

STATE OF MINNESOTA

EIGHTY-FOURTH SESSION — 2005

 TWENTY-NINTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 21, 2005

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

Prayer was offered by the Reverend John Krueger, Interim Pastor, Lake Park Lutheran Church, Lake Park, 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	Dempsey	Hilty	Latz	Otremba	Simon
Abrams	Dill	Holberg	Lenczewski	Ozment	Simpson
Anderson, B.	Dittrich	Hoppe	Lesch	Paulsen	Slawik
Anderson, I.	Dorman	Hornstein	Liebling	Paymar	Smith
Atkins	Dorn	Hortman	Lieder	Pelowski	Soderstrom
Beard	Eastlund	Hosch	Lillie	Penas	Solberg
Bernardy	Eken	Howes	Loeffler	Peppin	Sykora
Blaine	Ellison	Huntley	Magnus	Peterson, A.	Thao
Bradley	Emmer	Jaros	Mahoney	Peterson, N.	Thissen
Brod	Entenza	Johnson, J.	Mariani	Peterson, S.	Tingelstad
Buesgens	Erickson	Johnson, R.	Marquart	Poppe	Urdahl
Carlson	Finstad	Johnson, S.	McNamara	Powell	Vandever
Charron	Fritz	Juhnke	Meslow	Rukavina	Wagenius
Clark	Garofalo	Kahn	Moe	Ruth	Walker
Cornish	Gazelka	Kelliher	Mullery	Ruud	Wardlow
Cox	Goodwin	Klinzing	Murphy	Sailer	Welti
Cybart	Greiling	Knoblach	Nelson, M.	Samuelson	Westerberg
Davids	Gunther	Koenen	Nelson, P.	Scalze	Westrom
Davnie	Hackbarth	Kohls	Newman	Seifert	Wilkin
Dean	Hansen	Krinkie	Nornes	Sertich	Zellers
DeLaForest	Hausman	Lanning	Olson	Severson	Spk. Sviggum
Demmer	Heidgerken	Larson	Opatz	Sieben	

A quorum was present.

Erhardt, Hamilton and Hilstrom were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Hansen moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 1405 and H. F. No. 598, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Peppin moved that S. F. No. 1405 be substituted for H. F. No. 598 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 6, A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XIII; recognizing as marriage only a union between one man and one woman.

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

The report was adopted.

Wilkin from the Committee on Commerce and Financial Institutions to which was referred:

H. F. No. 400, A bill for an act relating to unemployment insurance; making an eligibility exception permanent for certain school food service workers; amending Minnesota Statutes 2004, section 268.085, subdivision 8.

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

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 436, A bill for an act relating to natural resources; requiring commissioner's evaluation before vacating certain roads adjacent to public waters; creating right of intervention; amending Minnesota Statutes 2004, sections 164.07, subdivision 2; 412.851; 505.14.

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

The report was adopted.

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

H. F. No. 572, A bill for an act relating to public safety; scheduling ephedrine and pseudoephedrine products as Schedule V controlled substances; regulating the sale of methamphetamine precursor drugs; authorizing reporting of suspicious transactions involving these drugs and providing civil immunity for so doing; further regulating while

recodifying activities involving anhydrous ammonia; requiring courts to order restitution in certain situations involving controlled substances; imposing property restrictions in certain situations involving controlled substances; increasing the criminal penalties for possessing certain substances with the intent to manufacture methamphetamine and recodifying this crime; establishing new methamphetamine-related crimes; clarifying the definition of "narcotic drug"; expanding the definition of "violent crime" for mandatory sentencing purposes; requiring that vehicles and other property used to manufacture methamphetamine indicate this in the title or by an affidavit; requiring notice to schools when children are taken into protective custody after being found at a methamphetamine laboratory; establishing a methamphetamine laboratory cleanup revolving fund and authorizing loans to assist counties and cities in conducting methamphetamine cleanup; imposing criminal penalties; providing for ten new Bureau of Criminal Apprehension agents dedicated to methamphetamine enforcement; appropriating money; amending Minnesota Statutes 2004, sections 152.01, subdivision 10; 152.02, subdivision 6; 152.021, subdivisions 2a, 3; 152.027, subdivisions 1, 2; 152.135, subdivision 2; 168A.05, subdivision 3; 260B.171, by adding a subdivision; 609.1095, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 152; 446A; repealing Minnesota Statutes 2004, sections 18C.005, subdivisions 1a, 35a; 18C.201, subdivisions 6, 7; 18D.331, subdivision 5.

Reported the same back with the following amendments:

Page 4, line 4, delete "or inside a" and insert "and are offered for sale only by a licensed pharmacist, a registered pharmacy technician, or a pharmacy clerk"

Page 4, line 5, delete everything before the period

Page 5, after line 31, insert:

"(n) This section preempts all local ordinances or regulations governing the sale by a business establishment of over-the-counter products containing ephedrine or pseudoephedrine. All ordinances enacted prior to the effective date of this act are void."

Page 9, line 18, delete "the convicted person is indigent or that"

Page 9, line 21, after the period, insert "If the court finds that the convicted person is indigent, there is a presumption that restitution is waived."

Pages 23 and 24, delete Article 2, and insert:

"ARTICLE 2
METHAMPHETAMINE APPROPRIATIONS

Section 1. [TOTAL APPROPRIATIONS.]

The dollar amounts in the columns under "APPROPRIATIONS" are appropriated to the specified agencies for the purposes specified. The appropriations are from the general fund and are available for the fiscal years indicated for each purpose. The figures "2006" and "2007" used in this article mean that the addition to or subtraction from the appropriations listed under the figure is for the fiscal years ending June 30, 2006, and June 30, 2007, respectively.

SUMMARY

	2006	2007	TOTAL
GENERAL	\$2,431,000	\$2,776,000	\$5,207,000

APPROPRIATIONS		
Available for the Year		
Ending June 30		
	2006	2007
Sec. 2. CORRECTIONS	\$351,000	\$551,000
For the increased prison population based on this act.		
Sec. 3. BOARD OF PUBLIC DEFENSE	300,000	400,000
For a methamphetamine trial team.		
Sec. 4. HUMAN SERVICES	300,000	300,000
For grants to counties to fund three pilot projects addressing methamphetamine.		
<p>A county seeking a grant under this section shall submit a detailed application to the commissioner that specifies how the money will be used. The application must demonstrate a comprehensive countywide plan to combat methamphetamine. At a minimum, this plan must address how the county will handle: (1) methamphetamine-related child endangerment cases; (2) methamphetamine-related cleanup and remediation; (3) enforcing methamphetamine-related criminal laws; and (4) methamphetamine-related treatment. To the extent possible, the commissioner shall ensure that one pilot project has an emphasis on adolescents and one has a maternal/early childhood emphasis.</p>		
Sec. 5. EMPLOYMENT AND ECONOMIC DEVELOPMENT	250,000	250,000
To carry out the public facilities authority's duties involving the methamphetamine laboratory cleanup revolving fund under Minnesota Statutes, section 446A.083. This is a onetime appropriation.		
Sec. 6. PUBLIC SAFETY	1,000,000	1,000,000
For ten Bureau of Criminal Apprehension agents to be assigned exclusively to methamphetamine enforcement, including the investigation of manufacturing and distributing methamphetamine and related violence. These appropriations are intended to increase the current allocation of Bureau of Criminal Apprehension resources dedicated to methamphetamine enforcement. Positions funded by these appropriations may not supplant existing agent assignments or positions.		

	APPROPRIATIONS Available for the Year Ending June 30	
	2006	2007
Sec. 7. HEALTH	100,000	100,000
To provide technical assistance on methamphetamine lab remediation.		
Sec. 8. EDUCATION	50,000	75,000
To develop and distribute to school districts materials addressing the dangers of methamphetamine.		
Sec. 9. DISTRICT COURTS	80,000	100,000
This appropriation is to fund the increase in district court methamphetamine caseloads."		

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

The report was adopted.

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

H. F. No. 665, A bill for an act relating to legal process; eliminating the prohibition on service of legal process on Sunday; repealing Minnesota Statutes 2004, section 624.04.

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 674, A bill for an act relating to state government; classifying certain investment-related data of the State Board of Investment; amending Minnesota Statutes 2004, sections 11A.24, subdivision 6; 13.635, by adding a subdivision.

Reported the same back with the following amendments:

Page 3, line 12, after "return" insert "for the investment, including expenditures and receipts used in the calculation of the investment's internal rate of return"

With the recommendation that when so amended the bill pass.

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 826, A bill for an act relating to the environment; creating the Clean Water Legacy Act; providing authority, direction, and funding to achieve and maintain water quality standards for Minnesota's surface waters in accordance with section 303(d) of the federal Clean Water Act; appropriating money; proposing coding for new law in Minnesota Statutes chapter 446A; proposing coding for new law as Minnesota Statutes, chapter 114D.

Reported the same back with the following amendments:

Page 1, line 14, after "to" insert "restore."

Page 1, line 15, delete "restore."

Page 1, line 16, delete "achieve" and insert "restore"

Page 2, line 20, delete "achieve" and insert "restore"

Page 2, line 30, delete "by" and insert "cooperatively between representatives from local units of government where the TMDL is being completed and"

Page 2, line 31, after "private" insert "nonprofit"

Page 3, line 2, delete "achieved" and insert "restored"

Page 3, line 23, after "agencies" insert "and private entities"

Page 8, line 32, after "private" insert "nonprofit"

Page 9, line 2, after the period, insert "An agreement with a third party for a TMDL must ensure that the technical committee consist of at least 60 percent local elected officials or their designees."

Page 10, line 1, delete "13" and insert "14"

Page 10, line 14, delete "and"

Page 10, line 16, before the period, insert "; and

(10) one member representing an organization of township governments"

Page 11, line 34, after "agencies" insert "and private entities"

Page 12, line 13, after "agencies" insert "and private entities"

Page 18, after line 35, insert:

"Sec. 10. Minnesota Statutes 2004, section 116.182, subdivision 2, is amended to read:

Subd. 2. [APPLICABILITY.] This section governs the commissioner's certification of projects seeking financial assistance under section 103F.725, subdivision 1a, 446A.07, ~~or 446A.072~~, or 446A.075."

Page 23, after line 22, insert:

"Sec. 13. [446A.075] [TOTAL MAXIMUM DAILY LOAD GRANTS.]

Subdivision 1. [PROGRAM ESTABLISHED.] When money is appropriated for grants under this program, the authority shall make grants to municipalities to cover up to one-half the cost of wastewater treatment or stormwater projects made necessary by wasteload reductions under total maximum daily load plans required by section 303(d) of the federal Clean Water Act, United States Code, title 33, section 1313(d).

Subd. 2. [GRANT APPLICATION.] Application for a grant shall be made to the authority on forms prescribed by the authority for the total maximum daily load grant program, with additional information as required by the authority. In accordance with section 116.182, the Pollution Control Agency shall:

(1) calculate the essential project component percentage, which shall be multiplied by the total project cost to determine the eligible project cost; and

(2) review and certify approved projects to the authority.

Subd. 3. [PROJECT PRIORITIES.] When money is appropriated for grants under this program, the authority shall reserve money for projects in the order that their total maximum daily load plan was approved by the United States Environmental Protection Agency and in an amount based on their most recent cost estimates submitted to the authority or the as-bid costs, whichever is less.

Subd. 4. [GRANT APPROVAL.] The authority shall make a grant to a municipality, as defined in section 116.182, subdivision 1, only after:

(1) the commissioner of the Minnesota Pollution Control Agency has certified to the United States Environmental Protection Agency a total maximum daily load plan for identified waters of this state that includes a point source wasteload allocation;

(2) the Environmental Protection Agency has approved the plan;

(3) a municipality affected by the plan has estimated the cost to it of wastewater treatment or stormwater projects necessary to comply with the point source wasteload allocation;

(4) the Pollution Control Agency has approved the cost estimate; and

(5) the authority has determined that the additional financing necessary to complete the project has been committed from other sources.

Subd. 5. [GRANT DISBURSEMENT.] Disbursement of a grant shall be made for eligible project costs as incurred by the municipality and in accordance with a project financing agreement and applicable state and federal laws and rules governing the payments."

Page 26, line 35, before the period, insert ", and \$..... is for total maximum daily load grants under Minnesota Statutes, section 446A.075"

Page 27, line 2, delete "11" and insert "13"

Page 27, line 3, delete "12" and insert "14"

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "creating a municipal grant program;"

Page 1, line 7, after the semicolon, insert "amending Minnesota Statutes 2004, section 116.182, subdivision 2;"

Page 1, line 8, after "Statutes" insert a comma

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

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 894, A bill for an act relating to waters; modifying authority for public waters inventory; modifying public waters work permit and water use permit provisions; modifying enforcement authority; amending Minnesota Statutes 2004, sections 103G.201; 103G.2372, subdivision 1; 103G.245, subdivision 4; 103G.251, subdivision 2; 103G.301, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 35, delete "former" and insert "depleted"

Page 2, delete line 36 and insert "pits, when the body of water exceeds 50 acres and the shoreland has been zoned for residential development;"

Page 4, line 7, after "for" insert "and is capable of"

Page 4, line 21, strike "such" and insert "the"

Page 6, after line 8, insert:

"Sec. 6. Laws 2003, First Special Session chapter 13, section 25, is amended to read:

Sec. 25. [PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATERS; SCOTT COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45; 94.09; 94.10; 97A.135, subdivision 2a; and 103F.535, the commissioner of natural resources shall sell by private sale the surplus land bordering public waters that is described in paragraph (e).

