

## STATE OF MINNESOTA

## EIGHTY-THIRD SESSION — 2003

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 FIFTIETH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 6, 2003

The House of Representatives convened at 10:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

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

A quorum was present.

Finstad was excused.

Clark was excused until 12:45 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Osterman 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 STANDING COMMITTEES

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

H. F. No. 1535, A bill for an act relating to appropriations; appropriating money, authorizing bonding, and transferring or canceling appropriations made for fiscal year 2003; amending Minnesota Statutes 2002, section 127A.45, subdivision 7a; Laws 2001, First Special Session chapter 9, article 17, section 10, subdivision 1; Laws 2002, chapter 220, article 13, section 9, subdivision 2, as amended.

Reported the same back with the following amendments:

Page 2, after line 20, insert:

"On July 1, 2007, the commissioner must transfer \$15,000,000 from the general fund to the state airports fund."

Page 9, after line 10, insert:

### "ARTICLE 6

#### PUBLIC SAFETY OFFICERS

Section 1. Minnesota Statutes 2002, section 299A.42, is amended to read:

299A.42 [PUBLIC SAFETY OFFICER'S BENEFIT ACCOUNT.]

The public safety officer's benefit account is created in the state treasury. Money in the account consists of money transferred and appropriated to that account. Money in the account that is not expended in the fiscal year in which it is transferred or appropriated does not revert to the general fund until claims for reimbursement under section 299A.465 that are submitted in that fiscal year are either paid or denied.

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

Sec. 2. Minnesota Statutes 2002, section 299A.44, subdivision 1, is amended to read:

Subdivision 1. [PAYMENT REQUIRED.] (a) On certification to the governor by the commissioner of public safety that a public safety officer employed within this state has been killed in the line of duty, ~~leaving a spouse or one or more eligible dependents,~~ the commissioner of finance shall pay \$100,000 from the public safety officer's benefit account, as follows:

- (1) if there is no dependent child, to the spouse;
- (2) if there is no spouse, to the dependent child or children in equal shares;
- (3) if there are both a spouse and one or more dependent children, one-half to the spouse and one-half to the child or children, in equal shares;
- (4) if there is no surviving spouse or dependent child or children, to the parent or parents dependent for support on the decedent, in equal shares; or

(5) if there is no surviving spouse, dependent child, or dependent parent, ~~then no payment may be made from the public safety officer's benefit fund~~ to the public safety officer's estate.

(b) If there are both a spouse and one or more dependent children under age 18, the spouse, at the spouse's discretion, may spend a maximum of one-third of a child's share on medical or dental treatment for the child or the child's education. Expenditures under this paragraph on behalf of a child do not diminish the shares of any other children. In addition, a spouse, at the spouse's discretion, may expend money from a child's share to pay state and federal taxes on any interest accrued on the share.

**[EFFECTIVE DATE.]** This section is effective retroactively from July 1, 2002.

Sec. 3. Minnesota Statutes 2002, section 299A.465, subdivision 4, is amended to read:

Subd. 4. [PUBLIC EMPLOYER REIMBURSEMENT.] A public employer subject to this section may annually apply to the commissioner of public safety for reimbursement to help defray a portion of its costs of complying with this section. Applications must be submitted by August 1 for claims relating to the preceding fiscal year. The commissioner shall provide reimbursement to the public employer out of the public safety officer's benefit account. Reimbursement may be less than the total claim and may be prorated based on the number of eligible peace officers, firefighters, and qualifying dependents. An individual share must not exceed the actual cost to a public employer to provide coverage for an individual under this section.

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

Sec. 4. [APPROPRIATION.]

\$344,000 is appropriated from the general fund in fiscal year 2003 to the commissioner of public safety for the purposes of this article. This is a onetime appropriation.

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

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "299A.42; 299A.44, subdivision 1; 299A.465, subdivision 4;"

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. 1597, A bill for an act relating to financing and operation of state and local government; providing for job opportunity building zones; providing for a biotechnology and health services industry zone; changing income, corporate franchise, estate, sales and use, motor vehicle sales, property, minerals, gravel, cigarette and tobacco, liquor, mortgage registry and deed, healthcare provider, insurance premiums, hazardous waste generator, and other taxes and tax provisions; changing and providing powers and duties relating to tax administration, collection, compliance, and enforcement; updating provisions to the internal revenue code; changing provisions relating to the state elections campaign fund; changing June accelerated tax liability provisions and extending the requirements to other taxes; changing and providing for intergovernmental aids; imposing levy limits; changing truth in taxation provisions and providing for reverse referenda; providing for economic development incentives; changing tax

increment financing provisions; changing certain levy and other provisions relating to the metropolitan council and the metropolitan mosquito control district; authorizing towns to impose certain charges; giving special powers to the cities of Medford, Newport, Moorhead, Duluth, and Hopkins; repealing certain local laws; establishing a legislative commission on unnecessary mandates; changing provisions relating to local impact notes; abolishing or providing for the expiration of certain funds and accounts; providing for cash flow and budget reserve accounts; providing for deposit of certain revenues in the general fund; providing for data disclosure; requiring studies and reports; providing for appointments; authorizing grants; imposing penalties; appropriating money; amending Minnesota Statutes 2002, sections 3.842, subdivision 4a; 3.843; 3.986, subdivision 4; 3.987, subdivision 1; 4A.02; 8.30; 10A.31, subdivisions 1, 3; 16A.152, subdivisions 1, 1b, 2, 7; 62J.694, subdivision 4; 115B.24, subdivision 8; 144.395, subdivision 3; 161.465; 168.27, subdivision 4a; 168A.03; 168A.05, subdivision 1a; 216B.2424, subdivision 5; 270.06; 270.10, subdivision 1a; 270.60, subdivision 4; 270.67, subdivision 4; 270.69, by adding a subdivision; 270.701, subdivision 2, by adding a subdivision; 270.72, subdivision 2; 270A.03, subdivision 2; 270B.12, by adding a subdivision; 272.02, subdivisions 31, 47, 48, 53, by adding subdivisions; 272.029, by adding a subdivision; 272.12; 273.01; 273.05, subdivision 1; 273.061, by adding subdivisions; 273.08; 273.11, subdivision 1a; 273.112, subdivision 3; 273.124, subdivisions 1, 14; 273.13, subdivisions 22, 23, 25; 273.1398, subdivisions 4a, 4b, 4c, 6; 273.372; 273.42, subdivision 2; 274.01, subdivision 1; 274.13, subdivision 1; 275.025, subdivisions 1, 3, 4; 275.065, subdivisions 1, 1a, 1c, 3, 6, 8, by adding a subdivision; 275.07, subdivision 1; 275.70, subdivisions 3, 5; 275.71, subdivisions 2, 4, 5, 6; 275.73, subdivision 2; 275.74, subdivision 3; 276.10; 276.11, subdivision 1; 277.20, subdivision 2; 278.01, subdivision 4; 278.05, subdivision 6; 279.06, subdivision 1; 281.17; 282.01, subdivision 7a; 282.08; 287.12; 287.29, subdivision 1; 287.31, by adding a subdivision; 289A.02, subdivision 7; 289A.10, subdivision 1; 289A.18, subdivision 4; 289A.19, subdivision 4; 289A.20, subdivision 4; 289A.31, subdivisions 3, 4, 7, by adding a subdivision; 289A.36, subdivision 7, by adding subdivisions; 289A.40, subdivision 2; 289A.50, subdivision 2a, by adding subdivisions; 289A.56, subdivisions 3, 4; 289A.60, subdivisions 7, 15, by adding a subdivision; 290.01, subdivisions 19, 19a, 19b, 19c, 19d, 29, 31; 290.05, subdivision 1; 290.06, subdivisions 2c, 23, 24, by adding subdivisions; 290.067, subdivision 1; 290.0671, subdivision 1; 290.0675, subdivisions 2, 3; 290.0679, subdivision 2; 290.0802, subdivision 1; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivisions 2, 3; 290.17, subdivision 4; 290.191, subdivision 1; 290A.03, subdivisions 8, 15; 290C.02, subdivisions 3, 7; 290C.03; 290C.07; 290C.09; 290C.10; 290C.11; 291.005, subdivision 1; 291.03, subdivision 1; 295.50, subdivision 9b; 295.53, subdivision 1; 295.58; 297A.61, subdivisions 3, 7, 10, 12, 17, 30, 31, 34, by adding subdivisions; 297A.66, by adding a subdivision; 297A.665; 297A.668; 297A.67, subdivisions 2, 7, 8, by adding a subdivision; 297A.68, subdivisions 2, 4, 5, 36, by adding subdivisions; 297A.69, subdivisions 2, 3, 4; 297A.70, subdivisions 8, 16; 297A.71, by adding a subdivision; 297A.75, subdivision 4; 297A.81; 297A.82, subdivision 4; 297A.85; 297A.99, subdivisions 5, 10, 12; 297A.995, by adding a subdivision; 297B.01, subdivision 7; 297B.025, subdivisions 1, 2; 297B.03; 297B.035, subdivision 1, by adding a subdivision; 297F.01, subdivisions 21a, 23; 297F.05, subdivision 1; 297F.06, subdivision 4; 297F.08, subdivision 7; 297F.09, subdivisions 1, 2, by adding a subdivision; 297F.10, subdivision 1; 297F.20, subdivisions 1, 2, 3, 6, 9; 297G.01, by adding a subdivision; 297G.03, subdivision 1; 297G.09, by adding a subdivision; 297I.01, subdivision 9; 297I.20; 298.001, by adding a subdivision; 298.01, subdivisions 3, 3a, 4; 298.015, subdivisions 1, 2; 298.016, subdivision 4; 298.018; 298.24, subdivision 1; 298.27; 298.28, subdivisions 9a, 11; 298.75, subdivision 1; 325D.421, subdivision 2, by adding a subdivision; 349.16, by adding a subdivision; 352.15, subdivision 1; 353.15, subdivision 1; 354.10, subdivision 1; 354B.30; 354C.165; 366.011; 366.012; 469.169, by adding a subdivision; 469.1731, subdivision 3; 469.174, subdivisions 3, 6, 10, 25, by adding a subdivision; 469.175, subdivisions 1, 3, 4, 6; 469.176, subdivisions 1c, 2, 3, 4d, 4l, 7; 469.1763, subdivisions 1, 2, 3, 4, 6; 469.177, subdivisions 1, 12; 469.1771, subdivision 4, by adding a subdivision; 469.178, subdivision 7; 469.1791, subdivision 3; 469.1792, subdivisions 1, 2, 3; 469.1813, subdivision 8; 469.1815, subdivision 1; 473.167, subdivision 3; 473.246; 473.249, subdivision 1; 473.253, subdivision 1; 473.702; 473.711, subdivision 2a; 473F.07, subdivision 4; 477A.011, subdivisions 34, 36, by adding subdivisions; 477A.013, subdivisions 8, 9; 477A.03, subdivision 2; 515B.1-116; 611.27, subdivisions 13, 15; Laws 1997, chapter 231, article 10, section 25; Laws 2001, First Special Session chapter 5, article 3, section 61; Laws 2001, First Special Session chapter 5, article 3, section 63; Laws 2001, First Special Session chapter 5, article 9, section 12; Laws 2001, First Special Session chapter 5, article 12, section 95, as

