

STATE OF MINNESOTA

EIGHTY-THIRD SESSION — 2004

SEVENTY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 8, 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 the Reverend Marlowe Potter, Methodist Minister, Fairmont, 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	DeLaForest	Heidgerken	Latz	Opatz	Smith
Abrams	Demmer	Hilstrom	Lenczewski	Osterman	Soderstrom
Adolphson	Dempsey	Hilty	Lesch	Otremba	Solberg
Anderson, B.	Dill	Holberg	Lieder	Otto	Stang
Anderson, I.	Dorman	Hoppe	Lindgren	Ozment	Strachan
Anderson, J.	Dorn	Hornstein	Lindner	Paulsen	Swenson
Atkins	Eastlund	Howes	Lipman	Paymar	Sykora
Beard	Eken	Huntley	Magnus	Pelowski	Thao
Bernardy	Ellison	Jacobson	Mahoney	Penas	Thissen
Biernat	Entenza	Jaros	Mariani	Powell	Tingelstad
Blaine	Erhardt	Johnson, J.	Marquart	Pugh	Urdahl
Borrell	Erickson	Johnson, S.	McNamara	Rhodes	Vandever
Boudreau	Finstad	Juhnke	Meslow	Rukavina	Wagenius
Bradley	Fuller	Kahn	Mullery	Ruth	Walker
Brod	Gerlach	Kelliher	Murphy	Samuelson	Walz
Buesgens	Goodwin	Klinzing	Nelson, C.	Seagren	Wardlow
Carlson	Greiling	Knoblach	Nelson, M.	Seifert	Wasiluk
Clark	Gunther	Koenen	Nelson, P.	Sertich	Westerberg
Cornish	Haas	Kohls	Newman	Severson	Westrom
Cox	Hackbarth	Krinkie	Nornes	Sieben	Wilkin
Davids	Harder	Lanning	Olsen, S.	Simpson	Zellers
Davnie	Hausman	Larson	Olson, M.	Slawik	Spk. Sviggum

A quorum was present.

Kuisle and Peterson were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Wardlow 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. 1697 and H. F. No. 1883, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Rukavina moved that S. F. No. 1697 be substituted for H. F. No. 1883 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1799 and H. F. No. 1980, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Beard moved that the rules be so far suspended that S. F. No. 1799 be substituted for H. F. No. 1980 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2182 and H. F. No. 1743, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Westrom moved that the rules be so far suspended that S. F. No. 2182 be substituted for H. F. No. 1743 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 352, A bill for an act relating to health; requiring parental consent for certain medical treatment; permitting parental access to minor's medical records; amending Minnesota Statutes 2002, sections 121A.22, subdivision 2; 144.335, subdivision 1; 144.342; repealing Minnesota Statutes 2002, sections 144.343, subdivision 1; 144.3441.

Reported the same back with the following amendments:

Page 3, delete section 3, and insert:

"Sec. 3. Minnesota Statutes 2002, section 144.343, subdivision 1, is amended to read:

Subdivision 1. [MINOR'S CONSENT VALID.] Any minor may give effective consent for medical, mental and other health services to determine the presence of or to treat pregnancy and conditions associated therewith, venereal disease, alcohol and other drug abuse, and the consent of no other person is required, if the minor is a victim of incest, as defined by section 609.365. If a minor gives consent for health services as provided in this subdivision, the minor's parents must not have access to the minor's health records without expressed authorization from the minor.

Sec. 4. [CONSTRUCTION.]

This act shall not be construed to supersede the provisions of Minnesota Statutes, section 144.343, subdivisions 2 to 7."

Page 3, line 16, delete "sections 144.343, subdivision 1;" and insert "section"

Page 3, line 17, delete "and" and delete "are" and insert "is"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "144.342;" and insert "144.343, subdivision 1;"

Page 1, line 7, delete everything after "2002," and insert "section"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 561, A bill for an act relating to commerce; requiring uniform mandatory penalties against license holders and a licensee's employees for sales to minors; providing for mitigating circumstances in assessing penalties; amending Minnesota Statutes 2002, sections 461.12, subdivision 2; 461.19.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 461.12, subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATIVE PENALTIES; LICENSEES.] (a) If a licensee or employee of a licensee sells tobacco to a person under the age of 18 years, or violates any other provision of this chapter, the licensee shall be charged an administrative penalty of at least \$75 but no more than \$500. An administrative penalty of at least \$200 but no more than \$1,000 must be imposed for a second violation at the same location within 24 months after the initial violation. An administrative penalty of at least \$250 but no more than \$2,500 and up to a three-day license suspension may be imposed for a third violation at the same location within 24 months after the initial violation. For a ~~third~~ subsequent violation at the same location within 24 months after the initial violation, both of the following may be imposed:

(1) an administrative penalty of at least \$250 must be imposed, and but no more than \$5,000;

(2) the licensee's authority to sell tobacco at that location ~~must~~ may be suspended for ~~not less than~~ up to a maximum of seven days.

(b) The licensing authority may suspend or revoke a tobacco license if the licensee fails to act on any of the following:

(1) imposition of disciplinary sanctions of an employee with multiple noncompliant sales to a minor;

(2) failure to conduct a minimum of one-half hour of training, annually, documented by passing a written test, on state laws concerning tobacco sales to minors;

(3) failure to adopt and enforce a written employee policy, reviewed by the licensing authority, to prevent the sale of tobacco to minors; or

(4) failure of a third compliance check while not participating in a licensing authority local "defined retailer program." For purposes of this clause, "defined retailer program" means a voluntary program between the tobacco licensing authority and the tobacco license holder. The program must:

(1) consist of a tobacco compliance coordinator;

(2) provide training by the licensing authority for tobacco retailer employees;

(3) reward employees for successfully blocking sales to underaged customers;

(4) encourage self-reporting of blocked sales to underaged customers;

(5) have an advisory panel consisting of city personnel and tobacco retailers to look at the development and review of the training curriculum;

(6) have a review panel consisting of the compliance coordinator, a city council or county board member, a local tobacco retailer, and a member of the local city staff; and

(7) not establish or impose penalties greater or less than those specified in paragraph (a).

(c) No suspension or penalty may take effect until the licensee has received notice, served personally or by mail, of the alleged violation and an opportunity for a hearing before a person authorized by the licensing authority to conduct the hearing.

(d) In determining the amount of a penalty and the length of a license suspension, at a hearing as specified in paragraph (c), the local licensing authority shall take into consideration as mitigating circumstances evidence provided by a licensee of a licensee's adoption and enforcement of a written employee policy to prevent the sale of tobacco to minors, a licensee's training program to instruct employees on applicable laws and how to prevent sales of tobacco to minors, a licensee's adoption and imposition of disciplinary sanctions for employee noncompliance with the licensee's policies, a licensee's policy of conducting voluntary internal compliance checks to test compliance with section 609.685, and whether a licensee or a licensee's employee verified the age of the customer during the transaction in question and reasonably relied on the age verification to complete the sale. A decision that a violation has occurred must be in writing and must include a summary of the mitigating circumstances considered by the local licensing authority in assessing a penalty or a license suspension.

Sec. 2. Minnesota Statutes 2002, section 461.19, is amended to read:

461.19 [EFFECT ON LOCAL ORDINANCE; NOTICE.]

Sections 461.12 to 461.18 do not preempt a local ordinance that provides for more restrictive regulation of tobacco sales, except that on and after the effective date of this act, a licensing authority shall not assess or impose a penalty on a licensee or an employee of a licensee that is greater than the administrative penalties set forth in section 461.12, subdivisions 2 and 3. A governing body shall give notice of its intention to consider adoption or substantial amendment of any local ordinance required under section 461.12 or permitted under this section. The governing body shall take reasonable steps to send notice by mail at least 30 days prior to the meeting to the last known address of each licensee or person required to hold a license under section 461.12. The notice shall state the time, place, and date of the meeting and the subject matter of the proposed ordinance.

Sec. 3. [EFFECTIVE DATE; APPLICATION.]

Sections 1 and 2 are effective the day following final enactment and apply to administrative penalties imposed on or after that date."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 722, A bill for an act relating to traffic regulations; exempting garbage trucks and recycling vehicles from certain weight restrictions; amending Minnesota Statutes 2002, section 169.87, subdivision 6.

Reported the same back with the following amendments:

Page 1, line 11, strike "two-axle"

Page 1, line 17, delete "two-axle"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 898, A bill for an act relating to eminent domain; authorizing inverse condemnation by a business when a governmental entity occupies the market; proposing coding for new law in Minnesota Statutes, chapter 117.

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. 1208, A bill for an act relating to gambling; proposing an amendment to the Minnesota Constitution, article X, section 8; allowing casino gaming at licensed pari-mutuel racetracks; authorizing licensed racetracks to operate casinos on the licensed premises; appropriating money; amending Minnesota Statutes 2002, sections 240.01, by adding a subdivision; 240.03; 240.07, subdivisions 2, 3, 4, 6; 240.08, subdivision 1; 240.10; 240.13, subdivision 6; 240.15, subdivision 3, by adding a subdivision; 240.22; 240.23; 240.27, subdivisions 1, 5; 240.35, subdivision 1; 299L.07, subdivision 2a; 541.20; 541.21; 609.75, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 240.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 240.13, subdivision 6, is amended to read:

Subd. 6. [SIMULCASTING.] (a) The commission may permit an authorized licensee to conduct simulcasting at the licensee's facility on any day authorized by the commission. All simulcasts must comply with the Interstate Horse Racing Act of 1978, United States Code, title 15, sections 3001 to 3007.

(b) The commission may not authorize any day for simulcasting at a class A facility during the racing season, and a licensee may not be allowed to transmit out-of-state telecasts of races the licensee conducts, unless the licensee has obtained the approval of the horsepersons' organization representing the majority of the horsepersons racing the breed involved at the licensed racetrack during the preceding 12 months. In the case of a class A facility at which the class A license has been in effect for less than 12 months, the approval must be obtained from the horsepersons' organization that represents the majority of the horsepersons who are racing or who will race the breed at the facility.

(c) The licensee may pay fees and costs to an entity transmitting a telecast of a race to the licensee for purposes of conducting pari-mutuel wagering on the race. The licensee may deduct fees and costs related to the receipt of televised transmissions from a pari-mutuel pool on the televised race, provided that one-half of any amount recouped in this manner must be added to the amounts required to be set aside for purses.

(d) With the approval of the commission and subject to the provisions of this subdivision, a licensee may transmit telecasts of races it conducts, for wagering purposes, to locations outside the state, and the commission may allow this to be done on a commingled pool basis.

(e) Except as otherwise provided in this section, simulcasting may be conducted on a separate pool basis or, with the approval of the commission, on a commingled pool basis. All provisions of law governing pari-mutuel betting apply to simulcasting except as otherwise provided in this subdivision or in the commission's rules. If pools are commingled, wagering at the licensed facility must be on equipment electronically linked with the equipment at the licensee's class A facility or with the sending racetrack via the totalizer computer at the licensee's class A facility. Subject to the approval of the commission, the types of betting, takeout, and distribution of winnings on commingled pari-mutuel pools are those in effect at the sending racetrack. Breakage for pari-mutuel pools on a televised race must be calculated in accordance with the law or rules governing the sending racetrack for these pools, and must be distributed in a manner agreed to between the licensee and the sending racetrack. Notwithstanding subdivision 7 and section 240.15, subdivision 5, the commission may approve procedures governing the definition and disposition of unclaimed tickets that are consistent with the law and rules governing unclaimed tickets at the sending racetrack. For the purposes of this section, "sending racetrack" is either the racetrack outside of this state where the horse race is conducted or, with the consent of the racetrack, an alternative facility that serves as the racetrack for the purpose of commingling pools.

~~(f) If there is more than one class B licensee conducting racing within the seven county metropolitan area, simulcasting may be conducted only on races run by a breed that ran at the licensee's class A facility within the 12 months preceding the event.~~

Sec. 2. Minnesota Statutes 2002, section 240.30, subdivision 5, is amended to read:

Subd. 5. [LIMITATION.] Except in the case of a licensee who has held a class B license for less than 12 months, the commission shall not authorize a licensee to operate a card club unless the licensee has conducted at least 50 days of live racing at a class A facility within the past 12 months or during the preceding calendar year. In the case of a licensee who has held a class B license for less than 12 months, the commission shall not authorize the licensee to operate a card club unless the licensee has been granted at least 50 racing days by the commission in the year in which the card club begins operations.

Sec. 3. [COMMISSIONER OF REVENUE; STUDY OF CARD CLUB TAXATION.]

The commissioner of revenue shall study the taxation of card clubs at Minnesota racetracks under Minnesota Statutes, section 240.35. In conducting the study the commissioner shall consider:

- (1) types of revenue received by card clubs and amounts received for each type;
- (2) current uses of such revenue;
- (3) existing taxes paid by licensed racetracks in Minnesota;
- (4) taxation of card club and pari-mutuel wagering revenues in other states;
- (5) taxation of other forms of legal gambling in Minnesota; and
- (6) alternative methods of taxing card club revenues and the effect of each alternative on state revenues, card club and racetrack operations, and the racing and breeding industry in Minnesota.

The commissioner shall report on the study to the chairs of the legislative committees having jurisdiction over taxation and gambling policy by January 15, 2005. The report must contain the commissioner's recommendations for a fair and equitable tax system for card club revenues."

Delete the title and insert:

"A bill for an act relating to horse racing; deleting certain restrictions on conducting simulcasting and operating a card club; requiring a study of taxation of card clubs; amending Minnesota Statutes 2002, sections 240.13, subdivision 6; 240.30, subdivision 5."

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

The report was adopted.

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

H. F. No. 1650, A bill for an act relating to local government; authorizing local bonding for personal rapid transit; amending Minnesota Statutes 2002, sections 429.021, subdivision 1; 475.52, subdivisions 1, 3, 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 475.51, is amended by adding a subdivision to read:

Subd. 15. [PERSONAL RAPID TRANSIT; PRT.] "Personal rapid transit" or "PRT" is a transit system consisting of elevated guideways that allow automated electrically driven vehicles to carry individuals nonstop from any station on the system to any other station on the system.

Sec. 2. Minnesota Statutes 2002, section 475.52, is amended by adding a subdivision to read:

Subd. 7. [LOANS FOR PRT.] A statutory or home rule charter city, county, or town may issue bonds or other obligations and loan the proceeds, with or without charging interest, to a public or private entity to design, construct, furnish, and equip a personal rapid transit system or a PRT public safety certification and training facility."

