upon date.

(c) Within 60 days after the inspection, the vendor must send a good faith written response to the vendee by certified mail, return receipt requested. The response must contain the results of the vendor's inspection, and where applicable, an estimate of repair or replacement costs and an offer by the vendor to pay all or part of that amount or to perform the repairs or replacement at no cost to the vendee or at a cost specified in the response.

(d) The vendee may accept, reject, or counter-offer in writing by certified mail, return receipt requested, within 30 days of receipt of the good faith response by the vendor. The vendee may commence an action under this chapter following the response from the vendor if the vendee does not accept the offer, if any, from the vendor.

(e) If the vendor does not comply with paragraphs (b) and (c), the vendee may commence an action and may notify the commissioner of the vendor's noncompliance."

Page 8, delete lines 1 to 3

Page 8, line 4, delete "(c)" and insert "(f)"

Page 8, line 6, delete "(a)" and insert "(b) or (c)"

Amend the title as follows:

Page 1, delete lines 10 and 11, and insert "regulating actions for a breach of the statutory home warranty requirements;"

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. 1821, A bill for an act relating to metropolitan government; authorizing the State Board of Investment to invest certain funds or assets of the Metropolitan Council upon request; amending Minnesota Statutes 2002, section 473.13, by adding a subdivision.

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. 1822, A bill for an act relating to metropolitan government; providing for the use of electronic funds transfer; amending Minnesota Statutes 2002, section 473.13, subdivision 4.

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. 1868, A bill for an act relating to elections; providing for periodic uniform election days for state and local elections, other than special elections to fill a vacancy; proposing coding for new law in Minnesota Statutes, chapter 204D.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"ARTICLE 1

UNIFORM STATE AND LOCAL ELECTION DATES"

Page 1, line 11, delete "and" and after "district" insert ", and any other political subdivision"

Page 1, delete lines 24 and 25

Page 2, delete lines 1 to 5 and insert:

"Subd. 4. [PRIMARY DATE IF NOT SPECIFIED.] If other law provides for a primary to take place for a particular office but does not specify the date of the primary, the primary may be held on one of the days specified in subdivision 3, clauses (1) to (3). The general election for the office must be held on the date listed in subdivision 3 that immediately follows the date chosen for the primary."

Page 2, line 13, delete everything after "Except"

Page 2, line 14, delete everything before the third comma and insert "as otherwise provided by this section"

Page 2, line 18, delete "act" and insert "article"

Page 2, after line 18, insert:

"ARTICLE 2

CONFORMING AMENDMENTS

Section 1. Minnesota Statutes 2002, section 205.10, subdivision 3, is amended to read:

Subd. 3. [PROHIBITION.] ~~No~~ A special election authorized under subdivision 1 may be held ~~within 40 days after the state general election~~ only on one of the dates specified in section 204D.035, subdivision 3.

Sec. 2. [205.176] [VOTING HOURS.]

In all municipal elections the hours for voting shall be as provided by section 204C.05.

Sec. 3. Minnesota Statutes 2002, section 205A.05, subdivision 1, is amended to read:

Subdivision 1. [QUESTIONS.] Special elections must be held for a school district on a question on which the voters are authorized by law to pass judgment. The school board may on its own motion call a special election to vote on any matter requiring approval of the voters of a district. Upon petition of 50 or more voters of the school district or five percent of the number of voters voting at the preceding regular school district election, the school board shall by resolution call a special election to vote on any matter requiring approval of the voters of a district. A question is carried only with the majority in its favor required by law. The election officials for a special election are the same as for the most recent school district general election unless changed according to law. Otherwise, special elections must be conducted and the returns made in the manner provided for the school district general election. ~~A special election may not be held during the 30 days before and the 30 days after the state primary, during the 30 days before and the 40 days after the state general election. In addition, a special election may not be~~

~~held during the 20 days before and the 20 days after any regularly scheduled election of a municipality wholly or partially within the school district. A special election under this subdivision must be held only on one of the dates specified in section 204D.035, subdivision 3.~~ Notwithstanding any other law to the contrary, the time period in which a special election must be conducted under any other law may be extended by the school board to conform with the requirements of this subdivision.

Sec. 4. [205A.095] [HOURS FOR VOTING.]

The hours for voting in school district elections shall be as provided by section 204C.05.

Sec. 5. Minnesota Statutes 2002, section 373.40, subdivision 2, is amended to read:

Subd. 2. [APPLICATION OF ELECTION REQUIREMENT.] (a) Bonds issued by a county to finance capital improvements under an approved capital improvement plan are not subject to the election requirements of section 375.18 or 475.58. The bonds must be approved by vote of at least three-fifths of the members of the county board. In the case of a metropolitan county, the bonds must be approved by vote of at least two-thirds of the members of the county board.

(b) Before issuance of bonds qualifying under this section, the county must publish a notice of its intention to issue the bonds and the date and time of a hearing to obtain public comment on the matter. The notice must be published in the official newspaper of the county or in a newspaper of general circulation in the county. The notice must be published at least 14, but not more than 28, days before the date of the hearing.

(c) A county may issue the bonds only upon obtaining the approval of a majority of the voters voting on the question of issuing the obligations, if a petition requesting a vote on the issuance is signed by voters equal to five percent of the votes cast in the county in the last general election and is filed with the county auditor within 30 days after the public hearing. The commissioner of revenue shall prepare a suggested form of the question to be presented at the election. The election may be held only on one of the dates specified in section 204D.035, subdivision 3.

Sec. 6. Minnesota Statutes 2002, section 375.20, is amended to read:

375.20 [BALLOT QUESTIONS.]

If the county board may do an act, incur a debt, appropriate money for a purpose, or exercise any other power or authority, only if authorized by a vote of the people, the question may be submitted at a special or general election, by a resolution specifying the matter or question to be voted upon. If the question is to authorize the appropriation of money, creation of a debt, or levy of a tax, it shall state the amount. Notice of the election shall be given as in the case of special elections. If the question submitted is adopted, the board shall pass an appropriate resolution to carry it into effect. In the election the form of the ballot shall be: "In favor of (here state the substance of the resolution to be submitted), Yes No.....," with a square opposite each of the words "yes" and "no," in one of which the voter shall mark an "X" to indicate a choice. The county board may call a special county election upon a question to be held ~~within 60 days on any date specified by section 204D.035, subdivision 3,~~ after a resolution to that effect is adopted by the county board. Upon the adoption of the resolution the county auditor shall post and publish notices of the election, as required by section 204D.22, subdivisions 2 and 3. The election shall be conducted and the returns canvassed in the manner prescribed by sections 204D.20 to 204D.27, so far as practicable.

Sec. 7. Minnesota Statutes 2002, section 458.40, is amended to read:

458.40 [MUST VOTE TO ISSUE BONDS IF CHARTER SAYS SO.]

If a charter adopted under the Minnesota Constitution, article IV, section 36, article XI, section 4, or article XII, section 5, has a provision that requires the question of the issuance of bonds to be submitted to the electors, the provision prevails over sections 458.36 to 458.40. The question must be submitted to the voters on one of the dates specified in section 204D.035, subdivision 3, notwithstanding any contrary provision in the charter regarding the date of submission.

Sec. 8. Minnesota Statutes 2003 Supplement, section 465.82, subdivision 2, is amended to read:

Subd. 2. [CONTENTS OF PLAN.] The plan must state:

- (1) the specific cooperative activities the units will engage in during the first two years of the venture;
- (2) the steps to be taken to effect the merger of the governmental units, with completion no later than four years after the process begins;
- (3) the steps by which a single governing body will be created or, when the entire territory of a unit will be apportioned between or among two or more units contiguous to the unit that is to be apportioned, the steps to be taken by the governing bodies of the remaining units to provide for representation of the residents of the apportioned unit;
- (4) changes in services provided, facilities used, and administrative operations and staffing required to effect the preliminary cooperative activities and the final merger, and a two-, five-, and ten-year projection of expenditures for each unit if it combined and if it remained separate;
- (5) treatment of employees of the merging governmental units, specifically including provisions for reassigning employees, dealing with exclusive representatives, and providing financial incentives to encourage early retirements;
- (6) financial arrangements for the merger, specifically including responsibility for debt service on outstanding obligations of the merging units;
- (7) one- and two-year impact analyses, prepared by the granting state agency at the request of the local government unit, of major state aid revenues received for each unit if it combined and if it remained separate, including an impact analysis, prepared by the Department of Revenue, of any property tax revenue implications associated with tax increment financing districts and fiscal disparities under chapter 276A or 473F resulting from the merger;
- (8) procedures for a referendum to be held on a date specified in section 204D.035, subdivision 3, before the proposed combination to approve combining the local government units, specifically stating whether a majority of those voting in each district proposed for combination or a majority of those voting on the question in the entire area proposed for combination is needed to pass the referendum; and
- (9) a time schedule for implementation.

Notwithstanding clause (3) or any other law to the contrary, all current members of the governing bodies of the local government units that propose to combine under sections 465.81 to 465.86 may serve on the initial governing body of the combined unit until a gradual reduction in membership is achieved by foregoing election of new members when terms expire until the number permitted by other law is reached.

Sec. 9. Minnesota Statutes 2003 Supplement, section 465.84, is amended to read:

465.84 [REFERENDUM.]

During the first or second year of cooperation, a referendum on the question of combination must be conducted. The referendum must be on a date specified by section 204D.035, subdivision 3, and called by the governing bodies of the units that propose to combine. The referendum must be conducted according to the Minnesota Election Law, as defined in section 200.01. If the referendum fails, the same question or a modified question may be submitted the following year. If the referendum fails again, the same question may not be submitted. Referendums shall be conducted on the same date in all local government units.

Sec. 10. Minnesota Statutes 2002, section 469.053, subdivision 5, is amended to read:

Subd. 5. [REVERSE REFERENDUM.] A city may increase its levy for port authority purposes under subdivision 4 only as provided in this subdivision. Its city council must first pass a resolution stating the proposed amount of levy increase. The city must then publish the resolution together with a notice of public hearing on the resolution for two successive weeks in its official newspaper or, if none exists, in a newspaper of general circulation in the city. The hearing must be held two to four weeks after the first publication. After the hearing, the city council may decide to take no action or may adopt a resolution authorizing the proposed increase or a lesser increase. A resolution authorizing an increase must be published in the city's official newspaper or, if none exists, in a newspaper of general circulation in the city. The resolution is not effective if a petition requesting a referendum on the resolution is filed with the city clerk within 30 days of publication of the resolution. The petition must be signed by voters equaling five percent of the votes cast in the city in the last general election. The resolution is effective if approved by a majority of those voting on the question. The commissioner of revenue shall prepare a suggested form of referendum question. The referendum must be held at a special or general election ~~before October 1~~ on a date specified in section 204D.035, subdivision 3, of the year for which the levy increase is proposed.

Sec. 11. Minnesota Statutes 2002, section 469.0724, is amended to read:

469.0724 [GENERAL OBLIGATION BONDS.]

The port authority of Cannon Falls or Redwood Falls must not proceed with the sale of general obligation tax supported bonds until the city council by resolution approves the proposed issuance. The resolution must be published in the official newspaper. If, within 30 days after the publication, a petition signed by voters equal in number to ten percent of the number of voters at the last regular city election is filed with the city clerk, the city and port authority must not issue the general obligation tax supported bonds until the proposition has been approved by a majority of the votes cast on the question at a regular or special election held on one of the dates specified in section 204D.035, subdivision 3.

Sec. 12. Minnesota Statutes 2002, section 469.190, subdivision 5, is amended to read:

Subd. 5. [REVERSE REFERENDUM.] If the county board passes a resolution under subdivision 4 to impose the tax, the resolution must be published for two successive weeks in a newspaper of general circulation within the unorganized territory, together with a notice fixing a date for a public hearing on the proposed tax.

The hearing must be held not less than two weeks nor more than four weeks after the first publication of the notice. After the public hearing, the county board may determine to take no further action, or may adopt a resolution authorizing the tax as originally proposed or approving a lesser rate of tax. The resolution must be published in a newspaper of general circulation within the unorganized territory. The voters of the unorganized territory may request a referendum on the proposed tax by filing a petition with the county auditor within 30 days after the resolution is published. The petition must be signed by voters who reside in the unorganized territory. The number

of signatures must equal at least five percent of the number of persons voting in the unorganized territory in the last general election. If such a petition is timely filed, the resolution is not effective until it has been submitted to the voters residing in the unorganized territory at a general or special election held on one of the dates specified in section 204D.035, subdivision 3, and a majority of votes cast on the question of approving the resolution are in the affirmative. The commissioner of revenue shall prepare a suggested form of question to be presented at the referendum.

Sec. 13. Minnesota Statutes 2003 Supplement, section 475.521, subdivision 2, is amended to read:

Subd. 2. [ELECTION REQUIREMENT.] (a) Bonds issued by a city to finance capital improvements under an approved capital improvements plan are not subject to the election requirements of section 475.58. The bonds are subject to the net debt limits under section 475.53. The bonds must be approved by an affirmative vote of three-fifths of the members of a five-member city council. In the case of a city council having more than five members, the bonds must be approved by a vote of at least two-thirds of the city council.

(b) Before the issuance of bonds qualifying under this section, the city must publish a notice of its intention to issue the bonds and the date and time of the hearing to obtain public comment on the matter. The notice must be published in the official newspaper of the city or in a newspaper of general circulation in the city. Additionally, the notice may be posted on the official Web site, if any, of the city. The notice must be published at least 14 but not more than 28 days before the date of the hearing.

(c) A city may issue the bonds only after obtaining the approval of a majority of the voters voting on the question of issuing the obligations, if a petition requesting a vote on the issuance is signed by voters equal to five percent of the votes cast in the city in the last general election and is filed with the city clerk within 30 days after the public hearing. The commissioner of revenue shall prepare a suggested form of the question to be presented at the election. The election must be held on one of the dates specified by section 204D.035, subdivision 3.

Sec. 14. Minnesota Statutes 2002, section 475.58, subdivision 1, is amended to read:

Subdivision 1. [APPROVAL BY ELECTORS; EXCEPTIONS.] Obligations authorized by law or charter may be issued by any municipality upon obtaining the approval of a majority of the electors voting at a special or general election held on one of the dates specified in section 204D.035, subdivision 3, on the question of issuing the obligations, but an election shall not be required to authorize obligations issued:

(1) to pay any unpaid judgment against the municipality;

(2) for refunding obligations;

(3) for an improvement or improvement program, which obligation is payable wholly or partly from the proceeds of special assessments levied upon property specially benefited by the improvement or by an improvement within the improvement program, or of taxes levied upon the increased value of property within a district for the development of which the improvement is undertaken, including obligations which are the general obligations of the municipality, if the municipality is entitled to reimbursement in whole or in part from the proceeds of such special assessments or taxes and not less than 20 percent of the cost of the improvement or the improvement program is to be assessed against benefited property or is to be paid from the proceeds of federal grant funds or a combination thereof, or is estimated to be received from such taxes within the district;

(4) payable wholly from the income of revenue producing conveniences;

(5) under the provisions of a home rule charter which permits the issuance of obligations of the municipality without election;

(6) under the provisions of a law which permits the issuance of obligations of a municipality without an election;

(7) to fund pension or retirement fund liabilities pursuant to section 475.52, subdivision 6;

(8) under a capital improvement plan under section 373.40; and

(9) under sections 469.1813 to 469.1815 (property tax abatement authority bonds), if the proceeds of the bonds are not used for a purpose prohibited under section 469.176, subdivision 4g, paragraph (b).