amended; Laws 2002, chapter 377, article 6, section 4; Laws 2002, chapter 377, article 7, section 3; Laws 2002, chapter 377, article 11, section 1; Laws 2002, chapter 377, article 12, section 17; proposing coding for new law in Minnesota Statutes, chapters 3; 123A; 270; 273; 274; 275; 276; 290C; 297A; 297F; 469; 477A; repealing Minnesota Statutes 2002, sections 37.13, subdivision 2; 270.691, subdivision 8; 273.138, subdivisions 2, 3, 6; 273.1398, subdivisions 2, 4, 4d; 273.166; 274.04; 275.065, subdivisions 3a, 4; 290.0671, subdivision 3; 290.0675, subdivision 5; 294.01; 294.02; 294.021; 294.03; 294.06; 294.07; 294.08; 294.09; 294.10; 294.11; 294.12; 297A.61, subdivisions 14, 15; 297A.69, subdivision 5; 297A.72, subdivision 1; 297A.97; 298.01, subdivisions 3c, 3d, 4d, 4e; 298.017; 298.24, subdivision 3; 298.28, subdivisions 9, 9b, 10; 298.2961; 298.297; 325E.112, subdivision 2a; 473.711, subdivision 2b; 477A.011, subdivision 37; 477A.0121; 477A.0122; 477A.0123; 477A.0132; 477A.03, subdivisions 3, 4; 477A.06; 477A.065; 477A.07; Laws 1984, chapter 652, section 2; Laws 2002, chapter 390, sections 36, 37, 38; Minnesota Rules, parts 8007.0300, subpart 3; 8009.7100; 8009.7200; 8009.7300; 8009.7400; 8092.1000; 8106.0100, subparts 11, 15, 16; 8106.0200; 8125.1000; 8125.1300, subpart 1; 8125.1400; 8130.0800, subparts 5, 12; 8130.1300; 8130.1600, subpart 5; 8130.1700, subparts 3, 4; 8130.4800, subpart 2; 8130.7500, subpart 5; 8130.8000; 8130.8300.

Reported the same back with the following amendments:

Page 59, line 7, delete "medical device."

Page 59, line 8, delete "medical device."

Page 132, after line 26, insert:

"Sec. 47. [APPROPRIATION.]

\$269,000 in fiscal year 2004 is appropriated to the commissioner of revenue from the general fund for the cost of administering the streamlined sales tax project provisions of this article."

Page 164, line 20, delete "\$1,951,794" and insert "\$2,828,379"

Page 164, line 21, delete "\$1,166,794" and insert "\$2,828,379"

Page 165, line 24, delete "\$10,522,329 each year" and insert "\$10,117,123"

Page 165, line 25, after "and" insert "\$9,331,123 for taxes payable in"

Page 167, line 8, delete "\$8,259,070" and insert "\$6,933,163"

Page 175, line 25, before the period, insert "except that the payment under this section is reduced by 50 percent in the calendar year in which the district is transferred to the state"

Page 176, line 1, strike "2, 2b, 3," and insert "3"

Page 176, line 4, strike "2b,"

Page 176, lines 14 to 17, delete the new language

Page 176, after line 20, insert:

"Sec. 5. Minnesota Statutes 2002, section 273.1398, subdivision 8, is amended to read:

Subd. 8. [APPROPRIATION.] ~~(a)~~ An amount sufficient to pay the aids and credits provided under this section for school districts, intermediate school districts, or any group of school districts levying as a single taxing entity, is annually appropriated from the general fund to the commissioner of children, families, and learning. An amount sufficient to pay the aids and credits provided under this section for counties, cities, towns, and special taxing districts is annually appropriated from the general fund to the commissioner of revenue. A jurisdiction's aid amount may be increased or decreased based on any prior year adjustments for homestead credit or other property tax credit or aid programs.

~~(b) The commissioner of finance shall bill the commissioner of revenue for the cost of preparation of local impact notes as required by section 3.987 only to the extent to which those costs exceed those costs incurred in fiscal year 1997 and for any other new costs attributable to the local impact note function required by section 3.987, not to exceed \$100,000 in fiscal years 1998 and 1999 and \$200,000 in fiscal year 2000 and thereafter.~~

~~The commissioner of revenue shall deduct the amount billed under this paragraph from aid payments to be made to cities and counties under subdivision 2 on a pro rata basis. The amount deducted under this paragraph is appropriated to the commissioner of finance for the preparation of local impact notes.~~

[EFFECTIVE DATE.] This section is effective for aid payable in 2004 and thereafter."

Page 184, line 21, delete "4b" and insert "4a"

Page 188, line 4, after the stricken period, insert "For aids payable in 2005 and thereafter, the total aid for any city with a population of 2,500 or more may not decrease from its total aid under this section in the previous year by an amount greater than ten percent of its net levy in the year prior to the aid distribution."

Page 189, line 18, delete "\$406,000,000" and insert "\$406,602,000"

Page 189, line 27, delete "\$100,000,000" and insert "\$100,500,000"

Page 189, line 28, delete everything after "\$500,000"

Page 189, line 29, delete "paragraph"

Page 189, line 31, after the period, insert "For calendar year 2004, the amount shall be in addition to the payments authorized under section 477A.0124, subdivision 1. For calendar year 2005 and subsequent years, the amount shall be deducted from the appropriation under this paragraph."

Page 192, line 12, delete "sections" and insert "section" and delete "and 273.166;" and insert "minus the amount calculated under section 273.1398, subdivision 4a, paragraph (b), for counties in judicial districts one, three, six, and ten, and 25 percent of the amount calculated under section 273.1398, subdivision 4a, paragraph (b), for counties in judicial districts two and four;"

(2) the amount of county manufactured home homestead and agricultural credit aid computed for the county for payment in 2003 under section 273.166 prior to any reduction under laws enacted in 2003;"

Page 192, line 13, delete "(2)" and insert "(3)"

Page 192, line 15, delete "(3)" and insert "(4)"

Page 192, line 17, delete "(4)" and insert "(5)"

Page 192, line 21, delete "(5)" and insert "(6)"

Page 194, line 6, before "TOWNSHIP" insert "2003"

Page 198, line 3, after "2," insert "2c,"

Page 198, lines 12 to 18, delete section 1

Page 203, line 4, delete "and (2) 70" and insert "(2) 65"

Page 203, line 7, before the period, insert ", and (3) certified property tax replacement aid payable in 2003 under section 174.242"

Page 205, after line 24, insert:

"Sec. 6. Minnesota Statutes 2002, section 275.72, subdivision 3, is amended to read:

Subd. 3. [ADJUSTMENTS FOR CHANGES IN SERVICE LEVELS.] If a local governmental unit, as a result of an annexation agreement ~~prior to January 1, 1999~~, has different tax rates in various parts of the jurisdiction due to different service levels, it may petition the commissioner of revenue to adjust its levy limits established under section 275.71. The commissioner shall adjust the levy limits to reflect scheduled changes in tax rates related to increasing service levels in areas currently receiving less city services. The local governmental unit shall provide the commissioner with any information the commissioner deems necessary in making the levy limit adjustment.

[EFFECTIVE DATE.] This section is effective for taxes levied in 2003, payable in 2004 and thereafter."

Page 271, line 12, delete the first comma and insert "or" and delete ", or expansion"

Page 422, lines 28 and 29, delete "273.1398, subdivision 2" and insert "477A.0124, subdivision 1 or 4"

Page 423, line 26, delete "A grant may be in any amount up to \$....."

Page 431, line 6, delete the headnote and insert "[APPROPRIATIONS.]"

Page 431, line 7, delete "\$1,900,000" and insert "(a) \$1,785,000" and delete "\$3,700,000" and insert "\$3,535,000"

Page 431, line 12, delete "\$20,700,000" and insert "\$19,665,000"

Page 431, after line 17, insert:

"(b) \$20,000 in fiscal year 2004 is appropriated to the commissioner of revenue from the general fund to make grants under section 3.992 during fiscal years 2004 and 2005."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 2, line 8, after "6" insert ", 8"

Page 2, line 13, delete "subdivisions 3," and insert "subdivision" and after "6;" insert "275.72, subdivision 3;"

Page 3, line 23, after "2," insert "2c,"

With the recommendation that when so amended the bill pass.

The report was adopted.

**SECOND READING OF HOUSE BILLS**

H. F. Nos. 1535 and 1597 were read for the second time.

**MESSAGES FROM THE SENATE**

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 258, A bill for an act relating to agriculture; prohibiting registration of certain fertilizers; amending Minnesota Statutes 2002, section 18C.401, by adding a subdivision.

H. F. No. 1080, A bill for an act relating to the military; extending certain tuition reimbursement; deleting a reporting requirement; amending Minnesota Statutes 2002, section 192.501, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 446, A bill for an act relating to child labor; exempting certain minors from minimum age restrictions for work as youth athletic program referees, umpires, or officials; amending Minnesota Statutes 2002, section 181A.07, by adding a subdivision.

H. F. No. 456, A bill for an act relating to historic districts; designating Victory Memorial Drive as a historic district; amending Minnesota Statutes 2002, section 138.73, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 700, A bill for an act relating to civil actions; providing immunity for good faith reports to or requests for assistance from law enforcement; proposing coding for new law in Minnesota Statutes, chapter 604A.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 418, 692, 575, 1069, 793, 891, 905, 645, 990 and 1505.

PATRICK E. FLAHAVEN, Secretary of the Senate

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

S. F. No. 418, A bill for an act relating to occupations and professions; removing the restriction of prescribing only topical legend drugs by board certified optometrists; requiring that legend drugs be used as included in optometry curricula; authorizing the prescription of certain controlled substances; amending reporting requirement of health professionals to include all legend drugs; requiring optometrists using legend drugs be held to the same standards as physicians; amending Minnesota Statutes 2002, sections 147.111, subdivision 4; 148.574; 148.575, subdivisions 1, 2; 148.576; 148.577; 151.37, subdivision 11; 152.11, subdivision 2; 152.12, subdivisions 1, 4.

