

## STATE OF MINNESOTA

## EIGHTY-FIRST SESSION — 1999

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 TWENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 10, 1999

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

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

A quorum was present.

Clark, J.; Munger and Pawlenty were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Luther 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. 649 and H. F. No. 610, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Tingelstad moved that S. F. No. 649 be substituted for H. F. No. 610 and that the House File be indefinitely postponed. The motion prevailed.

### PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1999 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1999</i>	<i>Date Filed 1999</i>
121		5	11:06 a.m. March 8	March 8
424		6	11:08 a.m. March 8	March 8

Sincerely,

MARY KIFFMEYER  
Secretary of State

### REPORTS OF STANDING COMMITTEES

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

H. F. No. 70, A bill for an act relating to public safety; authorizing law enforcement agencies to sell forfeited firearms, ammunition, and firearm accessories to persons eligible to possess a firearm lawfully; amending Minnesota Statutes 1998, section 609.5315, subdivisions 1 and 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 609.5315, subdivision 1, is amended to read:

Subdivision 1. [DISPOSITION.] If the court finds under section 609.5313, 609.5314, or 609.5318 that the property is subject to forfeiture, it shall order the appropriate agency to do one of the following:

(1) unless a different disposition is provided under clause (3) or (4), either destroy all weapons used, firearms, ammunition, and firearm accessories that the agency decides not to use for law enforcement purposes under clause (6) (8), unless the agency determines that there is good reason not to destroy a particular item or sell them to federally licensed firearms dealers, as defined in section 624.7161, subdivision 1, and distribute the proceeds under subdivision 5;

(2) sell property that is not required to be destroyed by law and is not harmful to the public and distribute the proceeds under subdivision 5;

(3) sell antique firearms, as defined in section 624.712, subdivision 3, to the public and distribute the proceeds under subdivision 5;

(4) destroy or use for law enforcement purposes semiautomatic military-style assault weapons, as defined in section 624.712, subdivision 7;

(5) take custody of the property and remove it for disposition in accordance with law;

(6) forward the property to the federal drug enforcement administration;

(7) disburse money as provided under subdivision 5; or

(8) keep property other than money for official use by the agency and the prosecuting agency.

Sec. 2. Minnesota Statutes 1998, section 609.5315, subdivision 2, is amended to read:

Subd. 2. [DISPOSITION OF ADMINISTRATIVELY FORFEITED PROPERTY.] If property is forfeited administratively under section 609.5314 or 609.5318 and no demand for judicial determination is made, the appropriate agency may dispose of the property in any of the ways listed in subdivision 1, ~~except that the agency must destroy all forfeited weapons used, firearms, ammunition, and firearm accessories that the agency decides not to use for law enforcement purposes under subdivision 1, clause (6).~~"

Amend the title as follows:

Page 1, delete lines 4 and 5 and insert "firearm accessories to firearms dealers; allowing certain agencies to retain forfeited money for crime prevention use; amending Minnesota Statutes 1998,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Dauids from the Committee on Commerce to which was referred:

H. F. No. 111, A bill for an act relating to insurance; regulating nonrenewals of homeowner's insurance; prohibiting various discriminatory practices in automobile and homeowner's insurance; amending Minnesota Statutes 1998, sections 65A.29, subdivision 8; 65B.13; and 72A.20, subdivision 13.

Reported the same back with the following amendments:

Page 1, line 20, delete "to (d)" and insert "and (c)"

Page 1, line 25, delete ", in any amount,"

Page 2, delete lines 1 to 7 and insert "of claims, but the insurer may take the action specified in paragraph (a) on the basis of two claims submitted during the experience period, the aggregate of which exceeds \$3,000."

Page 2, line 8, delete "(e)" and insert "(d)"

Page 2, line 12, delete "(f)" and insert "(e)"

Page 2, line 16, delete "(g)" and insert "(f)"

Page 3, line 31, strike "Refusing" and insert "It is an unfair method of competition and an unfair and deceptive act or practice to refuse" and strike "declining" and insert "to decline"

Page 3, line 32, strike "charging" and insert "to charge"

Page 4, line 11, strike everything after "Act"

Page 4, strike line 12

Page 4, line 13, strike "or practice"

Page 4, line 22, strike "(d)" and insert "(e)"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 174, A bill for an act relating to the Paynesville area hospital district; authorizing the district to annex the city of Richmond to the district.

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

The report was adopted.

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

H. F. No. 462, A bill for an act relating to civil actions; clarifying admissibility of evidence regarding seat belts and child passenger restraint systems in certain actions; amending Minnesota Statutes 1998, section 169.685, subdivision 4.

