

STATE OF MINNESOTA

EIGHTY-THIRD SESSION — 2003

 THIRTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 10, 2003

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

"The Star Spangled Banner" was sung by Aleesha Clomon, from the High School for the Recording Arts, St. Paul, Minnesota.

Prayer was offered by Major Ed Wilson, Salvation Army, St. Paul, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Greiling was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Zellers 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. 328 and H. F. No. 865, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Powell moved that the rules be so far suspended that S. F. No. 328 be substituted for H. F. No. 865 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1099 and H. F. No. 1132, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Gerlach moved that S. F. No. 1099 be substituted for H. F. No. 1132 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 155, A bill for an act relating to commerce; enacting the revisions to the general provisions of the Uniform Commercial Code and amendments to Articles 3 and 4 of the Uniform Commercial Code recommended by the National Conference of Commissioners on Uniform State Laws; making conforming changes; amending Minnesota Statutes 2002, sections 17.94; 84.787, subdivision 9; 84.797, subdivision 10; 84.92, subdivision 6; 86B.820, subdivision 12; 168A.01, subdivision 20; 234.27; 325L.03; 325L.16; 336.2-103; 336.2-202; 336.2A-103; 336.2A-501; 336.2A-518; 336.2A-519; 336.2A-527; 336.2A-528; 336.3-103; 336.3-106; 336.3-116; 336.3-305; 336.3-309; 336.3-416; 336.3-417; 336.3-602; 336.3-604; 336.3-605; 336.4-104; 336.4-207; 336.4-208; 336.4-212; 336.4-301; 336.4-403; 336.4A-105; 336.4A-106; 336.4A-204; 336.5-103; 336.8-102; 336.9-102; 513.33, subdivision 1; 514.963, subdivision 9; 514.965, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 336; repealing Minnesota Statutes 2002, sections 336.1-101; 336.1-102; 336.1-103; 336.1-104; 336.1-105; 336.1-106; 336.1-107; 336.1-108; 336.1-109; 336.1-110; 336.1-201; 336.1-202; 336.1-203; 336.1-204; 336.1-205; 336.1-206; 336.1-207; 336.1-208; 336.1-209; 336.2-208; 336.2A-207.

Reported the same back with the following amendments:

Page 1, line 27 to page 61, line 27, delete articles 1 to 3

Page 61, line 28, delete "4" and insert "1"

Page 62, line 8, reinstate everything after "(6)"

Page 62, reinstate line 9

Page 62, delete line 10

Page 63, delete line 6 and insert:

"(14) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form."

Page 63, line 10, delete "consumer" and delete "drawn"

Page 63, line 11, delete everything before "is" and insert "that"

Page 63, line 12, after "handwritten" insert "or facsimile"

Page 64, line 23, reinstate the stricken language

Page 66, after line 15, insert:

"Sec. 4. Minnesota Statutes 2002, section 336.3-119, is amended to read:

336.3-119 [NOTICE OF RIGHT TO DEFEND ACTION.]

In an action for breach of an obligation for which a third person is answerable over pursuant to this article or article 4, the defendant may give the third person ~~written~~ notice of the litigation in a record, and the person notified may then give similar notice to any other person who is answerable over. If the notice states (i) that the person notified may come in and defend and (ii) that failure to do so will bind the person notified in an action later brought by the person giving the notice as to any determination of fact common to the two litigations, the person notified is so bound unless after seasonable receipt of the notice the person notified does come in and defend."

Page 66, line 19, strike "stated in subsection (b)" and insert "otherwise provided in this section"

Page 69, after line 2, insert:

"Sec. 7. Minnesota Statutes 2002, section 336.3-312, is amended to read:

336.3-312 [LOST, DESTROYED, OR STOLEN CASHIER'S CHECK, TELLER'S CHECK, OR CERTIFIED CHECK.]

(a) In this section:

(1) "Check" means a cashier's check, teller's check, or certified check.

(2) "Claimant" means a person who claims the right to receive the amount of a cashier's check, teller's check, or certified check that was lost, destroyed, or stolen.

(3) "Declaration of loss" means a ~~written~~ statement, made in a record under penalty of perjury, to the effect that (i) the declarer lost possession of a check, (ii) the declarer is the drawer or payee of the check, in the case of a certified check, or the remitter or payee of the check, in the case of a cashier's check or teller's check, (iii) the loss of possession was not the result of a transfer by the declarer or a lawful seizure, and (iv) the declarer cannot reasonably obtain possession of the check because the check was destroyed, its whereabouts cannot be determined, or it is in the wrongful possession of an unknown person or a person that cannot be found or is not amenable to service of process.

(4) "Obligated bank" means the issuer of a cashier's check or teller's check or the acceptor of a certified check.

(b) A claimant may assert a claim to the amount of a check by a communication to the obligated bank describing the check with reasonable certainty and requesting payment of the amount of the check, if (i) the claimant is the drawer or payee of a certified check or the remitter or payee of a cashier's check or teller's check, (ii) the communication contains or is accompanied by a declaration of loss of the claimant with respect to the check, (iii) the communication is received at a time and in a manner affording the bank a reasonable time to act on it before the check is paid, and (iv) the claimant provides reasonable identification if requested by the obligated bank. Delivery of a declaration of loss is a warranty of the truth of the statements made in the declaration. If a claim is asserted in compliance with this subsection, the following rules apply:

(1) The claim becomes enforceable at the later of (i) the time the claim is asserted, or (ii) the 90th day following the date of the check, in the case of a cashier's check or teller's check, or the 90th day following the date of the acceptance, in the case of a certified check.

(2) Until the claim becomes enforceable, it has no legal effect and the obligated bank must pay the check or, in the case of a teller's check, may permit the drawee to pay the check. Payment to a person entitled to enforce the check discharges all liability of the obligated bank with respect to the check.

(3) If the claim becomes enforceable before the check is presented for payment, the obligated bank is not obliged to pay the check.

(4) When the claim becomes enforceable, the obligated bank becomes obliged to pay the amount of the check to the claimant if payment of the check has not been made to a person entitled to enforce the check. Subject to section 336.4-302(a)(1), payment to the claimant discharges all liability of the obligated bank with respect to the check.

(c) If the obligated bank pays the amount of a check to a claimant under subsection (b)(4) and the check is presented for payment by a person having rights of a holder in due course, the claimant is obliged to (i) refund the payment to the obligated bank if the check is paid, or (ii) pay the amount of the check to the person having rights of a holder in due course if the check is dishonored.

(d) If a claimant has the right to assert a claim under subsection (b) and is also a person entitled to enforce a cashier's check, teller's check, or certified check which is lost, destroyed, or stolen, the claimant may assert rights with respect to the check either under this section or section 336.3-309."

Page 69, line 20, delete everything before "the" and insert:

"(6) with respect to a remotely-created item,"

Page 70, after line 2, insert:

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

Page 70, line 19, delete everything before "the" and insert:

"(4) with respect to any remotely-created item,"

Page 71, after line 29, insert:

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

Sec. 10. Minnesota Statutes 2002, section 336.3-419, is amended to read:

336.3-419 [INSTRUMENTS SIGNED FOR ACCOMMODATION.]

(a) If an instrument is issued for value given for the benefit of a party to the instrument ("accommodated party") and another party to the instrument ("accommodation party") signs the instrument for the purpose of incurring liability on the instrument without being a direct beneficiary of the value given for the instrument, the instrument is signed by the accommodation party "for accommodation."

(b) An accommodation party may sign the instrument as maker, drawer, acceptor, or endorser and, subject to subsection (d), is obliged to pay the instrument in the capacity in which the accommodation party signs. The obligation of an accommodation party may be enforced notwithstanding any statute of frauds and whether or not the accommodation party receives consideration for the accommodation.