The bill was read for the first time.

Nornes moved that S. F. No. 418 and H. F. No. 373, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 692, A bill for an act relating to the city of Minneapolis; authorizing the creation of a community planning and economic development department of the city.

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

S. F. No. 575, A bill for an act relating to civil actions; modifying the limitation period for civil actions for personal injury based on sexual abuse against a minor; amending Minnesota Statutes 2002, section 541.073.

The bill was read for the first time.

Holberg moved that S. F. No. 575 and H. F. No. 386, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1069, A bill for an act relating to commerce; regulating financial institution examinations, applications, loans, advertising, and organizational provisions; revising the standard nonforfeiture law for individual deferred annuities; regulating the deposit and investment of local public funds; making various technical changes; repealing obsolete rules; amending Minnesota Statutes 2002, sections 46.04, subdivision 1; 46.041, subdivision 2; 47.015, by adding a subdivision; 47.101, subdivision 2; 47.59, subdivision 2; 47.67; 48.08; 48.24, subdivision 6; 52.06, subdivision 1; 61A.245, subdivisions 3, 4, 5, 6, 12; 118A.03, subdivisions 2, 3; 300.025; 300.23; 332.29, subdivision 1; repealing Minnesota Rules, parts 2675.0300; 2675.2250; 2675.6400.

The bill was read for the first time.

Davids moved that S. F. No. 1069 and H. F. No. 1039, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 793, A bill for an act relating to public safety; clarifying eligibility of local governments for state aid in building components of the regionwide public safety radio communication system; amending Minnesota Statutes 2002, sections 473.891, subdivision 10; 473.898, subdivision 3.

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

S. F. No. 891, A bill for an act relating to housing and redevelopment authorities; authorizing an authority to create certain legal entities to engage in housing activities; amending Minnesota Statutes 2002, section 469.012, subdivision 1.

The bill was read for the first time.

Severson moved that S. F. No. 891 and H. F. No. 1143, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 905, A bill for an act relating to environment; modifying expenditure limits for upgrading feedlots; amending Minnesota Statutes 2002, section 116.07, subdivision 7.

The bill was read for the first time.

Swenson moved that S. F. No. 905 and H. F. No. 967, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 645, A bill for an act relating to landlords and tenants; providing for assignment of certain eviction actions to city attorney; providing for interest rates on security deposits; amending Minnesota Statutes 2002, sections 504B.171, subdivision 2; 504B.178, subdivision 2.

The bill was read for the first time.

Lindner moved that S. F. No. 645 and H. F. No. 438, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 990, A bill for an act relating to state government; changing certain wild rice provisions; authorizing certain embargoes; clarifying certain food provisions; clarifying an enforcement provision; changing a milk storage requirement; changing certain procedures and requirements for organic food; providing for compliance with federal law; extending a provision authorizing certain emergency restrictions; clarifying animal feedlot regulation; changing fuel provisions; changing veterans homes provisions; providing for the headquarters of the departments of agriculture and health to be named after Orville L. Freeman; eliminating a requirement for anaplasmosis testing; requiring certain reports; amending Minnesota Statutes 2002, sections 30.49, subdivision 6; 31.05, by adding a subdivision; 31.101, subdivisions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12; 31.102, subdivision 1; 31.103, subdivision 1; 31.92, subdivision 3, by adding subdivisions; 31.94; 32.01, subdivision 10; 32.21, subdivision 4; 32.394, subdivisions 4, 8c; 32.415; 35.0661, subdivision 4; 35.243; 41A.09, subdivision 1a; 116.07, subdivision 7; 198.001, by adding a subdivision; 198.004, subdivision 1; 198.005; 198.007; 239.791, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 31; repealing Minnesota Statutes 2002, sections 31.92, subdivisions 2a, 5; 31.93; 31.95;

32.391, subdivisions 1a, 1b, 1c; 35.251; 198.001, subdivision 7; 198.002, subdivision 5; 198.003, subdivision 2; Minnesota Rules, parts 1700.0800; 1700.1000; 1700.1300; 1705.0550; 1705.0560; 1705.0570; 1705.0580; 1705.0590; 1705.0600; 1705.0610; 1705.0630; 1715.1430.

The bill was read for the first time.

Swenson moved that S. F. No. 990 and H. F. No. 1213, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1505, A bill for an act relating to taxation; making changes to income, estate, franchise, sales and use, property, motor vehicle sales tax and registration, cigarette and tobacco, liquor, aggregate and minerals taxes; creating and modifying certain sales tax exemptions; extending sunset dates for certain sales and property tax exemptions; providing for the disposition of local sales taxes for the cities of Duluth, St. Paul, Hermantown, Rochester, Mankato, and Proctor; authorizing local sales taxes in the cities of Beaver Bay, Bemidji, Clearwater, Cloquet, Hopkins, Medford, and Park Rapids; authorizing lodging taxes in the city of Newport and Itasca county; providing property tax exemptions and exclusions from property valuations; modifying truth-in-taxation provisions; providing for the creation of housing districts; authorizing or modifying the authority of tax increment financing districts in Detroit Lakes, Duluth, Monticello, New Hope, Richfield, Roseville, and St. Michael; extending sunset date for a tax levy in the city of Moorhead; authorizing the creation of and modifying the authority of local districts and economic development authorities; granting bonding authority to the state agricultural society and other political subdivisions; allowing bonding for computer systems and other purposes; authorizing cities to establish a program for issuance of capital improvement bonds; limiting challenges to tax increment financing actions; establishing the corporate status of an entity; updating to federal provisions; modifying payment, penalty, interest, and enforcement provisions; distributing payments to counties; changing requirements for purchases of recycled materials; regulating tax preparers; making technical changes; imposing penalties; amending Minnesota Statutes 2002, sections 16B.121; 115B.24, subdivision 8; 168.012, subdivision 1; 168A.03; 216B.2424, subdivision 5; 270.06; 270.10, subdivision 1a; 270.60, subdivision 4; 270.69, by adding a subdivision; 270.701, subdivision 2, by adding a subdivision; 270.72, subdivision 2; 270A.03, subdivision 2; 270B.12, by adding a subdivision; 272.02, subdivisions 26, 31, 47, 53, by adding subdivisions; 272.12; 273.01; 273.05, subdivision 1; 273.061, by adding subdivisions; 273.08; 273.11, subdivision 1a, by adding subdivisions; 273.124, subdivision 1; 273.13, subdivisions 22, 25; 273.1315; 273.1398, subdivisions 4b, 4d; 273.372; 273.42, subdivision 2; 274.01, subdivision 1; 274.13, subdivision 1; 275.025, subdivisions 1, 3, 4; 275.065, subdivisions 1, 1a, 3; 276.04, subdivision 2; 276.10; 276.11, subdivision 1; 277.20, subdivision 2; 278.03, subdivision 1; 278.05, subdivision 6; 279.01, subdivision 1, by adding a subdivision; 279.06, subdivision 1; 281.17; 282.01, subdivisions 1b, 7a; 282.08; 287.12; 287.29, subdivision 1; 287.31, by adding a subdivision; 289A.02, subdivision 7; 289A.10, subdivision 1; 289A.19, subdivision 4; 289A.31, subdivisions 3, 4, by adding a subdivision; 289A.36, subdivision 7, by adding subdivisions; 289A.50, subdivision 2a; 289A.56, subdivision 3; 289A.60, subdivision 7, by adding a subdivision; 290.01, subdivisions 19, 19b, 19d, 31; 290.05, subdivision 1; 290.06, subdivision 2c; 290.0671, subdivision 1; 290.0675, subdivisions 2, 3; 290.0679, subdivision 2; 290.0802, subdivision 1; 290.17, subdivision 4; 290.191, subdivision 1; 290A.03, subdivisions 8, 15; 290C.02, subdivisions 3, 7; 290C.03; 290C.07; 290C.09; 290C.10; 290C.11; 291.005, subdivision 1; 291.03, subdivision 1; 295.50, subdivision 9b; 295.53, subdivision 1; 297A.61, subdivisions 3, 12, 34, by adding subdivisions; 297A.62, subdivision 3; 297A.665; 297A.67, subdivisions 2, 18, by adding subdivisions; 297A.68, subdivisions 4, 5, 36, by adding a subdivision; 297A.69, subdivisions 2, 3, 4; 297A.70, subdivisions 8, 16; 297A.71, subdivision 10, by adding subdivisions; 297A.85; 297B.025, subdivisions 1, 2; 297B.03; 297B.035, subdivision 1, by adding a subdivision; 297F.01, subdivisions 21a, 23; 297F.06, subdivision 4; 297F.08, by adding a subdivision; 297F.20, subdivisions 1, 2, 3, 6, 9; 297G.01, by adding a subdivision; 297G.03, subdivision 1; 297L.01, subdivision 9; 297L.20; 298.001, by adding a subdivision; 298.01, subdivisions 3, 3a; 298.015; 298.016, subdivisions 1, 2, 4; 298.018; 352.15, subdivision 1; 353.15, subdivision 1; 354.10, subdivision 1; 354B.30; 354C.165; 373.01, subdivision 3; 373.45, subdivision 1; 373.47, subdivision 1; 376.009; 376.55, subdivision 3, by adding a subdivision; 376.56, subdivision 3; 383B.77, subdivisions 1, 2; 410.32;