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

The report was adopted.

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

H. F. No. 484, A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV to provide for initiative and referendum; providing procedures for initiative and referendum; providing penalties; amending Minnesota Statutes 1998, sections 204C.19, subdivision 2; 204C.27; 204C.33; 204D.11, by adding a subdivision; 204D.15; 204D.16; and 204D.165; proposing coding for new law in Minnesota Statutes, chapter 3B.

Reported the same back with the following amendments:

Page 3, line 25, delete "eligible" and insert "registered"

Page 5, line 23, delete "on the front"

Page 5, lines 33 and 36, delete "eligible" and insert "registered"

Page 6, line 20, after "general" insert "or special"

Page 9, line 15, delete everything after the period

Page 9, delete lines 16 and 17

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.

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

H. F. No. 510, A bill for an act relating to child support; eliminating the administrative process for child and medical support orders; providing for the appointment of family law magistrates to handle child and medical support and related family law proceedings; appropriating money; amending Minnesota Statutes 1998, sections 357.021, subdivision 1a; 518.551, subdivisions 12, 13, and 14; 518.575, subdivision 1; and 518.616, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 484; repealing Minnesota Statutes 1998, sections 518.5511; and 518.5512.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

#### "ARTICLE 1

#### EXPEDITED ADMINISTRATIVE PROCEDURES AND JUDICIAL PROCESS

Section 1. Minnesota Statutes 1998, section 484.70, subdivision 1, is amended to read:

Subdivision 1. [APPOINTMENT.] The chief judge of the judicial district may appoint one or more suitable persons to act as referees. Referees shall hold office at the pleasure of the judges of the district court and shall be learned in the law, except that persons holding the office of referee on January 1, 1983, may continue to serve under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to family, probate, juvenile or special term court. ~~Part time referees holding office in the second judicial district pursuant to this subdivision shall cease to hold office on July 31, 1984.~~

Sec. 2. [484.702] [EXPEDITED CHILD SUPPORT HEARING PROCESS.]

Subdivision 1. [ESTABLISHMENT.] The supreme court shall establish an expedited child support hearing process to increase effectiveness in hearings related to the establishment, modification, or enforcement of child support and paternity orders. The process must be designed to handle child support and paternity matters within the time frames provided by Code of Federal Regulations, title 45, section 303.101.

Subd. 2. [ADMINISTRATION.] The state court administrator shall provide for the administration of the expedited child support hearing process in each judicial district.

Subd. 3. [APPOINTMENT OF CHILD SUPPORT MAGISTRATES.] The chief judge of each judicial district may appoint one or more suitable persons to act as child support magistrates for the expedited child support hearing process, with the confirmation of the supreme court.

Subd. 4. [TRAINING AND QUALIFICATIONS OF CHILD SUPPORT MAGISTRATES.] The supreme court may:

(1) provide training for individuals who serve as child support magistrates for the expedited child support hearing process;

(2) establish minimum qualifications for child support magistrates; and

(3) establish a policy for evaluating and removing child support magistrates.

Subd. 5. [RULES.] The supreme court, in consultation with the conference of chief judges, shall adopt rules to implement the expedited child support hearing process under this section.

Sec. 3. [518.178] [VISITATION AND SUPPORT REVIEW HEARING.]

Upon motion of either party, the court shall conduct a hearing to review compliance with the visitation and child support provisions set forth in a decree of dissolution or legal separation or an order that establishes child custody, visitation, and support rights and obligations of parents. The state court administrator shall prepare, and each court administrator shall make available, simplified pro se forms for reviewing visitation and child support disputes. The court may impose any visitation enforcement remedy available under sections 518.175 and 518.1751, and any support enforcement remedy available under section 518.551.

Sec. 4. [518.5513] [PUBLIC AUTHORITY PROCEDURES FOR CHILD AND MEDICAL SUPPORT ORDERS AND PARENTAGE ORDERS.]

Subdivision 1. [GENERAL.] The public authority may use the provisions of this section in cases in which support rights are assigned under section 256.741, subdivision 2, or where the public authority is providing services under an application for child support services.

Subd. 2. [ROLE OF NONATTORNEY EMPLOYEES; GENERAL PROVISIONS.] Under the direction of the county attorney, nonattorney employees of the public authority may:

(1) gather information, negotiate settlements, and prepare pleadings, including proposed orders, stipulations, and related documents, on behalf of the public authority;

(2) meet and confer with parties to a child support or paternity proceeding in person or by mail, telephone, electronic means, or any other method that facilitates communication and agreement; and

(3) exercise other powers on behalf of the public authority under this section as provided in subdivisions 3 to 6.