Amend the title as follows:

Page 1, line 4, delete everything after "sections" and insert "475.51, by adding a subdivision; 475.52, by adding a subdivision."

Page 1, delete line 5

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

The report was adopted.

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

H. F. No. 1667, A bill for an act relating to economic development; providing for a grant program to promote modernization of dairy equipment; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

The report was adopted.

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

H. F. No. 1686, A bill for an act relating to capital investment; appropriating money for a personal rapid transit demonstration project; authorizing the issuance of general obligation bonds.

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

The report was adopted.

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

H. F. No. 1730, A bill for an act relating to higher education; providing penalties for students convicted of rioting; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

The report was adopted.

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

H. F. No. 1741, A bill for an act relating to gambling; prohibiting location of a state-operated or state-licensed gambling facility in a city unless the voters of the city have approved the facility in a referendum; providing for payment of referendum costs; appropriating money.

Reported the same back with the following amendments:

Page 1, line 18, delete "the facility's presence" and insert "that use"

Page 1, delete lines 20 to 26

Page 2, delete lines 1 to 4

Amend the title as follows:

Page 1, line 5, delete "; providing for payment of" and insert a period

Page 1, delete line 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. 1800, A bill for an act relating to natural resources; requiring a report of tribal agreement-related costs.

Reported the same back with the following amendments:

Page 1, line 6, delete "commissioner of natural resources" and insert "legislative auditor"

Page 1, lines 7 and 8, delete "the Department of Natural Resources" and insert "state and local governments"

Page 1, line 13, delete "commissioner" and insert "legislative auditor"

Page 1, line 16, delete everything after the period

Page 1, delete lines 17 to 20

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1817, A bill for an act relating to animals; requiring restitution for harm done by dogs to service animals; amending Minnesota Statutes 2002, section 609.226, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 609.226, subdivision 3, is amended to read:

Subd. 3. [DEFENSE.] If proven by a preponderance of the evidence, it shall be an affirmative defense to liability under ~~this section~~ subdivision 1 or 2 that the victim provoked the dog to cause the victim's bodily harm.

Sec. 2. Minnesota Statutes 2002, section 609.226, is amended by adding a subdivision to read:

Subd. 4. [HARM TO SERVICE ANIMAL CAUSED BY DOG; CRIME, MANDATORY RESTITUTION.] (a) As used in this subdivision, "service animal" means an animal individually trained or being trained to do work or perform tasks for the benefit of an individual with a disability.

(b) A person who negligently or intentionally (1) permits the person's dog to run uncontrolled off the person's premises, or (2) fails to keep the person's dog properly confined or controlled; and as a result the dog causes bodily harm to a service animal or otherwise renders a service animal unable to perform its duties, is guilty of a misdemeanor.

(c) The court shall order a person convicted of violating this subdivision to pay restitution for the costs and expenses resulting from the crime. Costs and expenses include, but are not limited to, the service animal user's loss of income, veterinary expenses, transportation costs, and other expenses of temporary replacement assistance services, and service animal replacement or retraining costs incurred by a school, agency, or individual. If the court finds that the convicted person is indigent, the court may reduce the amount of restitution to a reasonable level or order it paid in installments.

(d) This subdivision does not preclude a person from seeking any available civil remedies for an act that violates this subdivision.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective August 1, 2004, and apply to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to animals; criminalizing certain harm caused to a service animal by a dog; requiring restitution; clarifying civil liability; imposing a criminal penalty; amending Minnesota Statutes 2002, section 609.226, subdivision 3, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1908, A bill for an act relating to crimes; prohibiting nonvehicular evasive flight from a peace officer; providing penalties; amending Minnesota Statutes 2002, section 609.487, by adding a subdivision.

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. 1925, A bill for an act relating to state government; providing a process for community ownership of the Minnesota Twins; proposing coding for new law as Minnesota Statutes, chapter 4B.

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

The report was adopted.

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

H. F. No. 1941, A bill for an act relating to Anoka County; authorizing the county to establish a Personnel Board of Appeals.

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

The report was adopted.

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

H. F. No. 1946, A bill for an act relating to state government; requiring state employees to reimburse the employer for personal use of state vehicles; amending Minnesota Statutes 2002, section 16B.55, subdivision 3.

Reported the same back with the following amendments:

Page 2, lines 5 and 6, delete the new language and insert "A state employee must reimburse the employer for the use of a state vehicle to the extent this use would be considered a taxable fringe benefit for the employee under the Internal Revenue Code and regulations implementing the code, but for the employee reimbursing"

Page 2, line 9, delete "federal income tax laws" and insert "Internal Revenue Code and regulations"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1974, A bill for an act relating to public safety radio communication systems; expanding and making permanent the sales and use tax exemption for public safety radio communication system products and services; expanding the definition of subsystems; expanding the purposes for public safety radio communication systems' revenue bonds; increasing the dollar limits and clarifying the kind of subsystem certain revenue bonds may be used for; appropriating money; amending Minnesota Statutes 2003 Supplement, sections 297A.70, subdivision 8; 403.21, subdivision 8; 403.27, subdivisions 1, 3.

Reported the same back with the following amendments:

Page 4, line 15, delete "\$....." and insert "\$9,557,000"

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

The report was adopted.

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

H. F. No. 1977, A bill for an act relating to gambling; appropriating money for compulsive gambling prevention and education.

Reported the same back with the following amendments:

Page 1, line 12, after "providing" insert "effective treatment"

Page 1, line 13, before the period, insert ", including research conducted at the University of Minnesota Medical School on compulsive gambling"

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

The report was adopted.

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

H. F. No. 1984, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for purchase of a medical research facility.

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

The report was adopted.

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

H. F. No. 1989, A bill for an act relating to crime prevention; regulating the sale of methamphetamine precursor drugs; authorizing reporting of suspicious transactions involving these drugs and providing civil immunity for so doing; requiring a methamphetamine educational program for retailers; further regulating while recodifying activities involving anhydrous ammonia; requiring courts to order restitution in certain situations involving controlled substances; imposing property restrictions in certain situations involving controlled substances; increasing the criminal penalties for possessing certain substances with the intent to manufacture methamphetamine and imposing a mandatory minimum sentence for so doing; establishing new methamphetamine-related crimes; expanding the definition of "violent crime" for mandatory sentencing purposes; requiring that vehicles and other property used to manufacture methamphetamine indicate this in the title or deed; establishing a methamphetamine laboratory cleanup revolving fund and authorizing loans to assist counties and cities in conducting methamphetamine cleanup; imposing criminal penalties; appropriating money; amending Minnesota Statutes 2002, sections 152.135, subdivision 2; 168A.05, subdivision 3; 609.1095, subdivision 1; Minnesota Statutes 2003 Supplement, section 152.021, subdivisions 2a, 3; proposing coding for new law in Minnesota Statutes, chapters 152; 446A; repealing Minnesota Statutes 2002, sections 18C.005, subdivisions 1a, 35a; 18C.201, subdivisions 6, 7; 18D.331, subdivision 5.

Reported the same back with the following amendments:

Page 1, after line 32, insert:

"Section 1. [152.015] [GBL AND BDO.]

Gamma-butyrolactone (GBL) and 1,4-Butanediol (BDO) are not controlled substances and are exempted from regulation under this chapter when:

(1) intended for industrial use and not for human consumption; or

(2) occurring in a natural concentration and not the result of deliberate addition."

Page 7, line 31, delete the first comma and insert "or" and delete ", phenylpropanolamine, or"

Page 7, delete line 32

Page 7, line 33, delete "isomers"

Page 7, line 35, delete the first comma and insert "or" and delete everything after "pseudoephedrine"

Page 7, delete line 36

Page 8, line 1, delete everything before the period

Page 8, line 14, delete "two" and insert "three" and after "packages" insert "or any combination of packages exceeding a total weight of nine grams"

Page 8, line 21, delete the first comma and insert "and" and delete ", and"

Page 8, line 22, delete everything before the semicolon

Page 8, delete lines 27 to 36

Page 9, delete lines 1 to 8

Page 9, line 13, before "An" insert "(a)"

Page 9, after line 24, insert:

"(b) Subdivisions 2 and 3 do not apply to a methamphetamine precursor drug that is manufactured in a manner that prevents the drug from being used to manufacture methamphetamine."

Page 9, after line 33, insert:

"Subd. 6. [EXEMPTION.] This section does not apply to pediatric products labeled pursuant to federal regulation primarily intended for administration to children under 12 years of age according to label instructions."

Page 12, line 27, delete "(a)" and delete "shall" and insert "may"

Page 12, line 30, delete everything after "custody" and insert "in accordance with section 260C.175, subdivision 1, paragraph (b), clause (2). A child taken into protective custody under this subdivision shall be provided health screening to assess potential health concerns related to methamphetamine as provided in section 260C.188. A child not taken into protective custody under this subdivision but who is known to have been exposed to methamphetamine shall be offered health screening for potential health concerns related to methamphetamine as provided in section 260C.188."

Page 12, delete lines 31 to 36

Page 13, delete lines 1 to 36

Page 14, delete lines 1 to 4

Page 14, line 6, after the first "of" insert "suspected"

Page 14, line 9, before the period, insert ", and the peace officer has reason to believe the vulnerable adult inhaled, was exposed to, had contact with, or ingested methamphetamine, a chemical substance, or methamphetamine paraphernalia"

Page 14, line 11, delete everything after "point"

Page 14, line 23, after "(c)" insert "The county social services agency shall immediately respond"

Page 14, line 24, delete ", the" and insert a period

Page 14, delete lines 25 to 28

Page 15, line 33, after the second "the" insert "certificate of title and"

Page 19, line 22, delete "14" and insert "15"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 23, after the first semicolon, insert "exempting certain substances from being classified as controlled substances under certain circumstances; exempting certain pediatric products labeled pursuant to federal regulation from law prohibiting sale of methamphetamine precursor drugs; authorizing taking a child into protective custody for health screening relating to methamphetamine;"

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

The report was adopted.

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

H. F. No. 2005, A bill for an act relating to the environment; extending the restriction on phosphorus use in fertilizers; amending Minnesota Statutes 2002, section 18C.60, subdivision 2.

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

The report was adopted.

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

H. F. No. 2006, A bill for an act relating to capital investment; appropriating money for a hockey arena at Bemidji State University; authorizing the issuance of general obligation bonds.

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

The report was adopted.

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

H. F. No. 2011, A bill for an act relating to gambling; card clubs; eliminating the maximum table requirement; amending Minnesota Statutes 2002, section 240.30, subdivision 8.

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

The report was adopted.

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

H. F. No. 2069, A bill for an act relating to game and fish; requiring certain meetings to be open to the public; amending Minnesota Statutes 2002, section 97C.401, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 97C.401, is amended by adding a subdivision to read:

Subd. 3. [1837 CEDED TERRITORY FISHERIES COMMITTEE.] Any meeting of the 1837 Ceded Territory Fisheries Committee, created under Protocol No. 1 as a result of Mille Lacs Band v. Minnesota, No. 3-94-1226 (D. Minn. March 29, 1996), must be open to the following attendees:

(1) three representatives of the media, to include one representative from the Lake Mille Lacs area, with two others chosen by lottery conducted by the commissioner of natural resources;

(2) two members of the Lake Mille Lacs Fisheries Input Group;

(3) the chairpersons of the house and senate committees having jurisdiction over natural resources policy or their designees; and

(4) a biologist who is not an employee of the Department of Natural Resources."

Delete the title and insert:

"A bill for an act relating to game and fish; requiring fisheries committee meetings to be open to certain attendees; amending Minnesota Statutes 2002, section 97C.401, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2107, A bill for an act relating to real property; modifying provisions relating to survey and monument requirements; amending Minnesota Statutes 2002, sections 160.15; 389.09.

Reported the same back with the following amendments:

Page 2, line 14, strike "stone," and insert "a durable" and after "concrete" strike the comma and strike "cast iron" and insert "metal marker"

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. 2135, A bill for an act relating to gambling; providing for lottery gaming machines; authorizing the director of the state lottery to contract for the placement of gaming machines at a gaming facility; imposing a tax on gaming machine revenue and providing for the use of gaming machine revenue; providing powers and duties to the director; providing for blackjack and other card games at a gaming facility; amending Minnesota Statutes 2002, sections 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivision 10, by adding subdivisions; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; Minnesota Statutes 2003 Supplement, section 297A.94; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A.

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

The report was adopted.

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

H. F. No. 2163, A bill for an act relating to crime prevention; public safety; expanding the trespass law; amending Minnesota Statutes 2002, section 609.605, subdivisions 1, 4.

Reported the same back with the following amendments:

Page 3, line 4, delete "at" and insert "within one year"

Page 3, line 5, delete "any time"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2267, A bill for an act relating to agriculture; increasing maximum state participation limits for certain rural finance authority programs; changing certain net worth limits; amending Minnesota Statutes 2002, sections 41B.03, subdivision 3; 41B.039, subdivision 2; 41B.04, subdivision 8; 41B.042, subdivision 4; 41B.043, subdivision 1b, by adding a subdivision; 41B.045, subdivision 2; 41B.046, subdivision 5; 41C.02, subdivision 12.

Reported the same back with the following amendments:

Page 5, line 23, strike everything after "than"

Page 5, strike lines 24 and 25

Page 5, line 26, strike everything before the period and insert "twice the amount set for an individual in clause (1)"

Page 5, line 28, delete the new language and strike "and an"

Page 5, strike line 29

Page 5, line 30, delete the new language and strike the old language

Page 5, strike line 31

Page 5, line 32, strike "Index" and insert "the amount set for an individual in clause (1)"

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

The report was adopted.

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

H. F. No. 2275, A bill for an act relating to peace officers; clarifying when a peace officer may recoup attorney fees and costs in a civilian complaint proceeding; amending Minnesota Statutes 2002, section 471.44, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 14, strike "probable"

Page 1, line 15, strike everything before "not" and insert "a finding that the complaint is sustained by the authority, and if the complaint is subsequently"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2281, A bill for an act relating to crime victims; authorizing providing information to victims of juvenile acts; clarifying the definition of victim; authorizing release of an offender's current city of residence upon request by a victim; reducing the time of the nonliable spouse to file a claim under the Revenue Recapture Act; amending Minnesota Statutes 2002, sections 13.84, by adding a subdivision; 260B.163, subdivision 1; 611A.01; Minnesota Statutes 2003 Supplement, section 260B.171, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 270A.