412.301; 469.169, by adding a subdivision; 469.1731, subdivision 3; 469.174, subdivision 10, by adding subdivisions; 469.175, subdivision 3, by adding a subdivision; 469.176, subdivision 7; 469.1761, by adding a subdivision; 469.1763, subdivision 2; 469.177, subdivision 1; 469.1792; 473.39, by adding a subdivision; 473F.07, subdivision 4; 473F.08, by adding a subdivision; 475.58, subdivision 3b; 477A.011, subdivision 30; 515B.1-116; Laws 1967, chapter 558, section 1, subdivision 5, as amended; Laws 1980, chapter 511, section 1, subdivision 2, as amended; Laws 1980, chapter 511, section 2, as amended; Laws 1989, chapter 211, section 8, subdivision 2, as amended; Laws 1989, chapter 211, section 8, subdivision 4, as amended; Laws 1991, chapter 291, article 8, section 27, subdivision 3, as amended; Laws 1991, chapter 291, article 8, section 27, subdivision 4; Laws 1993, chapter 375, article 9, section 46, subdivision 2, as amended; Laws 1996, chapter 471, article 2, section 29; Laws 1998, chapter 389, article 8, section 43, subdivision 3; Laws 1998, chapter 389, article 8, section 43, subdivision 4; Laws 1999, chapter 243, article 4, section 18, subdivision 1; Laws 1999, chapter 243, article 4, section 18, subdivision 3; Laws 1999, chapter 243, article 4, section 18, subdivision 4; Laws 1999, chapter 243, article 4, section 19, as amended; Laws 2001, First Special Session chapter 5, article 3, section 61, the effective date; Laws 2001 First Special Session chapter 5, article 3, section 63, the effective date; Laws 2001, First Special Session chapter 5, article 3, section 96; Laws 2001, First Special Session chapter 5, article 9, section 12, the effective date; Laws 2001, First Special Session chapter 5, article 12, section 67, the effective date; Laws 2002, chapter 377, article 3, section 15, the effective date; Laws 2002 chapter 377, article 6, section 4, the effective date; Laws 2002, chapter 377, article 11, section 1; proposing coding for new law in Minnesota Statutes, chapters 37; 270; 273; 275; 276; 290C; 298; 410; repealing Minnesota Statutes 2002, sections 270.691, subdivision 8; 274.04; 290.0671, subdivision 3; 290.0675, subdivision 5; 294.01; 294.02; 294.021; 294.03; 294.06; 294.07; 294.08; 294.09; 294.10; 294.11; 294.12; 297A.72, subdivision 1; 297A.97; 298.01, subdivisions 3c, 3d; 298.017; 477A.065; Laws 1984, chapter 652, section 2; Laws 2002, chapter 377, article 9, section 12, the effective date; Minnesota Rules, parts 8007.0300, subpart 3; 8009.7100; 8009.7200; 8009.7300; 8009.7400; 8092.1000; 8106.0100, subparts 11, 15, 16; 8106.0200; 8125.1000; 8125.1300, subpart 1; 8125.1400; 8130.0800, subparts 5, 12; 8130.1300; 8130.1600, subpart 5; 8130.1700, subparts 3, 4; 8130.4800, subpart 2; 8130.7500, subpart 5; 8130.8000; 8130.8300.

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

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Paulsen from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following additional bills to be placed on the Calendar for the Day for Tuesday, May 6, 2003:

H. F. No. 775; S. F. No. 980; H. F. Nos. 1143, 673, 946 and 1039; S. F. No. 941; H. F. Nos. 1213, 1140, 692, 1016 and 438; S. F. No. 351; H. F. Nos. 837 and 968; S. F. No. 350; and H. F. No. 739.

#### CALENDAR FOR THE DAY

S. F. No. 980 was reported to the House.

Paulsen moved to amend S. F. No. 980 as follows:

Page 1, line 13, delete "must" and insert "may"

The motion prevailed and the amendment was adopted.

Pugh and Paulsen moved to amend S. F. No. 980, as amended, as follows:

Page 2, after line 10, insert:

"Sec. 3. Minnesota Statutes 2002, section 609.527, is amended by adding a subdivision to read:

Subd. 7. [AGGREGATION.] In any prosecution under subdivision 2, the value of the money or property or services the defendant receives or the number of direct or indirect victims within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of subdivision 3; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this subdivision.

[EFFECTIVE DATE.] This section is effective August 1, 2003, and applies to crimes committed on or after that date.

Sec. 4. [609.529] [MAIL THEFT.]

Subdivision 1. [DEFINITIONS.] (a) As used in this section, the following terms have the meanings given them in this subdivision.

(b) "Mail" means a letter, postal card, package, bag, or other sealed article addressed to another.

(c) "Mail depository" means a mail box, letter box, or mail receptacle; a post office or station of a post office; a mail route; or a postal service vehicle.

Subd. 2. [CRIME.] Whoever does any of the following is guilty of mail theft and may be sentenced as provided in subdivision 3:

(1) intentionally and without claim of right removes mail from a mail depository;

(2) intentionally and without claim of right takes mail from a mail carrier;

(3) obtains custody of mail by intentionally deceiving a mail carrier, or other person who rightfully possesses or controls the mail, with a false representation which is known to be false, made with intent to deceive and which does deceive a mail carrier or other person who possesses or controls the mail;

(4) intentionally and without claim of right removes the contents of mail addressed to another;

(5) intentionally and without claim of right takes mail, or the contents of mail, that has been left for collection on or near a mail depository; or

(6) receives, possesses, transfers, buys, or conceals mail obtained by acts described in clauses (1) to (5), knowing or having reason to know the mail was obtained illegally.

Subd. 3. [PENALTIES.] A person convicted under subdivision 2 may be sentenced to imprisonment for not more than three years or to a payment of a fine of not more than \$5,000, or both.

Subd. 4. [VENUE.] Notwithstanding anything to the contrary in section 627.01, an offense committed under subdivision 2 may be prosecuted in:

(1) the county where the offense occurred; or

(2) the county of residence or place of business of the direct victim or indirect victim.

[EFFECTIVE DATE.] This section is effective August 1, 2003, and applies to crimes committed on or after that date."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

#### MOTION FOR RECONSIDERATION

Paulsen moved that the vote whereby the Paulsen amendment to S. F. No. 980 was adopted earlier today be now reconsidered. The motion prevailed.

The Paulsen amendment adopted earlier to S. F. No. 980 was withdrawn.

Paulsen moved to amend S. F. No. 980, as amended, as follows:

Page 1, line 15, after "and" insert "may"

The motion prevailed and the amendment was adopted.

S. F. No. 980, A bill for an act relating to crime; providing reporting procedures and venue for identity theft; amending Minnesota Statutes 2002, section 609.527, by adding subdivisions.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Buesgens	Entenza	Holberg	Koenen	Mariani
Abrams	Carlson	Erhardt	Hoppe	Kohls	Marquart
Adolphson	Cornish	Erickson	Hornstein	Krinkie	McNamara
Anderson, B.	Cox	Fuller	Howes	Kuisle	Meslow
Anderson, I.	Davids	Gerlach	Huntley	Lanning	Mullery
Anderson, J.	Davnie	Goodwin	Jacobson	Larson	Murphy
Atkins	DeLaForest	Greiling	Jaros	Latz	Nelson, C.
Beard	Demmer	Gunther	Johnson, J.	Lenczewski	Nelson, M.
Bernardy	Dempsey	Haas	Johnson, S.	Lesch	Nelson, P.
Biernat	Dill	Hackbarth	Juhnke	Lieder	Nornes
Blaine	Dorman	Harder	Kahn	Lindgren	Olsen, S.
Borrell	Dorn	Hausman	Kelliher	Lindner	Olson, M.
Boudreau	Eastlund	Heidgerken	Kielkucki	Lipman	Opatz
Bradley	Eken	Hilstrom	Klinzing	Magnus	Osterman
Brod	Ellison	Hilty	Knoblach	Mahoney	Otremba

Otto	Powell	Seifert	Soderstrom	Thissen	Wardlow
Ozment	Pugh	Sertich	Solberg	Tingelstad	Wasiluk
Paulsen	Rhodes	Severson	Stang	Urdahl	Westerberg
Paymar	Rukavina	Sieben	Strachan	Vandever	Westrom
Pelowski	Ruth	Simpson	Swenson	Wagenius	Wilkin
Penas	Samuelson	Slawik	Sykora	Walker	Zellers
Peterson	Seagren	Smith	Thao	Walz	Spk. Sviggum

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

The Speaker called Olson, M., to the Chair.

H. F. No. 673 was reported to the House.

Haas moved to amend H. F. No. 673, the first engrossment, as follows:

Page 5, line 35, delete the second comma and insert "; have limitations on total annual out-of-pocket expenses equal to those annual deductibles and therefore cover 100 percent of the allowable cost of covered services in excess of those annual deductibles;" and delete "that"

Page 5, line 36, delete "they"

Page 12, line 22, before the period, insert ", and without presenting evidence of rejection or similar requirements described in subdivision 1, paragraph (c)"

Page 12, line 28, delete everything after the period

Page 12, delete line 29

Page 12, line 30, delete everything before "This"

Renumber the sections in sequence and correct the internal references

The motion prevailed and the amendment was adopted.

H. F. No. 673, A bill for an act relating to insurance; permitting the comprehensive health association to offer policies with higher annual deductibles; permitting extension of the writing carrier contract; providing a new category of individuals eligible for coverage; clarifying the effective date of coverage and other matters; amending Minnesota Statutes 2002, sections 62E.08, subdivision 1; 62E.091; 62E.12; 62E.13, subdivision 2, by adding a subdivision; 62E.14; 62E.18.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 692, A bill for an act relating to health occupations; modifying the scope of practice for pharmacists; amending Minnesota Statutes 2002, section 151.01, subdivision 27.

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 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Brod	Eken	Heidgerken	Kelliher	Lindgren
Abrams	Buesgens	Ellison	Hilstrom	Kielkucki	Lindner
Adolphson	Carlson	Entenza	Hilty	Klinzing	Lipman
Anderson, B.	Cornish	Erhardt	Holberg	Knoblach	Magnus
Anderson, I.	Cox	Erickson	Hoppe	Koenen	Mahoney
Anderson, J.	Davids	Fuller	Hornstein	Kohls	Mariani
Atkins	Davnie	Gerlach	Howes	Krinkie	Marquart
Beard	DeLaForest	Goodwin	Huntley	Kuise	McNamara
Bernardy	Demmer	Greiling	Jacobson	Lanning	Meslow
Biernat	Dempsey	Gunther	Jaros	Larson	Mullery
Blaine	Dill	Haas	Johnson, J.	Latz	Murphy
Borrell	Dorman	Hackbarth	Johnson, S.	Lenczewski	Nelson, C.
Boudreau	Dorn	Harder	Juhnke	Lesch	Nelson, M.
Bradley	Eastlund	Hausman	Kahn	Lieder	Nelson, P.

Nornes	Paulsen	Rukavina	Simpson	Sykora	Wardlow
Olsen, S.	Paymar	Ruth	Slawik	Thissen	Wasiluk
Olson, M.	Pelowski	Samuelson	Smith	Tingelstad	Westerberg
Opatz	Penas	Seagren	Soderstrom	Urdahl	Westrom
Osterman	Peterson	Seifert	Solberg	Vandev eer	Wilkin
Otremba	Powell	Sertich	Stang	Wagenius	Zellers
Otto	Pugh	Severson	Strachan	Walker	Spk. Sviggum
Ozment	Rhodes	Sieben	Swenson	Walz	

Those who voted in the negative were:

Thao

The bill was passed and its title agreed to.