(b) The conveyance shall be in a form approved by the attorney general for consideration of no less than the appraised value of the land.

(c) The deed must contain a restrictive covenant that prohibits altering, disturbing vegetation in, draining, filling, or placing any material or structure of any kind on or in the existing wetland area located on the land; prohibits any increase in ~~run-off~~ runoff rate or volume from the land or future buildings into said wetland; and prohibits diverting

or appropriating water from said wetland. This restriction applies only to the public waters wetland on the land identified on the public waters inventory map as 70-148W. Other wetlands on the land are subject to Minnesota Statutes, sections 103G.221 to 103G.2372.

(d) The consideration received for the conveyance shall be deposited in the state treasury and credited to the wildlife acquisition account in the game and fish fund. The money is appropriated to the commissioner of natural resources for wildlife land acquisition purposes.

(e) The land that may be sold is in the Prior Lake wildlife management area in Scott county and is described as:

The East 1200 feet of the South 800 feet of the Southwest Quarter of the Southeast Quarter of Section 22, Township 115 North, Range 22 West. Including the abandoned right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (formerly the Hastings and Dakota Railway Company). Containing 22 acres, more or less.

(f) This land no longer fits into the state wildlife management area system because of hunting limitations, its small size, and future development planned for the area. Proceeds from the sale will be used to purchase lands more suitable for wildlife management and public use.

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

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "modifying a restriction on private land sale in Scott County;"

Page 1, line 8, before the period, insert "; Laws 2003, First Special Session chapter 13, section 25"

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

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 915, A bill for an act relating to transportation; modifying provisions relating to aeronautics; making clarifying changes; amending Minnesota Statutes 2004, sections 360.305, subdivision 4; 360.55, subdivisions 2, 3, 4, 4a; 360.58; 360.59, subdivisions 2, 5, 7, 8; 360.63, subdivision 2; 360.67, subdivision 4; 394.22, subdivision 12; 394.361, subdivisions 1, 3; 462.352, subdivision 10; 462.355, subdivision 4; 462.359, subdivisions 1, 3; repealing Minnesota Statutes 2004, section 360.59, subdivisions 4, 9.

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 1008, A bill for an act relating to adoption; changing certain provisions concerning communication or contact agreements; amending Minnesota Statutes 2004, section 259.58.

Reported the same back with the following amendments:

Page 3, delete lines 15 to 36

Page 4, delete lines 1 to 6 and insert:

"(d) For children under state guardianship who lived with a birth relative, when there is a written communication or contact agreement between prospective adoptive parents and birth relatives:

(1) it must be included in the final adoption decree;

(2) if, prior to entry of the adoption decree, the prospective adoptive parents do not honor the communication or contact agreement, the adoptive placement must be terminated. Prior to termination of placement, the parties must enter into mediation as provided by section 259.28, paragraph (c);

(3) a written communication or contact agreement under this paragraph is immediately enforceable by the filing of the written and signed communication or contact agreement in the court that will have jurisdiction over the adoption; and

(4) a written communication or contact agreement between adoptive parents and birth relatives under this paragraph is presumed to be in the best interest of the minor adoptee. The burden of proof is on the adoptive parents to show by clear and convincing evidence the written communication or contact agreement is not in the best interest of the minor adoptee."

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

The report was adopted.

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

H. F. No. 1081, A bill for an act relating to natural resources; modifying commercial fishing restrictions in infested waters; providing for a water recreation account; modifying expiration of certain committees; modifying disposition of certain revenue and unrefunded tax receipts; modifying terms of certain reports; eliminating commissioner approval of county expenditures of county timber receipts; amending Minnesota Statutes 2004, sections 84D.03, subdivision 4; 97A.055, subdivision 4b; 97A.4742, subdivision 4; 103G.615, subdivision 2; 282.08; 282.38, subdivision 1; 296A.18, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 86B.

Reported the same back with the following amendments:

Page 8, after line 36, insert:

"Sec. 9. Minnesota Statutes 2004, section 462.357, subdivision 1e, is amended to read:

Subd. 1e. [NONCONFORMITIES.] (a) Any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless:

(1) the nonconformity or occupancy is discontinued for a period of more than one year; or

(2) any nonconforming use is destroyed by fire or other peril to the extent of greater than 50 percent of its market value, and no building permit has been applied for within 180 days of when the property is damaged. In this case, a municipality may impose reasonable conditions upon a building permit in order to mitigate any newly created impact on adjacent property.

(b) Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy. A municipality may, by ordinance, permit an expansion or impose upon nonconformities reasonable regulations to prevent and abate nuisances and to protect the public health, welfare, or safety. This subdivision does not prohibit a municipality from enforcing an ordinance that applies to adults-only bookstores, adults-only theaters, or similar adults-only businesses, as defined by ordinance.

(c) Notwithstanding paragraph (a), a municipality shall regulate the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in floodplain areas to the extent necessary to maintain eligibility in the National Flood Insurance Program and not increase flood damage potential or increase the degree of obstruction to flood flows in the floodway."

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "modifying zoning requirements in floodplain areas;"

Page 1, line 12, after "2;" insert "462.357, subdivision 1e;"

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

The report was adopted.

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

H. F. No. 1172, A bill for an act relating to local government; providing for local governments to opt out of state mandates; proposing coding for new law as Minnesota Statutes, chapter 471B.

Reported the same back with the following amendments:

Page 1, line 25, delete "whether or not" and insert "unless"

Page 2, line 2, after the first "the" insert "total" and after "costs" insert "of the mandate" and before "authorizes" insert "specifically"

Page 2, line 17, before "OPT" insert "REFORM OR"

Page 4, line 8, delete "(a)"

Page 4, line 16, after the semicolon, insert "and"

Page 4, line 18, delete "; and" and insert a period

Page 4, delete lines 19 to 30

Page 5, line 1, delete "opt out"

Page 5, line 4, delete "are accepted" and insert "shall not have any effect" and delete "if" and insert "unless"

Page 5, line 5, delete "the legislature" and insert "law"

Page 5, line 22, after "OUT" insert "OR REFORM"

Page 5, line 23, after "OUT" insert "OR REFORMS"

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

The report was adopted.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 1400, A bill for an act relating to motor carriers; regulating maximum axle weights allowed on highways; abolishing certain rules relating to motor carriers; amending Minnesota Statutes 2004, section 169.8261; repealing Minnesota Rules, parts 7800.0600; 7800.3200; 7805.0700; 8850.6900, subpart 20; 8855.0500, subpart 1.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 2004, section 169.01, subdivision 78, is amended to read:

Subd. 78. [RECREATIONAL VEHICLE COMBINATION.] "Recreational vehicle combination" means a combination of vehicles consisting of a pickup truck as defined in section 168.011, subdivision 29, attached by means of a fifth-wheel coupling to a camper-semitrailer which has hitched to it a trailer carrying a watercraft as defined in section 86B.005, subdivision 18; off-highway motorcycle as defined in section 84.787, subdivision 7; motorcycle; motorized bicycle; snowmobile as defined in section 84.81, subdivision 3; ~~or~~ all-terrain vehicle as defined in section 84.92, subdivision 8; or equestrian equipment and supplies. For purposes of this subdivision:

(a) A "fifth-wheel coupling" is a coupling between a camper-semitrailer and a towing pickup truck in which a portion of the weight of the camper-semitrailer is carried over or forward of the rear axle of the towing pickup.

(b) A "camper-semitrailer" is a trailer, other than a manufactured home as defined in section 327B.01, subdivision 13, designed for human habitation and used for vacation or recreational purposes for limited periods.

Sec. 2. Minnesota Statutes 2004, section 169.81, subdivision 3c, is amended to read:

Subd. 3c. [RECREATIONAL VEHICLE COMBINATION.] Notwithstanding subdivision 3, a recreational vehicle combination may be operated without a permit if:

(1) the combination does not consist of more than three vehicles, and the towing rating of the pickup truck is equal to or greater than the total weight of all vehicles being towed;

(2) the combination does not exceed 60 feet in length;

- (3) the camper-semitrailer in the combination does not exceed 28 feet in length;
- (4) the operator of the combination is at least 18 years of age;
- (5) the trailer carrying a watercraft, motorcycle, motorized bicycle, off-highway motorcycle, snowmobile, or all-terrain vehicle, or equestrian equipment and supplies meets all requirements of law;
- (6) the trailers in the combination are connected to the pickup truck and each other in conformity with section 169.82; and
- (7) the combination is not operated within the seven-county metropolitan area, as defined in section 473.121, subdivision 2, during the hours of 6:00 a.m. to 9:00 a.m. and 4:00 p.m. to 7:00 p.m. on Mondays through Fridays."

Page 2, line 10, delete "units" and insert "limits"

Page 2, after line 12, insert:

"Sec. 4. Minnesota Statutes 2004, section 169.851, subdivision 5, is amended to read:

Subd. 5. [EXCEPTION FOR FARM AND FOREST PRODUCTS.] ~~The maximum weight provisions of this section do~~ Subdivision 4 of this section does not apply to the first haul of unprocessed or raw farm products and the transportation of raw and unfinished forest products, including wood chips, when the ~~prescribed~~ maximum weight limitation is limitations permitted under sections 169.822 to 169.829 are not exceeded by more than ten percent.

Sec. 5. Minnesota Statutes 2004, section 169.86, subdivision 5, is amended to read:

Subd. 5. [FEE; PROCEEDS DEPOSITED; APPROPRIATION.] The commissioner, with respect to highways under the commissioner's jurisdiction, may charge a fee for each permit issued. All such fees for permits issued by the commissioner of transportation shall be deposited in the state treasury and credited to the trunk highway fund. Except for those annual permits for which the permit fees are specified elsewhere in this chapter, the fees shall be:

- (a) \$15 for each single trip permit.
- (b) \$36 for each job permit. A job permit may be issued for like loads carried on a specific route for a period not to exceed two months. "Like loads" means loads of the same product, weight, and dimension.
- (c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:
 - (1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety or well-being of the public;
 - (2) motor vehicles which travel on interstate highways and carry loads authorized under subdivision 1a;
 - (3) motor vehicles operating with gross weights authorized under section 169.826, subdivision 1a;
 - (4) special pulpwood vehicles described in section 169.863;
 - (5) motor vehicles bearing snowplow blades not exceeding ten feet in width; and
 - (6) noncommercial transportation of a boat by the owner or user of the boat.

(d) \$120 for an oversize annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

- (1) mobile cranes;
- (2) construction equipment, machinery, and supplies;
- (3) manufactured homes and manufactured storage buildings;
- (4) implements of husbandry when the movement is not made according to the provisions of paragraph (i);
- (5) double-deck buses;
- (6) commercial boat hauling; and

(7) three-vehicle combinations consisting of two empty, newly manufactured trailers for cargo, horses, or livestock, not to exceed 28-1/2 feet per trailer; provided, however, the permit allows the vehicles to be moved from a trailer manufacturer to a trailer dealer only while operating on twin-trailer routes designated under section 169.81, subdivision 3, paragraph (c).

(e) For vehicles which have axle weights exceeding the weight limitations of sections 169.822 to 169.829, an additional cost added to the fees listed above. However, this paragraph applies to any vehicle described in section 168.013, subdivision 3, paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in that paragraph, and then the additional cost is for all weight, including the allowance weight, in excess of the permitted maximum axle weight. The additional cost is equal to the product of the distance traveled times the sum of the overweight axle group cost factors shown in the following chart:

Overweight Axle Group Cost Factors

Cost Per Mile For Each Group Of:

Weight (pounds) exceeding weight limitations on axles	Two consecutive axles spaced within 8 feet or less	Three consecutive axles spaced within 9 feet or less	Four consecutive axles spaced within 14 feet or less
0-2,000	.12	.05	.04
2,001-4,000	.14	.06	.05
4,001-6,000	.18	.07	.06
6,001-8,000	.21	.09	.07
8,001-10,000	.26	.10	.08
10,001-12,000	.30	.12	.09
12,001-14,000	Not permitted	.14	.11
14,001-16,000	Not permitted	.17	.12
16,001-18,000	Not permitted	.19	.15
18,001-20,000	Not permitted	Not permitted	.16
20,001-22,000	Not permitted	Not permitted	.20

The amounts added are rounded to the nearest cent for each axle or axle group. The additional cost does not apply to paragraph (c), clauses (1) and (3).

For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed in addition to the normal permit fee. Miles must be calculated based on the distance already traveled in the state plus the distance from the point of detection to a transportation loading site or unloading site within the state or to the point of exit from the state.

(f) As an alternative to paragraph (e), an annual permit may be issued for overweight, or oversize and overweight, construction equipment, machinery, and supplies. The fees for the permit are as follows:

Gross Weight (pounds) of Vehicle	Annual Permit Fee
90,000 or less	\$200
90,001 - 100,000	\$300
100,001 - 110,000	\$400
110,001 - 120,000	\$500
120,001 - 130,000	\$600
130,001 - 140,000	\$700
140,001 - 145,000	\$800

If the gross weight of the vehicle is more than 145,000 pounds the permit fee is determined under paragraph (e).