Sec. 15. Minnesota Statutes 2002, section 475.58, subdivision 1a, is amended to read:

Subd. 1a. [RESUBMISSION LIMITATION.] If the electors do not approve the issuing of obligations at an election required by subdivision 1, the question of authorizing the obligations for the same purpose and in the same amount may not be submitted to the electors ~~within a period of~~ until a special or general election held on a date specified in section 204D.035, subdivision 3, and not sooner than 180 days from the date the election was held. If the question of authorizing the obligations for the same purpose and in the same amount is not approved a second time it may not be submitted to the electors within a period of one year after the second election.

Sec. 16. Minnesota Statutes 2002, section 475.59, is amended to read:

475.59 [MANNER OF SUBMISSION; NOTICE.]

When the governing body of a municipality resolves to issue bonds for any purpose requiring the approval of the electors, it shall provide for submission of the proposition of their issuance at a general or special election held on a date specified by section 204D.035, subdivision 3, or at a town or school district meeting. Notice of such election or meeting shall be given in the manner required by law and shall state the maximum amount and the purpose of the proposed issue. In any school district, the school board or board of education may, according to its judgment and discretion, submit as a single ballot question or as two or more separate questions in the notice of election and ballots the proposition of their issuance for any one or more of the following, stated conjunctively or in the alternative: acquisition or enlargement of sites, acquisition, betterment, erection, furnishing, equipping of one or more new schoolhouses, remodeling, repairing, improving, adding to, betterment, furnishing, equipping of one or more existing schoolhouses. In any city, town, or county, the governing body may, according to its judgment and discretion, submit as a single ballot question or as two or more separate questions in the notice of election and ballots the proposition of their issuance, stated conjunctively or in the alternative, for the acquisition, construction, or improvement of any facilities at one or more locations.

Sec. 17. [REPEALER.]

Minnesota Statutes 2002, sections 204C.05, subdivisions 1a and 1b; 205.175; and 205A.09, are repealed.

Sec. 18. [EFFECTIVE DATE.]

This article is effective January 1, 2005."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "amending Minnesota Statutes 2002, sections 205.10, subdivision 3; 205A.05, subdivision 1; 373.40, subdivision 2; 375.20; 458.40; 469.053, subdivision 5; 469.0724; 469.190, subdivision 5; 475.58, subdivisions 1, 1a; 475.59; Minnesota Statutes 2003 Supplement, sections 465.82, subdivision 2; 465.84; 475.521, subdivision 2;"

Page 1, line 5, delete "chapter" and insert "chapters" and before the period, insert "; 205; 205A; repealing Minnesota Statutes 2002, sections 204C.05, subdivisions 1a, 1b; 205.175; 205A.09"

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

The report was adopted.

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

H. F. No. 1965, A bill for an act relating to insurance; permitting service cooperatives to provide group health coverage to private employers; proposing coding for new law in Minnesota Statutes, chapter 123A.

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.

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

H. F. No. 1970, A bill for an act relating to state government; adding to the priorities for uses of a net unrestricted budgetary general fund balance; amending Minnesota Statutes 2003 Supplement, section 16A.152, subdivision 2.

Reported the same back with the following amendments:

Page 1, delete lines 19 to 24 and insert:

"(3) the amount necessary to eliminate all or a portion of the property tax revenue recognition shift in section 123B.75, subdivision 5; and

(4) the amount necessary to increase the aid payment schedule for school district aids and credits payments in section 127A.45 to not more than 90 percent."

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

The report was adopted.

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

H. F. No. 1980, A bill for an act relating to local government; clarifying conflict of interest for watershed district officers; amending Minnesota Statutes 2002, section 471.88, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 10, after "district," insert "soil and water conservation district,"

Amend the title as follows:

Page 1, line 3, after "watershed" insert "and soil and water conservation"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1983, A bill for an act relating to commerce; enacting the revisions to the general provisions of the Uniform Commercial Code and enacting a revised Article 7 of the Uniform Commercial Code recommended by the National Conference of Commissioners on Uniform State Laws; making conforming changes; amending Minnesota Statutes 2002, sections 17.94; 84.787, subdivision 9; 84.797, subdivision 10; 84.92, subdivision 6; 86B.820, subdivision 12; 168A.01, subdivision 20; 234.27; 325L.03; 325L.16; 336.2-103; 336.2-104; 336.2-202; 336.2-310; 336.2-323; 336.2-401; 336.2-503; 336.2-505; 336.2-506; 336.2-509; 336.2-605; 336.2-705; 336.2A-103; 336.2A-501; 336.2A-514; 336.2A-518; 336.2A-519; 336.2A-526; 336.2A-527; 336.2A-528; 336.4-210; 336.4A-105; 336.4A-106; 336.4A-204; 336.5-103; 336.8-102; 336.8-103; 336.9-102; 336.9-203; 336.9-207; 336.9-208; 336.9-301; 336.9-310; 336.9-312; 336.9-313; 336.9-314; 336.9-317; 336.9-338; 336.9-601; 513.33, subdivision 1; 514.963, subdivision 9; 514.965, subdivision 10; 514.973; Minnesota Statutes 2003 Supplement, sections 336.3-103; 336.4-104; proposing coding for new law in Minnesota Statutes, chapter 336; repealing Minnesota Statutes 2002, sections 336.1-101; 336.1-102; 336.1-103; 336.1-104; 336.1-105; 336.1-106; 336.1-107; 336.1-108; 336.1-109; 336.1-110; 336.1-201; 336.1-202; 336.1-203; 336.1-204; 336.1-205; 336.1-206; 336.1-207; 336.1-208; 336.1-209; 336.2-208; 336.2A-207; 336.7-101; 336.7-102; 336.7-103; 336.7-104; 336.7-105; 336.7-201; 336.7-202; 336.7-203; 336.7-204; 336.7-205; 336.7-206; 336.7-207; 336.7-208; 336.7-209; 336.7-210; 336.7-301; 336.7-302; 336.7-303; 336.7-304; 336.7-305; 336.7-306; 336.7-307; 336.7-308; 336.7-309; 336.7-401; 336.7-402; 336.7-403; 336.7-404; 336.7-501; 336.7-502; 336.7-503; 336.7-504; 336.7-505; 336.7-506; 336.7-507; 336.7-508; 336.7-509; 336.7-601; 336.7-602; 336.7-603; 336.10-104.

Reported the same back with the following amendments:

Page 141, after line 29, insert:

"ARTICLE 7

UNIFORM COMMERCIAL CODE ARTICLES 3 AND 4 CHANGES INVOLVING WARRANTIES ON REMOTELY CREATED ITEMS

Section 1. Minnesota Statutes 2003 Supplement, section 336.3-416, is amended to read:

336.3-416 [TRANSFER WARRANTIES.]

(a) A person who transfers an instrument for consideration warrants to the transferee and, if the transfer is by endorsement, to any subsequent transferee that:

- (1) the warrantor is a person entitled to enforce the instrument;
- (2) all signatures on the instrument are authentic and authorized;

(3) the instrument has not been altered;

(4) the instrument is not subject to a defense or claim in recoupment of any party which can be asserted against the warrantor;

(5) the warrantor has no knowledge of any insolvency proceeding commenced with respect to the maker or acceptor or, in the case of an unaccepted draft, the drawer; and

(6) with respect to a remotely-created item, the person on whose account the item is drawn authorized the issuance of the item in the amount for which the item is drawn.

(b) A person to whom the warranties under subsection (a) are made and who took the instrument in good faith may recover from the warrantor as damages for breach of warranty an amount equal to the loss suffered as a result of the breach, but not more than the amount of the instrument plus expenses and loss of interest incurred as a result of the breach.

(c) The warranties stated in subsection (a) cannot be disclaimed with respect to checks. Unless notice of a claim for breach of warranty is given to the warrantor within 30 days after the claimant has reason to know of the breach and the identity of the warrantor, the liability of the warrantor under subsection (b) is discharged to the extent of any loss caused by the delay in giving notice of the claim.

(d) A cause of action for breach of warranty under this section accrues when the claimant has reason to know of the breach.

(e) ~~No~~ A claim for breach of the warranty in subsection (a)(6) is available against a ~~person to which an item was transferred~~ previous transferor of the item only to the extent that under applicable law (including the applicable choice-of-law principles) ~~the person that transferred all previous transferors of the item to that person did not make~~ made the warranty in subsection (a)(6).

Sec. 2. Minnesota Statutes 2003 Supplement, section 336.3-417, is amended to read:

336.3-417 [PRESENTMENT WARRANTIES.]

(a) If an unaccepted draft is presented to the drawee for payment or acceptance and the drawee pays or accepts the draft, (i) the person obtaining payment or acceptance, at the time of presentment, and (ii) a previous transferor of the draft, at the time of transfer, warrant to the drawee making payment or accepting the draft in good faith that:

(1) the warrantor is, or was, at the time the warrantor transferred the draft, a person entitled to enforce the draft or authorized to obtain payment or acceptance of the draft on behalf of a person entitled to enforce the draft;

(2) the draft has not been altered;

(3) the warrantor has no knowledge that the signature of the drawer of the draft is unauthorized; and

(4) with respect to any remotely-created item, the person on whose account the item is drawn authorized the issuance of the item in the amount for which the item is drawn.

(b) A drawee making payment may recover from any warrantor damages for breach of warranty equal to the amount paid by the drawee less the amount the drawee received or is entitled to receive from the drawer because of the payment. In addition, the drawee is entitled to compensation for expenses and loss of interest resulting from the breach. The right of the drawee to recover damages under this subsection is not affected by any failure of the

drawee to exercise ordinary care in making payment. If the drawee accepts the draft, breach of warranty is a defense to the obligation of the acceptor. If the acceptor makes payment with respect to the draft, the acceptor is entitled to recover from any warrantor for breach of warranty the amounts stated in this subsection.

(c) If a drawee asserts a claim for breach of warranty under subsection (a) based on an unauthorized endorsement of the draft or an alteration of the draft, the warrantor may defend by proving that the endorsement is effective under section 336.3-404 or 336.3-405 or the drawer is precluded under section 336.3-406 or 336.4-406 from asserting against the drawee the unauthorized endorsement or alteration.

(d) If (i) a dishonored draft is presented for payment to the drawer or an endorser or (ii) any other instrument is presented for payment to a party obliged to pay the instrument, and (iii) payment is received, the following rules apply:

(1) The person obtaining payment and a prior transferor of the instrument warrant to the person making payment in good faith that the warrantor is, or was, at the time the warrantor transferred the instrument, a person entitled to enforce the instrument or authorized to obtain payment on behalf of a person entitled to enforce the instrument.

(2) The person making payment may recover from any warrantor for breach of warranty an amount equal to the amount paid plus expenses and loss of interest resulting from the breach.

(e) The warranties stated in subsections (a) and (d) cannot be disclaimed with respect to checks. Unless notice of a claim for breach of warranty is given to the warrantor within 30 days after the claimant has reason to know of the breach and the identity of the warrantor, the liability of the warrantor under subsection (b) or (d) is discharged to the extent of any loss caused by the delay in giving notice of the claim.

(f) A cause of action for breach of warranty under this section accrues when the claimant has reason to know of the breach.

(g) ~~No~~ A claim for breach of the warranty in subsection (a)(4) is available against a ~~person to which an item was transferred~~ previous transferor of the item only to the extent that under applicable law (including the applicable choice-of-law principles) ~~the person that transferred all previous transferors of the item to that person did not make~~ made the warranty in subsection (a)(4).

Sec. 3. Minnesota Statutes 2003 Supplement, section 336.4-207, is amended to read:

336.4-207 [TRANSFER WARRANTIES.]

(a) A customer or collecting bank that transfers an item and receives a settlement or other consideration warrants to the transferee and to any subsequent collecting bank that:

(1) the warrantor is a person entitled to enforce the item;

(2) all signatures on the item are authentic and authorized;

(3) the item has not been altered;

(4) the item is not subject to a defense or claim in recoupment (section 336.3-305(a)) of any party that can be asserted against the warrantor;

(5) the warrantor has no knowledge of any insolvency proceeding commenced with respect to the maker or acceptor or, in the case of an unaccepted draft, the drawer; and

(6) with respect to any remotely-created item, the person on whose account the item is drawn authorized the issuance of the item in the amount for which the item is drawn.

(b) If an item is dishonored, a customer or collecting bank transferring the item and receiving settlement or other consideration is obliged to pay the amount due on the item (i) according to the terms of the item at the time it was transferred, or (ii) if the transfer was of an incomplete item, according to its terms when completed as stated in sections 336.3-115 and 336.3-407. The obligation of a transferor is owed to the transferee and to any subsequent collecting bank that takes the item in good faith. A transferor cannot disclaim its obligation under this subsection by an endorsement stating that it is made "without recourse" or otherwise disclaiming liability.

(c) A person to whom the warranties under subsection (a) are made and who took the item in good faith may recover from the warrantor as damages for breach of warranty an amount equal to the loss suffered as a result of the breach, but not more than the amount of the item plus expenses and loss of interest incurred as a result of the breach.

(d) The warranties stated in subsection (a) cannot be disclaimed with respect to checks. Unless notice of a claim for breach of warranty is given to the warrantor within 30 days after the claimant has reason to know of the breach and the identity of the warrantor, the warrantor is discharged to the extent of any loss caused by the delay in giving notice of the claim.

(e) A cause of action for breach of warranty under this section accrues when the claimant has reason to know of the breach.

(f) ~~No~~ A claim for breach in the warranty in subsection (a)(6) is available against a ~~person to which an item was transferred~~ previous transferor of the item only to the extent that under applicable law (including the applicable choice-of-law principles) ~~the person that transferred all previous transferors of the item to that person did not make~~ made the warranty in subsection (a)(6).

Sec. 4. Minnesota Statutes 2003 Supplement, section 336.4-208, is amended to read:

336.4-208 [PRESENTMENT WARRANTIES.]

(a) If an unaccepted draft is presented to the drawee for payment or acceptance and the drawee pays or accepts the draft, (i) the person obtaining payment or acceptance, at the time of presentment, and (ii) a previous transferor of the draft, at the time of transfer, warrant to the drawee that pays or accepts the draft in good faith that:

(1) the warrantor is, or was, at the time the warrantor transferred the draft, a person entitled to enforce the draft or authorized to obtain payment or acceptance of the draft on behalf of a person entitled to enforce the draft;

(2) the draft has not been altered;

(3) the warrantor has no knowledge that the signature of the purported drawer of the draft is unauthorized; and

(4) with respect to any remotely-created item, the person on whose account the item is drawn authorized the issuance of the item in the amount for which the item is drawn.

