

## STATE OF MINNESOTA

## EIGHTY-FIRST SESSION — 1999

## SEVENTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 15, 1999

The House of Representatives convened at 2:30 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by the Reverend Bruce Talso, Tree of Life Church, Circle Pines, 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	Hausman	Leppik	Otremba	Stang
Abrams	Dorman	Hilty	Lieder	Ozment	Storm
Anderson, B.	Dorn	Holberg	Lindner	Paulsen	Swenson
Anderson, I.	Entenza	Holsten	Luther	Pawlenty	Sykora
Bakk	Erhardt	Howes	Mahoney	Pelowski	Tingelstad
Biernat	Erickson	Huntley	Mares	Peterson	Tomassoni
Bishop	Finseth	Jaros	Marko	Pugh	Trimble
Boudreau	Folliard	Jennings	McCollum	Rest	Tuma
Bradley	Fuller	Johnson	McElroy	Reuter	Tunheim
Broecker	Gerlach	Kalis	McGuire	Rhodes	Vandever
Buesgens	Gleason	Kelliher	Milbert	Rifenberg	Wagenius
Carlson	Goodno	Kielkucki	Molnau	Rostberg	Wejzman
Carruthers	Gray	Knoblach	Mulder	Rukavina	Wenzel
Cassell	Greenfield	Koskinen	Mullery	Schumacher	Westerberg
Chaudhary	Greiling	Krinkie	Murphy	Seagren	Westfall
Clark, J.	Gunther	Kubly	Ness	Seifert, J.	Westrom
Clark, K.	Haake	Kuisle	Nornes	Seifert, M.	Wilkin
Daggett	Haas	Larsen, P.	Olson	Skoe	Winter
Davids	Hackbarth	Larson, D.	Opatz	Skoglund	Wolf
Dawkins	Harder	Leighton	Orfield	Smith	Workman
Dehler	Hasskamp	Lenczewski	Osskopp	Solberg	Spk. Sviggum

A quorum was present.

Juhnke, Kahn, Mariani, Munger, Osthoff, Paymar, Stanek and Van Dellen were excused.

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

## REPORTS OF STANDING COMMITTEES

Abrams from the Committee on Taxes to which was referred:

H. F. No. 5, A bill for an act relating to the legislature; requiring a three-fifths vote to pass certain fiscal legislation; proposing coding for new law in Minnesota Statutes, chapter 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CONSTITUTIONAL AMENDMENT.]

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

Sec. 27. Passage of a law that increases the general rate or expands the taxable base of a state tax on income or sales or increases property taxes requires the vote of three-fifths of the members of each house of the legislature. A law increases property taxes if the law:

(1) increases a property tax rate or levy set or permitted under state law;

(2) authorizes a governmental unit to impose additional property taxes;

(3) reduces total state aid to governmental units with authority to increase its property tax rate or levy; or

(4) imposes additional requirements to provide services or otherwise spend money on a governmental unit with authority to levy property taxes. Passage of a law that creates a new tax of statewide applicability also requires the vote of three-fifths of the members of each house of the legislature.

Sec. 2. [QUESTION.]

The proposed amendment must be submitted to the people at the 2000 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to require a three-fifths vote of each house of the legislature to pass a law that increases state income or sales taxes or property taxes?"

Yes .....  
No ....."

Delete the title and insert:

"A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution by adding a section to article IV; requiring a three-fifths vote to enact a law increasing taxes."

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

The report was adopted.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 14, A bill for an act relating to education; providing that a person convicted of criminal sexual conduct is ineligible to be licensed as a teacher; amending Minnesota Statutes 1998, sections 122A.20, subdivision 1; 122A.40, subdivisions 5 and 13; 122A.41, subdivision 6; and 631.40, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 3, delete "suspend,"

Page 2, line 6, delete the first "or" and after "609.3451," insert "subdivision 3, or 617.23, subdivision 3,"

Page 5, line 10, delete "or" and after the third comma, insert "subdivision 3, or 617.23, subdivision 3,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Larsen, P., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 17, A bill for an act relating to the city of Nisswa; extending the duration limit of a tax increment financing district.

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.

Goodno from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 35, A bill for an act relating to health; transferring tobacco settlement money from the general fund to the health care access fund; repealing MinnesotaCare premium and provider taxes; amending Minnesota Statutes 1998, sections 60A.15, subdivision 1; 62J.041, subdivision 1; 62Q.095, subdivision 6; 62R.24; 214.16, subdivisions 2 and 3; 270B.01, subdivision 8; and 270B.14, subdivision 1; repealing Minnesota Statutes 1998, sections 13.99, subdivision 86b; 62T.10; 144.1484, subdivision 2; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; and 295.59.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

USE OF TOBACCO SETTLEMENT PROCEEDS;  
REPEAL OF MINNESOTACARE TAXES

Section 1. Minnesota Statutes 1998, section 60A.15, subdivision 1, is amended to read:

Subdivision 1. [DOMESTIC AND FOREIGN COMPANIES.] (a) On or before April 1, June 1, and December 1 of each year, every domestic and foreign company, including town and farmers' mutual insurance companies, domestic mutual insurance companies, and marine insurance companies, ~~health maintenance organizations,~~

~~community integrated service networks, and nonprofit health service plan corporations~~, shall pay to the commissioner of revenue installments equal to one-third of the insurer's total estimated tax for the current year. Except as provided in ~~paragraphs~~ paragraph (d), (e), (h), and (i); installments must be based on a sum equal to two percent of the premiums described in paragraph (b).

(b) Installments under paragraph (a); ~~or (d); or (e)~~ are percentages of gross premiums less return premiums on all direct business received by the insurer in this state, or by its agents for it, in cash or otherwise, during such year, except that the tax does not apply to premiums received for health plans as defined in section 62A.011, subdivision 3, or to premiums received for coverage described in section 62A.011, subdivision 3, clause (10).

(c) Failure of a company to make payments of at least one-third of either (1) the total tax paid during the previous calendar year or (2) 80 percent of the actual tax for the current calendar year shall subject the company to the penalty and interest provided in this section, unless the total tax for the current tax year is \$500 or less.

~~(d) For health maintenance organizations, nonprofit health service plan corporations, and community integrated service networks, the installments must be based on an amount determined under paragraph (h) or (i):~~

~~(e)~~ For purposes of computing installments for town and farmers' mutual insurance companies and for mutual property casualty companies with total assets on December 31, 1989, of \$1,600,000,000 or less, the following rates apply:

(1) for all life insurance, two percent;

(2) for town and farmers' mutual insurance companies and for mutual property and casualty companies with total assets of \$5,000,000 or less, on all other coverages, one percent; and

(3) for mutual property and casualty companies with total assets on December 31, 1989, of \$1,600,000,000 or less, on all other coverages, 1.26 percent.

~~(f)~~ (e) If the aggregate amount of premium tax payments under this section and the fire marshal tax payments under section 299F.21 made during a calendar year is equal to or exceeds \$120,000, all tax payments in the subsequent calendar year must be paid by means of a funds transfer as defined in section 336.4A-104, paragraph (a). The funds transfer payment date, as defined in section 336.4A-401, must be on or before the date the payment is due. If the date the payment is due is not a funds transfer business day, as defined in section 336.4A-105, paragraph (a), clause (4), the payment date must be on or before the funds transfer business day next following the date the payment is due.

~~(g)~~ (f) Premiums under medical assistance, general assistance medical care, the MinnesotaCare program, and the Minnesota comprehensive health insurance plan and all payments, revenues, and reimbursements received from the federal government for Medicare-related coverage as defined in section 62A.31, subdivision 3, paragraph (e), are not subject to tax under this section.

~~(h) For calendar years 1997, 1998, and 1999, the installments for health maintenance organizations, community integrated service networks, and nonprofit health service plan corporations must be based on an amount equal to one percent of premiums described under paragraph (b). Health maintenance organizations, community integrated service networks, and nonprofit health service plan corporations that have met the cost containment goals established under section 62J.04 in the individual and small employer market for calendar year 1996 are exempt from payment of the tax imposed under this section for premiums paid after March 30, 1997, and before April 1, 1998. Health maintenance organizations, community integrated service networks, and nonprofit health service plan corporations that have met the cost containment goals established under section 62J.04 in the individual and small employer market for calendar year 1997 are exempt from payment of the tax imposed under this section for premiums paid after March 30, 1998, and before April 1, 1999. Health maintenance organizations, community integrated service networks, and nonprofit health service plan corporations that have met the cost containment goals established under section 62J.04 in the individual and small employer market for calendar year 1998 are exempt from payment of the tax imposed under this section for premiums paid after March 30, 1999, and before January 1, 2000.~~

(i) For calendar years after 1999, the commissioner of finance shall determine the balance of the health care access fund on September 1 of each year beginning September 1, 1999. If the commissioner determines that there is no structural deficit for the next fiscal year, no tax shall be imposed under paragraph (d) for the following calendar year. If the commissioner determines that there will be a structural deficit in the fund for the following fiscal year, then the commissioner, in consultation with the commissioner of revenue, shall determine the amount needed to eliminate the structural deficit and a tax shall be imposed under paragraph (d) for the following calendar year. The commissioner shall determine the rate of the tax as either one-quarter of one percent, one-half of one percent, three-quarters of one percent, or one percent of premiums described in paragraph (b), whichever is the lowest of those rates that the commissioner determines will produce sufficient revenue to eliminate the projected structural deficit. The commissioner of finance shall publish in the State Register by October 1 of each year the amount of tax to be imposed for the following calendar year. In determining the structural balance of the health care access fund for fiscal years 2000 and 2001, the commissioner shall disregard the transfer amount from the health care access fund to the general fund for expenditures associated with the services provided to pregnant women and children under the age of two enrolled in the MinnesotaCare program.

(j) In approving the premium rates as required in sections 62L.08, subdivision 8, and 62A.65, subdivision 3, the commissioners of health and commerce shall ensure that any exemption from the tax as described in paragraphs (h) and (i) is reflected in the premium rate.

Sec. 2. [62Q.68] [PASS-THROUGH OF SAVINGS TO CONSUMERS.]

Subdivision 1. [REDUCED PREMIUMS.] All health plan companies shall pass on to consumers, in the form of reduced premium rates, all savings resulting from:

(1) the phase-out and repeal of the MinnesotaCare provider taxes imposed under Minnesota Statutes 1998, section 295.52, and the resulting reduction in the transfer of additional expenses generated by Minnesota Statutes 1998, section 295.52, obligations to third party contracts under Minnesota Statutes 1998, section 295.582; and

(2) the repeal of the one percent premium tax for health maintenance organizations, nonprofit health service plan corporations, and community integrated service networks imposed under Minnesota Statutes 1998, section 60A.15, subdivision 1.

Subd. 2. [DOCUMENTING COMPLIANCE.] Each health plan company shall include with its annual renewal for certification of authority or licensure documentation indicating compliance with subdivision 1.

Subd. 3. [ENFORCEMENT.] If the appropriate commissioner finds that a health plan company has not complied with subdivision 1, the commissioner may take enforcement action against that health plan company. The commissioner may, by order, fine or censure the health plan company or revoke or suspend the certificate of authority or license of the health plan company to do business in this state if the commissioner finds that the health plan company has not complied with this section. The health plan company may appeal the commissioner's order through a contested case hearing in accordance with chapter 14.

Sec. 3. [256L.021] [USE OF TOBACCO SETTLEMENT PROCEEDS.]

(a) The commissioner of finance, beginning with the annual payment due December 31, 1999, shall deposit the annual payments due under the terms of the tobacco settlement on December 31 of each year into the health care access fund established under section 16A.724.

(b) For purposes of this section, "tobacco settlement" means the consent judgment entered in the case of State of Minnesota v. Philip Morris Inc. et al. in Minnesota district court for the second judicial district, Ramsey county (court file number C1-94-8565).

Sec. 4. [256L.022] [MINNESOTACARE PROGRAM FINANCIAL MANAGEMENT.]

Subdivision 1. [FORECASTING FUNDS.] The MinnesotaCare program is not an entitlement. The commissioner of human services shall not expend more funds than the appropriations made available by the legislature. Appropriations made available must include the state-appropriated funds and federal funds specified for this purpose and other available funds transferred from other accounts as allowed by Minnesota law. Regardless of this limitation on expenditures, the total projected costs of this program must be forecasted and recognized in the fund balance.