(g) For vehicles which exceed the width limitations set forth in section 169.80 by more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a) when the permit is issued while seasonal load restrictions pursuant to section 169.87 are in effect.

(h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for refuse-compactor vehicles that carry a gross weight of not more than: 22,000 pounds on a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.828, subdivision 2, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000 pounds.

(i) For vehicles exclusively transporting implements of husbandry, an annual permit fee of \$24. A vehicle operated under a permit authorized by this paragraph may be moved at the discretion of the permit holder without prior route approval by the commissioner if:

- (1) the total width of the transporting vehicle, including load, does not exceed 14 feet;
- (2) the vehicle is operated only between sunrise and 30 minutes after sunset, and is not operated at any time after 12:00 noon on Sundays or holidays;
- (3) the vehicle is not operated when visibility is impaired by weather, fog, or other conditions that render persons and other vehicles not clearly visible at 500 feet;
- (4) the vehicle displays at the front and rear of the load or vehicle a pair of flashing amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of the vehicle exceeds 126 inches; and
- (5) the vehicle is not operated on a trunk highway with a surfaced roadway width of less than 24 feet unless such operation is authorized by the permit.

A permit under this paragraph authorizes movements of the permitted vehicle on an interstate highway, and movements of 75 miles or more on other highways.

(j) \$300 for a motor vehicle described in section 169.8261. The fee under this paragraph must be deposited as follows:

(1) in fiscal years 2005 through 2010:

(i) the first \$50,000 in each fiscal year must be deposited in the trunk highway fund for costs related to administering the permit program and inspecting and posting bridges;

(ii) all remaining money in each fiscal year must be deposited in a bridge inspection and signing account in the special revenue fund. Money in the account is appropriated to the commissioner for:

(A) inspection of local bridges and identification of local bridges to be posted, including contracting with a consultant for some or all of these functions; and

(B) erection of weight-posting signs on local bridges; and

(2) in fiscal year 2011 and subsequent years must be deposited in the trunk highway fund."

Page 2, line 14, after "7800.3200" insert ", subpart 1"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "allowing recreational vehicle combination to transport equestrian equipment and supplies;"

Page 1, line 4, after the semicolon, insert "allowing vehicle weight limit exception for transporting wood chips; providing for permit to transport manufactured storage buildings;"

Page 1, line 5, delete "section" and insert "sections 169.01, subdivision 78; 169.81, subdivision 3c;" and before "repealing" insert "169.851, subdivision 5; 169.86, subdivision 5;"

Page 1, line 6, after "7800.3200" insert ", subpart 1"

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

The report was adopted.

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

H. F. No. 1438, A bill for an act relating to natural resources; providing for an official map of state forest roads as an alternative recording method; proposing coding for new law in Minnesota Statutes, chapter 89.

Reported the same back with the following amendments:

Page 3, after line 14, insert:

"Sec. 2. [282.041] [ALTERNATIVE RECORDING FOR COUNTY FOREST ROAD.]

Subdivision 1. [DEFINITION.] "County forest road" means a road constructed, acquired, maintained, or administered by the county for the purpose of public access and management of tax-forfeited lands that have been classified as conservation lands under this chapter.

Subd. 2. [AUTHORIZATION.] A county board may adopt a recorded county forest road map according to section 89.715 to record county forest road prescriptive easements. For purposes of this section, "recorded county forest road map" means the official map of county forest roads.

Subd. 3. [UNRECORDED ROAD OR TRAIL NOT AFFECTED.] This section does not affect the legal status or county obligations of roads and trails not shown on the recorded county forest road map."

Amend the title as follows:

Page 1, line 3, after "state" insert "and county"

Page 1, line 5, delete "chapter 89" and insert "chapters 89; 282"

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 1464, A bill for an act relating to civil actions; regulating the liability of certain health care providers for malpractice, error, mistake, or failure to cure; limiting certain fees and damages; requiring a medical malpractice insurance report; proposing coding for new law in Minnesota Statutes, chapter 604.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 145.682, subdivision 3, is amended to read:

Subd. 3. [AFFIDAVIT OF EXPERT REVIEW.] The affidavit required by subdivision 2, clause (1), must be by the plaintiff's attorney and state that:

(a) the facts of the case have been reviewed by the plaintiff's attorney with an expert ~~whose qualifications provide a reasonable expectation that the expert's opinions could be admissible at trial~~ who is board certified if board certification is available to that particular specialty and currently practicing in the specialty or specialty areas of practice from which the applicable standard of care arises and that, in the opinion of this expert, one or more defendants deviated from the applicable standard of care and by that action caused injury to the plaintiff; or

(b) the expert review required by paragraph (a) could not reasonably be obtained before the action was commenced because of the applicable statute of limitations. If an affidavit is executed pursuant to this paragraph, the affidavit in paragraph (a) must be served on defendant or the defendant's counsel within 90 days after service of the summons and complaint.

Sec. 2. Minnesota Statutes 2004, section 145.682, subdivision 6, is amended to read:

Subd. 6. [PENALTY FOR NONCOMPLIANCE.] (a) Failure to comply with subdivision 2, clause (1), within 60 days after demand for the affidavit results, upon motion, in mandatory dismissal with prejudice of each cause of action as to which expert testimony is necessary to establish a prima facie case.

(b) Failure to comply with subdivision 2, clause (2), and subdivision 4 results, upon motion, in mandatory dismissal with prejudice of each cause of action as to which expert testimony is necessary to establish a prima facie case.

~~(c) Failure to comply with subdivision 4 because of deficiencies in the affidavit or answers to interrogatories results, upon motion, in mandatory dismissal with prejudice of each cause of action as to which expert testimony is necessary to establish a prima facie case, provided that:~~

~~(1) the motion to dismiss the action identifies the claimed deficiencies in the affidavit or answers to interrogatories;~~

~~(2) the time for hearing the motion is at least 45 days from the date of service of the motion; and~~

~~(3) before the hearing on the motion, the plaintiff does not serve upon the defendant an amended affidavit or answers to interrogatories that correct the claimed deficiencies.~~

[EFFECTIVE DATE.] This section is effective the day following final enactment and applies to causes of action commenced on or after that date.

Sec. 3. Minnesota Statutes 2004, section 604A.01, subdivision 2, is amended to read:

Subd. 2. [GENERAL IMMUNITY FROM LIABILITY.] (a) A person who, without compensation or the expectation of compensation, renders emergency care, advice, or assistance at the scene of an emergency or during transit to a location where professional medical care can be rendered, is not liable for any civil damages as a result of acts or omissions by that person in rendering the emergency care, advice, or assistance, unless the person acts in a willful and wanton or reckless manner in providing the care, advice, or assistance. This subdivision does not apply to a person rendering emergency care, advice, or assistance during the course of regular employment, and receiving compensation or expecting to receive compensation for rendering the care, advice, or assistance.

(b) Any hospital licensed under chapter 144, any employee of the hospital working in a clinical area within the facility and providing patient care, and any person licensed to practice medicine who in good faith renders medical care and treatment necessitated by a sudden, unexpected situation or occurrence resulting in a serious medical condition demanding immediate medical attention, for which the patient enters the hospital through its emergency room or trauma center, including but not limited to medical care and treatment rendered in an obstetrical unit, or necessitated by a public health emergency declared pursuant to section 12.311, is not held liable for any civil damages as a result of this medical care and treatment unless the damages result from providing, or failing to provide, medical care and treatment under circumstances demonstrating gross negligence for the consequences so as to affect the life or health of another. The immunity from liability described in this paragraph shall not be construed

to include any claim in a civil action that is based solely on intentional denial of medical treatment that a patient is otherwise qualified to receive, against the wishes of a patient, or, if the patient is incompetent, against the wishes of the patient's guardian, on the basis of the patient's present or predicted age, disability, degree of medical dependency, or quality of life.

~~(b)~~ (c) For the purposes of this section, the scene of an emergency is an area outside the confines of a hospital or other institution that has hospital facilities, or an office of a person licensed to practice one or more of the healing arts under chapter 147, 147A, 148, 150A, or 153. The scene of an emergency includes areas threatened by or exposed to spillage, seepage, fire, explosion, or other release of hazardous materials, and includes ski areas and trails.

~~(c)~~ (d) For the purposes of this section, "person" includes a public or private nonprofit volunteer firefighter, volunteer police officer, volunteer ambulance attendant, volunteer first provider of emergency medical services, volunteer ski patroller, and any partnership, corporation, association, or other entity.

~~(d)~~ (e) For the purposes of this section, "compensation" does not include payments, reimbursement for expenses, or pension benefits paid to members of volunteer organizations.

~~(e)~~ (f) For purposes of this section, "emergency care" includes providing emergency medical care by using or providing an automatic external defibrillator, unless the person on whom the device is to be used objects; or unless the person is rendering this care during the course of regular employment, the person is receiving or expects to receive compensation for rendering this care, and the usual and regular duties of the person include the provision of emergency medical care. "Automatic external defibrillator" means a medical device heart monitor and defibrillator that:

(1) has received approval of its premarket notification, filed pursuant to United States Code, title 21, section 360(k), from the United States Food and Drug Administration;

(2) is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and is capable of determining, without intervention by an operator, whether defibrillation should be performed; and

(3) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

[EFFECTIVE DATE.] This section is effective the day following final enactment and applies to actions arising from incidents occurring on or after that date."

Delete the title and insert:

"A bill for an act relating to civil actions; regulating the liability of certain health care providers for providing emergency care and treatment; regulating affidavits of expert review in malpractice actions against health care providers; amending Minnesota Statutes 2004, sections 145.682, subdivisions 3, 6; 604A.01, subdivision 2."

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

The report was adopted.

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

H. F. No. 1467, A bill for an act relating to natural resources; creating the Minnesota Conservation Heritage Foundation; eliminating the Legislative Commission on Minnesota Resources; providing for disposition of certain revenues; appropriating money; amending Minnesota Statutes 2004, sections 116P.02, by adding a subdivision; 116P.03; 116P.04, subdivision 5; 116P.07; 116P.08, subdivisions 3, 5, 6, 7, by adding a subdivision; 116P.09; 116P.10; 116P.11; 116P.12, subdivision 2; 116P.14, subdivision 2; 116P.15, subdivision 2; 168.1296, subdivision 5; 297A.94; proposing coding for new law in Minnesota Statutes, chapter 116P; repealing Minnesota Statutes 2004, sections 116P.02, subdivision 2 and 5; 116P.05; 116P.06; 116P.08, subdivisions 1, 4.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs.

The report was adopted.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 1508, A bill for an act relating to transportation; clarifying seasonal load restrictions for utility vehicles; amending Minnesota Statutes 2004, section 169.87, subdivision 5.

Reported the same back with the following amendments:

Page 1, after line 22, insert:

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

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

The report was adopted.

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

H. F. No. 1530, A bill for an act relating to energy assistance; correcting statutory authority for energy assistance programs previously transferred between agencies; repealing obsolete energy assistance programs; removing obsolete oil overcharge language; amending Minnesota Statutes 2004, sections 13.681, by adding a subdivision; 119A.15, subdivision 5a; 216C.09; 216C.30, subdivision 4; 216C.31; 462A.05, subdivisions 21, 23; 504B.161, subdivision 1; repealing Minnesota Statutes 2004, sections 13.319, subdivision 4; 119A.42, subdivision 4; 216B.165, subdivision 2; 216C.27, subdivisions 1, 2, 3, 4, 5, 6, 7; 216C.30, subdivision 5; Minnesota Rules, parts 7635.0100; 7635.0110; 7635.0120; 7635.0130; 7635.0140; 7635.0150; 7635.0160; 7635.0170; 7635.0180; 7635.0200; 7635.0210; 7635.0220; 7635.0230; 7635.0240; 7635.0250; 7635.0260; 7635.0300; 7635.0310; 7635.0320; 7635.0330; 7635.0340; 7635.0400; 7635.0410; 7635.0420; 7635.0500; 7635.0510; 7635.0520; 7635.0530; 7635.0600; 7635.0610; 7635.0620; 7635.0630; 7635.0640; 7635.1000; 7635.1010; 7635.1020; 7635.1030; 7655.0100; 7655.0120; 7655.0200; 7655.0210; 7655.0220; 7655.0230; 7655.0240; 7655.0250; 7655.0260; 7655.0270; 7655.0280; 7655.0290; 7655.0300; 7655.0310; 7655.0320; 7655.0330; 7655.0400; 7655.0410; 7655.0420.

Reported the same back with the following amendments:

Page 2, line 8, reinstate the stricken language

Page 2, delete line 9 and insert "programs under sections ~~119A.40 and 119A.42~~ 216C.263 and 216C.265;"

Page 2, delete line 10 and insert "(3) weatherization programs under section ~~119A.41~~ 216C.264;"

Page 2, line 11, reinstate the stricken language

Page 2, line 13, reinstate the stricken language and delete the new language

Pages 4 and 5, delete sections 4 and 5

Page 6, delete section 8

Page 7, delete section 10

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "repealing obsolete"

Page 1, line 5, delete "energy assistance programs;"

Page 1, line 8, delete "216C.30, subdivision 4;"

Page 1, line 9, delete "216C.31;" and delete "; 504B.161," and insert a period

Page 1, delete lines 10 to 25

With the recommendation that when so amended the bill pass.