(b) A drawee making payment may recover from a warrantor damages for breach of warranty equal to the amount paid by the drawee less the amount the drawee received or is entitled to receive from the drawer because of the payment. In addition, the drawee is entitled to compensation for expenses and loss of interest resulting from the breach. The right of the drawee to recover damages under this subsection is not affected by any failure of the

drawee to exercise ordinary care in making payment. If the drawee accepts the draft (i) breach of warranty is a defense to the obligation of the acceptor, and (ii) if the acceptor makes payment with respect to the draft, the acceptor is entitled to recover from a warrantor for breach of warranty the amounts stated in this subsection.

(c) If a drawee asserts a claim for breach of warranty under subsection (a) based on an unauthorized endorsement of the draft or an alteration of the draft, the warrantor may defend by proving that the endorsement is effective under section 336.3-404 or 336.3-405 or the drawer is precluded under section 336.3-406 or 336.4-406 from asserting against the drawee the unauthorized endorsement or alteration.

(d) If (i) a dishonored draft is presented for payment to the drawer or an endorser or (ii) any other item is presented for payment to a party obliged to pay the item, and the item is paid, the person obtaining payment and a prior transferor of the item warrant to the person making payment in good faith that the warrantor is, or was, at the time the warrantor transferred the item, a person entitled to enforce the item or authorized to obtain payment on behalf of a person entitled to enforce the item. The person making payment may recover from any warrantor for breach of warranty an amount equal to the amount paid plus expenses and loss of interest resulting from the breach.

(e) The warranties stated in subsections (a) and (d) cannot be disclaimed with respect to checks. Unless notice of a claim for breach of warranty is given to the warrantor within 30 days after the claimant has reason to know of the breach and the identity of the warrantor, the warrantor is discharged to the extent of any loss caused by the delay in giving notice of the claim.

(f) A cause of action for breach of warranty under this section accrues when the claimant has reason to know of the breach.

(g) ~~No~~ A claim for breach of the warranty in subsection (a)(4) is available against a ~~person to which an item was transferred~~ previous transferor of the item only to the extent that under applicable law (including the applicable choice-of-law principle) ~~the person that transferred all previous transferors of the item to that person did not make~~ made the warranty in subsection (a)(4)."

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "amending provisions in Articles 3 and 4 of the Uniform Commercial Code relating to warranties on remotely created items;"

Page 1, line 22, after "336.3-103;" insert "336.3-416; 336.3-417;" and after "336.4-104;" insert "336.4-207; 336.4-208;"

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

The report was adopted.

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

H. F. No. 1986, A bill for an act relating to education; requiring persons under 18 years of age to attend school as a requirement to possessing a driver's permit or license; amending Minnesota Statutes 2002, sections 171.04, subdivision 1; 171.05, subdivisions 2, 2b, 3; 260A.03; Minnesota Statutes 2003 Supplement, section 13.32, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 171.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [120A.23] [SCHOOL ATTENDANCE REQUIREMENT; DRIVING PRIVILEGES.]

A district school board, board of a state approved alternative program (SAAP), or charter school board of directors may, by majority vote, waive the school attendance requirement for driving privileges under section 171.056 for students enrolled in the district, SAAP, or charter school. The school board, SAAP board, or board of directors must vote to waive the requirement on or before September 30 of the initial school year for which the waiver is effective. If a school board, SAAP board, or board of directors intends to rescind its waiver and require students to comply with the school attendance requirement under section 171.056, for a later school year or school years, the board must vote on or before September 30 of the school year for which the waiver is initially rescinded.

[EFFECTIVE DATE.] This section is effective July 1, 2004.

Sec. 2. Minnesota Statutes 2002, section 171.04, subdivision 1, is amended to read:

Subdivision 1. [PERSONS NOT ELIGIBLE.] The department shall not issue a driver's license:

(1) to any person under 18 years unless:

(i) the applicant is 16 or 17 years of age and has a previously issued valid license from another state or country or the applicant has, for the 12 consecutive months preceding application, held a provisional license and during that time has incurred (A) no conviction for a violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53, (B) no conviction for a crash-related moving violation, and (C) not more than one conviction for a moving violation that is not crash related. "Moving violation" means a violation of a traffic regulation but does not include a parking violation, vehicle equipment violation, or warning citation;

(ii) the application for a license is approved by (A) either parent when both reside in the same household as the minor applicant or, if otherwise, then (B) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (C) the parent or spouse of the parent with whom the minor is living or, if subitems (A) to (C) do not apply, then (D) the guardian having custody of the minor or, in the event a person under the age of 18 has no living father, mother, or guardian, or is married or otherwise legally emancipated, then (E) the minor's adult spouse, adult close family member, or adult employer; provided, that the approval required by this item contains a verification of the age of the applicant and the identity of the parent, guardian, adult spouse, adult close family member, or adult employer; ~~and~~

(iii) the applicant presents a certification by the person who approves the application under item (ii), stating that the applicant has driven a motor vehicle accompanied by and under supervision of a licensed driver at least 21 years of age for at least ten hours during the period of provisional licensure; and

(iv) the applicant presents a certificate of school attendance under section 171.056, or a certificate that the attendance requirement is waived under section 120A.23;

(2) to any person who is 18 years of age or younger, unless the person has applied for, been issued, and possessed the appropriate instruction permit for a minimum of six months, and, with respect to a person under 18 years of age, a provisional license for a minimum of 12 months;

(3) to any person who is 19 years of age or older, unless that person has applied for, been issued, and possessed the appropriate instruction permit for a minimum of three months;

(4) to any person whose license has been suspended during the period of suspension except that a suspended license may be reinstated during the period of suspension upon the licensee furnishing proof of financial responsibility in the same manner as provided in the Minnesota No-Fault Automobile Insurance Act;

(5) to any person whose license has been revoked except upon furnishing proof of financial responsibility in the same manner as provided in the Minnesota No-Fault Automobile Insurance Act and if otherwise qualified;

(6) to any drug-dependent person, as defined in section 254A.02, subdivision 5;

(7) to any person who has been adjudged legally incompetent by reason of mental illness, mental deficiency, or inebriation, and has not been restored to capacity, unless the department is satisfied that the person is competent to operate a motor vehicle with safety to persons or property;

(8) to any person who is required by this chapter to take a vision, knowledge, or road examination, unless the person has successfully passed the examination. An applicant who fails four road tests must complete a minimum of six hours of behind-the-wheel instruction with an approved instructor before taking the road test again;

(9) to any person who is required under the Minnesota No-Fault Automobile Insurance Act to deposit proof of financial responsibility and who has not deposited the proof;

(10) to any person when the commissioner has good cause to believe that the operation of a motor vehicle on the highways by the person would be inimical to public safety or welfare;

(11) to any person when, in the opinion of the commissioner, the person is afflicted with or suffering from a physical or mental disability or disease that will affect the person in a manner as to prevent the person from exercising reasonable and ordinary control over a motor vehicle while operating it upon the highways;

(12) to a person who is unable to read and understand official signs regulating, warning, and directing traffic;

(13) to a child for whom a court has ordered denial of driving privileges under section 260C.201, subdivision 1, or 260B.235, subdivision 5, until the period of denial is completed; or

(14) to any person whose license has been canceled, during the period of cancellation.

[EFFECTIVE DATE.] This section is effective September 1, 2004, and applies to all persons under 18 years of age possessing or applying for a driver's instruction permit or provisional license on or after that date.

Sec. 3. Minnesota Statutes 2002, section 171.05, subdivision 2, is amended to read:

Subd. 2. [PERSON LESS THAN 18 YEARS OF AGE.] (a) Notwithstanding any provision in subdivision 1 to the contrary, the department may issue an instruction permit to an applicant who is 15, 16, or 17 years of age and who:

(1) has completed a course of driver education in another state, has a previously issued valid license from another state, or is enrolled in either:

(i) a public, private, or commercial driver education program that is approved by the commissioner of public safety and that includes classroom and behind-the-wheel training; or

(ii) an approved behind-the-wheel driver education program when the student is receiving full-time instruction in a home school within the meaning of sections 120A.22 and 120A.24, the student is working toward a home-school diploma, the student's status as a home-school student has been certified by the superintendent of the school district in which the student resides, and the student is taking home-classroom driver training with classroom materials approved by the commissioner of public safety;

(2) has completed the classroom phase of instruction in the driver education program;

(3) has passed a test of the applicant's eyesight;

(4) has passed a department-administered test of the applicant's knowledge of traffic laws;

(5) has completed the required application, which must be approved by (i) either parent when both reside in the same household as the minor applicant or, if otherwise, then (ii) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (iii) the parent or spouse of the parent with whom the minor is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor or, in the event a person under the age of 18 has no living father, mother, or guardian, or is married or otherwise legally emancipated, then (v) the applicant's adult spouse, adult close family member, or adult employer; provided, that the approval required by this clause contains a verification of the age of the applicant and the identity of the parent, guardian, adult spouse, adult close family member, or adult employer; ~~and~~

(6) presents a certificate of school attendance under section 171.056, or a certificate that the attendance requirement is waived under section 120A.23; and

(7) has paid the fee required in section 171.06, subdivision 2.

(b) The instruction permit is valid for one year from the date of application and may be renewed upon payment of a fee equal to the fee for issuance of an instruction permit under section 171.06, subdivision 2.

[EFFECTIVE DATE.] This section is effective September 1, 2004, and applies to all persons under 18 years of age possessing or applying for a driver's instruction permit on or after that date.

Sec. 4. Minnesota Statutes 2002, section 171.05, subdivision 2b, is amended to read:

Subd. 2b. [INSTRUCTION PERMIT USE BY PERSON UNDER AGE 18.] (a) This subdivision applies to persons who have applied for and received an instruction permit under subdivision 2.

(b) The permit holder may, with the permit in possession, operate a motor vehicle, but must be accompanied by and be under the supervision of a certified driver education instructor, the permit holder's parent or guardian, or another licensed driver age 21 or older. The supervisor must occupy the seat beside the permit holder.

(c) The permit holder may operate a motor vehicle only when every occupant under the age of 18 has a seat belt or child passenger restraint system properly fastened. A person who violates this paragraph is subject to a fine of \$25. A peace officer may not issue a citation for a violation of this paragraph unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation as defined in section 171.04, subdivision 1. The commissioner shall not record a violation of this paragraph on a person's driving record.

(d) The permit holder must maintain a driving record free of convictions for moving violations, as defined in section 171.04, subdivision 1, and free of convictions for violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53. If the permit holder drives a motor vehicle in violation of the law, the commissioner shall suspend, cancel, or revoke the permit in accordance with the statutory section violated.

(e) The permit holder must comply with the school attendance requirement under section 171.056, except when the attendance requirement is waived under section 120A.23. If the permit holder does not attend school as required, the commissioner shall cancel the permit according to section 171.056.

[EFFECTIVE DATE.] This section is effective September 1, 2004, and applies to all persons under 18 years of age possessing or applying for a driver's instruction permit on or after that date.

Sec. 5. Minnesota Statutes 2002, section 171.05, subdivision 3, is amended to read:

Subd. 3. [MOTORIZED BICYCLE.] Notwithstanding any provision in subdivision 1 to the contrary, the department, upon application and payment of the fee prescribed in section 171.02, subdivision 3, may issue a motorized bicycle instruction permit to an applicant who is 15 years of age ~~and~~, who has successfully completed the written portion of the examination prescribed by the commissioner, and who presents a school attendance certificate under section 171.056, or a certificate that the attendance requirement is waived under section 120A.23. The holder of this instruction permit who has the permit in possession may operate a motorized bicycle within one mile of the holder's residence for the purpose of practicing to take the operator portion of the examination prescribed by the commissioner.

[EFFECTIVE DATE.] This section is effective September 1, 2004, and applies to all persons under 18 years of age possessing or applying for a motorized bicycle instruction permit on or after that date.

Sec. 6. [171.056] [SCHOOL ATTENDANCE REQUIREMENT FOR DRIVER'S INSTRUCTION PERMIT, MOTORIZED BICYCLE PERMIT, AND PROVISIONAL LICENSE.]

Subdivision 1. [ISSUANCE OR RENEWAL OF DRIVER'S INSTRUCTION PERMIT, MOTORIZED BICYCLE PERMIT, OR PROVISIONAL LICENSE.] (a) Notwithstanding any law to the contrary, except when the attendance requirement is waived under section 120A.23, school attendance is a requirement for the issuance of a new driver's instruction permit, motorized bicycle permit, or provisional license or the renewal of a permit to a person under 18 years of age. The person meets the school attendance requirement when the person:

(1) has a high school diploma or general education development certificate (GED);

(2) has withdrawn from school under section 120A.22, subdivision 8; or

(3)(i) is enrolled and attending a public school, SAAP, or charter school, is not truant under section 260C.007, subdivision 19, and when absent the person's absence is excused according to the school, school district, SAAP, or charter school attendance policy, or is homeschooled or attending a nonpublic school;

(ii) has conformed to attendance laws, rules, and policies of the person's school, school district, and the state; and

(iii) is not expelled from school under the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56.

(b) A person under 18 years of age who applies for a motorized bicycle permit, instruction permit, or provisional license must submit information in the manner and format prescribed by the Department of Public Safety certifying that the person has met the requirement for the permit or license under paragraph (a).

(c) A school principal or other administrator at the person's school must certify the person's school attendance record for the current and preceding school year to the extent available. The Department of Public Safety shall develop a certificate form for the school administrator to complete that includes the person's name, date of birth, and address. For any data not included in the school district, SAAP, or charter school definition of directory information, the school district, SAAP, or charter school must obtain the informed consent of the parent or guardian

to release data to the Department of Public Safety. The school, district, SAAP, or charter school must include in the student attendance policy it distributes to the parent or guardian and student that it will request a parent or guardian to sign an informed consent form to transfer directory information about the student to the department.

Subd. 2. [CANCELLATION OF PERMIT OR LICENSE.] (a) Notwithstanding any law to the contrary, the Department of Public Safety shall cancel the motorized bicycle permit, instruction permit, or provisional license of a person under 18 years of age when a school administrator notifies the department that the person:

(1) is a truant under section 260C.007, subdivision 19, has not withdrawn from school under section 120A.22, subdivision 8, is not being homeschooled or attending a nonpublic school, and has not obtained a high school diploma or general education development certificate (GED); or

(2) has been expelled from a public or charter school, is not enrolled and attending any alternative program or nonpublic school, and is not homeschooled.

The school district, SAAP, or charter school must obtain the informed consent of the parent or guardian to release this data to the department.