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

The report was adopted.

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

H. F. No. 2288, A bill for an act relating to courts; modifying conciliation court debtor disclosures; amending Minnesota Statutes 2002, section 491A.02, subdivision 9.

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

The report was adopted.

Knoblach from the Committee on Ways and Means 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 following amendments:

Page 1, after line 5, insert:

"(a) The commissioner of finance must transfer any outstanding balance from the expired technology enterprise fund to the general fund."

Page 1, line 6, before "\$117,000" insert "(b)"

Page 1, line 7, delete "technology enterprise" and insert "general"

Amend the title as follows:

Page 1, line 3, delete "the" and delete "enterprise fund" and insert "projects"

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. 2365, A bill for an act relating to the environment; providing for enforcement for certain aboveground petroleum storage tanks; modifying field citations procedures for petroleum storage tanks; amending Minnesota Statutes 2002, section 115.071, subdivision 7; Minnesota Statutes 2003 Supplement, section 116.073, subdivisions 1, 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 115.071, subdivision 7, is amended to read:

Subd. 7. [UNDERGROUND AND ABOVEGROUND STORAGE TANKS; RED TAGS.] (a) The commissioner may issue a red tag for failure to have the regulated underground tank system or aboveground tank facility protected from corrosion, failure to have spill and overflow protection, or failure to have a leak detection method in place. A red tag may also be issued for underground storage tank system or aboveground tank facility violations if an enforcement action, including, but not limited to, a citation as defined in section 116.073, subdivision 1, has been issued and the violations are not corrected. Upon discovery of a violation at a facility with an underground storage tank system or aboveground tank facility, the commissioner shall affix a red tag, in plain view, to the fill pipe cap of the tank system that provides notice that delivery of petroleum products to the tank system is prohibited. When the red tag is issued, agency staff must determine the product level in the tank.

(b) No owner or operator of a facility having an underground storage tank system or aboveground tank facility shall fill or allow the filling of a tank with a petroleum product while a red tag is affixed to the fill pipe cap of the tank system.

(c) A person shall not remove, deface, alter, or otherwise tamper with a red tag so that the information contained on the tag is not legible.

(d) A red tag may not be removed until the commissioner has inspected the underground storage tank system or aboveground tank facility and established that it is no longer in violation. After making that determination, the commissioner shall remove the red tag within 24 hours or as soon as reasonably possible. Upon agreement by the commissioner, the red tag may also be removed by an agency-certified installer who provides documentation to the commissioner that the violation for which the system was red-tagged has been corrected.

(e) The issuance of a red tag may be appealed under section 116.072, subdivision 6, paragraphs (a) to (e), except that the person subject to the order must request a hearing within 15 days after issuance of a red tag and, if a hearing is not requested within the 15-day period, the red tag becomes a final order not subject to further review.

Sec. 2. Minnesota Statutes 2003 Supplement, section 116.073, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY TO ISSUE.] (a) Pollution Control Agency staff designated by the commissioner and Department of Natural Resources conservation officers may issue citations to a person who:

(1) disposes of solid waste as defined in section 116.06, subdivision 22, at a location not authorized by law for the disposal of solid waste without permission of the owner of the property;

(2) fails to report or recover discharges as required under section 115.061;

(3) fails to take discharge preventive or preparedness measures required under chapter 115E; or

(4) fails to install or use vapor recovery equipment during the transfer of gasoline from a transport delivery vehicle to an underground storage tank as required in section 116.49, subdivisions 3 and 4.

(b) In addition, Pollution Control Agency staff designated by the commissioner may issue citations to owners and operators of facilities ~~dispensing petroleum products~~ who violate sections 116.46 to 116.50 and Minnesota Rules, chapters 7150 and 7151 and parts 7001.4200 to 7001.4300. A citation issued under this subdivision must include a requirement that the person cited remove and properly dispose of or otherwise manage the waste or discharged oil or hazardous substance, reimburse any government agency that has disposed of the waste or discharged oil or hazardous substance and contaminated debris for the reasonable costs of disposal, or correct any storage tank violations.

(c) ~~Until June 1, 2004,~~ Citations for ~~violation~~ violations of sections 115E.045 and 116.46 to 116.50 and Minnesota Rules, chapters 7150 and 7151, may be issued only after the owners and operators have had a ~~90-day~~ 60-day period to correct violations stated in writing by Pollution Control Agency staff, unless there is a discharge associated with the violation or the violation is of ~~Minnesota Rules, part 7151.6400, subpart 1, item B, or 7151.6500~~ a repeat violation from a previous inspection.

Sec. 3. Minnesota Statutes 2003 Supplement, section 116.073, subdivision 2, is amended to read:

Subd. 2. [PENALTY AMOUNT.] The citation must impose the following penalty amounts:

(1) \$100 per major appliance, as defined in section 115A.03, subdivision 17a, up to a maximum of \$2,000;

- (2) \$25 per waste tire, as defined in section 115A.90, subdivision 11, up to a maximum of \$2,000;
- (3) \$25 per lead acid battery governed by section 115A.915, up to a maximum of \$2,000;
- (4) \$1 per pound of other solid waste or \$20 per cubic foot up to a maximum of \$2,000;
- (5) up to \$200 for any amount of waste that escapes from a vehicle used for the transportation of solid waste if, after receiving actual notice that waste has escaped the vehicle, the person or company transporting the waste fails to immediately collect the waste;
- (6) \$50 per violation of rules adopted under section 116.49, relating to underground storage tank system design, construction, installation, and notification requirements, up to a maximum of \$2,000;
- (7) ~~\$250~~ \$500 per violation of rules adopted under section 116.49, relating to upgrading of existing underground storage tank systems, up to a maximum of \$2,000 per tank system;
- (8) ~~\$100~~ \$250 per violation of rules adopted under section 116.49, relating to underground storage tank system general operating requirements, up to a maximum of \$2,000;
- (9) \$250 per violation of rules adopted under section 116.49, relating to underground storage tank system release detection requirements, up to a maximum of \$2,000;
- (10) \$50 per violation of rules adopted under section 116.49, relating to out-of-service underground storage tank systems and closure, up to a maximum of \$2,000;
- (11) \$50 per violation of sections 116.48 to 116.491 relating to underground storage tank system notification, monitoring, environmental protection, and tank installers training and certification requirements, up to a maximum of \$2,000;
- (12) \$25 per gallon of oil or hazardous substance discharged which is not reported or recovered under section 115.061, up to a maximum of \$2,000;
- (13) \$1 per gallon of oil or hazardous substance being stored, transported, or otherwise handled without the prevention or preparedness measures required under chapter 115E, up to a maximum of \$2,000;
- (14) \$250 per violation of Minnesota Rules, parts 7001.4200 to 7001.4300 or chapter 7151, related to aboveground storage tank systems, up to a maximum of \$2,000; and
- (15) \$250 per delivery made in violation of section 116.49, subdivision 3 or 4, levied against:
 - (i) the retail location if vapor recovery equipment is not installed or maintained properly;
 - (ii) the carrier if the transport delivery vehicle is not equipped with vapor recovery equipment; or
 - (iii) the driver for failure to use supplied vapor recovery equipment."

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. 2368, A bill for an act relating to game and fish; modifying deer hunting provisions and fees; modifying restriction on importation of cervidae carcasses; modifying restriction on the transport of game birds; clarifying validity of firearms safety certificates issued to youth; modifying turtle license requirements; eliminating prohibition on the use of vehicles for trapping beaver and otter; amending Minnesota Statutes 2002, sections 97A.545, subdivision 5; 97B.015, subdivision 5; 97B.301, subdivisions 6, 7; Minnesota Statutes 2003 Supplement, sections 97A.475, subdivision 2; 97A.505, subdivision 8; 97C.605, subdivision 2c; repealing Minnesota Statutes 2002, section 97B.935.

Reported the same back with the following amendments:

Page 2, line 16, delete "(a)"

Page 2, line 18, after "carcasses" insert "from known chronic wasting disease endemic areas, as determined by the Board of Animal Health."

Page 2, delete lines 23 to 25

Page 2, line 26, delete "taxidermist."

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.

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

H. F. No. 2378, A bill for an act relating to local government; adding to the list of unpaid special charges for which a city may collect a service charge as a special assessment; making a conforming change; amending Minnesota Statutes 2002, section 504B.445, subdivision 4; Minnesota Statutes 2003 Supplement, section 429.101, subdivision 1.

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

The report was adopted.

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

H. F. No. 2383, A bill for an act relating to natural resources; modifying the forest resources Interagency Information Cooperative; modifying the State Timber Act; amending Minnesota Statutes 2002, sections 89A.09, subdivision 1; 90.02; 90.181, subdivision 2; 90.191, subdivision 2, by adding a subdivision; 90.252; Minnesota Statutes 2003 Supplement, sections 90.101, subdivision 1; 90.121; 90.14; 90.151, subdivision 1; repealing Minnesota Statutes 2003 Supplement, section 90.191, subdivisions 3, 4.

Reported the same back with the following amendments:

Pages 3 and 4, delete section 4

Page 8, after line 4, insert:

"Sec. 10. Minnesota Statutes 2002, section 282.04, subdivision 1, is amended to read:

Subdivision 1. [TIMBER SALES; LAND LEASES AND USES.] (a) The county auditor may sell timber upon any tract that may be approved by the natural resources commissioner. ~~Such~~ The sale of timber shall be made for cash at not less than the appraised value determined by the county board to the highest bidder after not less than one week's published notice in an official paper within the county. Any timber offered at ~~such the~~ public sale and not sold may thereafter be sold at private sale by the county auditor at not less than the appraised value thereof, until ~~such the~~ time as the county board may withdraw ~~such the~~ timber from sale. The appraised value of the timber and the forestry practices to be followed in the cutting of said timber shall be approved by the commissioner of natural resources.

(b) Payment of the full sale price of all timber sold on tax-forfeited lands shall be made in cash at the time of the timber sale, except in the case of oral or sealed bid auction sales, the down payment shall be no less than 15 percent of the appraised value, and the balance shall be paid prior to entry. In the case of auction sales that are partitioned and sold as a single sale with predetermined cutting blocks, the down payment shall be no less than 15 percent of the appraised price of the entire timber sale which may be held until the satisfactory completion of the sale or applied in whole or in part to the final cutting block. The value of each separate block must be paid in full before any cutting may begin in that block. With the permission of the county administrator the purchaser may enter unpaid blocks and cut necessary timber incidental to developing logging roads as may be needed to log other blocks provided that no timber may be removed from an unpaid block until separately scaled and paid for. If payment is provided as specified in this paragraph as security under paragraph (a) and no cutting has taken place on the contract, the county auditor may credit the security provided, less any down payment required for an auction sale under this paragraph, to any other contract issued to the contract holder by the county under this chapter to which the contract holder requests in writing that it be credited, provided the request and transfer is made within the same calendar year as the security was received.

(c) The county board may require final settlement on the basis of a scale of cut products. Any parcels of land from which timber is to be sold by scale of cut products shall be so designated in the published notice of sale ~~above mentioned under paragraph (a),~~ in which case the notice shall contain a description of ~~such the~~ parcels, a statement of the estimated quantity of each species of timber ~~thereon,~~ and the appraised price of each ~~specie~~ species of timber for 1,000 feet, per cord or per piece, as the case may be. In ~~such those~~ cases any bids offered over and above the appraised prices shall be by percentage, the percent bid to be added to the appraised price of each of the different species of timber advertised on the land. The purchaser of timber from ~~such the~~ parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the notice of sale as estimated to be standing on the land, and in addition shall pay at the same rate for any additional amounts which the final scale shows to have been cut or was available for cutting on the land at the time of sale under the terms of ~~such the~~ sale. Where the final scale of cut products shows that less timber was cut or was available for cutting under terms of ~~such the~~ sale than was originally paid for, the excess payment shall be refunded from the forfeited tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board as in case of other claims against the county. No timber, except hardwood pulpwood, may be removed from ~~such the~~ parcels of land or other designated landings until scaled by a person or persons designated by the county board and approved by the commissioner of natural resources. Landings other than the parcel of land from which timber is cut may be designated for scaling by the county board by written agreement with the purchaser of the timber. The county board may, by written agreement with the purchaser and with a consumer designated by the purchaser when the timber is sold by the county auditor, and with the approval of the commissioner of natural resources, accept the consumer's scale of cut products delivered at the consumer's landing. No timber shall be removed until fully paid for in cash. Small amounts of timber not exceeding \$3,000 in appraised valuation may be sold for not less than the full appraised value at private sale to individual persons without first publishing notice of sale or calling for bids, provided that in case of ~~such a~~ sale involving a total appraised value of more than \$200 the sale shall be made subject to final settlement on the basis of a scale of cut products in the manner above provided and not more than two ~~such of the~~ sales, directly or indirectly to any individual shall be in effect at one time.

(d) As directed by the county board, the county auditor may lease tax-forfeited land to individuals, corporations or organized subdivisions of the state at public or private ~~venue~~ sale, and at ~~such the~~ such the prices and under ~~such the~~ such the terms as the county board may prescribe, for use as cottage and camp sites and for agricultural purposes and for the purpose of taking and removing of hay, stumps, sand, gravel, clay, rock, marl, and black dirt ~~therefrom from the~~ land, and for garden sites and other temporary uses provided that no leases shall be for a period to exceed ten years; provided, further that any leases involving a consideration of more than \$12,000 per year, except to an organized subdivision of the state shall first be offered at public sale in the manner provided herein for sale of timber. Upon the sale of any ~~such~~ leased land, it shall remain subject to the lease for not to exceed one year from the beginning of the term of the lease. Any rent paid by the lessee for the portion of the term cut off by ~~such the~~ such the cancellation shall be refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and allowed by the county board as in case of other claims against the county.