The report was adopted.

Buesgens from the Committee on Education Policy and Reform to which was referred:

H. F. No. 1576, A bill for an act relating to education; establishing an alternative teacher training program for qualified professionals; proposing coding for new law in Minnesota Statutes, chapter 122A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [122A.245] [TEACHER TRAINING PROGRAM FOR QUALIFIED PROFESSIONALS.]

Subdivision 1. [SCOPE AND REQUIREMENTS.] (a) As an alternative to postsecondary teacher preparation programs, a teacher training program is established for qualified professionals to acquire an entrance license. Program providers, approved by the Board of Teaching under subdivision 3, may offer the program in the instructional fields of science, mathematics, world languages, English as a second language, and special education.

(b) To participate in the teacher training program, the teacher applicant must:

- (1) have, at a minimum, a bachelor's degree from an accredited four-year postsecondary institution;
- (2) have an undergraduate major or postbaccalaureate degree in the subject to be taught or in an equivalent or related subject area in which the applicant is seeking licensure;
- (3) pass a skills examination in reading, writing, and mathematics required under section 122A.18;
- (4) pass the Praxis II subject assessment for each subject area to be taught;
- (5) have a cumulative grade point average of 2.75 or higher on a 4.0 scale for a bachelor's degree;
- (6) show employment related to the subject to be taught; and
- (7) show a district offer for employment as a teacher contingent on participating in an approved program described in subdivision 2.

Subd. 2. [PROGRAM.] A teacher training program under this section is one year in duration and must include:

- (1) a nine-credit summer or preinduction preparation program that includes classroom management techniques and on-site classroom observation that are completed before the candidate is employed in the classroom;
- (2) 200 clock hours of instruction in standards of effective practice and essential skills that include curriculum, instructional strategies, and classroom management presented after school or on Saturdays throughout the year leading to a teaching license and up to 15 graduate credits toward a master's degree in education;
- (3) on-the-job mentoring, supervision, and evaluation arranged by the employing district that includes mentoring provided by an experienced teacher licensed in the subject taught by the applicant, and three evaluations by an evaluation team composed of the mentor, the principal, and a training program member that include at least three classroom observations where the third evaluation contains the team's recommendation for licensure and where a written report of each evaluation is prepared; and
- (4) a one-week intensive workshop that includes analysis and reflection of the first year of teaching after completing the school year, which may be counted as part of 200 clock hours required in clause (2).

Subd. 3. [PROGRAM APPROVAL.] An interested Minnesota public or private postsecondary institution must submit program proposals to the Board of Teaching for approval.

Notwithstanding any law to the contrary, the Board of Teaching must develop criteria for approving teacher training programs under this section after considering the recommendations of an advisory group appointed by the Board of Teaching composed of, at a minimum, the commissioner of education or designee, and representatives of school superintendents, principals, teachers, and postsecondary institutions, including those offering degrees in teaching preparation.

Subd. 4. [ELIGIBILITY LICENSE.] Notwithstanding any law to the contrary, the Board of Teaching must issue to an applicant who successfully meets the criteria under subdivision 1, paragraph (b), a one-year eligibility license to teach at the employing district under subdivision 1, paragraph (b), clause (7). During the one-year eligibility period, the employing district must assign a mentor under subdivision 2, clause (3). The applicant teacher and teacher mentor must meet at least weekly throughout the school year on classroom and instructional issues.

The hiring district may deduct from the participant's salary the cost of providing the mentor for the participant during the training year.

Subd. 5. [STANDARD ENTRANCE LICENSE.] Notwithstanding any law to the contrary, the Board of Teaching must issue a standard entrance license to a training program licensee who successfully completes the program under subdivision 2, successfully teaches in a classroom for one complete school year, successfully passes the Praxis II principles of learning and teaching, and receives a positive recommendation from the applicant's evaluation team.

Subd. 6. [QUALIFIED TEACHER.] A person with a valid eligibility license under subdivision 5 is a qualified teacher under section 122A.16.

Sec. 2. [REPEALER.]

Minnesota Statutes 2004, section 122A.24, is repealed."

Amend the title as follows:

Page 1, line 5, before the period, insert "; repealing Minnesota Statutes 2004, section 122A.24"

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

The report was adopted.

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

H. F. No. 1577, A bill for an act relating to education finance; modifying the tax base used to calculate debt service levies; amending Minnesota Statutes 2004, sections 123B.53, subdivision 5; 126C.01, by adding a subdivision; 127A.48, by adding a subdivision; 273.11, subdivision 1a.

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

The report was adopted.

Wilkin from the Committee on Commerce and Financial Institutions to which was referred:

H. F. No. 1669, A bill for an act relating to insurance; regulating certain fees, rate filings, and policy renewals and alterations; regulating the collection of certain information; amending Minnesota Statutes 2004, sections 60A.08, subdivision 3; 60A.14, subdivision 1; 60A.171, subdivisions 1, 2; 60A.351; 60K.46, subdivision 7; 61A.02, subdivision 2, by adding a subdivision; 62A.02, subdivision 1; 70A.06, subdivision 1; 72A.501, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 60A; repealing Minnesota Statutes 2004, section 60A.171, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 23, delete "this information" and insert "the current policy form"

Page 1, line 24, before the period, insert "and must inform the policyholder annually in writing that a copy of the current policy form is available on request"

Page 3, line 18, after "and" insert "personal"

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

The report was adopted.

Buesgens from the Committee on Education Policy and Reform to which was referred:

H. F. No. 1717, A bill for an act relating to education; requiring persons under 18 years of age to attend school as a requirement for possessing a driver's permit or license; amending Minnesota Statutes 2004, sections 13.32, subdivisions 1, 3, 8, 9; 171.04, subdivision 1; 171.05, subdivisions 2, 2b, 3; 260A.03; proposing coding for new law in Minnesota Statutes, chapters 120A; 171.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 13.32, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section:

(a) "Dismissal" means a student who is expelled or excluded under the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56, and is not participating in alternative education services offered during the term of the expulsion or exclusion.

(b) "Educational data" means data on individuals maintained by a public educational agency or institution or by a person acting for the agency or institution which relates to a student.

Records of instructional personnel which are in the sole possession of the maker thereof and are not accessible or revealed to any other individual except a substitute teacher, and are destroyed at the end of the school year, shall not be deemed to be government data.

Records of a law enforcement unit of a public educational agency or institution which are maintained apart from education data and are maintained solely for law enforcement purposes, and are not disclosed to individuals other than law enforcement officials of the jurisdiction are not educational data; provided, that education records maintained by the educational agency or institution are not disclosed to the personnel of the law enforcement unit. The University of Minnesota police department is a law enforcement agency for purposes of section 13.82 and other sections of Minnesota Statutes dealing with law enforcement records. Records of organizations providing security services to a public educational agency or institution must be administered consistent with section 13.861.

Records relating to a student who is employed by a public educational agency or institution which are made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee, and are not available for use for any other purpose are classified pursuant to section 13.43.

~~(b)~~ (c) "Habitual truant" means a student absent from attendance at school as defined under section 260C.007, subdivision 19.

(d) "Juvenile justice system" includes criminal justice agencies and the judiciary when involved in juvenile justice activities, and the Department of Public Safety, but only when designated employees of the Department of Public Safety under section 171.056 cancel or reinstate the driving privileges of a habitual truant or a dismissed student.

~~(e)~~ (e) "Student" means an individual currently or formerly enrolled or registered, applicants for enrollment or registration at a public educational agency or institution, or individuals who receive shared time educational services from a public agency or institution.

~~(f)~~ (f) "Substitute teacher" means an individual who performs on a temporary basis the duties of the individual who made the record, but does not include an individual who permanently succeeds to the position of the maker of the record.

Sec. 2. Minnesota Statutes 2004, section 13.32, subdivision 3, is amended to read:

Subd. 3. [PRIVATE DATA; WHEN DISCLOSURE IS PERMITTED.] Except as provided in subdivision 5, educational data is private data on individuals and shall not be disclosed except as follows:

(a) pursuant to section 13.05;

(b) pursuant to a valid court order;

(c) pursuant to a statute specifically authorizing access to the private data;

(d) to disclose information in health and safety emergencies pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I) and Code of Federal Regulations, title 34, section 99.36;

(e) pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1), (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3) and Code of Federal Regulations, title 34, sections 99.31, 99.32, 99.33, 99.34, and 99.35;

(f) to appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;

(g) when disclosure is required for institutions that participate in a program under title IV of the Higher Education Act, United States Code, title 20, chapter 1092;

(h) to the appropriate school district officials to the extent necessary under subdivision 6, annually to indicate the extent and content of remedial instruction, including the results of assessment testing and academic performance at a postsecondary institution during the previous academic year by a student who graduated from a Minnesota school district within two years before receiving the remedial instruction;

(i) to appropriate authorities as provided in United States Code, title 20, section 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the system to effectively serve, prior to adjudication, the student whose records are released; provided that:

(1) the authorities to whom the data are released submit a written request for the data that certifies that the data will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student and the request and a record of the release are maintained in the student's file; and

(2) for a habitual truant, or a dismissed student, the school principal or chief administrative officer certifies in writing that the data will not be disclosed to any other person except as authorized by law without the prior written consent of the student's parent or guardian and the certification and a record of all disclosures are maintained in the student's file;

(j) to volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;

(k) to provide student recruiting information, from educational data held by colleges and universities, as required by and subject to Code of Federal Regulations, title 32, section 216;

(l) to the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;

(m) with respect to Social Security numbers of students in the adult basic education system, to Minnesota State Colleges and Universities and the Department of Employment and Economic Development for the purpose and in the manner described in section 124D.52, subdivision 7; or

(n) to the commissioner of education for purposes of an assessment or investigation of a report of alleged maltreatment of a student as mandated by section 626.556. Upon request by the commissioner of education, data that are relevant to a report of maltreatment and are from charter school and school district investigations of alleged maltreatment of a student must be disclosed to the commissioner, including, but not limited to, the following:

(1) information regarding the student alleged to have been maltreated;

(2) information regarding student and employee witnesses;

(3) information regarding the alleged perpetrator; and

(4) what corrective or protective action was taken, if any, by the school facility in response to a report of maltreatment by an employee or agent of the school or school district.

Sec. 3. Minnesota Statutes 2004, 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)(1), 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. For the purposes of section 171.056, the following education data shall be disclosed under subdivision 3, clause (i)(2), to the juvenile justice system: a student's full name, date of birth, and that portion of the student's attendance record during the current school year that encompasses the period related to the student's dismissal or truancy.

(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;

(6) dismissal if the student has been expelled or excluded from a public or charter school; or

(7) truancy if the student is a habitual truant.

Any request for access to data under this paragraph or disclosure of data for the purposes of section 171.056 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), clauses (1) to (5), 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. A principal or chief administrative officer of a school who discloses information under paragraph (b), clauses (6) and (7), must comply with the notice requirements under section 171.056.

(d) A principal or chief administrative officer is not required to create data under this subdivision. Information provided in response to a data request or disclosed for the purposes of section 171.056 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. For paragraph (b), clauses (1) to (5), 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) If the school board does not waive the school attendance requirement for driving privileges, then a principal or chief administrative officer of a school may disclose only the habitual truancy status or dismissal of a student to designated employees of the Department of Public Safety under paragraph (b), and only for the purposes of section 171.056.

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

~~(g)~~ (g) 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)~~ (h) 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)~~ (i) 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. 4. Minnesota Statutes 2004, section 13.32, subdivision 9, is amended to read:

Subd. 9. [FORMS.] (a) To make a data request under subdivision 8, paragraph (b), clauses (1) to (5), a member of the juvenile justice system must use the following form:

REQUEST FOR INFORMATION

Family Educational Rights and Privacy Act/Minnesota Government Data Practices Act

DATE/TIME OF REQUEST

TO:
 (Superintendent of school district
 or chief administrative officer of school)

FROM:
 (Requester's name/agency)

STUDENT:

BASIS FOR REQUEST

- ... Juvenile delinquency investigation/prosecution
- ... Child protection assessment/investigation
- ... Investigation/filing of CHIPS or delinquency petition

REASON FOR REQUEST (requester must describe why information regarding existence of the data marked below is necessary to effectively serve the student).

RESPONSE TO REQUEST

The school must indicate whether it has data on the student that document any activity or behavior marked by the requester.

INFORMATION REQUESTED (mark all that apply)

RESPONSE

Indicate whether you have data that document the student's:

(yes or no)

- | | |
|--|-----|
| ... use of a controlled substance, alcohol, or tobacco | ... |
| ... assaultive or threatening conduct as defined in Minnesota Statutes, section 13.32, subdivision 8 | ... |
| ... possession or use of weapons or look-alike weapons | ... |

... theft ...

... vandalism and damage to property ...

CERTIFICATION: The undersigned certifies that the undersigned is a member of the juvenile justice system. The requested data are needed by the juvenile justice system so it may effectively serve, prior to adjudication, the student whose records are released. The undersigned will not disclose the information received to any other party, except as provided under state law, without prior written consent as required by Code of Federal Regulations, title 34, section 99.38(b). The undersigned further certifies that the undersigned understands that by signing this request, the undersigned is subject to the penalties in Minnesota Statutes, section 13.09.