Subd. 3. [PREPARATION OF FINANCIAL WORKSHEET.] (a) In cases involving establishment or modification of a child support order, a nonattorney employee of the public authority shall prepare a financial worksheet that contains:

(1) names and addresses of the parties;

(2) social security numbers of the parties;

(3) number of members in household of each party and dependents of the parties;

(4) names and addresses of the parties' employers;

(5) net income of the parties as defined in section 518.551, subdivision 5, with the authorized deductions itemized;

(6) amounts and sources of any other earnings and income of the parties;

(7) health insurance coverage of parties; and

(8) any other information relevant to the determination of child or medical support under section 518.171 or 518.551, subdivision 5.

(b) In preparing the financial worksheet, the nonattorney employee of the public authority shall obtain any income information available to the public authority from the department of economic security and serve this information on the parties. The information must be filed with the court or family law magistrate at least five days before any hearing involving child support, medical support, or child care reimbursement issues.

Subd. 4. [DOCUMENTS BASED ON FINANCIAL WORKSHEET.] Under the direction of the county attorney, the nonattorney employee of the public authority shall prepare a document based on the information obtained from the financial worksheet that:

(1) calculates the amount of child support pursuant to section 518.551, subdivision 5, including the amount of child care expenses, if any, to be paid by the parties; and

(2) provides for medical support pursuant to section 518.171.

The document may be used as a basis for negotiating a settlement with the parties.

Subd. 5. [NONCONTESTED MATTERS.] Under the direction of the county attorney and based on agreement of the parties, nonattorney employees may prepare a stipulation, findings of fact, conclusions of law, and proposed order. The documents must be approved and signed by the county attorney as to form and content before submission to the court or family law magistrate for approval.

Subd. 6. [ADMINISTRATIVE AUTHORITY.] (a) Provided that a factual basis exists and no actions are pending in court and no court order has been issued involving the same parties or issues, the public authority may, without requirement of a court order:

(1) recognize and enforce orders of child support agencies of other states;

(2) subpoena the appropriate person to submit to blood or genetic testing for the purpose of establishing paternity;

(3) subpoena financial or other information needed to establish, modify, or enforce a child support order and request sanctions for failure to respond to a subpoena;

(4) upon notice to the obligor, obligee, and the appropriate court, direct the obligor or other payor to change the payee to the central collections unit under sections 518.5851 to 518.5853;

(5) order income withholding of child support under section 518.6111;

(6) secure assets to satisfy the debt or arrearage in cases in which there is a support debt or arrearage by:

(i) intercepting or seizing periodic or lump sum payments from state or local agencies, including reemployment insurance, workers' compensation payments, judgments, settlements, lotteries, and other lump-sum payments;

(ii) attaching and seizing assets of the obligor held in financial institutions or public or private retirement funds; and

(iii) imposing liens in accordance with section 548.091 and, in appropriate cases, forcing the sale of property and the distribution of proceeds;

(7) for the purpose of securing overdue support, increase the amount of the monthly support payments to include amounts for debts or arrearages pursuant to section 518.6111; and

(8) subpoena an employer or payor of funds to provide promptly information on the employment, compensation, and benefits of an individual employed by that employer as an employee or contractor, and to request sanctions for failure to respond to the subpoena as provided by law.

(b) Subpoenas may be served anywhere within the state and served outside the state in the same manner as prescribed by law for service of process of subpoenas issued by the district court of this state. When a subpoena under this subdivision is served on a third-party recordkeeper, written notice of the subpoena shall be mailed to the person who is the subject of the subpoenaed material at the person's last known address within three days of the day the subpoena is served. This notice provision does not apply if there is reasonable cause to believe the giving of the notice may lead to interference with the production of the subpoenaed documents.

(c) A person served with a subpoena may make a written objection to the public authority or court before the time specified in the subpoena for compliance. The public authority or the court shall cancel or modify the subpoena, if appropriate. The public authority shall pay the reasonable costs of producing the documents, if requested.

(d) Subpoenas are enforceable in the same manner as subpoenas of the district court. Upon motion of the county attorney, the court may issue an order directing the production of the records. Failure to comply with the court order may subject the person who fails to comply to civil or criminal contempt of court.

(e) The expedited procedures under this subdivision are subject to due process safeguards, including requirements for notice, opportunity to contest the action before a child support magistrate, judicial officer, or judge, and opportunity to appeal the order to the court.

(f) The county attorney must approve and sign orders and subpoenas under this subdivision.