(c) A person signing an instrument is presumed to be an accommodation party and there is notice that the instrument is signed for accommodation if the signature is an anomalous endorsement or is accompanied by words indicating that the signer is acting as surety or guarantor with respect to the obligation of another party to the instrument. Except as provided in section 336.3-605, the obligation of an accommodation party to pay the instrument is not affected by the fact that the person enforcing the obligation had notice when the instrument was taken by that person that the accommodation party signed the instrument for accommodation.

(d) If the signature of a party to an instrument is accompanied by words indicating unambiguously that the party is guaranteeing collection rather than payment of the obligation of another party to the instrument, the signer is obliged to pay the amount due on the instrument to a person entitled to enforce the instrument only if (i) execution of judgment against the other party has been returned unsatisfied, (ii) the other party is insolvent or in an insolvency proceeding, (iii) the other party cannot be served with process, or (iv) it is otherwise apparent that payment cannot be obtained from the other party.

(e) If the signature of a party to an instrument is accompanied by words indicating that the party guarantees payment or the signer signs the instrument as an accommodation party in some other manner that does not unambiguously indicate an intention to guarantee collection rather than payment, the signer is obligated to pay the amount due on the instrument to a person entitled to enforce the instrument in the same circumstances as the accommodated party would be obliged, without prior resort to the accommodated party by the person entitled to enforce the instrument.

(f) An accommodation party who pays the instrument is entitled to reimbursement from the accommodated party and is entitled to enforce the instrument against the accommodated party. In proper circumstances, an accommodation party may obtain relief that requires the accommodated party to perform its obligations on the instrument. An accommodated party ~~who~~ that pays the instrument has no right of recourse against, and is not entitled to contribution from, an accommodation party."

Page 73, lines 10 and 30, delete "to or with the record"

Page 79, line 20, delete "5" and insert "2"

Page 80, line 34, reinstate the stricken language

Page 81, line 24, delete "consumer"

Page 82, line 10, delete "consumer"

Page 82, line 11, delete "that"

Page 83, after line 4, insert:

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

Page 83, line 21, delete "consumer"

Page 83, line 22, delete "that"

Page 84, after line 29, insert:

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

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to commerce; modifying and enacting the amendments to Articles 3 and 4 of the Uniform Commercial Code recommended by the National Conference of Commissioners on Uniform State Laws; amending Minnesota Statutes 2002, sections 336.3-103; 336.3-106; 336.3-116; 336.3-119; 336.3-305; 336.3-309; 336.3-312; 336.3-416; 336.3-417; 336.3-419; 336.3-602; 336.3-604; 336.3-605; 336.4-104; 336.4-207; 336.4-208; 336.4-212; 336.4-301; 336.4-403."

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. 283, A bill for an act relating to taxation; individual income; providing an income tax checkoff to fund benefits for survivors of law enforcement officers and firefighters and providing for maintenance of peace officer and firefighter memorials; proposing coding for new law in Minnesota Statutes, chapter 290.

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

The report was adopted.

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

H. F. No. 344, A bill for an act relating to economic development; providing for job enhancement as a goal of business financing programs; converting the Minnesota investment fund to a revolving loan fund; appropriating money; amending Minnesota Statutes 2002, sections 41A.036, subdivision 2; 116J.011; 116J.411, by adding a subdivision; 116J.415, subdivisions 1, 5; 116J.8731, subdivisions 1, 4, 5, 7; 116J.994, subdivision 4; 116J.995.

Reported the same back with the following amendments:

Page 3, line 4, delete the colon

Page 3, line 5, delete the paragraph coding and delete "(1)" and after the semicolon, insert "and"

Page 3, line 6, delete "(2)" and insert "(1)"

Page 3, line 8, delete "(3)" and insert "(2)"

Page 5, line 22, delete "The"

Page 5, delete lines 23 to 26

Page 5, line 27, delete "made."

Page 6, line 25, delete "or forgive"

Page 6, line 28, delete "forgiveness or"

Page 6, line 32, delete "or forgiveness"

Page 8, line 2, delete everything after the period

Page 8, delete line 3

Page 8, line 4, delete everything before "For"

Page 8, line 5, delete everything after "be"

Page 8, line 6, delete "in greater Minnesota; and (2)"

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

The report was adopted.

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

H. F. No. 374, A bill for an act relating to child safety; prohibiting the sale and commercial use of certain cribs; providing enforcement; proposing coding for new law in Minnesota Statutes, chapters 245A; 325F.

Reported the same back with the following amendments:

Page 7, line 6, before the period, insert "and applies to crimes committed on or after this date"

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

The report was adopted.

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

H. F. No. 379, A bill for an act relating to state government; authorizing capital cost avoidance for guaranteed savings contracts; proposing coding for new law in Minnesota Statutes, chapter 16C.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [16C.144] [GUARANTEED SAVINGS CONTRACTS.]

Subdivision 1. [DEFINITIONS.] (a) The following definitions apply to this section.

(b) "Utility" means electricity, natural gas, or other energy resource, water, and wastewater.

(c) "Utility cost savings" means the difference between the utility costs under the precontract conditions and the utility costs after the changes have been made under the contract. The savings must be calculated in comparison to an established baseline of utility costs.

(d) "Established baseline" means the precontract utilities, operations, and maintenance costs.

(e) "Utility cost-savings measure" means a measure that produces utility cost savings and/or operation and maintenance cost savings.

(f) "Operation and maintenance cost savings" means a measurable decrease in operation and maintenance costs that are a direct result of the implementation of one or more utility cost-savings measures, but do not include savings from in-house staff labor. The savings must be calculated in comparison to an established baseline of operation and maintenance costs.

(g) "Guaranteed savings contract" means a contract for the evaluation, recommendation, and installation of one or more utility cost-savings measures. The contract must provide that all payments are to be made over time, but not to exceed 15 years from the date of final installation, and the savings are guaranteed to the extent necessary to make payments for the utility cost-savings measures.

(h) "Baseline adjustments" means adjusting the established baselines in paragraphs (c) and (e) for changes in the following variables:

(1) utility rates;

(2) number of days in the utility billing cycle;

(3) square footage of the facility;

(4) operational schedule of the facility;

(5) facility temperature set points;

(6) weather;

(7) amount of equipment or lighting utilized in the facility; and

(8) indoor air quality.

(i) "Lease purchase contract" means a contract obligating the state to make regular lease payments to satisfy the lease costs of the utility cost-savings measures until the final payment, after which the utility cost-savings measures become the sole property of the state of Minnesota.

(j) "Qualified provider" means a person or business experienced in the design, implementation, and installation of utility cost-savings measures.

(k) "Engineering report" means a report prepared by a professional engineer licensed by the state of Minnesota summarizing estimates of all costs of installations, modifications, or remodeling, including costs of design, engineering, installation, maintenance, repairs, and estimates of the amounts by which utility and operation and maintenance costs will be reduced.

(l) "Capital cost avoidance" means money expended by a state agency to pay for utility cost-savings measures with a guaranteed savings contract so long as the measures that are being implemented to achieve the cost savings are a significant portion of an overall project.

(m) "Guaranteed savings contracting guidelines" means policies, procedures, and requirements of guaranteed savings contracts established by the department of administration under this section.