.....
Signature/Title

(b) To disclose data under subdivision 8, paragraph (b), clauses (6) and (7), a principal or chief administrative officer must use the following form:

DISCLOSURE OF INFORMATION

Family Educational Rights and Privacy Act/Minnesota Government Data Practices Act

DATE/TIME OF DISCLOSURE

TO: Department of Public Safety

FROM:
(Discloser's name/school, school district)

STUDENT:

INFORMATION DISCLOSED

Indicate whether you have data that document the student's:

- ... absence from school
- ... conformance with all applicable attendance laws, rules, and policies

REASON FOR DISCLOSURE (principal or chief administrative officer must describe why information regarding existence of the student's attendance data is necessary to effectively serve the student)

.....
.....

CERTIFICATION: The undersigned certifies that the undersigned is a principal or chief administrative officer (circle one) of (name of school) in School District No. (name of school district). The disclosed data is needed by the Department of Public Safety so it may effectively serve, prior to adjudication, the student whose records are released. The undersigned will not disclose the information except as provided under state law, without prior written consent required by Code of Federal Regulations, title 34, section 99.38(b). The undersigned further certifies that the undersigned understands that by signing this request the undersigned is subject to the penalties in Minnesota Statutes, section 13.09.

.....
Signature/Principal/Chief administrative officer
of (name of school).
School District No. (Name of School District)

CERTIFICATION: The undersigned certifies that the undersigned is a member of the juvenile justice system. The data received is needed by the juvenile justice system so it may assist school in School District No. to effectively serve, prior to adjudication, the student whose records are released. The undersigned will not disclose the information received to any other party, except as provided under state law, without prior written consent required by Code of Federal Regulations, title 34, section 99.38(b). The undersigned further certifies that the undersigned understands that by signing this request the undersigned is subject to the penalties in Minnesota Statutes, section 13.09.

.....
Signature/Title/Department of Public Safety

Sec. 5. Minnesota Statutes 2004, section 120A.22, subdivision 12, is amended to read:

Subd. 12. [LEGITIMATE EXEMPTIONS.] A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to any member of the board, a truant officer, a principal, or the superintendent. The school district may state in its school attendance policy that it may ask the student's parent or legal guardian to verify in writing the reason for the child's absence from school. The board of the district in which the child resides may approve the application upon the following being demonstrated to the satisfaction of that board:

(1) that the child's bodily or mental condition is such as to prevent attendance at school or application to study for the period required; ~~or,~~ which includes:

(i) child illness, medical, dental, orthodontic, or counseling appointments;

(ii) family emergencies;

(iii) the death or serious illness or funeral of an immediate family member;

(iv) active duty in any military branch of the United States; or

(v) other exemptions included in the district's school attendance policy;

(2) ~~that for the school years 1988-1989 through 1999-2000 the child has already completed the studies ordinarily required in the 10th grade and that for the school years beginning with the 2000-2001 school year the child has already completed the studies ordinarily required to graduate~~ the child has already completed state and district standards required for graduation from high school; or

(3) that it is the wish of the parent, guardian, or other person having control of the child, that the child attend for a period or periods not exceeding in the aggregate three hours in any week, a school for religious instruction conducted and maintained by some church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This school for religious instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. However, a child may be absent from school on such days as the child attends upon instruction according to the ordinances of some church.

Sec. 6. [120A.23] [SCHOOL ATTENDANCE REQUIREMENT; DRIVING PRIVILEGES.]

A district school board, board of a state approved alternative program (SAAP), or charter school board of directors may, by majority vote, waive the school attendance requirement for driving privileges under section 171.056 for the students it enrolls. The board must vote to waive the requirement before September 1 of the initial school year in which the waiver is effective and must immediately transmit an electronic notice to the Department of Public Safety. If a board intends to rescind its waiver and require students to comply with the school attendance requirement under section 171.056 for any subsequent school year, the board must vote before September 1 of the school year in which the waiver is initially rescinded and immediately must transmit an electronic notice to the Department of Public Safety.

[EFFECTIVE DATE.] This section is effective July 1, 2005.

Sec. 7. [121A.655] [SCHOOL ATTENDANCE REQUIREMENT; DRIVING PRIVILEGES.]

Students enrolled in a school district, charter school, or alternative education program that does not waive the school attendance requirement for driving privileges are subject to section 171.056, among other related sections.

Sec. 8. Minnesota Statutes 2004, section 171.04, subdivision 1, is amended to read:

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

(1) to any person under 18 years unless:

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

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

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

(iv) the applicant certifies either (A) the applicant's school attendance under section 171.056 and the district, charter school, or alternative education program in which the applicant is currently enrolled, or (B) that the enrolling district, charter school, or alternative education program board waived the attendance requirement under section 120A.23;

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

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

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

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

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

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

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

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

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

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

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

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

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

[EFFECTIVE DATE.] This section is effective September 1, 2005, and applies to all persons under 18 years of age possessing or applying for a driver's instruction permit or provisional license on or after that date.

Sec. 9. Minnesota Statutes 2004, section 171.05, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

(6) the applicant certifies either (i) the applicant's school attendance under section 171.056 and the district, charter school, or alternative education program in which the applicant is currently enrolled, or (ii) that the enrolling district, charter school, or alternative education program board waived the attendance requirement under section 120A.23; and

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

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

[EFFECTIVE DATE.] This section is effective September 1, 2005, and applies to all persons under 18 years of age possessing or applying for a driver's instruction permit on or after that date.

Sec. 10. Minnesota Statutes 2004, section 171.05, subdivision 2b, is amended to read:

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

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

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

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

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

[EFFECTIVE DATE.] This section is effective September 1, 2005, and applies to all persons under 18 years of age possessing or applying for a driver's instruction permit on or after that date.

Sec. 11. Minnesota Statutes 2004, section 171.05, subdivision 3, is amended to read:

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

[EFFECTIVE DATE.] This section is effective September 1, 2005, and applies to all persons under 18 years of age possessing or applying for a motorized bicycle instruction permit on or after that date.

Sec. 12. [171.056] [SCHOOL ATTENDANCE REQUIREMENT FOR DRIVER'S INSTRUCTION PERMIT, MOTORIZED BICYCLE PERMIT, AND PROVISIONAL LICENSE.]

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

(b) "Dismissal" or "dismissed" means a student who is expelled or excluded under the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56, and is not participating in alternative education services offered during the term of the expulsion or exclusion.

(c) "Habitual truant" means a person absent from attendance at school as defined under section 260C.101, subdivision 19.

(d) "Public school" means a public school, state approved alternative program (SAAP), or charter school.

(e) "School board" means a public school district school board, SAAP board, or charter school board of directors.

(f) "School principal" means a principal or chief administrative officer of a public school.

Subd. 2. [ISSUANCE OR RENEWAL OF DRIVER'S INSTRUCTION PERMIT, MOTORIZED BICYCLE PERMIT, OR PROVISIONAL LICENSE.] (a) Notwithstanding any law to the contrary, except when the attendance requirement is waived under section 120A.23, school attendance is a requirement for issuing a new driver's instruction permit, motorized bicycle permit, or provisional license or renewing the permit of a person under 18 years of age. The person meets the school attendance requirement when the person:

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

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

(3)(i) is enrolled and attending a public school and is not habitually truant, is enrolled and attending a nonpublic school, or is homeschooled; and

(ii) is not dismissed from school under subdivision 1, paragraph (b).

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

(c) If applicable, a school principal must certify on the form under section 13.32, subdivision 8, paragraph (c), a person's absence from school because the person is a habitual truant, or the person is dismissed. A public school in its student attendance policy must give notice to the parent or guardian and student that it will disclose the absence of a student to the Department of Public Safety for the purposes of this section to enable the juvenile justice system to effectively serve, prior to adjudication, the student whose absence information because of habitual truancy or dismissal is released.

Subd. 3. [CANCELLATION OF PERMIT OR LICENSE.] (a) Notwithstanding any law to the contrary, the Department of Public Safety shall cancel the motorized bicycle permit, instruction permit, or provisional license of a person under 18 years of age when a school principal notifies the department that the person:

(1) is absent from school because the person is a habitual truant consistent with the school district student attendance policy and section 120A.22, subdivision 12, is not being homeschooled or attending a nonpublic school, has not withdrawn from school under section 120A.22, subdivision 8, and has not obtained a high school diploma or general education development certificate (GED); or

(2) is absent from school because the person has been dismissed from a public school, is not enrolled and attending any other public school or nonpublic school, and is not homeschooled.

The public school must release the data to the Department of Public Safety according to the Family Education Rights and Privacy Act (FERPA), United States Code, title 20, section 1232g; Code of Federal Regulations, title 34, part 99; and the Minnesota Data Practices Act, chapter 13.

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

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

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

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

(ii) a school principal, at the direction of the school board, rescinds the person's dismissal.

(c) A public school must notify:

(1) the Department of Public Safety by any reasonable means on the form under section 13.32, subdivision 8, paragraph (c); and

(2) five days before notifying the department, the person and the person's parent or legal guardian by first class mail or other reasonable means, that the person's motorized bicycle permit, instruction permit, or provisional license will be canceled and the person may request a hardship waiver from the person's school district superintendent or the equivalent administrator of a SAAP or charter school under subdivision 4.

The Department of Public Safety shall notify the person that the person's permit or license has been canceled under section 171.14.

(d) When a person satisfies a requirement for reinstating driving privileges under paragraph (b), a school principal shall electronically or by other reasonable means certify to the department on the form under section 13.32, subdivision 8, paragraph (c), that the person has satisfied a requirement under paragraph (b).

Subd. 4. [EXPUNGEMENT OF RECORD.] Upon receiving the written or electronic request of a student who is age 18 or older, the Department of Public Safety must expunge from the department's motor vehicle records all the student's truancy data related to the department refusing to issue or canceling the student's permit or license under this section.

Subd. 5. [HARDSHIP WAIVER.] A person whose permit or provisional license is canceled, or has received notice that the permit or provisional license will be canceled under this section may submit to the school district superintendent or the equivalent administrator of an SAAP or charter school a request for a hardship waiver hearing in a manner and on a form the superintendent or administrator prescribes. The superintendent or administrator must appoint a committee to hear the evidence and recommend in writing whether or not to cancel the person's motorized bicycle permit, instruction permit, or provisional license within seven days after the superintendent or administrator receives the request. A school principal, the person whose permit or license is canceled or has received notice that the permit or provisional license will be canceled, and the person's parent or guardian may present evidence. The committee must submit for a final decision, to the superintendent or equivalent administrator, within two days of the date of the hearing, its recommendation, evidence, and other related documents. The school principal must transmit notice by any reasonable means to the Department of Public Safety on the form under section 13.32, subdivision 8, paragraph (c), within seven days after the date of the hardship hearing indicating whether or not to reinstate the driving privileges. The decision of the superintendent or administrator is final.

[EFFECTIVE DATE.] This section is effective September 1, 2005, and applies to all persons under 18 years of age possessing or applying for a motorized bicycle permit, driver's instruction permit, or provisional license on or after that date.

Sec. 13. Minnesota Statutes 2004, section 260A.03, is amended to read:

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

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

- (1) that the child is truant;
- (2) that the parent or guardian should notify the school if there is a valid excuse for the child's absences;
- (3) that the parent or guardian is obligated to compel the attendance of the child at school pursuant to section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under section 120A.34;
- (4) that this notification serves as the notification required by section 120A.34;
- (5) that alternative educational programs and services may be available in the district;
- (6) that the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
- (7) that the school principal or chief administrative officer must notify the Department of Public Safety to cancel the child's driving privileges under section 171.056 when the child is a habitual truant under section 260C.007, subdivision 19, unless the attendance requirement is waived under section 120A.23. The school principal or chief administrative officer may release this data to the Department of Public Safety to assist the juvenile justice system and enable the system to effectively serve, prior to adjudication, a child who is habitually truant;
- (8) that if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under chapter 260C;
- ~~(8)~~ (9) that if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to section 260C.201; and
- ~~(9)~~ (10) that it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

[EFFECTIVE DATE.] This section is effective September 1, 2005."

Delete the title and insert:

"A bill for an act relating to education; requiring persons under 18 years of age to attend school as a requirement for possessing a driver's permit or license; amending Minnesota Statutes 2004, sections 13.32, subdivisions 1, 3, 8, 9; 120A.22, subdivision 12; 171.04, subdivision 1; 171.05, subdivisions 2, 2b, 3; 260A.03; proposing coding for new law in Minnesota Statutes, chapters 120A; 121A; 171."

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

The report was adopted.

Buesgens from the Committee on Education Policy and Reform to which was referred:

H. F. No. 1744, A bill for an act relating to education; providing for alternative compensation for teachers and staff development; amending Minnesota Statutes 2004, sections 122A.413; 122A.414; 122A.415, subdivisions 1, 3; 122A.61, subdivision 1; 126C.10, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2004, section 122A.60.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 122A.414, is amended to read:

122A.414 [ALTERNATIVE TEACHER COMPENSATION.]