(e) As directed by the county board, the county auditor may lease tax-forfeited land to individuals, corporations, or organized subdivisions of the state at public or private ~~venue~~ sale, at ~~such the~~ such the prices and under ~~such the~~ such the terms as the county board may prescribe, for the purpose of taking and removing for use for road construction and other purposes tax-forfeited stockpiled iron-bearing material. The county auditor must determine that the material is needed and suitable for use in the construction or maintenance of a road, tailings basin, settling basin, dike, dam, bank fill, or other works on public or private property, and that the use would be in the best interests of the public. No lease shall exceed ten years. The use of a stockpile for these purposes must first be approved by the commissioner of natural resources. The request shall be deemed approved unless the requesting county is notified to the contrary by the commissioner of natural resources within six months after receipt of a request for approval for use of a stockpile. Once use of a stockpile has been approved, the county may continue to lease it for these purposes until approval is withdrawn by the commissioner of natural resources.

(f) The county auditor, with the approval of the county board is authorized to grant permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores, tailings, or waste products from mines or ore milling plants, upon ~~such the~~ such the conditions and for ~~such the~~ such the consideration and for ~~such the~~ such the period of time, not exceeding 15 years, as the county board may determine; ~~said~~. The permits, licenses, or leases ~~to be~~ are subject to approval by the commissioner of natural resources.

(g) Any person who removes any timber from tax-forfeited land before said timber has been scaled and fully paid for as provided in this subdivision is guilty of a misdemeanor.

(h) The county auditor may, with the approval of the county board, and without first offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of peat from tax-forfeited lands upon ~~such the~~ such the terms and conditions as the county board may prescribe. Any lease for the removal of peat from tax-forfeited lands must first be reviewed and approved by the commissioner of natural resources if the lease covers 320 or more acres. No lease for the removal of peat shall be made by the county auditor pursuant to this section without first holding a public hearing on the auditor's intention to lease. One printed notice in a legal newspaper in the county at least ten days before the hearing, and posted notice in the courthouse at least 20 days before the hearing shall be given of the hearing.

(i) Notwithstanding any provision of paragraph (c) to the contrary, the St. Louis County auditor may, at the discretion of the county board, sell timber to the party who bids the highest price for all the several kinds of timber, as provided for sales by the commissioner of natural resources under section 90.14. Bids offered over and above the appraised price need not be applied proportionately to the appraised price of each of the different species of timber.

(j) In lieu of any payment or deposit required in paragraph (b), as directed by the county board and under terms set by the county board, the county auditor may accept an irrevocable bank letter of credit in the amount equal to the amount otherwise determined in paragraph (b), exclusive of the down payment required for an auction sale in paragraph (b). If an irrevocable bank letter of credit is provided under this paragraph, at the written request of the

purchaser, the county may periodically allow the bank letter of credit to be reduced by an amount proportionate to the value of timber that has been harvested and for which the county has received payment. The remaining amount of the bank letter of credit after a reduction under this paragraph must not be less than 20 percent of the value of the timber purchased. If no cutting of timber has taken place on the contract for which a letter of credit has been provided, the county may allow the transfer of the letter of credit to any other contract issued to the contract holder by the county under this chapter to which the contract holder requests in writing that it be credited."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "modifying provisions for timber sales on tax-forfeited land;"

Page 1, line 7, after the second semicolon, insert "282.04, subdivision 1;"

Page 1, line 8, delete "90.121;"

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.

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

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.

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

The report was adopted.

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

H. F. No. 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.

Reported the same back with the following amendments:

Page 7, after line 3, insert:

"Sec. 8. Minnesota Statutes 2002, section 473.255, subdivision 3, is amended to read:

Subd. 3. [INCLUSIONARY HOUSING INCENTIVES.] The Metropolitan Council may work with municipalities and developers to provide incentives to inclusionary housing developments ~~such as waiver of service availability charges and other regulatory incentives~~ that would result in identifiable cost avoidance or reductions for an inclusionary housing development. Waivers of service availability charges are not eligible as incentives."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, before "making" insert "providing that waivers of service availability charges are not eligible as incentives to inclusionary housing developments;"

Page 1, line 7, delete "section" and insert "sections"

Page 1, line 8, before the period, insert "; 473.255, subdivision 3"

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. 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.

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.

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

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.

Reported the same back with the following amendments:

Page 2, after line 25, insert:

"Sec. 3. [K-12 SOCIAL STUDIES STANDARDS RULES.]

Beginning no later than July 1, 2004, the education commissioner shall amend the K-12 academic social studies standards incorporated by reference under this act using the expedited process under Minnesota Statutes, section 14.389. In addition to technical changes, corrections, clarifications, and similarly needed revisions, the K-12 academic social studies standards shall be modified as indicated:

Page 10, line 4, after "grade 6" insert "or grade 8".

Page 18, line 4, after "grade 6" insert "or grade 8".

Page 19, Strand I, Sub-Strand C, delete "(1810-1860)" and insert "(1810-1890)".

Page 19, Strand I, Sub-Strand C, Standard, delete "early".

Page 19, Strand I, Sub-Strand C, Examples 1, delete "immigrants, influence of" and insert ", German and".

Page 20, Strand I, Sub-Strand E, Examples 3, delete "missionaries".

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.

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

H. F. No. 2577, A bill for an act relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 2002, sections 3.971, subdivision 8; 13.07; 13.461, by adding a subdivision; 13.465, subdivision 1, by adding a subdivision; 13.475, subdivision 4; 13.4967, by adding a subdivision; 13.7411, subdivision 5; 15.0591, subdivision 2; 18F.02, subdivision 2a; 60A.23, subdivision 5; 82.34, subdivision 15; 85.053, subdivision 2; 89.391; 97A.055, subdivision 4; 103B.101, subdivision 10; 115B.16, subdivision 4; 115B.18, subdivision 1; 116A.11, subdivision 1; 119A.05, subdivision 1; 126C.48, subdivision 8; 162.081, subdivision 4; 163.16, subdivision 1; 163.161; 164.05, subdivision 3; 164.08, subdivision 1; 168.12, subdivision 2d; 181.953, subdivision 1; 214.03, subdivision 1; 237.39; 256D.03, subdivision 8; 260B.175, subdivision 1; 270B.01, subdivision 8; 272.0212, subdivision 2; 273.1398, subdivisions 1, 2d, 3; 275.07, subdivision 1; 276.04, subdivision 2; 290.191, subdivision 5; 290C.04; 306.32; 325F.19, subdivision 3; 325F.69, subdivisions 1, 4; 326.10, subdivisions 1, 7; 326.12, subdivision 2; 326.13; 326.15; 336.9-531; 344.20; 348.02; 357.021, subdivision 5; 365.59; 366.17; 368.85, subdivision 9; 385.09; 395.14; 477A.011, subdivisions 21, 27, 35; 477A.015; 609.3452, subdivision 2; Minnesota Statutes 2003 Supplement, sections 13.4963, subdivision 2; 18G.14, subdivisions 1, 8; 37.31, subdivision 4; 62J.692, subdivision 10; 62J.694, subdivision 1; 97A.482; 115B.31, subdivision 1; 116J.966, subdivision 1; 119B.125, subdivision 2; 127A.45, subdivision 10; 144.395, subdivision 1; 192.501, subdivision 2; 216C.41, subdivision 1; 246.014; 256.954, subdivision 3; 270B.03, subdivision 6; 273.1392; 273.1398, subdivision 4c; 297A.668, subdivision 3; 297A.669, subdivision 16; 308B.201; 308B.311, subdivision 6; 308B.471, subdivision 2; 308B.735, subdivision 1; 365.52, subdivision 1; 469.177, subdivision 9; 469.339, subdivision 2; 473.253, subdivision 1; Laws 2003, First Special Session chapter 11, article 2, section 21; Laws 2003, First Special Session chapter 21, article 8, section 10; repealing Minnesota Statutes 2002, sections 18.79, subdivision 11; 115B.241; 273.1398, subdivisions 1a, 2e; 275.07, subdivisions 1a, 5; Laws 2001, chapter 161, section 29; Laws 2001, First Special Session chapter 5, article 3, section 9; Laws 2002, chapter 364, section 15; Laws 2002, chapter 380, article 4, section 1; Laws 2003, chapter 112, article 2, section 35; Laws 2003, chapter 127, article 5, section 19; Laws 2003, chapter 127, article 7, section 1; Laws 2003, chapter 128, article 2, section 13; Laws 2003, chapter 128, article 3, section 4; Laws 2003, First Special Session chapter 9, article 5, section 29; Minnesota Rules, parts 1220.0200; 1220.0300; 1220.0400; 1220.0500; 1220.0600; 1220.0700; 1220.0800; 1220.0900; 7380.0200; 7380.0210; 7380.0220; 7380.0230; 7380.0240.

Reported the same back with the following amendments:

Page 4, after line 20, insert:

"Sec. 8. Minnesota Statutes 2002, section 13.4965, is amended by adding a subdivision to read:

Subd. 2a. [UNIFORM ASSESSMENT DATA.] Data on property shared to promote uniform assessment is governed by section 273.061, subdivision 8a."

Page 30, after line 2, insert:

"Sec. 38. Minnesota Statutes 2003 Supplement, section 256B.0943, subdivision 5, is amended to read:

Subd. 5. [PROVIDER ENTITY ADMINISTRATIVE INFRASTRUCTURE REQUIREMENTS.] (a) To be an eligible provider entity under this section, a provider entity must have an administrative infrastructure that establishes authority and accountability for decision making and oversight of functions, including finance, personnel, system management, clinical practice, and performance measurement. The provider must have written policies and procedures that it reviews and updates every three years and distributes to staff initially and upon each subsequent update.

(b) The administrative infrastructure written policies and procedures must include:

(1) personnel procedures, including a process for: (i) recruiting, hiring, training, and retention of culturally and linguistically competent providers; (ii) conducting a criminal background check on all direct service providers and volunteers; (iii) investigating, reporting, and acting on violations of ethical conduct standards; (iv) investigating, reporting, and acting on violations of data privacy policies that are compliant with federal and state laws; (v) utilizing volunteers, including screening applicants, training and supervising volunteers, and providing liability coverage for volunteers; and (vi) documenting that a each mental health professional, mental health practitioner, or mental health behavioral aide meets the applicable provider qualification criteria, training criteria under subdivision 8, and clinical supervision or direction of a mental health behavioral aide requirements under subdivision 6;

(2) fiscal procedures, including internal fiscal control practices and a process for collecting revenue that is compliant with federal and state laws;

(3) if a client is receiving services from a case manager or other provider entity, a service coordination process that ensures services are provided in the most appropriate manner to achieve maximum benefit to the client. The provider entity must ensure coordination and nonduplication of services consistent with county board coordination procedures established under section 245.4881, subdivision 5;

(4) a performance measurement system, including monitoring to determine cultural appropriateness of services identified in the individual treatment plan, as determined by the client's culture, beliefs, values, and language, and family-driven services; and

(5) a process to establish and maintain individual client records. The client's records must include:

(i) the client's personal information;

(ii) forms applicable to data privacy;

(iii) the client's diagnostic assessment, updates, results of tests, individual treatment plan, and individual behavior plan, if necessary;

(iv) documentation of service delivery as specified under subdivision 6;

(v) telephone contacts;

(vi) discharge plan; and

(vii) if applicable, insurance information.

Sec. 39. Minnesota Statutes 2003 Supplement, section 256B.0943, subdivision 7, is amended to read:

Subd. 7. [QUALIFICATIONS OF INDIVIDUAL AND TEAM PROVIDERS.] (a) An individual or team provider working within the scope of the provider's practice or qualifications may provide service components of children's therapeutic services and supports that are identified as medically necessary in a client's individual treatment plan.

(b) An individual provider ~~and multidisciplinary team includes~~ must be qualified as:

(1) a mental health professional as defined in subdivision 1, paragraph (m); or

(2) a mental health practitioner as defined in section 245.4871, subdivision 26. The mental health practitioner must work under the clinical supervision of a mental health professional; or

(3) a mental health behavioral aide working under the direction of a mental health professional to implement the rehabilitative mental health services identified in the client's individual treatment plan. A level I mental health behavioral aide must:

(i) be at least 18 years old;

(ii) have a high school diploma or general equivalency diploma (GED) or two years of experience as a primary caregiver to a child with severe emotional disturbance within the previous ten years; and

(iii) meet preservice and continuing education requirements under subdivision 8. A level II mental health behavioral aide must:

(i) be at least 18 years old;

(ii) have an associate or bachelor's degree or 4,000 hours of experience in delivering clinical services in the treatment of mental illness concerning children or adolescents; and

(iii) meet preservice and continuing education requirements in subdivision 8;

~~(4)~~ (c) A preschool program multidisciplinary team ~~that includes~~ must include at least one mental health professional and one or more of the following individuals under the clinical supervision of a mental health professional:

(i) a mental health practitioner; or

(ii) a program person, including a teacher, assistant teacher, or aide, who meets the qualifications and training standards of a level I mental health behavioral aide; ~~or.~~

~~(5)~~ (d) A day treatment multidisciplinary team ~~that includes~~ must include at least one mental health professional and one mental health practitioner.

Sec. 40. Minnesota Statutes 2003 Supplement, section 256B.0943, subdivision 9, is amended to read:

Subd. 9. [SERVICE DELIVERY CRITERIA.] (a) In delivering services under this section, a certified provider entity must ensure that:

(1) each individual provider's caseload size permits the provider to deliver services to both clients with severe, complex needs and clients with less intensive needs. The provider's caseload size should reasonably enable the provider to play an active role in service planning, monitoring, and delivering services to meet the client's and client's family's needs, as specified in each client's individual treatment plan;

(2) site-based programs, including day treatment and preschool programs, provide staffing and facilities to ensure the client's health, safety, and protection of rights, and that the programs are able to implement each client's individual treatment plan;

(3) a day treatment program is provided to a group of clients by a multidisciplinary ~~staff team~~ under the clinical supervision of a mental health professional. The day treatment program must be provided in and by: (i) an outpatient hospital accredited by the Joint Commission on Accreditation of Health Organizations and licensed under sections 144.50 to 144.55; (ii) a community mental health center under section 245.62; and (iii) an entity that is under contract with the county board to operate a program that meets the requirements of sections 245.4712, subdivision 2, and 245.4884, subdivision 2, and Minnesota Rules, parts 9505.0170 to 9505.0475. The day treatment program must stabilize the client's mental health status while developing and improving the client's independent living and socialization skills. The goal of the day treatment program must be to reduce or relieve the effects of mental illness and provide training to enable the client to live in the community. The program must be available at least one day a week for a minimum three-hour time block. The three-hour time block must include at least one hour, but no more than two hours, of individual or group psychotherapy. The remainder of the three-hour time block may include recreation therapy, socialization therapy, or independent living skills therapy, but only if the therapies are included in the client's individual treatment plan. Day treatment programs are not part of inpatient or residential treatment services; and

(4) a preschool program is a structured treatment program offered to a child who is at least 33 months old, but who has not yet reached the first day of kindergarten, by a preschool multidisciplinary team in a day program licensed under Minnesota Rules, parts 9503.0005 to 9503.0175. The program must be available at least one day a week for a minimum two-hour time block. The structured treatment program may include individual or group psychotherapy and recreation therapy, socialization therapy, or independent living skills therapy, if included in the client's individual treatment plan.