S. F. No. 941, A bill for an act relating to public safety; modifying state hazardous materials team provisions; amending Minnesota Statutes 2002, sections 299A.49, subdivisions 2, 4; 299A.51, subdivisions 1, 2.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 351 was reported to the House.

Powell; Meslow; Cornish; Strachan; Anderson, J.; Fuller; Hackbarth; Ozment; Walz and Smith moved to amend S. F. No. 351 as follows:

Page 2, after line 30, insert:

"Sec. 3. [609.776] [INTERFERENCE WITH EMERGENCY COMMUNICATIONS.]

Whoever, without prior authorization, broadcasts or transmits on, disrupts, blocks, or cross-patches another frequency onto a law enforcement, firefighting, emergency medical services, emergency radio frequency or channel, any assigned or alternate emergency frequency or channel, or an official cellular telephone communication of a law enforcement agency, a fire department, or emergency medical services provider, knowing, or having reason to know that the act obstructs, prevents, or misdirects official law enforcement, firefighting, or emergency medical services communications, is guilty of a felony and may be sentenced to imprisonment for not more than five years, to payment of a \$10,000 fine, or both.

Sec. 4. [EFFECTIVE DATE.]

Section 3 is effective August 1, 2003, and applies to crimes committed on or after that date."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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.

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 127 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeler	Bradley	Dorn	Haas	Jacobson	Kuisle
Abrams	Brod	Eastlund	Hackbarth	Jaros	Lanning
Adolphson	Carlson	Eken	Harder	Johnson, J.	Larson
Anderson, I.	Cornish	Ellison	Hausman	Johnson, S.	Latz
Anderson, J.	Cox	Entenza	Heidgerken	Juhnke	Lenczewski
Atkins	Dauids	Erhardt	Hilstrom	Kahn	Lesch
Beard	Davnie	Erickson	Hilty	Kelliher	Lieder
Bernardy	DeLaForest	Fuller	Holberg	Kielkucki	Lindgren
Biernat	Demmer	Gerlach	Hoppe	Klinzing	Lindner
Blaine	Dempsy	Goodwin	Hornstein	Knoblach	Lipman
Borrell	Dill	Greiling	Howes	Koenen	Magnus
Boudreau	Dorman	Gunther	Huntley	Kohls	Mahoney

Mariani	Olsen, S.	Peterson	Sieben	Thao	Westerberg
Marquart	Opatz	Powell	Simpson	Thissen	Westrom
McNamara	Osterman	Pugh	Slawik	Tingelstad	Wilkin
Meslow	Otremba	Rhodes	Smith	Urdahl	Zellers
Mullery	Otto	Ruth	Soderstrom	Vandevveer	Spk. Sviggum
Murphy	Ozment	Samuelson	Solberg	Wagenius	
Nelson, C.	Paulsen	Seagren	Stang	Walker	
Nelson, M.	Paymar	Seifert	Strachan	Walz	
Nelson, P.	Pelowski	Sertich	Swenson	Wardlow	
Nornes	Penas	Severson	Sykora	Wasiluk	

Those who voted in the negative were:

Anderson, B.	Buesgens	Krinkie	Olson, M.	Rukavina
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The bill was passed, as amended, and its title agreed to.

H. F. No. 1140, A bill for an act relating to health; modifying requirements for an agreement to regulate nuclear materials; amending Minnesota Statutes 2002, section 144.1202, subdivision 4.

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 81 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Abeler	Dauids	Heidgerken	Lindgren	Penas	Sykora
Abrams	DeLaForest	Holberg	Lindner	Powell	Tingelstad
Adolphson	Demmer	Hoppe	Lipman	Rhodes	Urdahl
Anderson, B.	Dempsey	Howes	Magnus	Ruth	Vandevveer
Anderson, J.	Dorman	Huntley	McNamara	Samuelson	Walz
Beard	Eastlund	Jacobson	Meslow	Seagren	Wardlow
Blaine	Erhardt	Johnson, J.	Nelson, C.	Seifert	Westerberg
Borrell	Erickson	Kielkucki	Nelson, P.	Severson	Westrom
Boudreau	Fuller	Klinzing	Nornes	Simpson	Wilkin
Bradley	Gerlach	Knoblach	Olsen, S.	Smith	Zellers
Brod	Gunther	Kohls	Olson, M.	Soderstrom	Spk. Sviggum
Buesgens	Haas	Krinkie	Osterman	Stang	
Cornish	Hackbarth	Kuisle	Ozment	Strachan	
Cox	Harder	Lanning	Paulsen	Swenson	

Those who voted in the negative were:

Anderson, I.	Ellison	Johnson, S.	Lieder	Otto	Solberg
Atkins	Entenza	Juhnke	Mahoney	Paymar	Thao
Bernardy	Goodwin	Kahn	Mariani	Pelowski	Thissen
Biernat	Greiling	Kelliher	Marquart	Peterson	Wagenius
Carlson	Hausman	Koenen	Mullery	Pugh	Walker
Davnie	Hilstrom	Larson	Murphy	Rukavina	Wasiluk
Dill	Hilty	Latz	Nelson, M.	Sertich	
Dorn	Hornstein	Lenczewski	Opatz	Sieben	
Eken	Jaros	Lesch	Otremba	Slawik	

The bill was passed and its title agreed to.

H. F. No. 968, A bill for an act relating to highways; adding, modifying, vacating, or transferring state highways; amending Minnesota Statutes 2002, sections 161.114, subdivision 2; 161.115, by adding a subdivision; repealing Minnesota Statutes 2002, sections 161.115, subdivisions 197, 204, 233.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 350 was reported to the House.

Abeler, Sertich, Davids and Huntley moved to amend S. F. No. 350 as follows:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 2002, section 62A.14, is amended to read:

62A.14 [HANDICAPPED CHILDREN.]

Subdivision 1. [INDIVIDUAL FAMILY POLICIES.] An individual hospital or medical expense insurance policy delivered or issued for delivery in this state more than 120 days after May 16, 1969, or an individual health maintenance contract delivered or issued for delivery in this state after August 1, 1984, which provides that coverage of a dependent child shall terminate upon attainment of the limiting age for dependent children specified in the

policy or contract shall also provide in substance that attainment of such limiting age shall not operate to terminate the coverage of such child while the child is and continues to be both (a) incapable of self-sustaining employment by reason of mental retardation, mental illness or disorder, or physical handicap and (b) chiefly dependent upon the policyholder for support and maintenance, provided proof of such incapacity and dependency is furnished to the insurer or health maintenance organization by the policyholder or enrollee within 31 days of the child's attainment of the limiting age and subsequently as may be required by the insurer or organization but not more frequently than annually after the two-year period following the child's attainment of the limiting age. Any notice regarding termination of coverage due to attainment of the limiting age must include all the information in this section.

Subd. 2. [GROUP POLICIES.] A group hospital or medical expense insurance policy delivered or issued for delivery in this state more than 120 days after May 16, 1969, or a group health maintenance contract delivered or issued for delivery in this state after August 1, 1984, which provides that coverage of a dependent child of an employee or other member of the covered group shall terminate upon attainment of the limiting age for dependent children specified in the policy or contract shall also provide in substance that attainment of such limiting age shall not operate to terminate the coverage of such child while the child is and continues to be both (a) incapable of self-sustaining employment by reason of mental retardation, mental illness or disorder, or physical handicap and (b) chiefly dependent upon the employee or member for support and maintenance, provided proof of such incapacity and dependency is furnished to the insurer or organization by the employee or member within 31 days of the child's attainment of the limiting age and subsequently as may be required by the insurer or organization but not more frequently than annually after the two-year period following the child's attainment of the limiting age. Any notice regarding termination of coverage due to attainment of the limiting age must include information about this provision.

Sec. 2. Minnesota Statutes 2002, section 62A.301, is amended to read:

62A.301 [COVERAGE OF FULL-TIME STUDENTS.]

If an insurer provides individual or group accident and health coverage for dependents after what otherwise would be the limiting age based on full-time student status the insurer must include in its definition of full-time student, any student who by reason of illness, injury, or physical or mental disability as documented by a physician is unable to carry what the educational institution considers a full-time course load so long as the student's course load is at least 60 percent of what otherwise is considered by the institution to be a full-time course load. Any notice regarding termination of coverage due to attainment of the limiting age must include information about this provision.

For purposes of this section, "insurer" means an insurer providing accident and health insurance regulated under this chapter, a nonprofit health service plan corporation regulated under chapter 62C, a health maintenance organization regulated under chapter 62D, or a fraternal benefit society regulated under chapter 64B.

Sec. 3. Minnesota Statutes 2002, section 62C.14, subdivision 5, is amended to read:

Subd. 5. [HANDICAPPED DEPENDENTS.] A subscriber's individual contract or any group contract delivered or issued for delivery in this state and providing that coverage of a dependent child of the subscriber or a dependent child of a covered group member shall terminate upon attainment of a specified age shall also provide in substance that attainment of that age shall not terminate coverage while the child is (a) incapable of self-sustaining employment by reason of mental retardation, mental illness or disorder, or physical handicap, and (b) chiefly dependent upon the subscriber or employee for support and maintenance, provided proof of incapacity and dependency is furnished by the subscriber within 31 days of attainment of the age, and subsequently as required by the corporation, but not more frequently than annually after a two year period following attainment of the age. Any notice regarding termination of coverage due to attainment of the limiting age must include information about this provision."

Page 11, after line 11, insert:

"Sec. 19. [EFFECTIVE DATE; APPLICATION.]

Sections 1 to 3 are effective August 1, 2003, and apply to all notices regarding termination of coverage due to attainment of the limiting age sent on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 350, A bill for an act relating to insurance; regulating the FAIR plan; amending Minnesota Statutes 2002, sections 65A.29, subdivision 4; 65A.32; 65A.33, subdivisions 4, 6, 9, by adding subdivisions; 65A.34; 65A.35; 65A.36; 65A.37; 65A.375; 65A.38, subdivisions 1, 5; 65A.40; 65A.41; 65A.42; repealing Minnesota Statutes 2002, section 65A.33, subdivision 5.

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 127 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Buesgens	Krinkie	Vandevor	Westerberg
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The bill was passed, as amended, and its title agreed to.

H. F. No. 946 was reported to the House.

Johnson, J., moved to amend H. F. No. 946, the first engrossment, as follows:

Page 9, line 6, after "section" delete "does" and insert "and section 72A.502, subdivisions 1 and 12, do"

The motion prevailed and the amendment was adopted.