Subd. 2. [GUARANTEED SAVINGS CONTRACT.] The commissioner may enter into a guaranteed savings contract with a qualified provider if:

(1) the qualified provider is selected through a competitive process in accordance with the guaranteed savings contracting guidelines within the department of administration;

(2) the qualified provider agrees to submit an engineering report prior to the execution of the guaranteed savings contract;

(3) the commissioner finds that the amount that would be spent on the utility cost-savings measures recommended in the engineering report is not likely to exceed the amount to be saved in utility operation and maintenance costs over 15 years from the date of implementation of utility cost-savings measures;

(4) the qualified provider provides a written guarantee that the utility and operation and maintenance cost savings will meet or exceed the costs of the guaranteed savings contract. The qualified provider shall reimburse the state for any shortfall of guaranteed utility cost savings; and

(5) the qualified provider gives a sufficient bond in accordance with section 574.26 to the commissioner for the faithful implementation and installation of the utility cost-savings measures.

Subd. 3. [LEASE PURCHASE CONTRACT.] The commissioner may enter into a lease purchase agreement with any party for the implementation of utility cost-savings measures in accordance with an engineering report. The implementation costs of the utility cost-savings measures recommended in the engineering report shall not exceed the amount to be saved in utility and operation and maintenance costs over the term of the lease purchase agreement. The term of the lease purchase agreement shall not exceed 15 years. The lease is assignable in accordance with terms approved by the commissioner of finance.

Subd. 4. [USE OF CAPITAL COST AVOIDANCE.] The affected state agency may contribute funds for capital cost avoidance for guaranteed savings contracts. Use of capital cost avoidance is subject to the guaranteed savings contracting guidelines within the department of administration.

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

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

The report was adopted.

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

H. F. No. 433, A bill for an act relating to zoning; modifying deadlines for agency actions; amending Minnesota Statutes 2002, section 15.99.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 15.99, is amended to read:

15.99 [TIME DEADLINE FOR AGENCY ACTION.]

Subdivision 1. [~~DEFINITION~~ DEFINITIONS.] (a) For purposes of this section, the following terms shall have the meanings given.

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

(c) "Request" means a written application related to zoning, septic systems, or the expansion of the metropolitan urban service area, for a permit, license, or other governmental approval of an action. A request must be submitted in writing to the agency on an application form provided by the agency, if one exists. The agency may reject as incomplete a request not on a form of the agency if the request does not include information required by the agency. A request not on a form of the agency must clearly identify on the first page the specific permit, license, or other governmental approval being sought. No request shall be deemed made if not in compliance with this paragraph.

(d) "Applicant" means a person submitting a request under this section. An applicant may designate a person to act on the applicant's behalf regarding a request under this section and any action taken by or notice given to the applicant's designee related to the request shall be deemed taken by or given to the applicant.

Subd. 2. [DEADLINE FOR RESPONSE.] (a) Except as otherwise provided in this section, section 462.358, subdivision 3b, or chapter 505, and notwithstanding any other law to the contrary, an agency must approve or deny within 60 days a written request relating to zoning, septic systems, or expansion of the metropolitan urban service area for a permit, license, or other governmental approval of an action. Failure of an agency to deny a request within 60 days is approval of the request. If an agency denies the request, it must state in writing the reasons for the denial at the time that it denies the request.

(b) When a vote on a resolution or properly made motion to approve a request fails for any reason, the failure shall constitute a denial of the request provided that those voting against the motion state on the record the reasons why they oppose the request. A denial of a request because of a failure to approve a resolution or motion does not preclude an immediate submission of a same or similar request.

(c) Except as provided in paragraph (b), if an agency, other than a multimember governing body, denies the request, it must state in writing the reasons for the denial at the time that it denies the request. If a multimember governing body denies a request, it must state the reasons for denial on the record and provide the applicant in writing a statement of the reasons for the denial. If the written statement is not adopted at the same time as the denial, it must be adopted at the next meeting following the denial of the request but before the expiration of the time allowed for making a decision under this section. The written statement must be consistent with the reasons stated in the record at the time of the denial. The written statement must be provided to the applicant upon adoption.

Subd. 3. [APPLICATION; EXTENSIONS.] (a) The time limit in subdivision 2 begins upon the agency's receipt of a written request containing all information required by law or by a previously adopted rule, ordinance, or policy of the agency, including the applicable application fee. If an agency receives a written request that does not contain all required information, the 60-day limit starts over only if the agency sends written notice within ~~ten~~ 15 business days of receipt of the request telling the requester what information is missing.

(b) If ~~an action~~ a request relating to zoning, septic systems, or expansion of the metropolitan urban service area requires the approval of more than one state agency in the executive branch, the 60-day period in subdivision 2 begins to run for all executive branch agencies on the day a request containing all required information is received by one state agency. The agency receiving the request must forward copies to other state agencies whose approval is required.

(c) An agency response meets the 60-day time limit if the agency can document that the response was sent within 60 days of receipt of the written request.

(d) The time limit in subdivision 2 is extended if a state statute, federal law, or court order requires a process to occur before the agency acts on the request, and the time periods prescribed in the state statute, federal law, or court order make it impossible to act on the request within 60 days. In cases described in this paragraph, the deadline is extended to 60 days after completion of the last process required in the applicable statute, law, or order. Final approval of an agency receiving a request is not considered a process for purposes of this paragraph.

(e) The time limit in subdivision 2 is extended if: (1) a request submitted to a state agency requires prior approval of a federal agency; or (2) an application submitted to a city, county, town, school district, metropolitan or regional entity, or other political subdivision requires prior approval of a state or federal agency. In cases described in this paragraph, the deadline for agency action is extended to 60 days after the required prior approval is granted.

(f) An agency may extend the time limit in subdivision 2 before the end of the initial 60-day period by providing written notice of the extension to the applicant. The notification must state the reasons for the extension and its anticipated length, which may not exceed 60 days unless approved by the applicant.

(g) An applicant may by written notice to the agency request an extension of the time limit under this section.

Sec. 2. [EFFECTIVE DATE.]

This act is effective June 1, 2003, for requests submitted 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. 444, A bill for an act relating to municipal contracts; permitting the awarding of attorney fees in certain cases; amending Minnesota Statutes 2002, section 471.345, subdivision 14.

Reported the same back with the following amendments:

Page 1, line 13, delete "(1)"

Page 1, line 14, delete the new language and after the period, insert "If the court finds that the municipality has engaged in unlawful bidding practices and invalidates the award of the bid, the court may award reasonable attorney fees and costs to the protester. If the court finds that the municipality did not violate the law, and the award is not invalidated, the court may award reasonable attorney fees and costs to the municipality if the court makes the further finding that the protest was filed without substantial basis in fact or law."

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. 509, A bill for an act relating to government operations; transferring authority over certain Indian scholarship programs from the commissioner of children, families, and learning to the higher education services office.

Reported the same back with the following amendments:

Page 1, line 11, delete "is" and insert "are"

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

The report was adopted.

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

H. F. No. 676, A bill for an act relating to mental health; clarifying that persons who are voluntary patients for treatment of a mental illness are not subject to civil commitment; amending Minnesota Statutes 2002, sections 253B.04, subdivision 1; 253B.05, subdivision 3.

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. 772, A bill for an act relating to agriculture; extending the expiration date for the Minnesota agriculture education leadership council; amending Minnesota Statutes 2002, section 41D.01, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 10, delete "2006" and insert "2008"

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. 785, A bill for an act relating to metropolitan government; eliminating certain reporting requirements; abolishing the metropolitan parks and open space commission; providing for the direct charging by the metropolitan council of industrial dischargers for certain wastewater treatment user fees; removing an obsolete requirement for metropolitan school districts to submit capital improvement plans to the metropolitan council for review; making conforming changes; amending Minnesota Statutes 2002, sections 352.01, subdivision 2a; 473.121, subdivision 5a; 473.13, subdivision 1; 473.143, subdivision 1; 473.147; 473.313, subdivision 2; 473.315, subdivision 1; 473.333; 473.351, subdivision 3; 473.517, by adding a subdivision; repealing Minnesota Statutes 2002, sections 473.121, subdivision 12; 473.1623; 473.301, subdivision 4; 473.303; 473.704, subdivision 19; 473.863.