#### Sec. 5. [TRANSITIONAL PROVISIONS.]

Judicial districts are encouraged to utilize the existing expertise of child support administrative law judges in appointing child support magistrates under section 2 in order to facilitate the transfer of these functions to the judicial branch. Child support magistrates are state employees in the judicial branch.

#### Sec. 6. [APPROPRIATION.]

\$...... is appropriated from the general fund to the supreme court for purposes of funding the child support magistrate positions under this article. This appropriation is available until June 30, 2001.



## ARTICLE 2

## ADMINISTRATIVE PROCESS REPEAL

Section 1. Minnesota Statutes 1998, section 357.021, subdivision 1a, is amended to read:

Subd. 1a. [TRANSMITTAL OF FEES TO STATE TREASURER.] (a) Every person, including the state of Minnesota and all bodies politic and corporate, who shall transact any business in the district court, shall pay to the court administrator of said court the sundry fees prescribed in subdivision 2. Except as provided in paragraph (d), the court administrator shall transmit the fees monthly to the state treasurer for deposit in the state treasury and credit to the general fund.

(b) In a county which has a screener-collector position, fees paid by a county pursuant to this subdivision shall be transmitted monthly to the county treasurer, who shall apply the fees first to reimburse the county for the amount of the salary paid for the screener-collector position. The balance of the fees collected shall then be forwarded to the state treasurer for deposit in the state treasury and credited to the general fund. In a county in the eighth judicial district which has a screener-collector position, the fees paid by a county shall be transmitted monthly to the state treasurer for deposit in the state treasury and credited to the general fund. A screener-collector position for purposes of this paragraph is an employee whose function is to increase the collection of fines and to review the incomes of potential clients of the public defender, in order to verify eligibility for that service.

(c) No fee is required under this section from the public authority or the party the public authority represents in an action for:

(1) child support enforcement or modification, medical assistance enforcement, or establishment of parentage in the district court, ~~or child or medical support enforcement conducted by an administrative law judge in an administrative hearing under section 518.5511;~~

(2) civil commitment under chapter 253B;

(3) the appointment of a public conservator or public guardian or any other action under chapters 252A and 525;

(4) wrongfully obtaining public assistance under section 256.98 or 256D.07, or recovery of overpayments of public assistance;

(5) court relief under chapter 260;

(6) forfeiture of property under sections 169.1217 and 609.531 to 609.5317;

(7) recovery of amounts issued by political subdivisions or public institutions under sections 246.52, 252.27, 256.045, 256.25, 256.87, 256B.042, 256B.14, 256B.15, 256B.37, and 260.251, or other sections referring to other forms of public assistance;

(8) restitution under section 611A.04; or

(9) actions seeking monetary relief in favor of the state pursuant to section 16D.14, subdivision 5.

(d) The fees collected for child support modifications under subdivision 2, clause (13), must be transmitted to the county treasurer for deposit in the county general fund. The fees must be used by the county to pay for child support enforcement efforts by county attorneys.

Sec. 2. Minnesota Statutes 1998, section 518.551, subdivision 12, is amended to read:

Subd. 12. [OCCUPATIONAL LICENSE SUSPENSION.] (a) Upon motion of an obligee, if the court finds that the obligor is or may be licensed by a licensing board listed in section 214.01 or other state, county, or municipal agency or board that issues an occupational license and the obligor is in arrears in court-ordered child support or

maintenance payments or both in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments and is not in compliance with a written payment agreement regarding both current support and arrearages approved by the court, ~~an administrative law judge~~, a child support magistrate, or the public authority, ~~the administrative law judge~~, or the court shall direct the licensing board or other licensing agency to suspend the license under section 214.101. The court's order must be stayed for 90 days in order to allow the obligor to execute a written payment agreement regarding both current support and arrearages. The payment agreement must be approved by either the court or the public authority responsible for child support enforcement. If the obligor has not executed or is not in compliance with a written payment agreement regarding both current support and arrearages after the 90 days expires, the court's order becomes effective. If the obligor is a licensed attorney, the court shall report the matter to the lawyers professional responsibility board for appropriate action in accordance with the rules of professional conduct. The remedy under this subdivision is in addition to any other enforcement remedy available to the court.