Wilkin offered an amendment to H. F. No. 946, the first engrossment, as amended.

#### POINT OF ORDER

Abeler raised a point of order pursuant to rule 3.21 that the Wilkin amendment was not in order. Speaker pro tempore Olson, M., ruled the point of order well taken and the Wilkin amendment out of order.

H. F. No. 946, A bill for an act relating to insurance; regulating the insurance guaranty association; regulating the collection and use of certain insurance information; amending Minnesota Statutes 2002, sections 60C.02, subdivision 1; 60C.03, subdivisions 5, 9; 60C.05, subdivision 1; 60C.07, subdivision 2; 60C.09; 60C.11, subdivision 7; 60C.16; 60C.18, subdivision 1; 72A.501, subdivision 2; repealing Minnesota Statutes 2002, section 60C.18, subdivision 2.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

The Speaker resumed the Chair.

#### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 437:

Bradley, Boudreau, Wilkin, Abeler and Samuelson.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 779:

Ozment, Harder, Hackbarth, Gunther and Dill.

#### FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Abrams announced his intention to place H. F. No. 1597 on the Fiscal Calendar for Wednesday, May 7, 2003.

#### CALENDAR FOR THE DAY, Continued

H. F. No. 739 was reported to the House.

Borrell moved to amend H. F. No. 739, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 13.072, subdivision 1, is amended to read:

Subdivision 1. [OPINION; WHEN REQUIRED.] (a) Upon request of a ~~state agency, statewide system, or political subdivision~~ government entity, the commissioner may give a written opinion on any question relating to public access to government data, rights of subjects of data, or classification of data under this chapter or other Minnesota statutes governing government data practices. Upon request of any person who disagrees with a determination regarding data practices made by a ~~state agency, statewide system, or political subdivision~~ government entity, the commissioner may give a written opinion regarding the person's rights as a subject of government data or right to have access to government data.

(b) Upon request of a body subject to chapter 13D, the commissioner may give a written opinion on any question relating to the body's duties under chapter 13D. Upon request of a person who disagrees with the manner in which members of a governing body perform their duties under chapter 13D, the commissioner may give a written opinion on compliance with chapter 13D. A governing body or person requesting an opinion under this paragraph must pay the commissioner a fee of \$200. Money received by the commissioner under this paragraph is appropriated to the commissioner.

(c) If the commissioner determines that no opinion will be issued, the commissioner shall give the ~~state agency, statewide system, political subdivision, government entity or body subject to chapter 13D~~ or person requesting the opinion notice of the decision not to issue the opinion within five days of receipt of the request. If this notice is not given, the commissioner shall issue an opinion within 20 days of receipt of the request.

(d) For good cause and upon written notice to the person requesting the opinion, the commissioner may extend this deadline for one additional 30-day period. The notice must state the reason for extending the deadline. The ~~state agency, statewide system, government entity or political subdivision~~ the members of a body subject to chapter 13D must be provided a reasonable opportunity to explain the reasons for its decision regarding the data or how they perform their duties under chapter 13D. The commissioner or the ~~state agency, statewide system, government entity or political subdivision~~ body subject to chapter 13D may choose to give notice to the subject of the data concerning the dispute regarding the data or compliance with chapter 13D.

(~~b~~) (e) This section does not apply to a determination made by the commissioner of health under section 13.3805, subdivision 1, paragraph (b), or 144.6581.

(~~e~~) (f) A written opinion issued by the attorney general shall take precedence over an opinion issued by the commissioner under this section.

Sec. 2. Minnesota Statutes 2002, section 13.072, subdivision 2, is amended to read:

Subd. 2. [EFFECT.] Opinions issued by the commissioner under this section are not binding on the ~~state agency, statewide system, government entity or political subdivision~~ members of a body subject to chapter 13D whose data or performance of duties is the subject of the opinion, but an opinion described in subdivision 1, paragraph (a), must be given deference by a court in a proceeding involving the data. The commissioner shall arrange for public dissemination of opinions issued under this section. This section does not preclude a person from bringing any other action under this chapter or other law in addition to or instead of requesting a written opinion. A government entity, members of a body subject to chapter 13D, or person that acts in conformity with a written opinion of the commissioner issued to the government entity, members, or person or to another party is not liable for compensatory or exemplary damages or awards of attorneys fees in actions under section 13.08 or for a penalty under section 13.09 or for fines, awards of attorney fees, or any other penalty under chapter 13D. A member of a body subject to chapter 13D is not subject to forfeiture of office if the member was acting in reliance on an opinion.

Sec. 3. Minnesota Statutes 2002, section 13.08, subdivision 4, is amended to read:

Subd. 4. [ACTION TO COMPEL COMPLIANCE.] (a) In addition to the remedies provided in subdivisions 1 to 3 or any other law, any aggrieved person seeking to enforce the person's rights under this chapter or obtain access to data may bring an action in district court to compel compliance with this chapter and may recover costs and disbursements, including reasonable attorney's fees, as determined by the court. If the court determines that an action brought under this subdivision is frivolous and without merit and a basis in fact, it may award reasonable costs and attorney fees to the responsible authority. If the court issues an order to compel compliance under this subdivision, the court may impose a civil penalty of up to \$300 against the government entity. This penalty is payable to the state general fund and is in addition to damages under subdivision 1. The matter shall be heard as soon as possible. In an action involving a request for government data under section 13.03 or 13.04, the court may

inspect in camera the government data in dispute, but shall conduct its hearing in public and in a manner that protects the security of data classified as not public. If the court issues an order to compel compliance under this subdivision, the court shall forward a copy of the order to the commissioner of administration.

(b) In determining whether to assess a civil penalty under this subdivision, the court shall consider whether the government entity has substantially complied with general data practices under this chapter, including but not limited to, whether the government entity has:

(1) designated a responsible authority under section 13.02, subdivision 16;

(2) designated a data practices compliance official under section 13.05, subdivision 13;

(3) prepared the public document that names the responsible authority and describes the records and data on individuals that are maintained by the government entity under section 13.05, subdivision 1;

(4) developed public access procedures under section 13.03, subdivision 2; procedures to guarantee the rights of data subjects under section 13.05, subdivision 8; and procedures to ensure that data on individuals are accurate and complete and to safeguard the data's security under section 13.05, subdivision 5;

(5) sought an oral, written, or electronic opinion from the commissioner of administration related to the matter at issue and acted in conformity with that opinion or acted in conformity with an opinion issued under section 13.072 that was sought by another person; or

(6) provided ongoing training to government entity personnel who respond to requests under this chapter.

(c) The court shall award reasonable attorney fees to a prevailing plaintiff who has brought an action under this subdivision if the government entity that is the defendant in the action was also the subject of a written opinion issued under section 13.072 and the court finds that the opinion is directly related to the cause of action being litigated and that the government entity did not act in conformity with the opinion.

Sec. 4. [13.15] [COMPUTER DATA.]

Subdivision 1. [DEFINITIONS.] As used in this section, the following terms have the meanings given.

(a) [ELECTRONIC ACCESS DATA.] "Electronic access data" means data created, collected, or maintained about a person's access to a government entity's computer for the purpose of:

(1) gaining access to data or information;

(2) transferring data or information; or

(3) using government services.

(b) [COOKIE.] "Cookie" means any data that a government-operated computer electronically places on the computer of a person who has gained access to a government computer.

Subd. 2. [CLASSIFICATION OF DATA.] Electronic access data are private data on individuals or nonpublic data.

Subd. 3. [NOTICE; REFUSAL TO ACCEPT COOKIE.] (a) A government entity that creates, collects, or maintains electronic access data or uses its computer to install a cookie on a person's computer must inform persons gaining access to the entity's computer of the creation, collection, or maintenance of electronic access data or the

entity's use of cookies before requiring the person to provide any data about the person to the government entity. As part of that notice, the government entity must inform the person how the data will be used and disseminated, including the uses and disseminations in subdivision 4.

(b) Notwithstanding a person's refusal to accept a cookie on the person's computer, a government entity must allow the person to gain access to data or information, transfer data or information, or use government services by the government entity's computer.

Subd. 4. [USE OF ELECTRONIC ACCESS DATA.] Electronic access data may be disseminated:

(1) to the commissioner for the purpose of evaluating electronic government services;

(2) to another government entity to prevent unlawful intrusions into government electronic systems; or

(3) as otherwise provided by law.

Sec. 5. Minnesota Statutes 2002, section 13.32, is amended by adding a subdivision to read:

Subd. 4a. [NONPUBLIC SCHOOL STUDENTS.] Data collected by a public school on a child, or parent of a child, whose identity must be reported pursuant to section 120A.24 is private data which:

(1) shall not be designated directory information pursuant to subdivision 5 unless prior written consent is given by the child's parent or guardian; and

(2) may be disclosed only pursuant to subdivision 3, clause (a), (b), (c), or (f).

This provision does not apply to students who receive shared time educational services from a public agency or institution.

Sec. 6. Minnesota Statutes 2002, section 13.32, subdivision 8, is amended to read:

Subd. 8. [ACCESS BY JUVENILE JUSTICE SYSTEM.] (a) Upon request, the following education data shall be disclosed under subdivision 3, clause (i), to the juvenile justice system: a student's full name, home address, telephone number, date of birth; a student's school schedule, attendance record, ~~and~~ photographs, if any; and parents' names, home addresses, and telephone numbers. Notwithstanding paragraphs (b) and (c), data relating to the student's alleged involvement in an offense on school property that would make the student subject to chapter 260B shall also be disclosed on request. For purposes of this subdivision, "school property" has the meaning given in section 609.66, subdivision 1d, paragraph (c), clause (4).

(b) In addition, the existence of the following data about a student may be disclosed under subdivision 3, clause (i):

(1) use of a controlled substance, alcohol, or tobacco;

(2) assaultive or threatening conduct that could result in dismissal from school under section 121A.45, subdivision 2, clause (b) or (c);

(3) possession or use of weapons or look-alike weapons;

(4) theft; or

(5) vandalism or other damage to property.

Any request for access to data under this paragraph must contain an explanation of why access to the data is necessary to serve the student.

(c) A principal or chief administrative officer of a school who receives a request to disclose information about a student to the juvenile justice system under paragraph (b) shall, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information before disclosing the information. If the student's parent or guardian notifies the principal or chief administrative officer within ten days of receiving the certified notice that the parent or guardian objects to the disclosure, the principal or chief administrative officer must not disclose the information. The principal or chief administrative officer must inform the requesting member of the juvenile justice system of the objection.