(b) Notwithstanding section 171.14, or other law to the contrary, the Department of Public Safety shall cancel the permit or license of a person under 18 years of age until the earliest of:

(1) the person becomes 18 years of age; or

(2) a school administrator notifies the department to reinstate the person's permit or license because:

(i) the person attended school for 120 days after the date the department issued its cancellation notice or the end of the semester during which the person returns to school, whichever occurs last; or

(ii) a school administrator at the direction of the school board dismisses the person's expulsion under the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56.

(c) A school district, SAAP, or charter school shall notify:

(1) the Department of Public Safety electronically in a manner and format prescribed by the department that includes the person's name, date of birth, and address. For any data not included in the school district, SAAP, or charter school definition of directory information, the school district, SAAP, or charter school must obtain the informed consent of the parent or guardian to release the data to the department; and

(2) the person and the person's parent or legal guardian by first class mail or other reasonable means that the person's motorized bicycle permit, instruction permit, or provisional license may be canceled and the person may request a hardship waiver from the person's school district, SAAP, or charter school under subdivision 3.

The Department of Public Safety shall notify the person that the person's permit or license has been canceled under section 171.14, except that the cancellation shall begin five days from the date the notice is issued.

(d) When a person satisfies a requirement for reinstating driving privileges under paragraph (b), a school administrator shall electronically certify to the department in the manner and format the department prescribes, that the person has satisfied a requirement under paragraph (b). The school district, SAAP, or charter school must obtain the informed consent of the parent or guardian to release this data to the department.

Subd. 3. [HARDSHIP WAIVER.] A person whose permit or provisional license may be canceled under this section may submit a request for a hardship waiver hearing to the school district superintendent or the equivalent administrator of a SAAP or charter school in a manner and on a form the administrator prescribes. The district superintendent or equivalent administrator must conduct the hearing within seven days after the superintendent or administrator receives the request. The district superintendent or equivalent administrator of a SAAP or charter school must appoint a committee to hear the evidence and recommend in writing whether or not to cancel the person's motorized bicycle permit, instruction permit, or provisional license. The committee must submit, within two days of the date of the hearing, for a final decision, its recommendation, evidence, and other related documents to the superintendent or administrator. A school principal or equivalent administrator of a SAAP or charter school, the person whose permit or license may be canceled, and the person's parent or guardian may present evidence. The district superintendent or equivalent administrator of a SAAP or charter school must transmit electronic notice to the department, in a manner and format the department prescribes, within seven days after the date of the hearing its decision whether or not to reinstate the driving privileges. The school district, SAAP, or charter school must obtain the informed consent of the parent or guardian to release this data to the Department of Public Safety. The decision of the district superintendent or equivalent administrator of a SAAP or charter school is final.

[EFFECTIVE DATE.] This section is effective September 1, 2004, and applies to all persons under 18 years of age possessing or applying for a motorized bicycle permit, driver's instruction permit, or provisional license on or after that date.

Sec. 7. Minnesota Statutes 2002, section 260A.03, is amended to read:

260A.03 [NOTICE TO PARENT OR GUARDIAN WHEN CHILD IS A CONTINUING TRUANT.]

Upon a child's initial classification as a continuing truant, the school attendance officer or other designated school official shall notify the child's parent or legal guardian, by first-class mail or other reasonable means, of the following:

- (1) that the child is truant;
- (2) that the parent or guardian should notify the school if there is a valid excuse for the child's absences;
- (3) that the parent or guardian is obligated to compel the attendance of the child at school pursuant to section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under section 120A.34;
- (4) that this notification serves as the notification required by section 120A.34;
- (5) that alternative educational programs and services may be available in the district;
- (6) that the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
- (7) that the school must notify the Department of Public Safety to cancel the child's driving privileges under section 171.056 when the child is truant under section 260C.007, subdivision 19, unless the school waived the attendance requirement under section 120A.23. The school district, SAAP, or charter school must obtain the informed consent of the parent or guardian to release this data to the department;
- (8) that if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under chapter 260C;

~~(8)~~ (9) that if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to section 260C.201; and

~~(9)~~ (10) that it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

[EFFECTIVE DATE.] This section is effective September 1, 2004."

Delete the title and insert:

"A bill for an act relating to education; requiring persons under 18 years of age to attend school as a requirement to possessing a driver's permit or license; amending Minnesota Statutes 2002, sections 171.04, subdivision 1; 171.05, subdivisions 2, 2b, 3; 260A.03; proposing coding for new law in Minnesota Statutes, chapters 120A; 171."

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

The report was adopted.

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

H. F. No. 2007, A bill for an act relating to education; providing for a reading record that reflects student strengths and weaknesses in reading; proposing coding for new law in Minnesota Statutes, chapter 120B.

Reported the same back with the following amendments:

Page 1, line 13, delete everything after the period and insert "A school must record a student's reading progress in the"

Page 1, line 14, before the period, insert "each year"

Page 1, line 18, delete the first "the" and insert "a sample"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2040, A bill for an act relating to water; creating a certification program for new wastewater treatment technology; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 2002, section 115.55, subdivision 9, is amended to read:

Subd. 9. [WARRANTIED SYSTEMS.] (a) An individual sewage treatment system may be installed provided that it meets all local ordinance requirements and provided the requirements of paragraphs (b) to ~~(d)~~ (e) are met.

(b) The manufacturer shall provide to the commissioner:

(1) documentation that the manufacturer's system was designated by the agency as a warrantied system as of June 30, 2001, ~~and or~~ the system is a modified version of the system that was designated as a warrantied system and meets the size requirements or other requirements that were the basis for the previous warrantied system classification; or

(2) documentation showing that a minimum of 50 of the manufacturer's systems have been installed and operated and are under normal use across all major soil classifications for a minimum of three years;

~~(3)~~ (c) For each system that meets the requirements of paragraph (b), clause (1) or (2), the manufacturer must provide to the commissioner:

(1) documentation that the system manufacturer or designer will provide full warranty effective for at least five years from the time of installation, covering design, labor, and material costs to remedy failure to meet performance expectations for systems used and installed in accordance with the manufacturer's or designer's instructions; and

~~(4)~~ (2) a commonly accepted financial assurance document or documentation of the manufacturer's or designer's financial ability to cover potential replacement and upgrades necessitated by failure of the system to meet the performance expectations for the duration of the warranty period.

~~(e)~~ (d) The manufacturer shall reimburse the agency an amount of \$1,000 for staff services needed to review the information submitted pursuant to ~~paragraph paragraphs~~ (b) and (c). Reimbursements accepted by the agency shall be deposited in the environmental fund and are appropriated to the agency for the purpose of reviewing information submitted. Reimbursement by the manufacturer shall precede, not be contingent upon, and shall not affect the agency's decision on whether the submittal meets the requirements of ~~paragraph paragraphs~~ (b) and (c).

~~(d)~~ (e) The manufacturer shall provide to the local unit of government reasonable assurance of performance of the manufacturer's system, engineering design of the manufacturer's system, a monitoring plan that will be provided to system owners, and a mitigation plan that will be provided to system owners describing actions to be taken if the system fails.

~~(e)~~ (f) The commissioner may prohibit an individual sewage treatment system from qualifying for installation under this subdivision upon a finding of fraud, system failure, failure to meet warranty conditions, or failure to meet the requirements of this subdivision or other matters that fail to meet with the intent and purpose of this subdivision. Prohibition of installation of a system by the commissioner does not alter or end warranty obligations for systems already installed.

(g) This subdivision expires June 30, 2006. Expiration of this subdivision does not alter or end warranty obligations for systems installed under a previously approved warranty.

Page 1, line 10, after "(a)" insert "Agency" means the Pollution Control Agency.

(b)"

Page 1, line 16, delete "(b)" and insert "(c)"

Page 1, line 18, delete "(c)" and insert "(d)"

Page 1, line 20, delete "(d)" and insert "(e)"

Page 2, line 7, after "streams" insert "of greywater and blackwater"

Page 2, line 31, after "documentation" insert "to the agency"

Page 3, line 1, after "commissioner" insert "of the agency"

Page 3, line 6, delete "Pollution Control"

Page 3, line 12, after "department" insert "of health"

Page 3, line 21, after "commissioners" insert "of health and the agency"

Page 3, line 24, delete "commissioner" and insert "agency"

Page 3, line 25, delete "4" and insert "3"

Page 4, line 6, delete "5" and insert "4"

Page 4, after line 10, insert:

"Sec. 4. [REPEALER.]

Minnesota Statutes 2002, section 115.55, subdivision 10, is repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "modifying provisions relating to warrantied sewage treatment systems;"

Page 1, line 4, after the semicolon, insert "amending Minnesota Statutes 2002, section 115.55, subdivision 9;"

Page 1, line 5, before the period, insert "; repealing Minnesota Statutes 2002, section 115.55, subdivision 10"

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.

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

H. F. No. 2044, A bill for an act relating to state government; transferring tourism functions from Department of Employment and Economic Development to Explore Minnesota Tourism; appropriating money; amending Minnesota Statutes 2002, sections 116J.01, subdivision 5; 160.276, subdivision 5; Minnesota Statutes 2003

Supplement, sections 15.057; 15.75, subdivision 5; 116J.011; 116J.60; 161.20, subdivision 3; 270B.14, subdivision 13; proposing coding for new law as Minnesota Statutes, chapter 116U; repealing Minnesota Statutes 2002, sections 116J.01, subdivision 4; 116J.036; 116J.615; 116J.616; 116J.63, subdivision 4.

Reported the same back with the following amendments:

Page 5, line 21, delete "26" and insert "28"

Page 6, delete lines 1 and 2, and insert:

"(6) four legislators, two from each house, one each from the two largest political party caucuses in each house, appointed according to the rules of the respective houses; and"

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.

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

H. F. No. 2051, A bill for an act relating to county agricultural societies; modifying provisions relating to county and regional fairs; amending Minnesota Statutes 2002, sections 38.01; 38.04; 38.12; 38.14; 38.15; 38.16; Minnesota Statutes 2003 Supplement, section 38.02, subdivision 1; repealing Minnesota Statutes 2002, sections 38.02, subdivisions 2, 4; 38.13.

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.

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

H. F. No. 2052, A bill for an act relating to human services; extending the sunset date for the supportive housing and managed care pilot project; amending Minnesota Statutes 2002, section 256K.25, subdivision 7.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

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

H. F. No. 2093, A bill for an act relating to education; authorizing a public body to close a meeting to negotiate the purchase or sale of real or personal property; amending Minnesota Statutes 2002, section 13D.05, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 24, delete "2" and insert "3"

Page 2, after line 2, insert:

"The proceedings of a meeting closed under this paragraph shall be tape-recorded at the expense of the public body. The recording shall be preserved for two years after the date of the meeting and shall be made available to the public after all real or personal property discussed at that meeting has been purchased or sold or the governing body has abandoned that purchase or sale. If an action is brought claiming that public business other than discussions allowed under this paragraph was transacted at a closed meeting held pursuant to this paragraph during the time when the tape is not available to the public, the provisions of section 13D.03, subdivision 3, shall be applicable."

Amend the title as follows:

Page 1, line 4, after "property" insert "and to tape-record the closed meeting"

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. 2101, A bill for an act relating to state government; providing for local government impact notes; providing that certain rules take effect only upon legislative approval; amending Minnesota Statutes 2002, section 14.19; proposing coding for new law in Minnesota Statutes, chapter 14.

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.

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

H. F. No. 2210, A bill for an act relating to transportation; establishing Road User Fee Task Force.

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.

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

H. F. No. 2258, A bill for an act relating to insurance; establishing risk-based capital requirements for health organizations; establishing the minimum standard of valuation for health insurance; enacting model regulations of the National Association of Insurance Commissioners; regulating loss revenue certifications; amending Minnesota Statutes 2002, section 60A.129, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 60A.

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

The report was adopted.

Haas from the Committee on State Government Finance to which was referred:

H. F. No. 2340, A bill for an act relating to state government operations; appropriating money for the technology enterprise fund.

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

The report was adopted.

Smith from the Committee on Judiciary Policy and Finance to which was referred:

S. F. No. 58, A bill for an act relating to crimes; reducing from 0.10 to 0.08 the per se alcohol concentration level for impairment offenses involving driving a motor vehicle, criminal vehicular homicide and injury, operating recreational vehicles or watercraft, hunting, or operating military vehicles while impaired; requiring a report; appropriating money; amending Minnesota Statutes 2002, sections 97B.065, subdivision 1; 97B.066, subdivision 1; 169A.20, subdivision 1; 169A.51, subdivision 1; 169A.52, subdivisions 2, 4, 7; 169A.54, subdivision 7; 169A.76; 192A.555; 609.21; Minnesota Statutes 2003 Supplement, section 169A.53, subdivision 3.

Reported the same back with the following amendments:

Page 9, after line 22, insert:

"Sec. 11. Minnesota Statutes 2002, section 171.12, subdivision 3, is amended to read:

Subd. 3. [APPLICATION AND RECORD, WHEN DESTROYED.] The department may cause applications for drivers' licenses, provisional licenses, and instruction permits, and related records, to be destroyed immediately after the period for which issued, except that:

(1) the driver's record pertaining to revocations, suspensions, cancellations, disqualifications, convictions, and accidents shall be cumulative and kept for a period of at least five years; ~~and~~

(2) the driver's record pertaining to the alcohol-related offenses and licensing actions listed in section 169A.03, subdivisions 20 and 21, and to violations of sections 169A.31 and 171.24, subdivision 5, shall be cumulative and kept for a period of at least 15 years, except as provided in clause (3); and

(3) the driver's record pertaining to an offense, or a related licensing action, under section 169A.20, subdivision 1, clause (1) or (5), must be purged after ten years of any reference to the offense or action if (i) this offense or action involved an alcohol concentration of 0.08 or more but less than 0.10, (ii) this offense or action was a first impaired driving incident, and (iii) the driver has incurred no other impaired driving incident during the ten-year period. For purposes of this clause, "impaired driving incident" includes any incident that may be counted as a prior impaired driving conviction or a prior impaired driving-related loss of license, as defined in section 169A.03, subdivisions 20 and 21.

Page 9, after line 33, insert:

"Sec. 13. Minnesota Statutes 2003 Supplement, section 357.021, subdivision 7, is amended to read:

Subd. 7. [DISBURSEMENT OF SURCHARGES BY COMMISSIONER OF FINANCE.] (a) Except as provided in paragraphs (b) and (c), the commissioner of finance shall disburse surcharges received under subdivision 6 and section 97A.065, subdivision 2, as follows:

(1) one percent shall be credited to the game and fish fund to provide peace officer training for employees of the Department of Natural Resources who are licensed under sections 626.84 to 626.863, and who possess peace officer authority for the purpose of enforcing game and fish laws;

(2) 39 percent shall be credited to the peace officers training account in the special revenue fund; and

(3) 60 percent shall be credited to the general fund.