Subd. 2. [DETERMINATION BY COMMISSIONER.] As part of each state revenue and expenditure forecast, the commissioner shall make an assessment of expected MinnesotaCare program expenditures for the remainder of the current biennium and for the following biennium. If the commissioner determines that projected MinnesotaCare expenditures during a biennium will exceed the total of: (1) the funds projected to be available in the health care access fund; and (2) projected annual payments from the tobacco settlement required to be deposited in the health care access fund under section 256L.021 for that biennium, the commissioner of human services and the commissioner of finance shall implement subdivision 1, effective on the first day of the biennium for which the commissioner of human services makes the determination.

Subd. 3. [CONTINGENT APPLICABILITY.] This section is effective only if the commissioner of human services makes a determination under subdivision 2 that projected MinnesotaCare program expenditures will exceed available funding during a biennium. If the commissioner makes this determination, this section is effective on the first day of the biennium for which the commissioner makes the determination.

Sec. 5. [REPEALER.]

(a) Minnesota Statutes 1998, sections 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; and 295.59, are repealed effective January 1, 2000.

(b) Minnesota Statutes 1998, sections 16A.76; and 256L.02, subdivision 3, are repealed effective January 1, 2000.

Sec. 6. [CONTINGENT REPEALER; HEALTH CARE ACCESS FUND.]

Subdivision 1. [REPEALER.] Minnesota Statutes 1998, section 16A.724, is repealed, effective as provided under subdivision 3.

Subd. 2. [TRANSFER TO GENERAL FUND.] Upon repeal of the health care access fund under subdivision 1, the commissioner of finance shall transfer any funds in the health care access fund to the general fund and the health care access fund is combined with and becomes part of the general fund.

Subd. 3. [CONTINGENT EFFECTIVE DATE.] This section is effective only if the commissioner of human services makes a determination under Minnesota Statutes, section 256L.022, that projected MinnesotaCare program expenditures will exceed available funding during a biennium. If the commissioner makes this determination, this section is effective on the first day of the biennium for which the commissioner makes the determination.

Sec. 7. [EFFECTIVE DATE.]

Section 1 is effective April 1, 1999, and applies to tax periods beginning on or after that date, except that the amendment to Minnesota Statutes, section 60A.15, subdivision 1, paragraph (b), is effective January 1, 2000, and applies to tax years beginning on or after that date.

Section 2 is effective January 1, 2000, and applies to premium rates for health plans issued or renewed on or after that date.

Section 5, paragraph (a), is effective January 1, 2000, and applies to tax years beginning on or after that date.

## ARTICLE 2

## CONFORMING CHANGES

Section 1. Minnesota Statutes 1998, section 62J.041, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the following definitions apply.

(b) "Health plan company" has the definition provided in section 62Q.01.

(c) "Total expenditures" means incurred claims or expenditures on health care services, administrative expenses, charitable contributions, and all other payments made by health plan companies out of premium revenues.

(d) "Net expenditures" means total expenditures minus exempted taxes and assessments and payments or allocations made to establish or maintain reserves.

(e) "Exempted taxes and assessments" means direct payments for taxes to government agencies, contributions to the Minnesota comprehensive health association, the medical assistance provider's surcharge under section 256.9657, the MinnesotaCare provider tax under Minnesota Statutes 1998, section 295.52, assessments by the health coverage reinsurance association, assessments by the Minnesota life and health insurance guaranty association, assessments by the Minnesota risk adjustment association, and any new assessments imposed by federal or state law.

(f) "Consumer cost-sharing or subscriber liability" means enrollee coinsurance, copayment, deductible payments, and amounts in excess of benefit plan maximums.

Sec. 2. Minnesota Statutes 1998, section 62Q.095, subdivision 6, is amended to read:

Subd. 6. [EXEMPTION.] A health plan company, to the extent that it operates as a staff model health plan company ~~as defined in section 295.50, subdivision 12b~~, by employing allied independent health care providers to deliver health care services to enrollees, is exempt from this section. For purposes of this subdivision, "staff model health plan company" means a health plan company as defined in section 62Q.01, subdivision 4, that employs one or more types of health care provider to deliver health care services to the health plan company's enrollees.

Sec. 3. Minnesota Statutes 1998, section 62R.24, is amended to read:

62R.24 [TAXES AND ASSESSMENTS.]

Effective January 1, 1998, as a condition to entering a contract described in section 62R.17, a self-insured employer plan or the qualified employer must voluntarily pay ~~the one percent premium tax imposed in section 60A.15, subdivision 1, paragraph (d)~~, and assessments by the Minnesota Comprehensive Health Association.

Sec. 4. Minnesota Statutes 1998, section 214.16, subdivision 2, is amended to read:

Subd. 2. [BOARD COOPERATION REQUIRED.] The board shall assist the commissioner of health in data collection activities required under Laws 1992, chapter 549, article 7; ~~and shall assist the commissioner of revenue in activities related to collection of the health care provider tax required under Laws 1992, chapter 549, article 9.~~ Upon the request of the commissioner ~~or the commissioner of revenue~~, the board shall make available names and addresses of current licensees and provide other information or assistance as needed.

Sec. 5. Minnesota Statutes 1998, section 214.16, subdivision 3, is amended to read:

Subd. 3. [GROUNDS FOR DISCIPLINARY ACTION.] The board shall take disciplinary action, which may include license revocation, against a regulated person for:

(1) intentional failure to provide the commissioner of health with the data required under chapter 62J;

~~(2) intentional failure to provide the commissioner of revenue with data on gross revenue and other information required for the commissioner to implement sections 295.50 to 295.58;~~

~~(3) intentional failure to pay the health care provider tax required under section 295.52; and~~

~~(4) (2) entering into a contract or arrangement that is prohibited under sections 62J.70 to 62J.73.~~

Sec. 6. Minnesota Statutes 1998, section 270B.01, subdivision 8, is amended to read:

Subd. 8. [MINNESOTA TAX LAWS.] For purposes of this chapter only, unless expressly stated otherwise, "Minnesota tax laws" means the taxes, refunds, and fees administered by or paid to the commissioner under chapters 115B (except taxes imposed under sections 115B.21 to 115B.24), 289A (except taxes imposed under sections 298.01, 298.015, and 298.24), 290, 290A, 291, 297A, and 297H and ~~sections 295.50 to 295.59~~, or any similar Indian tribal tax administered by the commissioner pursuant to any tax agreement between the state and the Indian tribal government, and includes any laws for the assessment, collection, and enforcement of those taxes, refunds, and fees.

Sec. 7. Minnesota Statutes 1998, section 270B.14, subdivision 1, is amended to read:

Subdivision 1. [DISCLOSURE TO COMMISSIONER OF HUMAN SERVICES.] (a) On the request of the commissioner of human services, the commissioner shall disclose return information regarding taxes imposed by chapter 290, and claims for refunds under chapter 290A, to the extent provided in paragraph (b) and for the purposes set forth in paragraph (c).

(b) Data that may be disclosed are limited to data relating to the identity, whereabouts, employment, income, and property of a person owing or alleged to be owing an obligation of child support.

(c) The commissioner of human services may request data only for the purposes of carrying out the child support enforcement program and to assist in the location of parents who have, or appear to have, deserted their children. Data received may be used only as set forth in section 256.978.

(d) The commissioner shall provide the records and information necessary to administer the supplemental housing allowance to the commissioner of human services.

(e) At the request of the commissioner of human services, the commissioner of revenue shall electronically match the social security numbers and names of participants in the telephone assistance plan operated under sections 237.69 to 237.711, with those of property tax refund filers, and determine whether each participant's household income is within the eligibility standards for the telephone assistance plan.

(f) The commissioner may provide records and information collected under Minnesota Statutes 1998, sections 295.50 to 295.59<sub>2</sub>, to the commissioner of human services for purposes of the Medicaid Voluntary Contribution and Provider-Specific Tax Amendments of 1991, Public Law Number 102-234. Upon the written agreement by the United States Department of Health and Human Services to maintain the confidentiality of the data, the commissioner may provide records and information collected under Minnesota Statutes 1998, sections 295.50 to 295.59<sub>2</sub>, to the Health Care Financing Administration section of the United States Department of Health and Human Services for purposes of meeting federal reporting requirements.

(g) The commissioner may provide records and information to the commissioner of human services as necessary to administer the early refund of refundable tax credits.

(h) The commissioner may disclose information to the commissioner of human services necessary to verify income for eligibility and premium payment under the MinnesotaCare program, under section 256L.05, subdivision 2.

Sec. 8. [REPEALER.]

Minnesota Statutes 1998, sections 13.99, subdivision 86b; 62T.10; and 144.1484, subdivision 2, are repealed.



Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective January 1, 2000."

Delete the title and insert:

"A bill for an act relating to health; repealing MinnesotaCare premium and provider taxes; requiring pass-through of savings to consumers; providing for disposition of tobacco settlement money; requiring certain financial management of MinnesotaCare; providing for contingent repeal of health care access fund; providing civil penalties; amending Minnesota Statutes 1998, sections 60A.15, subdivision 1; 62J.041, subdivision 1; 62Q.095, subdivision 6; 62R.24; 214.16, subdivisions 2 and 3; 270B.01, subdivision 8; and 270B.14, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 62Q; and 256L; repealing Minnesota Statutes 1998, sections 13.99, subdivision 86b; 16A.724; 16A.76; 62T.10; 144.1484, subdivision 2; 256L.02, subdivision 3; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; and 295.59."

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

The report was adopted.

Larsen, P., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 36, A bill for an act relating to local government; permitting a time extension for commencement of activities in a tax increment financing district in the city of Onamia.

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.

Larsen, P., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 37, A bill for an act relating to tax increment financing; allowing the city of Milaca to spend increment outside of a district.

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.

Goodno from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 40, A bill for an act relating to health; allowing a nursing facility resident to request and consent to the use of a physical restraint; amending Minnesota Statutes 1998, section 144.651, by adding subdivisions.

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.

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

H. F. No. 60, A bill for an act relating to health; allowing reimbursement for supplemental private duty nursing services provided by spouses of recipients and other individuals who meet criteria related to financial hardship; amending Minnesota Statutes 1998, section 256B.0625, subdivision 7.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 256B.49, is amended by adding a subdivision to read:

Subd. 10. [PRIVATE DUTY NURSING SERVICES PROVIDED BY A SPOUSE.] Notwithstanding the provisions of Minnesota Rules, parts 9505.3500 to 9505.3700, the commissioner shall seek to amend the community alternative care home and community-based waived services program to include payment for spouses providing private duty nursing care to a recipient who can direct his or her own care, as defined in Minnesota Rules, part 9505.0335, subpart 1, item A. Private duty nursing may be provided by a spouse who is a licensed nurse employed by a Medicare certified home health agency, in cases where there is a lack of a sufficient number of qualified providers or private duty nurses and to prevent the hospitalization of the recipient. Private duty nursing services provided by a spouse cannot be used in lieu of nursing services covered and available under liable third-party payers including Medicare and medical assistance not paid by the waiver. The private duty nursing provided by a spouse must be included in the plan of care and must be scheduled by the home health agency, and may be covered for up to 24 hours per week. In no case shall the authorization of these services provided by the spouse exceed 50 percent of the total approved nursing hours or eight hours per day, whichever is less. Nothing in this subdivision precludes the spouse's obligation of assuming the nonreimbursed family responsibilities of emergency backup caregiver and primary caregiver. The waiver interdisciplinary team shall recommend to the commissioner whether the provision of private duty nursing care by a spouse is appropriate. In no case shall a spouse be paid to provide private duty nursing care if the spouse fails to pass a criminal background check according to Minnesota Rules, part 4668.0020, or if it has been determined by the home health agency or the waiver case manager that the private duty nursing care provided by the spouse is unsafe. This subdivision is effective upon the date of federal approval."

Amend the title as follows:

Page 1, line 4, delete everything after "recipients" and insert "under the community alternative care home and community-based waived services program; amending Minnesota Statutes 1998, section 256B.49, by adding a subdivision."