(b) If a public authority responsible for child support enforcement finds that the obligor is or may be licensed by a licensing board listed in section 214.01 or other state, county, or municipal agency or board that issues an occupational license and the obligor is in arrears in court-ordered child support or maintenance payments or both in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments and is not in compliance with a written payment agreement regarding both current support and arrearages approved by the court, ~~an administrative law judge~~, a child support magistrate, or the public authority, the court, ~~an administrative law judge~~, or the public authority shall direct the licensing board or other licensing agency to suspend the license under section 214.101. If the obligor is a licensed attorney, the public authority may report the matter to the lawyers professional responsibility board for appropriate action in accordance with the rules of professional conduct. The remedy under this subdivision is in addition to any other enforcement remedy available to the public authority.

(c) At least 90 days before notifying a licensing authority or the lawyers professional responsibility board under paragraph (b), the public authority shall mail a written notice to the license holder addressed to the license holder's last known address that the public authority intends to seek license suspension under this subdivision and that the license holder must request a hearing within 30 days in order to contest the suspension. If the license holder makes a written request for a hearing within 30 days of the date of the notice, ~~either a court hearing or a contested administrative proceeding~~ must be held ~~under section 518.5511, subdivision 4~~. Notwithstanding any law to the contrary, the license holder must be served with 14 days' notice in writing specifying the time and place of the hearing and the allegations against the license holder. The notice may be served personally or by mail. If the public authority does not receive a request for a hearing within 30 days of the date of the notice, and the obligor does not execute a written payment agreement regarding both current support and arrearages approved by the public authority within 90 days of the date of the notice, the public authority shall direct the licensing board or other licensing agency to suspend the obligor's license under paragraph (b), or shall report the matter to the lawyers professional responsibility board.

(d) ~~The administrative law judge, on behalf of~~ The public authority, or the court shall notify the lawyers professional responsibility board for appropriate action in accordance with the rules of professional responsibility conduct or order the licensing board or licensing agency to suspend the license if the judge finds that:

- (1) the person is licensed by a licensing board or other state agency that issues an occupational license;
- (2) the person has not made full payment of arrearages found to be due by the public authority; and
- (3) the person has not executed or is not in compliance with a payment plan approved by the court, ~~an administrative law judge~~, a child support magistrate, or the public authority.

(e) Within 15 days of the date on which the obligor either makes full payment of arrearages found to be due by the court or public authority or executes and initiates good faith compliance with a written payment plan approved by the court, ~~an administrative law judge~~, a child support magistrate, or the public authority, the court, ~~an administrative law judge~~, a child support magistrate, or the public authority responsible for child support enforcement shall notify the licensing board or licensing agency or the lawyers professional responsibility board that the obligor is no longer ineligible for license issuance, reinstatement, or renewal under this subdivision.

(f) In addition to the criteria established under this section for the suspension of an obligor's occupational license, a court, ~~an administrative law judge~~, a child support magistrate, or the public authority may direct the licensing board or other licensing agency to suspend the license of a party who has failed, after receiving notice, to comply with a subpoena relating to a paternity or child support proceeding. Notice to an obligor of intent to suspend must be served by first class mail at the obligor's last known address. The notice must inform the obligor of the right to request a hearing. If the obligor makes a written request within ten days of the date of the hearing, a ~~contested administrative proceeding hearing~~ must be held ~~under section 518.551, subdivision 4~~. At the hearing, the only issues to be considered are mistake of fact and whether the obligor received the subpoena.

(g) The license of an obligor who fails to remain in compliance with an approved payment agreement may be suspended. Notice to the obligor of an intent to suspend under this paragraph must be served by first class mail at the obligor's last known address and must include a notice of hearing. The notice must be served upon the obligor not less than ten days before the date of the hearing. If the obligor appears at the hearing and the judge determines that the obligor has failed to comply with an approved payment agreement, the judge shall notify the occupational licensing board or agency to suspend the obligor's license under paragraph (c). If the obligor fails to appear at the hearing, the public authority may notify the occupational or licensing board to suspend the obligor's license under paragraph (c).

Sec. 3. Minnesota Statutes 1998, section 518.551, subdivision 13, is amended to read:

Subd. 13. [DRIVER'S LICENSE SUSPENSION.] (a) Upon motion of an obligee, which has been properly served on the obligor and upon which there has been an opportunity for hearing, if a court finds that the obligor has been or may be issued a driver's license by the commissioner of public safety and the obligor is in arrears in court-ordered child support or maintenance payments, or both, in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments and is not in compliance with a written payment agreement regarding both current support and arrearages approved by the court, ~~an administrative law judge~~, a child support magistrate, or the public authority, the court shall order the commissioner of public safety to suspend the obligor's driver's license. The court's order must be stayed for 90 days in order to allow the obligor to execute a written payment agreement regarding both current support and arrearages, which payment agreement must be approved by either the court or the public authority responsible for child support enforcement. If the obligor has not executed or is not in compliance with a written payment agreement regarding both current support and arrearages after the 90 days expires, the court's order becomes effective and the commissioner of public safety shall suspend the obligor's driver's license. The remedy under this subdivision is in addition to any other enforcement remedy available to the court. An obligee may not bring a motion under this paragraph within 12 months of a denial of a previous motion under this paragraph.