~~(b) The commissioner of finance shall credit \$3 of each surcharge received under subdivision 6 and section 97A.065, subdivision 2, to the general fund.~~

~~(c)~~ In addition to any amounts credited under paragraph (a), the commissioner of finance shall credit ~~\$32~~ \$35 of each surcharge received under subdivision 6 and section 97A.065, subdivision 2, and the \$3 parking surcharge, to the general fund.

(c) The amounts otherwise credited to the general fund under paragraph (a), clause (3), and paragraph (b) for a first offense under section 169A.20 (driving while impaired), subdivision 1, clause (1) or (5), that involved an alcohol concentration of 0.08 or more but less than 0.10, must instead be forwarded to the jurisdiction responsible for prosecuting the offense.

Sec. 14. Minnesota Statutes 2003 Supplement, section 609.101, subdivision 4, is amended to read:

Subd. 4. [MINIMUM FINES; OTHER CRIMES.] (a) Notwithstanding any other law:

(1) when a court sentences a person convicted of a felony that is not listed in subdivision 2 or 3, it must impose a fine of not less than 30 percent of the maximum fine authorized by law nor more than the maximum fine authorized by law; and

(2) when a court sentences a person convicted of a gross misdemeanor or misdemeanor that is not listed in subdivision 2, it must impose a fine of not less than 30 percent of the maximum fine authorized by law nor more than the maximum fine authorized by law, unless the fine is set at a lower amount on a uniform fine schedule established by the conference of chief judges in consultation with affected state and local agencies. This schedule shall be promulgated not later than September 1 of each year and shall become effective on January 1 of the next year unless the legislature, by law, provides otherwise.

(b) The minimum fine required by this subdivision is in addition to the surcharge or assessment required by section 357.021, subdivision 6, and is in addition to any sentence of imprisonment or restitution imposed or ordered by the court.

(c) The court shall collect the fines mandated in this subdivision and forward 20 percent of the revenues to the commissioner of finance for deposit in the general fund, except for fines for:

(1) traffic and motor vehicle violations governed by section 169.871 and section 299D.03;

(2) first offenses under section 169A.20 (driving while impaired), subdivision 1, clause (1) or (5), that involved an alcohol concentration of 0.08 or more but less than 0.10; and

~~(3) fish and game violations governed by section 97A.065, forward 20 percent of the revenues to the commissioner of finance for deposit in the general fund."~~

Page 15, delete lines 6 to 27 and insert:

"The amounts shown in this section are appropriated for fiscal year 2005 from the named fund to the agencies indicated for the purposes of this act.

\$...... is appropriated to the attorney general from the general fund for the costs associated with the increase in implied consent hearings.

\$...... is appropriated to the commissioner of public safety from the general fund for overtime costs.

\$...... is appropriated to the commissioner of public safety from the trunk highway fund for state patrol overtime and programming changes.

\$...... is appropriated to the commissioner of public safety from the highway user tax distribution fund for replacement plate costs and for forms.

\$...... is appropriated to the Board of Public Defense from the general fund for increased personnel costs.

\$...... is appropriated to the Supreme Court from the general fund for increased personnel costs.

\$...... is appropriated to the commissioner of corrections from the general fund for increased probation costs statewide. Of this amount 70 percent is to increase the community corrections subsidy, 12 percent is for county probation officer reimbursements, and 18 percent is for department-operated probation services."

Page 15, line 29, delete "13" and insert "16"

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 7, after the first semicolon, insert "modifying related provisions allocating fine and surcharge proceeds;"

Page 1, line 12, after "169A.76;" insert "171.12, subdivision 3;"

Page 1, line 13, delete "section" and insert "sections" and before the period, insert "; 357.021, subdivision 7; 609.101, subdivision 4"

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1071, 1737, 1743, 1822, 1980, 2007, 2052 and 2093 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1613 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Abeler, Thao, Finstad and Otremba introduced:

H. F. No. 2421, A bill for an act relating to human services; modifying treatment of supplemental security income for the purposes of MFIP grants; amending Minnesota Statutes 2003 Supplement, section 256J.37, subdivision 3b.

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

Smith introduced:

H. F. No. 2422, A bill for an act relating to retirement; extending certain service credit purchase payment determination procedures until 2009; amending Minnesota Statutes 2003 Supplement, section 356.55, subdivision 7; Laws 1999, chapter 222, article 16, section 16, as amended; Laws 2000, chapter 461, article 4, section 4, as amended; Laws 2000, chapter 461, article 12, section 20, as amended; Laws 2001, First Special Session chapter 10, article 6, section 21, as amended.

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

Howes introduced:

H. F. No. 2423, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for extension of the Paul Bunyan Trail.

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

Seifert, Lanning, Koenen, Juhnke and Dill introduced:

H. F. No. 2424, A bill for an act relating to the environment; providing a procedure for the development of total maximum daily load reports; proposing coding for new law in Minnesota Statutes, chapter 103F.

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

Samuelson, Abeler, Finstad, Thao and Paymar introduced:

H. F. No. 2425, A bill for an act relating to human services; providing for collaborative service models; amending Minnesota Statutes 2003 Supplement, section 256B.69, subdivision 6b.

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

Westerberg introduced:

H. F. No. 2426, A bill for an act relating to insurance; altering the premium base for worker's compensation to exclude wages for periods of paid leave; amending Minnesota Statutes 2002, section 79.211, subdivision 1.

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

Opatz, Fuller, Pelowski, Seifert and Dorn introduced:

H. F. No. 2427, A bill for an act relating to higher education; Minnesota State Colleges and Universities; providing for certain degrees at state universities; amending Minnesota Statutes 2002, section 135A.052, subdivision 1; Laws 2003, chapter 133, article 1, section 3, subdivision 2.

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

Dorman and Anderson, J., introduced:

H. F. No. 2428, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Blazing Star Trail.

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

Sieben introduced:

H. F. No. 2429, A bill for an act relating to health; requiring the Department of Health to draft legislation regulating tattoo artists.

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

Sieben, Pugh, Atkins, Kahn, Kelliher, Peterson, Hornstein, Slawik, Hilty, Mariani, Lesch and Entenza introduced:

H. F. No. 2430, A bill for an act relating to taxation; modifying taxable income; amending Minnesota Statutes 2002, section 290.10; Minnesota Statutes 2003 Supplement, section 290.01, subdivisions 19a, 19c.

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

Adolphson introduced:

H. F. No. 2431, A bill for an act relating to county recorders; providing that the county recorder may accept security deposits to guarantee payment of charges; making conforming changes; amending Minnesota Statutes 2002, section 386.78.

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

Lenczewski introduced:

H. F. No. 2432, A bill for an act relating to taxation; corporate franchise tax; phasing in single sales apportionment; amending Minnesota Statutes 2002, section 290.191, subdivisions 2, 3.

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

Hackbarth introduced:

H. F. No. 2433, A bill for an act relating to natural resources; providing for certain rulemaking exemptions; granting authorities to the commissioner of natural resources; authorizing fees; modifying civil penalties; amending Minnesota Statutes 2002, sections 83A.02; 84.027, by adding a subdivision; 84.029, by adding a subdivision; 84.033; 84.0855, by adding a subdivision; 84.791, subdivision 2, by adding a subdivision; 84.86, subdivision 1; 84.8712, subdivision 2; 84.925, subdivision 1, by adding a subdivision; 84D.13, subdivision 5; 85.052, subdivisions 1, 2, by adding subdivisions; 85.055, subdivision 1a; 85.22, subdivision 3; 86A.05, subdivision 5; 86A.07, subdivision 3; 86A.21; 86B.321, subdivision 2; 86B.521, by adding a subdivision; 88.79, by adding a subdivision; 89.012; 89.018, subdivisions 1, 2, by adding a subdivision; 89.19; 89.21; 89.37, by adding a subdivision; 89.53, subdivision 1; 89.71, subdivision 1; 97A.101, subdivision 2; 97A.133, subdivision 3; 97A.135, subdivision 1; 97A.145, subdivision 1; 97B.015, by adding a subdivision; 97B.025; 103G.223; 103I.601, subdivision 3; 282.01, subdivision 3; Minnesota Statutes 2003 Supplement, sections 84.029, subdivision 1; 84.775, subdivision 1; 84.780.

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

Haas and Strachan introduced:

H. F. No. 2434, A bill for an act relating to public safety; providing consistent standards for use of emergency vehicle lights and sirens by law enforcement officers; amending Minnesota Statutes 2002, section 169.20, subdivision 5.

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

Kahn; Kelliher; Solberg; Hornstein; Mariani; Mahoney; Paymar; Ellison; Mullery; Biernat; Johnson, S.; Murphy; Huntley and Wagenius introduced:

H. F. No. 2435, A bill for an act relating to taxation; income and corporate franchise; requiring the add-back of certain deductions for certain motor vehicles; amending Minnesota Statutes 2003 Supplement, section 290.01, subdivisions 19a, 19c; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Abeler and Huntley introduced:

H. F. No. 2436, A bill for an act relating to health; providing for public health emergencies; amending Minnesota Statutes 2002, sections 144.419, subdivision 1; 144.4195, subdivisions 1, 2, 3, 5; Minnesota Statutes 2003 Supplement, section 13.37, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 12; 144; repealing Laws 2002, chapter 402, section 21.

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

Haas, Davids, Westerberg and Wilkin introduced:

H. F. No. 2437, A bill for an act relating to insurance; making changes in regulation of health insurance; making changes in banking and insurance laws to accommodate health savings accounts; amending Minnesota Statutes 2002, sections 47.75; 48.15, subdivision 4; 62A.02, subdivision 2; 62A.65, subdivision 5; 62D.095, subdivision 4; 62E.06, subdivision 3; 62L.12, subdivisions 2, 3; Minnesota Statutes 2003 Supplement, sections 62A.65, subdivision 7; 62E.08, subdivision 1; 62E.12; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Huntley, Clark, Hornstein, Mariani, Walker, Ellison and Thao introduced:

H. F. No. 2438, A bill for an act relating to public assistance; amending laws that reduce an MFIP grant for rental subsidies and Supplemental Security Income; amending Minnesota Statutes 2003 Supplement, section 256J.37, subdivisions 3a, 3b.

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

Brod, Smith, Pugh, Holberg and Davids introduced:

H. F. No. 2439, A bill for an act relating to commerce; regulating real estate brokers and salespersons; making various changes in real property law; recodifying the laws and rules regulating these licensees; making technical and conforming changes; amending Minnesota Statutes 2002, sections 58.12, subdivision 1; 58.13, subdivision 1; 58.16, subdivisions 2, 4; 82.17, subdivision 4, by adding subdivisions; 82.19, subdivision 5, by adding subdivisions; 82.195; 82.196; 82.197; 82.20, subdivisions 3, 4, 8, 9, by adding subdivisions; 82.21, by adding subdivisions; 82.22, subdivisions 6, 8, 12, 13, by adding subdivisions; 82.24, subdivisions 3, 5, by adding subdivisions; 82.27, by adding a subdivision; 513.55, subdivision 1; 515B.4-101; 515B.4-102; 515B.4-106; 515B.4-107; 515B.4-108; 559.21, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 82; 559; repealing Minnesota Statutes 2002, sections 58.02, subdivision 24; 82.22, subdivision 9; Minnesota Rules, parts 2800.0100; 2800.0200;

2800.0300; 2800.1100; 2800.1200; 2800.1300; 2800.1400; 2800.1500; 2800.1600; 2800.1700; 2800.1750; 2800.1751; 2800.1800; 2800.1900; 2800.2000; 2800.2100; 2800.2150; 2805.0100; 2805.0200; 2805.0300; 2805.0400; 2805.0500; 2805.0600; 2805.0700; 2805.0800; 2805.0900; 2805.1000; 2805.1100; 2805.1300; 2805.1400; 2805.1500; 2805.1600; 2805.1700; 2805.1800; 2805.1900; 2805.2000.

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

Rukavina, Pugh, Atkins, Goodwin, Huntley, Murphy and Mahoney introduced:

H. F. No. 2440, A bill for an act relating to employment; requiring notice of intent to shift jobs out of the country; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Heidgerken, Urdahl, Wardlow, Otremba and Finstad introduced:

H. F. No. 2441, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the purchase of the former Minnesota Correctional Facility-Sauk Centre.

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

Swenson, Juhnke, Urdahl, Harder, Finstad, Blaine and Marquart introduced:

H. F. No. 2442, A bill for an act relating to farm products; regulating liens and financing statements; establishing filing requirements; setting fees; amending Minnesota Statutes 2002, sections 336A.01; 336A.02; 336A.03; 336A.04; 336A.05; 336A.06; 336A.07; 336A.08; 336A.09; 336A.10; 336A.11, subdivisions 1, 2; 336A.12; 336A.13; proposing coding for new law in Minnesota Statutes, chapter 336A; repealing Minnesota Rules, parts 8265.0100; 8265.0200; 8265.0300; 8265.0400; 8265.0500; 8265.0600.

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

Holberg, Kohls, DeLaForest and Lipman introduced:

H. F. No. 2443, A bill for an act relating to human rights; defining sexual harassment; amending Minnesota Statutes 2003 Supplement, section 363A.03, subdivision 43.

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

Kohls, Biernat, DeLaForest, Swenson and Johnson, J., introduced:

H. F. No. 2444, A bill for an act relating to civil actions; regulating limitation periods of certain actions; enacting a uniform conflict of laws-limitations act; proposing coding for new law in Minnesota Statutes, chapter 541.

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

Hausman, Erhardt, Thao, Hornstein, Abeler and Sieben introduced:

H. F. No. 2445, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Central Corridor Transit Way.

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

Knoblach and Solberg introduced:

H. F. No. 2446, A bill for an act relating to state government finance; authorizing principles, criteria, and procedures for consolidating and eliminating certain funds and accounts; requiring reports; amending Minnesota Statutes 2002, section 16A.53, subdivision 1, by adding subdivisions.

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

Walz; Wasiluk; Anderson, B.; Dorman; Penas and Harder introduced:

H. F. No. 2447, A bill for an act relating to crimes; imposing criminal penalties for failing to yield the right-of-way resulting in injury or death; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Abrams, Meslow, Mariani, Hornstein, Lesch and Rhodes introduced:

H. F. No. 2448, A bill for an act relating to metropolitan government; modifying the method for determining each municipality's affordable and life-cycle housing opportunities amount; modifying the basis on which nonparticipating municipalities may elect to participate; making conforming changes; amending Minnesota Statutes 2002, section 473.254, subdivisions 2, 3, 4, 6, 7, 8, by adding a subdivision.

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

Rukavina, Sertich, Lieder, Murphy and Anderson, I., introduced:

H. F. No. 2449, A bill for an act relating to veterans; eliminating the sunset date for the purchase of military service credit; amending Laws 2000, chapter 461, article 4, section 4, as amended.