Subdivision 1. [RESTRUCTURED PAY SYSTEM.] A restructured teacher compensation system is established under subdivision 2 to provide incentives for teachers to improve their knowledge and skills and for school districts and charter schools to recruit and retain highly qualified teachers, and to support teachers' roles in improving students' educational achievement.

Subd. 2. [ALTERNATIVE TEACHER PROFESSIONAL PAY SYSTEM.] (a) To participate in this program, a school district must have an educational improvement plan as described in section 122A.413 and an alternative teacher professional pay system as described in paragraph (b).

(b) The alternative teacher professional pay system must:

(1) describe ~~the conditions necessary for~~ how teachers can achieve career advancement and additional compensation;

(2) describe how the school district or charter school will provide career advancement options for teachers retaining that allow them to retain primary roles in student instruction, including options for multiple career paths such as a master or mentor teacher who helps peers improve their teaching skills;

(3) ~~use a professional pay system that replaces the step and lane salary schedule and is not based on years of service;~~

(4) ~~encourage teachers' continuous improvement in content knowledge, pedagogy, and use of best practices; and~~

(5) ~~implement an objective evaluation system, including classroom observation, that is aligned with the district's or the site's educational improvement plan as described in section 122A.413 eliminate the "steps and lanes" salary schedule and compensate teachers for performing satisfactory service, achieving professional teaching goals, and undergoing evaluations under clause (6);~~

(4) compensate teachers for their performance based on, at a minimum:

(i) school achievement gains under section 120B.35 or locally selected standardized assessment outcomes, or both;

(ii) student achievement gains, where available, under section 120B.35 or locally selected standardized assessment outcomes, or both; and

(iii) results of individual teacher evaluations by a locally selected evaluation team under clause (6);

(5) provide integrated ongoing site-based and teacher-led professional development activities during the school day that are aligned with student needs under sections 122A.413 and 122A.601, if enacted; and

(6) provide an objective and comprehensive teacher evaluation system based on the educational improvement plan under section 122A.413, the staff development plan under section 122A.601, if enacted, and multiple evaluations of a teacher's performance by the locally selected evaluation team during the school year that include classroom observations.

Subd. 3. [REPORT.] Participating districts ~~and~~ school sites, and charter schools must report on the implementation and effectiveness of the alternative teacher compensation plan, particularly addressing each requirement under subdivision 2 and make biennial recommendations by January 1 to their school boards. The school boards shall transmit a copy of the report with a summary of the findings and recommendations of their district or charter school to the commissioner.

Sec. 2. Minnesota Statutes 2004, section 122A.415, subdivision 1, is amended to read:

Subdivision 1. [~~AID REVENUE~~ AMOUNT.] (a) A school district that meets the conditions of section 122A.414 and submits an application approved by the commissioner is eligible for alternative compensation ~~aid~~ revenue.

(b) The commissioner must consider only applications submitted jointly by a school district and the exclusive representative of the teachers for participation in the program. The application must contain a formally adopted collective bargaining agreement, memorandum of understanding, or other binding agreement that:

(1) implements an alternative teacher professional pay system consistent with section 122A.414;

(2) complies with the Public Employment Labor Relations Act under chapter 179A, except that notwithstanding section 179A.20, subdivision 3, a district may enter into a contract for a term of between two and four years; and

(3) includes all teachers in a district, all teachers at a school site, or at least 25 percent of the teachers in a district. The commissioner, in approving applications, may give preference to applications involving entire districts or sites or to applications that align measures of teacher performance with student academic achievement and progress under section 120B.35, subdivision 1.

~~(b)~~ (c) The revenue is only available to school districts and charter schools that implement an alternative teacher compensation system before the school year begins.

(d) Alternative teacher compensation aid revenue for a qualifying school district, site, or portion of a district or school site is as follows:

(1) for a school district or charter school in which the school board and the exclusive representative of the teachers agree to place all teachers in the district or at the site on the alternative compensation schedule, alternative compensation aid revenue equals \$150 \$260 times the district's or the site's number of pupils enrolled on October 1 of the previous fiscal year; or

(2) for a district in which the school board and the exclusive representative of the teachers agree that at least 25 percent of the district's licensed teachers will be paid on the alternative compensation schedule, alternative compensation aid equals \$150 times the percentage of participating teachers times the district's number of pupils enrolled as of October 1 of the previous fiscal year.

(e) The charter school board of directors must submit to the commissioner an application that contains:

(1) an agreement to implement an alternative teacher compensation program under section 122A.414;

(2) a resolution by the charter school board of directors adopting the agreement; and

(3) the record of a formal vote by the teachers employed at the charter school indicating that at least 70 percent of all teachers agree to implement the alternative teacher compensation program, unless the charter school submits an alternative compensation plan under section 122A.414 before the first year of operation.

(f) Alternative compensation revenue for a qualifying charter school must be calculated under section 126C.10, subdivision 34, paragraph (b).

Sec. 3. Minnesota Statutes 2004, section 122A.415, subdivision 3, is amended to read:

Subd. 3. [~~AID REVENUE TIMING.~~] (a) Districts or school sites, or charter schools with approved applications must receive alternative compensation ~~aid~~ revenue for each school year that the district ~~or school site, or charter school~~ participates in the program as described in this subdivision. Districts or school sites, or charter schools with applications ~~received~~ approved by the commissioner before June 1 of the first year of a two-year contract shall receive alternative compensation ~~aid~~ revenue for ~~both school years of the contract.~~ Districts or sites with applications received by the commissioner after June 1 of the first year of a two-year contract shall receive alternative compensation aid only for the second year of the contract in which the alternative teacher compensation program is implemented for the full school year. For fiscal year 2007 and later, a qualifying district ~~or school site, or charter school~~ that received alternative compensation aid for the previous fiscal year must receive at least an amount of alternative teacher compensation revenue equal to the lesser of the amount it received for the previous fiscal year or its ~~proportionate share of the previous year's appropriation~~ the amount it qualifies for under subdivision 1 for the current fiscal year if the district ~~or school site, or charter school~~ submits a timely application and the commissioner determines that the district ~~or school site, or charter school~~ continues to implement an alternative teacher professional pay system, consistent with its application under this section. ~~The commissioner must approve initial applications for school districts qualifying under subdivision 1, paragraph (b), clause (1), by January 15 of each year. If any money remains, the commissioner must approve aid amounts for school districts qualifying under subdivision 1, paragraph (b), clause (2), by February 15 of each year.~~

(b) The commissioner shall select applicants that qualify for this program, notify school districts and school sites about the program, develop and disseminate application materials, and carry out other activities needed to implement this section.

Sec. 4. Minnesota Statutes 2004, section 126C.10, is amended by adding a subdivision to read:

Subd. 34. [BASIC ALTERNATIVE COMPENSATION AID.] (a) For fiscal year 2006, the basic alternative compensation aid for a district or charter school with an alternative compensation plan approved under section 122A.415 equals the alternative compensation revenue according to section 122A.415, subdivision 1.

(b) For fiscal year 2007 and later, the basic alternative compensation aid for a district with an alternative compensation plan approved under section 122A.415 equals 73.1 percent of the alternative compensation revenue according to section 122A.415, subdivision 1. The basic alternative compensation aid for a charter school with an alternative compensation plan approved under section 122A.415 equals the school's alternative compensation revenue according to section 122A.415, subdivision 1, times the ratio of the sum of the alternative compensation aid and alternative compensation levy for all participating school districts to the maximum alternative compensation revenue for those districts according to section 122A.415, subdivision 1.

(c) Notwithstanding paragraphs (a) and (b) and section 122A.415, subdivision 1, the state total basic alternative compensation aid entitlement must not exceed \$19,329,000 for fiscal year 2006 and \$75,636,000 for fiscal year 2007 and later. The commissioner must limit the amount of alternative compensation aid approved under section 122A.415 so as not to exceed these limits.

Sec. 5. Minnesota Statutes 2004, section 126C.10, is amended by adding a subdivision to read:

Subd. 35. [ALTERNATIVE COMPENSATION LEVY.] For fiscal year 2007 and later, the alternative compensation levy for a district receiving basic alternative compensation aid equals the product of (1) the difference between the district's alternative compensation revenue and the district's basic alternative compensation aid times (2) the lesser of one or the ratio of the district's adjusted net tax capacity per adjusted pupil unit to \$6,900.

Sec. 6. Minnesota Statutes 2004, section 126C.10, is amended by adding a subdivision to read:

Subd. 36. [ALTERNATIVE COMPENSATION AID.] (a) For fiscal year 2007 and later, a district's alternative compensation equalization aid equals the district's alternative compensation revenue minus the district's basic alternative compensation aid minus the district's alternative compensation levy. If a district does not levy the entire amount permitted, the alternative compensation equalization aid must be reduced in proportion to the actual amount levied.

(b) A district's alternative compensation aid equals the sum of the district's basic alternative compensation aid and the district's alternative compensation equalization aid.

Sec. 7. [ALTERNATIVE COMPENSATION REVENUE GUARANTEE.]

Notwithstanding Minnesota Statutes, sections 122A.415, subdivision 1, and 126C.10, subdivision 34, a school district that received alternative compensation aid for fiscal year 2005, but does not qualify for alternative compensation revenue for all sites in the district for fiscal year 2006 or 2007, shall receive additional basic alternative compensation aid for that fiscal year equal to the lesser of the amount of alternative compensation aid it received for fiscal year 2005 or the amount it would have received for that fiscal year under Minnesota Statutes 2004, section 122A.415, subdivision 1, for teachers at sites not qualifying for alternative compensation revenue for that fiscal year, if the district submits a timely application and the commissioner determines that the district continues to implement an alternative professional pay system, consistent with its application under Minnesota Statutes 2004, section 122A.415, for fiscal year 2005. The additional basic alternative compensation aid under this section must not be used in calculating the alternative compensation levy under Minnesota Statutes, section 126C.10, subdivision 35. This section applies only to fiscal years 2006 and 2007 and does not apply to later fiscal years."

Delete the title and insert:

"A bill for an act relating to education; providing for alternative compensation for teachers and staff development; amending Minnesota Statutes 2004, sections 122A.414; 122A.415, subdivisions 1, 3; 126C.10, by adding subdivisions."

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

The report was adopted.

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

House Resolution No. 6, A House resolution setting the maximum limit on general fund expenditures for the biennium ending June 30, 2007.

Reported the same back with the following amendments:

Page 1, line 6, delete "\$....." and insert "\$29,835,164,000"

Page 1, line 9, delete "\$....." and insert "\$350,000,000"

Page 1, line 10, delete "\$....." and insert "\$653,000,000"

With the recommendation that when so amended the resolution be adopted.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 400, 674, 915 and 1530 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1405 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Holberg; Buesgens; Sykora; Sviggum; Garofalo; Klinzing; Cybart; Lillie; Nelson, P.; Peppin; Emmer; Anderson, B.; DeLaForest; Seifert; Wilkin; Zellers and Krinkie introduced:

H. F. No. 1948, A bill for an act relating to education; prohibiting public school employees from using public funds and resources to promote or defeat a political candidate or question; proposing coding for new law in Minnesota Statutes, chapter 123B.

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

Opatz, Knoblach, Olson and Hosch introduced:

H. F. No. 1949, A bill for an act relating to local government; authorizing Stearns, Benton, and Sherburne County Boards to initiate a process for the change of county boundaries by resolution.

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

Holberg and Emmer introduced:

H. F. No. 1950, A bill for an act relating to drivers' licenses; regulating data obtained by scanning drivers' licenses, permits, and identification cards; amending Minnesota Statutes 2004, section 171.12, subdivision 7.

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

Bradley and Huntley introduced:

H. F. No. 1951, A bill for an act relating to human services; changing long-term care provisions; amending Minnesota Statutes 2004, sections 144A.071, subdivision 1a; 256B.0913, subdivision 8; 256B.0915, subdivisions 1a, 6, 9.

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

Olson; Davids; Anderson, I., and Lieder introduced:

H. F. No. 1952, A bill for an act relating to human services; requiring information regarding amounts paid for patient care under certain public health coverage programs; amending Minnesota Statutes 2004, section 256B.035.

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

Cornish introduced:

H. F. No. 1953, A bill for an act relating to state employment; creating a postretirement employment option; authorizing a voluntary hours reduction plan.

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

Hausman introduced:

H. F. No. 1954, A bill for an act relating to taxation; property; exempting certain qualifying property used for educational instruction.

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

Gunther, Beard, Charron, Lanning and Emmer introduced:

H. F. No. 1955, A bill for an act relating to public utilities; transferring power plant siting and routing, wind energy conversion system, and pipeline authority from the Environmental Quality Board to the Public Utilities Commission; amending Minnesota Statutes 2004, sections 116C.52, subdivision 2; 116C.53, subdivision 2; 116C.57, subdivisions 1, 2c, by adding a subdivision; 116C.575, subdivision 5; 116C.577; 116C.58; 116C.69, subdivisions 2, 2a; 216B.243, subdivisions 4, 5; 216C.052.

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

Finstad, Urdahl, Seifert, Cornish and Westrom introduced:

H. F. No. 1956, A bill for an act relating to human services; modifying citizenship requirements for the general assistance and MFIP programs; amending Minnesota Statutes 2004, sections 256D.05, subdivision 8; 256J.11, subdivision 3.