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

The report was adopted.

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

H. F. No. 831, A bill for an act relating to unemployment insurance; modifying provisions to increase the solvency of the trust fund; making policy and technical changes; amending Minnesota Statutes 2002, sections 268.035, subdivisions 15, 23; 268.044, subdivision 1, by adding a subdivision; 268.051, subdivisions 1, 2, 3, 5, 6, by

adding a subdivision; 268.052, subdivision 1; 268.057, subdivision 5; 268.067; 268.07, subdivision 2; 268.085, subdivision 3; 268.086, subdivision 2; 268.095, subdivisions 1, 2, 6, 11; 268.105, subdivision 7; 268.18, subdivisions 1, 4; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Rules, part 3315.1015, subpart 4.

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

The report was adopted.

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

H. F. No. 873, A bill for an act relating to counties; changing certain auditing requirements; amending Minnesota Statutes 2002, sections 6.48; 6.49; 6.54; 6.55; 6.64; 6.65; 6.66; 6.67; 6.68, subdivision 1; 6.70; 6.71.

Reported the same back with the following amendments:

Page 1, lines 19 to 21, delete the new language and insert "If the audit is performed by a private certified public accountant, the state auditor may require specific additional information from the private certified public accountant to resolve the specified issues or questions."

Page 1, line 22, delete "public accountant."

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

The report was adopted.

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

H. F. No. 967, A bill for an act relating to environment; modifying expenditure limits for upgrading feedlots; amending Minnesota Statutes 2002, section 116.07, subdivision 7.

Reported the same back with the following amendments:

Page 4, line 23, after the comma, insert "in effect on April 15, 2003."

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

The report was adopted.

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

H. F. No. 984, A bill for an act relating to cooperatives; authorizing businesses to organize as cooperative associations; providing penalties; amending Minnesota Statutes 2002, sections 80A.14, subdivision 17; 80A.15, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 308B.

Reported the same back with the following amendments:

Page 4, delete section 4

Page 20, line 14, delete everything after "A" and insert "cooperative organized under chapter 308A"

Page 20, delete lines 15 and 16

Page 20, line 17, delete everything before "may"

Page 20, line 19, delete "business entity" and insert "cooperative organized under chapter 308A"

Page 20, line 24, delete "ENTITIES" and insert "COOPERATIVES" and delete everything after "A" and insert "cooperative organized under chapter 308A"

Page 20, line 25, delete everything before "may"

Page 20, line 26, delete everything after "under" and insert "chapter 308A"

Page 20, line 27, delete everything before "to"

Page 20, line 30, delete "status" and insert "separate existence" and delete everything after the second "the" and insert "cooperative organized under chapter 308A"

Page 20, line 31, delete "statutes terminates" and insert "ceases"

Page 20, delete lines 33 to 36

Page 21, delete lines 1 to 7

Page 41, delete lines 23 to 36

Page 42, delete lines 1 to 3

Page 42, line 4, delete "5" and insert "4"

Page 44, after line 13, insert:

"(3) for knowing violations of securities laws under section 80A.23 or for illegal distributions:"

Page 44, line 14, delete "(3)" and insert "(4)"

Page 44, line 16, delete "(4)" and insert "(5)"

Page 70, line 1, delete "the statutes of this state" and insert "law"

Page 90, line 34, delete everything after "MERGER"

Page 91, line 4, delete "this state or"

Page 91, line 6, after the period, insert "A cooperative may not merge or consolidate with a business entity organized under the laws of this state, other than a cooperative organized under chapter 308A, unless the law governing the business entity expressly authorizes merger or consolidation with a cooperative. This subdivision does not authorize a foreign business entity to do any act not authorized by the law governing the foreign business entity."

Page 91, line 11, after "constituent" insert "domestic" and after "and" delete "other" and insert "any foreign"

Page 91, line 13, after "new" insert "domestic" and delete "other" and insert "foreign"

Page 91, line 16, before "cooperatives" insert "domestic" and before "business" insert "foreign"

Page 91, line 18, before "cooperative" insert "domestic" and before "business" insert "foreign"

Page 91, line 21, delete the second "the" and insert "each constituent domestic"

Page 91, line 23, delete "entity" and insert "domestic cooperative or foreign business entity"

Page 91, line 24, before "entity" insert "foreign business"

Page 91, line 34, after "adopted" insert "by a domestic cooperative"

Page 92, lines 6 and 15, before "cooperative" insert "domestic"

Page 92, line 19, after "surviving" insert "domestic"

Page 92, line 20, delete "article" and insert "chapter"

Page 92, line 24, before the period, insert "of this state or appropriate office of another jurisdiction"

Page 92, line 29, before "cooperatives" insert "domestic" and delete "or" and insert "and any" and delete "other" and insert "foreign"

Page 92, line 33, before "cooperative" insert "domestic" and delete "other" and insert "any foreign"

Page 92, line 35, after "new" insert "domestic cooperative or foreign"

Page 93, line 2, after "new" insert "domestic cooperative or foreign"

Page 93, line 5, delete the second "the" and insert "each" and after "consolidated" insert "domestic cooperative or foreign"

Page 93, line 6, after "new" insert "domestic cooperative or foreign"

Page 93, delete lines 9 and 10

Page 93, line 13, before "cooperative" insert "domestic" in both places

Page 93, line 15, before the period, insert " provided however, if either the parent or the subsidiary is a business entity organized under the laws of this state, the merger of the subsidiary is not authorized under this section unless the law governing the business entity expressly authorizes merger with a cooperative. For purposes of this section, "subsidiary" means a domestic cooperative or foreign business entity and the term "cooperative" means a domestic cooperative"

Page 95, delete lines 19 to 26

Page 95, line 27, delete "7" and insert "6"

Pages 95 to 122, delete sections 71 to 75

Page 122, line 33, delete "308B.835" and insert "308B.811"

Page 122, line 35, delete everything after "merger"

Page 123, line 1, delete everything after "plan"

Page 123, line 2, delete "308B.831,"

Page 123, line 4, delete "OR EXCHANGE"

Page 123, lines 5 and 21, delete "or exchange"

Page 123, line 6, before "cooperatives" insert "domestic"

Page 123, line 10, before "the" insert "if" and delete "or exchange" and after "domestic" insert "cooperative"

Page 123, line 11, delete "if" and insert "the"

Page 123, line 13, before "business" insert "foreign" and after "and" insert "if"

Page 123, lines 14 and 15, before "cooperative" insert "domestic"

Page 123, line 23, before "cooperative" insert "domestic" and delete the second "of"

Page 123, line 24, delete "exchange"

Page 123, line 26, delete "or exchange"

Page 123, line 27, delete "domestic or" and delete the second "or"

Page 123, line 28, delete "exchange"

Page 123, lines 29 and 30, before "business" insert "foreign"

Page 123, line 33, delete "or exchange"

Renumber the sections in sequence

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. 1003, A bill for an act relating to public employees; providing an exclusion from the political subdivision compensation limit; amending Minnesota Statutes 2002, section 43A.17, subdivision 9.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 43A.17, subdivision 9, is amended to read:

Subd. 9. [POLITICAL SUBDIVISION COMPENSATION LIMIT.] (a) The salary and the value of all other forms of compensation of a person employed by a ~~statutory or home rule charter city, county, town, metropolitan or regional agency, or other~~ political subdivision of this state excluding a school district, or employed under section 422A.03, may not exceed 95 percent of the salary of the governor as set under section 15A.082, except as provided in this subdivision. For purposes of this subdivision, "political subdivision of this state" includes a statutory or home rule charter city, county, town, metropolitan or regional agency, or other political subdivision, but does not include a hospital, clinic, or health maintenance organization owned by such a governmental unit.