(d) A principal or chief administrative officer is not required to create data under this subdivision. Information provided in response to a data request under paragraph (b) shall indicate only whether the data described in paragraph (b) exist. The principal or chief administrative officer is not authorized under paragraph (b) to disclose the actual data or other information contained in the student's education record. A principal or chief administrative officer is not required to provide data that are protected by court order. A principal or chief administrative officer must respond to a data request within 14 days if no objection is received from the parent or guardian.

(e) Nothing in this subdivision shall limit the disclosure of educational data pursuant to court order.

(f) A school district, its agents, and employees who provide data in good faith under this subdivision are not liable for compensatory or exemplary damages or an award of attorney fees in an action under section 13.08, or other law, or for a penalty under section 13.09.

(g) Section 13.03, subdivision 4, applies to data that are shared under this subdivision with a government entity. If data are shared with a member of the juvenile justice system who is not a government entity, the person receiving the shared data must treat the data consistent with the requirements of this chapter applicable to a government entity.

(h) A member of the juvenile justice system who falsely certifies a request for data under this section is subject to the penalties under section 13.09.

Sec. 7. [13.3215] [UNIVERSITY OF MINNESOTA DATA.]

Claims experience and all related information received from carriers and claims administrators participating in a University of Minnesota group health, dental, life, or disability insurance plan or the University of Minnesota workers' compensation program, and survey information collected from employees or students participating in these plans and programs, except when the university determines that release of the data will not be detrimental to the plan or program, are classified as nonpublic data not on individuals pursuant to section 13.02, subdivision 9.

Sec. 8. Minnesota Statutes 2002, section 13.37, subdivision 3, is amended to read:

Subd. 3. [DATA DISSEMINATION.] Crime prevention block maps and names, home addresses, and telephone numbers of volunteers who participate in community crime prevention programs may be disseminated to volunteers participating in crime prevention programs. The location of a National Night Out event is public data.

Sec. 9. Minnesota Statutes 2002, section 13.43, subdivision 1, is amended to read:

Subdivision 1. [DEFINITION.] As used in this section, "personnel data" means data on individuals collected because the individual is or was an employee of or an applicant for employment by, performs services on a voluntary basis for, or acts as an independent contractor with a state agency, statewide system or political subdivision or is a member of or an applicant for an advisory board or commission. Personnel data includes data

submitted by an employee to a government entity as part of an organized self-evaluation effort by the government entity to request suggestions from all employees on ways to cut costs, make government more efficient, or improve the operation of government.

Sec. 10. Minnesota Statutes 2002, section 13.462, subdivision 2, is amended to read:

Subd. 2. [PUBLIC DATA.] The names and addresses of applicants for and recipients of benefits, aid, or assistance through programs administered by any political subdivision, state agency, or statewide system that are intended to assist with the purchase of, rehabilitation, or other purposes related to housing or other real property are classified as public data on individuals. If an applicant or recipient is a corporation, the names and addresses of the officers of the corporation are public data on individuals. If an applicant or recipient is a partnership, the names and addresses of the partners are public data on individuals. The amount or value of benefits, aid, or assistance received is public data.

Sec. 11. [13.468] [DATA SHARING WITHIN COUNTIES.]

County welfare, human services, corrections, public health, and veterans service units within a county may inform each other as to whether an individual or family currently is being served by the county unit, without the consent of the subject of the data. Data that may be shared are limited to the following: the name, telephone number, and last known address of the data subject; and the identification and contact information regarding personnel of the county unit responsible for working with the individual or family. If further information is necessary for the county unit to carry out its duties, each county unit may share additional data if the unit is authorized by state statute or federal law to do so or the individual gives written, informed consent.

Sec. 12. Minnesota Statutes 2002, section 13.643, is amended by adding a subdivision to read:

Subd. 5. [DATA RECEIVED FROM FEDERAL GOVERNMENT.] All data received by the department of agriculture from the United States Department of Health and Human Services, the Food and Drug Administration, and the Agriculture, Food Safety, and Inspection Service for the purpose of carrying out the department of agriculture's statutory food safety regulatory and enforcement duties are classified as nonpublic data under section 13.02, subdivision 9, and private data on individuals under section 13.02, subdivision 12.

Sec. 13. Minnesota Statutes 2002, section 13.746, subdivision 3, is amended to read:

Subd. 3. [STATE LOTTERY.] (a) [ACCESS TO CRIMINAL DATA.] The state lottery director's access to criminal history data on certain persons is governed by sections 349A.06, subdivision 4, and 349A.07, subdivision 2.

(b) [LOTTERY PRIZE WINNERS.] Certain data on lottery prize winners are classified under section 349A.08, subdivision 9.

(c) [ELECTRONIC TRANSMISSIONS.] Data on individuals requesting electronic transmissions from the lottery are classified in section 349A.08, subdivision 9.

Sec. 14. Minnesota Statutes 2002, section 13.785, subdivision 2, is amended to read:

Subd. 2. [DEPARTMENT OF VETERANS AFFAIRS.] (a) [CERTAIN VETERANS BENEFITS AND MILITARY CERTIFICATES OF DISCHARGE.] Access to military certificates of discharge and to files pertaining to claims for certain veterans benefits is governed by section 196.08.

(b) [AGENT ORANGE INFORMATION AND ASSISTANCE ACT.] Disclosure of summary data and of the identity of a veteran about whom information is received under sections 196.19 to 196.26, is governed by section 196.25.

Sec. 15. Minnesota Statutes 2002, section 16C.06, is amended by adding a subdivision to read:

Subd. 3a. [INFORMATION IN BIDS AND PROPOSALS.] Data relating to bids and proposals are governed by section 13.591.

Sec. 16. Minnesota Statutes 2002, section 16C.10, subdivision 7, is amended to read:

Subd. 7. [REVERSE AUCTION.] (a) For the purpose of this subdivision, "reverse auction" means a purchasing process in which vendors compete to provide goods at the lowest selling price in an open and interactive environment.

(b) The provisions of ~~section sections~~ sections 13.591, subdivision 3, and 16C.06, ~~subdivisions subdivision 2 and 3,~~ do not apply when the commissioner determines that a reverse auction is the appropriate purchasing process.

Sec. 17. Minnesota Statutes 2002, section 196.08, is amended to read:

196.08 [FILES AND RECORDS CONFIDENTIAL.]

(a) The contents of, and all files, records, reports, papers and documents pertaining to, any claim for the benefits of Laws 1943, chapter 420, whether pending or adjudicated, shall be deemed confidential and privileged and no disclosure thereof shall be made, without the consent in writing of the claimant who has not been adjudicated incompetent, except as follows:

(~~a~~) (1) To said claimant personally, a duly appointed guardian, an attorney in fact, or a duly authorized representative, and as to personal matters, when, in the judgment of the commissioner, such disclosure would not be injurious to the physical or mental health of the claimant.

(~~b~~) (2) To the representatives of veterans' organizations recognized by the United States government, not exceeding five from each such veterans' organizations, and when such representatives have been duly certified as such by the state department of any such veterans' organizations in the state of Minnesota.

(~~c~~) (3) In any court in the state of Minnesota which has jurisdiction of the parties to, and subject matter of, an action or proceeding therein pending, as found by said court, when required to be produced by the process of such court, and then only in open court, as evidence, in such action or proceeding after a judge thereof shall have ruled the same to be relevant and competent evidence in such action or proceeding according to the laws and statutes of said state.

(b) Notwithstanding section 382.16, and except as authorized in paragraph (c), no government entity may release the contents of, or any files, records, reports, papers, or documents pertaining to, United States government form DD214 or DD215 or any other certificate of discharge from military service to any person unless that person:

(1) provides proof of identity;

(2) demonstrates tangible interest; and

(3) completes the required release form prepared by the government entity.

(c) Nothing in this section shall prohibit release of forms DD214 and DD215 or other certificates of discharge from military service by an employee or official within a government entity to another employee or official within that government entity for purposes of performance of official duties.

(d) Forms DD214 and DD215 and certificates of discharge from military service filed with a government agency on or after January 1, 2004, are classified as private data on individuals under section 13.02, subdivision 12.

(e) Notwithstanding section 386.015, subdivision 5, no fee may be charged by a government entity for the release of information to a qualified person under this section.

(f) For purposes of paragraph (b), a person who has a tangible interest is:

(1) the subject of the record, report, paper, or document;

(2) the surviving spouse of the subject, if the subject is deceased;

(3) a surviving child of the subject, if the subject is deceased and there is no surviving spouse;

(4) a surviving parent of the subject, if the subject is deceased and there is no surviving spouse or surviving children; and

(5) a duly appointed guardian, an attorney in fact, or a duly authorized representative.

(g) For purposes of this section, the term "government entity" has the meaning given in section 13.02, subdivision 7a.

Sec. 18. Minnesota Statutes 2002, section 268.19, is amended by adding a subdivision to read:

Subdivision 1a. [WAGE DETAIL DATA.] (a) Wage and employment data gathered pursuant to section 268.044 may be disseminated to and used, without the consent of the subject of the data, by an agency of another state that is designated as the performance accountability and consumer information agency for that state pursuant to Code of Federal Regulations, volume 20, part 663.510(c), in order to carry out the requirements of the Workforce Investment Act of 1998, United States Code, title 29, sections 2842 and 2871.

(b) The commissioner may enter into a data exchange agreement with an employment and training service provider under section 116L.17, or the Workforce Investment Act of 1998, United States Code, title 29, section 2864, under which the commissioner, with the consent of the subject of the data, may furnish data on the quarterly wages paid and number of hours worked on those individuals who have received employment and training services from the provider. With the initial consent of the subject of the data, this data may be shared for up to three years after termination of the employment and training services provided to the individual without execution of an additional consent. This data shall be furnished solely for the purpose of evaluating the employment and training services provided. The data subject's ability to receive service is not affected by a refusal to give consent under this paragraph. The consent form must state this fact.

Sec. 19. Minnesota Statutes 2002, section 307.08, is amended by adding a subdivision to read:

Subd. 11. [BURIAL SITES DATA.] Burial sites locational and related data maintained by the office of the state archaeologist and accessible through the office's "Unplatted Burial Sites and Earthworks in Minnesota" Web site are security information for purposes of section 13.37. Persons who gain access to the data maintained on the site are subject to liability under section 13.08 and the penalty established by section 13.09 if they improperly use or further disseminate the data.