Page 1, delete lines 5 to 7

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 92, A bill for an act relating to drivers' licenses; modifying required content of petition for seeking judicial review of driver's license revocation for violating implied consent law; limiting scope of discovery in that proceeding under implied consent law; amending Minnesota Statutes 1998, section 169.123, subdivision 5c.

Reported the same back with the following amendments:

Page 2, line 13, strike everything after "procedure"

Page 2, line 14, strike "mandatory"

Page 2, line 25, delete everything after "effective"

Page 2, line 26, delete everything before the period, and insert "the day following final enactment"

With the recommendation that when so amended the bill pass.

The report was adopted.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 112, A bill for an act relating to crime; providing criminal penalties for persons who intentionally use the identity of another person to obtain money, goods, or services, to commit unlawful activity, or to cause loss to another person; authorizing the civil forfeiture of property that is used to commit or is generated by such fraudulent activity; amending Minnesota Statutes 1998, section 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [609.527] [IDENTITY THEFT.]

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

(b) "Direct victim" means any person or entity described in section 611A.01, paragraph (b), whose identity has been transferred, used, or possessed in violation of this section.

(c) "Identity" means any name, number, or data transmission that may be used, alone or in conjunction with any other information, to identify a specific individual, including any of the following:

(1) a name, social security number, date of birth, official government-issued driver's license or identification number, government passport number, or employer or taxpayer identification number;

(2) unique electronic identification number, address, account number, or routing code; or

(3) telecommunication identification information or access device.

(d) "Indirect victim" means any person or entity described in section 611A.01, paragraph (b), other than a direct victim.

(e) "Loss" means value obtained, as defined in section 609.52, subdivision 1, clause (3), and expenses incurred by a direct or indirect victim as a result of a violation of this section.

(f) "Unlawful activity" means:

(1) any felony violation of the laws of this state or any felony violation of a similar law of another state or the United States; and

(2) any non-felony violation of the laws of this state involving theft, theft by swindle, forgery, fraud, or giving false information to a public official, or any non-felony violation of a similar law of another state or the United States.

Subd. 2. [CRIME.] A person who transfers, possesses, or uses an identity that is not the person's own, with the intent to commit, aid, or abet any unlawful activity is guilty of identity theft and may be punished as provided in subdivision 3.

Subd. 3. [PENALTIES.] A person who violates subdivision 2 may be sentenced as follows:

(1) if the offense involves fewer than four direct victims and the total, combined loss to the direct victim and any indirect victims is \$200 or less, the person may be sentenced as provided in section 609.52, subdivision 3, clause (5);

(2) if the offense involves fewer than four direct victims and the total, combined loss to the direct victim and any indirect victims is more than \$200 but not more than \$500, the person may be sentenced as provided in section 609.52, subdivision 3, clause (4);

(3) if the offense involves fewer than four direct victims and the total, combined loss to the direct victim and any indirect victims is more than \$500 but not more than \$2,500, the person may be sentenced as provided in section 609.52, subdivision 3, clause (3);

(4) if the offense involves four or more direct victims, or if the total, combined loss to the direct and indirect victims is more than \$2,500, the person may be sentenced as provided in section 609.52, subdivision 3, clause (2); and

(5) if the offense involves four or more direct victims, and the total, combined loss to the direct and indirect victims is more than \$35,000, the person may be sentenced as provided in section 609.52, subdivision 3, clause (1).

Subd. 4. [RESTITUTION.] A direct or indirect victim of an identity theft crime shall be considered a victim for all purposes, including any rights that accrue under chapter 61 1A and rights to court-ordered restitution.

Sec. 2. Minnesota Statutes 1998, section 609.531, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For the purpose of sections 609.531 to 609.5318, the following terms have the meanings given them.

(a) "Conveyance device" means a device used for transportation and includes, but is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any equipment attached to it. The term "conveyance device" does not include property which is, in fact, itself stolen or taken in violation of the law.

(b) "Weapon used" means a dangerous weapon as defined under section 609.02, subdivision 6, that the actor used or had in possession in furtherance of a crime.

(c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

(d) "Contraband" means property which is illegal to possess under Minnesota law.

(e) "Appropriate agency" means the bureau of criminal apprehension, the Minnesota state patrol, a county sheriff's department, the suburban Hennepin regional park district park rangers, the department of natural resources division of enforcement, the University of Minnesota police department, or a city or airport police department.

(f) "Designated offense" includes:

(1) for weapons used: any violation of this chapter, chapter 152, or chapter 624;

(2) for all other purposes: a felony violation of, or a felony-level attempt or conspiracy to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.21; 609.221; 609.222; 609.223; 609.2231; 609.24; 609.245; 609.25; 609.255; 609.322; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision 1, clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345, subdivision 1, clauses (a) to (e), and (h) to (j); 609.42; 609.425; 609.466; 609.485; 609.487; 609.52; 609.525; 609.527; 609.53; 609.54; 609.551; 609.561; 609.562; 609.563; 609.582; 609.59; 609.595; 609.631; 609.66, subdivision 1e; 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88; 609.89; 609.893; 617.246; or a gross misdemeanor or felony violation of section 609.891 or 624.7181; or any violation of section 609.324.

(g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

Sec. 3. Minnesota Statutes 1998, section 609.902, subdivision 4, is amended to read:

Subd. 4. [CRIMINAL ACT.] "Criminal act" means conduct constituting, or a conspiracy or attempt to commit, a felony violation of chapter 152, or a felony violation of section 297D.09; 299F.79; 299F.80; 299F.82; 609.185; 609.19; 609.195; 609.20; 609.205; 609.221; 609.222; 609.223; 609.2231; 609.228; 609.235; 609.245; 609.25; 609.27; 609.322; 609.342; 609.343; 609.344; 609.345; 609.42; 609.48; 609.485; 609.495; 609.496; 609.497; 609.498; 609.52, subdivision 2, if the offense is punishable under subdivision 3, clause (3)(b) or clause 3(d)(v) or (vi); section 609.52, subdivision 2, clause (4); 609.527, if the crime is punishable under subdivision 3, clause (4) or (5); 609.53; 609.561; 609.562; 609.582, subdivision 1 or 2; 609.668, subdivision 6, paragraph (a); 609.67; 609.687; 609.713; 609.86; 609.894, subdivision 3 or 4; 624.713; 624.74; or 626A.02, subdivision 1, if the offense is punishable under section 626A.02, subdivision 4, paragraph (a). "Criminal act" also includes conduct constituting, or a conspiracy or attempt to commit, a felony violation of section 609.52, subdivision 2, clause (3), (4), (15), or (16), if the violation involves an insurance company as defined in section 60A.02, subdivision 4, a nonprofit health service plan corporation regulated under chapter 62C, a health maintenance organization regulated under chapter 62D, or a fraternal benefit society regulated under chapter 64B.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective August 1, 1999, and apply to crimes committed on or after that date.

Delete the title and insert:

"A bill for an act relating to crime prevention; providing criminal penalties and forfeiture sanctions for persons who transfer, possess, or use the identity of another with intent to commit or aid in the commission of certain unlawful activity; amending Minnesota Statutes 1998, sections 609.531, subdivision 1; and 609.902, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 609."

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

The report was adopted.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 142, A bill for an act relating to crime; expanding the definition of "subsequent controlled substance conviction" to include convictions subsequent to a stay of adjudication for a controlled substance crime; amending Minnesota Statutes 1998, section 152.01, subdivision 16a.

Reported the same back with the following amendments:

Page 1, line 11, after "[SUBSEQUENT CONTROLLED SUBSTANCE CONVICTION.]" insert "Notwithstanding section 152.18, subdivision 1, or any other law to the contrary, a"

Page 1, line 14, after "disposition" insert "for a felony-level offense"

Page 1, line 19, after "disposition" insert "for a felony-level offense"

Page 1, line 21, strike everything after "since"

Page 1, strike line 22

Page 1, line 23, strike everything before the period, and insert "discharge from sentence or stay of adjudication"

Page 1, line 25, after "to" insert "dispositions entered under Minnesota Statutes, section 152.18, subdivision 1, and"

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

The report was adopted.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 143, A bill for an act relating to crime; including convictions for malicious punishment of a child within the enhanced penalty provisions of the domestic assault law; amending Minnesota Statutes 1998, section 609.2242, subdivisions 2 and 4.

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

The report was adopted.

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

H. F. No. 171, A bill for an act relating to health; repealing the requirement that licensees of health-related boards receive continuing education in infection control; repealing Minnesota Statutes 1998, section 214.12, subdivision 2.

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

The report was adopted.

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

H. F. No. 208, A bill for an act relating to insurance; permitting reductions in certain insurance-related assessments; continuing state funding for the Minnesota comprehensive health association; repealing the sunset on current provisions specifying the relationship between medical assistance and the Minnesota comprehensive health association; appropriating money; repealing Laws 1997, chapter 225, article 6, section 8.

Reported the same back with the following amendments:

Page 1, after line 10, insert:

"Section 1. Laws 1997, chapter 225, article 3, section 22, is amended to read:

Sec. 22. [~~MCHA ASSESSMENT OFFSET STATE FUNDING; EFFECT ON PREMIUM RATES OF MEMBERS.~~]

In approving the premium rates as required in Minnesota Statutes, sections 62A.65, subdivision 3, and 62L.08, subdivision 8, the commissioners of health and commerce shall ensure that any appropriation to reduce the annual assessment made on the contributing members to cover the costs of the Minnesota comprehensive health insurance plan as required under Minnesota Statutes, section 62E.11, is reflected in the premium rate of rates charged by each contributing member."

Page 1, line 14, delete "health care access account" and insert "general fund"

Page 2, after line 1, insert:

"Sec. 4. [REVISOR INSTRUCTION.]

The revisor of statutes shall codify Laws 1997, chapter 225, article 3, section 22, as amended in this act, as Minnesota Statutes, section 62E.11, subdivision 13."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after the second semicolon, insert "amending Laws 1997, chapter 225, article 3, section 22;"

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

The report was adopted.

Lindner from the Committee on Jobs and Economic Development Policy to which was referred:

H. F. No. 229, A bill for an act relating to economic development; appropriating money for the Duluth Technology Village.

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

The report was adopted.

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

H. F. No. 413, A bill for an act relating to professions; modifying certain licensing and registration requirements for physicians, acupuncturists, and athletic trainers; amending Minnesota Statutes 1998, sections 147.02, subdivision 1; 147.03, subdivision 1; 147.037, subdivision 1; 147B.02, subdivisions 4 and 9; 147B.05, subdivision 2; 148.7808, subdivisions 4 and 5; and 148.7815, subdivisions 1 and 2.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 14, 60, 92, 171 and 413 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Holsten, Harder, Schumacher, Pugh and Westfall introduced:

H. F. No. 710, A bill for an act relating to natural resources; permitting the hunting of farmed cervidae on licensed shooting preserves; amending Minnesota Statutes 1998, sections 17.451, subdivision 2; and 17.452, subdivisions 5 and 8; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Clark, K.; Trimble and Chaudhary introduced:

H. F. No. 711, A bill for an act relating to Native American Indians; establishing the Coldwater Springs Traditional Cultural Property Preservation; proposing coding for new law in Minnesota Statutes, chapter 138.

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

Clark, K.; Gleason; Hackbarth; Jennings; Trimble and Chaudhary introduced:

H. F. No. 712, A resolution relating to government operations; memorializing the State Historical Society, the State Archaeologists, the Council of Indian Affairs, and the Minnesota State Historical Preservation Office to protect and preserve the traditional cultural properties of the Mendota Mdewakanton Dakota Community.

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

Clark, K.; Leighton and Wejcman introduced:

H. F. No. 713, A bill for an act relating to economic development; modifying provisions for public assistance to business; amending Minnesota Statutes 1998, section 116J.991.

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

Larsen, P.; Wejcman and Mariani introduced:

H. F. No. 714, A bill for an act relating to health; establishing a grant program to provide prevention services for human immunodeficiency virus and sexually transmitted disease infection to adolescents; appropriating money; amending Minnesota Statutes 1998, section 145.924.