(b) Deferred compensation and payroll allocations to purchase an individual annuity contract for an employee are included in determining the employee's salary. Other forms of compensation which shall be included to determine an employee's total compensation are all other direct and indirect items of compensation which are not specifically excluded by this subdivision. Other forms of compensation which shall not be included in a determination of an employee's total compensation for the purposes of this subdivision are:

(1) employee benefits that are also provided for the majority of all other full-time employees of the political subdivision, vacation and sick leave allowances, health and dental insurance, disability insurance, term life insurance, and pension benefits or like benefits the cost of which is borne by the employee or which is not subject to tax as income under the Internal Revenue Code of 1986;

(2) dues paid to organizations that are of a civic, professional, educational, or governmental nature; and

(3) reimbursement for actual expenses incurred by the employee which the governing body determines to be directly related to the performance of job responsibilities, including any relocation expenses paid during the initial year of employment.

The value of other forms of compensation shall be the annual cost to the political subdivision for the provision of the compensation.

(c) The salary of a medical doctor or doctor of osteopathy occupying a position that the governing body of the political subdivision has determined requires an M.D. or D.O. degree is excluded from the limitation in this subdivision.

(d) The commissioner may increase the limitation in this subdivision for a position that the commissioner has determined requires special expertise necessitating a higher salary to attract or retain a qualified person. The commissioner shall review each proposed increase giving due consideration to salary rates paid to other persons with similar responsibilities in the state and nation. The commissioner may not increase the limitation until the commissioner has presented the proposed increase to the legislative coordinating commission and received the commission's recommendation on it. The recommendation is advisory only. If the commission does not give its recommendation on a proposed increase within 30 days from its receipt of the proposal, the commission is deemed to have recommended approval."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1006, A bill for an act relating to elections; providing for conformity with the federal Help America Vote Act; creating a complaint process; imposing a penalty; amending Minnesota Statutes 2002, sections 201.021; 201.022; 201.061, subdivisions 1, 3, by adding subdivisions; 201.071, subdivisions 1, 3, by adding subdivisions; 201.091, subdivisions 1, 4, 5, by adding a subdivision; 201.121, subdivision 1; 201.13, subdivision 1; 201.15; 201.155; 201.161; 201.171; 201.221, subdivisions 2, 3; 203B.06, subdivision 4; 203B.08, subdivision 3; 203B.12, subdivision 2; 203B.16, by adding a subdivision; 203B.17; 203B.19; 203B.24, subdivision 2; 203B.26; 204B.47; 204C.10; 206.57, by adding subdivisions; 206.81; proposing coding for new law in Minnesota Statutes, chapters 200; 201; 204C.

Reported the same back with the following amendments:

Page 3, delete lines 7 and 8

Page 27, after line 25, insert:

"Sec. 41. [REIMBURSEMENT.]

The secretary of state must reimburse the commissioner of public safety up to \$37,000 in fiscal year 2004 and up to \$1,000 in each following year, for costs incurred by the department of public safety in implementing the Help America Vote Act of 2002."

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

The report was adopted.

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

H. F. No. 1042, A bill for an act relating to the metropolitan sports facilities commission; changing its name and membership; amending Minnesota Statutes 2002, sections 473.551, subdivision 3; 473.553, subdivisions 1, 2, 3, 4, 5, 7; 473.564, subdivision 3; 473.5995, subdivision 2; 473I.01, subdivision 3.

Reported the same back with the following amendments:

Page 3, lines 31 and 32, strike "football stadium account" and insert "general fund"

Amend the title as follows:

Page 1, line 3, before "amending" insert "changing the disposition of Metrodome net sales proceeds;"

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

The report was adopted.

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

H. F. No. 1056, A bill for an act relating to metropolitan government; providing for the financing of metropolitan area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; amending Minnesota Statutes 2002, section 473.39, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 1114, A bill for an act relating to real property; conveyances by spouses; purchase-money mortgages; amending Minnesota Statutes 2002, sections 507.02; 507.03.

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. 1133, A bill for an act relating to public employees; transferring duties relating to exceptions to the political subdivision compensation limit; authorizing the state auditor to charge a fee; proposing coding for new law in Minnesota Statutes, chapter 15A; repealing Minnesota Statutes 2002, section 43A.17, subdivision 9.

Reported the same back with the following amendments:

Page 3, line 2, delete everything after the period

Page 3, delete lines 3 to 5

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

The report was adopted.

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

H. F. No. 1202, A bill for an act relating to the environment; modifying environmental review for animal feedlots; amending Minnesota Statutes 2002, sections 116.07, subdivision 7a; 116D.04, subdivisions 2a, 10, 11, 13.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 116.07, subdivision 7a, is amended to read:

Subd. 7a. [NOTICE OF APPLICATION FOR LIVESTOCK FEEDLOT PERMIT.] (a) A person who applies to the pollution control agency or a county board for a permit to construct or expand a feedlot with a capacity of 500 animal units or more shall, not ~~later~~ less than ten business days ~~after the application is submitted~~ before the date on which a permit is issued, provide notice to each resident and each owner of real property within 5,000 feet of the perimeter of the proposed feedlot. The notice may be delivered by first class mail, in person, or by the publication in a newspaper of general circulation within the affected area and must include information on the type of livestock and the proposed capacity of the feedlot. Notification under this subdivision is satisfied under an equal or greater notification requirement of a county conditional use permit.

(b) The agency or a county board must verify that notice was provided as required under paragraph (a) prior to issuing a permit.

Sec. 2. Minnesota Statutes 2002, section 116D.04, subdivision 2a, is amended to read:

Subd. 2a. Where there is potential for significant environmental effects resulting from any major governmental action, the action shall be preceded by a detailed environmental impact statement prepared by the responsible governmental unit. The environmental impact statement shall be an analytical rather than an encyclopedic document which describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated. The environmental impact statement shall also analyze those economic, employment and sociological effects that cannot be avoided should the action be implemented. To ensure its use in the decision making process, the environmental impact statement shall be prepared as early as practical in the formulation of an action.

(a) The board shall by rule establish categories of actions for which environmental impact statements and for which environmental assessment worksheets shall be prepared as well as categories of actions for which no environmental review is required under this section.

(b) The responsible governmental unit shall promptly publish notice of the completion of an environmental assessment worksheet in a manner to be determined by the board and shall provide copies of the environmental assessment worksheet to the board and its member agencies. Comments on the need for an environmental impact statement may be submitted to the responsible governmental unit during a 30 day period following publication of the notice that an environmental assessment worksheet has been completed. The responsible governmental unit's decision on the need for an environmental impact statement shall be based on the environmental assessment worksheet and the comments received during the comment period, and shall be made within 15 days after the close of the comment period. The board's chair may extend the 15 day period by not more than 15 additional days upon the request of the responsible governmental unit.

(c) An environmental assessment worksheet shall also be prepared for a proposed action whenever material evidence accompanying a petition by not less than 25 individuals, submitted before the proposed project has received final approval by the appropriate governmental units, demonstrates that, because of the nature or location of a proposed action, there may be potential for significant environmental effects. Petitions requesting the preparation of an environmental assessment worksheet shall be submitted to the board. The chair of the board shall determine the appropriate responsible governmental unit and forward the petition to it. A decision on the need for an environmental assessment worksheet shall be made by the responsible governmental unit within 15 days after the petition is received by the responsible governmental unit. The board's chair may extend the 15 day period by not more than 15 additional days upon request of the responsible governmental unit. Except in an environmentally sensitive location where Minnesota Rules, part 4410.4300, subpart 29, item B, apply, if the proposed action is an animal feedlot facility with a capacity of less than 1,000 animal units, or is an expansion of an existing animal

feedlot facility by less than 1,000 animal units, and if the application for the animal feedlot facility includes a written commitment by the proposer to design, construct, and operate the facility in full compliance with Minnesota Rules, chapter 7020, an environmental assessment worksheet must not be required by the responsible governmental unit.