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

Dill introduced:

H. F. No. 2450, A bill for an act relating to capital improvements; restoring certain North Shore state parks; authorizing the sale of state bonds; appropriating money.

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

Simpson, Westrom, Juhnke, Pelowski and Cox introduced:

H. F. No. 2451, A bill for an act relating to energy; providing for capital assistance program using proceeds from renewable development account and making administrative changes to that account; amending Minnesota Statutes 2003 Supplement, section 116C.779.

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

Gerlach introduced:

H. F. No. 2452, A bill for an act relating to health occupations; modifying the jurisprudence examination for dentists; amending Minnesota Statutes 2002, section 150A.06, subdivision 1.

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

Erickson introduced:

H. F. No. 2453, A bill for an act relating to civil actions; authorizing the recovery of attorney fees by funeral providers in actions to recover costs of services; proposing coding for new law in Minnesota Statutes, chapter 149A.

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

Smith introduced:

H. F. No. 2454, A bill for an act relating to retirement; Public Employees Retirement Association; creating a postsentencing officers and emergency dispatchers retirement plan; appropriating money; amending Minnesota Statutes 2002, sections 3.85, subdivisions 11, 12; 353.01, subdivision 2b; 355.01, by adding subdivisions; 355.02, subdivision 3; 356.20, subdivision 2; 356.215, subdivisions 8, 11; 356.30, subdivision 3; 356.302, subdivision 7; 356.303, subdivision 4; 356.315, by adding a subdivision; 356.465, subdivision 3; 356.555, subdivision 4; Minnesota Statutes 2003 Supplement, section 352.01, subdivision 2b; proposing coding for new law as Minnesota Statutes, chapter 353G.

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

Smith introduced:

H. F. No. 2455, A bill for an act relating to corrections; authorizing a five-level correctional facility classification system; amending Minnesota Statutes 2003 Supplement, section 243.53, subdivision 1.

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

Cornish, Hackbarth, Hoppe, Smith and Dill introduced:

H. F. No. 2456, A bill for an act relating to natural resources; modifying requirements for certain equipment used by the department; exempting certain patrol vehicles from the security barrier requirement; providing for designation of certain enforcement personnel by commissioner's order; providing for enforcement of certain rules;

providing criminal penalties; amending Minnesota Statutes 2002, sections 84.025, subdivision 10; 84.03; 85.052, subdivision 1; 89.031; 89.19; 89.21; Minnesota Statutes 2003 Supplement, sections 84.029, subdivision 1; 84A.02; 84A.21; 84A.32, subdivision 1; 84A.55, subdivision 8; 85.04, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Smith introduced:

H. F. No. 2457, A bill for an act relating to retirement; Public Employees Retirement Association police and fire plan; modifying the procedure by which applications for disability are made; clarifying duties of the medical advisor; amending Minnesota Statutes 2002, section 353.656, subdivision 5, by adding subdivisions.

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

Smith introduced:

H. F. No. 2458, A bill for an act relating to retirement; adding annuities to the list of qualified investments for certain public pension plans; amending Minnesota Statutes 2002, section 356A.06, subdivision 7.

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

Thao introduced:

H. F. No. 2459, A bill for an act relating to education finance; modifying the adult basic education formula; directing certain canceled appropriations to particular programs serving recently arrived immigrants; amending Minnesota Statutes 2003 Supplement, section 124D.531, subdivisions 1, 4.

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

Simpson introduced:

H. F. No. 2460, A bill for an act relating to retirement; Public Employees Retirement Association; adding employees of the Fair Oaks Lodge, Wadena, to the privatization coverage; amending Minnesota Statutes 2003 Supplement, section 353F.02, subdivision 4.

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

Cornish, Heidgerken, Finstad and Gunther introduced:

H. F. No. 2461, A bill for an act relating to agriculture; defining certain terms; providing for the validity of certain electronic documents and signatures; amending Minnesota Statutes 2002, sections 223.16, by adding subdivisions; 223.177, subdivision 3; 232.21, by adding subdivisions; 232.23, subdivision 4.

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

Haas introduced:

H. F. No. 2462, A bill for an act relating to insurance; making changes related to the Minnesota Comprehensive Health Association; amending Minnesota Statutes 2002, section 62E.141; Minnesota Statutes 2003 Supplement, sections 62E.08, subdivision 1; 62E.091.

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

Slawik, Greiling, Carlson, Mariani and Biernat introduced:

H. F. No. 2463, A bill for an act relating to firearms; repealing exceptions to the general policy forbidding firearms on school property; amending Minnesota Statutes 2003 Supplement, section 609.66, subdivision 1d.

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

Slawik, Greiling, Carlson, Mariani and Biernat introduced:

H. F. No. 2464, A bill for an act relating to traffic regulations; enacting the Safe School Zone Law; making clarifying and technical changes; amending Minnesota Statutes 2002, sections 169.01, by adding a subdivision; 169.14, subdivisions 2, 4; Minnesota Statutes 2003 Supplement, section 169.14, subdivision 5a.

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

Osterman introduced:

H. F. No. 2465, A bill for an act relating to appropriations; appropriating money to fund grants for certain employment support services.

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

Otto introduced:

H. F. No. 2466, A bill for an act relating to retirement; Marine on St. Croix Volunteer Firefighters Relief Association; providing for an earlier vesting schedule.

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

Cornish, Dill, Penas and Sykora introduced:

H. F. No. 2467, A bill for an act relating to natural resources; providing for evaluation of construction aggregate located on state trust lands; appropriating money; amending Minnesota Statutes 2002, section 16A.125, by adding a subdivision.

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

Sertich, Gunther, Davids, Dorman, Dorn and Murphy introduced:

H. F. No. 2468, A bill for an act relating to capital improvements; appropriating money for the greater Minnesota business development public infrastructure grant program and the greater Minnesota redevelopment account; authorizing the sale of state bonds.

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

Urdahl introduced:

H. F. No. 2469, A bill for an act relating to commerce; requiring the commissioner of commerce to approve changes in the writing carrier for MCHA; requiring nonmetropolitan board representation for MCHA; amending Minnesota Statutes 2002, sections 62E.09; 62E.10, subdivision 2; Minnesota Statutes 2003 Supplement, section 62E.13, subdivision 2.

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

Mahoney, Larson, Hoppe, Dorn and Sertich introduced:

H. F. No. 2470, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for improvements to Historic Fort Snelling.

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

Bradley, Samuelson, Cox, Dempsey, Opatz and Svinggum introduced:

H. F. No. 2471, A bill for an act relating to health; limiting damages for long-term care providers; proposing coding for new law in Minnesota Statutes, chapter 144A.

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

Vandever, Walz, Murphy and Strachan introduced:

H. F. No. 2472, A bill for an act relating to taxation; individual income; providing an income tax checkoff to fund benefits for survivors of law enforcement officers and firefighters, injured public safety officers, and providing for maintenance of peace officer and firefighter memorials; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Fuller and Lindgren introduced:

H. F. No. 2473, A bill for an act relating to child care; limiting payments for certain absences; amending Minnesota Statutes 2003 Supplement, section 119B.13, subdivision 1.

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

Fuller and Lindgren introduced:

H. F. No. 2474, A bill for an act relating to maltreatment of minors; designating the Department of Corrections as the agency responsible for investigating allegations of alleged child maltreatment in Department of Corrections' licensed facilities; amending Minnesota Statutes 2002, section 626.556, subdivision 3c.

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

Lindgren and Fuller introduced:

H. F. No. 2475, A bill for an act relating to natural resources; exempting certain motor vehicles used by utilities or pipeline companies from all-terrain vehicle regulations; amending Minnesota Statutes 2003 Supplement, section 84.92, subdivision 8.

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

Fuller and Lindgren introduced:

H. F. No. 2476, A bill for an act relating to child support; providing that certain judgments are permanent; eliminating a renewal requirement; amending Minnesota Statutes 2002, section 548.09, subdivision 1; repealing Minnesota Statutes 2002, section 548.091, subdivision 3b.

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

Lindgren and Fuller introduced:

H. F. No. 2477, A bill for an act relating to child support; authorizing certain administrative procedures for redirecting child support in limited cases; amending Minnesota Statutes 2002, section 518.5513, subdivision 5.

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

Swenson introduced:

H. F. No. 2478, A bill for an act relating to drainage; prohibiting the planting of trees over certain public or private tile lines; amending Minnesota Statutes 2002, section 103E.081, by adding a subdivision.

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

DeLaForest; Kuisle; Erhardt; Anderson, B., and Lieder introduced:

H. F. No. 2479, A bill for an act relating to transportation; providing for cost-sharing agreements with tribal authorities; authorizing commissioner of transportation to require electronic bids for highway contracts valued at \$5,000,000 or more; providing for or changing expiration of certain transportation-related committees; authorizing local governments to designate roads for transporting permitted weights; providing for seasonal load restrictions on gravel roads; making technical changes; amending Minnesota Statutes 2002, sections 161.32, subdivision 1b;

162.021, subdivision 5; 162.07, subdivision 5; 162.09, subdivision 2; 162.13, subdivision 3; 169.832, by adding a subdivision; 169.87, subdivision 2; 174.52, subdivision 3; Minnesota Statutes 2003 Supplement, sections 161.368; 162.02, subdivision 2; repealing Minnesota Statutes 2002, section 174.55, as amended.

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

Peterson, Seifert and Koenen introduced:

H. F. No. 2480, A bill for an act relating to water; requiring the Department of Natural Resources to obtain permits for construction activities in watershed districts; amending Minnesota Statutes 2002, section 103D.345, by adding a subdivision.

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

Dorn, Swenson, Westrom, Abrams and Anderson, I., introduced:

H. F. No. 2481, A bill for an act relating to taxation; extending an exemption from property taxation for certain electric generation facilities; amending Minnesota Statutes 2003 Supplement, section 272.02, subdivision 56.

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

Erhardt and Seagren introduced:

H. F. No. 2482, A bill for an act relating to redistricting; adjusting the boundary between house districts 41A and 41B to correct an error; proposing coding for new law in Minnesota Statutes, chapter 2.

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

Marquart, Simpson and Eken introduced:

H. F. No. 2483, A bill for an act relating to capital improvements; appropriating money to renovate the Detroit Lakes Regional Pavilion; authorizing the sale of state bonds.

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

Smith introduced:

H. F. No. 2484, A bill for an act relating to public safety; making changes to the CriMNet law; amending Minnesota Statutes 2002, section 299C.65, subdivisions 1, 2, by adding a subdivision; repealing Minnesota Statutes 2002, section 299C.65, subdivisions 3, 4.

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

Zellers; Haas; DeLaForest; Lindner; Osterman; Westerberg; Nelson, M., and Carlson introduced:

H. F. No. 2485, A bill for an act relating to highways; authorizing issuance of \$30,000,000 in state trunk highway bonds for completion of a segment of Marked Trunk Highway 610 as a four-lane freeway; appropriating money.

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

Eken; Heidgerken; Otremba; Peterson; Anderson, I.; Lieder; Marquart; Paymar; Rukavina; Latz; Juhnke; Kelliher; Bernardy; Johnson, S.; Koenen; Goodwin and Nelson, M., introduced:

H. F. No. 2486, A bill for an act relating to taxation; income; modifying rates; providing a credit for nursing home residents; appropriating money; amending Minnesota Statutes 2002, section 290.06, subdivision 2d; Minnesota Statutes 2003 Supplement, section 290.06, subdivision 2c; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Huntley, Finstad, Osterman and Sertich introduced:

H. F. No. 2487, A bill for an act relating to insurance; regulating joint self-insurance plans; amending Minnesota Statutes 2002, sections 62H.01; 62H.04; 62H.07.

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

Nornes and Simpson introduced:

H. F. No. 2488, A bill for an act relating to education; changing postsecondary child care grant payments; amending Minnesota Statutes 2002, section 136A.125, by adding a subdivision.

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

Erhardt introduced:

H. F. No. 2489, A bill for an act relating to transportation; establishing formula for allocating future county state-aid highway funds to counties based equally on lane mileage and vehicle registration contingent on future tax increases; amending Minnesota Statutes 2002, sections 162.06, by adding a subdivision; 162.07, by adding subdivisions; 162.08, by adding a subdivision.

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

Gunther, Ozment, Tingelstad, Hausman and Cox introduced:

H. F. No. 2490, A bill for an act relating to energy; providing funding for certain biomass-fueled community energy systems; authorizing the sale of state bonds; appropriating money.

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

Paymar introduced:

H. F. No. 2491, A bill for an act relating to domestic abuse; providing that ex parte orders for protection and temporary restraining orders are effective upon a referee's signature; amending Minnesota Statutes 2002, section 518B.01, subdivision 7; Minnesota Statutes 2003 Supplement, section 609.748, subdivision 4.

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

Kelliher and Holberg introduced:

H. F. No. 2492, A bill for an act relating to economic development; providing a bidding exception for certain federally subsidized transit facilities; amending Minnesota Statutes 2002, section 469.015, subdivision 4.

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

Lanning, Kohls, Sykora, Atkins and Dempsey introduced:

H. F. No. 2493, A bill for an act relating to financial institutions; providing an alternative method for collateralizing deposits of public funds; clarifying existing collateralization language; amending Minnesota Statutes 2002, sections 118A.01, subdivision 2, by adding a subdivision; 118A.03, subdivision 1; Minnesota Statutes 2003 Supplement, section 118A.03, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 118A.

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

Thissen introduced:

H. F. No. 2494, A bill for an act relating to human services; clarifying medical assistance coverage of skilled nursing facility and hospice services for dual eligibles; amending Minnesota Statutes 2002, section 256B.0625, by adding a subdivision.

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

Otremba and Blaine introduced:

H. F. No. 2495, A bill for an act relating to real property; providing for conservation easements; amending Minnesota Statutes 2002, sections 84C.02; 500.20, subdivision 2a.

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

Lesch; Ellison; Johnson, S.; Pugh and Biernat introduced:

H. F. No. 2496, A bill for an act relating to state government; prohibiting the exclusion or limitation of certain liability of the state; proposing coding for new law in Minnesota Statutes, chapter 1.

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

Westrom introduced:

H. F. No. 2497, A bill for an act relating to human services; child protection; modifying requirements for a relative search; amending Minnesota Statutes 2002, section 260C.212, subdivision 5.

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

Mullery and Clark introduced:

H. F. No. 2498, A bill for an act relating to landlords and tenants; requiring landlords to notify tenants if a rental unit may have been the site of unlawful controlled substance manufacture; providing a remedy for tenants who do not receive such notice; requiring law enforcement to notify landlords of certain controlled substance law enforcement activity; proposing coding for new law in Minnesota Statutes, chapters 152, 504B.

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

Samuelson and Finstad introduced:

H. F. No. 2499, A bill for an act relating to human services; placing limitations on scholarship recipients; amending Minnesota Statutes 2003 Supplement, section 256B.431, subdivision 36.