Sec. 20. Minnesota Statutes 2002, section 349A.08, subdivision 9, is amended to read:

Subd. 9. [PRIVACY.] (a) The phone number and street address of a winner of a lottery prize is private data on individuals under chapter 13.

(b) Data on an individual, including name, physical and electronic address, and telephone number, that are given to the lottery for direct marketing purposes are private data on individuals as defined in section 13.02. For purposes of this subdivision, "direct marketing" means marketing conducted by the lottery directly with the consumer.

Sec. 21. Minnesota Statutes 2002, section 386.20, subdivision 1, is amended to read:

Subdivision 1. [RECORDATION.] (a) Certificates of discharge from the United States army, the United States navy, and the United States marine corps and releases or transfers from active duty therein may be recorded in the office of the county recorder of any county in this state by the person to whom such discharge, release or transfer was issued without the payment of any fee to the county recorder for recording the same. Upon the request of the person having such instrument recorded, the county recorder shall not stamp, mark, or make any endorsement upon any such certificate of discharge, release or transfer, but after the recording thereof has been completed the recorder shall return the certificate of discharge, release, or transfer in the condition received.

(b) In any county where the compensation of the county recorder consists of fees only, the county recorder shall be entitled to a fee of 60 cents for recording such instrument, which shall be paid by the county upon presentation of a verified claim by the county recorder.

(c) The release of any information pertaining to military certificates of discharge is governed by section 196.08.

Sec. 22. [REPEALER.]

Minnesota Statutes 2002, sections 13.6401, subdivision 4; 270B.03, subdivision 8; Laws 2001, First Special Session chapter 10, article 2, section 40, are repealed.

Sec. 23. [EFFECTIVE DATE; APPLICATION.]

Section 3 is effective August 1, 2003, and applies to actions commenced on and after that date.

Sections 14, 17, and 21 are effective January 1, 2004.

Sections 13 and 20 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to government data practices; classifying and regulating use and release of certain government data; modifying certain attorney fees; authorizing the commissioner of administration to issue written opinions regarding compliance with the law; amending Minnesota Statutes 2002, sections 13.072, subdivisions 1, 2; 13.08, subdivision 4; 13.32, subdivision 8, by adding a subdivision; 13.37, subdivision 3; 13.43, subdivision 1; 13.462, subdivision 2; 13.643, by adding a subdivision; 13.746, subdivision 3; 13.785, subdivision 2; 16C.06, by adding a subdivision; 16C.10, subdivision 7; 196.08; 268.19, by adding a subdivision; 307.08, by adding a subdivision; 349A.08, subdivision 9; 386.20, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 2002, sections 13.6401, subdivision 4; 270B.03, subdivision 8; Laws 2001, First Special Session chapter 10, article 2, section 40."

The motion prevailed and the amendment was adopted.

Mahoney was excused for the remainder of today's session.

Sykora, Seagren, Holberg and Buesgens moved to amend H. F. No. 739, the first engrossment, as amended, as follows:

Pages 6 to 8, delete section 6

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Holberg and Borrell moved to amend H. F. No. 739, the first engrossment, as amended, as follows:

Page 9, line 7, after the period, insert "An employee who is identified in a suggestion shall have access to all data in the suggestion except the identity of the employee making the suggestion."

The motion prevailed and the amendment was adopted.

Davnie and Meslow moved to amend H. F. No. 739, the first engrossment, as amended, as follows:

Page 8, after line 29, insert:

"Sec. 9. Minnesota Statutes 2002, section 13.37, is amended by adding a subdivision to read:

Subd. 4. [SOCIAL SECURITY NUMBERS; GENERALLY.] A person or entity, not including a government entity, may not do any of the following:

(1) publicly post or publicly display in any manner an individual's social security number. "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public;

(2) print an individual's social security number on any card required for the individual to access products or services provided by the person or entity;

(3) require an individual to transmit the individual's social security number over the Internet, unless the connection is secure or the social security number is encrypted;

(4) require an individual to use the individual's social security number to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site; or

(5) print a number that the person or entity knows to be an individual's social security number on any materials that are mailed to the individual, unless state or federal law requires the social security number to be on the document to be mailed. If, in connection with a transaction involving or otherwise relating to an individual, a person or entity receives a number from a third party, that person or entity is under no duty to inquire or otherwise

determine whether the number is or includes that individual's social security number and may print that number on materials mailed to the individual, unless the person or entity receiving the number has actual knowledge that the number is or includes the individual's social security number.

Notwithstanding clauses (1) to (5), social security numbers may be included in applications and forms sent by mail, including documents sent as part of an application or enrollment process, or to establish, amend, or terminate an account, contract, or policy, or to confirm the accuracy of the social security number. Nothing in this paragraph authorizes inclusion of a social security number on the outside of a mailing.

Except as provided in subdivision 5, this section applies only to the use of social security numbers on or after July 1, 2005.

Sec. 10. Minnesota Statutes 2002, section 13.37, is amended by adding a subdivision to read:

Subd. 5. [CONTINUATION OF PRIOR USE.] A person or entity, not including a government entity, that has used, prior to July 1, 2005, an individual's social security number in a manner inconsistent with subdivision 4, may continue using that individual's social security number in that manner on or after July 1, 2005, if all the following conditions are met:

(1) The use of the social security number is continuous. If the use is stopped for any reason, subdivision 4 applies.

(2) The individual is provided an annual disclosure, commencing in 2005, that informs the individual that the individual has the right to stop the use of the individual's social security number in a manner prohibited by subdivision 4.

(3) A written request by an individual to stop the use of the individual's social security number in a manner prohibited by subdivision 1 must be implemented within 30 days of the receipt of the request. A fee may not be charged for implementing the request.

(4) A person or entity, not including a government entity, shall not deny services to an individual because the individual makes a written request pursuant to this subdivision.

Sec. 11. Minnesota Statutes 2002, section 13.37, is amended by adding a subdivision to read:

Subd. 6. [CERTAIN HEALTH PLAN COMPANIES.] Notwithstanding contrary provisions, subdivisions 4 and 5 apply to a health plan company that is assessed less than three percent of the total annual amount assessed by the Minnesota comprehensive health association on and after July 1, 2006. For purposes of this calculation, "health plan company" includes its affiliates.

Sec. 12. Minnesota Statutes 2002, section 13.37, is amended by adding a subdivision to read:

Subd. 7. [COORDINATION WITH OTHER LAW.] This section does not prevent the collection, use, or release of a social security number as required by state or federal law or the use of a social security number for internal verification or administrative purposes.

Sec. 13. Minnesota Statutes 2002, section 13.37, is amended by adding a subdivision to read:

Subd. 8. [PUBLIC RECORDS.] This section does not apply to documents that are recorded or required to be open to the public pursuant to chapter 13 or by other law.

Sec. 14. Minnesota Statutes 2002, section 13.37, is amended by adding a subdivision to read:

Subd. 9. [DEFINITIONS.] For purposes of this section, "government entity" has the meaning given in section 13.02, subdivision 7a, but does not include the Minnesota state colleges and universities or the University of Minnesota."

Page 15, after line 7, insert:

"Sections 9 to 14 are effective July 1, 2005."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Davnie and Meslow amendment and the roll was called. There were 81 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Abrams	Dorn	Jacobson	Mariani	Ozment	Smith
Anderson, I.	Eken	Jaros	Marquart	Paymar	Soderstrom
Anderson, J.	Ellison	Johnson, S.	McNamara	Pelowski	Solberg
Atkins	Entenza	Juhnke	Meslow	Peterson	Thao
Bernardy	Erhardt	Kahn	Mullery	Pugh	Thissen
Biernat	Gerlach	Kelliher	Murphy	Rhodes	Urdahl
Brod	Goodwin	Knoblach	Nelson, C.	Rukavina	Vandever
Carlson	Greiling	Koenen	Nelson, M.	Samuelson	Wagenius
Clark	Hausman	Larson	Nornes	Seagren	Walker
Cornish	Heidgerken	Latz	Olsen, S.	Sertich	Wasiluk
Cox	Hilstrom	Lenczewski	Opatz	Severson	Westrom
Davnie	Hilty	Lesch	Osterman	Sieben	
Dill	Hornstein	Lieder	Otremba	Simpson	
Dorman	Huntley	Lindgren	Otto	Slawik	

Those who voted in the negative were:

Abeler	Davids	Hackbarth	Krinkie	Penas	Wardlow
Adolphson	DeLaForest	Harder	Kuisle	Powell	Westerberg
Anderson, B.	Demmer	Holberg	Lanning	Ruth	Wilkin
Beard	Dempsey	Hoppe	Lindner	Seifert	Zellers
Blaine	Eastlund	Howes	Lipman	Stang	Spk. Sviggum
Borrell	Erickson	Johnson, J.	Magnus	Swenson	
Boudreau	Fuller	Kielkucki	Nelson, P.	Sykora	
Bradley	Gunther	Klinzing	Olson, M.	Tingelstad	
Buesgens	Haas	Kohls	Paulsen	Walz	

The motion prevailed and the amendment was adopted.

Borrell moved that H. F. No. 739, as amended, be continued on the Calendar for the Day. The motion prevailed.

H. F. No. 1016 was reported to the House.

Wilkin moved that H. F. No. 1016 be continued on the Calendar for the Day. The motion prevailed.

H. F. No. 837, A bill for an act relating to natural resources; allowing the Clearwater river watershed district to charge for facilities for disposing sewage, industrial waste, or other wastes.

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 126 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Buesgens	Kielkucki	Penas	Smith	Wilkin
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The bill was passed and its title agreed to.

H. F. No. 981 was reported to the House.

Holberg, Kuisle and Erhardt moved to amend H. F. No. 981, the first engrossment, as follows:

Page 4, line 10, delete "and transportation" and insert ", right-of-way, and related"

Pages 5 to 7, delete section 3

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 981, A bill for an act relating to real property; acquiring right-of-way from common interest ownership communities; amending Minnesota Statutes 2002, sections 515B.1-107; 515B.3-102.

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 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Wagenius

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

Paulsen moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1404:

Seagren, Sykora, Kielkucki, Buesgens and Marquart.

#### MOTIONS AND RESOLUTIONS

Knoblach moved that the name of Opatz be added as an author on H. F. No. 471. The motion prevailed.

Samuelson moved that H. F. No. 766 be recalled from the Committee on Local Government and Metropolitan Affairs and be re-referred to the Committee on Taxes. The motion prevailed.

#### ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 9:00 a.m., Wednesday, May 7, 2003. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 a.m., Wednesday, May 7, 2003.

EDWARD A. BURDICK, Chief Clerk, House of Representatives