(b) A provider entity must deliver the service components of children's therapeutic services and supports in compliance with the following requirements:

(1) individual, family, and group psychotherapy must be delivered as specified in Minnesota Rules, part 9505.0323;

(2) individual, family, or group skills training must be provided by a mental health professional or a mental health practitioner who has a consulting relationship with a mental health professional who accepts full professional responsibility for the training;

(3) crisis assistance must be ~~intense~~, time-limited, and designed to resolve or stabilize crisis through arrangements for direct intervention and support services to the child and the child's family. Crisis assistance must utilize resources designed to address abrupt or substantial changes in the functioning of the child or the child's family as evidenced by a sudden change in behavior with negative consequences for well being, a loss of usual coping mechanisms, or the presentation of danger to self or others;

(4) medically necessary services that are provided by a mental health behavioral aide must be designed to improve the functioning of the child and support the family in activities of daily and community living. A mental health behavioral aide must document the delivery of services in written progress notes. The mental health

behavioral aide must implement goals in the treatment plan for the child's emotional disturbance that allow the child to acquire developmentally and therapeutically appropriate daily living skills, social skills, and leisure and recreational skills through targeted activities. These activities may include:

- (i) assisting a child as needed with skills development in dressing, eating, and toileting;
- (ii) assisting, monitoring, and guiding the child to complete tasks, including facilitating the child's participation in medical appointments;
- (iii) observing the child and intervening to redirect the child's inappropriate behavior;
- (iv) assisting the child in using age-appropriate self-management skills as related to the child's emotional disorder or mental illness, including problem solving, decision making, communication, conflict resolution, anger management, social skills, and recreational skills;
- (v) implementing deescalation techniques as recommended by the mental health professional;
- (vi) implementing any other mental health service that the mental health professional has approved as being within the scope of the behavioral aide's duties; or
- (vii) assisting the parents to develop and use parenting skills that help the child achieve the goals outlined in the child's individual treatment plan or individual behavioral plan. Parenting skills must be directed exclusively to the child's treatment; and

(5) direction of a mental health behavioral aide must include the following:

- (i) a total of one hour of on-site observation by a mental health professional during the first 12 hours of service provided to a child;
- (ii) ongoing on-site observation by a mental health professional or mental health practitioner for at least a total of one hour during every 40 hours of service provided to a child; and
- (iii) immediate accessibility of the mental health professional or mental health practitioner to the mental health behavioral aide during service provision.

Sec. 41. Minnesota Statutes 2003 Supplement, section 256B.0943, subdivision 12, is amended to read:

Subd. 12. [EXCLUDED SERVICES.] The following services are not eligible for medical assistance payment as children's therapeutic services and supports:

- (1) service components of children's therapeutic services and supports simultaneously provided by more than one provider entity unless prior authorization is obtained;
- (2) children's therapeutic services and supports provided in violation of medical assistance policy in Minnesota Rules, part 9505.0220;
- (3) mental health behavioral aide services provided by a personal care assistant who is not qualified as a mental health behavioral aide and employed by a certified children's therapeutic services and supports provider entity;
- (4) services that are the responsibility of a residential or program license holder, including foster care providers under the terms of a service agreement or administrative rules governing licensure; and

~~(5) up to 15 hours of children's therapeutic services and supports provided within a six month period to a child with severe emotional disturbance who is residing in a hospital, a group home as defined in Minnesota Rules, part 9560.0520, subpart 4, a residential treatment facility licensed under Minnesota Rules, parts 9545.0900 to 9545.1090, a regional treatment center, or other institutional group setting or who is participating in a program of partial hospitalization are eligible for medical assistance payment if part of the discharge plan; and~~

~~(6)~~ adjunctive activities that may be offered by a provider entity but are not otherwise covered by medical assistance, including:

(i) a service that is primarily recreation oriented or that is provided in a setting that is not medically supervised. This includes sports activities, exercise groups, activities such as craft hours, leisure time, social hours, meal or snack time, trips to community activities, and tours;

(ii) a social or educational service that does not have or cannot reasonably be expected to have a therapeutic outcome related to the client's emotional disturbance;

(iii) consultation with other providers or service agency staff about the care or progress of a client;

(iv) prevention or education programs provided to the community; and

(v) treatment for clients with primary diagnoses of alcohol or other drug abuse.

Sec. 42. Minnesota Statutes 2003 Supplement, section 256B.0943, is amended by adding a subdivision to read:

Subd. 13. [EXCEPTION TO EXCLUDED SERVICES.] Notwithstanding subdivision 12, up to 15 hours of children's therapeutic services and supports provided within a six-month period to a child with severe emotional disturbance who is residing in a hospital; a group home as defined in Minnesota Rules, part 9560.0520, subpart 4; a residential treatment facility licensed under Minnesota Rules, parts 9545.0900 to 9545.1090; a regional treatment center; or other institutional group setting or who is participating in a program of partial hospitalization are eligible for medical assistance payment if part of the discharge plan."

Page 34, line 24, strike "19(d)" and after "(44)" insert "19d"

Page 54, line 30, delete "4" and insert "44"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Amend the memorandum of explanation as follows:

Page 2, after line 2, insert:

"Sec. 8. Explanation. This amendment updates statutory references in Minnesota Statutes, chapter 13, under Laws 1999, chapter 227, section 22, to data practice laws codified outside chapter 13."

Page 4, after line 18, insert:

"Sec. 38. Explanation. This amendment clarifies existing language.

Sec. 39. Explanation. This amendment clarifies existing language.

Sec. 40. Explanation. This amendment clarifies existing language.

Sec. 41. Explanation. This amendment clarifies existing language.

Sec. 42. Explanation. This amendment clarifies existing language."

Renumber the sections of the memorandum of explanation in sequence and correct internal references

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2676, A bill for an act relating to human rights; changing provisions for charge processing; allowing the department to seek sanctions; authorizing release of protected data in certain cases; repealing the 180-day hearing; amending Minnesota Statutes 2003 Supplement, sections 363A.28, subdivision 6; 363A.35, subdivision 3; repealing Minnesota Statutes 2003 Supplement, section 363A.29, subdivision 2.

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

The report was adopted.

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

H. F. No. 2677, A bill for an act relating to human rights; making technical changes to the Human Rights Act; amending Minnesota Statutes 2003 Supplement, sections 363A.02, subdivisions 1, 2; 363A.03, subdivisions 1, 2, 5, 8, 14, 21, 31, 35, 42, by adding subdivisions; 363A.04; 363A.06; 363A.08, subdivisions 1, 2, 3, 4, 6; 363A.09, subdivision 4; 363A.11, subdivision 4; 363A.12, subdivision 1; 363A.13, subdivision 4; 363A.15; 363A.17; 363A.19; 363A.21, subdivisions 1, 2; 363A.28, subdivisions 1, 6, 7; 363A.29, subdivision 2; 363A.40, subdivision 1; repealing Minnesota Statutes 2003 Supplement, section 363A.03, subdivisions 3, 29.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "subdivisions 1," and insert "subdivision"

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. 2678, A bill for an act relating to natural resources; modifying provisions for the operation of off-highway vehicles; providing for a certain rulemaking exemption; modifying provisions for reviewing forest classification status; amending Minnesota Statutes 2002, sections 84.798, subdivision 1; 84.9256, subdivision 1; 89.19; Minnesota Statutes 2003 Supplement, sections 84.773; 84.926; Laws 2003, chapter 128, article 1, section 167, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2003 Supplement, section 84.773, is amended to read:

84.773 [RESTRICTIONS ON OPERATION.]

Subdivision 1. [RESTRICTIONS.] (a) A person may not intentionally operate an off-highway vehicle:

- (1) on a trail on public land that is designated or signed for nonmotorized use only;
- (2) on restricted areas within public lands that are posted or where gates or other clearly visible structures are placed to prevent unauthorized motorized vehicle access; ~~or~~
- (3) except as specifically authorized by law or rule adopted by the commissioner; ~~in:~~
 - (i) in unfrozen type 3, 4, and 5, and 8 wetlands ~~or located on public lands or on private lands, except as provided under paragraph (b);~~
 - (ii) on unfrozen public waters, as defined in section 103G.005;
 - (iii) in a state park;
 - (iv) in a scientific and natural area; ~~or~~
 - (v) in a wildlife management area; or
- (4) in a calcareous fen, as identified by the commissioner.

(b) Paragraph (a), clause (3), item (i), does not apply to a person who operates an off-highway vehicle on private land if the person owns or leases the land or has been given permission by the landowner or leaseholder to operate an off-highway vehicle on the land.

Subd. 2. [UTILITY EXEMPTIONS.] Subdivision 1 does not apply to an off-highway vehicle being used for farming; an off-highway vehicle used for military, fire, emergency, or law enforcement purposes; a construction off-highway vehicle used in the performance of its common function; an off-highway vehicle used to carry out silvicultural activities, including timber cruising, and the harvest and transport of forest products for commercial purposes; an off-highway vehicle owned by or operated under contract with a utility or pipeline company, whether publicly or privately owned, when used for maintenance or work on utilities or pipelines; a commercial off-highway vehicle being used for its intended purpose; or an off-highway vehicle used to conduct duties of a government entity.

Sec. 2. Minnesota Statutes 2003 Supplement, section 84.777, is amended to read:

84.777 [OFF-HIGHWAY VEHICLE USE OF STATE LANDS RESTRICTED.]

(a) Except as otherwise allowed by law or rules adopted by the commissioner, effective June 1, 2003, notwithstanding sections 84.787 to 84.805 and 84.92 to 84.929, the use of off-highway vehicles is prohibited on state land administered by the commissioner of natural resources, and on county-administered forest land within the boundaries of a state forest, except on roads and trails specifically designated and posted by the commissioner for use by off-highway vehicles.

(b) Paragraph (a) does not apply:

(1) to county-administered land within a state forest if the county board adopts a resolution that modifies restrictions on the use of off-highway vehicles on county-administered land within the forest; or

(2) to forest lands classified as managed.

Sec. 3. [84.785] [OFF-HIGHWAY VEHICLE SAFETY AND CONSERVATION GRANT PROGRAM.]

Subdivision 1. [CREATION.] The commissioner of natural resources shall establish an off-highway vehicle safety and conservation grant program to award grants to organizations that meet the eligibility requirements under subdivision 3.

Subd. 2. [PURPOSE.] The purpose of the off-highway vehicle safety and conservation grant program is to encourage off-highway vehicle clubs to assist in safety and environmental education and in improving, maintaining, and monitoring trails on state forest land and other public lands.

Subd. 3. [ELIGIBILITY.] To be eligible for a grant under this section, an organization must:

(1) be a statewide organization that has been in existence at least five years and that promotes the operation of off-highway vehicles in a manner that is safe, responsible, and does not harm the environment;

(2) promote the operation of off-highway vehicles in a manner that does not conflict with the laws and rules that relate to the operation of off-highway vehicles;

(3) have an interest limited to the operation of motorized vehicles on motorized trails and other designated areas;

(4) have a board of directors that has 80 percent of its members who are representatives of all-terrain vehicle clubs, off-highway motorcycle clubs, or off-road vehicle clubs; and

(5) provide support to off-highway vehicle clubs.

Subd. 4. [USE OF GRANTS.] An organization receiving a grant under this section shall use the grant money to promote and provide support to the Department of Natural Resources by:

(1) encouraging off-highway vehicle clubs to assist in improving, maintaining, and monitoring trails on state forest land and other public lands;

(2) providing assistance to the department in locating, recruiting, and training instructors;

(3) assisting the commissioner and the director of tourism in creating an outreach program to inform local communities of appropriate off-highway vehicle use in their communities and of the economic benefits and costs that may be attributed to promoting tourism to attract off-highway vehicles;

(4) publishing a manual in cooperation with the commissioner that will be used to train volunteers in monitoring the operation of off-highway vehicles for safety, environmental, and other issues that relate to the responsible operation of off-highway vehicles; and

(5) collecting data on the operation of off-highway vehicles in the state.

Sec. 4. Minnesota Statutes 2003 Supplement, section 84.788, subdivision 3, is amended to read:

Subd. 3. [APPLICATION; ISSUANCE; REPORTS.] (a) Application for registration or continued registration must be made to the commissioner or an authorized deputy registrar of motor vehicles in a form prescribed by the commissioner. The form must state the name and address of every owner of the off-highway motorcycle.

(b) A person who purchases from a retail dealer an off-highway motorcycle shall make application for registration to the dealer at the point of sale. The dealer shall issue a temporary ten-day registration permit to each purchaser who applies to the dealer for registration. The dealer shall submit the completed registration applications and fees to the deputy registrar at least once each week. No fee may be charged by a dealer to a purchaser for providing the temporary permit.

(c) Upon receipt of the application and the appropriate fee, the commissioner or deputy registrar shall issue to the applicant, or provide to the dealer, a 60-day temporary receipt and shall assign a registration number that must be affixed to the motorcycle ~~in a manner prescribed by the commissioner~~ according to paragraph (f). A dealer subject to paragraph (b) shall provide the registration materials and temporary receipt to the purchaser within the ten-day temporary permit period.

(d) The commissioner shall develop a registration system to register vehicles under this section. A deputy registrar of motor vehicles acting under section 168.33, is also a deputy registrar of off-highway motorcycles. The commissioner of natural resources in agreement with the commissioner of public safety may prescribe the accounting and procedural requirements necessary to ensure efficient handling of registrations and registration fees. Deputy registrars shall strictly comply with the accounting and procedural requirements.

(e) In addition to other fees prescribed by law, a filing fee of \$4.50 is charged for each off-highway motorcycle registration renewal, duplicate or replacement registration card, and replacement decal and a filing fee of \$7 is charged for each off-highway motorcycle registration and registration transfer issued by:

(1) a deputy registrar and must be deposited in the treasury of the jurisdiction where the deputy is appointed, or kept if the deputy is not a public official; or

(2) the commissioner and must be deposited in the state treasury and credited to the off-highway motorcycle account.