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

Simpson and Hackbarth introduced:

H. F. No. 2500, A bill for an act relating to the environment; modifying regulation of certain PCB wastes; amending Minnesota Statutes 2002, section 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.

Abrams, Davids, Kuisle, Paulsen, Pugh, Lindner and Entenza introduced:

H. F. No. 2501, A bill for an act relating to taxation; insurance premiums; reducing the rate on life insurance; amending Minnesota Statutes 2002, section 297I.05, subdivision 4, by adding a subdivision.

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

Seagren, Greiling, Goodwin and Davnie introduced:

H. F. No. 2502, A bill for an act relating to education; including a mental health community representative on a community transition team; amending Minnesota Statutes 2002, section 125A.22.

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

Seagren, Greiling, Goodwin and Davnie introduced:

H. F. No. 2503, A bill for an act relating to education; requiring a mental health screening when a student is suspended from school for more than ten school days in a school year; amending Minnesota Statutes 2003 Supplement, section 121A.61, subdivision 3.

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

Penas, Bradley, Boudreau, Huntley and Otremba introduced:

H. F. No. 2504, A bill for an act relating to health; modifying coverage through purchasing alliances for seasonal employees; amending Minnesota Statutes 2002, section 62T.02, by adding a subdivision.

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

Abeler, Huntley, Finstad and Samuelson introduced:

H. F. No. 2505, A bill for an act relating to human services; terminating a rate reduction for certain providers; amending Laws 2003, First Special Session chapter 14, article 13C, section 2, subdivision 9.

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

Abeler, Huntley, Finstad and Samuelson introduced:

H. F. No. 2506, A bill for an act relating to human services; providing annual rate increases for certain providers; appropriating money; amending Minnesota Statutes 2002, section 256B.5012, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Dorman; Davids; Heidgerken; Urdahl; Otremba; Kuisle; Simpson; Fuller; Seifert; Anderson, J.; Lindgren; Magnus; Marquart and Peterson introduced:

H. F. No. 2507, A bill for an act relating to human services; requiring nursing facility case-mix payment rates to be based upon statewide averages; amending Minnesota Statutes 2002, sections 256B.431, by adding a subdivision; 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.

Huntley introduced:

H. F. No. 2508, A bill for an act relating to higher education; changing the requirements for tuition reciprocity; amending Minnesota Statutes 2003 Supplement, section 136A.08, subdivision 3.

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

Huntley introduced:

H. F. No. 2509, A bill for an act relating to MinnesotaCare; expanding the benefits provided under the limited benefits set; amending Minnesota Statutes 2003 Supplement, section 256L.035.

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

Huntley introduced:

H. F. No. 2510, A bill for an act relating to liquor; modifying the license fee structure for certain brewers; allowing certain brewers to sell directly to consumers; amending Minnesota Statutes 2002, section 340A.404, subdivision 10; Minnesota Statutes 2003 Supplement, section 340A.301, subdivisions 6, 7.

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

Huntley introduced:

H. F. No. 2511, A bill for an act relating to health; establishing the Sustainable Health Care Act; providing for reform of health care coverage and public programs for low-income and working Minnesotans; requiring a report; appropriating money.

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

Kelliher introduced:

H. F. No. 2512, A bill for an act relating to capital improvements; authorizing the sale of state bonds; appropriating money to mitigate flooding at Lake of the Isles.

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

Samuelson, Boudreau, Walker, Otremba, Penas, Ruth, Soderstrom, Gunther, Cornish, Finstad and Erickson introduced:

H. F. No. 2513, A bill for an act relating to human services; transferring a fetal alcohol appropriation; requiring prevention and intervention services; requiring reports.

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

Seifert, Peterson, Wilkin, Soderstrom and Finstad introduced:

H. F. No. 2514, A bill for an act relating to corrections; requiring the commissioner of corrections to issue a request for proposals for housing individuals committed to the custody of the commissioner in private prisons; amending Minnesota Statutes 2002, section 241.01, subdivision 3a.

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

Erickson introduced:

H. F. No. 2515, A bill for an act relating to campaign finance; broadening the definition of "corporation"; amending Minnesota Statutes 2002, section 211B.15, subdivision 1.

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

Erickson introduced:

H. F. No. 2516, A bill for an act relating to horse racing; providing for electronic wagers; amending Minnesota Statutes 2002, section 240.13, by adding a subdivision.

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

Beard, Juhnke, Davids, Larson and Gunther introduced:

H. F. No. 2517, A bill for an act relating to telecommunications; repealing certain rules of the Department of Commerce governing telephone utilities generally and community calling plans; repealing Minnesota Rules, parts 7810.0100, subparts 16, 17, 18, 30, 32, 33, 39; 7810.0700; 7810.3400; 7810.3500; 7810.3600; 7810.3700; 7810.3800; 7810.4200 7810.4400; 7810.4500; 7810.4600; 7810.4700; 7810.4800; 7810.5600; 7810.6900; 7810.8760; 7815.0100; 7815.0200; 7815.0300; 7815.0400; 7815.0500; 7815.0600.

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

Beard, Brod, Davids, Pelowski and Larson introduced:

H. F. No. 2518, A bill for an act relating to telecommunications; changing provisions governing interest on deposits; amending Minnesota Statutes 2002, sections 237.06; 325E.02.

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

Jacobson, Atkins, Sviggum, Rhodes, Entenza, Solberg, Otremba and Erickson introduced:

H. F. No. 2519, A bill for an act relating to taxation; reducing rates of tax on lawful gambling; amending Minnesota Statutes 2002, section 297E.02, subdivisions 1, 4, 6.

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

Rhodes, Solberg and Erickson introduced:

H. F. No. 2520, A bill for an act relating to lawful gambling; providing for certain tipboard games; amending Minnesota Statutes 2002, sections 349.12, subdivision 34; 349.151, by adding a subdivision; 349.1711, subdivision 2; 349.211, by adding a subdivision; repealing Minnesota Statutes 2002, section 349.2127, subdivision 9.

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

Jacobson, Solberg, Rhodes, Otremba and Erickson introduced:

H. F. No. 2521, A bill for an act relating to lawful gambling; modifying days organizations may conduct lawful gambling on certain premises; increasing bingo prize limits; extending authority to adopt tipboard rules; amending Minnesota Statutes 2002, section 349.18, subdivision 2; Minnesota Statutes 2003 Supplement, section 349.211, subdivision 1.

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

Blaine, Brod and Lanning introduced:

H. F. No. 2522, A bill for an act relating to townships; clarifying levy and spending authority; defining total revenue; amending Minnesota Statutes 2002, sections 365.43, subdivision 1; 365.431.

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

Mullery and Clark introduced:

H. F. No. 2523, A bill for an act relating to crime prevention; providing penalties for selling drugs in public places; amending Minnesota Statutes 2002, sections 152.01, by adding a subdivision; 152.022, subdivision 1; 152.023, subdivision 2.

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

Mullery and Clark introduced:

H. F. No. 2524, A bill for an act relating to criminal justice; providing that certain violent offenders consent to on-demand searches as a condition of being released on probation, supervised release, or parole; amending Minnesota Statutes 2002, sections 244.05, by adding a subdivision; 609.135, by adding a subdivision.

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

Lanning, Westrom, Nornes, Soderstrom, Lindgren, Heidgerken, Dorman, Brod, Buesgens, Adolphson, Borrell and Urdahl introduced:

H. F. No. 2525, A bill for an act relating to human services; changing the effective date for provisions allowing the continuation of a recipient's life estate or joint tenancy interests for purposes of medical assistance recoveries; requiring the commissioner of human services to refund money recovered; amending Minnesota Statutes 2003 Supplement, sections 256B.15, subdivision 1; 514.981, subdivision 6.

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

Gerlach, Wilkin, Sieben, Powell and Atkins introduced:

H. F. No. 2526, A bill for an act relating to local government; removing requirement for first class mailing for notice of proposed property taxes; amending Minnesota Statutes 2003 Supplement, section 275.065, subdivision 3.

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

Cornish, Fuller, Finstad, Ruth and Swenson introduced:

H. F. No. 2527, A bill for an act relating to highways; providing for development and implementation of a ten-ton system of county and county state-aid highways; authorizing state bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Juhnke introduced:

H. F. No. 2528, A bill for an act relating to education; making changes to county extension work; providing matching funds for county extension offices; amending Minnesota Statutes 2002, section 38.35.

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

Hoppe; Anderson, I.; Larson and Beard introduced:

H. F. No. 2529, A bill for an act relating to telecommunications; expanding the geographic boundaries for local calling within the state; implementing a new policy for intercompany compensation for the exchange of certain traffic; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Abeler, Huntley, Bradley, Nornes and Powell introduced:

H. F. No. 2530, A bill for an act relating to health; requiring the commissioner of health to prepare a plan for statewide data management.

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

Erhardt; Nelson, P.; Holberg; Lieder and Thissen introduced:

H. F. No. 2531, A bill for an act relating to taxation; converting the transit pass credit to a refund and extending it to additional employers; amending Minnesota Statutes 2002, section 290.06, subdivision 28.

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

Lanning introduced:

H. F. No. 2532, A bill for an act relating to capital investment; appropriating money for flood hazard mitigation in Oakport Township; authorizing the issuance of state general obligation bonds.

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

Bradley and Haas introduced:

H. F. No. 2533, A bill for an act relating to health; increasing the tax on tobacco products; reducing the MinnesotaCare tax on health care providers; eliminating the Minnesota Comprehensive Health Association assessment; appropriating money; amending Minnesota Statutes 2002, sections 295.52, subdivisions 1, 1a, 2, 3; 297F.05, subdivisions 3, 4; Minnesota Statutes 2003 Supplement, sections 297F.05, subdivision 1; 297F.10, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62E.

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

Hilstrom; Abeler; Greiling; Cox; Atkins; Nelson, M.; Sieben; Carlson; Kahn; Pugh; Krinkie and Davnie introduced:

H. F. No. 2534, A bill for an act relating to education; allowing student athletes to participate in sports competitions and on nonschool sports teams during the high school sports season; amending Minnesota Statutes 2002, section 128C.05, by adding a subdivision.

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

Lanning, Nornes, Simpson, Otremba, Magnus, Lindgren and Brod introduced:

H. F. No. 2535, A bill for an act relating to human services; creating a child care assistance provider reimbursement rate grant program; appropriating money.

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

Lanning and Nornes introduced:

H. F. No. 2536, A bill for an act relating to crime victim services; establishing task force to develop recommendations for a formula for distributing crime victim services grants; appropriating money.

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

Boudreau, Huntley and Abeler introduced:

H. F. No. 2537, A bill for an act relating to health; modifying the reporting system for adverse health care events; requiring certain boards to make certain reports; amending Minnesota Statutes 2002, sections 147.121, subdivision 2; 147A.15, subdivision 2; 148.264, subdivision 2; 153.25, subdivision 2; Minnesota Statutes 2003 Supplement, section 144.7065, subdivision 10; Laws 2003, chapter 99, section 7, as amended; proposing coding for new law in Minnesota Statutes, chapters 144; 147; 147A; 148; 151; 153.

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

Swenson, Lindgren and Nelson, P., introduced:

H. F. No. 2538, A bill for an act relating to crime prevention; expanding the trespass law; amending Minnesota Statutes 2002, section 609.605, subdivision 1.

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

Hornstein; Erhardt; Juhnke; Westrom; Opatz; Mahoney; Sieben; Peterson; Lieder; Larson; Thissen; Nelson, M.; Hausman; Kelliher and Davnie introduced:

H. F. No. 2539, A bill for an act relating to highways; requiring commissioner of transportation to prepare toll facilities plan; prohibiting noncompete provisions in toll facility development agreements from restricting or prohibiting development, design, construction, or operation of public transit; amending Minnesota Statutes 2002, sections 160.84, subdivision 9; 160.86; proposing coding for new law in Minnesota Statutes, chapter 160.

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

Abrams, Atkins, Sieben and Pugh introduced:

H. F. No. 2540, A bill for an act relating to taxation; authorizing housing and redevelopment authorities to pledge the full faith and credit of a governmental unit to bonds issued to finance certain housing development projects; amending Minnesota Statutes 2002, section 469.034, subdivision 2.

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

Beard, Westerberg, Lieder and Borrell introduced:

H. F. No. 2541, A bill for an act relating to transportation; modifying a special retirement coverage provision for transportation department aircraft pilots; amending Minnesota Statutes 2002, section 352.86, subdivision 1.

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

Westrom, Juhnke, Ozment, Pelowski and Gunther introduced:

H. F. No. 2542, A bill for an act relating to telecommunications; changing certain cable franchise procedures and requirements; amending Minnesota Statutes 2002, section 238.08, subdivision 1, by adding a subdivision.

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

Thissen, Tingelstad, Huntley, Rhodes, Kelliher, Hornstein, Hausman, Ellison, Kahn, Wagenius, Otremba and Walker introduced:

H. F. No. 2543, A bill for an act relating to human services; creating a children's health security account; establishing the children's health security program; specifying eligibility criteria, covered services, and administrative procedures; increasing the tax on tobacco products; appropriating money; amending Minnesota

Statutes 2002, sections 297F.05, subdivisions 3, 4; 297F.10, as amended; Minnesota Statutes 2003 Supplement, section 297F.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16A; proposing coding for new law as Minnesota Statutes, chapter 256N.

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

Thissen and Sieben introduced:

H. F. No. 2544, A bill for an act relating to taxation; income; providing a technology credit for small business; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Abeler, Nornes and Huntley introduced:

H. F. No. 2545, A bill for an act relating to human services; giving MinnesotaCare enrollees with limited benefit coverage the option of removing prescription drug coverage from the aggregate dollar cap; amending Minnesota Statutes 2003 Supplement, section 256L.035.

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

Walker; Osterman; Erhardt; Dorman; Rhodes; Clark; Biernat; Kelliher; Kahn; Davnie; Hornstein; Entenza; Johnson, S.; Sieben; Greiling; Latz; Mariani; Dorn; Slawik; Mahoney; Ellison; Hilstrom; Wagenius; Larson; Jaros; Hausman; Thissen; Sertich; Carlson; Huntley; Bernardy; Murphy; Pugh; Paymar and Goodwin introduced:

H. F. No. 2546, A bill for an act relating to education; providing for comprehensive family life and sexuality education programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 121A; repealing Minnesota Statutes 2002, section 121A.23, subdivision 2; Minnesota Statutes 2003 Supplement, section 121A.23, subdivision 1.

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

Demmer introduced:

H. F. No. 2547, A bill for an act relating to education; restoring cuts to lease levy authority; amending Minnesota Statutes 2003 Supplement, section 126C.40, subdivision 1.

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

Demmer and Nelson, C., introduced:

H. F. No. 2548, A bill for an act relating to education; modifying swimming pool requirement for high school diving competitions; amending Minnesota Statutes 2003 Supplement, section 128C.05, subdivision 1a.