(b) If a public authority responsible for child support enforcement determines that the obligor has been or may be issued a driver's license by the commissioner of public safety and the obligor is in arrears in court-ordered child support or maintenance payments or both in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments and not in compliance with a written payment agreement regarding both current support and arrearages approved by the court, ~~an administrative law judge~~, a child support magistrate, or the public authority, the public authority shall direct the commissioner of public safety to suspend the obligor's driver's license. The remedy under this subdivision is in addition to any other enforcement remedy available to the public authority.

(c) At least 90 days prior to notifying the commissioner of public safety according to paragraph (b), the public authority must mail a written notice to the obligor at the obligor's last known address, that it intends to seek suspension of the obligor's driver's license and that the obligor must request a hearing within 30 days in order to contest the suspension. If the obligor makes a written request for a hearing within 30 days of the date of the notice, ~~either a court hearing or a contested administrative proceeding~~ must be held ~~under section 518.551, subdivision 4~~. Notwithstanding any law to the contrary, the obligor must be served with 14 days' notice in writing specifying the time and place of the hearing and the allegations against the obligor. The notice may be served personally or by mail. If the public authority does not receive a request for a hearing within 30 days of the date of the notice, and the obligor does not execute a written payment agreement regarding both current support and arrearages approved by the public authority within 90 days of the date of the notice, the public authority shall direct the commissioner of public safety to suspend the obligor's driver's license under paragraph (b).

(d) At a hearing requested by the obligor under paragraph (c), and on finding that the obligor is in arrears in court-ordered child support or maintenance payments or both in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments, the district court ~~or the administrative law judge or child support magistrate~~ shall order the commissioner of public safety to suspend the obligor's driver's license or operating privileges unless the court or ~~administrative law judge~~ child support magistrate determines that the obligor has executed and is in compliance with a written payment agreement regarding both current support and arrearages approved by the court, ~~an administrative law judge, a child support magistrate,~~ or the public authority.

(e) An obligor whose driver's license or operating privileges are suspended may provide proof to the public authority responsible for child support enforcement that the obligor is in compliance with all written payment agreements regarding both current support and arrearages. Within 15 days of the receipt of that proof, the public authority shall inform the commissioner of public safety that the obligor's driver's license or operating privileges should no longer be suspended.

(f) On January 15, 1997, and every two years after that, the commissioner of human services shall submit a report to the legislature that identifies the following information relevant to the implementation of this section:

- (1) the number of child support obligors notified of an intent to suspend a driver's license;
- (2) the amount collected in payments from the child support obligors notified of an intent to suspend a driver's license;
- (3) the number of cases paid in full and payment agreements executed in response to notification of an intent to suspend a driver's license;
- (4) the number of cases in which there has been notification and no payments or payment agreements;
- (5) the number of driver's licenses suspended; and
- (6) the cost of implementation and operation of the requirements of this section.

(g) In addition to the criteria established under this section for the suspension of an obligor's driver's license, a court, ~~an administrative law judge, a child support magistrate,~~ or the public authority may direct the commissioner of public safety to suspend the license of a party who has failed, after receiving notice, to comply with a subpoena relating to a paternity or child support proceeding. Notice to an obligor of intent to suspend must be served by first class mail at the obligor's last known address. The notice must inform the obligor of the right to request a hearing. If the obligor makes a written request within ten days of the date of the hearing, ~~a contested administrative proceeding must be held under section 518.5511, subdivision 4~~ hearing must be held. At the hearing, the only issues to be considered are mistake of fact and whether the obligor received the subpoena.

(h) The license of an obligor who fails to remain in compliance with an approved payment agreement may be suspended. Notice to the obligor of an intent to suspend under this paragraph must be served by first class mail at the obligor's last known address and must include a notice of hearing. The notice must be served upon the obligor not less than ten days before the date of the hearing. If the obligor appears at the hearing and the judge determines that the obligor has failed to comply with an approved payment agreement, the judge shall notify the department of public safety to suspend the obligor's license under paragraph (c). If the obligor fails to appear at the hearing, the public authority may notify the department of public safety to suspend the obligor's license under paragraph (c).