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

Johnson, J., introduced:

H. F. No. 1957, A bill for an act relating to government data practices; providing for treatment of data held by the comprehensive incident-based reporting system; proposing coding for new law in Minnesota Statutes, chapter 299C.

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

Wagenius introduced:

H. F. No. 1958, A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 5, providing for public debt to be incurred for public information technology systems, licenses, and infrastructure.

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

Zellers and Severson introduced:

H. F. No. 1959, A bill for an act relating to insurance; changing the method of calculating certain refunds in premium finance transactions; amending Minnesota Statutes 2004, section 59A.12, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Financial Institutions.

Slawik and Greiling introduced:

H. F. No. 1960, A bill for an act relating to education; providing special instruction for prekindergarten children with disabilities; proposing coding for new law in chapter 125A.

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

Dorman, Seifert, Gunther, Heidgerken, Hoppe, Wilkin, Cornish and Simpson introduced:

H. F. No. 1961, A bill for an act relating to economic development; providing an exemption from prevailing wage requirements for qualified businesses in job opportunity building zones; amending Minnesota Statutes 2004, section 469.315.

The bill was read for the first time and referred to the Committee on Commerce and Financial Institutions.

Mullery introduced:

H. F. No. 1962, A bill for an act relating to taxation; property; reinstating the low-income apartment property class; providing for certifications of housing qualifying for the reduced property class rate; providing civil penalties; authorizing rulemaking; allowing exemption from formal rulemaking for one year; amending Minnesota Statutes 2004, section 273.13, subdivision 25; proposing coding for new law in Minnesota Statutes, chapters 273, 462A.

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

Thissen introduced:

H. F. No. 1963, A bill for an act relating to insurance; regulating the minimum benefits of the comprehensive health insurance plan; amending Minnesota Statutes 2004, section 62E.12.

The bill was read for the first time and referred to the Committee on Commerce and Financial Institutions.

Peterson, N., introduced:

H. F. No. 1964, A bill for an act relating to state government; establishing an energy savings program; authorizing the Department of Administration to use energy forward pricing mechanisms for budget risk reduction; amending Minnesota Statutes 2004, section 16C.144; proposing coding for new law in Minnesota Statutes, chapter 16C.

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

Dean introduced:

H. F. No. 1965, A bill for an act relating to elections; changing certain ballot certification provisions; amending Minnesota Statutes 2004, section 204B.10, subdivision 6.

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

Dean, Vandever and Charron introduced:

H. F. No. 1966, A bill for an act relating to the legislature; prohibiting regular sessions in even-numbered years; amending Minnesota Statutes 2004, section 3.011.

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

Finstad, Sviggum, Huntley, Eken, Emmer, Koenen, Heidgerken and Urdahl introduced:

H. F. No. 1967, A bill for an act relating to health; providing for a nursing facility closure and alternative service development process; requiring the commissioner of finance to issue appropriation bonds; establishing a critical access nursing facility designation; updating provisions governing the competitive moratorium exception process;

appropriating money; amending Minnesota Statutes 2004, section 144A.073, subdivisions 2, 3, 4, 5, by adding a subdivision; proposing coding for new in Minnesota Statutes, chapters 16A, 144A; repealing Minnesota Statutes 2004, section 144A.071, subdivision 8.

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

Charron introduced:

H. F. No. 1968, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Minnesota Correctional Facility - Stillwater.

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

Clark introduced:

H. F. No. 1969, A bill for an act relating to commerce; prohibiting unreasonable blocks on a customer's access to credit capacity on a credit card or debit card; proposing coding for new law in Minnesota Statutes, chapter 325G.

The bill was read for the first time and referred to the Committee on Commerce and Financial Institutions.

Samuelson, Powell, Huntley, Abeler, Thissen, Clark, Fritz and Ruud introduced:

H. F. No. 1970, A bill for an act relating to health; appropriating money for the start-up of a Center of Nursing.

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

Nelson, P., and Anderson, B., introduced:

H. F. No. 1971, A bill for an act relating to local government; providing for an alternative annexation process; amending Minnesota Statutes 2004, sections 414.031, subdivisions 1, 3, 4, by adding subdivisions; 414.0325, subdivision 1; 414.033, subdivision 2; 414.036; proposing coding for new law in Minnesota Statutes, chapter 414.

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

Marquart and Lanning introduced:

H. F. No. 1972, A bill for an act relating to human services; creating an exception to the intermediate care facility for persons with mental retardation and related conditions payment system; amending Minnesota Statutes 2004, section 256B.5012, by adding a subdivision.

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

Gunther; Abeler; Mahoney; Sieben; Peterson, N., and Westerberg introduced:

H. F. No. 1973, A bill for an act relating to economic development; authorizing metropolitan area counties to form economic development authorities; amending Minnesota Statutes 2004, section 469.1082, subdivision 1.

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

Erhardt, Sykora, Dorn, Demmer and Greiling introduced:

H. F. No. 1974, A bill for an act relating to education; restoring certain levy authority; amending Minnesota Statutes 2004, sections 126C.40, subdivision 1; 126C.43, subdivisions 2, 3; 126C.44; 126C.45.

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

Zellers and Jaros introduced:

H. F. No. 1975, A bill for an act relating to insurance; regulating certain rental vehicle coverage; amending Minnesota Statutes 2004, section 65B.49, subdivision 5a.

The bill was read for the first time and referred to the Committee on Commerce and Financial Institutions.

Gunther, Garofalo, Wilkin, Bradley, Gazelka, Ruth and Westerberg introduced:

H. F. No. 1976, A bill for an act relating to state government; appropriating money for economic development and human services purposes; establishing and modifying certain programs; providing for accounts, assessments and fees; making changes to programs for children and families; amending Minnesota Statutes 2004, sections 60A.14, subdivision 1; 60K.55, subdivision 2; 72B.04, subdivision 10; 82B.09, subdivision 1; 116C.779, subdivision 2; 116J.551, subdivision 1; 116J.63, subdivision 2; 116J.8731, subdivision 5; 119B.13, subdivision 1; 183.41, by adding a subdivision; 183.411, subdivisions 2a, 3; 183.42; 183.44, subdivision 1; 183.51, subdivision 2, by adding a subdivision; 183.545; 183.57; 216C.41, subdivisions 2, 5, 5a; 256.01, by adding a subdivision; 256.741, subdivision 4; 256D.06, subdivisions 5, 7, by adding a subdivision; 256J.12, subdivision 1, by adding a subdivision; 256J.95, by adding subdivisions; 326.975, subdivision 1; 345.47, subdivisions 3, 3a; 373.40, subdivisions 1, 3; 462A.05, subdivision 3a; 462A.33, subdivision 2; 517.08, subdivisions 1b, 1c; proposing coding for new law in Minnesota Statutes, chapters 45; 256K; repealing Minnesota Statutes 2004, sections 45.0295; 116J.58, subdivision 3; 119B.074; 256D.54, subdivision 3; 462C.15; Laws 2003, First Special Session chapter 14, article 9, section 34; Minnesota Rules, parts 9500.1254; 9500.1256.

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

Smith introduced:

H. F. No. 1977, A bill for an act relating to public safety; modifying the membership of the Criminal Justice and Juvenile Information Policy Group; requiring an annual report; providing grant requirements; amending Minnesota Statutes 2004, section 299C.65, subdivisions 1, 2, 5, by adding a subdivision; repealing Minnesota Statutes 2004, section 299C.65, subdivisions 3, 4, 6, 7, 8, 8a, 9.

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

Ruth and Cox introduced:

H. F. No. 1978, A bill for an act relating to retirement; Teachers Retirement Association; authorizing purchase of prior service credit for teaching service in Montana.

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

Jaros; Simpson; Anderson, I.; Vandever and Rukavina introduced:

H. F. No. 1979, A bill for an act relating to taxation; sales and use; exempting certain sales to counties that support certain judicial functions; amending Minnesota Statutes 2004, sections 297A.70, subdivision 3; 297A.71, by adding a subdivision; 297A.75.

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

Murphy and Smith introduced:

H. F. No. 1980, A bill for an act relating to public safety; modifying provisions relating to flammable liquids, explosives, and fireworks; setting requirements for smoke detectors; removing provisions that are obsolete or governed by State Fire Code; making technical and clarifying changes; amending Minnesota Statutes 2004, sections 84.362; 282.04, subdivision 2; 299F.011, subdivision 7; 299F.19, subdivisions 1, 2; 299F.362, subdivisions 3, 4; repealing Minnesota Statutes 2004, sections 69.011, subdivision 5; 299F.011, subdivision 4c; 299F.015; 299F.10; 299F.11; 299F.12; 299F.13; 299F.14; 299F.15; 299F.16; 299F.17; 299F.361; 299F.451; 299F.452.

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

Murphy and Smith introduced:

H. F. No. 1981, A bill for an act relating to public safety; changing name of Uniform Fire Code to State Fire Code; amending Minnesota Statutes 2004, sections 299F.014; 624.22, subdivision 1.

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

Dill introduced:

H. F. No. 1982, A bill for an act relating to natural resources; providing grants to the North Shore Management Board.

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

Sertich, Sviggum and Entenza introduced:

H. F. No. 1983, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 12; removing references to legislative days.

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

Eastlund and Nelson, P., introduced:

H. F. No. 1984, A bill for an act relating to public safety; requiring the fingerprinting of certain persons involved in the criminal justice process; amending Minnesota Statutes 2004, sections 299C.10, subdivision 1, by adding a subdivision; 299C.14.

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

Latz and Smith introduced:

H. F. No. 1985, A bill for an act relating to crimes; deleting requirement that 48 hours of jail time be consecutive for DWI-related offense; amending Minnesota Statutes 2004, section 169A.275, subdivision 1.

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

Emmer and Holberg introduced:

H. F. No. 1986, A bill for an act relating to government data practices; providing for classification and dissemination of security information and certain data; amending Minnesota Statutes 2004, sections 13.37, subdivisions 1, 2, 3; 13.591, by adding subdivisions; 16C.06, subdivision 5.

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

Peterson, A.; Koenen; Heidgerken; Juhnke and Hoppe introduced:

H. F. No. 1987, A bill for an act relating to game and fish; requiring establishment of certain deer management zones and youth special hunts; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

Mahoney, Gunther, Goodwin, Kohls and Nelson, M., introduced:

H. F. No. 1988, A bill for an act relating to building plan review; providing an exemption from plan review for certain biotechnology manufacturing firms when plans meet designated specifications; directing the commissioner of labor and industry to study procedures for supervision of installation of biotechnology piping systems; requiring a report to the legislature.

The bill was read for the first time and referred to the Committee on Commerce and Financial Institutions.

Kahn, Seifert and Tingelstad introduced:

H. F. No. 1989, A bill for an act relating to state government; requiring the Minnesota Historical Society to request the continued display of specified portraits in the Capitol building.

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

Solberg; Anderson, I., and Moe introduced:

H. F. No. 1990, A bill for an act relating to transportation; creating commodities transport corridor pilot project; directing commissioner of transportation to convene work group, study corridor project, report to the legislature, and implement pilot project.

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

Murphy and Smith introduced:

H. F. No. 1991, A bill for an act relating to public safety; making technical changes to fire code adoption process; amending Minnesota Statutes 2004, section 299F.011, subdivision 1.

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

Murphy and Smith introduced:

H. F. No. 1992, A bill for an act relating to public safety; modifying provisions relating to state fire marshal; making clarifying changes; amending Minnesota Statutes 2004, sections 299F.05; 299F.051, subdivision 4; 299F.06, subdivision 1.

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

Powell introduced:

H. F. No. 1993, A bill for an act relating to public safety; providing for earlier date for transferring responsibilities of Metropolitan Radio Board; amending Laws 2004, chapter 201, section 22.

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

Moe, Dill and Powell introduced:

H. F. No. 1994, A bill for an act relating to local government; modifying a shared hospital or ambulance service purchasing provision; amending Minnesota Statutes 2004, section 471.345, subdivision 10.

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

Davnie and Entenza introduced:

H. F. No. 1995, A bill for an act relating to elections; requiring notice of certain independent expenditures; releasing candidates attacked by certain independent expenditures from spending limit agreement; amending Minnesota Statutes 2004, sections 10A.20, subdivision 6b; 10A.25, by adding a subdivision.

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

Thissen introduced:

H. F. No. 1996, A bill for an act relating to environment; enacting the Minnesota Electronics Recycling Act of 2005; authorizing rulemaking; providing penalties; amending Minnesota Statutes 2004, section 16C.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116F.

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

Walker, Clark, Wagenius, Mariani, Goodwin, Kelliher and Jaros introduced:

H. F. No. 1997, A bill for an act relating to human services; requiring a withhold from state health care program capitation rates for blood lead testing performance targets; amending Minnesota Statutes 2004, section 256B.69, subdivision 5a.

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

Hilty introduced:

H. F. No. 1998, A bill for an act relating to human services; appropriating money for children and community services.

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

Thissen introduced:

H. F. No. 1999, A bill for an act relating to human services; modifying case management of persons with mental retardation or related conditions; amending Minnesota Statutes 2004, sections 256.045, subdivision 4a; 256B.092, subdivisions 7, 8.