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



Peterson, Cassell, Winter, Tunheim and Stang introduced:

H. F. No. 715, A bill for an act relating to natural resources; permitting the hunting of farmed cervidae on licensed shooting preserves; amending Minnesota Statutes 1998, sections 17.451, subdivision 2; and 17.452, subdivisions 5 and 8; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Seifert, J.; Larson, D.; Hilty; Leppik and Lenczewski introduced:

H. F. No. 716, A bill for an act relating to consumer protection; regulating service and membership contracts; restricting automatic renewal provisions; 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.

Seifert, J.; Skoglund; Smith and Carruthers introduced:

H. F. No. 717, A bill for an act relating to landlords and tenants; extending the housing calendar consolidation program to districts outside of the second and fourth judicial districts; amending Minnesota Statutes 1998, section 484.013, subdivisions 1 and 2.

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

Ozment, Davids, Boudreau and Wejcman introduced:

H. F. No. 718, A bill for an act relating to professions; regulating advanced practice registered nursing; amending Minnesota Statutes 1998, sections 62A.15, subdivision 3a; 148.171; 148.191, subdivision 2; 148.235, subdivision 3, and by adding subdivisions; 148.261, subdivisions 1 and 5; 148.262, subdivision 1; 148.263, subdivisions 3 and 4; 148.271; 148.281, subdivision 1; 148.283; 245.462, subdivision 18; 245.4871, subdivision 27; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 1998, section 148.235, subdivisions 1, 2, 4, 5, and 6.

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

Seifert, J.; Larsen, P.; Pugh; Carruthers; Erickson; Bradley and Abeler introduced:

H. F. No. 719, A resolution memorializing Congress to enact legislation to prohibit federal recoupment of the state tobacco settlement recoveries.

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

Kielkucki, Johnson, Mares, Entenza and Ness introduced:

H. F. No. 720, A bill for an act relating to education; modifying school lunch aid and targeted breakfast grants; appropriating money for school lunch and food storage aid, school breakfast, and targeted breakfast grants; amending Minnesota Statutes 1998, section 124D.111, subdivision 1; Laws 1997, First Special Session chapter 4, article 6, section 19.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Tomassoni; Anderson, I.; Entenza; Rukavina and Huntley introduced:

H. F. No. 721, A bill for an act relating to insurance; regulating the reporting of insurance information; prohibiting credit scoring; amending Minnesota Statutes 1998, sections 72A.20, by adding a subdivision; and 72A.491, subdivision 5.

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

Mares introduced:

H. F. No. 722, A bill for an act relating to education; revising the procedural requirements for employment or reemployment of school board members; amending Minnesota Statutes 1998, section 123B.195.

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

McElroy, Van Dellen, Rest and Abrams introduced:

H. F. No. 723, A bill for an act relating to taxation; providing a credit against income taxes for employers who provide certain transit benefits to employees; amending Minnesota Statutes 1998, section 290.06, by adding a subdivision.

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

Gunther, Sykora and Trimble introduced:

H. F. No. 724, A bill for an act relating to economic security; increasing the statewide, hourly reimbursement rates for the extended employment program; appropriating money for the continuation of the welfare-to-work extended employment partnership program.

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

Westerberg, Vandev eer, Krinkie, Johnson, Mares, Nornes and Abeler introduced:

H. F. No. 725, A bill for an act relating to education; establishing a class size project in independent school district No. 12, Centennial; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Knoblach, Kalis, Dempsey, Bishop and Vandev eer introduced:

H. F. No. 726, A bill for an act relating to capital improvements; providing standards for state assistance to capital improvement projects of political subdivisions; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Davids, Entenza, Lenczewski, Rifenberg and Holberg introduced:

H. F. No. 727, A bill for an act relating to commerce; regulating certain real property loans; prohibiting prepayment penalties; requiring interest on escrow accounts; regulating private mortgage insurance; regulating lending practices; eliminating the net worth requirements for mortgage originators and servicers; amending Minnesota Statutes 1998, sections 47.20, subdivisions 5 and 9; and 58.13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 47; repealing Minnesota Statutes 1998, section 47.20, subdivision 14.

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

Haas, Luther and Carruthers introduced:

H. F. No. 728, A bill for an act relating to the city of Brooklyn Park; authorizing the Brooklyn Park economic development authority to establish an urban shopping district and providing the conditions thereof.

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

Haas, Luther and Carruthers introduced:

H. F. No. 729, A bill for an act relating to the city of Brooklyn Park; authorizing the Brooklyn Park economic development authority to establish, maintain, and operate a redevelopment account.

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

Rukavina, Bakk, Fuller, Howes and Finseth introduced:

H. F. No. 730, A bill for an act relating to counties; providing for no net loss of private land; proposing coding for new law in Minnesota Statutes, chapter 373.

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

Wolf, Nornes, Howes, Greiling and Schumacher introduced:

H. F. No. 731, A bill for an act relating to education; repealing the mandate for three additional days of student instruction; repealing Minnesota Statutes 1998, section 120A.41.

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

Osskopp introduced:

H. F. No. 732, A bill for an act relating to crime; requiring offenders convicted for failure to appear after release to pay costs incurred by the prosecuting authority or governmental agency due to the failure to appear; amending Minnesota Statutes 1998, section 609.49, subdivisions 1, 2, and by adding a subdivision.

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

Osskopp introduced:

H. F. No. 733, A bill for an act relating to crime; limiting the time period during which a defendant may challenge a restitution request; amending Minnesota Statutes 1998, section 611A.045, subdivision 3.

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

Osskopp, Wilkin and Holberg introduced:

H. F. No. 734, A bill for an act relating to crime; clarifying the crime of wrongfully obtaining public assistance; amending Minnesota Statutes 1998, section 256.98, subdivision 1.

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

Osskopp introduced:

H. F. No. 735, A bill for an act relating to crime; expanding the scope of the crime of adulteration to include adulterations capable of causing death or bodily harm; increasing penalties for certain acts of adulteration; amending Minnesota Statutes 1998, section 609.687, subdivisions 2 and 3.

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

Bakk, Skoe, Davids, Pelowski and Osskopp introduced:

H. F. No. 736, A bill for an act relating to natural resources; requiring a state park lifetime pass study.

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

Munger, Broecker, Hausman and Swenson introduced:

H. F. No. 737, A bill for an act relating to designation of wild animals; creating a state amphibian and a state reptile; proposing coding for new law in Minnesota Statutes, chapter 1.

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

Larsen, P.; Dorn; Mares; Luther and Anderson, B., introduced:

H. F. No. 738, A bill for an act relating to health; modifying provisions of the medical education and research trust fund; amending Minnesota Statutes 1998, section 62J.69, subdivisions 1 and 2.

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

Howes, Molnau, Tomassoni and Hasskamp introduced:

H. F. No. 739, A bill for an act relating to motor carriers; appropriating money to the commissioner of transportation for grants to motor carriers for tourism promotion and "no-zone" public information and education.

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

Gray, Mariani, Kelliher, Rhodes, Wagenius and Chaudhary introduced:

H. F. No. 740, A bill for an act relating to education; phasing in full-day kindergarten for all students; expanding the first grade preparedness program; appropriating money; amending Minnesota Statutes 1998, section 124D.081, subdivision 3; repealing Minnesota Statutes 1998, section 124D.081, subdivision 8.

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

Knoblach, Smith, Opatz, Skoglund and Broecker introduced:

H. F. No. 741, A bill for an act relating to corrections; providing procedures for testing the blood of inmates for bloodborne pathogens; providing procedural safeguards; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 243.

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

Howes, Rukavina, Gunther, Tomassoni and Dorman introduced:

H. F. No. 742, A bill for an act relating to forestry; restricting local government authority; creating irrebuttable presumption regarding certain forestry activity; proposing coding for new law in Minnesota Statutes, chapter 89.

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

Gray; Clark, K.; Davids; Mariani and Wagenius introduced:

H. F. No. 743, A bill for an act relating to consumer protection; regulating residential real estate transactions; requiring closing agents to file certain documents; requiring certain disclosures to prospective purchasers; amending Minnesota Statutes 1998, section 325F.69, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 82.

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

Haas; Davids; Seifert, J.; Howes and Jennings introduced:

H. F. No. 744, A bill for an act relating to commerce; regulating motor vehicle retail installment sales; prescribing certain forms; amending Minnesota Statutes 1998, section 168.66, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 168.

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

Molnau, Workman, Kuisle, Juhnke and Clark, J., introduced:

H. F. No. 745, A bill for an act relating to traffic regulations; clarifying placement of televisions in motor vehicles; amending Minnesota Statutes 1998, section 169.471, subdivision 1.

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

Stang, Finseth, Huntley, Jennings and Gunther introduced:

H. F. No. 746, A bill for an act relating to health; changing the required travel distance or time to the nearest mental health provider for health maintenance organizations; proposing coding for new law in Minnesota Statutes, chapter 62D; repealing Minnesota Rules, part 4685.1010, subpart 3.

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

McElroy, Davids, Reuter and Entenza introduced:

H. F. No. 747, A bill for an act relating to alcoholic beverages; increasing minimum coverage amounts for mandatory dram shop liability insurance; amending Minnesota Statutes 1998, section 340A.409, subdivision 1.

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

Trimble, Hausman and Mahoney introduced:

H. F. No. 748, A bill for an act relating to appropriations; appropriating money to establish and evaluate the Ramsey county pilot program for education and dispute resolution services for landlords and tenants.

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

Biernat and Greiling introduced:

H. F. No. 749, A bill for an act relating to education; authorizing capital loans to acquire and better public land and buildings for charter schools; appropriating money; authorizing the sale of state bonds; amending Minnesota Statutes 1998, sections 124D.10, subdivision 6; and 124D.11, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 124D.

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

Knoblach introduced:

H. F. No. 750, A bill for an act relating to juveniles; allowing a prosecutor to treat a child alleged to have committed certain misdemeanor offenses as a delinquent child; amending Minnesota Statutes 1998, section 260.015, subdivision 21.

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

Trimble, Hausman, Broecker and Mahoney introduced:

H. F. No. 751, A bill for an act relating to Ramsey county; making changes in the personnel process; amending Minnesota Statutes, section 383A.289, by adding subdivisions; repealing Minnesota Statutes 1998, sections 383A.288; and 383A.289, subdivisions 1, 2, and 3.

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

Tomassoni, Huntley, Lieder, Mares and Solberg introduced:

H. F. No. 752, A bill for an act relating to education; providing for supplemental revenue reduction; amending Minnesota Statutes 1998, section 126C.10, by adding a subdivision.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Carruthers, Haas and Luther introduced:

H. F. No. 753, A bill for an act relating to employment; removing the exemption of truck drivers from the overtime provisions of the Minnesota Fair Labor Standards Act; amending Minnesota Statutes 1998, section 177.23, subdivision 7.

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

Tomassoni; Anderson, I.; Kielkucki and Mares introduced:

H. F. No. 754, A bill for an act relating to education; providing for a grant to the range association of municipalities and schools; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Wenzel, Erickson, Finseth, Dehler and Kubly introduced:

H. F. No. 755, A bill for an act relating to agriculture; retaining money in the ethanol development fund; providing for an additional ethanol development loan.

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

Westfall, Daggett, Goodno, Greenfield and Huntley introduced:

H. F. No. 756, A bill for an act relating to health care; appropriating money for dental services.

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

Kalis introduced:

H. F. No. 757, A bill for an act relating to natural resources; appropriating money for the quad lakes restoration project in Faribault and Blue Earth counties.

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

Kalis introduced:

H. F. No. 758, A bill for an act relating to natural resources; appropriating money for stream bank stabilization in St. Clair.

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

Dorn and Pelowski introduced:

H. F. No. 759, A bill for an act relating to education; creating a declining pupil unit aid by adjusting the definition of a pupil unit; appropriating money; amending Minnesota Statutes 1998, section 126C.05, subdivision 1.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Dorn introduced:

H. F. No. 760, A bill for an act relating to the environment; modifying reimbursement provisions for small gasoline retailers; amending Minnesota Statutes 1998, section 115C.09, subdivision 3f.