(d) The board may, prior to final approval of a proposed project, require preparation of an environmental assessment worksheet by a responsible governmental unit selected by the board for any action where environmental review under this section has not been specifically provided for by rule or otherwise initiated.

(e) An early and open process shall be utilized to limit the scope of the environmental impact statement to a discussion of those impacts, which, because of the nature or location of the project, have the potential for significant environmental effects. The same process shall be utilized to determine the form, content and level of detail of the statement as well as the alternatives which are appropriate for consideration in the statement. In addition, the permits which will be required for the proposed action shall be identified during the scoping process. Further, the process shall identify those permits for which information will be developed concurrently with the environmental impact statement. The board shall provide in its rules for the expeditious completion of the scoping process. The determinations reached in the process shall be incorporated into the order requiring the preparation of an environmental impact statement.

(f) Whenever practical, information needed by a governmental unit for making final decisions on permits or other actions required for a proposed project shall be developed in conjunction with the preparation of an environmental impact statement.

(g) An environmental impact statement shall be prepared and its adequacy determined within 280 days after notice of its preparation unless the time is extended by consent of the parties or by the governor for good cause. The responsible governmental unit shall determine the adequacy of an environmental impact statement, unless within 60 days after notice is published that an environmental impact statement will be prepared, the board chooses to determine the adequacy of an environmental impact statement. If an environmental impact statement is found to be inadequate, the responsible governmental unit shall have 60 days to prepare an adequate environmental impact statement.

Sec. 3. Minnesota Statutes 2002, section 116D.04, subdivision 10, is amended to read:

Subd. 10. Decisions on the need for an environmental assessment worksheet, the need for an environmental impact statement and the adequacy of an environmental impact statement may be reviewed by a declaratory judgment action in the ~~district court of the county wherein the proposed action, or any part thereof, would be undertaken~~ appeals brought by any person aggrieved by the decision. Judicial review under this section shall be initiated within 30 days after the governmental unit makes the decision, and a bond may be required under section 562.02 unless at the time of hearing on the application for the bond the plaintiff has shown that the claim has sufficient possibility of success on the merits to sustain the burden required for the issuance of a temporary restraining order. Nothing in this section shall be construed to alter the requirements for a temporary restraining order or a preliminary injunction pursuant to the Minnesota rules of civil procedure for district courts. The board may initiate judicial review of decisions referred to herein and may intervene as of right in any proceeding brought under this subdivision.

Sec. 4. Minnesota Statutes 2002, section 116D.04, subdivision 11, is amended to read:

Subd. 11. If the board or governmental unit which is required to act within a time period specified in this section fails to so act, any person may seek ~~an order of the district court~~ relief through the court of appeals requiring the board or governmental unit to immediately take the action mandated by subdivisions 2a and 3a. The court of appeals shall make a decision based on the information and record supplied by the responsible governmental unit.

Sec. 5. Minnesota Statutes 2002, section 116D.04, subdivision 13, is amended to read:

Subd. 13. This section may be enforced by ~~injunction, action to compel performance, or other~~ appropriate action in the ~~district court of the county where the violation takes place~~ court of appeals. The court of appeals shall have full jurisdiction to hear and determine the matter appealed. The proceeding may be governed by the Rules of Civil Appellate Procedure. Upon the request of the board or the chair of the board, the attorney general may bring an action under this subdivision."

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

The report was adopted.

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

H. F. No. 1253, A bill for an act relating to local government; providing for local government pay equity reports to be filed with the commissioner of employee relations every five years; amending Minnesota Statutes 2002, sections 471.999; 477A.014, subdivision 4.

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

The report was adopted.

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

H. F. No. 1332, A bill for an act relating to professions; regulating the issuance of social work licenses and the payment of fees; amending Minnesota Statutes 2002, sections 148B.18, subdivision 2a, by adding a subdivision; 148B.20, subdivision 3; 148B.21, subdivision 7; 148B.22, by adding a subdivision; 148B.26, subdivision 1; 148B.27, subdivisions 1, 2; Laws 2001, chapter 90, section 6; proposing coding for new law in Minnesota Statutes, chapter 148B; repealing Minnesota Rules, parts 8740.0200, subpart 3, item C; 8740.0222; 8740.0227; 8740.0290.

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

The report was adopted.

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

H. F. No. 1354, A bill for an act relating to crime; creating a sanctions conference procedure to allow probation officers to impose, with district court confirmation, probation sanctions for technical violations of probation; requesting the chief judge of each judicial district to develop procedures for sanctions conferences and a sanctions conference form; amending Minnesota Statutes 2002, sections 243.05, subdivision 1; 609.135, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 243; 244; 401; repealing Minnesota Statutes 2002, sections 244.19, subdivision 3a; 401.02, subdivision 5.

Reported the same back with the following amendments:

Pages 1 to 7, delete sections 1 to 5

Pages 10 to 13, delete sections 10 to 13

Page 13, delete lines 33 to 36 and insert "probation officers may impose community work service for an offender's or probation violation sanctions, consistent with section 243.05, subdivision 1; ~~244.19, subdivision 3a; or 401.02, subdivision 5; or sections 244.196 to 244.199.~~"

Page 14, delete line 1

Page 14, line 20, delete "commissioner of corrections and each"

Page 14, line 23, after "in" insert "Minnesota Statutes," and delete "2 to 13" and insert "244.196 to 244.199,"

Page 16, line 2, delete "sections" and insert "section" and delete the semicolon and insert ", is repealed."

Page 16, delete line 3

Page 16, line 5, delete "16" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "allow" insert "certain"

Page 1, line 5, delete everything after the semicolon

Page 1, delete lines 6 to 13 and insert "requiring the chief executive officer of a local corrections agency to develop procedures for sanctions conferences and a sanctions conference form; amending Minnesota Statutes 2002, section 609.135, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 244; repealing Minnesota Statutes 2002, section 244.19, subdivision 3a."

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. 1437, A bill for an act relating to elections; requiring disclosures by certain persons conducting polls; proposing coding for new law in Minnesota Statutes, chapter 211B.

Reported the same back with the following amendments:

Page 1, delete lines 7 to 15 and insert:

"A person who conducts a survey by telephone that relates to a candidate for elective office of the state, or any of its political subdivisions, must, at the request of the survey respondent, provide the following information at the termination of the survey:

(1) the name, address, and telephone number of the person who retained the pollster; and

(2) whether the survey is being conducted with the consent or cooperation of any candidate mentioned in the survey."

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. 1482, A bill for an act relating to crime prevention; clarifying the reporting requirements of the predatory offender registration law; amending Minnesota Statutes 2002, section 243.166, subdivisions 3, 4a.

Reported the same back with the following amendments:

Page 3, line 22, reinstate the stricken language and delete the new language

Page 3, line 23, strike "a clause" and insert "any information reported under clauses (1) to (6)"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 39, A bill for an act relating to health; allowing application for designation as an essential community provider; amending Minnesota Statutes 2002, section 62Q.19, subdivision 2.

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

The report was adopted.

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

S. F. No. 351, A bill for an act relating to crime prevention; providing that in certain cases authorized representatives of entities possessing a permit to use radio equipment capable of receiving police emergency transmissions may use and possess the equipment without a permit; amending Minnesota Statutes 2002, section 299C.37, subdivisions 1, 3.