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

Mahoney introduced:

H. F. No. 2549, A bill for an act relating to biotechnology and health science industry zones; authorizing designation of additional zones for nanotechnology; proposing coding for new law in Minnesota Statutes, chapter 469.

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

Howes, Solberg, Hackbarth, Hoppe, Dill and Anderson, I., introduced:

H. F. No. 2550, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for acquisition of forest land and conservation easements to match federal forest legacy funds.

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

Stang, Lanning, Pugh and Sertich introduced:

H. F. No. 2551, A bill for an act relating to commerce; regulating safe deposit companies; modifying collateral requirements applicable to depositories of local public funds; amending Minnesota Statutes 2002, section 55.15; Minnesota Statutes 2003 Supplement, section 118A.03, subdivision 2.

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

Abrams; Pugh; Lanning; Lenczewski; Nelson, P.; Zellers and Kuisle introduced:

H. F. No. 2552, A bill for an act relating to taxation; making policy and administrative changes to certain taxes and tax provisions, state debt collection procedures, sustainable forest incentive programs, and tax data provisions; amending Minnesota Statutes 2002, sections 16D.10; 270.02, subdivision 3; 270.69, subdivision 4; 270B.01, subdivision 8; 289A.31, subdivision 2; 289A.56, by adding a subdivision; 290.9705, subdivision 1; 295.50, subdivision 3; 469.1734, subdivision 6; Minnesota Statutes 2003 Supplement, sections 270B.12, subdivision 13; 272.02, subdivision 65; 290.01, subdivision 19d; 290C.10; 295.53, subdivision 1; 469.310, subdivision 11; 469.330, subdivision 11; 469.337; proposing coding for new law in Minnesota Statutes, chapter 270; repealing Laws 1975, chapter 287, section 5; Laws 2003, chapter 127, article 9, section 9, subdivision 4.

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

Rhodes; Walker; Clark; Anderson, J.; Anderson, B.; Soderstrom; Ellison; Kelliher; Jaros; Seagren; Sykora; Mariani; Biernat; Mahoney; Nornes; Penas and Abrams introduced:

H. F. No. 2553, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Colin Powell Youth Center in Hennepin County; providing for construction of the Colin Powell Youth Center.

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

Osterman and Opatz introduced:

H. F. No. 2554, A bill for an act relating to insurance; health and accident; regulating certain dependent coverage; amending Minnesota Statutes 2002, sections 62A.042; 62C.14, subdivision 14.

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

Blaine introduced:

H. F. No. 2555, A bill for an act relating to drivers' licenses; limiting issuance of instruction permit and provisional driver's license after certain convictions; amending Minnesota Statutes 2002, sections 171.05, by adding a subdivision; 171.055, subdivision 1.

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

Anderson, J.; Paulsen; Stang; Atkins and Knoblach introduced:

H. F. No. 2556, A bill for an act relating to capital investment; authorizing spending to make grants to acquire and to better public land and other public improvements of a capital nature; appropriating money for natural resource and environment projects; authorizing the issuance of state general obligation bonds.

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

Gerlach introduced:

H. F. No. 2557, A bill for an act relating to elections; eliminating the incumbency designation from judicial ballots; repealing Minnesota Statutes 2002, section 204B.36, subdivision 5.

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

Sykora; Seagren; Anderson, J.; Johnson, J.; Klinzing and Demmer introduced:

H. F. No. 2558, A bill for an act relating to education; authorizing rulemaking and implementing the rigorous core academic standards in social studies and science; amending Minnesota Statutes 2003 Supplement, section 120B.021, subdivision 3.

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

Mariani, Davnie, Carlson, Eken, Rhodes and Juhnke introduced:

H. F. No. 2559, A bill for an act relating to education finance; removing the limit on funding for limited English proficiency programs; amending Minnesota Statutes 2003 Supplement, sections 124D.59, subdivision 2; 124D.65, subdivision 5; 126C.10, subdivision 4.

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

Ruth, Finstad, Dorn, Dorman, Juhnke and Swenson introduced:

H. F. No. 2560, A bill for an act relating to highways; requiring commissioner of transportation to allocate certain spending for highway improvements equally between metropolitan district and remainder of state; amending Laws 2003, First Special Session chapter 19, article 3, section 1, subdivisions 1, 2; Laws 2003, First Special Session chapter 19, article 3, section 3.

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

Urdahl, Greiling, Demmer and Meslow introduced:

H. F. No. 2561, A bill for an act relating to education; modifying certain pupil transportation requirements; amending Minnesota Statutes 2002, sections 169.01, subdivision 6; 169.442, subdivisions 1, 5; 169.443, subdivisions 1, 2; 169.4503, subdivision 16; Minnesota Statutes 2003 Supplement, sections 123B.90, subdivision 2; 123B.93; 171.321, subdivision 5; repealing Minnesota Statutes 2002, section 169.4503, subdivision 21.

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

Mariani, Biernat, Mahoney and Davnie introduced:

H. F. No. 2562, A bill for an act relating to education finance; providing parallel special education funding for school districts and charter schools; modifying the pupil count used to adjust special education revenue amounts; amending Minnesota Statutes 2002, sections 124D.11, subdivision 5; 125A.76, subdivision 3; Minnesota Statutes 2003 Supplement, sections 125A.76, subdivisions 1, 4; 125A.79, subdivisions 1, 6.

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

Mariani and Biernat introduced:

H. F. No. 2563, A bill for an act relating to education finance; modifying the pupil transportation formulas for charter schools; amending Minnesota Statutes 2003 Supplement, sections 124D.10, subdivision 16; 124D.11, subdivision 2.

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

Abeler, Hilstrom, Tingelstad, Seagren, Sykora, Bradley, Kuisle, Dorman, Lipman, Bernardy, Goodwin, Klinzing and Slawik introduced:

H. F. No. 2564, A bill for an act relating to education; giving school districts full use of their pools for competitive high school diving; amending Minnesota Statutes 2003 Supplement, section 128C.05, subdivision 1a.

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

MOTIONS AND RESOLUTIONS

Goodwin moved that the name of Tingelstad be added as chief author on H. F. No. 329. The motion prevailed.

Smith moved that the name of Zellers be added as an author on H. F. No. 606. The motion prevailed.

Abeler moved that the name of Lindgren be added as an author on H. F. No. 694. The motion prevailed.

Pugh moved that the name of Seifert be added as an author on H. F. No. 1209. The motion prevailed.

Mullery moved that the name of Osterman be added as an author on H. F. No. 1212. The motion prevailed.

Lanning moved that the name of Samuelson be added as an author on H. F. No. 1491. The motion prevailed.

Strachan moved that the name of Powell be added as an author on H. F. No. 1682. The motion prevailed.

Nelson, C., moved that the name of Dorman be added as an author on H. F. No. 1728. The motion prevailed.

Harder moved that the name of Seifert be added as an author on H. F. No. 1734. The motion prevailed.

Erhardt moved that the name of Sieben be added as an author on H. F. No. 1758. The motion prevailed.

Anderson, B., moved that the names of Soderstrom and Ruth be added as authors on H. F. No. 1783. The motion prevailed.

Beard moved that the name of Erickson be added as an author on H. F. No. 1794. The motion prevailed.

Klinzing moved that the name of Murphy be added as an author on H. F. No. 1801. The motion prevailed.

Kohls moved that the name of Adolphson be added as an author on H. F. No. 1817. The motion prevailed.

Brod moved that the names of McNamara and Ruth be added as authors on H. F. No. 1820. The motion prevailed.

Kahn moved that the name of Jacobson be added as an author on H. F. No. 1925. The motion prevailed.

Paulsen moved that the name of Harder be added as an author on H. F. No. 1939. The motion prevailed.

DeLaForest moved that the names of Goodwin and Westerberg be added as authors on H. F. No. 1941. The motion prevailed.

Meslow moved that the name of Ruth be added as an author on H. F. No. 1961. The motion prevailed.

Anderson, J., moved that the name of Otto be added as an author on H. F. No. 2029. The motion prevailed.

Buesgens moved that his name be stricken as an author on H. F. No. 2042. The motion prevailed.

Olson, M., moved that the names of Soderstrom and Hoppe be added as authors on H. F. No. 2042. The motion prevailed.

Paulsen moved that the names of Dempsey, Harder, Kohls, Simpson and Vandever be added as authors on H. F. No. 2048. The motion prevailed.

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

Lindgren moved that the name of Peterson be added as an author on H. F. No. 2079. The motion prevailed.

Thao moved that the name of Osterman be added as an author on H. F. No. 2095. The motion prevailed.

Haas moved that the names of Mariani, Otremba and Osterman be added as authors on H. F. No. 2135. The motion prevailed.

Cox moved that the name of Ruth be added as an author on H. F. No. 2188. The motion prevailed.

Lindgren moved that the name of Ruth be added as an author on H. F. No. 2195. The motion prevailed.

Wilkin moved that the name of Ruth be added as an author on H. F. No. 2199. The motion prevailed.

Magnus moved that the name of Urdahl be added as an author on H. F. No. 2200. The motion prevailed.

Adolphson moved that the name of Rhodes be added as an author on H. F. No. 2204. The motion prevailed.

Bradley moved that the name of Ruth be added as an author on H. F. No. 2207. The motion prevailed.

Urdahl moved that the name of Dill be added as an author on H. F. No. 2209. The motion prevailed.

Pugh moved that the name of Davids be added as an author on H. F. No. 2214. The motion prevailed.

Rukavina moved that his name be stricken as an author on H. F. No. 2227. The motion prevailed.

Olson, M., moved that the name of Abeler be added as an author on H. F. No. 2236. The motion prevailed.

Sykora moved that the name of Abeler be added as an author on H. F. No. 2242. The motion prevailed.

Samuelson moved that the name of Abeler be added as an author on H. F. No. 2246. The motion prevailed.

Cox moved that the name of Abeler be added as an author on H. F. No. 2249. The motion prevailed.

Goodwin moved that the names of Nelson, M.; Hilstrom and Abeler be added as authors on H. F. No. 2264. The motion prevailed.

Hilstrom moved that the name of Slawik be added as an author on H. F. No. 2286. The motion prevailed.

Seifert moved that the names of Harder and Brod be added as authors on H. F. No. 2297. The motion prevailed.

Zellers moved that the names of Kelliher and Ruth be added as authors on H. F. No. 2308. The motion prevailed.

Heidgerken moved that the name of Adolphson be added as an author on H. F. No. 2309. The motion prevailed.

Dorman moved that the name of Otremba be added as an author on H. F. No. 2332. The motion prevailed.

Howes moved that the name of Soderstrom be added as an author on H. F. No. 2334. The motion prevailed.

Abeler moved that the name of Tingelstad be added as an author on H. F. No. 2349. The motion prevailed.

Hoppe moved that the name of Cox be added as an author on H. F. No. 2365. The motion prevailed.

Thissen moved that the name of Abrams be added as an author on H. F. No. 2371. The motion prevailed.

Olson, M., moved that the name of Johnson, J., be added as an author on H. F. No. 2372. The motion prevailed.

Davids moved that the names of Huntley and Pugh be added as authors on H. F. No. 2384. The motion prevailed.

Lanning moved that the name of Cox be added as an author on H. F. No. 2394. The motion prevailed.

Anderson, B., moved that the names of Olson, M., and Borrell be added as authors on H. F. No. 2395. The motion prevailed.

Abeler moved that the name of Davnie be added as an author on H. F. No. 2402. The motion prevailed.

Kohls moved that the name of Ruth be added as an author on H. F. No. 2407. The motion prevailed.

Latz moved that the name of Meslow be added as an author on H. F. No. 2408. The motion prevailed.

Johnson, J., moved that the name of Soderstrom be added as an author on H. F. No. 2416. The motion prevailed.

Seagren moved that the name of Slawik be added as an author on H. F. No. 2417. The motion prevailed.

Lanning moved that the name of Seagren be added as an author on H. F. No. 2525. The motion prevailed.

Strachan moved that S. F. No. 58 be recalled from the Committee on Transportation Finance and be re-referred to the Committee on State Government Finance. The motion prevailed.

Huntley moved that H. F. No. 1750 be recalled from the Committee on Environment and Natural Resources Finance and be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Krinkie moved that H. F. No. 1969 be recalled from the Committee on Education Policy and be re-referred to the Committee on Education Finance. The motion prevailed.

Kelliher moved that H. F. No. 2053 be recalled from the Committee on Jobs and Economic Development Finance and be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Abeler moved that H. F. No. 2402 be recalled from the Committee on Education Policy and be re-referred to the Committee on Education Finance. The motion prevailed.

Kuisle moved that H. F. No. 1914 be returned to its author. The motion prevailed.

Sviggum; Liedler; Anderson, I.; Nelson, P.; Magnus; Severson; Cornish; Wardlow; DeLaForest; Larson and Thissen introduced:

House Resolution No. 18, A House resolution honoring Charles Willard Lindberg of Richfield, Minnesota.

SUSPENSION OF RULES

Anderson, I., moved that the rules be so far suspended that House Resolution No. 18 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 18

A House resolution honoring Charles Willard Lindberg of Richfield, Minnesota.

Whereas, on the morning of February 23, 1945, four long days into one of the bloodiest battles of World War II, a battle that would claim the lives of 6,821 American fighting men, 24-year-old Marine Corporal Charles Willard Lindberg began a tortuous climb up Mount Suribachi on the island of Iwo Jima; and

Whereas, Mount Suribachi, an inactive volcano rising 556 feet above the black volcanic rock of Iwo Jima, had become a key observation post on an eight-square-mile island at the doorstep of the Japanese home islands; and

Whereas, upon reaching the summit, Corporal Lindberg was among the six 3rd Platoon Marines who affixed a small, 54 inch by 28 inch American flag to a makeshift flagstaff and raised the flag at approximately 10:20 a.m.; and

Whereas, that flag became a symbol of hope and courage for the thousands of Marines fighting below; and

Whereas, those Marines would continue to fight and bleed and die for 31 more days and nights; and

Whereas, Corporal Lindberg would be shot through the arm and stomach one week later and his 3rd Platoon would become the most decorated in Marine history; and

Whereas, that first flag-raising and the raising of a second, larger flag a few hours later have become symbolic of the American will to defend liberty and defeat oppression wherever the battle may lead us and whatever the cost; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it humbly expresses its deepest appreciation for Corporal Charles Willard Lindberg of Richfield, Minnesota, the last remaining World War II veteran who participated in the historic raising of the flags at Iwo Jima.

Be It Further Resolved that we will forever honor this generation of Americans about whom it has been said, "Uncommon valor was a common virtue."

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and transmit it to Charles Willard Lindberg.

Anderson, I., moved that House Resolution No. 18 be now adopted. The motion prevailed and House Resolution No. 18 was adopted.

POINT OF ORDER

Entenza raised a point of order pursuant to Joint Rule 2.03 relating to Deadlines. The Speaker ruled the point of order not well taken.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Monday, March 1, 2004. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Monday, March 1, 2004.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