(f) Unless exempted in paragraph (g), the owner of an off-highway motorcycle must display a registration decal issued by the commissioner. If the motorcycle is licensed as a motor vehicle, a registration decal must be affixed on the upper left corner of the rear license plate. If the motorcycle is not licensed as a motor vehicle, the decal must be attached on the side of the motorcycle and may be attached to the fork tube. The decal must be attached in a manner so that it is visible while a rider is on the motorcycle. The issued decals must be of a size to work within the constraints of the electronic licensing system, not to exceed three inches high and three inches wide.

(g) Display of a registration decal is not required for an off-highway motorcycle:

(1) while being operated on private property; or

(2) while competing in a closed-course competition event.

Sec. 5. Minnesota Statutes 2002, section 84.798, subdivision 1, is amended to read:

Subdivision 1. [GENERAL REQUIREMENTS.] Unless exempted under subdivision 2, after January 1, 1995, a person may not operate and an owner may not give permission for another to operate ~~a vehicle off road, nor may a person have an off-road vehicle not registered under chapter 168 in possession at an off-road vehicle staging area, or on lands administered by the commissioner on designated trail trails or area areas, or on off-road vehicle grant-in-aid trails and areas funded under section 84.803,~~ unless the vehicle has been registered under this section.

Sec. 6. Minnesota Statutes 2003 Supplement, section 84.92, subdivision 8, is amended to read:

Subd. 8. [ALL-TERRAIN VEHICLE.] "All-terrain vehicle" or "vehicle" means a motorized flotation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than ~~800~~ 900 cubic centimeters and total dry weight less than 900 pounds.

Sec. 7. Minnesota Statutes 2002, section 84.925, subdivision 1, is amended to read:

Subdivision 1. [PROGRAM ESTABLISHED.] (a) The commissioner shall establish a comprehensive all-terrain vehicle environmental and safety education and training program, including the preparation and dissemination of vehicle information and safety advice to the public, the training of all-terrain vehicle operators, and the issuance of all-terrain vehicle safety certificates to vehicle operators over the age of 12 years who successfully complete the all-terrain vehicle environmental and safety education and training course.

(b) For the purpose of administering the program and to defray a portion of the expenses of training and certifying vehicle operators, the commissioner shall collect a fee of \$15 from each person who receives the training. Fee proceeds shall be deposited in the all-terrain vehicle account in the natural resources fund. In addition to the fee established by the commissioner, instructors may charge each person up to \$5 for class material and expenses.

(c) The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the program established under this section. School districts may cooperate with the commissioner and volunteer instructors to provide space for the classroom portion of the training. The commissioner shall consult with the commissioner of public safety in regard to training program subject matter and performance testing that leads to the certification of vehicle operators. By June 30, 2003, the commissioner shall incorporate a riding component in the safety education and training program.

Sec. 8. Minnesota Statutes 2002, section 84.9256, subdivision 1, is amended to read:

Subdivision 1. [PROHIBITIONS ON YOUTHFUL OPERATORS.] (a) Except for operation on public road rights-of-way that is permitted under section 84.928, a driver's license issued by the state or another state is required to operate an all-terrain vehicle along or on a public road right-of-way.

(b) A person under 12 years of age shall not:

(1) make a direct crossing of a public road right-of-way;

(2) operate an all-terrain vehicle on a public road right-of-way in the state; or

(3) operate an all-terrain vehicle on public lands or waters.

(c) Except for public road rights-of-way of interstate highways, a person 12 years of age but less than 16 years may make a direct crossing of a public road right-of-way of a trunk, county state-aid, or county highway or operate on public lands and waters, only if that person possesses a valid all-terrain vehicle safety certificate issued by the commissioner and is accompanied on another all-terrain vehicle by a person 18 years of age or older who holds a valid driver's license.

(d) All-terrain vehicle safety certificates issued by the commissioner to persons 12 years old, but less than 16 years old, are not valid for machines in excess of 90cc engine capacity unless:

(1) the person successfully completed the safety education and training program under section 84.925, subdivision 1, including a riding component; and

(2) ~~the riding component of the training was conducted using an all-terrain vehicle with over 90cc engine capacity; and~~

(3) the person is able to properly reach and control the handle bars and reach the foot pegs while sitting upright on the seat of the all-terrain vehicle.

Sec. 9. Minnesota Statutes 2002, section 84.9257, is amended to read:

84.9257 [PASSENGERS.]

(a) A parent or guardian may operate an all-terrain vehicle carrying one passenger who is under 16 years of age and who wears a safety helmet approved by the commissioner of public safety.

(b) For the purpose of this section, "guardian" means a legal guardian of a person under age 16, or a person 18 or older who has been authorized by the parent or legal guardian to supervise the person under age 16.

(c) A person 18 years of age or older may operate an all-terrain vehicle carrying one passenger who is 16 or 17 years of age and wears a safety helmet approved by the commissioner of public safety.

(d) A person 18 years of age or older may operate an all-terrain vehicle carrying one passenger who is 18 years of age or older.

Sec. 10. Minnesota Statutes 2003 Supplement, section 84.926, is amended to read:

84.926 [~~VEHICLE USE ALLOWED ON PUBLIC LANDS BY THE COMMISSIONER; EXCEPTIONS.~~]

Subdivision 1. [EXCEPTION BY PERMIT.] Notwithstanding section 84.777, on a case by case basis, the commissioner may issue a permit authorizing a person to operate an off-highway vehicle on individual public trails under the commissioner's jurisdiction during specified times and for specified purposes.

Subd. 2. [ALL-TERRAIN VEHICLES; MANAGED OR LIMITED FORESTS; OFF TRAIL.] Notwithstanding section 84.777, on state forest lands classified as managed or limited, other than the Richard J. Dorer Memorial Hardwood Forest, a person may use an all-terrain vehicle off forest trails or forest roads when:

(1) hunting big game or transporting or installing hunting stands during October, November, and December, when in possession of a valid big game license;

(2) retrieving big game in September when in possession of a valid big game hunting license;

(3) trapping protected furbearers during an open season, when in possession of a valid trapping license; or

(4) trapping minnows when in possession of a valid minnow dealer, private fish hatchery, or aquatic farm license.

Subd. 3. [ALL-TERRAIN VEHICLES; CLOSED FORESTS; HUNTING.] Notwithstanding sections 84.773 and 84.777, on a forest-by-forest basis, the commissioner may determine whether all-terrain vehicles are allowed on forest roads, in state forests classified as closed, for the purpose of hunting big game during an open big game season. The determination shall be by written order as published in the State Register, is exempt from chapter 14, and section 14.386 does not apply.

Subd. 4. [OFF-ROAD AND ALL-TERRAIN VEHICLES; LIMITED OR MANAGED FORESTS; TRAILS.] Notwithstanding sections 84.773 and 84.777, on state forest lands classified as limited or managed, other than the Richard J. Dorer Memorial Hardwood Forest, a person may use vehicles registered under chapter 168, or under section 84.798 or 84.922, during an open big game season on forest trails, unless the trail is posted closed to this exemption, when in possession of a valid big game license.

Sec. 11. Minnesota Statutes 2002, section 84.928, subdivision 2, is amended to read:

Subd. 2. [OPERATION GENERALLY.] A person may not drive or operate an all-terrain vehicle:

(1) at a rate of speed greater than reasonable or proper under the surrounding circumstances;

(2) in a careless, reckless, or negligent manner so as to endanger or to cause injury or damage to the person or property of another;

(3) without headlight and taillight lighted at all times if the vehicle is equipped with headlight and taillight;

(4) without a functioning stoplight if so equipped;

(5) in a tree nursery or planting in a manner that damages or destroys growing stock;

(6) without a brake operational by either hand or foot;

(7) with more ~~persons~~ than one person on the vehicle ~~than it was designed for~~, except as allowed under section 84.9257;

(8) at a speed exceeding ten miles per hour on the frozen surface of public waters within 100 feet of a person not on an all-terrain vehicle or within 100 feet of a fishing shelter; or

(9) in a manner that violates operation rules adopted by the commissioner.

Sec. 12. Minnesota Statutes 2002, section 84.928, subdivision 6, is amended to read:

Subd. 6. [REGULATIONS BY POLITICAL SUBDIVISIONS.] (a) Notwithstanding any law to the contrary, a city or town, acting through its governing body, may by resolution or ordinance prohibit the operation of all-terrain vehicles on city streets or town roads in its jurisdiction provided the regulations are otherwise consistent with sections 84.92 to 84.929.

(b) A county or city, or a town acting by its town board, may regulate the operation of all-terrain vehicles on public lands, waters, and property under its jurisdiction other than public road rights-of-way within its boundaries, by resolution or ordinance of the governing body and by giving appropriate notice, provided:

(1) the regulations must be consistent with sections 84.92 to 84.929 and rules adopted under section 84.924;

(2) an ordinance may not impose a fee for the use of public land or water under the jurisdiction of either the Department of Natural Resources or other agency of the state, or for the use of an access to it owned by the state or a county or a city; and

(3) an ordinance may not require an all-terrain vehicle operator to possess a motor vehicle driver's license while operating an all-terrain vehicle.

(c) Notwithstanding any law to the contrary, a county board by ordinance may allow the operation of all-terrain vehicles on the road right-of-way shoulder, or inside bank or slope of a county highway or county state-aid highway, if:

(1) the highway is in the agricultural zone; ~~or~~

(2) safe operation in the ditch or outside slope is impossible, and the county posts the appropriate notice; or

(3) the road is designated as a minimum-maintenance road under section 160.095.

Sec. 13. Minnesota Statutes 2002, section 89.19, is amended to read:

89.19 [RULES.]

Subdivision 1. [RULEMAKING AUTHORIZED.] The commissioner may prescribe rules governing the use of forest lands under the authority of the commissioner and state forest roads, or any parts thereof, by the public and governing the exercise by holders of leases or permits on forest lands and state forest roads of all their rights under the leases or permits.

Subd. 2. [RULEMAKING EXEMPTION.] The designation of forest trails by the commissioner shall be by written order that is published in the State Register. These designations are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. Before designating forest trails, the commissioner shall hold a public meeting in the county where the largest portion of the forest lands are located to provide information to and receive comment from the public regarding the proposed trail designation. Sixty days before the public meeting, notice of the proposed forest trail shall be published in the legal newspapers that serve the counties in which the lands are located, in a statewide Department of Natural Resources news release, and in the State Register.

Sec. 14. Laws 2003, chapter 128, article 1, section 167, subdivision 1, is amended to read:

Subdivision 1. [FOREST CLASSIFICATION STATUS REVIEW.] (a) By December 31, 2006, the commissioner of natural resources shall complete a review of the forest classification status of all state forests classified as managed or limited, all forest lands under the authority of the commissioner as defined in Minnesota Statutes, section 89.001, subdivision 13, and lands managed by the commissioner under Minnesota Statutes, section 282.011. The review must be conducted on a forest-by-forest and area-by-area basis in accordance with the process and criteria under Minnesota Rules, part 6100.1950. ~~After each forest is reviewed, the commissioner must change its status to limited or closed, and must provide a similar status for each of the other areas subject to review under this section after each individual review is completed.~~

(b) If the commissioner determines on January 1, 2005, that the review required under this section cannot be completed by December 31, 2006, the completion date for the review shall be extended to December 31, 2008. By January 15, 2005, the commissioner shall report to the chairs of the legislative committees with jurisdiction over natural resources policy and finance regarding the status of the process required by this section.

(c) Until December 31, 2010, the state forests and areas subject to review under this section are exempt from Minnesota Statutes, section 84.777, unless an individual forest or area has been classified as limited or closed.

Sec. 15. [DETERMINATION OF TAX ALLOCATION; REPORT TO LEGISLATURE.]

The commissioners of natural resources, revenue, and transportation shall jointly determine the amount of unrefunded gasoline tax attributable to all-terrain vehicle use in the state and shall report to the legislature by March 1, 2005, with an appropriate proposed revision to Minnesota Statutes, section 296A.18.

Sec. 16. [APPROPRIATION.]

\$..... is appropriated from the natural resources fund to the commissioner of natural resources for the off-highway vehicle safety and conservation grant program under section 3. Of this amount, \$..... is from the off-highway motorcycle account, \$..... is from the off-road vehicle account, and \$..... is from the all-terrain vehicle account.

Sec. 17. [REPEALER.]

Minnesota Statutes 2003 Supplement, section 84.901, is repealed."

Delete the title and insert:

"A bill for an act relating to natural resources; modifying provisions for the operation of off-highway vehicles; providing an exemption from rulemaking; providing for an off-highway vehicle grant program; modifying decal requirements for off-highway motorcycles; modifying all-terrain vehicle provisions; providing for certain class fees; modifying provisions for reviewing forest classification status; requiring determination of unrefunded gas tax attributable to all-terrain vehicle use; requiring a report; appropriating money; amending Minnesota Statutes 2002, sections 84.798, subdivision 1; 84.925, subdivision 1; 84.9256, subdivision 1; 84.9257; 84.928, subdivisions 2, 6; 89.19; Minnesota Statutes 2003 Supplement, sections 84.773; 84.777; 84.788, subdivision 3; 84.92, subdivision 8; 84.926; Laws 2003, chapter 128, article 1, section 167, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 2003 Supplement, section 84.901."

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.

SECOND READING OF HOUSE BILLS

H. F. Nos. 352, 561, 722, 898, 1667, 1741, 1800, 1817, 1908, 1925, 1941, 1946, 2005, 2011, 2069, 2107, 2163, 2275, 2281, 2288, 2340, 2365, 2378, 2444, 2448, 2577, 2676 and 2677 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1697, 1799 and 2182 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Huntley introduced:

H. F. No. 2803, A bill for an act relating to education finance; authorizing an aid for certain expenditures for retired employees; proposing coding for new law in Minnesota Statutes, chapter 126C.

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

Huntley introduced:

H. F. No. 2804, A bill for an act relating to education finance; creating ongoing funding for school district telecommunications needs; proposing coding for new law in Minnesota Statutes, chapter 125B.

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

Simpson introduced:

H. F. No. 2805, A bill for an act relating to health; requiring approval of an exception to the moratorium on certification of nursing home beds; appropriating money.