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:

S. F. No. 842, A bill for an act relating to natural resources; modifying commissioner's authority relating to employees, gifts, and grants; modifying provisions of the state parks working capital fund; modifying application provisions for certain licenses; providing for reciprocity of certain safety courses; modifying certain county reimbursement provisions; modifying identification provisions for fish and dark houses; eliminating requirement to publish pamphlet form of laws; amending Minnesota Statutes 2002, sections 84.01, subdivision 3; 84.026; 84.085, subdivision 1; 84.82, subdivision 2; 84.862, by adding a subdivision; 85.22, by adding a subdivision; 86B.401, subdivision 1; 97A.065, subdivision 2; 97C.355, subdivisions 1, 2; repealing Minnesota Statutes 2002, section 97A.051, subdivision 1; Minnesota Rules, part 6262.0100, subpart 2.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 155, 433, 444, 676, 772, 785, 831, 984, 1003, 1114, 1332, 1354, 1437 and 1482 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 328, 1099, 39 and 351 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ozment introduced:

H. F. No. 1520, A bill for an act relating to the state lottery; establishing an oversight council for the state lottery; providing powers and duties; requiring a report; amending Minnesota Statutes 2002, section 349A.08, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 349A.

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

Nornes, Magnus, Rhodes, Dill, Westrom and Harder introduced:

H. F. No. 1521, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to the veterans homes board for the state's share of five capital projects.

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

Sykora and Rhodes introduced:

H. F. No. 1522, A bill for an act relating to education; modifying the notice given on ballot for referendum revenue; amending Minnesota Statutes 2002, section 126C.17, subdivision 9.

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

Kelliher introduced:

H. F. No. 1523, A bill for an act relating to transportation; requiring creation of interagency environmental review streamlining committee, specifying duties; requiring development of model environmental review memorandum of understanding and specifying its content; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Demmer, Cox, Nornes, Kuisle, Krinkie, Lipman, Wilkin and Meslow introduced:

H. F. No. 1524, A bill for an act relating to higher education; providing for the repayment of grants under certain conditions; amending Minnesota Statutes 2002, section 136A.131, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 136A.

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

Knoblach introduced:

H. F. No. 1525, A bill for an act relating to public finance; requiring the sale of surplus state property.

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

Tingelstad introduced:

H. F. No. 1526, A bill for an act relating to the environment; providing funding for individual sewage treatment systems; appropriating money; amending Minnesota Statutes 2002, sections 17.117, subdivisions 5a, 10, 11, 13; 115.55, subdivision 1, by adding a subdivision; 115.56, subdivision 4; 115.72, by adding a subdivision; 116P.04, subdivision 3; 116P.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 115.

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

Kelliher, Walker, Davnie, Biernat, Thissen, Mullery, Kahn, Wagenius and Hornstein introduced:

H. F. No. 1527, A bill for an act relating to capital improvements; authorizing issuance of state bonds; appropriating money for grants to the city of Minneapolis to pay the principal on the city's bonds for the Minneapolis Convention Center and related facilities and for the Target Center.

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

CONSENT CALENDAR

S. F. No. 1095 was reported to the House.

Kielkucki moved that S. F. No. 1095 be continued on the Consent Calendar. The motion prevailed.

H. F. No. 956 was reported to the House.

Magnus moved that H. F. No. 956 be continued on the Consent Calendar. The motion prevailed.

S. F. No. 790, A bill for an act relating to human services; recodifying and reorganizing the background study provisions in the Human Services Licensing Act; making conforming changes; amending Minnesota Statutes 2002, sections 245A.04, subdivisions 1, 3, 3a, 3b, 3c, 3d, 3e, 3f; 245A.041; proposing coding for new law as Minnesota Statutes, chapter 245C.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1095, A bill for an act relating to human services; extending the deadline for commencing construction for previously approved moratorium projects; providing for expired and canceled proposals; amending Minnesota Statutes 2002, section 144A.073, by adding subdivisions.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1374, A bill for an act relating to agriculture; providing for the headquarters of the department of agriculture to be named after Orville L. Freeman.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Atkins	Boudreau	Cornish	Dempsey	Ellison
Abrams	Beard	Bradley	Cox	Dill	Entenza
Adolphson	Bernardy	Brod	Davids	Dorman	Erhardt
Anderson, B.	Biernat	Buesgens	Davnie	Dorn	Erickson
Anderson, I.	Blaine	Carlson	DeLaForest	Eastlund	Finstad
Anderson, J.	Borrell	Clark	Demmer	Eken	Fuller

Gerlach	Jaros	Lesch	Nornes	Ruth	Thao
Goodwin	Johnson, J.	Lieder	Olsen, S.	Samuelson	Thissen
Gunther	Johnson, S.	Lindgren	Opatz	Seagren	Tingelstad
Haas	Juhnke	Lindner	Osterman	Seifert	Urdahl
Hackbarth	Kahn	Lipman	Otremba	Sertich	Vandever
Harder	Kelliher	Magnus	Otto	Severson	Wagenius
Hausman	Kielkucki	Mahoney	Ozment	Sieben	Walker
Heidgerken	Klinzing	Mariani	Paulsen	Simpson	Walz
Hilstrom	Knoblach	Marquart	Paymar	Slawik	Wardlow
Hilty	Koenen	McNamara	Pelowski	Smith	Wasiluk
Holberg	Kohls	Meslow	Penas	Soderstrom	Westerberg
Hoppe	Kuisle	Mullery	Peterson	Solberg	Westrom
Hornstein	Lanning	Murphy	Powell	Stang	Wilkin
Howes	Larson	Nelson, C.	Pugh	Strachan	Zellers
Huntley	Latz	Nelson, M.	Rhodes	Swenson	Spk. Sviggum
Jacobson	Lenczewski	Nelson, P.	Rukavina	Sykora	

Those who voted in the negative were:

Krinkie Olson, M.

The bill was passed and its title agreed to.

S. F. No. 1001, A bill for an act relating to environment; modifying requirements for solid waste plans; amending Minnesota Statutes 2002, section 115A.46, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Hackbarth	Knoblach	Mullery	Rhodes
Abrams	Davnie	Harder	Koenen	Murphy	Rukavina
Adolphson	DeLaForest	Hausman	Kohls	Nelson, C.	Ruth
Anderson, B.	Demmer	Heidgerken	Krinkie	Nelson, M.	Samuelson
Anderson, I.	Dempsey	Hilstrom	Kuisle	Nelson, P.	Seagren
Anderson, J.	Dill	Hilty	Lanning	Nornes	Seifert
Atkins	Dorman	Holberg	Larson	Olsen, S.	Sertich
Beard	Dorn	Hoppe	Latz	Olson, M.	Severson
Bernardy	Eastlund	Hornstein	Lenczewski	Opatz	Sieben
Biernat	Eken	Howes	Lesch	Osterman	Simpson
Blaine	Ellison	Huntley	Lieder	Otremba	Slawik
Borrell	Entenza	Jacobson	Lindgren	Otto	Smith
Boudreau	Erhardt	Jaros	Lindner	Ozment	Soderstrom
Bradley	Erickson	Johnson, J.	Lipman	Paulsen	Solberg
Brod	Finstad	Johnson, S.	Magnus	Paymar	Stang
Buesgens	Fuller	Juhnke	Mahoney	Pelowski	Strachan
Carlson	Gerlach	Kahn	Mariani	Penas	Swenson
Clark	Goodwin	Kelliher	Marquart	Peterson	Sykora
Cornish	Gunther	Kielkucki	McNamara	Powell	Thao
Cox	Haas	Klinzing	Meslow	Pugh	Thissen

Tingelstad	Wagenius	Wardlow	Westrom	Spk. Sviggum
Urdahl	Walker	Wasiluk	Wilkin	
Vandev eer	Walz	Westerberg	Zellers	

The bill was passed and its title agreed to.