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

Abrams, Winter, McElroy, Tunheim and Daggett introduced:

H. F. No. 761, A bill for an act relating to taxation; requiring the number of the school district in which a taxpayer resides to be included on the taxpayer's state income tax return; amending Minnesota Statutes 1998, section 289A.08, subdivision 11.

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

Smith introduced:

H. F. No. 762, A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 1; providing that state spending may not increase at a greater rate than increases in the consumer price index.

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

Smith introduced:

H. F. No. 763, A bill for an act relating to crime; providing that a tenant issuing a dishonored check to a landlord for rent commits theft; amending Minnesota Statutes 1998, section 609.52, subdivisions 1 and 2.

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

Smith introduced:

H. F. No. 764, A bill for an act relating to family law; providing for grandparent visitation rights on behalf of the child; expanding grandparent visitation rights; specifying procedures; requiring mediation; amending Minnesota Statutes 1998, section 257.022, subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1998, section 257.022, subdivisions 2 and 2a.

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



Broecker, Workman, Davids, Kalis and Johnson introduced:

H. F. No. 765, A bill for an act relating to public safety; providing for a maximum percentage of the motorcycle safety fund that may be spent for certain activities; amending Minnesota Statutes 1998, section 121A.36, subdivision 3.

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

Broecker, Workman, Van Dellen, Kalis and Johnson introduced:

H. F. No. 766, A bill for an act relating to traffic regulations; authorizing blue lights on motorcycles as part of the rear brake light; amending Minnesota Statutes 1998, section 169.64, subdivision 4.

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

Westrom, Kuisle, Haake, Juhnke, Cassell, Nornes, Westfall, Stang and Dehler introduced:

H. F. No. 767, A bill for an act relating to motor vehicles; providing that license plates for passenger automobiles are issued for the life of the vehicle; amending Minnesota Statutes 1998, section 168.12, subdivision 1.

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

Ness; Jennings; Krinkie; Larsen, P., and Pugh introduced:

H. F. No. 768, A bill for an act relating to state government; providing for periodic legislative review and repeal of administrative rules; proposing coding for new law in Minnesota Statutes, chapter 14.

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

Ness; Jennings; Krinkie; Larsen, P., and Pugh introduced:

H. F. No. 769, A bill for an act relating to state government; repealing certain broad delegations of rulemaking authority; amending Minnesota Statutes 1998, sections 10A.02, subdivision 13; 84.03; 103B.101, subdivision 7; 115B.28, subdivision 1; 147.01, subdivision 3; 148.05; 148.191, subdivision 2; 148.53; 148B.20, subdivision 1; 148B.31; 150A.04, subdivision 5; 151.06, subdivision 1; 153.02; 154.24; 156.01, subdivision 3; 175.171; 179A.04, subdivision 3; 216B.08; 256.975, subdivision 2; 268.0122, subdivision 5; 270.06; 299J.04, subdivision 1; 299K.03, subdivision 5; 326.06; 326.241, subdivision 2; 352.03, subdivision 4; 363.05, subdivision 1; 401.03; 611A.33; and 626.843, subdivision 1; repealing Minnesota Statutes 1998, sections 16B.04, subdivision 1; 18.022, subdivision 8; 18C.121, subdivision 1; 21.118; 21.85, subdivision 11; 41A.04, subdivision 4; 45.023; 116J.035, subdivision 2; 148.08, subdivision 3; 182.657; 216A.07, subdivision 5; 216C.02, subdivision 3; 223.19; 239.06; 268.021; 326.18, subdivision 3; and 462A.06.

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

Abeler and Dawkins introduced:

H. F. No. 770, A bill for an act relating to health; eliminating the application deadline for essential community provider status; amending Minnesota Statutes 1998, section 62Q.19, subdivision 2.

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

Seifert, J.; Entenza; Larsen, P.; Goodno; Hilty and Howes introduced:

H. F. No. 771, A bill for an act relating to commerce; regulating structured settlement agreements; proposing coding for new law in Minnesota Statutes, chapter 549.

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

McElroy introduced:

H. F. No. 772, A bill for an act relating to education; reducing threshold of average age of building space for alternative facilities program; amending Minnesota Statutes 1998, section 123B.59, subdivision 1.

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

Westfall, Hilty, Stang, Jennings and Tuma introduced:

H. F. No. 773, A bill for an act relating to local government; providing reimbursement to fire departments for expenses incurred in extinguishing certain motor vehicle fires; appropriating money; amending Minnesota Statutes 1998, section 161.465.

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

Wenzel; Anderson, I.; Reuter; Anderson, B., and Dehler introduced:

H. F. No. 774, A bill for an act relating to the military; appropriating money for operation, renovation, and maintenance of the Minnesota military museum.

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

Carruthers; Larsen, P.; Smith; Goodno and Broecker introduced:

H. F. No. 775, A bill for an act relating to public safety; requiring hospitals to report assaults committed against hospital personnel to local law enforcement agencies; establishing a work group to study and make recommendations concerning violence in hospitals; increasing criminal penalties for assaults committed against hospital personnel; amending Minnesota Statutes 1998, section 609.2231, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Kalis, Winter, Skoe, Peterson and Finseth introduced:

H. F. No. 776, A bill for an act relating to taxation; property; providing a state-paid credit for 1999 agricultural property taxes.

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

Rest; Abrams; Harder; Larsen, P., and Paymar introduced:

H. F. No. 777, A bill for an act relating to local government; delaying the expiration of corporations created by political subdivisions; establishing a task force to develop legislation relating to establishment of corporations by political subdivisions; amending Minnesota Statutes 1998, section 465.715, subdivision 1a.

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

Lindner, Rhodes, Leighton, McElroy and Entenza introduced:

H. F. No. 778, A bill for an act relating to commerce; regulating unclaimed property; authorizing a dormancy charge for money orders; defining a term; amending Minnesota Statutes 1998, section 345.31, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 345.

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

Finseth, Tunheim, Harder, Wenzel and Westfall introduced:

H. F. No. 779, A bill for an act relating to agriculture; transferring the farmer-lender mediation program to the Minnesota extension service; removing the sunset of the Farmer-Lender Mediation Act; amending Minnesota Statutes 1998, section 583.22, subdivision 5; repealing Laws 1986, chapter 398, article 1, section 18, as amended.

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

Seagren and Leppik introduced:

H. F. No. 780, A bill for an act relating to education; providing for a professional teaching permit; proposing coding for new law in Minnesota Statutes, chapter 122A.

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

Seagren, Greiling, Dempsey, Mares, Carlson and Johnson introduced:

H. F. No. 781, A bill for an act relating to education; expanding opportunities for students and staff through cooperative education programs; appropriating money; amending Minnesota Statutes 1998, sections 136D.281, subdivision 4; 136D.741, subdivision 4; and 136D.88, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 123A; repealing Minnesota Statutes 1998, sections 136D.281, subdivision 8; 136D.741, subdivision 8; 136D.88, subdivision 8; and 136D.94.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Biernat, Entenza and Kelliher introduced:

H. F. No. 782, A bill for an act relating to education; creating funding for basic skills intervention programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126C.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Biernat, Kelliher, Entenza and Mahoney introduced:

H. F. No. 783, A bill for an act relating to education; increasing the funding available for staff development to aid in the implementation of the graduation rule; appropriating money; amending Minnesota Statutes 1998, section 120B.05.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Biernat, Wagenius, Entenza, Kelliher and Mahoney introduced:

H. F. No. 784, A bill for an act relating to education; increasing transportation funding for charter school students, nonpublic students, and students subject to hazardous conditions; authorizing a levy; appropriating money; amending Minnesota Statutes 1998, section 123B.92, subdivision 9, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 126C.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Biernat, Mariani, Entenza, Kelliher and Mahoney introduced:

H. F. No. 785, A bill for an act relating to education; enhancing basic skills revenue; extending funding for English language learners; removing the compensatory revenue cap; adjusting for the under-reporting of secondary students eligible for free or reduced price meals; creating a grant program to fund best practices English language learner programs; appropriating money; amending Minnesota Statutes 1998, sections 124D.59, by adding a subdivision; 124D.65, subdivisions 1, 2, 3, 4, and 5; 126C.05, subdivision 3; 126C.10, subdivision 4; and 126C.15, subdivision 2.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Reuter, Mares, Kalis and Boudreau introduced:

H. F. No. 786, A bill for an act relating to education; providing for an environmental learning grant program for independent school district Nos. 829, Waseca, and 2835, Janesville-Waldorf-Pemberton; authorizing a grant for independent school district No. 2835, Janesville-Waldorf-Pemberton; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Van Dellen, Rukavina, McElroy, Pugh, Bradley, Abrams and Daggett introduced:

H. F. No. 787, A bill for an act relating to taxation; individual income; allowing a credit for medical expenses; repealing the deduction for health insurance of self-employed; amending Minnesota Statutes 1998, section 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Dawkins, Hasskamp, Fuller, Broecker, Chaudhary, Carruthers, Rostberg, Dorn and Seifert, J., introduced:

H. F. No. 788, A bill for an act relating to taxation; establishing a new city crime reduction aid; amending Minnesota Statutes 1998, sections 477A.011, by adding a subdivision; and 477A.013, by adding a subdivision.

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

Goodno and Greenfield introduced:

H. F. No. 789, A bill for an act relating to medical assistance; establishing annual rate adjustments for certain providers; modifying the inflation index used to determine annual rate adjustments for certain providers; amending Minnesota Statutes 1998, sections 256B.435, subdivision 3; and 256B.5011, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Kuisle; Workman; Molnau; Larson, D., and Kalis introduced:

H. F. No. 790, A bill for an act relating to motor vehicles; requiring release of a security interest in a vehicle to be acted on within five days; amending Minnesota Statutes 1998, section 168A.20.

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

Clark, K.; Ozment; Trimble; Rukavina; Jaros; Chaudhary; Dawkins; Leighton; Kubly and Gray introduced:

H. F. No. 791, A bill for an act relating to tax expenditures; requiring preparation of certain information for proposed tax expenditures; regulating business subsidies; requesting a study by the legislative auditor; appropriating money; amending Minnesota Statutes 1998, section 270.067, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 3; and 116J; repealing Minnesota Statutes 1998, section 116J.991.

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

Chaudhary; Smith; Clark, K.; Dawkins and Bishop introduced:

H. F. No. 792, A bill for an act relating to landlord tenant; requiring certain disclosures in connection with an application form for rental housing; providing civil penalties for failure to comply and for giving false material information on a rental application; proposing coding for new law in Minnesota Statutes, chapter 504; repealing Minnesota Statutes 1998, section 504.30, subdivision 5.

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

Seifert, J.; Davids; Entenza; Ozment and Jennings introduced:

H. F. No. 793, A bill for an act relating to liens; creating a lien and right of detainer; amending Minnesota Statutes 1998, section 514.19.

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

Hackbarth, Rukavina, Bakk, Westfall and Finseth introduced:

H. F. No. 794, A bill for an act relating to natural resources; specifying the disposition of interest earned on the unexpended balances of certain state accounts; modifying provisions for the computation of unrefunded gasoline tax; amending Minnesota Statutes 1998, sections 84.794, subdivision 1; 84.803, subdivision 1; 84.927, subdivision 2; 86B.415, subdivision 9; 94.165; and 296A.18, subdivision 9.

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

Finseth, Westfall, Lieder and Tunheim introduced:

H. F. No. 795, A bill for an act relating to water; appropriating money for water management in the Red river basin.

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

Bakk, Marko, Finseth, Skoe and Rukavina introduced:

H. F. No. 796, A bill for an act relating to natural resources land; increasing certain in lieu payment formulas to counties; amending Minnesota Statutes 1998, section 477A.12.

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

Finseth, Bakk, Westfall, Lieder and Tunheim introduced:

H. F. No. 797, A bill for an act relating to wetlands; creating a cost-share program for small cities; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103G.

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

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1, A bill for an act relating to taxation; providing for an income and property tax rebate; providing for agricultural assistance; exempting certain storm-damaged tree trimming and removal services from the sales tax; providing for automatic rebates in enacted budget; appropriating money; amending Minnesota Statutes 1998, sections 297A.15, subdivision 6; and 297A.25, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16A.

The Senate has appointed as such committee:

Senators Johnson, D. J.; Vickerman; Hottinger; Belanger and Flynn.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 4, A senate concurrent resolution providing for a Joint Convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### SUSPENSION OF RULES

Pawlenty moved that the rules be so far suspended that Senate Concurrent Resolution No. 4 be now considered and be placed upon its adoption. The motion prevailed.

#### SENATE CONCURRENT RESOLUTION NO. 4

A senate concurrent resolution providing for a Joint Convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

*Be It Resolved* by the Senate of the State of Minnesota, the House of Representatives concurring:

The Senate and House of Representatives shall meet in Joint Convention on Thursday, February 18, 1999, at 12:00 noon in the Chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota.

Pawlenty moved that Senate Concurrent Resolution No. 4 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 4 was adopted.

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 5, A senate concurrent resolution adopting Permanent Joint Rules of the Senate and House of Representatives.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### SUSPENSION OF RULES

Pawlenty moved that the rules be so far suspended that Senate Concurrent Resolution No. 5 be now considered and be placed upon its adoption. The motion prevailed.

#### SENATE CONCURRENT RESOLUTION NO. 5

A senate concurrent resolution adopting Permanent Joint Rules of the Senate and House of Representatives.

*Be It Resolved*, by the Senate of the State of Minnesota, the House of Representatives concurring:

The Permanent Joint Rules of the Senate and the House of Representatives for the 81st Legislature shall read as follows:

**JOINT RULES OF THE SENATE AND  
HOUSE OF REPRESENTATIVES**

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**ARTICLE I: JOINT CONVENTIONS****HOW GOVERNED**

Rule 1.01. The Speaker of the House shall preside at all Conventions of the two houses of the Legislature and shall call the members to order. The Chief Clerk of the House shall be the Secretary and the Sergeant at Arms of the House shall be the Sergeant at Arms of the Convention.

**PRESIDENT'S DUTIES**

Rule 1.02. The President of the Convention shall preserve order and decorum. ~~He~~ The President may speak on all points of order in preference to other members and shall decide questions of order, subject to an appeal to the Convention by any member. ~~He~~ The President shall rise to put a question but may state it while seated.

**PRESIDENT'S RIGHT TO VOTE**

Rule 1.03. The President shall have the right to vote in all cases except appeals from ~~his~~ the President's decisions. ~~He~~ The President shall vote last on all questions.

**STATING QUESTIONS**

Rule 1.04. Questions shall be put to the Convention in the following form: "As many as are of the opinion that (the question) shall pass, say 'Aye.'" After an affirmative vote is expressed the nays shall be called as follows: "As many as are of the contrary opinion, say 'No.'" If the President is in doubt or a division is called, those in the affirmative shall rise first and those in the negative afterward.

**ORDER OF DEBATE**

Rule 1.05. When any member wishes to speak to the Convention on any matter, ~~he~~ the member shall rise and respectfully address the President, and not speak further until recognized. ~~He~~ The member shall ~~confine himself~~ speak only to the question under debate and avoid personal remarks. When two or more members rise at the same time, the President shall designate the member to speak first. No member shall speak more than twice on the same question without permission of the Convention.

**CALLING MEMBER TO ORDER**

Rule 1.06. If any member of the Joint Convention is called to order for offensive words in debate, the member calling ~~him~~ to order shall report the words to which exception is taken and the Secretary shall record them. No member may be called to order for any language used in debate if exception is not taken before any other member has spoken or any other business has taken place. A member called to order shall immediately sit down unless another member moves to permit ~~him~~ the member to explain. In any case, the Joint Convention, if appealed to, shall decide without debate. Only if the decision is in favor of the member called to order shall ~~he~~ the member be at liberty to proceed.

### CALL OF THE CONVENTION

Rule 1.07. Five members may demand a call of the Convention at any time except after voting has commenced. When such a call is demanded, the doors shall be closed, the roll shall be called, the absent members shall be sent for, and no member may be permitted to leave the Chamber, unless excused by the President, until the call is lifted. Proceedings under the roll call may be suspended by a majority vote of all the members of the Convention. A call of the Convention may be lifted by a majority vote of all the members of the Convention.

### ELECTIONS

Rule 1.08. In all elections by the Joint Convention, members shall vote viva voce and the roll of Senate members shall be called first. Whenever there is an election of any officer in Joint Convention, the result shall be certified by the President of the Senate and the Speaker of the House and announced by them to their respective houses. The result shall be entered ~~on~~ in the Journal of each house and communicated to the Governor by the Secretary of the Convention.

### NO SMOKING

Rule 1.09. No person is permitted to smoke in the Chamber or in the gallery during a Joint Convention.

### PARLIAMENTARY PROCEDURE

Rule 1.10. The rules of the House shall be the Rules of the Joint Convention of both houses in all cases in which the foregoing rules are not applicable.

## ARTICLE II: BILLS

### FORM

Rule 2.01. The title of each bill shall clearly state its subject and briefly state its purpose. When a bill amends or repeals an existing act, the title shall refer to the chapter, section or subdivision.

Reference shall be made to Minnesota Statutes for the provisions appearing therein unless reference to previous session laws is required for some special reason.

Bills shall refer to Minnesota Statutes as follows:

"Minnesota Statutes ....., section ....."

Bills shall refer to the session laws as follows:

"Laws ....., chapter ....., section ....."

A bill for the amendment of a statute shall contain the full text of the section or subdivision to be amended as it appears in the latest edition of Minnesota Statutes unless it has been amended, in which event it shall contain the full text as amended.

The words and characters constituting the amending matter shall be inserted in the proper place in the text and underscored. The words and characters to be eliminated by the amendment shall be stricken by drawing a line through them. The text of a new section or subdivision shall also be underscored when a bill amends an existing chapter or section by adding a new section or subdivision. In the omnibus appropriation bills required by Joint Rule 2.02, sections making an appropriation or transfer and not amending a statute or session law need not have new material underscored. Before a committee favorably reports upon a bill, the ~~chairman~~ chair of the committee shall see that the bill conforms to this rule. When a bill is printed in the Journal, the new matter shall be in italics or

underscored and the matter to be eliminated shall be capitalized and in parentheses or stricken by drawing a line through it. A bill drafted by the Revisor of Statutes for the purposes of correcting errors in Minnesota Statutes need not comply with the provisions of this paragraph if the bill is labeled "REVISOR'S BILL" immediately below the title, and if there is attached thereto a memorandum of information explaining the reasons for the bill.

If the bill is for an original law and not for an amendment of an existing law, the sections and subdivisions shall be arranged, subdivided, and numbered in like manner as Minnesota Statutes. If such a bill assigns to the sections thereof headnotes or identification by the decimal system of numbering used in Minnesota Statutes, such headnotes and decimal identification may be submitted by standing committee ~~chairmen~~ chairs to the Revisor of Statutes for examination. Any such headnotes shall be capital letters enclosed in brackets, and shall be subject to the provisions of Minnesota Statutes, section 648.36.

All numbers in titles shall be expressed in figures. All numbers of section or chapter of law shall be in figures. In the body of a bill numbers in excess of ten shall be in figures, except for a special reason they may be written, but when written they shall not be followed by numbers or parentheses.

A bill may include or be accompanied by a table of contents.

A bill that repeals a statute may include or be accompanied by an appendix containing the full text of the section or subdivision repealed.

#### APPROPRIATING MONEY

Rule 2.02. The same bill shall not appropriate public money or property to more than one local or private purpose.

No clause appropriating money for a local or private purpose shall be contained in a bill appropriating money for the State government or public institutions.

All resolutions authorizing the issuing of abstracts by the Secretary of the Senate or the Chief Clerk of the House for the payment of money shall be upon the call of "yeas" and "nays."

~~In odd-numbered years, at least eighteen calendar days prior to the last day the Legislature can meet in regular session, the Committee on finance of the Senate and the Committee on Ways and Means of the House shall report to their respective houses, unless directed by concurrent resolution to report different appropriation bills, appropriation bills for the two succeeding fiscal years as follows:~~

~~(a) A bill appropriating money for the general administrative and judicial expenses of the State government, including salaries, office expenses and supplies and other necessary expenses connected therewith;~~

~~(b) A bill covering appropriations relating to health and human services;~~

~~(c) A bill appropriating money for the support and maintenance of State educational institutions;~~

~~(d) A bill appropriating money for aid to school districts;~~

~~(e) A bill appropriating money for the protection and improvement of the State's environment and natural resources;~~

~~(f) A bill appropriating money for the department of transportation and other agencies;~~

~~(g) A bill appropriating money for criminal justice and the judiciary;~~

~~(h) A bill appropriating money for community development;~~

(i) A bill covering all appropriations providing for the payment of claims against the State of Minnesota which may have been allowed by the finance Committee of the Senate or the Ways and Means Committee of the House.

No other appropriations shall be contained in any of said bills but all other appropriations shall be contained in separate bills.

#### DEADLINES

Rule 2.03. (a) Except as provided in paragraph (b), in odd-numbered years, committee reports on bills favorably acted upon by a committee in the house of origin after the sixth Friday before the last Friday the Legislature can meet in regular session, and committee reports on bills originating in the other house favorably acted upon by a committee after the fourth Friday before the last Friday the Legislature can meet in regular session, shall be referred in the Senate to the Committee on Rules and Administration, and the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Referral is not required when a committee after the earlier date and by the later date set by this paragraph acts on a bill that is a companion to a bill that has met the earlier deadline in the other house.

(b) Committee reports on bills containing an appropriation that are favorably acted upon by a committee in either house after the third Friday before the last Friday the Legislature can meet in regular session, shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. This rule does not apply to the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on Ways and Means and on Taxes.

(c) Conference committees on the major appropriation bills specified in Joint Rule 2.02 shall have their reports on the members' desks by the last Thursday on which the Legislature can meet in regular session. After the last Friday on which the Legislature can meet in regular session, neither house shall act on bills other than those contained in:

- (1) Reports of Conference Committees;
- (2) Messages from the other house;
- (3) Reports of the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House; or
- (4) Messages from the Governor.

(d) In even-numbered years The Legislature shall establish by concurrent resolution deadlines for each regular session based on the date intended to be the date of adjournment sine die. When a committee in either house acts favorably on a bill after a deadline established in the concurrent resolution, the bill must be referred in the Senate to the Committee on Rules and Administration and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition.

#### AMENDING BILLS ORIGINATING IN OTHER HOUSE

Rule 2.04. Either house shall have the power to amend any bill, memorial, or resolution passed by the other house.

#### RECEDING FROM POSITION

Rule 2.05. Prior to a Conference Committee on any matter, either house may recede from its position on any difference existing between the two houses. In order to recede, and if the matter is not in the possession of a house, that house shall request return of the matter from the other house. To recede, a majority of a house shall govern, except in cases otherwise provided in the Constitution. If the question is put and lost, it shall not be put again on the same day. A reconsideration of the question shall in all respects be regulated by the rules of that house.

## CONFERENCE COMMITTEES

Rule 2.06. In all cases of disagreement between the Senate and House on amendments adopted by either house to a bill, memorial or resolution passed by the other house, a Conference Committee consisting of not less than three members nor more than five members from each house may be requested by either house. The other house shall appoint a similar committee.

The manner of procedure shall be as follows: The house of origin passes a bill and transmits it to the other body. If the other body adopts an amendment to the bill and passes it as amended, it shall return the bill with a record of its actions to the house of origin. If the house of origin refuses to concur in the amendment, it shall ask for a Conference Committee, appoint such a committee on its part, and transmit the bill with a record of its action to the other house. If the other house adheres to its amendment, it shall appoint a like committee and return the bill to the house of origin.

All Conference Committees shall be open to the public. As much as practical, meetings of Conference Committees shall be announced as far in advance as possible and actions taken shall be agreed upon in an open meeting. At an agreed upon hour the Conference Committee shall meet. The members from each house shall state to the members from the other house, orally or in writing, the reason for their respective positions. The members shall confer thereon ~~and~~. A conference committee may not meet between the hours of midnight and 7:00 a.m., except that a committee may extend a meeting for up to one hour past midnight by a vote of two-thirds of the members appointed to the committee by each house. The conferees shall report to their respective houses the agreement they have reached, or, if none, the fact of a disagreement.

If an agreement is reported, the house of origin shall act first upon the report. A Conference Committee report must be limited to provisions that are germane to the bill and amendments that were referred to the Conference Committee. A provision is not germane if it relates to a substantially different subject or is intended to accomplish a substantially different purpose from that of the bill and amendment that were referred to the Conference Committee.

A Conference Committee report may not appropriate a larger sum of money than the larger of the bill or the amendments that were referred to the Conference Committee unless the additional appropriation is authorized by the Speaker of the House of Representatives and the Majority Leader of the Senate.

A Conference Committee report may not delegate rulemaking to a department or agency of state government or exempt a department or agency of state government from rulemaking unless the delegation or exemption was included in either the bill or the amendment that was referred to the Conference Committee.

A Conference Committee report may not create a new commission, council, task force, board, or other body to which a member of the legislature may be appointed unless the body was created in either the bill or the amendment that was referred to the Conference Committee.

If the report is adopted and repassed as amended by the Conference Committee by the house of origin, the report, the bill and a record of its action shall be transmitted to the other house.

Except after the last Thursday on which the Legislature can meet in regular session in odd-numbered years, and after the last Thursday on which the Legislature intended, when it adopted the concurrent resolution required by Rule 2.03, ~~paragraph (b)~~, to meet in regular session in even-numbered years, a written copy of a report of a Conference Committee shall be placed on the desk of each member of a house twelve hours before action on the report by that house. If the report has been reprinted in the Journal of either house for a preceding day and is available to the members, the Journal copy shall serve as the written report. The member presenting the Conference Committee report to the body shall disclose, either in writing or orally, the substantial changes from the bill or the amendment as they were last before the body.

## ENROLLMENT AND SIGNATURE

Rule 2.07. After a bill or memorial or joint resolution has been passed by both houses, it shall be carefully and properly enrolled by the Revisor of Statutes under the direction of the Secretary of the Senate for a matter originating in the Senate or the Chief Clerk of the House for a matter originating in the House. ~~The Revisor of Statutes shall obtain the signatures and certificates of the proper officers to the enrolled copy of the bill or memorial and present it to the Governor for his approval.~~

~~A bill or memorial may~~ The enrollment shall be prepared for presentation to the Governor on good archival quality paper approximately 8 1/2" x 14" in size and may be produced by means of a copying machine. An enrolled bill shall be labeled "An Act" ~~and it but otherwise~~ shall be identical to the bill passed by the Legislature. ~~An enrolled bill which is amendatory of any existing law or constitutional provision shall indicate deletions and additions in the manner provided in Rule 2.01 for printed bills.~~ Other enrollments shall be identical to the memorial or joint resolution passed by the legislature.

The Revisor of Statutes shall obtain the signatures and certificates of the proper officers to the enrollment. A joint resolution applying to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States, ratifying an amendment to the Constitution of the United States, proposing an amendment to the Minnesota Constitution, or prescribing the compensation of judges shall not be presented to the Governor for approval but shall be deposited by the Revisor of Statutes with the Secretary of State. All other enrollments shall be presented to the Governor for approval.

## ARTICLE III: GENERAL PROVISIONS

## SUSPENSION OF JOINT RULES

Rule 3.01. Either house may suspend the Joint Rules of the Senate and House by a vote of two-thirds of its members.

## ODD YEAR SESSION ADJOURNMENT

Rule 3.02. Adjournment of the regular session in any odd-numbered year to a date certain in the following year shall be equivalent to daily adjournment, except that upon adjournment in any odd-numbered year to a date certain in the following year:

(a) Any bill being considered by a Conference Committee shall be returned to the house of origin, laid on the table, and the Conference Committee shall be discharged;

(b) Any bill referred to the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House pursuant to Joint Rule 2.03 shall be returned to the standing committee to which it was last previously referred; and

(c) Any bill returned by the Governor to the house of origin with ~~his~~ the Governor's objections following ~~such~~ the adjournment shall be laid on the table.

## INTERIM COMMITTEE AND COMMISSION REPORTS

Rule 3.03. Except as otherwise provided by law, the report of any interim committee or commission to the Legislature shall be submitted on paper 8 1/2" x 11" in size, spiral bound, stapled, or punched on the left edge to fit a standard size three ring binder intended for that size paper. A brief summary of the recommendations of the commission or committee shall appear first and be clearly separated from its findings, discussions, and exhibits. If the report contains legislative recommendations, a copy of any proposed legislation, particularly if extensive in character, shall if possible be attached as an exhibit at the end of the report.

## ARTICLE IV: ELECTION OF REGENTS

## JOINT COMMITTEE

Rule 4.01. By May 7 of each odd-numbered year, or at a date agreed to by concurrent resolution, a joint committee shall meet to recommend nominees for regent of the University of Minnesota to be presented to a Joint Convention of the legislature. The members of the joint committee are the members of the senate and house committees on education. A majority of the members from each house is a quorum of the joint committee.

The joint committee shall determine the number of persons, and the person or persons to be recommended for each open seat.

Each person recommended by the regent candidate advisory council is considered to be nominated. Other persons may be nominated by a member of the committee at the meeting. Nominations may be made by committee members only. Nominations must be made for a specified congressional or student seat, or for any at-large seat.

The roll shall be called viva voce on the recommendation of regents. A majority vote of the members of the joint committee is required for a candidate to be recommended.

## JOINT CONVENTION

Rule 4.02. At the Joint Convention of the Senate and House of Representatives called to elect regents, the joint committee shall report the name of the person or persons recommended for each seat. These persons are considered to be nominated. Any member of the legislature may submit additional nominations. If there is more than one at-large seat to be filled, all candidates nominated for an at-large seat ~~run~~ are candidates for any of the at-large seats.

The roll shall be called viva voce on the election of regents. The roll must be called first on congressional district seats until they are filled, then on the student seat, and then on the at-large seats.

Each member may cast one vote for each seat to be filled, but no more than one vote for a candidate.

The candidate for each seat receiving a majority of the votes cast must be declared elected. If there is more than one at-large seat to be filled and more than one candidate who receives a majority of the votes cast, the candidates receiving the highest number of votes must be declared elected; in case of a tie for the highest number of votes, the votes must be cast again. If no candidate receives a majority of the votes cast for a seat, on each succeeding ballot the candidate with the fewest votes must be dropped from consideration and the votes cast again until a majority vote is achieved. Any candidate with fewer than 20 votes on any ballot shall also be dropped on succeeding ballots.

Pawlenty moved that Senate Concurrent Resolution No. 5 be now adopted.

The question was taken on the Pawlenty motion and the roll was called. There were 108 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abeler	Broecker	Dehler	Finseth	Gunther	Holberg
Abrams	Buesgens	Dempsey	Folliard	Haake	Holsten
Anderson, B.	Carlson	Dorman	Fuller	Haas	Howes
Biernat	Cassell	Dorn	Gerlach	Hackbarth	Huntley
Bishop	Clark, J.	Entenza	Gleason	Harder	Jennings
Boudreau	Daggett	Erhardt	Goodno	Hasskamp	Johnson
Bradley	Davids	Erickson	Greiling	Hilty	Kalis

Kelliher	Leppik	Mulder	Pawlenty	Seifert, J.	Tunheim
Kielkucki	Lieder	Mullery	Pelowski	Seifert, M.	Vandever
Knoblach	Lindner	Murphy	Peterson	Skoe	Wenzel
Koskinen	Mahoney	Ness	Pugh	Smith	Westerberg
Krinkie	Mares	Nornes	Rest	Stang	Westfall
Kubly	Marko	Olson	Reuter	Storm	Westrom
Kuisle	McCollum	Opatz	Rhodes	Swenson	Wilkin
Larsen, P.	McElroy	Osskopp	Rifenberg	Sykora	Winter
Larsen, D.	McGuire	Otremba	Rostberg	Tingelstad	Wolf
Leighton	Milbert	Ozment	Schumacher	Trimble	Workman
Lenczewski	Molnau	Paulsen	Seagren	Tuma	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Chaudhary	Gray	Jaros	Rukavina	Wagenius
Bakk	Clark, K.	Greenfield	Luther	Skoglund	Wejcman
Carruthers	Dawkins	Hausman	Orfield	Tomassoni	

The motion prevailed and Senate Concurrent Resolution No. 5 relating to the Permanent Joint Rules of the Senate and House of Representatives for the Eighty-First Session was adopted.

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 6, A senate concurrent resolution adopting deadlines for the 1999 regular session.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### SUSPENSION OF RULES

Pawlenty moved that the rules be so far suspended that Senate Concurrent Resolution No. 6 be now considered and be placed upon its adoption. The motion prevailed.

#### SENATE CONCURRENT RESOLUTION NO. 6

A senate concurrent resolution adopting deadlines for the 1999 regular session.

*Be It Resolved*, by the Senate of the State of Minnesota, the House of Representatives concurring:

(a) In accordance with Joint Rule 2.03, the deadlines in this resolution apply to the 1999 regular session. They do not apply to the House committees on Ways and Means, Taxes, or Rules and Legislative Administration, or to the Senate committees on Finance, Taxes, or Rules and Administration.

(1) The first deadline, Friday, March 19, is for committees to act favorably on bills in the house of origin.

(2) The second deadline, 4:00 p.m. Wednesday, March 31, is for committees to act favorably on bills, or companions of bills, that met the first deadline in the other house.



(3) The omnibus appropriation bills are exempt from the first two deadlines. The deadline for committees to act favorably on omnibus appropriation bills is Friday, April 16. An omnibus bill in the House appropriating money for agriculture and rural development is subject to this deadline.

(b) The omnibus appropriation bills are the following:

(1) A bill appropriating money for education in kindergarten through grade 12;

(2) A bill appropriating money for higher education;

(3) A bill appropriating money for family and early childhood education;

(4) A bill appropriating money for health and human services;

(5) A bill appropriating money for crime prevention and the judiciary;

(6) A bill appropriating money for economic development;

(7) A bill appropriating money for the general administrative expenses of state government;

(8) A bill appropriating money for the protection and improvement of the State's environment, natural resources, and agriculture;

(9) A bill appropriating money for the department of transportation and other agencies;

(10) A bill appropriating money for the payment of claims against the State of Minnesota that may have been allowed by the finance committees of the Senate or the Ways and Means Committee of the House; and

(11) A bill appropriating money for the acquisition and betterment of public lands and buildings and other public improvements of a capital nature, if the House finance committees or Senate budget divisions find there are capital improvement projects that should not be deferred until the omnibus capital improvement bill in the even-numbered year.

(c) When a committee in either house acts favorably on a bill after a deadline established in this resolution, the bill must be referred in the Senate to the Committee on Rules and Administration and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition.

Pawlenty moved that Senate Concurrent Resolution No. 6 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 6 was adopted.

Mr. Speaker:

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

S. F. Nos. 27 and 86.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 27, A bill for an act relating to game and fish; providing for lifetime crossbow permits for persons with permanent physical disabilities; amending Minnesota Statutes 1998, section 97B.106.

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

S. F. No. 86, A bill for an act relating to education; providing for technical and other changes to kindergarten through grade 12 education provisions; amending Minnesota Statutes 1998, sections 120B.05; 120B.11, subdivision 5; 121A.25, subdivision 1; 123A.22, subdivisions 6 and 7; 123A.27; 123A.48, subdivision 19; 123A.485, subdivision 1; 123B.14, subdivision 5; 123B.31; 123B.70, subdivision 1; 123B.86, subdivision 1; 123B.88, subdivisions 1, 13, and 22; 123B.95, subdivision 2; 124D.11, subdivision 5; 124D.114; 124D.21; 124D.38, subdivision 9; 124D.40; 124D.41; 124D.42, subdivisions 4, 6, and 7; 124D.43; 124D.45, subdivisions 1 and 2; 124D.454, subdivision 8; 124D.53, subdivision 2; 124D.61; 124D.70; 124D.81, subdivision 1; 124D.83, subdivision 2; 124D.895; 124D.896; 125A.62, subdivision 1; 125A.77, subdivision 1; 125A.79, subdivision 1; 126C.05, subdivisions 4 and 5; 126C.10, subdivision 9; 126C.14; 126C.15, subdivision 3; 126C.16, subdivisions 1 and 2; 126C.22, subdivision 4; 126C.41, subdivision 1; 126C.44; 126C.48, subdivisions 2 and 5; 127A.41, subdivision 1; 127A.45, subdivision 13; and 127A.49, subdivisions 2 and 3; Laws 1998, chapter 398, article 5, section 50, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 120A; repealing Minnesota Statutes 1998, sections 123B.92, subdivision 10; 124D.128, subdivision 4; 124D.38, subdivision 10; and 124D.45, subdivision 3; Laws 1995, First Special Session chapter 3, article 5, section 9; Laws 1997, chapter 192, section 19.

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

### CONSENT CALENDAR

H. F. No. 137, A bill for an act relating to watercraft; exempting collector watercraft from certain watercraft license display requirements; amending Minnesota Statutes 1998, section 86B.401, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Cassell	Erickson	Hackbarth	Kelliher	Luther
Abrams	Chaudhary	Finseth	Harder	Kielkucki	Mahoney
Anderson, B.	Clark, J.	Folliard	Hasskamp	Knoblach	Mares
Anderson, I.	Clark, K.	Fuller	Hausman	Koskinen	Marko
Bakk	Daggett	Gerlach	Hilty	Kubly	McCollum
Biernat	Davids	Gleason	Holberg	Kuisle	McElroy
Bishop	Dawkins	Goodno	Holsten	Larsen, P.	McGuire
Boudreau	Dehler	Gray	Howes	Larson, D.	Milbert
Bradley	Dempsey	Greenfield	Huntley	Leighton	Molnau
Broecker	Dorman	Greiling	Jaros	Lenczewski	Mulder
Buesgens	Dorn	Gunther	Jennings	Leppik	Mullery
Carlson	Entenza	Haake	Johnson	Lieder	Murphy
Carruthers	Erhardt	Haas	Kalis	Lindner	Ness

Nornes	Pawlenty	Rostberg	Smith	Trimble	Westfall
Olson	Pelowski	Rukavina	Solberg	Tuma	Westrom
Opatz	Peterson	Schumacher	Stang	Tunheim	Wilkin
Orfield	Pugh	Seagren	Storm	Vandever	Winter
Osskopp	Rest	Seifert, J.	Swenson	Wagenius	Wolf
Otremba	Reuter	Seifert, M.	Sykora	Wejcman	Workman
Ozment	Rhodes	Skoe	Tingelstad	Wenzel	Spk. Sviggum
Paulsen	Rifenberg	Skoglund	Tomassoni	Westerberg	

The bill was passed and its title agreed to.

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

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Monday, February 15, 1999:

H. F. Nos. 58, 157, 240, 193 and 248.

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

#### CALENDAR FOR THE DAY

H. F. No. 58, A bill for an act relating to education; retroactively authorizing independent school district No. 912, Milaca, to start its school year prior to Labor Day.

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

The question was taken on the passage of the bill and the roll was called. There were 96 yeas and 28 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Holberg	Luther	Pawlenty	Storm
Abrams	Dempsey	Holsten	Mahoney	Peterson	Swenson
Anderson, B.	Dorman	Huntley	Mares	Rest	Sykora
Anderson, I.	Dorn	Jaros	Marko	Reuter	Tingelstad
Bakk	Erhardt	Jennings	McElroy	Rhodes	Trimble
Bishop	Erickson	Johnson	Milbert	Rifenberg	Tuma
Boudreau	Finseth	Kielkucki	Molnau	Rostberg	Tunheim
Bradley	Fuller	Knoblach	Mulder	Rukavina	Vandever
Broecker	Gerlach	Krinkie	Mullery	Schumacher	Wenzel
Buesgens	Goodno	Kubly	Ness	Seagren	Westerberg
Carlson	Gray	Kuisle	Nornes	Seifert, J.	Westfall
Carruthers	Gunther	Larsen, P.	Olson	Seifert, M.	Westrom
Cassell	Haake	Larson, D.	Opatz	Skoglund	Wilkin
Clark, J.	Haas	Lenczewski	Osskopp	Smith	Wolf
Daggett	Hackbarth	Leppik	Ozment	Solberg	Workman
Davids	Harder	Lindner	Paulsen	Stang	Spk. Sviggum

Those who voted in the negative were:

Biernat	Folliard	Hausman	Koskinen	Murphy	Wagenius
Chaudhary	Gleason	Hilty	Leighton	Otremba	Wejcman
Clark, K.	Greenfield	Howes	Lieder	Pugh	Winter
Dawkins	Greiling	Kalis	McCollum	Skoe	
Entenza	Hasskamp	Kelliher	McGuire	Tomassoni	

The bill was passed and its title agreed to.

H. F. No. 157, A bill for an act relating to highways; modifying route of Laura Ingalls Wilder Historic Highway; amending Minnesota Statutes 1998, section 161.14, subdivision 29.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hilty	Lindner	Pawlenty	Tingelstad
Abrams	Dorn	Holberg	Luther	Peterson	Tomassoni
Anderson, B.	Entenza	Holsten	Mahoney	Pugh	Trimble
Anderson, I.	Erhardt	Howes	Mares	Rest	Tuma
Bakk	Erickson	Huntley	Marko	Reuter	Tunheim
Biernat	Finseth	Jaros	McCollum	Rhodes	Vandever
Bishop	Folliard	Jennings	McElroy	Rifenberg	Wagenius
Boudreau	Fuller	Johnson	McGuire	Rostberg	Wejcman
Bradley	Gerlach	Kalis	Milbert	Rukavina	Wenzel
Broecker	Gleason	Kelliher	Molnau	Schumacher	Westerberg
Buesgens	Goodno	Kielkucki	Mulder	Seagren	Westfall
Carlson	Gray	Knoblach	Mullery	Seifert, J.	Westrom
Carruthers	Greenfield	Koskinen	Murphy	Seifert, M.	Wilkin
Cassell	Greiling	Kubly	Ness	Skoe	Winter
Chaudhary	Gunther	Kuisle	Nornes	Skoglund	Wolf
Clark, J.	Haake	Larsen, P.	Olson	Smith	Workman
Clark, K.	Haas	Larson, D.	Opatz	Solberg	Spk. Sviggum
Daggett	Hackbarth	Leighton	Osskopp	Stang	
Davids	Harder	Lenczewski	Otremba	Storm	
Dawkins	Hasskamp	Leppik	Ozment	Swenson	
Dehler	Hausman	Lieder	Paulsen	Sykora	

Those who voted in the negative were:

Krinkie

The bill was passed and its title agreed to.

H. F. No. 240, A bill for an act relating to sheriffs; authorizing sheriffs to expend money from the sheriff's contingent fund for investigating DWI-related violations; amending Minnesota Statutes 1998, section 387.213.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hausman	Leppik	Paulsen	Sykora
Abrams	Dorman	Hilty	Lieder	Pawlenty	Tingelstad
Anderson, B.	Dorn	Holberg	Lindner	Peterson	Tomassoni
Anderson, I.	Entenza	Holsten	Luther	Pugh	Trimble
Bakk	Erhardt	Howes	Mahoney	Rest	Tuma
Biernat	Erickson	Huntley	Mares	Reuter	Tunheim
Bishop	Finseth	Jaros	Marko	Rhodes	Vandever
Boudreau	Folliard	Jennings	McCollum	Rifenberg	Wagenius
Bradley	Fuller	Johnson	McElroy	Rostberg	Wenzel
Broecker	Gerlach	Kalis	McGuire	Rukavina	Westerberg
Buesgens	Gleason	Kelliher	Milbert	Schumacher	Westfall
Carlson	Goodno	Kielkucki	Molnau	Seagren	Westrom
Carruthers	Gray	Knoblach	Mulder	Seifert, J.	Wilkin
Cassell	Greenfield	Koskinen	Murphy	Seifert, M.	Winter
Chaudhary	Greiling	Krinkie	Ness	Skoe	Wolf
Clark, J.	Gunther	Kubly	Nornes	Skoglund	Workman
Clark, K.	Haake	Kuisle	Olson	Smith	Spk. Sviggum
Daggett	Haas	Larsen, P.	Opatz	Solberg	
Davids	Hackbarth	Larson, D.	Osskopp	Stang	
Dawkins	Harder	Leighton	Otremba	Storm	
Dehler	Hasskamp	Lenczewski	Ozment	Swenson	

Those who voted in the negative were:

Mullery                      Wejcman

The bill was passed and its title agreed to.

H. F. No. 193 was reported to the House.

Pugh moved that H. F. No. 193 be continued on the Calendar for the Day. The motion prevailed.

H. F. No. 248 was reported to the House.

Hasskamp, Davids and Howes moved to amend H. F. No. 248 as follows:

Page 1, line 9, delete "operating its principal office in the city of Crosby"

The motion prevailed and the amendment was adopted.

H. F. No. 248, A bill for an act relating to financial institutions; permitting location of a branch bank in the town of Crooked Lake under certain conditions.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hausman	Lieder	Pawlenty	Tingelstad
Abrams	Dorman	Hilty	Luther	Peterson	Tomassoni
Anderson, B.	Dorn	Holberg	Mahoney	Pugh	Trimble
Anderson, I.	Entenza	Holsten	Mares	Rest	Tuma
Bakk	Erhardt	Hoves	Marko	Reuter	Tunheim
Biernat	Erickson	Huntley	McCollum	Rhodes	Vandever
Bishop	Finseth	Jaros	McElroy	Rifenberg	Wagenius
Boudreau	Folliard	Jennings	McGuire	Rostberg	Wejzman
Bradley	Fuller	Johnson	Milbert	Rukavina	Wenzel
Broecker	Gerlach	Kalis	Molnau	Schumacher	Westerberg
Buesgens	Gleason	Kelliher	Mulder	Seagren	Westfall
Carlson	Goodno	Kielkucki	Mullery	Seifert, J.	Westrom
Carruthers	Gray	Knoblach	Murphy	Seifert, M.	Wilkin
Cassell	Greenfield	Koskinen	Ness	Skoe	Winter
Chaudhary	Greiling	Kubly	Nornes	Skoglund	Wolf
Clark, J.	Gunther	Kuisle	Olson	Smith	Workman
Clark, K.	Haake	Larsen, P.	Opatz	Solberg	Spk. Sviggum
Daggett	Haas	Larson, D.	Osskopp	Stang	
Davids	Hackbarth	Leighton	Otremba	Storm	
Dawkins	Harder	Lenczewski	Ozment	Swenson	
Dehler	Hasskamp	Leppik	Paulsen	Sykora	

Those who voted in the negative were:

Krinkie                      Lindner

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

### MOTIONS AND RESOLUTIONS

Ozment moved that the name of Tingelstad be added as an author on H. F. No. 563. The motion prevailed.

Ozment moved that the name of Tingelstad be added as an author on H. F. No. 564. The motion prevailed.

McElroy moved that the name of Lenczewski be added as an author on H. F. No. 616. The motion prevailed.

Paymar moved that the name of Greenfield be added as an author on H. F. No. 636. The motion prevailed.

Trimble moved that the name of Mullery be added as an author on H. F. No. 651. The motion prevailed.

Paymar moved that his name be stricken as an author on H. F. No. 652. The motion prevailed.

Tingelstad moved that the name of Wagenius be added as an author on H. F. No. 654. The motion prevailed.

Daggett moved that the name of Murphy be added as an author on H. F. No. 656. The motion prevailed.

Haas moved that the name of Paulsen be added as an author on H. F. No. 661. The motion prevailed.

Davids moved that the name of Mulder be added as an author on H. F. No. 678. The motion prevailed.

Anderson, B., moved that the name of Westerberg be added as an author on H. F. No. 682. The motion prevailed.

Kubly moved that the name of Peterson be added as an author on H. F. No. 687. The motion prevailed.

Lenczewski moved that the names of Luther and Larsen, P., be added as authors on H. F. No. 706. The motion prevailed.

Bakk moved that the names of Mulder and Solberg be added as authors on H. F. No. 707. The motion prevailed.

#### ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 11:30 a.m., Thursday, February 18, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:30 a.m., Thursday, February 18, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