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

Westrom introduced:

H. F. No. 2806, A bill for an act relating to energy; establishing renewable energy working group to study renewable energy development in the state; requiring a report.

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

Knoblach introduced:

H. F. No. 2807, A bill for an act relating to capital improvements; appropriating money for expansion of the St. Cloud Civic Center; 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.

Koenen introduced:

H. F. No. 2808, A bill for an act relating to criminal procedure; providing for criminal bail bond forfeitures and procedures; amending Minnesota Statutes 2002, sections 629.53; 629.63; proposing coding for new law in Minnesota Statutes, chapter 629.

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

Bernardy; Atkins; Johnson, S.; Greiling; Eken; Jaros and Koenen introduced:

H. F. No. 2809, A bill for an act relating to education finance; increasing the appropriation for support of the advanced placement and international baccalaureate programs; amending Laws 2003, First Special Session chapter 9, article 2, section 55, subdivision 17.

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

Fuller and Carlson introduced:

H. F. No. 2810, A bill for an act relating to higher education; modifying the calculation of a state grant award; amending Minnesota Statutes 2002, section 136A.121, subdivision 5.

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

Eastlund, Soderstrom and Nelson, P., introduced:

H. F. No. 2811, A bill for an act relating to education finance; authorizing a grant to Independent School District No. 15, St. Francis, to support an alternative teacher compensation model and a teacher academy; appropriating money.

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

Kelliher, Pelowski and Mahoney introduced:

H. F. No. 2812, A bill for an act relating to capital improvement; authorizing bonding for a health care training center and science facility at Minneapolis Technical and Community College; appropriating money.

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

Clark introduced:

H. F. No. 2813, A bill for an act relating to pollution remediation; providing for priority in allocation of agricultural chemical response and reimbursement account; appropriating money.

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

Nelson, P., introduced:

H. F. No. 2814, A bill for an act relating to human services; modifying procedures for calculating nursing facility operating payment rates for a project approved under the moratorium exception process; amending Minnesota Statutes 2002, section 256B.43, by adding a subdivision.

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

Beard introduced:

H. F. No. 2815, A bill for an act relating to railroads; restricting remote-control operation of train over highway intersection; amending Minnesota Statutes 2002, section 219.383, by adding a subdivision.

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

Westerberg introduced:

H. F. No. 2816, A bill for an act relating to liquor; clarifying restrictions on location of retail licenses in proximity to certain institutions; amending Minnesota Statutes 2002, section 340A.412, subdivision 4.

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

Newman introduced:

H. F. No. 2817, A bill for an act relating to taxation; individual income; providing an income tax checkoff to fund benefits for members of the National Guard and reserves; exempting benefits from taxation; authorizing administration by the commissioner of veterans' affairs; appropriating money; amending Minnesota Statutes 2002, sections 196.05, subdivision 1; 290.067, subdivision 2a; 290A.03, subdivision 3; Minnesota Statutes 2003 Supplement, sections 290.01, subdivision 19b; 290.091, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Buesgens introduced:

H. F. No. 2818, A bill for an act relating to metropolitan government; repealing Minnesota Statutes 2002, sections 473.194; 473.195; 473.197; 473.199; 473.201.

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

Nelson, P.; Anderson, B., and Olson, M., introduced:

H. F. No. 2819, A bill for an act relating to local government; imposing a moratorium on certain annexations until June 1, 2006; amending Minnesota Statutes 2002, sections 414.031, by adding a subdivision; 414.033, by adding a subdivision.

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

Seagren introduced:

H. F. No. 2820, A bill for an act relating to education; providing for enhanced reading requirements for certain teachers; providing for literacy specialist licensure; providing for rulemaking; amending Minnesota Statutes 2002, sections 122A.06, subdivision 4; 122A.18, subdivision 2a, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 122A.09, subdivision 4.

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

Atkins, Thao, Sieben and Wasiluk introduced:

H. F. No. 2821, A bill for an act relating to taxation; individual income; allowing a subtraction for automated teller machine fees; amending Minnesota Statutes 2003 Supplement, section 290.01, subdivision 19b.

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

Penas introduced:

H. F. No. 2822, A bill for an act relating to state lands; limiting acquisition of state-owned land; requiring payment of real estate taxes on purchased state land; proposing coding for new law in Minnesota Statutes, chapter 94.

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

Hausman introduced:

H. F. No. 2823, A bill for an act relating to public utilities; providing for the recovery of stranded costs incurred by a thermal energy customer of a facility subject to a qualifying emission reduction project; amending Minnesota Statutes 2002, section 216B.1692, subdivision 5; Laws 2003, First Special Session chapter 11, article 3, section 12.

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

Pugh, Jacobson and Finstad introduced:

H. F. No. 2824, A bill for an act relating to education; allowing certain international students to participate in varsity and junior varsity sports and competitions sponsored by the Minnesota State High School League; 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.

Davnie, Biernat and Murphy introduced:

H. F. No. 2825, A bill for an act relating to education; allowing a school board and school principals to negotiate a plan for terminating, demoting, and reinstating principals; amending Minnesota Statutes 2002, sections 122A.40, by adding a subdivision; 122A.41, by adding a subdivision.

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

Clark; Johnson, S.; Walker and Ellison introduced:

H. F. No. 2826, A bill for an act relating to health; establishing grants for an AIDS prevention initiative focusing on African-born Minnesotans; appropriating money.

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

Mullery introduced:

H. F. No. 2827, A bill for an act relating to retirement; Minneapolis Teachers Retirement Association; permitting a service credit purchase for prior school district employment.

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

Ruth, Atkins and Sviggum introduced:

H. F. No. 2828, A bill for an act relating to taxation; increasing the weight of the sales factor in the apportionment formula used in the corporate franchise tax; amending Minnesota Statutes 2002, section 290.191, subdivisions 2, 3; repealing Minnesota Statutes 2002, section 290.191, subdivision 4.

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

Koenen and Eken introduced:

H. F. No. 2829, A bill for an act relating to agriculture; establishing a biodiesel production development program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41A.

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

Lanning and Pugh introduced:

H. F. No. 2830, A bill for an act relating to taxation; providing an income tax credit for expenditures for historic structure rehabilitation; 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.

Thao, Abeler, Bradley, Hornstein, Otremba and Johnson, S., introduced:

H. F. No. 2831, A bill for an act relating to human services; exempting certain refugees and asylees from participating in the diversionary work program; amending Minnesota Statutes 2003 Supplement, section 256J.95, subdivision 3.

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

Johnson, J.; Otremba; Erickson; Cox; McNamara; Klinzing; Nelson, P.; Soderstrom and Osterman introduced:

H. F. No. 2832, A bill for an act relating to education; requiring school and library computers with Internet access available for student use to be equipped with software filtering or blocking technology; imposing a financial penalty; amending Minnesota Statutes 2002, sections 125B.15; 134.50.

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

Rukavina and Sertich introduced:

H. F. No. 2833, A bill for an act relating to education; authorizing school districts with care and treatment facilities to bill resident school district of students in care and treatment facilities; amending Minnesota Statutes 2002, section 125A.515, by adding a subdivision.

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

Hausman, Hoppe and Wasiluk introduced:

H. F. No. 2834, A bill for an act relating to natural resources; modifying restrictions on off-highway vehicle trail designation; modifying restitution requirements; appropriating money; amending Minnesota Statutes 2003 Supplement, section 84.780; 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.

Wagenius, Tingelstad and Ozment introduced:

H. F. No. 2835, A bill for an act relating to property taxation; providing a valuation exclusion for new or refurbished individual sewage treatment systems; amending Minnesota Statutes 2002, section 273.11, by adding a subdivision.

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

Pugh, Abrams, Lenczewski and Paulsen introduced:

H. F. No. 2836, A bill for an act relating to sales and use tax; exempting materials used in the creation of movies and television shows; amending Minnesota Statutes 2002, section 297A.68, by adding a subdivision.

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

Buesgens and Mariani introduced:

H. F. No. 2837, A bill for an act relating to metropolitan government; requiring the state demographer to provide certain demographic data to the Metropolitan Council; amending Minnesota Statutes 2002, sections 47.52; 145A.02, subdivision 16; 275.62, subdivision 3; 469.174, subdivision 26; 477A.011, subdivision 3; Minnesota Statutes 2003 Supplement, sections 4A.02; 134.201, subdivision 5; 275.14; 373.40, subdivision 1; 473.146, subdivision 1; 477A.0124, subdivision 2; repealing Minnesota Statutes 2002, section 473.241.

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

Clark, Walker, Pugh, Rukavina and Atkins introduced:

H. F. No. 2838, A bill for an act relating to tax shelters; limiting the property tax exemption for property used in certain tax shelter transactions; prohibiting political subdivisions from engaging in tax shelter transactions; amending Minnesota Statutes 2002, section 272.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 465.

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

Clark, Walker, Abrams, Pugh and Rukavina introduced:

H. F. No. 2839, A bill for an act relating to taxation; property; providing that certain personal property at a biomass electric generation facility is exempt from property taxation; amending Minnesota Statutes 2002, section 272.02, by adding a subdivision.

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

Nelson, C.; Bradley and Gunther introduced:

H. F. No. 2840, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Rochester Bioscience Core Area.

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

Stang, Heiderken, Otremba, Urdahl and Knoblach introduced:

H. F. No. 2841, A bill for an act relating to taxation; authorizing an increased levy by the Sauk River Watershed District.

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

Harder, Swenson, Urdahl, Otremba, Otto, Juhnke, Finstad, Blaine, Lindgren, Cornish, Marquart, Dorman, Magnus, Simpson, Demmer, Davids and Gunther introduced:

H. F. No. 2842, A bill for an act relating to capital investment; appropriating money for the Joint Plant Pathology Center at the University of Minnesota; authorizing the issuance of general obligation bonds.

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

Otto introduced:

H. F. No. 2843, A bill for an act relating to pharmacy; modifying wholesale drug distributor requirements; amending Minnesota Statutes 2002, section 151.47, subdivision 1, by adding a subdivision.

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

Kahn, Smith, Murphy, Thissen and Mullery introduced:

H. F. No. 2844, A bill for an act relating to retirement; establishing December 31, 2020, as the date for full funding of the Minneapolis Police Relief Association; providing an additional health insurance unit to all current and future retired, active, and surviving spouse members of the Minneapolis Police Relief Association; establishing a guaranteed pension provision; amending Minnesota Statutes 2002, sections 356.216; 423B.01, subdivision 12; 423B.09, subdivision 1, by adding a subdivision; 423B.10, subdivision 1; 423B.15, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 423B.

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

Paymar, Hausman, Hornstein, Davnie and Hilty introduced:

H. F. No. 2845, A bill for an act relating to human services; restoring reductions to child care assistance; appropriating money; amending Minnesota Statutes 2002, section 119B.13, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 119B.09, subdivision 1; 119B.12, subdivision 2; 119B.13, subdivision 1a; repealing Laws 2003, First Special Session chapter 14, article 9, sections 36, 37.

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

Finstad, Seifert, Heidgerken and Demmer introduced:

H. F. No. 2846, A bill for an act relating to capital improvements; appropriating money for a waste-to-energy and material recycling facility in Lamberton; authorizing state bonds.

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

Finstad and Gunther introduced:

H. F. No. 2847, A bill for an act relating to education; authorizing fund transfers for Independent School District No. 836, Butterfield.

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

Mariani and Lesch introduced:

H. F. No. 2848, A bill for an act relating to labor relations; establishing certain rights for workers in the meatpacking industry; proposing coding for new law in Minnesota Statutes, chapter 179.

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

Harder introduced:

H. F. No. 2849, A bill for an act relating to human services; changing a nursing facility payment rate; amending Minnesota 2002, section 256B.431, by adding a subdivision.

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

Newman introduced:

H. F. No. 2850, A bill for an act relating to crime prevention; public safety; repealing certain restrictions relating to part-time peace officers; amending Minnesota Statutes 2002, section 626.8465, subdivision 2; repealing Minnesota Statutes 2002, section 626.8465, subdivision 3; Minnesota Statutes 2003 Supplement, section 626.8468, subdivision 1.

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

Mariani introduced:

H. F. No. 2851, A bill for an act relating to human services; creating an exception to the intermediate care facility for persons with mental retardation and related conditions payment system; amending Minnesota Statutes 2002, section 256B.5012, by adding a subdivision.

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

Knoblach introduced:

H. F. No. 2852, A bill for an act relating to higher education; authorizing Board of Trustees of Minnesota State Colleges and Universities to sell surplus land; amending Minnesota Statutes 2002, section 136F.60, by adding a subdivision.

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

Seagren introduced:

H. F. No. 2853, A bill for an act relating to education finance; granting flexibility in the uses of revenue for the advanced placement and international baccalaureate programs; amending Laws 2003, First Special Session chapter 9, article 2, section 55, subdivision 17.

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

Rhodes and Ozment introduced:

H. F. No. 2854, A bill for an act relating to state government; transferring certain duties of the Minnesota Zoological Board to the Minnesota Zoo Foundation; amending Minnesota Statutes 2002, section 85A.02, subdivision 5a; Minnesota Statutes 2003 Supplement, sections 43A.24, subdivision 2; 352D.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 85A.

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

Howes, Ozment, Hackbarth, Kahn, Hoppe, Cox, McNamara and Wagenius introduced:

H. F. No. 2855, A bill for an act relating to water; extending expiration of shoreland protection program; amending Minnesota Statutes 2002, section 103F.225, subdivision 5.

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

Lipman introduced:

H. F. No. 2856, A bill for an act relating to crimes; clarifying the terms force and coercion for purposes of the criminal sexual conduct crime law; amending the harassment restraining order law so victims of sexual assault do not have to pay a fee; prohibiting harassment through technological means; amending Minnesota Statutes 2002, sections 609.341, subdivisions 3, 14; 609.748, subdivisions 2, 3a; 609.749, subdivisions 1, 2.

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

Abeler; Olsen, S.; Bernardy and Hilstrom introduced:

H. F. No. 2857, A bill for an act relating to education finance; authorizing a pilot program to allow school districts to spend compensatory revenue at school sites with low test scores; amending Minnesota Statutes 2002, section 126C.15, subdivisions 2, 3.

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

Peterson and Koenen introduced:

H. F. No. 2858, A bill for an act relating to game and fish; requiring a license to sell live bait; amending Minnesota Statutes 2002, section 97A.475, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 97C.