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

Abeler, Tingelstad, Clark, Gunther, Samuelson, Urdahl, Fritz and Walker introduced:

H. F. No. 2000, A bill for an act relating to health; modifying medical assistance coverage of cesarean sections; amending Minnesota Statutes 2004, section 256B.0625, by adding a subdivision.

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

Nelson, M., and Westerberg introduced:

H. F. No. 2001, A bill for an act relating to housing; appropriating money to the Housing Finance Agency for the Homeless Management Information System.

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

Emmer introduced:

H. F. No. 2002, A bill for an act relating to insurance; prohibiting balance billing by health care providers and certain no-fault automobile insurance medical claims; making health care providers the party at interest in certain no-fault arbitrations; amending Minnesota Statutes 2004, section 65B.54, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Financial Institutions.

Knoblach, Opatz and Hosch introduced:

H. F. No. 2003, A bill for an act relating to education; authorizing a fund transfer for Independent School District No. 742, St. Cloud.

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

Blaine introduced:

H. F. No. 2004, A bill for an act relating to traffic regulations; providing for administrative enforcement of minor traffic offenses by municipalities; amending Minnesota Statutes 2004, section 169.04.

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

Newman introduced:

H. F. No. 2005, A bill for an act relating to corrections; updating amount of construction necessary before commissioner of corrections review; amending Minnesota Statutes 2004, section 641.21.

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

Hackbarth; Solberg; Dean; Anderson, I.; Hamilton; Brod; Dill; Hansen; Juhnke; Emmer; Severson; Koenen; Mahoney; Peterson, A.; Tingelstad; Johnson, J.; Lieder; Krinkie; Sviggum; Abeler; Eastlund; Olson; Cornish; Erickson; Smith; Ozment; Beard; McNamara; Nornes; Sykora; Ruth; Vandever; Urdahl; Dorman and Westrom introduced:

H. F. No. 2006, A bill for an act relating to natural resources; establishing the Shooting Range Protection Act; requiring expedited rulemaking; proposing coding for new law as Minnesota Statutes, chapter 87A.

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

Dean introduced:

H. F. No. 2007, A bill for an act relating to education; proposing a grant program that allows K-3 teachers to decide on classroom expenditures for improving instruction and learning; allocating to classroom teachers in participating elementary schools that did not demonstrate adequate yearly progress an amount equal to one percent of a district's formula allowance times the average daily K-3 membership at the school site; appropriating money.

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

Peppin; Johnson, J.; Bradley; Holberg; Wilkin; Buesgens and Emmer introduced:

H. F. No. 2008, A bill for an act relating to commerce; regulating gasoline sales below cost; amending Minnesota Statutes 2004, section 325D.01, subdivision 5; repealing Minnesota Statutes 2004, sections 325D.01, subdivisions 11, 12; 325D.71.

The bill was read for the first time and referred to the Committee on Commerce and Financial Institutions.

Soderstrom introduced:

H. F. No. 2009, A bill for an act relating to motor vehicles; modifying provisions relating to motor vehicle registration; amending Minnesota Statutes 2004, sections 168.011, subdivision 3, by adding subdivisions; 168.091, subdivision 1.

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

Soderstrom, Eastlund and Erickson introduced:

H. F. No. 2010, A bill for an act relating to public safety; requiring certain offenders to be incarcerated at secure drug treatment facilities; issuing a request for proposals to operate secure drug treatment facilities; amending Minnesota Statutes 2004, sections 169A.276, subdivision 1; 243.05, subdivision 1; 244.05, by adding a subdivision; 244.09, by adding a subdivision; 609.14, by adding a subdivision.

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

Soderstrom introduced:

H. F. No. 2011, A bill for an act proposing an amendment to the Minnesota Constitution, article VIII, section 6; eliminating the specified list of grounds for recall; making conforming statutory amendments; amending Minnesota Statutes 2004, sections 211C.03; 211C.06; repealing Minnesota Statutes 2004, sections 211C.01, subdivisions 2, 3, 4; 211C.02; 211C.04; 211C.05.

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

Soderstrom; Erickson; Eastlund; Nelson, P.; Nornes; Severson and Peppin introduced:

H. F. No. 2012, A bill for an act relating to public safety; crime prevention; health and human services; establishing a judicial diversion program for drug offenders; authorizing expungement of certain criminal records; directing the commissioner of health and human services to issue a request for proposals for secure chemical dependency treatment facilities; amending Minnesota Statutes 2004, sections 152.152; 254B.02, subdivision 1; 609A.02, subdivision 1.

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

Bradley, Demmer, Liebling and Welti introduced:

H. F. No. 2013, A bill for an act relating to higher education; establishing the Rochester University Development Committee; creating development account; appropriating money.

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

Hilty; Rukavina; Mahoney; Nelson, M.; Sertich; Murphy; Clark; Mariani; Lesch and Paymar introduced:

H. F. No. 2014, A bill for an act relating to taxation; imposing a gross receipts tax on certain large retail establishments; proposing coding for new law in Minnesota Statutes, chapter 295.

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

Brod, Lanning, Dean, Simpson and Lenczewski introduced:

H. F. No. 2015, A bill for an act relating to taxation; providing a reduction in the assessed market value of energy-efficient new commercial property; amending Minnesota Statutes 2004, section 273.11, by adding a subdivision.

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

Abeler, Greiling, Eken and Klinzing introduced:

H. F. No. 2016, A bill for an act relating to education; authorizing positive behavioral supports, physical intervention, and isolation time-outs; authorizing rulemaking; amending Minnesota Statutes 2004, sections 121A.66, subdivision 5, by adding subdivisions; 121A.67.

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

Clark introduced:

H. F. No. 2017, A bill for an act relating to financial institutions; providing for reasonable account fees; amending Minnesota Statutes 2004, sections 9.031, subdivision 13; 47.76; 48.512, subdivision 7; 50.17, subdivision 11; 51A.21, subdivision 28; 118A.02, subdivision 1; 427.01; 427.02; proposing coding for new law in Minnesota Statutes, chapters 427; 469.

The bill was read for the first time and referred to the Committee on Commerce and Financial Institutions.

Sailer; Peterson, S.; Moe and Liebling introduced:

H. F. No. 2018, A bill for an act relating to education; providing for computer-based adaptive assessments; establishing a student portfolio demonstration project.

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

Bradley introduced:

H. F. No. 2019, A bill for an act relating to human services; allowing recovery of medical assistance from trusts and annuities; proposing coding for new law in Minnesota Statutes, chapter 501B.

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

Heidgerken introduced:

H. F. No. 2020, A bill for an act relating to health; increasing reimbursement rates for nursing facilities in specified counties; appropriating money; amending Minnesota Statutes 2004, section 256B.431, by adding a subdivision.

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

Mullery introduced:

H. F. No. 2021, A bill for an act relating to taxation; individual income; providing an exclusion for police and fire pension income; amending Minnesota Statutes 2004, section 290.01, subdivision 19b.

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

Mullery introduced:

H. F. No. 2022, A bill for an act relating to taxation; extending the research credit to the individual income tax; making a portion of the credit refundable; appropriating money; amending Minnesota Statutes 2004, section 290.068, subdivisions 1, 3, 4, by adding a subdivision.

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

Wilkin introduced:

H. F. No. 2023, A bill for an act relating to health; assessing health maintenance organizations for purposes of the insurance fraud prevention account; regulating certain rates, claims, filing, and reporting practices; eliminating expanded provider network requirements; amending Minnesota Statutes 2004, sections 45.0135, subdivision 7; 62E.05, subdivision 2; 62L.08, subdivision 8; 62Q.75, subdivision 2, by adding a subdivision; 72A.201, subdivision 4; 256B.692, subdivision 2; 295.582; repealing Minnesota Statutes 2004, sections 62E.035; 62Q.095; 62Q.64.

The bill was read for the first time and referred to the Committee on Commerce and Financial Institutions.

Lenczewski introduced:

H. F. No. 2024, A bill for an act relating to taxation; requiring withholding; conforming with certain federal income tax changes; prohibiting state contracts with certain vendors; providing for taxation of liquor and rented vehicles; modifying certain sales tax exemptions; defining "direct business" for purposes of insurance taxes; modifying the homestead market value credit; appropriating money; amending Minnesota Statutes 2004, sections

16C.03, by adding a subdivision; 273.1384, subdivision 1; 289A.02, subdivision 7; 289A.20, subdivision 2; 290.01, subdivisions 19, as amended, 19a, 19b, 19c, 19d, 31; 290.032, subdivisions 1, 2; 290.06, subdivision 2c; 290.067, subdivision 2a; 290.091, subdivision 2; 290.92, by adding a subdivision; 290A.03, subdivisions 3, 15; 297A.68, subdivisions 2, 5; 297I.01, by adding a subdivision; Laws 2001, First Special Session chapter 5, article 12, section 95; proposing coding for new law in Minnesota Statutes, chapter 295.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. Nos. 1245, 1092 and 508.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1245, A resolution memorializing the Congress of the United States to amend the No Child Left Behind Act according to the recommendations of the National Conference of State Legislatures' task force on No Child Left Behind.

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

S. F. No. 1092, A resolution memorializing the Congress of the United States to refrain from expanding No Child Left Behind requirements to high schools.

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

S. F. No. 508, A bill for an act relating to metropolitan government; changing residency requirements for membership on the Metropolitan Council and the Metropolitan Airports Commission; amending Minnesota Statutes 2004, sections 473.123, subdivisions 2a, 3; 473.604, subdivision 1.

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

CONSENT CALENDAR

Paulsen moved that the Consent Calendar be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Rukavina moved that the name of Peterson, A., be added as an author on H. F. No. 48. The motion prevailed.

Dill moved that the name of Anderson, I., be added as an author on H. F. No. 423. The motion prevailed.

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

Otremba moved that her name be stricken as an author on H. F. No. 563. The motion prevailed.

Bernardy moved that the name of Demmer be added as an author on H. F. No. 594. The motion prevailed.

Cox moved that the name of Dittrich be added as an author on H. F. No. 981. The motion prevailed.

Powell moved that the name of Tingelstad be added as an author on H. F. No. 1086. The motion prevailed.

Meslow moved that the names of Hortman, Simon and Loeffler be added as authors on H. F. No. 1183. The motion prevailed.

Dittrich moved that the name of Tingelstad be added as an author on H. F. No. 1424. The motion prevailed.

Simon moved that his name be stricken as an author on H. F. No. 1547. The motion prevailed.

Opatz moved that the name of Sailer be added as an author on H. F. No. 1554. The motion prevailed.

Peterson, A., moved that the name of Simon be added as an author on H. F. No. 1561. The motion prevailed.

Krinkie moved that his name be stricken as an author on H. F. No. 1563. The motion prevailed.

Ellison moved that the name of Simon be added as an author on H. F. No. 1567. The motion prevailed.

Buesgens moved that the name of Ruud be added as an author on H. F. No. 1587. The motion prevailed.

Finstad moved that the name of Peterson, A., be added as an author on H. F. No. 1617. The motion prevailed.

Penas moved that her name be stricken as an author on H. F. No. 1620. The motion prevailed.

Larson moved that the name of Simon be added as an author on H. F. No. 1632. The motion prevailed.

Sertich moved that the name of Simon be added as an author on H. F. No. 1786. The motion prevailed.

Abrams moved that the name of Paulsen be added as an author on H. F. No. 1789. The motion prevailed.

Otremba moved that the names of Abeler and Clark be added as authors on H. F. No. 1795. The motion prevailed.

Hackbarth moved that the name of Abeler be added as an author on H. F. No. 1834. The motion prevailed.

Slawik moved that the name of Cox be added as an author on H. F. No. 1901. The motion prevailed.

Samuelson moved that the name of Ruud be added as an author on H. F. No. 1913. The motion prevailed.

Meslow moved that the name of Ruud be added as an author on H. F. No. 1916. The motion prevailed.

Wilkin moved that the name of Holberg be added as an author on H. F. No. 1921. The motion prevailed.

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

McNamara moved that the name of Cox be added as an author on H. F. No. 1937. The motion prevailed.

Davnie moved that the name of Walker be added as an author on H. F. No. 1943. The motion prevailed.

Mahoney moved that H. F. No. 400, now on the General Register, be re-referred to the Committee on Jobs and Economic Opportunity Policy and Finance. The motion prevailed.

Urdahl moved that H. F. No. 632 be recalled from the Committee on Taxes and be re-referred to the Committee on Jobs and Economic Opportunity Policy and Finance. The motion prevailed.

Cornish moved that H. F. No. 900 be recalled from the Committee on Governmental Operations and Veterans Affairs and be re-referred to the Committee on Agriculture, Environment and Natural Resources Finance. The motion prevailed.

Krinkie moved that H. F. No. 1573 be recalled from the Committee on Transportation and be re-referred to the Committee on Transportation Finance. The motion prevailed.

Beard moved that H. F. No. 1730 be recalled from the Committee on Transportation Finance and be re-referred to the Committee on Transportation. The motion prevailed.

Sertich moved that H. F. No. 1983 be recalled from the Committee on Governmental Operations and Veterans Affairs and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

NOTICE OF INTENT TO DEBATE A RESOLUTION

Pursuant to House Rule 2.21, Knoblach gave notice of his intent to debate House Resolution No. 6.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 5:00 p.m., Tuesday, March 22, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 5:00 p.m., Tuesday, March 22, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives