

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 2000

SEVENTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 28, 2000

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

Prayer was offered by the Reverend Lonnie E. Titus, House Chaplain.

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

A quorum was present.

Seagren was excused.

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

REPORTS OF CHIEF CLERK

S. F. No. 2692 and H. F. No. 3232, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Smith moved that S. F. No. 2692 be substituted for H. F. No. 3232 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 178, A bill for an act relating to health; requiring informed consent of a female upon whom an abortion is performed; providing civil remedies; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the following amendments:

Page 7, after line 7, insert:

"Sec. 7. [APPROPRIATION.]

\$167,000 is appropriated from the general fund to the commissioner of health in fiscal year 2001 to provide the information as specified in Minnesota Statutes, section 145.4243. Of this appropriation, \$15,000 shall be considered one-time funding and shall not become part of the base level funding for the 2002-2003 biennium."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "appropriating money;"

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.

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

H. F. No. 304, A bill for an act relating to game and fish; allowing the shipment of wild animals that were taken on the northwest angle portion of the Red Lake Indian Reservation; proposing coding for new law in Minnesota Statutes, chapter 97A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 97A.505, is amended by adding a subdivision to read:

Subd. 3b. [WILD ANIMALS TAKEN ON RED LAKE RESERVATION LANDS WITHIN THE NORTHWEST ANGLE.] In recognition of the unique geographical location and factual circumstances underlying the Red Lake Band of Chippewa's jurisdiction over hunting on its lands within the Northwest Angle of Minnesota, the state

acknowledges that wild animals taken and tagged in accordance with the Red Lake Band's conservation code on the Red Lake Reservation lands in Minnesota north of the 49th parallel shall be considered lawfully taken and possessed under state law."

Delete the title and insert:

"A bill for an act relating to natural resources; allowing the possession of wild animals taken under the Red Lake Band's conservation code on Red Lake Reservation lands north of the 49th parallel; amending Minnesota Statutes 1998, section 97A.505, by adding a subdivision."

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

The report was adopted.

Broecker from the Committee on Judiciary Finance to which was referred:

H. F. No. 1172, A bill for an act relating to crime; including violation of a similar law from another state within the enhanced penalty provision of the harassment and antistalking law; amending Minnesota Statutes 1998, section 609.749, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 15, after "state" insert "or jurisdiction"

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

The report was adopted.

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

H. F. No. 2427, A bill for an act relating to public safety; providing for creation of a propane education and research council.

Reported the same back with the following amendments:

Pages 1 to 7, delete sections 1 to 10 and insert:

"Section 1. [PROPANE ASSESSMENT.]

Businesses involved in producing, transporting, or selling propane, and in manufacturing or distributing propane utilization equipment may create a council to impose an assessment of up to five mills per gallon of odorized propane to fund propane education and research activities. The assessment must be imposed at the time of odorization or import of odorized propane."

Page 7, line 31, delete "9" and insert "1"

Page 8, line 5, delete "sections 1 to 12" and insert "section 1"

Page 8, after line 9, insert:

"(c) The commissioner of public safety must notify the revisor of statutes if the council is terminated. Sections 1 to 3 are repealed if the council is terminated."

Renumber the sections in sequence and correct internal references

Amend the title as follows:

Page 1, line 3, delete "education and research"

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. 2481, A bill for an act relating to government data practices; modifying charges allowable for copies of government data; limiting copyright of data; limiting authority of local governments to disseminate private or confidential data; prohibiting monitoring of citizens requesting access to public data; requiring government entities to have a data practices compliance officer; providing for administrative remedies; amending Minnesota Statutes 1998, sections 13.03, subdivisions 3 and 5; and 13.05, subdivision 3, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 13.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1999 Supplement, section 13.03, subdivision 3, is amended to read:

Subd. 3. [REQUEST FOR ACCESS TO DATA.] (a) Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data.

(b) For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the government entity, unless printing a copy is the only method to provide for inspection of the data. In the case of data stored in electronic form and made available in electronic form on a remote access basis to the public by the government entity, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment. Nothing in this section prohibits a government entity from charging a reasonable fee for remote access to data under a specific statutory grant of authority. A government entity may charge a fee for remote access to data where either the data or the access is enhanced at the request of the person seeking access.

(c) The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, compiling, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible.

(d) When a request under this subdivision involves any person's receipt of copies of public government data that has commercial value and is a substantial and discrete portion of or an entire formula, pattern, compilation, program, device, method, technique, process, database, or system developed with a significant expenditure of public funds by

the agency, the responsible authority may charge a reasonable fee for the information in addition to the costs of making, certifying, and compiling the copies. Any fee charged must be clearly demonstrated by the agency to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged.

(e) The responsible authority of a state agency, statewide system, or political subdivision that maintains public government data in a computer storage medium shall provide to any person making a request under this section a copy of any public data contained in that medium, in electronic form, if the government entity can reasonably make the copy or have a copy made. This does not require a government entity to provide the data in an electronic format or program that is different from the format or program in which the data are maintained by the government entity. The entity may require the requesting person to pay the actual cost of providing the copy.

(f) If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.

Sec. 2. Minnesota Statutes 1998, section 13.03, subdivision 5, is amended to read:

Subd. 5. ~~[COPYRIGHT OR PATENT OF COMPUTER PROGRAM.] Nothing in this chapter or any other statute shall be construed to prevent~~ A state agency, statewide system, or political subdivision ~~from acquiring~~ may enforce a copyright or acquire a patent for a computer software program or components of a program created by that government agency without statutory authority. In the event that a government agency ~~does acquire~~ acquires a patent ~~or copyright~~ to a computer software program or component of a program, the data shall be treated as trade secret information pursuant to section 13.37.

Sec. 3. Minnesota Statutes 1998, section 13.05, subdivision 3, is amended to read:

Subd. 3. ~~[GENERAL STANDARDS FOR COLLECTION AND STORAGE.] Collection and storage, and use of all data on individuals and the use and dissemination of private and confidential data on individuals shall be is~~ limited to that necessary for the administration and management of programs specifically authorized by the legislature or local governing body or mandated by the federal government. Dissemination of private or confidential data on individuals is limited to that necessary for the administration and management of programs specifically authorized by the legislature or local governing body or mandated by the federal government.

Sec. 4. Minnesota Statutes 1998, section 13.05, is amended by adding a subdivision to read:

Subd. 12. [IDENTIFICATION OR JUSTIFICATION.] Unless specifically authorized by statute, state agencies, statewide systems, and political subdivisions may not require persons to identify themselves, state a reason for, or justify a request to gain access to public government data. A person may be asked to provide certain identifying or clarifying information for the sole purpose of facilitating access to the data.

Sec. 5. Minnesota Statutes 1998, section 13.05, is amended by adding a subdivision to read:

Subd. 13. [DATA PRACTICES COMPLIANCE OFFICIAL.] By December 1, 2000, each responsible authority or other appropriate authority in every government entity shall appoint or designate an employee of the government entity to act as the entity's data practices compliance official. The data practices compliance official is the designated employee of the government entity to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The responsible authority may be the data practices compliance official.

Sec. 6. [13.081] [ADMINISTRATIVE REMEDIES.]

Subdivision 1. [COMPLAINTS.] Any person who believes that a government entity is not in compliance with this chapter may file a complaint with the commissioner. The commissioner shall specify the form of the complaint. The commissioner shall conduct an investigation to determine whether the complaint is valid or whether another alternative dispute resolution process exists to address the issue presented. If the commissioner determines the complaint is not valid or another alternative dispute resolution process is a more appropriate forum for resolving the dispute, the commissioner shall dismiss the complaint and so inform the person who filed the complaint and the government entity that was the subject of the complaint. If the commissioner determines the complaint is valid, the commissioner may take any of the actions under subdivision 2 to resolve the complaint. The commissioner shall either dismiss the complaint or refer it for one of the actions under subdivision 2 within 20 days of receipt of the complaint. For good cause and upon written notice to the person bringing the complaint, the commissioner may extend this deadline for one additional 30-day period.

Subd. 2. [INFORMAL RESOLUTION OF COMPLAINT.] The commissioner may attempt to resolve a complaint informally or, with the consent of both parties, refer the matter to an alternative dispute resolution process and use the services of the office of dispute resolution or the office of administrative hearings to arbitrate or mediate the dispute.

Sec. 7. [EFFECTIVE DATE.]

Section 6 is effective July 1, 2001."

Delete the title and insert:

"A bill for an act relating to government data practices; providing for electronic copies of data; limiting authority of local governments to disseminate private or confidential data; prohibiting monitoring of citizens requesting access to public data; requiring government entities to have a data practices compliance official; providing for administrative remedies; amending Minnesota Statutes 1998, sections 13.03, subdivision 5; and 13.05, subdivision 3, and by adding subdivisions; Minnesota Statutes 1999 Supplement, section 13.03, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 13."

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

The report was adopted.

Broecker from the Committee on Judiciary Finance to which was referred:

H. F. No. 2516, A bill for an act relating to crime; amending the definition of harassment; amending Minnesota Statutes 1998, section 609.748, subdivisions 1, 3, 3a, and 4.

Reported the same back with the following amendments:

Page 1, lines 13 and 15, delete "significant" and insert "substantial"

Page 3, line 20, before "The" insert "The filing fee for a restraining order under this section is \$50."

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. 2533, A bill for an act relating to corrections; allocating correctional fees; eliminating proration of state reimbursement for probation officer salaries; amending Minnesota Statutes 1998, section 244.19, subdivision 6; Minnesota Statutes 1999 Supplement, section 241.272, subdivision 6.

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. 2553, A bill for an act relating to human services; providing funding for a supportive housing and managed care pilot project; appropriating money; amending Laws 1999, chapter 245, article 5, section 24.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [256K.25] [SUPPORTIVE HOUSING AND MANAGED CARE PILOT PROJECT.]

Subdivision 1. [ESTABLISHMENT AND PURPOSE.] (a) The commissioner shall establish a supportive housing and managed care pilot project in two counties, one within the seven-county metropolitan area and one outside of that area, to determine whether the integrated delivery of employment services, supportive services, housing, and health care into a single, flexible program will:

(1) reduce public expenditures on homeless families with minor children, homeless noncustodial parents, and other homeless individuals;

(2) increase the employment rates of these persons; and

(3) provide a new alternative to providing services to this hard-to-serve population.

(b) The commissioner shall create a block grant program for counties for the purpose of providing integrated intensive and individualized case management services, employment services, health care services, rent subsidies or other short- or medium-term housing assistance, and other supportive services to eligible families and individuals. Minimum project and application requirements shall be developed by the commissioner in cooperation with counties and their nonprofit partners with the goal to provide the maximum flexibility in program design.

(c) Services available under this project must be coordinated with available health care services for an eligible project participant.

Subd. 2. [DEFINITION.] For purposes of this section, "homeless" means:

(1) living, or being at imminent risk of living, on the street or in a shelter; or

(2) having been evicted from a dwelling or discharged from a regional treatment center, state-operated community-based program, community hospital, or residential treatment program; and

(3) having no appropriate housing available and lacking the resources necessary to access permanent housing, as determined by the county requesting funding under subdivision 3.

Subd. 3. [COUNTY ELIGIBILITY.] A county may request funding under this pilot project if the county:

(1) agrees to develop, in cooperation with nonprofit partners, a supportive housing and managed care pilot project that integrates the delivery of employment services, supportive services, housing and health care for eligible families and individuals, or agrees to contract with an existing integrated program;

(2) for eligible participants who are also MFIP recipients, agrees to develop, in cooperation with nonprofit partners, procedures to ensure that the services provided under the pilot project are closely coordinated with the services provided under MFIP; and

(3) develops a method for evaluating the quality of the integrated services provided and the amount of any resulting cost savings to the county and state.

Subd. 4. [PARTICIPANT ELIGIBILITY.] (a) In order to be eligible for the pilot project, the county must determine that a participant is homeless or is at risk of homelessness; has a mental illness, a history of substance abuse, or HIV; and is a family that meets the criteria in paragraph (b) or is an individual who meets the criteria in paragraph (c).

(b) An eligible family must:

(1) include a minor child or a pregnant woman; and

(2) be receiving or meet the income eligibility guidelines for MFIP assistance under chapter 256J; or

(3) include an adult caregiver who is employed or is receiving employment and training services, and have household income below 150 percent of the federal poverty guidelines.

(c) An eligible individual must:

(1) meet the eligibility requirements of the group residential housing program under section 256I.04, subdivision 1; or

(2) be a noncustodial parent who is employed or is receiving employment and training services, and have household income below 150 percent of the federal poverty guidelines.

Subd. 5. [FUNDING.] A county may request funding from the commissioner for a specified number of eligible project participants. The commissioner shall review the request for compliance with subdivisions 1 to 4 and may approve or disapprove the request. The commissioner shall allocate funding for approved counties as a block grant that is paid on a monthly basis.

Subd. 6. [REPORT.] Participating counties and the commissioner shall collaborate to prepare and issue an annual report, beginning December 1, 2001, to the chairs of the appropriate legislative committees on the pilot project's use of public resources, including other funds leveraged for this initiative, the employment and housing status of the families and individuals served in the project, and the cost-effectiveness of the project. The commissioner shall provide data that may be needed to evaluate the project to participating counties that request the data.

Subd. 7. [SUNSET.] The pilot project under this section sunsets on June 30, 2006.

Sec. 2. [FEDERAL TANF FUNDS; APPROPRIATION.]

For the fiscal year ending June 30, 2001, \$3,000,000 of the federal Temporary Assistance to Needy Families (TANF) block grant funds authorized under United States Code, title 42, section 601 et seq. and awarded in federal fiscal years 2000 and 2001 are appropriated to the commissioner of human services for grants to counties for the supportive housing and managed care pilot project under Minnesota Statutes, section 256K.25. This appropriation is available until expended.

Sec. 3. [APPROPRIATION; GENERAL FUND.]

\$..... is appropriated from the general fund to the commissioner for the fiscal year ending June 30, 2001, to provide services under section 1 for which the expenditure of federal money is not permitted under United States Code, title 42, section 601 et seq.

Sec. 4. [REPEALER.]

Laws 1999, chapter 245, article 5, section 24, is repealed."

Delete the title and insert:

"A bill for an act relating to human services; expanding the supportive housing and managed care pilot project to serve eligible families and individuals; providing funding for the project; transferring federal TANF funds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256K; repealing Laws 1999, chapter 245, article 5, section 24."

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.

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

H. F. No. 2570, A bill for an act relating to the state building code; providing for certain energy code rules to remain in effect; repealing Minnesota Rules, chapters 7672; and 7674.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [ENERGY RULES FOR RESIDENTIAL BUILDINGS.]

The provisions of Minnesota Rules, chapter 7670, that apply to category 1 buildings govern residential buildings not covered by Minnesota Rules, chapter 7676. The provisions of Minnesota Rules, chapter 7670 that allow category 2 buildings are void and of no effect. All buildings subject to Minnesota Rules, chapter 7670, attaining a building permit on or after April 15, 2000, must meet the requirements for category 1 buildings as set out in Minnesota Rules, chapter 7670.

Sec. 2. [REPEALER.]

(a) Laws 1999, chapter 135, section 9, is repealed.

(b) Minnesota Rules, parts 7672.0100; 7672.0200; 7672.0300; 7672.0400; 7672.0500; 7672.0600; 7672.0700; 7672.0800; 7672.0900; 7672.1000; 7672.1100; 7672.1200; 7672.1300; 7674.0100; 7674.0200; 7674.0300; 7674.0400; 7674.0500; 7674.0600; 7674.0700; 7674.0800; 7674.0900; 7674.1000; 7674.1100; and 7674.1200, are repealed.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective April 15, 2000."

Amend the title as follows:

Page 1, line 4, after "repealing" insert "Laws 1999, chapter 135, section 9;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2588, A bill for an act relating to state government; designating the monarch as the state butterfly; proposing coding for new law in Minnesota Statutes, chapter 1.

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

The report was adopted.

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

H. F. No. 2604, A bill for an act relating to economic development; creating Northern Technology Initiative, Inc.; proposing coding for new law as Minnesota Statutes, chapter 116T.

Reported the same back with the following amendments:

Page 4, line 2, after the period, insert "Any employer contribution must be made by the board, not the state."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2652, A bill for an act relating to the building code; exempting border cities from certain portions of the energy code; proposing coding for new law in Minnesota Statutes, chapter 16B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [16B.731] [STATE ENERGY CODE IN BORDER CITIES.]

Subdivision 1. [CHOICE OF ENERGY CODE.] The governing body of a border city, as specified in section 469.168, subdivision 4, paragraph (c), located on the western border of the state, may provide by ordinance that: (1) Minnesota Rules, chapter 7670, in effect on April 14, 2000, specifying the energy code requirements for residential buildings of the state building code, shall remain the standard governing the construction of residential buildings within the jurisdiction of the city after April 14, 2000; and (2) Minnesota Rules, chapters 7672 and 7674, shall not apply within the jurisdiction of the city.

Subd. 2. [NOTICE OF ENERGY CODE REQUIREMENTS.] The commissioner of administration must develop an energy code notice to be provided to the original buyer of a newly constructed single-family or two-family home, or multifamily residential building of three stories or less, in a city adopting an ordinance under subdivision 1. The notice must include a summary of the requirements of the energy code in effect in other jurisdictions that have adopted the state building code, but that are not in effect in the city. The notice must also provide contact information for the state agency responsible for enforcing the energy code. The commissioner must provide copies of this notice, upon request, to builders and municipal building officials in cities adopting an ordinance under subdivision 1.

A builder of a home for which construction begins after adoption of an ordinance under subdivision 1 must give the original buyer a copy of the notice developed under this subdivision. The builder must give the original buyer the notice before the buyer enters into a contract for construction or purchase of the home.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2730, A bill for an act relating to port development; authorizing the issuance of bonds; appropriating money for port development.

Reported the same back with the following amendments:

Page 1, line 8, after "grants" insert "and loans" in both places

Page 1, line 11, after "grants" insert "and loans"

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

The report was adopted.

Davids from the Committee on Commerce to which was referred:

H. F. No. 2757, A bill for an act relating to energy; regulating a state mandate requiring certain electric energy to be generated by using biomass as a fuel; amending Minnesota Statutes 1998, section 216B.2424, subdivision 5.

Reported the same back with the following amendments:

Page 1, line 15, reinstate the stricken language and delete the new language

Page 1, line 17, reinstate the stricken language

Page 1, line 18, delete "2005"

Page 1, line 21, delete "design"

Page 1, line 22, after "facility" insert " (i)"

Page 1, line 23, before the period, insert " (ii) must have entered into a contract with the public utility for such capacity prior to December 31, 2000; and (iii) such capacity must be scheduled to be operational by December 31, 2005"

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. 2774, A bill for an act relating to controlled substances; delaying the effective date for classifying Carisoprodol as a schedule IV controlled substance; amending Laws 1997, chapter 239, article 4, section 15, as amended.

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

The report was adopted.

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

H. F. No. 2785, A bill for an act relating to charitable organizations; amending report filing requirements; amending Minnesota Statutes 1998, section 309.53, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 23, after "the" insert "attorney general may permit the" and delete "may" and insert "to"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2798, A bill for an act relating to agriculture; allowing alternative uses for certain feedlot penalty orders; amending Minnesota Statutes 1998, section 116.072, subdivision 1; Minnesota Statutes 1999 Supplement, section 116.072, subdivision 13.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 1

Page 2, line 20, delete the new language

Page 2, line 22, delete the new language

Page 2, line 27, delete the new language

Page 3, line 5, delete "Sections 1 and 2 are" and insert "Section 1 is"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "Minnesota"

Page 1, delete line 4

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

The report was adopted.

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

H. F. No. 2841, A bill for an act relating to state government; regulating administrative rulemaking; making permanent the governor's authority to veto rules; repealing Laws 1999, chapter 129, section 6.

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

The report was adopted.

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

H. F. No. 2844, A bill for an act relating to capital improvements; for renovation of and an addition to the department of transportation headquarters facility in St. Cloud; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [APPROPRIATION; TRUNK HIGHWAY BUILDINGS.]

\$27,341,000 is appropriated from the trunk highway fund to the commissioner of transportation for the following capital improvement projects:

(1) department of transportation district headquarters building in St. Cloud, \$10,350,000;

(2) department of transportation district headquarters building in Detroit Lakes, \$8,724,000;

(3) metropolitan regional transportation management center, \$6,672,000; and

(4) Moorhead truck station, \$1,600,000.

Sec. 2. [RESTRICTION.]

The commissioner of transportation must sell the building that was being used as the traffic management center on the effective date of this act to an entity other than the state or a state agency within three years of the date on which occupation of the new transportation management center described in section 1, clause (3), has been completed. The commissioner need not comply with this requirement if the commissioner determines that no offers made to the commissioner for purchase of the building will return fair market value for it.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective July 1, 2000."

Delete the title and insert:

"A bill for an act relating to capital improvements; appropriating money for trunk highway building projects in St. Cloud, Detroit Lakes, Moorhead, and the metropolitan area."

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

The report was adopted.

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

H. F. No. 2958, A bill for an act relating to crime; providing that a person may be charged with escape from custody when they escape after lawful arrest but prior to the commencement of trial proceedings; amending Minnesota Statutes 1998, section 609.485, subdivision 2; Minnesota Statutes 1999 Supplement, section 609.485, subdivision 4.

Reported the same back with the following amendments:

Page 2, lines 18 and 19, strike "on a charge or conviction of" and insert "for"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3011, A bill for an act relating to capital improvements; authorizing issuance of state bonds for the rail service improvement program; appropriating money.

Reported the same back with the following amendments:

Page 1, line 7, delete "\$12,000,000" and insert "\$5,000,000"

Page 1, line 8, delete "grants under the rail" and insert "the purposes specified in Minnesota Statutes, sections 222.49 to 222.63."

Page 1, delete lines 9 and 10

Page 1, line 15, delete "\$12,000,000" and insert "\$5,000,000"

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

The report was adopted.

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

H. F. No. 3029, A bill for an act relating to corrections; requiring counties and the department of corrections to share the per diem cost of housing juveniles committed to the commissioner of corrections; amending Minnesota Statutes 1999 Supplement, section 242.192.

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.

Davids from the Committee on Commerce to which was referred:

H. F. No. 3109, A bill for an act relating to commerce; enacting the Uniform Electronic Transactions Act adopted by the National Conference of Commissioners on Uniform State Laws; proposing coding for new law as Minnesota Statutes, chapter 325L.

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

The report was adopted.

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

H. F. No. 3133, A bill for an act proposing an amendment to the Minnesota Constitution, article VIII, by adding a section; providing for removal and replacement of elected officials who move from their districts.

Reported the same back with the following amendments:

Page 1, line 21, before the period, insert "unless the constitution or law prescribes another method for filling the vacancy"

Page 2, line 1, after the period, insert "For purposes of clause (2), a senator or representative is not residing outside the district if the person is attending a session of the legislature."

With the recommendation that when so amended the bill be re-referred to the Committee on State Government Finance without further recommendation.

The report was adopted.

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

H. F. No. 3149, A bill for an act relating to municipalities; providing an exception to tort liability for geographic information systems information; amending Minnesota Statutes 1998, section 466.03, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 12, before the period, insert "if the municipality provides a disclaimer of the accuracy of the information at any point of initial contact with a geographic information system to which the public has general access"

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

The report was adopted.

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

H. F. No. 3192, A bill for an act relating to governmental operations; appropriating money for regional planning.

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

The report was adopted.

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

H. F. No. 3195, A bill for an act relating to state government; excepting the University of Minnesota from the selection process administered by the designer selection board; amending Minnesota Statutes 1998, section 16B.33, subdivisions 3, 3a, and 4.

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

The report was adopted.

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

H. F. No. 3219, A bill for an act relating to gambling; changing paddlewheel location and prize requirements; allowing lawful gambling organizations to pay for premises; amending Minnesota Statutes 1998, sections 349.12, subdivision 19; 349.15, by adding a subdivision; 349.18, subdivisions 1 and 2; 349.19, subdivision 10; 349.211, subdivision 4; and 349.213, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 19, insert:

"Sec. 2. Minnesota Statutes 1998, section 349.12, subdivision 25, is amended to read:

Subd. 25. [LAWFUL PURPOSE.] (a) "Lawful purpose" means one or more of the following:

(1) any expenditure by or contribution to a 501(c)(3) or festival organization, as defined in subdivision 15a, provided that the organization and expenditure or contribution are in conformity with standards prescribed by the board under section 349.154, which standards must apply to both types of organizations in the same manner and to the same extent;

(2) a contribution to an individual or family suffering from poverty, homelessness, or physical or mental disability, which is used to relieve the effects of that poverty, homelessness, or disability;

(3) a contribution to an individual for treatment for delayed posttraumatic stress syndrome or a contribution to a program recognized by the Minnesota department of human services for the education, prevention, or treatment of compulsive gambling;

(4) a contribution to or expenditure on a public or private nonprofit educational institution registered with or accredited by this state or any other state;

(5) a contribution to a scholarship fund for defraying the cost of education to individuals where the funds are awarded through an open and fair selection process;

(6) activities by an organization or a government entity which recognize humanitarian or military service to the United States, the state of Minnesota, or a community, subject to rules of the board, provided that the rules must not include mileage reimbursements in the computation of the per occasion reimbursement limit and must impose no aggregate annual limit on the amount of reasonable and necessary expenditures made to support:

(i) members of a military marching or color guard unit for activities conducted within the state; or

(ii) members of an organization solely for services performed by the members at funeral services, and further provided that members of military marching, color guard, or honor guard units may be reimbursed for participating in color guard, honor guard, or marching unit events within the state at a per participant rate of up to \$35 per occasion;

(7) recreational, community, and athletic facilities and activities intended primarily for persons under age 21, provided that such facilities and activities do not discriminate on the basis of gender and the organization complies with section 349.154;

(8) payment of local taxes authorized under this chapter, taxes imposed by the United States on receipts from lawful gambling, the taxes imposed by section 297E.02, subdivisions 1, 4, 5, and 6, and the tax imposed on unrelated business income by section 290.05, subdivision 3;

(9) payment of real estate taxes and assessments on permitted gambling premises wholly owned by the licensed organization paying the taxes, not to exceed:

(i) for premises used for bingo, the amount that an organization may expend under board rules on rent for bingo; and

(ii) \$35,000 per year for premises used for other forms of lawful gambling;

(10) a contribution to the United States, this state or any of its political subdivisions, or any agency or instrumentality thereof other than a direct contribution to a law enforcement or prosecutorial agency;

(11) a contribution to or expenditure by a nonprofit organization which is a church or body of communicants gathered in common membership for mutual support and edification in piety, worship, or religious observances;

(12) payment of one-half of the reasonable costs of an audit required in section 297E.06, subdivision 4;

(13) a contribution to or expenditure on a wildlife management project that benefits the public at-large, provided that the state agency with authority over that wildlife management project approves the project before the contribution or expenditure is made;

(14) expenditures, approved by the commissioner of natural resources, by an organization for grooming and maintaining snowmobile trails that are (1) grant-in-aid trails established under section 85.019, or (2) other trails open to public use, including purchase or lease of equipment for this purpose; ~~or~~

(15) conducting nutritional programs, food shelves, and congregate dining programs primarily for persons who are age 62 or older or disabled; or

(16) a contribution to a community arts organizations, or an expenditure to sponsor arts programs in the community, including but not limited to visual, literary, performing, or musical arts.

(b) Notwithstanding paragraph (a), "lawful purpose" does not include:

(1) any expenditure made or incurred for the purpose of influencing the nomination or election of a candidate for public office or for the purpose of promoting or defeating a ballot question;

(2) any activity intended to influence an election or a governmental decision-making process;

(3) the erection, acquisition, improvement, expansion, repair, or maintenance of real property or capital assets owned or leased by an organization, unless the board has first specifically authorized the expenditures after finding that (i) the real property or capital assets will be used exclusively for one or more of the purposes in paragraph (a); (ii) with respect to expenditures for repair or maintenance only, that the property is or will be used extensively as a meeting place or event location by other nonprofit organizations or community or service groups and that no rental fee is charged for the use; (iii) with respect to expenditures, including a mortgage payment or other debt service payment, for erection or acquisition only, that the erection or acquisition is necessary to replace with a comparable building, a building owned by the organization and destroyed or made uninhabitable by fire or natural disaster, provided that the expenditure may be only for that part of the replacement cost not reimbursed by insurance; (iv) with respect to expenditures, including a mortgage payment or other debt service payment, for erection or acquisition only, that the erection or acquisition is necessary to replace with a comparable building a building owned by the organization that was acquired from the organization by eminent domain or sold by the organization to a purchaser that the organization reasonably believed would otherwise have acquired the building by eminent domain, provided that the expenditure may be only for that part of the replacement cost that exceeds the compensation received by the organization for the building being replaced; or (v) with respect to an expenditure to bring an existing building into compliance with the Americans with Disabilities Act under item (ii), an organization has the option to apply the amount of the board-approved expenditure to the erection or acquisition of a replacement building that is in compliance with the Americans with Disabilities Act;

(4) an expenditure by an organization which is a contribution to a parent organization, foundation, or affiliate of the contributing organization, if the parent organization, foundation, or affiliate has provided to the contributing organization within one year of the contribution any money, grants, property, or other thing of value;

(5) a contribution by a licensed organization to another licensed organization unless the board has specifically authorized the contribution. The board must authorize such a contribution when requested to do so by the contributing organization unless it makes an affirmative finding that the contribution will not be used by the recipient organization for one or more of the purposes in paragraph (a); or

(6) a contribution to a statutory or home rule charter city, county, or town by a licensed organization with the knowledge that the governmental unit intends to use the contribution for a pension or retirement fund."

Page 2, after line 1, insert:

"Sec. 4. Minnesota Statutes 1998, section 349.163, is amended by adding a subdivision to read:

Subd. 9. [SALES REQUIRED.] No licensed manufacturer may refuse to sell pull-tab games to a licensed distributor unless:

(1) a specific game sold on an exclusive basis is at issue;

(2) the manufacturer does not sell the pull-tab games to any other distributor in Minnesota;

(3) a Minnesota statute or rule prohibits such a sale; or

(4) the distributor is delinquent on any payment owed to the manufacturer."

Pages 3 and 4, delete section 5

Page 6, after line 16, insert:

"Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective the day following final enactment."

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "modifying definitions;"

Page 1, line 4, after the semicolon, insert "specifying conditions under which a manufacturer may refuse to sell pull-tab games to a distributor;"

Page 1, line 5, delete "subdivision" and insert "subdivisions" and after "19" insert "and 25"

Page 1, line 6, after the semicolon, insert "349.163, by adding a subdivision;"

Page 1, line 7, delete "349.19, subdivision 10;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3292, A bill for an act relating to motor fuels; prohibiting the use of MTBE as an oxygenate in gasoline sold in Minnesota; amending Minnesota Statutes 1998, section 239.761, subdivision 6.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 239.761, subdivision 6, is amended to read:

Subd. 6. [GASOLINE BLENDED WITH OXYGENATE.] (a) No gasoline containing in excess of one-tenth of one percent, in total, of the following oxygenates may be sold or offered for sale at retail in the state:

(1) MTBE as defined in section 296A.01, subdivision 34;

(2) ETBE as defined in section 296A.01, subdivision 18; or

(3) TAME (tertiary amyl methyl ether).

(b) Gasoline that is blended with an oxygenate, other than denatured ethanol, must comply with ASTM specification D 4814-96. Oxygenates, other than denatured ethanol, must not be blended into gasoline after the gasoline has been sold, transferred, or otherwise removed from a refinery or terminal."

Delete the title and insert:

"A bill for an act relating to motor fuels; prohibiting sale of certain gasoline; amending Minnesota Statutes 1998, section 239.761, subdivision 6."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3306, A bill for an act relating to health; modifying the residential hospice program requirements; amending Minnesota Statutes 1998, section 144A.48, subdivision 1; repealing Minnesota Statutes 1998, section 144A.48, subdivision 6.

Reported the same back with the following amendments:

Page 2, line 18, strike "that"

Page 2, delete line 19 and insert "~~houses no more than eight hospice patients~~, located in a"

Page 2, line 24, after "2" insert ", and that houses:

(i) no more than eight hospice patients; or

(ii) at least nine and no more than 12 hospice patients with the approval of the local governing authority, notwithstanding section 462.357, subdivision 8"

Page 2, after line 31, insert:

"Sec. 3. [EFFECTIVE DATE.]

Section 2 is effective on the effective date of rules adopted by the commissioner of health relating to the licensure of residential hospice facilities."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3312, A bill for an act relating to agriculture; providing for uniformity in meat and poultry inspection; amending Minnesota Statutes 1998, sections 31.632; 31.633, subdivision 1; 31.651; 31A.02, subdivisions 5, 6, 10, 13, and 14; 31A.03; 31A.05; 31A.06; 31A.07, subdivisions 1 and 2; 31A.08; 31A.10; 31A.13; 31A.16; and 31A.17; Minnesota Statutes 1999 Supplement, sections 31A.01; and 31A.15, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 17.101, subdivision 5, is amended to read:

Subd. 5. [VALUE-ADDED AGRICULTURAL PRODUCT PROCESSING AND MARKETING GRANT PROGRAM.] (a) For purposes of this section:

(1) "agricultural commodity" means a material produced for use in or as food, feed, seed, or fiber and includes crops for fiber, food, oilseeds, seeds, livestock, livestock products, dairy, dairy products, poultry, poultry products, and other products or by-products of the farm produced for the same or similar use, except ethanol; and

(2) "agricultural product processing facility" means land, buildings, structures, fixtures, and improvements located or to be located in Minnesota and used or operated primarily for the processing or production of marketable products from agricultural commodities produced in Minnesota.

(b) The commissioner shall establish and implement a value-added agricultural product processing and marketing grant program to help farmers finance new cooperatives that organize for the purposes of operating agricultural product processing facilities and for marketing activities related to the sale and distribution of processed agricultural products.

(c) To be eligible for this program a grantee must:

(1) be a cooperative organized under chapter 308A;

(2) certify that all of the control and equity in the cooperative is from farmers as defined in section 500.24, subdivision 2, who are actively engaged in agricultural commodity production;

(3) be operated primarily for the processing of agricultural commodities produced in Minnesota;

(4) receive agricultural commodities produced primarily by shareholders or members of the cooperative; and

(5) have no direct or indirect involvement in the production of agricultural commodities.

(d) The commissioner may receive applications from and make grants up to \$50,000 for feasibility, marketing analysis, assistance with organizational development, financing and managing new cooperatives, product development, development of business and marketing plans, and predesign of facilities including site analysis, development of bid specifications, preliminary blueprints and schematics, and completion of purchase agreements and other necessary legal documents to eligible cooperatives. The commissioner shall give priority to applicants who use the grants for planning costs related to an application for financial assistance from the United States Department of Agriculture, Rural Business - Cooperative Service.

Sec. 2. [17.1025] [MINNESOTA CERTIFICATION PROGRAM.]

In cooperation with the University of Minnesota, the department of trade and economic development, and the board of animal health, the commissioner shall establish a pilot program to certify agricultural production methods and agricultural products grown or processed within the state to assure the integrity of claims made by participating

businesses. The commissioner may select and cooperate with private organizations that have established procedures and safeguards to justify claimed characteristics of the production process or the final certified product to conduct certification activities for third party producers.

The commissioner may establish guidelines for the certification program, which are not subject to chapter 14. The commissioner shall submit a report on the pilot program to the legislature by February 1, 2001.

Sec. 3. Minnesota Statutes 1998, section 17A.05, subdivision 2, is amended to read:

Subd. 2. [LIVESTOCK DEALERS.] The amount of each livestock dealer bond filed with the commissioner shall be not less than ~~\$5,000~~ \$10,000 or such larger amount as required, based on the commissioner's consideration of the principal's financial statement, the volume of business reported, or any other factor the commissioner deems pertinent for the protection of the public. Each such bond shall contain the condition clause applicable when the principal buys on commission or as a dealer. A livestock dealer's bond shall be executed on a form furnished by the commissioner or in accordance with the Packers and Stockyards Act, 1921, as amended, (United States Code, title 7, section 181 et seq.).

When a bond is executed on a state form furnished by the commissioner, the bond shall be for the protection of both the buyer and the seller named in the transaction when the principal fails to pay when due for livestock purchased or sold for the principal's own account or the account of others and shall be limited to the protection of claimants whose residence or principal place of livestock business is in the state of Minnesota at the time of the transaction. If the bond is filed on a form in accordance with the Packers and Stockyards Act, the bond shall cover claimants regardless of place of residence.

Sec. 4. Minnesota Statutes 1998, section 17B.07, is amended to read:

17B.07 [OFFICIAL TITLE OF BOARD; MEETINGS.]

The official title of the board shall be "The Minnesota board of grain standards" and it shall have jurisdiction over all grain appeal cases brought before it.

The board shall meet ~~annually on or before June 15, as needed~~ and shall establish the grades of all grain subject to state inspection which shall be known as the "Minnesota grades," and all grain received at any public warehouse shall be graded accordingly. Such grades shall not be changed ~~before the next annual meeting~~ without the concurrence of at least two members of the board. At the time of establishing Minnesota grades, the board also shall adopt such rules, in accordance with the Administrative Procedure Act, as it deems necessary for the enforcement of this section and section 17B.06. In establishing the grades, in addition to the physical qualities of the grain, there shall be taken into consideration the milling and bread-producing quality of all grain products used as human food. The board shall determine the grade, and dockage, if any, of all grain in all cases where appeals from the decisions of the chief inspector have been taken and for such purpose they may request fresh samples of such grain to be furnished directly to the board. ~~Dockage shall be considered as being of two classes, first, that having value and second, that having no value. At the annual meeting the board shall ascertain and determine what dockage contained in grain is of value and publish a list thereof in connection with the publication of the Minnesota grades. Any foreign content of the grain shall not be considered in establishing the grade. Whenever grain containing dockage of value is sold to any public local warehouse or mill, terminal warehouse, or to any flour mill located in St. Paul, Minneapolis, or Duluth, or any other point within the state, which is now or may hereafter be designated as a terminal point, such sale shall not be considered to include such dockage of value, but such dockage shall be paid for at its market value or shall be returned to the vendor of said grain at the option of the vendee.~~

Sec. 5. Minnesota Statutes 1998, section 17B.12, is amended to read:

17B.12 [APPEALS; PROCEDURE.]

Any owner, consignee, or shipper of grain, or any warehouse operator, who is dissatisfied with the inspection of grain may appeal to the board of grain standards by filing a notice of ~~such~~ appeal with the commissioner and paying a fee, to be fixed by the commissioner, ~~which shall be refunded if the appeal is sustained.~~ The commissioner shall ~~forthwith~~ promptly transmit the notice to ~~said~~ the board of grain standards. The decision of ~~said~~ the board; fixing the grade of ~~such~~ the grains ~~shall be~~ is final.

Sec. 6. Minnesota Statutes 1999 Supplement, section 17B.15, subdivision 1, is amended to read:

Subdivision 1. [ADMINISTRATION; APPROPRIATION.] The fees for inspection and weighing shall be fixed by the commissioner and be a lien upon the grain. The commissioner shall set fees for all inspection and weighing in an amount adequate to pay the expenses of carrying out and enforcing the purposes of sections 17B.01 to 17B.23, including the portion of general support costs and statewide indirect costs of the agency attributable to that function, with a reserve sufficient for up to six months. The commissioner shall review the fee schedule twice each year. Fee adjustments are not subject to chapter 14. Payment shall be required for services rendered. ~~If the grain is in transit, the fees shall be paid by the carrier and treated as advance charges, and, if received for storage, the fees shall be paid by the warehouse operator, and added to the storage charges.~~

All fees collected and all fines and penalties for violation of any provision of this chapter shall be deposited in the grain inspection and weighing account, which is created in the agricultural fund for carrying out the purpose of sections 17B.01 to 17B.23. The money in the account, including interest earned on the account, is annually appropriated to the commissioner of agriculture to administer the provisions of sections 17B.01 to 17B.23. When money from any other account is used to administer sections 17B.01 to 17B.23, the commissioner shall notify the chairs of the agriculture, environment and natural resources finance, and ways and means committees of the house of representatives; the agriculture and rural development and finance committees of the senate; and the finance division of the environment and natural resources committee of the senate.

Sec. 7. Minnesota Statutes 1998, section 18C.005, is amended by adding a subdivision to read:

Subd. 7a. [CUSTOM BLEND FERTILIZER.] "Custom blend fertilizer" means a fertilizer blended according to the specifications that are furnished to a distributor by a consumer prior to blending.

Sec. 8. Minnesota Statutes 1998, section 18C.005, subdivision 34, is amended to read:

Subd. 34. [SPECIALTY FERTILIZER.] "Specialty fertilizer" means a fertilizer labeled and distributed for, but not limited to, the following uses: greenhouses, nurseries, home gardens, house plants, lawn fertilizer ~~that is not custom applied~~, shrubs, golf courses, municipal parks, and cemeteries.

Sec. 9. Minnesota Statutes 1998, section 18C.215, subdivision 1, is amended to read:

Subdivision 1. [PACKAGED FERTILIZERS.] (a) A person may not sell or distribute specialty fertilizer in bags or other containers in this state unless a label is placed on or affixed to the bag or container stating in a clear, legible, and conspicuous form the following information:

- (1) the net weight;
- (2) the brand and grade, except the grade is not required if primary nutrients are not claimed;
- (3) the guaranteed analysis;
- (4) the name and address of the guarantor;
- (5) directions for use, except directions for use are not required for custom blend specialty fertilizers; and
- (6) a derivatives statement.

(b) A person may not sell or distribute fertilizer for agricultural purposes in bags or other containers in this state unless a label is placed on or affixed to the bag or container stating in a clear, legible, and conspicuous form the information listed in paragraph (a), clauses (1) to (4), except:

- (1) the grade is not required if primary nutrients are not claimed; and

(2) the grade on the label is optional if the fertilizer is used only for agricultural purposes and the guaranteed analysis statement is shown in the complete form as in section 18C.211.

(c) The labeled information must appear:

(1) on the front or back side of the container;

(2) on the upper one-third of the side of the container;

(3) on the upper end of the container; or

(4) printed on a tag affixed to the upper end of the container.

(d) If a person sells a custom blend specialty fertilizer in bags or other containers, the information required in paragraph (a) must either be affixed to the bag or container as required in paragraph (c) or be furnished to the customer on an invoice or delivery ticket in written or printed form.

Sec. 10. Minnesota Statutes 1998, section 18C.215, subdivision 2, is amended to read:

Subd. 2. [BLENDED, MIXED, BULK, AND CUSTOM APPLIED FERTILIZER.] (a) A distributor who blends or mixes fertilizer or distributes fertilizer, for agricultural use, in bulk, must furnish each purchaser with an invoice or delivery ticket in written or printed form showing:

(1) the net weight and guaranteed analysis of each of the materials used in the mixture and the name and address of the guarantor; or

(2) the net weight and guaranteed analysis of the final mixture and the name and address of the guarantor.

(b) A person may not custom apply specialty fertilizer in this state unless a label, invoice, or delivery ticket is given to each purchaser stating in a clear, legible, and conspicuous form the following information:

(1) the net weight, which may be listed as the total net weight applied or the net weight applied per unit treated;

(2) the guaranteed analysis;

(3) the name and address of the guarantor;

(4) the number of units treated in square feet, acres, or another unit of measure; and

(5) a derivative statement.

(c) Copies of invoices or delivery tickets must be kept for five years after the sale, delivery, or application.

Sec. 11. Minnesota Statutes 1998, section 18C.215, is amended by adding a subdivision to read:

Subd. 2a. [INFORMATION TO CUSTOMER.] If a person sells a custom blend specialty fertilizer in bulk, the information required in subdivision 1, paragraph (a), must be furnished to the customer on an invoice or delivery ticket in written or printed form.

Sec. 12. Minnesota Statutes 1998, section 18C.411, subdivision 1, is amended to read:

Subdivision 1. [REGISTRATION REQUIRED.] (a) A person may not sell brands or grades of specialty fertilizers, soil amendments, or plant amendments in this state unless they are registered with the commissioner.

(b) Registration of the materials is not a warranty by the commissioner or the state.

(c) Specialty fertilizers custom applied are exempt from the registration requirements of this section.

(d) Custom blend specialty fertilizers are exempt from the registration requirements of this section if the distributor is licensed as required by section 18C.415 and the fertilizer is labeled as required by section 18C.215.

Sec. 13. Minnesota Statutes 1998, section 18C.421, subdivision 1, is amended to read:

Subdivision 1. [SEMIANNUAL STATEMENT.] (a) Each licensed distributor of fertilizer and each registrant of a specialty fertilizer, soil amendment, or plant amendment must file a semiannual statement for the periods ending December 31 and June 30 with the commissioner on forms furnished by the commissioner stating the number of net tons and grade of each raw fertilizer material distributed or the number of net tons of each brand or grade of fertilizer, soil amendment, or plant amendment distributed in this state during the reporting period.

(b) Tonnage reports are not required to be filed with the commissioner from licensees who distributed fertilizer solely by custom application.

(c) A report from a licensee who sells to an ultimate consumer must be accompanied by records or invoice copies indicating the name of the distributor who paid the inspection fee, the net tons received, and the grade or brand name of the products received.

~~(d)~~ (d) The report is due on or before the last day of the month following the close of each reporting period of each calendar year.

~~(e)~~ (e) The inspection fee at the rate stated in section 18C.425, subdivision 6, must accompany the statement.

Sec. 14. Minnesota Statutes 1998, section 18D.201, subdivision 3, is amended to read:

Subd. 3. [INSPECTION REQUESTS BY OTHERS.] (a) A person who believes that a violation of this chapter has occurred may request an inspection by giving notice to the commissioner of the violation. The notice must be in writing, state with reasonable particularity the grounds for the notice, and be signed by the person making the request. If the pesticide application is alleged to have damaged a crop or vegetation, the request for inspection must be submitted within 45 days of the date of the pesticide application.

(b) If after receiving a notice of violation the commissioner reasonably believes that a violation has occurred, the commissioner shall make a special inspection in accordance with the provisions of this section as soon as practicable, to determine if a violation has occurred.

(c) An inspection conducted pursuant to a notice under this subdivision may cover an entire site and is not limited to the portion of the site specified in the notice. If the commissioner determines that reasonable grounds to believe that a violation occurred do not exist, the commissioner must notify the person making the request in writing of the determination.

Sec. 15. Minnesota Statutes 1998, section 27.01, subdivision 8, is amended to read:

Subd. 8. [WHOLESALE PRODUCE DEALER.] (a) "Wholesale produce dealer" or "dealer at wholesale" means:

(1) a person who buys from or contracts ~~to buy~~ with a seller for production or sale of produce in wholesale lots for resale;

(2) a person engaging in the business of a broker or agent, who handles or deals in produce for a commission or fee;

- (3) a truck owner or operator who buys produce in wholesale lots for resale; and
 - (4) a person engaged in the business of a cannery, food manufacturer, or food processor, who purchases produce in wholesale lots as a part of that business.
- (b) For purposes of paragraph (a), "wholesale lots" means purchases from Minnesota sellers must total more than \$12,000 annually.
- (c) "Wholesale produce dealer" or "dealer at wholesale" does not include:
- (1) a truck owner and operator who regularly engages in the business of transporting freight, including produce, for a transportation fee only, and who does not purchase, contract to purchase, or sell produce;
 - (2) a marketing cooperative association in which substantially all of the voting stock is held by patrons who patronize the association and in which at least 75 percent of the business of the association is transacted with member or stockholder patrons;
 - (3) a person who purchases Minnesota seasonally grown perishable fresh fruits and vegetables, and pays cash, including lawful money of the United States, a cashier's check, a certified check, or a bank draft;
 - (4) a person who handles and deals in only canned, packaged, or processed produce or packaged dairy products that are no longer perishable as determined by the commissioner by rule; or
 - (5) retail merchants who purchase produce, defined in subdivision 2, directly from farmers, which in the aggregate does not exceed \$500 per month.

Sec. 16. Minnesota Statutes 1998, section 27.19, subdivision 1, is amended to read:

Subdivision 1. [PROHIBITED ACTS.] (a) A person subject to the provisions of this section and sections 27.01 to 27.14 may not:

- (1) operate or advertise to operate as a dealer at wholesale without a license;
- (2) make any false statement or report as to the grade, condition, markings, quality, or quantity of produce, as defined in section 27.069, received or delivered, or act in any manner to deceive a consignor or purchaser;
- (3) refuse to accept a shipment contracted for by the person, unless the refusal is based upon the showing of a state inspection certificate secured with reasonable promptness after the receipt of the shipment showing that the kind and quality of produce, as defined in section 27.069, is other than that purchased or ordered by the person;
- (4) fail to account or make a settlement for produce within the required time;
- (5) violate or fail to comply with the terms or conditions of a contract entered into by the person for the purchase, production, or sale of produce;
- (6) purchase for a person's own account any produce received on consignment, either directly or indirectly, without the consent of the consignor;
- (7) issue a false or misleading market quotation, or cancel a quotation during the period advertised by the person;
- (8) increase the sales charges on produce shipped to the person by means of "dummy" or fictitious sales;

(9) receive decorative forest products and the products of farms and waters from foreign states or countries for sale or resale, either within or outside of the state, and give the purchaser the impression, through any method of advertising or description, that the produce is of Minnesota origin;

(10) fail to notify in writing all suppliers of produce of the protection afforded to suppliers by the person's licensee bond, including: availability of a bond, notice requirements, and any other conditions of the bond;

(11) make a false statement to the commissioner on an application for license or bond or in response to written questions from the commissioner regarding the license or bond;

(12) commit to pay and not pay in full for all produce committed for. A processor may not pay an amount less than the full contract price if the crop produced is satisfactory for processing and is not harvested for reasons within the processor's control. If the processor sets the date for planting, then bunching, unusual yields, and a processor's inability or unwillingness to harvest must be considered to be within the processor's control. Under this clause growers must be compensated for passed acreage at the same rate for grade and yield as they would have received had the crop been harvested in a timely manner minus any contractual provision for green manure or feed value. Both parties are excused from payment or performance for crop conditions that are beyond the control of the parties; or

(13) discriminate between different sections, localities, communities, or cities, or between persons in the same community, by purchasing produce from farmers of the same grade, quality, and kind, at different prices, except that price differentials are allowed if directly related to the costs of transportation, shipping, and handling of the produce and a person is allowed to meet the prices of a competitor in good faith, in the same locality for the same grade, quality, and kind of produce. A showing of different prices by the commissioner is prima facie evidence of discrimination.

(b) A separate violation occurs with respect to each different person involved, each purchase or transaction involved, and each false statement.

Sec. 17. Minnesota Statutes 1998, section 31.101, as amended by Laws 1999, chapter 231, section 55, is amended to read:

31.101 [RULES; HEARINGS; UNIFORMITY WITH FEDERAL LAW.]

Subdivision 1. [AUTHORITY.] ~~The authority to commissioner may promulgate and amend rules for the efficient administration and enforcement of the Minnesota Food Law is vested in the commissioner and is in addition to authority granted in sections 31.10, 31.11, and 31.12. Such~~ The rules when applicable ~~shall~~ must conform, insofar as practicable and consistent with state law, with those promulgated under the federal law. This rulemaking authority is in addition to that in sections 31.10, 31.11, and 31.12. Rules adopted under this section may be amended by the commissioner under chapter 14, subject to the limitation in subdivision 7.

Subd. 2. [HEARINGS.] Hearings authorized or required by law ~~shall~~ must be conducted by the commissioner or ~~such an~~ an officer, agent, or employee ~~as the commissioner may designate~~ designates for the purpose.

Subd. 3. [~~FEDERAL PESTICIDE CHEMICAL REGULATIONS~~ RULES.] Federal pesticide chemical regulations ~~and amendments thereto~~ in effect on April 1, ~~1997~~ 2000, adopted under authority of the Federal Insecticide, Fungicide and Rodenticide Act, as provided by United States Code, title 7, chapter 6, are the pesticide chemical rules in this state. ~~Such rules may be amended by the commissioner proceeding in accordance with the Administrative Procedure Act.~~

Subd. 4. [~~FEDERAL FOOD ADDITIVE REGULATIONS~~ RULES.] Federal food additive regulations ~~and amendments thereto~~ in effect on April 1, ~~1997~~ 2000, as provided by Code of Federal Regulations, title 21, parts 170 to 199, are the food additive rules in this state. ~~Such rules may be amended by the commissioner proceeding in accordance with the Administrative Procedure Act.~~

Subd. 5. [~~FEDERAL COLOR ADDITIVE REGULATIONS RULES.~~] Federal color additive regulations ~~and amendments thereto~~ in effect on April 1, ~~1997~~ 2000, as provided by Code of Federal Regulations, title 21, parts 70 to 82, are the color additive rules in this state. ~~Such rules may be amended by the commissioner proceeding in accordance with the Administrative Procedure Act.~~

Subd. 6. [~~FEDERAL SPECIAL DIETARY USE REGULATIONS RULES.~~] Federal special dietary use regulations ~~and amendments thereto~~ in effect on April 1, ~~1997~~ 2000, as provided by Code of Federal Regulations, title 21, parts 104 and 105, are the special dietary use rules in this state. ~~Such rules may be amended by the commissioner proceeding in accordance with the Administrative Procedure Act.~~

Subd. 7. [~~FAIR PACKAGING AND LABELING ACT REGULATIONS RULES.~~] Federal regulations ~~and amendments thereto~~ in effect on April 1, ~~1997~~ 2000, adopted under the Fair Packaging and Labeling Act, as provided by United States Code, title 15, sections 1451 to 1461, are the rules in this state. ~~Such rules may be amended by the commissioner proceeding in accordance with the Administrative Procedure Act, provided that~~ The commissioner ~~shall~~ may not adopt amendments to ~~such~~ these rules or adopt other rules which are contrary to the labeling requirements for the net quantity of contents required pursuant to section 4 of the Fair Packaging and Labeling Act and the regulations ~~promulgated thereunder~~ adopted under that act.

Subd. 8. [~~FOOD AND DRUGS REGULATIONS RULES.~~] Applicable federal regulations including recodification contained in Code of Federal Regulations, title 21, parts 0-1299, Food and Drugs, in effect April 1, ~~1997~~ 2000, and not otherwise adopted herein, also are adopted as food rules in this state. ~~Such rules may be amended by the commissioner in accordance with the Administrative Procedure Act.~~

Subd. 9. [~~FISHERY PRODUCTS RULES.~~] Federal regulations in effect on April 1, ~~1997~~ 2000, as provided by Code of Federal Regulations, title 50, parts 260 to 267, are incorporated as part of the fishery products rules in this state for state inspections performed under a cooperative agreement with the United States Department of Commerce, National Marine Fisheries Service. ~~The rules may be amended by the commissioner under chapter 14.~~

Subd. 10. [~~MEAT AND POULTRY RULES.~~] Federal regulations in effect on ~~January~~ April 1, ~~1999~~ 2000, as provided by Code of Federal Regulations, title 9, part 301, et seq., are incorporated as part of the meat and poultry rules in this state. ~~The rules may be amended by the commissioner under chapter 14.~~

Subd. 11. [~~STANDARDS FOR FRESH FRUITS, VEGETABLES, AND OTHER PRODUCTS.~~] Federal regulations in effect on April 1, ~~1997~~ 2000, as provided by Code of Federal Regulations, title 7, parts 51 and 52, are incorporated as part of the rules in this state. ~~The rules may be amended by the commissioner under chapter 14.~~

Sec. 18. Minnesota Statutes 1998, section 31.102, subdivision 1, is amended to read:

Subdivision 1. [~~IDENTITY, QUANTITY, AND FILL OF CONTAINER RULES.~~] Federal definitions and standards of identity, quality, and fill of container ~~and amendments thereto~~, in effect on April 1, ~~1997~~ 2000, adopted under authority of the federal act, are the definitions and standards of identity, quality, and fill of container in this state. ~~Such~~ The rules may be amended by the commissioner ~~proceeding in accordance with the Administrative Procedure Act under chapter 14.~~

Sec. 19. Minnesota Statutes 1998, section 31.103, subdivision 1, is amended to read:

Subdivision 1. [~~CONSUMER COMMODITIES LABELING RULES.~~] All labels of consumer commodities ~~shall~~ must conform with the requirements for the declaration of net quantity of contents of section 4 of the Fair Packaging and Labeling Act (United States Code, title 15, section 1451 et seq.) and federal regulations in effect on April 1, ~~1997~~ 2000, ~~promulgated pursuant thereto~~ adopted under authority of that act, except to the extent that the commissioner ~~shall exercise authority to amend such~~ amends the rules ~~in accordance with the Administrative Procedure Act under chapter 14.~~ Consumer commodities exempted from the requirements of section 4 of the Fair Packaging and Labeling Act ~~shall~~ are also ~~be~~ exempt from this subdivision.

Sec. 20. Minnesota Statutes 1998, section 31.104, is amended to read:

31.104 [FOOD LABELING EXEMPTION RULES.]

The commissioner shall promulgate rules exempting from any labeling requirement food which is, in accordance with the practice of the trade, to be processed, labeled or repacked in substantial quantities at establishments other than those where originally processed or packed, on condition that such food is not adulterated or misbranded upon removal from such processing, labeling or repacking establishment.

Federal regulations in effect on April 1, ~~1997~~ 2000, adopted under authority of the federal act relating to such exemptions are effective in this state unless the commissioner ~~shall exercise authority to amend such regulations amends them~~. The commissioner also may ~~promulgate amendments to amend~~ existing rules concerning exemptions ~~in accordance with the Administrative Procedure Act under chapter 14~~.

Sec. 21. Minnesota Statutes 1998, section 31.632, is amended to read:

31.632 [MINNESOTA APPROVED MEATS; USE OF LABEL.]

The commissioner may authorize, pursuant to rules promulgated in the manner provided by law, the use of the label "Minnesota Approved" on meats ~~and~~, meat products, poultry, and poultry products processed by persons licensed under sections 31.51 to 31.58, or by establishments under the inspection program of the United States Department of Agriculture, if the ingredients of ~~such the poultry, poultry products, meats, and meat products~~ are meat, meat by-products, poultry, poultry products, or meat food products which have been inspected and passed by the United States Department of Agriculture, or the Minnesota department of agriculture and further if ~~such the poultry, poultry products, meats, and meat products~~, after such processing, are sound, healthful, wholesome, and fit for human food. A person or establishment desiring to label poultry, poultry products, meats, and meat products as provided in this section shall apply to the commissioner for authority to do so. The commissioner shall grant this authority to the applicant if the applicant complies with the provisions of this section and rules promulgated pursuant to this section. A person using the label "Minnesota Approved" on poultry, poultry products, meat and, or meat products contrary to law is guilty of a misdemeanor.

Sec. 22. Minnesota Statutes 1998, section 31.633, subdivision 1, is amended to read:

Subdivision 1. [MENU REQUIREMENT.] Any restaurant, eating place, or other establishment serving meat or poultry in any form to the public, ~~which meat that~~ has any filler or meat or poultry substitute added to it or incorporated in it, shall clearly and prominently indicate on its menu or bill of fare the meat entrees that contain filler or meat or poultry substitutes.

Sec. 23. Minnesota Statutes 1998, section 31.651, is amended to read:

31.651 [KOSHER PRODUCTS, UNLAWFUL SALE.]

Subdivision 1. [KOSHER REQUIREMENTS.] No person shall sell or expose for sale any poultry, poultry products, meat, or meat preparations and falsely represent the same to be kosher, whether such poultry, poultry products, meat, or meat preparations be raw or prepared for human consumption; nor shall the person permit any such products or the contents of any package or container to be labeled or to have inscribed thereon the word "kosher" in any language unless such products shall have been prepared or processed in accordance with orthodox Hebrew religious requirements sanctioned by a recognized rabbinical council.

Subd. 2. [NOTICE REQUIRED.] Any person who sells or exposes for sale in the same place of business both kosher and nonkosher poultry, meat, or meat preparations, either raw or prepared for human consumption, shall indicate on window signs and all display advertising, in block letters at least four inches in height, "kosher and nonkosher meat and poultry sold here"; and shall display over each kind of poultry, meat, or meat preparation so exposed a sign, in block letters at least two inches in height, reading, "kosher meat," ~~or~~ "kosher poultry," "nonkosher

meat," or "nonkosher poultry," as the case may be; provided that subdivision 2 shall not apply to persons selling or offering for sale kosher poultry, poultry products, meats, or meat products solely in separate consumer packages, which have been prepackaged and properly labeled "kosher."

Subd. 3. [PRESUMPTION.] Possession of nonkosher poultry, poultry products, meat, or meat preparations in any place of business shall be presumptive evidence that the person in possession thereof exposes the same for sale.

Subd. 4. [PRIMA FACIE EVIDENCE.] The absence of a duly sanctioned kosher "plumba," mark, stamp, tag, brand, or label from any poultry, poultry products, meat, meat preparation, or food product shall be prima facie evidence that such product is nonkosher.

Sec. 24. Minnesota Statutes 1999 Supplement, section 31A.01, is amended to read:

31A.01 [POLICY.]

Meat, poultry, poultry food products, and meat food products are an important source of the nation's total supply of food. It is essential in the public interest that the health and welfare of consumers be protected by assuring that meat, poultry, and meat food products distributed to them are wholesome, unadulterated, and properly marked, labeled, and packaged. Unwholesome, adulterated, or misbranded meat, poultry, poultry food products, or meat food products injure the public welfare, destroy markets for wholesome, unadulterated, and properly labeled and packaged meat, poultry, poultry food products, and meat food products, and result in losses to livestock producers and processors of meat, poultry, poultry food products, and meat food products and injury to consumers. Unwholesome, adulterated, mislabeled, or deceptively packaged articles can be sold at lower prices and compete unfairly with wholesome, unadulterated, and properly labeled and packaged articles, to the detriment of consumers and the general public.

Regulation by the commissioner and cooperation between this state and the United States under this chapter are appropriate to protect the health and welfare of consumers and accomplish the purposes of this chapter.

Sec. 25. Minnesota Statutes 1998, section 31A.02, subdivision 5, is amended to read:

Subd. 5. [CUSTOM PROCESSING.] "Custom processing" means slaughtering, eviscerating, dressing, or processing an animal or processing meat products or poultry products for the owner of the animal or of the meat products and poultry products, if all meat products or poultry products derived from the custom operation are returned to the owner of the animal or of the meat products or poultry products. No person may sell, offer for sale, or possess with intent to sell meat derived from custom processing.

Sec. 26. Minnesota Statutes 1998, section 31A.02, subdivision 6, is amended to read:

Subd. 6. [MEAT BROKER.] "Meat broker" means a person in the business of buying or selling carcasses, parts of carcasses, meat, ~~or~~ meat food products, poultry, or poultry products of animals on commission, or otherwise negotiating purchases or sales of those articles other than for the person's own account or as an employee of another person, firm, or corporation.

Sec. 27. Minnesota Statutes 1998, section 31A.02, subdivision 10, is amended to read:

Subd. 10. [MEAT FOOD PRODUCT; POULTRY FOOD PRODUCT.] "Meat food product" or "poultry food product" means a product usable as human food and made wholly or in part from meat or poultry or a portion of the carcass of cattle, sheep, swine, poultry, farmed cervidae, as defined in section 17.451, subdivision 2, llamas, as defined in section 17.455, subdivision 2, ratitae, as defined in section 17.453, subdivision 3, or goats. "Meat food product" or "poultry food product" does not include products which contain meat, poultry, or other portions of the carcasses of cattle, sheep, swine, farmed cervidae, llamas, ratitae, or goats only in a relatively small proportion or that historically have not been considered by consumers as products of the meat food industry, and which are exempted from definition as a meat food product or poultry food product by the commissioner under the conditions the commissioner prescribes to assure that the meat or other portions of carcasses contained in the products are not adulterated and that the products are not represented as meat food products or poultry food products.

"Meat food product," as applied to products of equines, has a meaning comparable to that for cattle, sheep, swine, farmed cervidae, llamas, ratitae, and goats.

Sec. 28. Minnesota Statutes 1998, section 31A.02, subdivision 13, is amended to read:

Subd. 13. [ADULTERATED.] "Adulterated" means a carcass, part of a carcass, meat, poultry, poultry food product, or meat food product under one or more of the following circumstances:

(a) if it bears or contains a poisonous or harmful substance which may render it injurious to health; but if the substance is not an added substance, the article is not adulterated if the quantity of the substance in or on the article does not ordinarily make it injurious to health;

(b) if it bears or contains, by administration of a substance to the live animal or otherwise, an added poisonous or harmful substance, other than (1) a pesticide chemical in or on a raw agricultural commodity; (2) a food additive; or (3) a color additive, which may, in the judgment of the commissioner, make the article unfit for human food;

(c) if it is, in whole or in part, a raw agricultural commodity that bears or contains a pesticide chemical which is unsafe within the meaning of section 408 of the Federal Food, Drug, and Cosmetic Act;

(d) if it bears or contains a food additive which is unsafe within the meaning of section 409 of the Federal Food, Drug, and Cosmetic Act;

(e) if it bears or contains a color additive which is unsafe within the meaning of section 706 of the Federal Food, Drug, and Cosmetic Act;

(f) if it contains a filthy, putrid, or decomposed substance or is for any other reason unfit for human food;

(g) if it has been prepared, packed, or held under unsanitary conditions so that it may be contaminated with filth or harmful to health;

(h) if it is wholly or partly the product of an animal which has died otherwise than by slaughter;

(i) if its container is wholly or partly composed of a poisonous or harmful substance which may make the contents harmful to health;

(j) if it has been intentionally subjected to radiation, unless the use of the radiation conformed with a regulation or exemption in effect under section 409 of the Federal Food, Drug, and Cosmetic Act;

(k) if a valuable constituent has been wholly or partly omitted or removed from it; if a substance has been wholly or partly substituted for it; if damage or inferiority has been concealed; or if a substance has been added to it or mixed or packed with it so as to increase its bulk or weight, reduce its quality or strength, or make it appear better or of greater value than it is; or

(l) if it is margarine containing animal fat and any of the raw material used in it wholly or partly consisted of a filthy, putrid, or decomposed substance.

Sec. 29. Minnesota Statutes 1998, section 31A.02, subdivision 14, is amended to read:

Subd. 14. [MISBRANDED.] "Misbranded" means a carcass, part of a carcass, meat, poultry, poultry food product, or meat food product under one or more of the following circumstances:

(a) if its labeling is false or misleading;

(b) if it is offered for sale under the name of another food;

(c) if it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word "imitation" followed immediately by the name of the food imitated;

(d) if its container is made, formed, or filled so as to be misleading;

(e) if its package or other container does not have a label showing (1) the name and place of business of the manufacturer, packer, or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count subject to reasonable variations permitted and exemptions for small packages established in rules of the commissioner;

(f) if a word, statement, or other information required by or under authority of this chapter to appear on the label or other labeling is not prominently and conspicuously placed on the label or labeling in terms that make it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

(g) if it is represented as a food for which a definition and standard of identity or composition has been prescribed by rules of the commissioner under section 31A.07, unless (1) it conforms to the definition and standard, and (2) its label bears the name of the food specified in the definition and standard and, if required by the rules, the common names of optional ingredients, other than spices, flavoring, and coloring, present in the food;

(h) if it is represented as a food for which a standard of fill of container has been prescribed by rules of the commissioner under section 31A.07, and it falls below the applicable standard of fill of container, unless its label bears, in the manner and form the rules specify, a statement that it falls below the standard;

(i) if it is not subject to paragraph (g), unless its label bears (1) the usual name of the food, if there is one, and (2) in case it is fabricated from two or more ingredients, the common or usual name of each ingredient; except that spices, flavorings, and colorings may, when authorized by the commissioner, be designated as spices, flavorings, and colorings without naming each. To the extent that compliance with clause (2) is impracticable, or results in deception or unfair competition, the commissioner shall establish exemptions by rule;

(j) if it purports to be or is represented for special dietary uses, unless its label bears the information concerning its vitamin, mineral, and other dietary properties that the commissioner, after consultation with the Secretary of Agriculture of the United States, determines by rule to be necessary to inform purchasers of its value for special dietary uses;

(k) if it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact;

(l) if it fails to bear, directly or on its container, as the commissioner by rule prescribes, the inspection legend and other information the commissioner may require by rule to assure that it will not have false or misleading labeling and that the public will be told how to keep the article wholesome.

Sec. 30. Minnesota Statutes 1998, section 31A.03, is amended to read:

31A.03 [INSPECTION OF LIVE ANIMALS; DISPOSITION OF DEFECTIVE ANIMALS.]

To prevent the use in intrastate commerce of adulterated meat ~~and~~ meat food products, poultry, and poultry food products, the commissioner shall appoint inspectors and have them examine and inspect all animals before the animals enter a slaughtering, packing, meat canning, rendering, or similar establishment in this state in which slaughtering of animals and preparation of meat ~~and~~ meat food products, poultry, and poultry food products are conducted solely for intrastate commerce. Animals found on inspection to show symptoms of disease must be set apart and slaughtered separately from other animals. The carcasses of those animals must be carefully examined and inspected under rules of the commissioner.

Sec. 31. Minnesota Statutes 1998, section 31A.05, is amended to read:

31A.05 [APPLICATION OF INSPECTION PROVISIONS.]

Sections 31A.03 and 31A.04 apply to carcasses or parts of animals, poultry, or poultry food products, and meat or meat products derived from them that are usable as human food, when these items are brought into a slaughtering, meat canning, salting, packing, rendering, or similar establishment, where inspection under sections 31A.01 to 31A.16 is done. Examination and inspection must be made before the carcasses or animal parts may enter into a department where they are to be treated and prepared for meat food products or poultry food products.

Sections 31A.03 and 31A.04 also apply to products which, after having been issued from a slaughtering, meat canning, salting, packing, rendering, or similar establishment, must be returned to it or to a similar establishment where inspection is done.

The commissioner may limit the entry of carcasses, parts of carcasses, poultry, poultry food products, meat ~~and~~, meat food products, and other materials into an establishment where inspection under sections 31A.01 to 31A.16 is done to conditions the commissioner prescribes to assure that allowing the entry of articles into inspected establishments is consistent with the purposes of this chapter.

Sec. 32. Minnesota Statutes 1998, section 31A.06, is amended to read:

31A.06 [INSPECTORS' DUTIES.]

The commissioner shall appoint inspectors to examine and inspect poultry food products and meat food products prepared in a slaughtering, meat canning, salting, packing, rendering, or similar establishment, where the articles are prepared solely for intrastate commerce. For examination and inspection purposes, the inspectors must be given access at all times, whether the establishment is operated or not, to every part of the establishment. The inspectors shall mark, stamp, tag, or label as "Minnesota Inspected and Passed" all products found to be unadulterated, and the inspectors shall label, mark, stamp, or tag as "Minnesota Inspected and Condemned" all products found to be adulterated. Condemned meat food products or poultry food products must be destroyed for food purposes under section 31A.04. The commissioner may remove inspectors from an establishment which fails to destroy condemned poultry food products or meat food products.

Sec. 33. Minnesota Statutes 1998, section 31A.07, subdivision 1, is amended to read:

Subdivision 1. [LABELING; PACKING.] When poultry, poultry food products, meat, or a meat food ~~product~~ products prepared for intrastate commerce which ~~has~~ have been inspected and marked "Minnesota Inspected and Passed" is placed or packed in a can, pot, tin, canvas, or other receptacle or covering in an establishment where inspection is done under sections 31A.01 to 31A.31, the person, firm, or corporation preparing the product shall have a label attached to the can, pot, tin, canvas, or other receptacle or covering, under supervision of an inspector. The label must state that the contents have been "Minnesota Inspected and Passed" under sections 31A.01 to 31A.31. An inspection or examination of poultry, poultry food products, meat, or meat food products deposited or enclosed in cans, tins, pots, canvas, or other receptacles or coverings in an establishment where inspection is done under this chapter is not complete until the poultry, poultry food products, meat, or meat food products have been sealed or enclosed in the can, tin, pot, canvas, or other receptacle or covering under the supervision of an inspector.

Sec. 34. Minnesota Statutes 1998, section 31A.07, subdivision 2, is amended to read:

Subd. 2. [LABELS; MARKS.] All carcasses, parts of carcasses, poultry, poultry food products, meat, and meat food products inspected at an establishment under this chapter and found not to be adulterated, must when they leave the establishment bear, directly or on their containers, legible labels or official marks as required by the commissioner.

Sec. 35. Minnesota Statutes 1998, section 31A.08, is amended to read:

31A.08 [RULES.]

The commissioner shall have experts in sanitation or other competent inspectors inspect all slaughtering, meat canning, salting, packing, rendering, or similar establishments in which animals are slaughtered and their poultry, poultry food products, meat, and meat food products are prepared solely for intrastate commerce. The inspections must be conducted as necessary for the commissioner to know the sanitary conditions of the establishments, and to prescribe the rules of sanitation under which the establishments must be maintained. If an establishment has sanitary conditions that allow poultry, poultry food products, meat, or meat food products to become adulterated, the commissioner shall refuse to allow the poultry, poultry food products, meat, or meat food products to be labeled, marked, stamped, or tagged as "Minnesota Inspected and Passed."

Sec. 36. Minnesota Statutes 1998, section 31A.10, is amended to read:

31A.10 [PROHIBITIONS.]

No person may, with respect to an animal, carcass, part of a carcass, poultry, poultry food product, meat, or meat food product:

(1) slaughter an animal or prepare an article that is usable as human food, at any establishment preparing articles solely for intrastate commerce, except in compliance with this chapter;

(2) sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce (i) articles which are usable as human food and are adulterated or misbranded at the time of sale, transportation, offer for sale or transportation, or receipt for transportation; or (ii) articles required to be inspected under sections 31A.01 to 31A.16 that have not been inspected and passed;

(3) do something to an article that is usable as human food while the article is being transported in intrastate commerce or held for sale after transportation, which is intended to cause or has the effect of causing the article to be adulterated or misbranded; or

(4) sell, offer for sale, or possess with intent to sell meat derived from custom processing.

Sec. 37. Minnesota Statutes 1998, section 31A.13, is amended to read:

31A.13 [INSPECTORS.]

The commissioner shall appoint inspectors to inspect animals, whole or parts of carcasses, poultry, poultry food products, meat, and meat food products the inspection of which is provided for by law, and the sanitary conditions of all establishments in which the poultry, poultry food products, meat, and meat food products are prepared. Inspectors shall refuse to stamp, mark, tag, or label a whole or part of a carcass or a meat food product derived from it, prepared in an establishment covered by sections 31A.01 to 31A.12, until it has actually been inspected and found to be not adulterated. Inspectors shall perform other duties required by this chapter or by rules adopted by the commissioner that are necessary for the efficient execution of this chapter. Inspections under this chapter must conform to the rules adopted by the commissioner consistent with this chapter.

Sec. 38. Minnesota Statutes 1999 Supplement, section 31A.15, subdivision 1, is amended to read:

Subdivision 1. [INSPECTION.] The provisions of sections 31A.01 to 31A.16 requiring inspection of the slaughter of animals and the preparation of the carcasses, parts of carcasses, meat, poultry, poultry food products, and meat food products at establishments conducting slaughter and preparation do not apply:

(1) to the processing by a person of the person's own animals and the owner's preparation and transportation in intrastate commerce of the carcasses, parts of carcasses, meat, poultry, poultry food products, and meat food products of those animals exclusively for use by the owner and members of the owner's household, nonpaying guests, and employees; or

(2) to the custom processing by a person of cattle, sheep, swine, poultry, or goats delivered by the owner for processing, and the preparation or transportation in intrastate commerce of the carcasses, parts of carcasses, meat, poultry, poultry food products, and meat food products of animals, exclusively for use in the household of the owner by the owner and members of the owner's household, nonpaying guests, and employees. Meat from custom processing of cattle, sheep, swine, poultry, or goats must be identified and handled as required by the commissioner, during all phases of processing, chilling, cooling, freezing, preparation, storage, and transportation. The custom processor may not engage in the business of buying or selling carcasses, parts of carcasses, meat, poultry, poultry food products, or meat food products of animals usable as human food unless the carcasses, parts of carcasses, meat, poultry, poultry food products, or meat food products have been inspected and passed and are identified as inspected and passed by the Minnesota department of agriculture or the United States Department of Agriculture.

Sec. 39. Minnesota Statutes 1998, section 31A.16, is amended to read:

31A.16 [STORING AND HANDLING CONDITIONS.]

The commissioner may adopt rules prescribing conditions under which carcasses, parts of carcasses, poultry, poultry food products, meat, and meat food products of animals usable as human food must be stored or otherwise handled by a person in the business of buying, selling, freezing, storing, or transporting them, in or for intrastate commerce, if the commissioner considers action necessary to assure that the articles will not be adulterated or misbranded when delivered to the consumer.

Sec. 40. Minnesota Statutes 1998, section 31A.17, is amended to read:

31A.17 [ARTICLES NOT INTENDED AS HUMAN FOOD.]

Inspection must not be provided under sections 31A.01 to 31A.16 at an establishment for the slaughter of animals or the preparation of carcasses or parts or products of animals which are not intended for use as human food. Before they are offered for sale or transportation in intrastate commerce, those articles must be denatured or otherwise identified as prescribed by rules of the commissioner to deter their use for human food, unless they are naturally inedible by humans. No person may buy, sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce, carcasses, parts of carcasses, poultry, poultry food products, meat, or meat food products of animals which are not intended for use as human food unless they are denatured or otherwise identified as required by the rules of the commissioner or are naturally inedible by humans.

Sec. 41. Minnesota Statutes 1999 Supplement, section 31B.07, subdivision 3, is amended to read:

Subd. 3. [EXPIRATION.] The reporting provisions of this section expire 30 days after a department or agency of the federal government has a price reporting requirement at least as comprehensive as this section, as determined by the commissioner and results in Minnesota-specific information being available to the commissioner and to Minnesota producers.

Sec. 42. Minnesota Statutes 1998, section 223.17, subdivision 5, is amended to read:

Subd. 5. [CASH SALES; MANNER OF PAYMENT.] For a cash sale of a shipment of grain which is part of a multiple shipment sale, the grain buyer shall tender payment to the seller in cash or by check not later than ten days after the sale of that shipment, except that when the entire sale is completed, payment shall be tendered not later than the close of business on the next day, or within 48 hours, whichever is later. For other cash sales the grain buyer, before the close of business on the next business day after the sale, shall tender payment to the seller in cash or by check, or shall wire or mail funds to the seller's account in the amount of at least 80 percent of the value of the grain

at the time of delivery. The grain buyer shall complete final settlement as rapidly as possible through ordinary diligence. ~~Any transaction which is not a cash sale in compliance with the provisions of this subdivision constitutes a voluntary extension of credit which is not afforded protection under the grain buyer's bond, and which must comply with sections 223.175 and 223.177.~~

Sec. 43. Minnesota Statutes 1998, section 223.175, is amended to read:

223.175 [WRITTEN VOLUNTARY EXTENSION OF CREDIT CONTRACTS; FORM.]

A written confirmation required under section 223.177, subdivision 2, and a written voluntary extension of credit contract must include those items prescribed by the commissioner by rule. A contract shall include a statement of the legal and financial responsibilities of grain buyers and sellers established in this chapter. A contract shall also include the following statement in not less than ten point, all capital type, framed in a box with space provided for the seller's signature: "THIS CONTRACT CONSTITUTES A VOLUNTARY EXTENSION OF CREDIT. THIS CONTRACT IS NOT COVERED BY ANY GRAIN BUYER'S BOND." If a written contract is provided at the time the grain is delivered to the grain buyer, the seller shall sign the contract in the space provided beneath the statement. A transaction that does not meet the provisions of a voluntary extension of credit, including the issuance and signing of a voluntary extension of credit contract, is a cash sale.

Sec. 44. Minnesota Statutes 1998, section 232.21, is amended by adding a subdivision to read:

Subd. 14. [OPEN STORAGE.] "Open storage" means grain or agricultural products received by a warehouse operator from a depositor for which warehouse receipts have not been issued or a purchase made and the records documented accordingly.

Sec. 45. Minnesota Statutes 1998, section 232.23, subdivision 1, is amended to read:

Subdivision 1. [DISCRIMINATION PROHIBITED.] (a) Except as provided in paragraph (b), a public grain warehouse operator must receive for storage, so far as the capacity of the grain warehouse will permit, all sound grain tendered in warehouseable condition without discrimination against any person tendering the grain.

(b) A public grain warehouse is not required to receive for storage grain beyond the storage capacity actually owned by the warehouse. Capacity owned by another may be managed by a public grain warehouse with the written permission of the owner of that capacity.

Sec. 46. Minnesota Statutes 1998, section 232.23, subdivision 3, is amended to read:

Subd. 3. [GRAIN DELIVERED CONSIDERED ~~SOLED~~ STORED.] All grain delivered to a public grain warehouse operator shall be considered ~~soled~~ stored at the time of delivery, unless arrangements have been made with the public grain warehouse operator prior to or at the time of delivery to apply the grain on contract, for shipment or consignment or for storage cash sale. Grain may be held in open storage or placed on a warehouse receipt. Warehouse receipts must be issued for all grain held in open storage within six months of delivery to the warehouse unless the depositor has signed a statement that the depositor does not desire a warehouse receipt. The warehouse operator's tariff applies for any grain that is retained in open storage or under warehouse receipt.

Sec. 47. Minnesota Statutes 1998, section 232.23, subdivision 6, is amended to read:

Subd. 6. [LIABILITY.] A public grain warehouse operator ~~issuing a grain warehouse receipt~~ is liable to the depositor for the delivery of the kind, grade, and net quantity of grain called for by the grain warehouse receipt: or scale ticket marked "store."

Sec. 48. Minnesota Statutes 1999 Supplement, section 500.24, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] The definitions in this subdivision apply to this section.

(a) "Farming" means the production of (1) agricultural products; (2) livestock or livestock products; (3) milk or milk products; or (4) fruit or other horticultural products. It does not include the processing, refining, or packaging of said products, nor the provision of spraying or harvesting services by a processor or distributor of farm products. It does not include the production of timber or forest products, the production of poultry or poultry products, or the feeding and caring for livestock that are delivered to a corporation for slaughter or processing for up to 20 days before slaughter or processing.

(b) "Family farm" means an unincorporated farming unit owned by one or more persons residing on the farm or actively engaging in farming.

(c) "Family farm corporation" means a corporation founded for the purpose of farming and the ownership of agricultural land in which the majority of the ~~voting~~ stock is held by and the majority of the stockholders are persons ~~or~~ the spouses of persons, or current beneficiaries of one or more family farm trusts in which the trustee holds stock in a family farm corporation, related to each other within the third degree of kindred according to the rules of the civil law, and at least one of said related persons is residing on or actively operating the farm, and none of whose stockholders are corporations; provided that a family farm corporation shall not cease to qualify as such hereunder by reason of any ~~devise or bequest~~;

(1) transfer of shares of voting stock to a person or the spouse of a person related within the third degree of kindred according to the rules of civil law to the person making the transfer, or to a family farm trust of which the shareholder, spouse, or related person is a current beneficiary; or

(2) distribution from a family farm trust of shares of stock to a beneficiary related within the third degree of kindred according to the rules of civil law to a majority of the current beneficiaries of the trust, or to a family farm trust of which the shareholder, spouse, or related person is a current beneficiary.

For the purposes of this section, a transfer may be made with or without consideration, either directly or indirectly, during life or at death, whether or not in trust, of the shares in the family farm corporation, and stock owned by a family farm trust are considered to be owned in equal shares by the current beneficiaries.

(d) "Family farm trust" means:

(1) a trust in which:

(i) a majority of the current beneficiaries are persons or spouses of persons who are related to each other within the third degree of kindred according to the rules of civil law;

(ii) all of the current beneficiaries are natural persons or nonprofit corporations or trusts described in Internal Revenue Code, section 170(c), as amended, and the regulations under that section; and

(iii) one of the family member current beneficiaries is residing on or actively operating the farm; or

(2) a charitable remainder trust as defined in Internal Revenue Code, section 664, as amended, and the regulations under that section, and a charitable lead trust as set forth in Internal Revenue Code, section 170(f), and the regulations under that section, if the lead period does not exceed ten years and the majority of remainder beneficiaries are related to the grantor within the third degree of kindred according to the rules of civil law.

For the purposes of this section, if a distributee trust becomes entitled to, or at the discretion of any person may receive, a distribution from income or principal of a family farm trust, then the distributee trust must independently qualify as a family farm trust.

~~(e)~~ (e) "Authorized farm corporation" means a corporation meeting the following standards:

(1) it has no more than five shareholders, provided that for the purposes of this section, a husband and wife are considered one shareholder;

(2) all its shareholders, other than any estate, are natural persons;

(3) it does not have more than one class of shares;

(4) its revenue from rent, royalties, dividends, interest, and annuities does not exceed 20 percent of its gross receipts;

(5) shareholders holding 51 percent or more of the interest in the corporation reside on the farm or are actively engaging in farming;

(6) it does not, directly or indirectly, own or otherwise have an interest in any title to more than 1,500 acres of agricultural land; and

(7) none of its shareholders are shareholders in other authorized farm corporations that directly or indirectly in combination with the corporation own more than 1,500 acres of agricultural land.

~~(e)~~ (f) "Authorized livestock farm corporation" means a corporation formed for the production of livestock and meeting the following standards:

(1) it is engaged in the production of livestock other than dairy cattle;

(2) all its shareholders, other than any estate, are natural persons or family farm corporations;

(3) it does not have more than one class of shares;

(4) its revenue from rent, royalties, dividends, interest, and annuities does not exceed 20 percent of its gross receipts;

(5) shareholders holding 75 percent or more of the control, financial, and capital investment in the corporation are farmers residing in Minnesota and at least 51 percent of the required percentage of farmers are actively engaged in livestock production;

(6) it does not, directly or indirectly, own or otherwise have an interest in any title to more than 1,500 acres of agricultural land; and

(7) none of its shareholders are shareholders in other authorized farm corporations that directly or indirectly in combination with the corporation own more than 1,500 acres of agricultural land.

~~(f)~~ (g) "Agricultural land" means real estate used for farming or capable of being used for farming in this state.

~~(g)~~ (h) "Pension or investment fund" means a pension or employee welfare benefit fund, however organized, a mutual fund, a life insurance company separate account, a common trust of a bank or other trustee established for the investment and reinvestment of money contributed to it, a real estate investment trust, or an investment company as defined in United States Code, title 15, section 80a-3.

~~(h)~~ (i) "Farm homestead" means a house including adjoining buildings that has been used as part of a farming operation or is part of the agricultural land used for a farming operation.

(j) "Family farm partnership" means a limited partnership formed for the purpose of farming and the ownership of agricultural land in which the majority of the interests in the partnership is held by and the majority of the partners are persons ~~or~~, the spouses of persons, or current beneficiaries of one or more family farm trusts in which the trustee holds an interest in a family farm partnership related to each other within the third degree of kindred according to the rules of the civil law, at least one of the related persons is residing on or actively operating the farm, and none of the partners are corporations. A family farm partnership does not cease to qualify as a family farm partnership because of a ~~devise or bequest~~.

(1) transfer of a partnership interest in the partnership to a person or spouse of a person related within the third degree of kindred according to the rules of civil law to the person making the transfer or to a family farm trust of which the partner, spouse, or related person is a current beneficiary; or

(2) distribution from a family farm trust of a partnership interest to a beneficiary related within the third degree of kindred according to the rules of civil law to a majority of the current beneficiaries of the trust, or to a family farm trust of which the partner, spouse, or related person is a current beneficiary.

For the purposes of this section, a transfer may be made with or without consideration, either directly or indirectly, during life or at death, whether or not in trust, of a partnership interest in the family farm partnership, and interest owned by a family farm trust is considered to be owned in equal shares by the current beneficiaries.

(k) "Authorized farm partnership" means a limited partnership meeting the following standards:

(1) it has been issued a certificate from the secretary of state or is registered with the county recorder and farming and ownership of agricultural land is stated as a purpose or character of the business;

(2) no more than five partners;

(3) all its partners, other than any estate, are natural persons;

(4) its revenue from rent, royalties, dividends, interest, and annuities do not exceed 20 percent of its gross receipts;

(5) its general partners hold at least 51 percent of the interest in the land assets of the partnership and reside on the farm or are actively engaging in farming not more than 1,500 acres as a general partner in an authorized limited partnership;

(6) its limited partners do not participate in the business of the limited partnership including operating, managing, or directing management of farming operations;

(7) it does not, directly or indirectly, own or otherwise have an interest in any title to more than 1,500 acres of agricultural land; and

(8) none of its limited partners are limited partners in other authorized farm partnerships that directly or indirectly in combination with the partnership own more than 1,500 acres of agricultural land.

(l) "Farmer" means a natural person who regularly participates in physical labor or operations management in the person's farming operation and files "Schedule F" as part of the person's annual Form 1040 filing with the United States Internal Revenue Service.

(m) "Actively engaged in livestock production" means performing day-to-day physical labor or day-to-day operations management that significantly contributes to livestock production and the functioning of a livestock operation.

~~(m)~~ (n) "Research or experimental farm" means a corporation, limited partnership, or pension or investment fund that owns or operates agricultural land for research or experimental purposes, provided that any commercial sales from the operation are incidental to the research or experimental objectives of the corporation. A corporation, limited partnership, or pension or investment fund seeking initial approval by the commissioner to operate agricultural land for research or experimental purposes must first submit to the commissioner a prospectus or proposal of the intended method of operation containing information required by the commissioner including a copy of any operational contract with individual participants.

~~(m)~~ (o) "Breeding stock farm" means a corporation or limited partnership that owns or operates agricultural land for the purpose of raising breeding stock, including embryos, for resale to farmers or for the purpose of growing seed, wild rice, nursery plants, or sod. An entity that is organized to raise livestock other than dairy cattle under this paragraph that does not qualify as an authorized farm corporation must:

(1) sell all castrated animals to be fed out or finished to farming operations that are neither directly nor indirectly owned by the business entity operating the breeding stock operation; and

(2) report its total production and sales annually to the commissioner.

~~(o)~~ (p) "Aquatic farm" means a corporation or limited partnership that owns or leases agricultural land as a necessary part of an aquatic farm as defined in section 17.47, subdivision 3.

~~(p)~~ (q) "Religious farm" means a corporation formed primarily for religious purposes whose sole income is derived from agriculture.

~~(q)~~ (r) "Utility corporation" means a corporation regulated under Minnesota Statutes 1974, chapter 216B, that owns agricultural land for purposes described in that chapter, or an electric generation or transmission cooperative that owns agricultural land for use in its business if the land is not used for farming except under lease to a family farm unit, a family farm corporation, a family farm trust, or a family farm partnership.

~~(r)~~ "Benevolent trust" means a pension fund or family trust established by the owners of a family farm, authorized farm corporation, authorized livestock farm corporation, or family farm corporation that holds an interest in title to agricultural land on which one or more of those owners or shareholders have resided or have been actively engaged in farming as required by paragraph (b), (c), (d), or (e).

(s) "Development organization" means a corporation, limited partnership, or pension or investment fund that ~~owns~~ has an interest in agricultural land for which the corporation, limited partnership, or pension or investment fund has documented plans to use and subsequently uses the land within six years from the date of purchase for a specific nonfarming purpose, or if the land is zoned nonagricultural, or if the land is located within an incorporated area. A corporation, limited partnership, or pension or investment fund may hold agricultural land in the amount necessary for its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, the land may not be used for farming except under lease to a family farm unit, a family farm corporation, a family farm trust, an authorized farm corporation, an authorized livestock farm corporation, a family farm partnership, or an authorized farm partnership, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation that has entered into an agreement with the United States under the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, United States Code, title 42, sections 3901 to 3914) as amended, or a subsidiary or assign of such a corporation.

(t) "Exempt land" means agricultural land owned or leased by a corporation as of May 20, 1973, agricultural land owned or leased by a pension or investment fund as of May 12, 1981, ~~or~~ agricultural land owned or leased by a limited partnership as of May 1, 1988, or agricultural land owned or leased by a trust as of the effective date of this act, including the normal expansion of that ownership at a rate not to exceed 20 percent of the amount of land owned as of May 20, 1973, for a corporation; May 12, 1981, for a pension or investment fund; ~~or~~ May 1, 1988, for a limited partnership, or the effective date of this act for a trust, measured in acres, in any five-year period, and including additional ownership reasonably necessary to meet the requirements of pollution control rules. A corporation,

limited partnership, or pension or investment fund that is eligible to own or lease agricultural land under this section prior to May 1997, or a corporation that is eligible to own or lease agricultural land as a benevolent trust under this section prior to the effective date of this act, may continue to own or lease agricultural land subject to the same conditions and limitations as previously allowed.

(u) "Gifted land" means agricultural land acquired as a gift, either by grant or devise, by an educational, religious, or charitable nonprofit corporation, limited partnership, or pension or investment fund if all land so acquired is disposed of within ten years after acquiring the title.

(v) "Reposessed land" means agricultural land acquired by a corporation, limited partnership, or pension or investment fund by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim on the land, whether created by mortgage or otherwise if all land so acquired is disposed of within five years after acquiring the title. The five-year limitation is a covenant running with the title to the land against any grantee, assignee, or successor of the pension or investment fund, corporation, or limited partnership. The land so acquired must not be used for farming during the five-year period, except under a lease to a family farm unit, a family farm corporation, an authorized farm corporation, an authorized livestock farm corporation, a family farm partnership, or an authorized farm partnership. Notwithstanding the five-year divestiture requirement under this paragraph, a financial institution may continue to own the agricultural land if the agricultural land is leased to the immediately preceding former owner, but must dispose of the agricultural land within ten years of acquiring the title. Livestock acquired by a pension or investment fund, corporation, or limited partnership in the collection of debts, or by a procedure for the enforcement of lien or claim on the livestock whether created by security agreement or otherwise after August 1, 1994, must be sold or disposed of within one full production cycle for the type of livestock acquired or 18 months after the livestock is acquired, whichever is ~~later~~ earlier.

(w) "Commissioner" means the commissioner of agriculture.

(x) ~~"Demonstration Nonprofit corporation"~~ "Nonprofit corporation" means a nonprofit corporation organized under state nonprofit corporation law ~~and formed primarily for the purpose of demonstrating historical farming practices or qualified for tax exempt status under federal tax law that uses the land for a specific nonfarming purpose or leases the agricultural land to a family farm unit, a family farm corporation, an authorized farm corporation, an authorized livestock farm corporation, a family farm partnership, or an authorized farm partnership.~~

(y) "Current beneficiary" means a person who at any time during a year is entitled to, or at the discretion of any person may, receive a distribution from the income or principal of the trust. It does not include a distributee trust, other than a trust described in section 170(c) of the Internal Revenue Code, as amended, but does include the current beneficiaries of the distributee trust. It does not include a person in whose favor a power of appointment could be exercised until the holder of the power of appointment actually exercises the power of appointment in that person's favor. It does not include a person who is entitled to receive a distribution only after a specified time or upon the occurrence of a specified event until the time or occurrence of the event. For the purposes of this section, a distributee trust is a current beneficiary of a family farm trust.

(z) "De minimis" means that any corporation, pension or investment fund, or limited partnership that directly or indirectly owns, acquires, or otherwise obtains any interest in 40 acres or less of agricultural land and annually receives less than \$150 per acre in gross revenue from rental or agricultural production.

Sec. 49. Minnesota Statutes 1999 Supplement, section 500.24, subdivision 3, is amended to read:

Subd. 3. [FARMING AND OWNERSHIP OF AGRICULTURAL LAND BY CORPORATIONS RESTRICTED.]
(a) No corporation, limited liability company, pension or investment fund, trust, or limited partnership shall engage in farming; nor shall any corporation, limited liability company, pension or investment fund, trust, or limited partnership, directly or indirectly, own, acquire, or otherwise obtain any interest, in agricultural land other than a bona fide encumbrance taken for purposes of security. This subdivision does not apply to general partnerships. This

subdivision does not apply to any agricultural land, corporation, limited partnership, trust, or pension or investment fund that meet any of the definitions in subdivision 2, paragraphs (b) to ~~(e)~~ (f), ~~(i)~~ (j), (k), ~~(m)~~ (n) to (v), and (x), and (z), has a conservation plan prepared for the agricultural land, and reports as required under subdivision 4.

(b) A corporation, pension or investment fund, trust, or limited partnership that cannot meet any of the definitions in subdivision 2, paragraphs (b) to (f), (j), (k), (n) to (v), (x), and (z), may petition the commissioner for an exemption from this subdivision. The commissioner may issue an exemption if the entity meets the following criteria:

(1) the exemption would not contradict the purpose of this section; and

(2) the petitioning entity would not have a significant impact upon the agriculture industry and the economy.

The commissioner shall review annually each entity that is issued an exemption under this paragraph to ensure that the entity continues to meet the criteria in clauses (1) and (2). If an entity fails to meet the criteria, the commissioner shall withdraw the exemption and the entity is subject to enforcement proceedings under subdivision 5. The commissioner shall submit a report with a list of each entity that is issued an exemption under this paragraph to the chairs of the senate and house agricultural policy committees by October 1 of each year.

Sec. 50. Minnesota Statutes 1998, section 500.24, subdivision 4, is amended to read:

Subd. 4. [REPORTS.] (a) The chief executive officer of every pension or investment fund, corporation, ~~or~~ limited partnership, or entity that is seeking to qualify for an exemption from the commissioner, and the trustee of a family farm trust that holds any interest in agricultural land or land used for the breeding, feeding, pasturing, growing, or raising of livestock, dairy or poultry, or products thereof, or land used for the production of agricultural crops or fruit or other horticultural products, other than a bona fide encumbrance taken for purposes of security, or which is engaged in farming or proposing to commence farming in this state after May 20, 1973, shall file with the commissioner a report containing the following information and documents:

(1) the name of the pension or investment fund, corporation, or limited partnership and its place of incorporation, certification, or registration;

(2) the address of the pension or investment plan headquarters or of the registered office of the corporation in this state, the name and address of its registered agent in this state and, in the case of a foreign corporation or limited partnership, the address of its principal office in its place of incorporation, certification, or registration;

(3) the acreage and location listed by quarter-quarter section, township, and county of each lot or parcel of agricultural land or land used for the keeping or feeding of poultry in this state owned or leased by the pension or investment fund, limited partnership, or corporation;

(4) the names and addresses of the officers, administrators, directors, or trustees of the pension or investment fund, or of the officers, shareholders owning more than ten percent of the stock, including the percent of stock owned by each such shareholder, and the members of the board of directors of the corporation, and the general and limited partners and the percentage of interest in the partnership by each partner;

(5) the farm products which the pension or investment fund, limited partnership, or corporation produces or intends to produce on its agricultural land;

(6) with the first report, a copy of the title to the property where the farming operations are or will occur indicating the particular exception claimed under subdivision 3; and

(7) with the first or second report, a copy of the conservation plan proposed by the soil and water conservation district, and with subsequent reports a statement of whether the conservation plan was implemented.

The report of a corporation, trust, or partnership seeking to qualify hereunder as a family farm corporation, an authorized farm corporation, an authorized livestock farm corporation, a family farm partnership, or an authorized farm partnership, or a family farm trust or under an exemption from the commissioner shall contain the following additional information: the number of shares or the partnership interests owned by persons or current beneficiaries of a family farm trust residing on the farm or actively engaged in farming, or their relatives within the third degree of kindred according to the rules of the civil law or their spouses; the name, address, and number of shares owned by each shareholder or partnership interests owned by each partner; and a statement as to percentage of gross receipts of the corporation derived from rent, royalties, dividends, interest, and annuities. No pension or investment fund, limited partnership, or corporation shall commence farming in this state until the commissioner has inspected the report and certified that its proposed operations comply with the provisions of this section.

(b) Every pension or investment fund, limited partnership, trust, or corporation as described in paragraph (a) shall, prior to April 15 of each year, file with the commissioner a report containing the information required in paragraph (a), based on its operations in the preceding calendar year and its status at the end of the year. A pension or investment fund, limited partnership, or corporation that does not file the report by April 15 must pay a \$500 civil penalty. The penalty is a lien on the land being farmed under subdivision 3 until the penalty is paid.

(c) The commissioner may, for good cause shown, issue a written waiver or reduction of the civil penalty for failure to make a timely filing of the annual report required by this subdivision. The waiver or reduction is final and conclusive with respect to the civil penalty, and may not be reopened or modified by an officer, employee, or agent of the state, except upon a showing of fraud or malfeasance or misrepresentation of a material fact. The report required under paragraph (b) must be completed prior to a reduction or waiver under this paragraph. The commissioner may enter into an agreement under this paragraph only once for each corporation or partnership.

(d) Failure to file a required report or the willful filing of false information is a gross misdemeanor.

Sec. 51. Minnesota Statutes 1998, section 500.24, subdivision 5, is amended to read:

Subd. 5. [ENFORCEMENT.] With reason to believe that a corporation, limited partnership, limited liability company, trust, or pension or investment fund is violating subdivision 3, the attorney general shall commence an action in the district court in which any agricultural lands relative to such violation are situated, or if situated in two or more counties, in any county in which a substantial part of the lands are situated. The attorney general shall file for record with the county recorder or the registrar of titles of each county in which any portion of said lands are located a notice of the pendency of the action as provided in section 557.02. If the court finds that the lands in question are being held in violation of subdivision 3, it shall enter an order so declaring. The attorney general shall file for record any such order with the county recorder or the registrar of titles of each county in which any portion of said lands are located. Thereafter, the pension or investment fund, limited partnership, or corporation owning such land shall have a period of five years from the date of such order to divest itself of such lands. The aforementioned five-year limitation period shall be deemed a covenant running with the title to the land against any pension or investment fund, limited partnership, or corporate grantee or assignee or the successor of such pension or investment fund, limited partnership, or corporation. Any lands not so divested within the time prescribed shall be sold at public sale in the manner prescribed by law for the foreclosure of a mortgage by action. In addition, any prospective or threatened violation may be enjoined by an action brought by the attorney general in the manner provided by law.

Sec. 52. [EFFECTIVE DATE.]

Section 2 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to agriculture; changing the scope of the value-added agricultural product processing and marketing grant program; establishing a certification pilot program; changing meeting provisions and duties of the board of grain standards; changing certain fees; making technical changes to pesticide and fertilizer laws;

clarifying the scope of certain regulation of wholesale produce dealers; updating certain food standards; simplifying certain language; providing for uniformity in meat and poultry inspection; changing certain reporting requirements; increasing the amount of livestock dealer bonds; clarifying status of certain grain buying transactions; changing certain grain storage provisions; changing the corporate and partnership farming law; amending Minnesota Statutes 1998, sections 17.101, subdivision 5; 17A.05, subdivision 2; 17B.07; 17B.12; 18C.005, subdivision 34, and by adding a subdivision; 18C.215, subdivisions 1, 2, and by adding a subdivision; 18C.411, subdivision 1; 18C.421, subdivision 1; 18D.201, subdivision 3; 27.01, subdivision 8; 27.19, subdivision 1; 31.101, as amended; 31.102, subdivision 1; 31.103, subdivision 1; 31.104; 31.632; 31.633, subdivision 1; 31.651; 31A.02, subdivisions 5, 6, 10, 13, and 14; 31A.03; 31A.05; 31A.06; 31A.07, subdivisions 1 and 2; 31A.08; 31A.10; 31A.13; 31A.16; 31A.17; 223.17, subdivision 5; 223.175; 232.21, by adding a subdivision; 232.23, subdivisions 1, 3, and 6; and 500.24, subdivisions 4 and 5; Minnesota Statutes 1999 Supplement, sections 17B.15, subdivision 1; 31A.01; 31A.15, subdivision 1; 31B.07, subdivision 3; and 500.24, subdivisions 2 and 3; proposing coding for new law in Minnesota Statutes, chapter 17."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3332, A bill for an act relating to agriculture; allowing the commissioner of agriculture to establish alternative term expiration dates for members of the dairy research and promotion council; amending Minnesota Statutes 1998, section 17.54, subdivision 13.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1998, section 17.54, subdivision 6, is amended to read:

Subd. 6. [ORGANIZATION.] (a) The commissioner shall serve as a member of each council without vote. Each council shall elect from its own membership a chair, a vice-chair, a secretary, and other officers the council deems appropriate. An executive committee of no more than five members including the officers may also be elected. Except as provided in paragraph (b), terms of the officers shall expire on June 30 of each year; however, they may serve until their successors have been elected but not beyond July 15.

(b) If the commissioner establishes an alternative expiration date for a specific council under subdivision 5 or 13, officers may serve until their successors have been elected but not beyond 15 days after the expiration date."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "subdivision 13" and insert "subdivisions 6 and 13"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

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

H. F. No. 3340, A bill for an act relating to the environment; providing reimbursement for the removal of certain petroleum storage tanks used for agricultural purposes.

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

The report was adopted.

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

H. F. No. 3349, A bill for an act relating to game and fish; modifying provisions for designating experimental waters; modifying provisions for fishing contests; amending Minnesota Statutes 1998, sections 97C.001, subdivision 1; and 97C.081, subdivisions 2, 3, and by adding subdivisions.

Reported the same back with the following amendments:

Page 1, lines 14 to 16, reinstate the stricken language

Page 1, line 15, strike "100" and insert "200" and strike "25" and insert "50"

Page 3, line 22, after the period, insert "First"

Page 3, line 23, after "applicants" insert "for established or traditional fishing contests, and the second preference to applicants for contests that are not established as traditional fishing contests,"

Page 3, line 29, after "application" insert "within 28 days"

Page 3, line 35, delete "must" and insert "may"

Page 4, line 2, after "(b)" insert "Unless otherwise authorized by the commissioner,"

Page 4, line 33, after "prefishing" insert "to week days only"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3375, A bill for an act relating to health; modifying provisions for health care purchasing alliances; amending Minnesota Statutes 1998, sections 62T.03; 62T.05; 62T.06, subdivisions 1 and 2; and 62T.11; Minnesota Statutes 1999 Supplement, section 62T.04; proposing coding for new law in Minnesota Statutes, chapter 62T; repealing Minnesota Statutes 1998, section 62T.13.

Reported the same back with the following amendments:

Page 1, line 15, after the period, insert "This provision only applies to rural purchasing alliances organized under this chapter and operating prior to May 1, 2000. The affected purchasing alliances may develop membership criteria which disallow an employer contribution below 50 percent."

Page 2, line 9, after the period, insert "An affiliate member is one that may purchase administrative services with the purchasing alliance and may participate in activities undertaken to educate and promote health improvement of the purchasing alliance enrollees or community residents."

Page 2, line 19, after the period, insert "The commissioner may not waive any enrollee rights relating to external review."

Page 3, lines 16 to 18, delete the new language

Page 3, lines 25 and 26, delete the new language

Page 4, line 2, reinstate "~~the greater of~~"

Page 4, lines 3 to 7, reinstate the stricken language

Page 4, line 13, after "requirements" insert "through a subordinated surplus contribution"

Page 5, line 1, strike "one year" and insert "three years"

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

The report was adopted.

Dauids from the Committee on Commerce to which was referred:

H. F. No. 3491, A bill for an act relating to insurance; providing technical changes; amending Minnesota Statutes 1998, sections 60A.052, subdivision 1; 60A.129, subdivision 5; 61A.092, subdivision 6; 62A.136; 62C.11, subdivision 1; 62C.142, subdivision 2a; 62S.02, subdivision 1; 64B.30, subdivision 1; and 72A.20, subdivision 17; Minnesota Statutes 1999 Supplement, sections 60A.052, subdivision 2; and 72A.20, subdivision 23; repealing Minnesota Statutes 1998, sections 62A.285, subdivision 4; 62A.651; 62H.10, subdivision 4; and 65B.13.

Reported the same back with the following amendments:

Page 1, line 19, after "(d)" insert "under a written agreement with the insurance company based upon the company's financial condition."

Page 3, line 10, after "(5)" insert "under a written agreement with the insurance company based upon the company's financial condition."

Page 4, lines 5 to 9, delete the new language and insert "An affiliated insurance company not meeting these requirements may be included in the consolidated or combined audited financial statements, if the company's total admitted assets are less than five percent of the consolidated group's total admitted assets."

Page 4, after line 24, insert:

"Sec. 4. Minnesota Statutes 1998, section 60K.14, subdivision 1, is amended to read:

Subdivision 1. [PERSONAL SOLICITATION OF INSURANCE SALES.] (a) [DEFINITIONS.] For the purposes of this section, the following terms have the meanings given them:

(1) "agent" means a person, copartnership, or corporation required to be licensed pursuant to section 60K.02; and

(2) "personal solicitation" means any contact by an agent, or any person acting on behalf of an agent, made for the purpose of selling or attempting to sell insurance, when either the agent or a person acting for the agent contacts the buyer by telephone or in person, except: (i) an attempted sale in which the buyer personally knows the identity of the agent, the name of the general agency, if any, which the agent represents, and the fact that the agent is an insurance agent; (ii) an attempted sale in which the prospective purchaser of insurance initiated the contact; or (iii) a personal contact which takes place at the agent's place of business.

(b) [DISCLOSURE REQUIREMENT.] Before a personal solicitation, the agent or person acting for an agent shall, at the time of initial personal contact with the potential buyer, clearly and expressly disclose in writing:

- (1) the name ~~and state insurance agent license number~~ of the person making the contact;
- (2) the name of the agent, general agency, or insurer that person represents; and
- (3) the fact that the agent, agency, or insurer is in the business of selling insurance.

If the initial personal contact is made by telephone, the disclosures required by this subdivision need not be made in writing.

(c) [FALSE REPRESENTATION OF GOVERNMENT AFFILIATION.] No agent or person acting for an agent shall make any communication to a potential buyer that indicates or gives the impression that the agent is acting on behalf of a government agency."

Page 5, line 6, before "employee" insert "covered" and after "employee" insert ", spouse," and after "dependent" insert "child"

Page 7, line 18, after "following" insert "surrender of the policy and"

Page 9, after line 31, insert:

"Sec. 13. Minnesota Statutes 1998, section 72A.499, subdivision 1, is amended to read:

Subdivision 1. [NOTICE AND INFORMATION.] In the event of an adverse underwriting decision, the insurer or insurance agent responsible for the decision shall provide in writing to the applicant, policyholder, or individual proposed for coverage:

(1) the specific reason or reasons for the adverse underwriting decision, a summary of the person's rights under sections 72A.497 and 72A.498, and that upon request the person may receive the specific items of personal information that support those reasons and the specific sources of the information; ~~or~~

(2) the specific reason or reasons for the adverse underwriting decision, the specific items of personal and privileged information that support those reasons, the names and addresses of the sources that supplied the specific items of information specified, and a summary of the rights established under sections 72A.497 and 72A.498; or

(3) if the adverse underwriting decision is either solely or partially based upon a report of credit worthiness, credit standing, or credit capacity that an insurer receives from a consumer reporting agency, the primary reason or reasons for the credit score or codes or other credit based information used by the insurer in the insurer's underwriting."

Page 9, line 36, delete "5, 6, 7, 8, 11, and 12" and insert "4, 6, 7, 8, 9, and 12 to 14"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "regulating personal solicitation sales and insurance information reporting;"

Page 1, line 4, after "5;" insert "60K.14, subdivision 1;"

Page 1, line 7, delete "and" and after "17;" insert "and 72A.499, subdivision 1;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3508, A bill for an act relating to state government; designating the timber wolf as the state mammal; proposing coding for new law in Minnesota Statutes, chapter 1.

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

The report was adopted.

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

H. F. No. 3512, A bill for an act relating to corrections; regulating telephone access of persons restrained in local and state correctional facilities; amending Minnesota Statutes 1998, section 481.10.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 481.10, is amended to read:

481.10 [CONSULTATION WITH PERSONS RESTRAINED.]

Subdivision 1. [CONSULTATION.] All officers or persons having in their custody a person restrained of liberty, except in cases where imminent danger of escape or injury exists, shall admit any attorney retained by or ~~in~~ on behalf of the person restrained, or whom the restrained person may desire to consult, to a private interview at the place of custody. Such custodians, upon request of the person restrained, ~~as soon as practicable~~, and before other proceedings shall be had, shall notify the attorney of the request for a consultation with the attorney. ~~At all times through the period of custody, whether or not the person restrained has been charged, tried, convicted, or is serving an executed sentence, reasonable telephone access to the attorney shall be provided to the person restrained at no charge to the attorney or to the person restrained. Every officer or person who shall violate any provision of this section shall be guilty of a misdemeanor and, in addition to the punishment prescribed therefor shall forfeit \$100 to the person aggrieved, to be recovered in a civil action.~~

Subd. 2. [TELEPHONE ACCESS IN LOCAL CORRECTIONAL FACILITIES.] Except as provided in subdivision 3 and except in cases where imminent danger of escape or injury exists, all officers or persons having in their custody a person restrained of liberty whether or not the person restrained has been charged, tried, or convicted, shall provide private telephone access to any attorney retained by or on behalf of the person restrained.

or whom the restrained person may desire to consult at no charge to the attorney or to the person restrained. Telephone access under this subdivision shall be provided as soon as practicable following the request of the person restrained and before other proceedings shall be had regarding the alleged offense causing custody.

Subd. 3. [TELEPHONE ACCESS IN CORRECTIONAL FACILITIES AND INSTITUTIONS.] Except in cases where imminent danger of escape or injury exists, all officers or persons having in their custody a person restrained of liberty while serving an executed sentence in a state correctional facility, shall provide private telephone access to any attorney retained by or on behalf of the person restrained, or whom the restrained person may desire to consult at no charge to the attorney or to the person restrained. Telephone access under this subdivision shall be provided following the request of the person restrained and in accordance with policies adopted by the institution that meet constitutional requirements.

Subd. 4. [CRIMINAL PENALTY.] (a) Except as provided in paragraph (b), whoever violates subdivision 1 or 2 is guilty of a misdemeanor and shall also forfeit \$100 to the person aggrieved, to be recovered in a civil action.

(b) The penalties described in paragraph (a) do not apply to officers or persons having in their custody persons restrained of liberty while serving an executed sentence in a state correctional facility."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "providing penalties;"

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

The report was adopted.

Dauids from the Committee on Commerce to which was referred:

H. F. No. 3522, A bill for an act relating to financial institutions; providing for an equitable adjustment of certain department of commerce assessments; regulating the lending authority of credit unions; appropriating money; amending Minnesota Statutes 1998, section 46.131, subdivision 3; repealing Minnesota Rules, part 2675.6141, subpart 1.

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

The report was adopted.

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

H. F. No. 3538, A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; for grants to cities along the DM&E railroad for mitigation purposes; providing for a charge against major private construction projects to help fund mitigation measures; authorizing issuance of bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116C.

Reported the same back with the following amendments:

Page 1, line 12 to page 4, line 11, delete section 1

Page 4, line 13, delete "\$50,000,000" and insert "\$5,000,000"

Page 4, line 14, delete "trade and economic development" and insert "transportation"

Page 4, line 20, delete the comma and insert "or"

Page 4, line 21, delete ", or alternative"

Page 4, line 22, delete "railroad alignments"

Page 4, line 32, after the period, insert "This appropriation is not available until (1) the DM&E railroad project has been approved by the federal Surface Transportation Board, and (2) actual construction of the railroad project has begun."

Page 4, line 34, delete "\$25,000,000" and insert "\$2,500,000"

Page 5, line 7, delete "\$25,000,000" and insert "\$2,500,000"

Page 5, line 11, delete everything after the period and insert "\"City's total traffic exposure\" means the average daily vehicle traffic multiplied by the number of trains per day at any state, city, or county road crossing within the city's limits. \"County's total traffic exposure\" means the average daily vehicle traffic multiplied by the number of trains per day at any state, county, or township road crossing within the county and outside of any city."

Page 5, delete lines 12 to 14

Page 5, line 16, delete "2" and insert "1"

Page 5, line 19, delete "\$50,000,000" and insert "\$5,000,000"

Page 5, after line 22, insert:

"Sec. 3. [WORKING GROUP.]

The commissioners of agriculture and transportation shall convene a multiagency work group to assess the economic, social, and environmental impact of the DM&E rail line expansion.

This team shall develop recommendations to the commissioners and the legislature of how to maximize opportunities to move Minnesota products to market while minimizing environmental, social, and other public costs.

Included in the assessment and recommendations shall be methods to:

(1) maximize the volume of Minnesota products shipped on the DM&E line;

(2) assure appropriate environmental protections are used to minimize land use, protect wetlands, and mitigate noise or other environmental impacts;

(3) fully involve local units of government in siting issues and right-of-way acquisition; and

(4) determine what direct and indirect costs are likely to accrue to local units of government and private property owners.

The commissioners shall directly negotiate with the rail line to assure timely access for Minnesota shippers and to assure minimal environmental and social impact. The commissioners shall also report to the legislature on the project costs to local units of government for mitigations, right-of-way acquisitions, crossing safety, or any other direct impacts of the expansion.

Sec. 4. [APPROPRIATION.]

\$250,000 is appropriated from the general fund to the commissioner of transportation for the purposes of section 3."

Page 5, line 24, delete "3" and insert "4"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete everything after the semicolon

Page 1, delete line 7

Page 1, line 8, delete "mitigation measures;"

Page 1, after line 8, insert "establishing a multiagency work group to study effects of the DM&E expansion proposal;"

Page 1, line 9, delete everything after "money" and insert a period

Page 1, delete line 10

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

The report was adopted.

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

H. F. No. 3588, A bill for an act relating to transportation; authorizing issuance of state trunk highway bonds and state transportation bonds; appropriating money for state trunk highway improvements; appropriating money for local bridge replacement, rehabilitation, and repair.

Reported the same back with the following amendments:

Page 3, after line 8, insert:

"Sec. 3. [TRANSIT APPROPRIATIONS.]

\$1,000,000 is appropriated from the bond proceeds fund to the commissioner of transportation for grants to public transit systems under Minnesota Statutes, section 174.24, for construction of transit facilities and transit hubs. Priority must be given to projects involving collaboration between transit authorities and local units of government.

Sec. 4. [BOND SALE.]

To provide the money appropriated by section 3 from the bond proceeds fund, the commissioner of finance shall sell and issue bonds of the state in an amount up to \$1,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7."

Page 3, line 9, delete "3" and insert "5"

Page 3, line 11, delete "4" and insert "6"

Page 3, line 12, delete "3" and insert "5"

Amend the title as follows:

Page 1, line 6, before the period, insert "; appropriating money for constructing transit facilities and hubs"

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

The report was adopted.

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

H. F. No. 3599, A bill for an act relating to human services; providing for the distribution of child support and maintenance received by the state; adding allowable use of money appropriated for MFIP and TANF block grants; appropriating money for MFIP employment services program for local interventions for family employment; reimbursing the federal government for federal share of child support recoveries passed through to custodial parents, child care and development fund; transferring funds to the housing development fund; amending Minnesota Statutes 1998, sections 256.741, by adding a subdivision; 256J.50, subdivision 7; and 256J.62, by adding a subdivision; Minnesota Statutes 1999 Supplement, sections 119B.011, subdivision 15; 256J.02, subdivision 2; 256J.08, subdivision 86; 256J.21, subdivision 2; 256J.33, subdivision 4; and 256J.34, subdivisions 1 and 4; proposing coding for new law in Minnesota Statutes, chapter 256J; repealing Minnesota Statutes 1999 Supplement, section 256J.37, subdivision 9.

Reported the same back with the following amendments:

Page 10, after line 29, insert:

"Sec. 11. Minnesota Statutes 1999 Supplement, section 256J.37, subdivision 9, is amended to read:

Subd. 9. [UNEARNED INCOME.] (a) The county agency must apply unearned income to the MFIP standard of need. When determining the amount of unearned income, the county agency must deduct the costs necessary to secure payments of unearned income. These costs include legal fees, medical fees, and mandatory deductions such as federal and state income taxes.

~~(b) Effective January 1, 2001, the county agency shall count \$100 of the value of public and assisted rental subsidies provided through the Department of Housing and Urban Development (HUD) as unearned income. The full amount of the subsidy must be counted as unearned income when the subsidy is less than \$100.~~

~~(c) The provisions of paragraph (b) shall not apply to MFIP participants who are exempt from the employment and training services component because they are:~~

~~(i) individuals who are age 60 or older;~~

~~(ii) individuals who are suffering from a professionally certified permanent or temporary illness, injury, or incapacity which is expected to continue for more than 30 days and which prevents the person from obtaining or retaining employment; or~~

~~(iii) caregivers whose presence in the home is required because of the professionally certified illness or incapacity of another member in the assistance unit, a relative in the household, or a foster child in the household.~~

~~(d) The provisions of paragraph (b) shall not apply to an MFIP assistance unit where the parental caregiver receives supplemental security income."~~

Page 11, line 27, delete "13" and insert "14"

Page 12, lines 7 and 22, delete "13" and insert "14"

Page 13, line 26, after "payments" insert ". The commissioner of children, families, and learning shall ensure that all transferred funds are expended in accordance with federal child care development fund regulations"

Page 13, line 28, delete "and (4)" and insert "to (5)"

Page 15, delete section 17

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 18, after the semicolon, insert "256J.37, subdivision 9;"

Page 1, line 19, delete "; repealing"

Page 1, delete line 20

Page 1, line 21, delete everything before the period

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance without further recommendation.

The report was adopted.

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

H. F. No. 3633, A bill for an act relating to state observances; designating Mighty Eighth Air Force Week; proposing coding for new law in Minnesota Statutes, chapter 10.

Reported the same back with the following amendments:

Page 1, line 7, before "The" insert "Beginning in 2000,"

Page 1, line 14, after "year" insert "thereafter"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Davids from the Committee on Commerce to which was referred:

H. F. No. 3662, A bill for an act relating to commerce; requiring labeling of certain materials; providing remedies; proposing coding for new law as Minnesota Statutes, chapter 325L.

Reported the same back with the following amendments:

Page 1, line 11, delete "consumers" and insert "parents"

Page 1, line 24, after "of" insert "Internet access protection and"

Page 3, line 15, after "statement" insert "in a legible and easy-to-read format"

Page 3, line 21, after "takes" insert "at least two"

Page 3, line 23, delete "may include" and insert "should include at least" and after "option" insert "that is less than obvious to children"

Page 3, line 24, delete everything after the comma and insert "that"

Page 3, line 25, delete "further promoting or describing" and insert "promotes or describes"

Page 3, line 28, after "option" insert "that is obvious to children"

Page 3, line 29, delete "no more complicated or difficult" and insert "simpler or easier"

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

The report was adopted.

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

H. F. No. 3667, A bill for an act relating to the environment; requiring a report to the legislature on pesticide management.

Reported the same back with the following amendments:

Page 1, line 8, after "health;" insert "natural resources;"

Page 1, line 14, after "use" insert "and avoidance"

Page 1, line 19, delete "December 15, 2000" and insert "January 15, 2001"

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

The report was adopted.

Davids from the Committee on Commerce to which was referred:

H. F. No. 3731, A bill for an act relating to data practices; requiring the development of a model online privacy notice; providing an Internet privacy policy for state and local governments; restricting the release of personal information; proposing coding for new law in Minnesota Statutes, chapter 325E; proposing coding for new law as Minnesota Statutes, chapter 13D.

Reported the same back with the following amendments:

Page 1, line 13, after the period, insert "The notice developed for public entities must comply with section 13.04. The notice for private entities must be developed in consultation with online computer services." and after "notice" insert "for private entities"

Page 3, line 6, before "A" insert "Personal data collected by"

Page 3, line 7, after "service" insert "is private data and" and after "not" insert "be disclosed" and delete "disclose"

Page 3, line 8, delete everything before "to"

Page 3, line 16, delete everything after "provide" and insert "clear and conspicuous notices as required by sections 13.04, subdivision 2, and 13.05, subdivision 8. In addition the notice must include descriptions of:

(1) the period of time the data will be maintained;

(2) how data on the subscriber is collected if not obvious, such as passive collection that enables electronic monitoring; and

(3) the steps being taken by the state agency, statewide systems, or political subdivision to ensure the confidentiality, integrity, and the quality of the data."

Page 3, delete lines 17 to 36

Page 4, line 2, before "Upon" insert "Pursuant to section 13.04, subdivision 3," and before "a" insert a comma

Page 4, line 3, delete "personal" and insert "private"

Page 4, line 8, after the period, insert "Pursuant to section 13.04, subdivision 4,"

Page 4, line 10, delete "personal" and insert "private" and insert a period after "data"

Page 4, delete lines 11 to 15

Page 4, line 17, after "agency" insert ", political subdivision, or statewide system"

Page 4, line 20, delete everything after "(1)" and insert "pursuant to section 13.05, subdivisions 3 and 4;"

Page 4, line 21, delete "or statute"

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2427, 2570, 2588, 2604, 2652, 2757, 2774, 2785, 2841, 2958, 3109, 3219, 3292, 3306, 3312, 3332, 3349, 3491, 3508 and 3633 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 2692 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Tomassoni introduced:

H. F. No. 3904, A bill for an act relating to health; adding an exception to the moratorium on licensing and certification of new nursing facility beds; appropriating money; amending Minnesota Statutes 1998, section 144A.071, subdivision 4a.

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

Harder, Kuisle, Abrams, Daggett and Rest introduced:

H. F. No. 3905, A bill for an act relating to taxation; conforming to federal treatment of S corporations for financial institutions; amending Minnesota Statutes 1999 Supplement, section 290.9725; repealing Minnesota Statutes 1999 Supplement, sections 290.06, subdivision 26; and 290.9726, subdivision 7.

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

Sykora introduced:

H. F. No. 3906, A bill for an act relating to family and early childhood programs; providing child care assistance for certain MFIP families; establishing intensive ESL programming grants for certain MFIP families; providing uninterrupted child care assistance for transition year families; appropriating money; amending Laws 1999, chapter 205, article 3, section 5, subdivision 9.

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

Molnau introduced:

H. F. No. 3907, A bill for an act relating to taxation; exempting certain sales to the department of transportation from the sales tax; amending Minnesota Statutes 1999 Supplement, section 297A.25, subdivision 11.

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

Erhardt introduced:

H. F. No. 3908, A bill for an act relating to tax; income; creating an organ donor checkoff for income tax returns or property tax refund claim form; appropriating money; 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.

Erhardt introduced:

H. F. No. 3909, A bill for an act relating to taxation; exempting cities that receive no local government aid from levy limits; amending Minnesota Statutes 1998, section 275.70, subdivision 3.

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

Erhardt, by request, introduced:

H. F. No. 3910, A bill for an act relating to taxation; abolishing withholding taxes on wages; providing for payment of estimated taxes on wages; amending Minnesota Statutes 1998, sections 289A.09, subdivisions 1 and 2; 289A.20, subdivision 2; 289A.31, subdivision 5; 289A.38, subdivision 14; 289A.50, subdivision 3; 289A.60, subdivision 11; 290.92, subdivisions 1, 2a, 4a, 9, 12, 23, 24, 25, 26, 27, 28, and 29; and 290.9201, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 289A; repealing Minnesota Statutes 1998, sections 270B.06, subdivision 3; 289A.63, subdivision 5; 290.92, subdivisions 3, 5, 5a, 10, 16, 19, 22, and 30.

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

Schumacher, Skoe, Juhnke, Tingelstad, Peterson, Kubly, Winter and Otremba introduced:

H. F. No. 3911, A bill for an act relating to water; increasing the water implementation tax that may be levied by a county; increasing the amount of the base grant that may be awarded to a county that levies a water implementation tax; appropriating money for planning and exotic plant control; amending Minnesota Statutes 1998, section 103B.3369, subdivision 5.

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

Stang introduced:

H. F. No. 3912, A bill for an act relating to education; eliminating the pupil per grade condition for capital loans; amending Minnesota Statutes 1998, section 126C.69, subdivision 3.

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

McGuire introduced:

H. F. No. 3913, A bill for an act relating to children; continuing the citizenship promotion program; appropriating money for the citizen promotion program; repealing Laws 1997, chapter 162, article 2, section 32.

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

Workman introduced:

H. F. No. 3914, A bill for an act relating to metropolitan government; allowing the city of Shorewood to establish a replacement service transit program.

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

Winter; Kuisle; Peterson; Harder; Seifert, M.; Hasskamp and Kubly introduced:

H. F. No. 3915, A bill for an act relating to taxes; sales and use; exempting materials and equipment used to construct and equip an agricultural processing facility; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

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

Erhardt, Van Dellen and Kuisle introduced:

H. F. No. 3916, A bill for an act relating to taxation; providing a sales tax rebate; appropriating money.

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

Erhardt and Hasskamp introduced:

H. F. No. 3917, A bill for an act relating to telecommunications; requiring notice to neighboring landowners when tower or mounting structure erected; amending Minnesota Statutes 1998, section 237.45.

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

Dempsey, Rostberg and Greenfield introduced:

H. F. No. 3918, A bill for an act relating to veterans homes; authorizing certain homeless and disabled veterans programs at the Minneapolis and Hastings veterans homes; proposing coding for new law in Minnesota Statutes, chapter 198.

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

Mulder introduced:

H. F. No. 3919, A bill for an act relating to health occupations; modifying the standard of proof for contested case hearings regarding discipline of physicians; requiring procedures to give physicians information on complaint, investigation, and discipline processes; requiring a study and report to the legislature by the board of medical practice; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 147.

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

Davids introduced:

H. F. No. 3920, A bill for an act relating to tax increment financing; city of Fountain; extending a tax increment financing district.

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

Koskinen, Greiling and McGuire introduced:

H. F. No. 3921, A bill for an act relating to health; modifying provisions of the Nongovernmental Pharmaceutical Contracting Alliance; requiring certain prescription drug contracting disclosures; appropriating money; amending Minnesota Statutes 1998, sections 16B.94; and 62J.381.

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

Lenczewski introduced:

H. F. No. 3922, A bill for an act relating to taxation; property tax; modifying the definition of certain contiguous commercial-industrial parcels; amending Minnesota Statutes 1999 Supplement, section 273.13, subdivision 24.

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

Haas and Rifenberg introduced:

H. F. No. 3923, A bill for an act relating to state budget process; establishing a commission to review state budget practices and recommend changes to implement performance based budgeting.

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

Knoblach introduced:

H. F. No. 3924, A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; for grants for certain public regional parks organizations; authorizing issuance of bonds; appropriating money.

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

Tomassoni introduced:

H. F. No. 3925, A bill for an act relating to education; appropriating money for the Northland Learning Center.

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

Rhodes, Gray, Skoglund, Davids, Luther, Leighton, Gunther, Biernat, Wagenius, Kahn, Kelliher, Greenfield and Mullery introduced:

H. F. No. 3926, A bill for an act relating to capital improvements; appropriating money to create the Minnesota Shubert arts and education center; authorizing the sale of state bonds.

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

Gunther introduced:

H. F. No. 3927, A bill for an act relating to economic development; providing funding for Minnesota Project Innovation, Inc.; appropriating money.

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

Gleason introduced:

H. F. No. 3928, A bill for an act relating to airports; requiring the metropolitan airports commission to make a deposit to reimburse the city of Richfield for certain expenditures; removing certain requirements in relation to federal law; amending Laws 1999, chapter 243, article 16, section 35, subdivision 3; repealing Laws 1999, chapter 243, article 16, section 35, subdivision 7.