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

Erhardt, Seagren, Lenczewski, Wilkin, Klinzing, Zellers, Adolphson, Wardlow, Gerlach, Powell and Johnson, J., introduced:

H. F. No. 2859, A bill for an act relating to property taxation; requiring the commissioner of revenue to conduct a study of the metropolitan fiscal disparities program.

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

Seagren introduced:

H. F. No. 2860, A bill for an act relating to education; amending prekindergarten through grade 12 education and early childhood and family education budget provisions; appropriating money; amending Minnesota Statutes 2002, sections 119A.46, subdivisions 2, 3, 8; 123A.05, subdivision 2; 124D.68, subdivision 9; 124D.69, subdivision 1; 125A.79, subdivisions 5, 7, by adding subdivisions; Minnesota Statutes 2003 Supplement, sections 119A.46,

subdivision 1; 124D.095, subdivision 8; 124D.11, subdivisions 1, 2; 125A.79, subdivision 1; 127A.47, subdivisions 7, 8; Laws 2003, First Special Session chapter 9, article 2, section 55, subdivision 16; Laws 2003, First Special Session chapter 9, article 6, section 4; proposing coding for new law in Minnesota Statutes, chapter 122A.

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

Wardlow, Heidgerken, Carlson, Davnie and Urdahl introduced:

H. F. No. 2861, A bill for an act relating to public employment labor relations; including certain teachers in the definition of public employee; modifying the definition of teacher; amending Minnesota Statutes 2002, section 179A.03, subdivision 14; Minnesota Statutes 2003 Supplement, section 179A.03, subdivision 18.

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

Hackbarth introduced:

H. F. No. 2862, A bill for an act relating to liquor; providing for uniform off-sale hours statewide; regulating Sunday on-sales; amending Minnesota Statutes 2002, section 340A.504, subdivision 4; Minnesota Statutes 2003 Supplement, section 340A.504, subdivisions 1, 3.

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

Buesgens introduced:

H. F. No. 2863, A bill for an act relating to education; providing for an election to determine whether to detach land from an existing school district for a new independent school district; proposing coding for new law in Minnesota Statutes, chapter 123A.

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

Hornstein, Abrams and Kahn introduced:

H. F. No. 2864, A bill for an act relating to food law; clarifying the basis on which food can be labeled as kosher; amending Minnesota Statutes 2002, sections 31.651, subdivision 1; 31.661.

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

Wilkin introduced:

H. F. No. 2865, A bill for an act relating to human services; exempting individuals whose only income is a personal needs allowance from state health care program co-payments; amending Minnesota Statutes 2003 Supplement, sections 256B.0631, subdivision 2; 256D.03, subdivision 4; 256L.035.

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

Huntley and Thao introduced:

H. F. No. 2866, A bill for an act relating to health; increasing the required nursing hours in nursing homes under specified circumstances.

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

Knoblach and Solberg introduced:

H. F. No. 2867, A bill for an act relating to state government; appropriating money for prekindergarten through grade 12 education, including general education, education excellence, special programs, and facilities and technology; early childhood and family education, including prevention and self-sufficiency and lifelong learning; and health and human services; amending Minnesota Statutes 2003 Supplement, section 123B.54; Laws 2003, First Special Session chapter 9, article 1, section 53, subdivisions 2, 3, 5, 6, 11, 12; Laws 2003, First Special Session chapter 9, article 2, section 55, subdivisions 2, 3, 4, 5, 7, 9, 12; Laws 2003, First Special Session chapter 9, article 3, section 20, subdivisions 4, 5, 6, 7, 8, 9; Laws 2003, First Special Session chapter 9, article 4, section 31, subdivisions 2, 3; Laws 2003, First Special Session chapter 9, article 5, section 35, subdivisions 2, 3; Laws 2003, First Special Session chapter 9, article 7, section 11, subdivision 3; Laws 2003, First Special Session chapter 9, article 8, section 7, subdivisions 2, 5; Laws 2003, First Special Session chapter 9, article 9, section 9, subdivision 2; Laws 2003, First Special Session chapter 14, article 13C, sections 1; 2, subdivisions 1, 3, 6, 7, 9, 11; 10, subdivisions 1, 2.

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

Peterson and Koenen introduced:

H. F. No. 2868, A bill for an act relating to regional development commissions; requiring a regional development commission to contract with local units of government and another commission in order to conduct services in another region; amending Minnesota Statutes 2002, section 462.391, subdivisions 10, 11.

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

Blaine and Pelowski introduced:

H. F. No. 2869, A bill for an act relating to education; regulating the availability and sale of certain beverages in public schools; amending Minnesota Statutes 2002, section 123B.02, by adding a subdivision.

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

Huntley introduced:

H. F. No. 2870, A bill for an act relating to health care; modifying medical assistance, general assistance medical care, and MinnesotaCare programs; providing for determination of health care provider tax rates; increasing the tax on tobacco products; appropriating money; amending Minnesota Statutes 2002, sections 256B.055, by adding a subdivision; 256B.057, by adding a subdivision; 295.52, subdivisions 1, 1a, 2, 3, by adding a subdivision; 297F.05, subdivisions 3, 4; 297F.10, subdivision 2; Minnesota Statutes 2003 Supplement, sections 256B.057, subdivisions 1,

2; 256B.0625, subdivisions 9, 13e; 256B.76; 256D.03, subdivision 4; 256L.03, subdivision 1; 256L.07, subdivisions 1, 3; 297F.05, subdivision 1; 297F.10, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 145; repealing 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 Finance.

Murphy introduced:

H. F. No. 2871, A bill for an act relating to state employment; creating a postretirement employment option; authorizing a voluntary hours reduction plan.

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

Murphy introduced:

H. F. No. 2872, A bill for an act relating to public employment; modifying health care savings plan provisions; amending Minnesota Statutes 2002, section 352.98.

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

Powell introduced:

H. F. No. 2873, A bill for an act relating to human services; adding coverage for diabetic supplies and equipment to the MinnesotaCare limited benefit 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.

Ozment, Simpson, Seagren and Dill introduced:

H. F. No. 2874, A bill for an act relating to state employment; modifying state hiring process provisions; adding, modifying, and eliminating definitions; making technical changes; amending Minnesota Statutes 2002, sections 43A.02, subdivisions 4, 6, 11, 26, 32, 34, by adding subdivisions; 43A.04, subdivisions 3, 4; 43A.05, subdivision 1; 43A.10; 43A.11, subdivisions 5, 6, 7, 8, 9; 43A.15, subdivisions 1, 2, 4, 7, 10, 15; 43A.16, subdivision 1; 43A.191, subdivision 3; 43A.36, subdivision 1; 43A.39, subdivision 1; 197.455; Minnesota Statutes 2003 Supplement, section 43A.15, subdivision 14; proposing coding for new law in Minnesota Statutes, chapter 43A; repealing Minnesota Statutes 2002, sections 43A.02, subdivisions 7, 8, 15, 16, 19, 20, 37; 43A.11, subdivisions 3, 4; 43A.12; 43A.13, subdivisions 1, 2, 3, 4, 5, 6, 8; 43A.15, subdivisions 8, 9, 11; Minnesota Statutes 2003 Supplement, section 43A.13, subdivision 7; Minnesota Rules, parts 3900.3300; 3900.6100; 3900.6300; 3900.6400; 3900.6500; 3900.6600; 3900.7100; 3900.7200; 3900.7300; 3900.7400; 3900.8500; 3900.8600; 3900.8800.

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

Zellers, Rhodes, Hilstrom, Ellison and Adolphson introduced:

H. F. No. 2875, A bill for an act relating to traffic regulations; providing that certain misdemeanor traffic offenses do not constitute grounds for revocation or suspension of a person's driver's license; amending Minnesota Statutes 2002, sections 169.13, subdivision 2; 169.791, subdivisions 2, 6; 169.792, subdivision 7; 169.89, subdivision 1; 169A.35, subdivisions 2, 3, 4; 171.08; 171.24, subdivisions 1, 2, 3.

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

Meslow introduced:

H. F. No. 2876, A bill for an act relating to crimes; regulating sex offenders; making technical and clarifying changes; appropriating money; amending Minnesota Statutes 2002, sections 243.166, subdivisions 1, 4, 6, 7a, by adding subdivisions; 243.167; 243.55, subdivision 1; 244.05, subdivision 7; 244.052, subdivision 4; 253B.02, by adding subdivisions; 253B.03, by adding a subdivision; 253B.18, subdivision 9; 253B.185, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 243.166, subdivisions 3, 4a; 246.15, by adding a subdivision; 609.2231, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 253B.

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

Lanning, Eken, Ozment and Peterson introduced:

H. F. No. 2877, A bill for an act relating to local government; increasing compensation of watershed district managers; amending Minnesota Statutes 2002, section 103D.315, subdivision 8.

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

Hausman, Rhodes and Kahn introduced:

H. F. No. 2878, A bill for an act relating to state observances; designating Dr. Norman E. Borlaug World Food Prize Day; proposing coding for new law in Minnesota Statutes, chapter 10.

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

CONSENT CALENDAR

S. F. No. 1815 was reported to the House.

Upon objection of ten members, S. F. No. 1815 was stricken from the Consent Calendar and placed on the General Register.

MOTIONS AND RESOLUTIONS

Beard moved that the name of Samuelson be added as an author on H. F. No. 282. The motion prevailed.

Knoblach moved that the name of Nelson, C., be added as an author on H. F. No. 480. The motion prevailed.

Greiling moved that her name be stricken as an author on H. F. No. 989. The motion prevailed.

Marquart moved that the name of Tingelstad be added as an author on H. F. No. 1678. The motion prevailed.

Lanning moved that the name of Latz be added as an author on H. F. No. 1717. The motion prevailed.

Lipman moved that the name of McNamara be added as an author on H. F. No. 1737. The motion prevailed.

Erickson moved that the name of Dorman be added as an author on H. F. No. 1858. The motion prevailed.

Abeler moved that the name of Wardlow be added as an author on H. F. No. 1923. The motion prevailed.

Kahn moved that the name of Murphy be added as an author on H. F. No. 1950. The motion prevailed.

Brod moved that the name of Hoppe be added as an author on H. F. No. 1977. The motion prevailed.

Fuller moved that the name of Magnus be added as an author on H. F. No. 1989. The motion prevailed.

Paulsen moved that the name of Nelson, P., be added as an author on H. F. No. 2048. The motion prevailed.

Bernardy moved that the names of Otremba, Juhnke and Sieben be added as authors on H. F. No. 2169. The motion prevailed.

Urdahl moved that the names of Wardlow, Heidgerken and Paymar be added as authors on H. F. No. 2209. The motion prevailed.

Goodwin moved that the name of Wasiluk be added as an author on H. F. No. 2283. The motion prevailed.

Seifert moved that the name of Magnus be added as an author on H. F. No. 2297. The motion prevailed.

Thissen moved that the name of Larson be added as an author on H. F. No. 2348. The motion prevailed.

Eken moved that the name of Hilstrom be added as an author on H. F. No. 2486. The motion prevailed.

Abrams moved that the name of Atkins be added as an author on H. F. No. 2501. The motion prevailed.

Hilstrom moved that the name of Abeler be added as an author on H. F. No. 2574. The motion prevailed.

Johnson, J., moved that the name of Abeler be added as an author on H. F. No. 2602. The motion prevailed.

Tingelstad moved that the name of Cox be added as an author on H. F. No. 2631. The motion prevailed.

Davids moved that the name of Harder be added as an author on H. F. No. 2640. The motion prevailed.

Paymar moved that the name of Abeler be added as an author on H. F. No. 2647. The motion prevailed.

Tingelstad moved that the name of Abeler be added as an author on H. F. No. 2652. The motion prevailed.

Dempsey moved that the name of Lipman be added as an author on H. F. No. 2689. The motion prevailed.

Ozment moved that the name of Cox be added as an author on H. F. No. 2704. The motion prevailed.

Cox moved that the name of Paymar be added as an author on H. F. No. 2722. The motion prevailed.

Sieben moved that the name of Erhardt be added as an author on H. F. No. 2731. The motion prevailed.

Cox moved that the name of Osterman be added as an author on H. F. No. 2734. The motion prevailed.

Demmer moved that the name of Erickson be added as an author on H. F. No. 2746. The motion prevailed.

Lesch moved that the name of Kahn be added as an author on H. F. No. 2752. The motion prevailed.

Tingelstad moved that the name of Cox be added as an author on H. F. No. 2753. The motion prevailed.

Greiling moved that the name of Paymar be added as an author on H. F. No. 2757. The motion prevailed.

Clark moved that the names of Paymar and Kahn be added as authors on H. F. No. 2771. The motion prevailed.

Demmer moved that the name of Erickson be added as an author on H. F. No. 2786. The motion prevailed.

Rhodes moved that the name of Cox be added as an author on H. F. No. 2792. The motion prevailed.

Carlson moved that the name of Kahn be added as an author on H. F. No. 2795. The motion prevailed.

Holberg moved that the names of Finstad and Harder be added as authors on H. F. No. 2798. The motion prevailed.

Seifert moved that H. F. No. 1806 be recalled from the Committee on State Government Finance and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

Zellers moved that H. F. No. 2308 be recalled from the Committee on Judiciary Policy and Finance and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

Osterman moved that H. F. No. 2554 be recalled from the Committee on Health and Human Services Policy and be re-referred to the Committee on Commerce, Jobs and Economic Development. The motion prevailed.

Westrom moved that H. F. No. 2623 be recalled from the Committee on Transportation Policy and be re-referred to the Committee on Transportation Finance. The motion prevailed.

Ozment moved that H. F. No. 2704 be recalled from the Committee on Judiciary Policy and Finance and be re-referred to the Committee on Commerce, Jobs and Economic Development. The motion prevailed.

Wilkin moved that H. F. No. 2762 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Commerce, Jobs and Economic Development. The motion prevailed.

Gunther moved that H. F. No. 2799 be recalled from the Committee on Jobs and Economic Development Finance and be re-referred to the Committee on Commerce, Jobs and Economic Development. The motion prevailed.

Powell moved that H. F. No. 2873 be recalled from the Committee on Health and Human Services Policy and be re-referred to the Committee on Health and Human Services Finance. The motion prevailed.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 12:00 noon, Wednesday, March 10, 2004. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Wednesday, March 10, 2004.

EDWARD A. BURDICK, Chief Clerk, House of Representatives