H. F. No. 1059 was reported to the House.

Osterman moved to amend H. F. No. 1059, the first engrossment, as follows:

Page 5, line 25, delete "6 and 7" and insert "7 and 8"

The motion prevailed and the amendment was adopted.

H. F. No. 1059, A bill for an act relating to housing; housing finance agency; making various clarifying, technical, and other changes to agency programs; increasing debt ceiling; extending civil service pilot project; amending Minnesota Statutes 2002, sections 462A.05, by adding a subdivision; 462A.057, subdivision 1; 462A.073, subdivision 2; 462A.21, subdivision 3a; 462A.22, subdivisions 1, 7; Laws 1993, chapter 301, section 1, subdivision 4, as amended; Laws 1995, chapter 248, article 12, section 2, as amended.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Buesgens Krinkie Olson, M.

The bill was passed, as amended, and its title agreed to.

There being no objection, H. F. No. 956, which was continued earlier today on the Consent Calendar, was again reported to the House.

H. F. No. 956, A bill for an act relating to veterans homes; clarifying use of certain funds; amending Minnesota Statutes 2002, section 198.261.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

MOTION TO FIX TIME TO CONVENE

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Monday, April 14, 2003. The motion prevailed.

CALENDAR FOR THE DAY

H. F. No. 335 was reported to the House.

Ozment moved to amend H. F. No. 335, the first engrossment, as follows:

Page 1, line 8, delete "new"

Page 1, line 14, after "2003" insert ", for all landscape irrigation systems installed after that date"

The motion prevailed and the amendment was adopted.

H. F. No. 335, A bill for an act relating to water; requiring new landscape irrigation systems to have furnished and installed moisture or rainfall sensing equipment; proposing coding for new law in Minnesota Statutes, chapter 103G.

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

The question was taken on the passage of the bill and the roll was called. There were 109 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Huntley	Magnus	Paymar	Swenson
Abrams	Dorn	Jaros	Mahoney	Pelowski	Sykora
Adolphson	Eken	Johnson, J.	Mariani	Penas	Thao
Anderson, I.	Ellison	Johnson, S.	Marquart	Peterson	Thissen
Anderson, J.	Entenza	Juhnke	McNamara	Pugh	Tingelstad
Atkins	Erhardt	Kahn	Meslow	Rhodes	Urdahl
Beard	Fuller	Kelliher	Mullery	Rukavina	Wagenius
Bernardy	Goodwin	Klinzing	Murphy	Ruth	Walker
Biernat	Gunther	Knoblach	Nelson, C.	Samuelson	Walz
Boudreau	Haas	Koenen	Nelson, M.	Seagren	Wardlow
Brod	Hackbarth	Kohls	Nelson, P.	Sertich	Wasiluk
Carlson	Harder	Lanning	Nornes	Severson	Westerberg
Clark	Hausman	Larson	Olsen, S.	Sieben	Zellers
Cornish	Heidgerken	Latz	Opatz	Simpson	Spk. Sviggum
Cox	Hilstrom	Lenczewski	Osterman	Slawik	
Davnie	Hilty	Lesch	Otremba	Soderstrom	
DeLaForest	Hoppe	Lieder	Otto	Solberg	
Dempsey	Hornstein	Lindgren	Ozment	Stang	
Dill	Howes	Lipman	Paulsen	Strachan	

Those who voted in the negative were:

Anderson, B.	Dauids	Finstad	Kielkucki	Olson, M.	Vandevveer
Borrell	Demmer	Gerlach	Krinkie	Powell	Westrom
Bradley	Eastlund	Holberg	Kuisle	Seifert	Wilkin
Buesgen	Erickson	Jacobson	Lindner	Smith	

The bill was passed, as amended, and its title agreed to.

S. F. No. 422 was reported to the House.

Buesgens moved that S. F. No. 422 be returned to the General Register. The motion prevailed.

MOTIONS AND RESOLUTIONS

Fuller moved that his name be stricken as an author on H. F. No. 403. The motion prevailed.

Howes moved that the name of Demmer be added as an author on H. F. No. 532. The motion prevailed.

Dorman moved that the name of Demmer be added as an author on H. F. No. 873. The motion prevailed.

Seifert moved that the name of Demmer be added as an author on H. F. No. 885. The motion prevailed.

Gunther moved that the name of Demmer be added as an author on H. F. No. 892. The motion prevailed.

Holberg moved that the name of Demmer be added as an author on H. F. No. 906. The motion prevailed.

Soderstrom moved that the name of Demmer be added as an author on H. F. No. 921. The motion prevailed.

Vandever moved that the name of Demmer be added as an author on H. F. No. 932. The motion prevailed.

Magnus moved that the name of Demmer be added as an author on H. F. No. 956. The motion prevailed.

Beard moved that the name of Wasiluk be added as an author on H. F. No. 965. The motion prevailed.

Smith moved that the name of Demmer be added as an author on H. F. No. 1123. The motion prevailed.

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

Finstad moved that the name of Harder be added as an author on H. F. No. 1361. The motion prevailed.

Klinzing moved that the name of Brod be added as an author on H. F. No. 1375. The motion prevailed.

Pugh moved that the name of Marquart be added as an author on H. F. No. 1464. The motion prevailed.

Dorman moved that the name of Sertich be added as an author on H. F. No. 1502. The motion prevailed.

Hackbarth moved that the names of Brod and Westrom be added as authors on H. F. No. 1508. The motion prevailed.

Gunther moved that the name of Mahoney be added as an author on H. F. No. 1509. The motion prevailed.

Carlson moved that the name of Goodwin be added as an author on H. F. No. 1516. The motion prevailed.

Gunther moved that H. F. No. 831, now on the Technical Consent Calendar, be placed on the General Register. The motion prevailed.

Swenson moved that S. F. No. 675 be recalled from the Committee on Higher Education Finance and together with H. F. No. 772, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

Slawik, Rhodes, Greiling and Seagren introduced:

House Resolution No. 8, A House resolution proclaiming the week of April 6-12, 2003, as the Week of the Young Child in Minnesota.

SUSPENSION OF RULES

Slawik moved that the rules be so far suspended that House Resolution No. 8 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 8

A House resolution proclaiming the week of April 6-12, 2003, as the Week of the Young Child in Minnesota.

Whereas, the Week of the Young Child is an annual celebration sponsored by the National Association for the Education of Young Children (NAEYC), the world's largest early childhood education association, with over 100,000 members and a network of nearly 450 local, state, and regional affiliates; and

Whereas, the purpose of the Week of the Young Child is to focus public attention on the needs of young children and their families and to recognize the early childhood programs and services that meet those needs; and

Whereas, NAEYC first established the Week of the Young Child in 1971, recognizing that the early childhood years (birth through age 8) lay the foundation for children's success in school and later life; and

Whereas, the Week of the Young Child is a time to plan how we - as citizens of a community, of a state, and of a nation - will better meet the needs of all young children and their families;

Whereas, the week of April 6-12, 2003, has been proclaimed by the Governor to be the Week of the Young Child in Minnesota; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it recognizes the week of April 6-12 as the Week of the Young Child and urges all Minnesotans to recognize and support the needs of young children in their communities.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and transmit it to the National Association for the Education of Young Children.

Slawik moved that House Resolution No. 8 be now adopted. The motion prevailed and House Resolution No. 8 was adopted.

POINT OF ORDER

Seifert raised a point of order pursuant to section 114 of "Mason's Manual of Legislative Procedure," relating to Asking Questions of Members. The Speaker ruled the point of order not well taken.

ADJOURNMENT

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Monday, April 14, 2003.

EDWARD A. BURDICK, Chief Clerk, House of Representatives