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

Otremba introduced:

H. F. No. 3929, A bill for an act relating to human services; providing a nursing facility rate adjustment; appropriating money; amending Minnesota Statutes 1998, section 256B.434, by adding a subdivision.

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

Dawkins, Hausman and Osthoff introduced:

H. F. No. 3930, A bill for an act relating to taxation; authorizing the capitol region watershed district to exceed levy limits.

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

Holsten and Larsen, P., introduced:

H. F. No. 3931, A bill for an act relating to retirement; providing certain survivor benefits under the public employees retirement association police and fire fund.

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

Koskinen, Greiling and Biernat introduced:

H. F. No. 3932, A bill for an act relating to education; establishing a board of technical colleges; transferring authority over the technical colleges from the board of trustees of the Minnesota state colleges and universities to the board of technical colleges; requiring a study; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 136G.

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

Tomassoni introduced:

H. F. No. 3933, A bill for an act relating to health; expanding the option to have the director of nursing serve as the administrator in certain nursing facilities; amending Minnesota Statutes 1999 Supplement, section 144A.04, subdivision 5.

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

Mariani and McGuire introduced:

H. F. No. 3934, A bill for an act relating to housing; appropriating money for transitional housing and affordable housing.

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

Wenzel introduced:

H. F. No. 3935, A bill for an act relating to education finance; authorizing funding for full-day kindergarten programs in independent school district No. 482, Little Falls; appropriating money.

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

Larsen, P.; Holberg; Koskinen; Broecker and Vandever introduced:

H. F. No. 3936, A bill for an act relating to metropolitan government; establishing a task force to study legislative proposals relating to metropolitan government structure and to make recommendations by January 1, 2001.

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

Trimble introduced:

H. F. No. 3937, A bill for an act relating to marriage; reducing the fee for a marriage license; changing its distribution; amending Minnesota Statutes 1998, section 517.08, subdivisions 1b and 1c.

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

Daggett introduced:

H. F. No. 3938, A bill for an act relating to economic development; providing funding to Becker county for a tourism project; appropriating money.

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

Cassell introduced:

H. F. No. 3939, A bill for an act relating to higher education; modifying student grant provisions for students attending less than full time; amending Minnesota Statutes 1998, sections 136A.121, subdivision 6, and by adding a subdivision.

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

Mariani introduced:

H. F. No. 3940, A bill for an act relating to education; increasing state aid for early childhood family education; appropriating money; amending Laws 1999, chapter 205, article 1, sections 65; and 71, subdivision 3.

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

Daggett, Kuisle, Ozment, Bakk, Jennings and Rest introduced:

H. F. No. 3941, A bill for an act relating to taxation; providing that revenues from the solid waste management tax be used for solid waste management activities; amending Minnesota Statutes 1998, section 297H.13, subdivision 2.

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

Jennings, Kelliher, Greenfield and Kahn introduced:

H. F. No. 3942, A bill for an act relating to liquor; authorizing the city of Minneapolis to adopt an ordinance authorizing on-sale of intoxicating liquor by hotels during certain hours; exempting certain sales from on-sale hours restrictions; amending Minnesota Statutes 1998, section 340A.504, by adding subdivisions.

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

Paymar, Kelliher, Haake and Entenza introduced:

H. F. No. 3943, A bill for an act relating to traffic regulations; prescribing display period for "Walk" and "Don't Walk" signals at intersections; clarifying pedestrian right-of-way at intersections; appropriating money for pedestrian safety awareness campaign; amending Minnesota Statutes 1998, sections 169.06, subdivision 6; and 169.21, subdivisions 2, 3, and by adding a subdivision.

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

Ness and Harder introduced:

H. F. No. 3944, A bill for an act relating to agriculture; providing funding for development of farm marketing plan software; appropriating money.

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

Ness introduced:

H. F. No. 3945, A bill for an act relating to agriculture; establishing an agroforestry loan program; appropriating money; 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.

Ness introduced:

H. F. No. 3946, A bill for an act relating to taxes; exempting sales of construction materials used to remodel and improve the McLeod county courthouse; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

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

Kuisle introduced:

H. F. No. 3947, A bill for an act relating to agriculture; providing mediation and binding arbitration options for poultry producers; amending Minnesota Statutes 1998, section 17.701; 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.

Broecker introduced:

H. F. No. 3948, A bill for an act relating to community education; appropriating money for the Eritrean community center of Minnesota.

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

Broecker introduced:

H. F. No. 3949, A bill for an act relating to employment; adding an alternative form for minor age certification; amending Minnesota Statutes 1998, section 181A.06, subdivision 1.

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

Broecker, Paymar and Stanek introduced:

H. F. No. 3950, A bill for an act relating to public defense; authorizing access to various criminal and juvenile justice databases for purposes of criminal defense; amending Minnesota Statutes 1998, sections 299C.147, subdivisions 2 and 3; 299C.46, subdivision 3, and by adding a subdivision; Minnesota Statutes 1999 Supplement, section 299C.095, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 611.

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

Osthoff introduced:

H. F. No. 3951, A bill for an act relating to retirement; public employees retirement association employer privatization; adding St. Paul civic center authority as an "other public employing unit"; amending Minnesota Statutes 1999 Supplement, section 353F.02, subdivision 5.

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

Ozment introduced:

H. F. No. 3952, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

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

Carlson, Dorn, Pelowski, Folliard, Opatz and Mullery introduced:

H. F. No. 3953, A bill for an act relating to taxation; income taxes; providing a subtraction and credit for higher education expenses; amending Minnesota Statutes 1999 Supplement, 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.

Knoblach introduced:

H. F. No. 3954, A bill for an act relating to transportation; establishing interest requirements for rail service improvement loans; amending Minnesota Statutes 1998, section 222.50, subdivision 5.

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

Mullery introduced:

H. F. No. 3955, A bill for an act relating to health; requiring medical directors for health maintenance organizations; establishing liability for health treatment decisions and policies; establishing requirements for physicians performing utilization review; requiring annual disclosure of utilization review criteria; modifying the definition of practice of medicine; amending Minnesota Statutes 1998, sections 62D.02, by adding subdivisions; 62M.09, subdivision 2, and by adding a subdivision; and 147.081, subdivision 3; Minnesota Statutes 1999 Supplement, sections 62M.09, subdivision 3; and 62M.10, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 62D.

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

Mullery introduced:

H. F. No. 3956, A bill for an act relating to health; establishing a definition of medically necessary care for health plans; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Hasskamp introduced:

H. F. No. 3957, A bill for an act relating to taxation; property; limiting increases in market value on certain golf courses; county local option; amending Minnesota Statutes 1999 Supplement, section 273.11, subdivision 1a.

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

Hilty and Murphy introduced:

H. F. No. 3958, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to use snowmobile grant-in-aid funds to reimburse eligible recipients for certain snowmobile trail grooming equipment expenses.

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

Murphy and Hilty introduced:

H. F. No. 3959, A bill for an act relating to health; permitting small employers to purchase coverage under the MinnesotaCare program for eligible employees; repealing the small employer alternative health benefit plan pilot project; proposing coding for new law in Minnesota Statutes, chapter 256L; repealing Minnesota Statutes 1999 Supplement, section 62L.055.

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

Nornes and Leighton introduced:

H. F. No. 3960, A bill for an act relating to workers' compensation; modifying indemnity provision; amending Minnesota Statutes 1998, section 176.061, subdivision 10.

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

Chaudhary, Johnson and Skoe introduced:

H. F. No. 3961, A bill for an act relating to education finance; expanding the building lease levy; authorizing certain leased technology to be funded through the sale of general obligation bonds; amending Minnesota Statutes 1998, sections 126C.40, subdivision 1; and 475.52, subdivision 5.

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

Westrom, Molnau and Larson, D., introduced:

H. F. No. 3962, A bill for an act relating to relating to metropolitan government; requiring metropolitan council to report on the future of the metro mobility transit system.

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

Abeler introduced:

H. F. No. 3963, A bill for an act relating to alcoholic beverages; authorizing the city of Anoka to issue an on-sale wine license for the Lyric Arts Theater.

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

Wilkin, Greenfield, Bradley, Davids and Haas introduced:

H. F. No. 3964, A bill for an act relating to insurance; adjusting aspects of eligibility and coverage in the comprehensive health association; requiring a study of premium rates; amending Minnesota Statutes 1998, sections 62E.02, subdivision 13; 62E.08; 62E.13, subdivision 2; 62E.14, subdivision 1; 62E.15, by adding a subdivision; and 62E.18; Minnesota Statutes 1999 Supplement, section 62E.12.

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

Seagren introduced:

H. F. No. 3965, A bill for an act relating to education finance; clarifying a timeline under the consolidation transition revenue program; amending Minnesota Statutes 1998, section 123A.485, subdivision 4.

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

Carruthers, Hausman, McCollum, Wagenius, Pugh, Opatz, Folliard, Dorn, Pelowski and Mahoney introduced:

H. F. No. 3966, A bill for an act relating to human services; providing automatic annual inflation adjustments for hospitals, nursing facilities, and ICF/MRs; providing an additional rate increase for nursing facilities, ICF/MRs, and home and community-based providers; amending Minnesota Statutes 1998, sections 256B.431, subdivision 21; and 256B.501, subdivision 3c, by adding a subdivision; Minnesota Statutes 1999 Supplement, sections 256.969, subdivision 1; 256B.431, subdivisions 26 and 28; 256B.434, subdivision 4; 256B.435, subdivisions 1 and 3; Laws 1999, chapter 245, article 1, section 2, subdivision 8.

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

Vandever; Larsen, P.; Workman; Goodno and Swenson introduced:

H. F. No. 3967, A bill for an act relating to motor vehicles; providing for a tax credit on the registration tax on passenger automobiles; amending Minnesota Statutes 1998, section 168.013, subdivision 1a, and by adding a subdivision.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. Nos. 2444, 2541, 2033, 2783, 2346, 2554 and 2615.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2444, A bill for an act relating to state lands; authorizing conveyance of certain surplus state land in Stearns county.

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

S. F. No. 2541, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Aitkin county.

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

S. F. No. 2033, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Norman county.

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

S. F. No. 2783, A bill for an act relating to the secretary of state; regulating fees; regulating the filing of annual registrations by corporations and other business entities with the secretary of state; providing for technical amendments to provisions regarding digital signatures; allowing the extension of duration of certain nonprofit corporations; amending Minnesota Statutes 1998, sections 5.12, subdivision 1; 5.14; 302A.821; 303.14, subdivision 1; 303.21, subdivision 3; 317A.801, subdivision 1; 317A.823; 317A.827; 318.02, by adding a subdivision; 322B.960; 323A.10-03; 325K.07, subdivision 3; 325K.10, subdivisions 1 and 2; 325K.18, subdivision 3; 325K.19; and 325K.23; Minnesota Statutes 1999 Supplement, sections 325K.05, subdivision 1; and 336.9-411; proposing coding for new law in Minnesota Statutes, chapters 5; and 308A; repealing Minnesota Statutes 1998, sections 303.07, subdivision 2; 303.14, subdivisions 3, 4, and 5; and 322B.960, subdivision 3.

The bill was read for the first time.

Seifert, J., moved that S. F. No. 2783 and H. F. No. 3066, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2346, A bill for an act relating to natural resources; authorizing the use of motor vehicles in wildlife management areas by disabled hunters; modifying certain permits for hunters with disabilities; providing criminal penalties; amending Minnesota Statutes 1998, sections 97A.137, by adding a subdivision; and 97B.055, subdivision 3.

The bill was read for the first time.

Hackbarth moved that S. F. No. 2346 and H. F. No. 2603, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2554, A bill for an act relating to taxation; providing a one-time exemption from penalty for omission of the public advertisement requirement of the truth-in-taxation process for Wadena county.

The bill was read for the first time.

Daggett moved that S. F. No. 2554 and H. F. No. 3039, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2615, A bill for an act relating to public health; providing that a person who leaves an unharmed newborn child at a hospital may not be prosecuted; providing for duties to be undertaken by a hospital when accepting an unharmed newborn child; providing immunity from liability for hospitals and their personnel when carrying out those duties; limiting duty to implement certain relative preference placement requirements; proposing coding for new law in Minnesota Statutes, chapters 145; and 609.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Koskinen moved that the rule therein be suspended and an urgency be declared so that S. F. No. 2615 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Koskinen and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

LAY ON THE TABLE

Pawlenty moved that the Koskinen motion be laid on the table.

A roll call was requested and properly seconded.

The question was taken on the Pawlenty motion and the roll was called.

Abrams moved that those not voting be excused from voting. The motion did not prevail.

Pugh moved that those not voting be excused from voting. The motion prevailed.

There were 70 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Hackbarth	Mares	Rhodes	Tuma
Abrams	Dempsey	Harder	McCollum	Rifenberg	Van Dellen
Anderson, B.	Dorman	Holberg	McElroy	Rostberg	Vandever
Bishop	Erhardt	Holsten	Molnau	Seifert, J.	Westerberg
Boudreau	Erickson	Howes	Mulder	Seifert, M.	Westfall
Bradley	Finseth	Kielkucki	Ness	Smith	Westrom
Broecker	Fuller	Knoblach	Nornes	Stanek	Wilkin
Buesgens	Gerlach	Krinkie	Olson	Stang	Wolf
Cassell	Goodno	Kuisle	Osskopp	Storm	Workman
Clark, J.	Gunther	Larsen, P.	Ozment	Swenson	Spk. Sviggum
Daggett	Haake	Leppik	Paulsen	Sykora	
Davids	Haas	Lindner	Pawlenty	Tingelstad	

Those who voted in the negative were:

Anderson, I.	Gleason	Juhnke	Mahoney	Paymar	Tomassoni
Bakk	Gray	Kahn	Mariani	Pelowski	Trimble
Biernat	Greenfield	Kalis	Marko	Peterson	Tunheim
Carlson	Greiling	Kelliher	McGuire	Pugh	Wagenius
Carruthers	Hasskamp	Koskinen	Milbert	Rest	Wejeman
Chaudhary	Hausman	Kubly	Mullery	Reuter	Wenzel
Clark, K.	Hilty	Larson, D.	Murphy	Rukavina	Winter
Dawkins	Huntley	Leighton	Opatz	Schumacher	
Dorn	Jaros	Lenczewski	Orfield	Skoe	
Entenza	Jennings	Lieder	Osthoff	Skoglund	
Folliard	Johnson	Luther	Otremba	Swapinski	

The motion prevailed and the Koskinen motion was laid on the table.

S. F. No. 2615 was referred to the Committee on Health and Human Services Policy.

CALL OF THE HOUSE LIFTED

Abrams moved that the call of the House be suspended. The motion prevailed and it was so ordered.

CONSENT CALENDAR

H. F. No. 3164, A bill for an act relating to Washington county; increasing its housing and redevelopment authority to seven members.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 3236, A bill for an act relating to health; modifying provisions for issuing certified copies of vital records; amending Minnesota Statutes 1998, section 144.225, subdivision 7.

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

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

Those who voted in the affirmative were:

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

Opatz	Paymar	Rostberg	Stanek	Trimble	Westerberg
Orfield	Pelowski	Rukavina	Stang	Tuma	Westfall
Osskopp	Peterson	Schumacher	Storm	Tunheim	Westrom
Osthoff	Pugh	Seifert, J.	Swapinski	Van Dellen	Wilkin
Otremba	Rest	Seifert, M.	Swenson	Vandever	Winter
Ozment	Reuter	Skoe	Sykora	Wagenius	Wolf
Paulsen	Rhodes	Skoglund	Tingelstad	Wejcmán	Workman
Pawlenty	Rifenberg	Smith	Tomassoni	Wenzel	Spk. Sviggum

The bill was passed and its title agreed to.

H. F. No. 3338, A bill for an act relating to Scott county; authorizing the county board to reorganize and delegate the duties of certain county offices; amending Laws 1997, chapter 90.

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 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kuisle	Westrom
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The bill was passed and its title agreed to.

CALENDAR FOR THE DAY

Pawlenty moved that the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Mares moved that the name of Stanek be added as an author on H. F. No. 2999. The motion prevailed.

Abeler moved that his name be stricken as an author on H. F. No. 3537. The motion prevailed.

Kuisle moved that the name of Skoe be added as an author on H. F. No. 3692. The motion prevailed.

Seagren moved that the name of Abeler be added as an author on H. F. No. 3698. The motion prevailed.

Abrams moved that the name of Luther be added as an author on H. F. No. 3757. The motion prevailed.

Kielkucki moved that the name of Ozment be added as an author on H. F. No. 3768. The motion prevailed.

Clark, J., moved that the name of Westerberg be added as an author on H. F. No. 3787. The motion prevailed.

McElroy moved that the name of Harder be added as an author on H. F. No. 3798. The motion prevailed.

Erickson moved that the name of Mullery be added as an author on H. F. No. 3801. The motion prevailed.

Olson moved that the name of Westerberg be added as an author on H. F. No. 3817. The motion prevailed.

Carruthers moved that the name of Folliard be added as an author on H. F. No. 3859. The motion prevailed.

Carruthers moved that the name of Folliard be added as an author on H. F. No. 3860. The motion prevailed.

Chaudhary moved that the names of Skoe and Lieder be added as authors on H. F. No. 3865. The motion prevailed.

Greiling moved that the name of Mullery be added as an author on H. F. No. 3869. The motion prevailed.

Krinkie moved that the names of Holberg, Broecker and Westerberg be added as authors on H. F. No. 3875. The motion prevailed.

Krinkie moved that the names of Mulder, Westrom, Holberg and Paulsen be added as authors on H. F. No. 3886. The motion prevailed.

Chaudhary moved that the names of Koskinen, Mahoney, Skoe and Lieder be added as authors on H. F. No. 3888. The motion prevailed.

McElroy moved that H. F. No. 1094, now on the General Register, be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Davids moved that H. F. No. 2570, now on the General Register, be re-referred to the Committee on Commerce. The motion prevailed.

Stanek moved that H. F. No. 3200 be recalled from the Committee on Judiciary Finance and be re-referred to the Committee on Transportation Finance. The motion prevailed.

Folliard moved that H. F. No. 3357 be recalled from the Committee on Education Policy and be re-referred to the Committee on Higher Education Finance. The motion prevailed.

Finseth moved that H. F. No. 3508, now on the General Register, be re-referred to the Committee on Agriculture Policy. The motion prevailed.

Molnau moved that H. F. No. 3651 be recalled from the Committee on Governmental Operations and Veterans Affairs Policy and be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Vandever moved that H. F. No. 3791 be recalled from the Committee on Transportation Policy and be re-referred to the Committee on Transportation Finance. The motion prevailed.

Broecker moved that S. F. No. 2485 be recalled from the Committee on Crime Prevention and together with H. F. No. 2774, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 3:00 p.m., Wednesday, March 1, 2000. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Wednesday, March 1, 2000.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