Sec. 4. Minnesota Statutes 1998, section 518.551, subdivision 14, is amended to read:

Subd. 14. [MOTOR VEHICLE LIEN.] (a) Upon motion of an obligee, if a court finds that the obligor is a debtor for a judgment debt resulting from nonpayment of court-ordered child support or maintenance payments, or both, in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments, the court shall order the commissioner of public safety to enter a lien in the name of the obligee or in the name of the

state of Minnesota, as appropriate, in accordance with section 168A.05, subdivision 8, unless the court finds that the obligor is in compliance with a written payment agreement regarding both current support and arrearages approved by the court, ~~an administrative law judge~~, a child support magistrate, or the public authority. The court's order must be stayed for 90 days in order to allow the obligor to execute a written payment agreement regarding both current support and arrearages, which agreement shall be approved by either the court or the public authority responsible for child support enforcement. If the obligor has not executed or is not in compliance with a written payment agreement regarding both current support and arrearages approved by the court, ~~an administrative law judge~~, a child support magistrate, or the public authority within the 90-day period, the court's order becomes effective and the commissioner of public safety shall record the lien on any motor vehicle certificate of title subsequently issued in the name of the obligor. The remedy under this subdivision is in addition to any other enforcement remedy available to the court.

(b) If a public authority responsible for child support enforcement determines that the obligor is a debtor for judgment debt resulting from nonpayment of court-ordered child support or maintenance payments, or both, in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments, the public authority shall direct the commissioner of public safety to enter a lien in the name of the obligee or in the name of the state of Minnesota, as appropriate, under section 168A.05, subdivision 8, on any motor vehicle certificate of title subsequently issued in the name of the obligor unless the public authority determines that the obligor is in compliance with a written payment agreement regarding both current support and arrearages approved by the court, ~~an administrative law judge~~, a child support magistrate, or the public authority. The remedy under this subdivision is in addition to any other enforcement remedy available to the public agency.

(c) At least 90 days prior to notifying the commissioner of public safety pursuant to paragraph (b), the public authority must mail a written notice to the obligor at the obligor's last known address, that it intends to record a lien on any motor vehicle certificate of title subsequently issued in the name of the obligor and that the obligor must request a hearing within 30 days in order to contest the action. If the obligor makes a written request for a hearing within 30 days of the date of the notice, ~~either a court hearing or a contested administrative proceeding~~ must be held ~~under section 518.5511, subdivision 4~~. Notwithstanding any law to the contrary, the obligor must be served with 14 days' notice in writing specifying the time and place of the hearing and the allegations against the obligor. The notice may be served personally or by mail. If the public authority does not receive a request for a hearing within 30 days of the date of the notice and the obligor does not execute or is not in compliance with a written payment agreement regarding both current support and arrearages approved by the public authority within 90 days of the date of the notice, the public authority shall direct the commissioner of public safety to record the lien under paragraph (b).

(d) At a hearing requested by the obligor under paragraph (c), and on finding that the obligor is in arrears in court-ordered child support or maintenance payments or both in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments, the district court or ~~the administrative law judge~~ child support magistrate shall order the commissioner of public safety to record the lien unless the court or ~~administrative law judge~~ child support magistrate determines that the obligor has executed and is in compliance with a written payment agreement regarding both current support and arrearages determined to be acceptable by the court, ~~an administrative law judge~~, a child support magistrate, or the public authority.

(e) An obligor may provide proof to the court or the public authority responsible for child support enforcement that the obligor is in compliance with all written payment agreements regarding both current support and arrearages or that the value of the motor vehicle is less than the exemption provided under section 550.37. Within 15 days of the receipt of that proof, the court or public authority shall either execute a release of security interest under section 168A.20, subdivision 4, and mail or deliver the release to the owner or other authorized person or shall direct the commissioner of public safety not to enter a lien on any motor vehicle certificate of title subsequently issued in the name of the obligor in instances where a lien has not yet been entered.

(f) Any lien recorded against a motor vehicle certificate of title under this section and section 168A.05, subdivision 8, attaches only to the nonexempt value of the motor vehicle as determined in accordance with section 550.37. The value of a motor vehicle must be determined in accordance with the retail value described in the N.A.D.A. Official Used Car Guide, Midwest Edition, for the current year, or in accordance with the purchase price as defined in section 297B.01, subdivision 8.

Sec. 5. Minnesota Statutes 1998, section 518.575, subdivision 1, is amended to read:

Subdivision 1. [MAKING NAMES PUBLIC.] At least once each year, the commissioner of human services, in consultation with the attorney general, shall publish a list of the names and other identifying information of no more than 25 persons who (1) are child support obligors, (2) are at least \$10,000 in arrears, (3) are not in compliance with a written payment agreement regarding both current support and arrearages approved by the court, ~~an administrative law judge~~, a child support magistrate, or the public authority, (4) cannot currently be located by the public authority for the purposes of enforcing a support order, and (5) have not made a support payment except tax intercept payments, in the preceding 12 months.

Identifying information may include the obligor's name, last known address, amount owed, date of birth, photograph, the number of children for whom support is owed, and any additional information about the obligor that would assist in identifying or locating the obligor. The commissioner and attorney general may use posters, media presentations, electronic technology, and other means that the commissioner and attorney general determine are appropriate for dissemination of the information, including publication on the Internet. The commissioner and attorney general may make any or all of the identifying information regarding these persons public. Information regarding an obligor who meets the criteria in this subdivision will only be made public subsequent to that person's selection by the commissioner and attorney general.

Before making public the name of the obligor, the department of human services shall send a notice to the obligor's last known address which states the department's intention to make public information on the obligor. The notice must also provide an opportunity to have the obligor's name removed from the list by paying the arrearage or by entering into an agreement to pay the arrearage, or by providing information to the public authority that there is good cause not to make the information public. The notice must include the final date when the payment or agreement can be accepted.

The department of human services shall obtain the written consent of the obligee to make the name of the obligor public.

Sec. 6. Minnesota Statutes 1998, section 518.616, subdivision 1, is amended to read:

Subdivision 1. [COURT ORDER.] For any support order being enforced by the public authority, the public authority may seek a court order requiring the obligor to seek employment if:

- (1) employment of the obligor cannot be verified;
- (2) the obligor is in arrears in court-ordered child support or maintenance payments or both in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments; and
- (3) the obligor is not in compliance with a written payment plan.

Upon proper notice being given to the obligor, the court may enter a seek employment order if it finds that the obligor has not provided proof of gainful employment and has not consented to an order for income withholding under section 518.6111 or entered into a written payment plan approved by the court, ~~an administrative law judge~~, a child support magistrate, or the public authority.

Sec. 7. [REPEALER.]

Minnesota Statutes 1998, sections 518.5511; and 518.5512, are repealed.

Sec. 8. [EFFECTIVE DATE; APPLICATION.]

This article is effective July 1, 1999."

Delete the title and insert:

"A bill for an act relating to family law; repealing the administrative process for support orders; establishing a child support magistrate system; authorizing child support and visitation review hearings; appropriating money; amending Minnesota Statutes 1998, sections 357.021, subdivision 1a; 484.70, subdivision 1; 518.551, subdivisions 12, 13, and 14; 518.575, subdivision 1; and 518.616, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 484; and 518; repealing Minnesota Statutes 1998, sections 518.5511; and 518.5512."

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

The report was adopted.

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

H. F. No. 526, A bill for an act relating to the Minneapolis park and recreation board; providing for the appointment of various employees; amending Laws 1969, chapter 1024, section 1, as amended.

Reported the same back with the following amendments:

Page 1, line 25, after "~~(h)~~" insert "(i)" and reinstate the stricken "manager, special services,"

Page 2, line 1, strike "(i)" and insert "(j)"

Page 2, line 2, strike "(j)" and insert "(k)"

Page 2, line 3, strike "(k)" and insert "(l)"

Page 2, line 4, strike "(l)" and insert "(m)"

Page 2, line 5, strike "(m)" and insert "(n)"

Page 2, line 6, strike "(n)" and insert "(o)"

Page 2, line 7, strike "(o)" and insert "(p)"

Page 2, line 8, strike "(p)" and insert "(q)"

Page 2, line 9, strike "(q)" and insert "(r)"

Page 2, line 10, strike everything before the comma, and insert "(s) director, park safety"

With the recommendation that when so amended the bill pass.

The report was adopted.

Mares from the Committee on Education Policy to which was referred:

H. F. No. 577, A bill for an act relating to education; clarifying and changing requirements for private career schools; providing for rulemaking; amending Minnesota Statutes 1998, sections 141.21, subdivisions 3, 5, 6, and by adding subdivisions; 141.22; 141.25, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, 10, and 12; 141.26, subdivision 2; 141.271,

subdivisions 1, 2, 3, 4, 5, 6, and 12; 141.28, subdivisions 3 and 5; 141.29, subdivision 1; 141.31; 141.32; and 141.35; proposing coding for new law in Minnesota Statutes, chapter 141; repealing Minnesota Statutes 1998, sections 141.25, subdivisions 9a, 9b, and 11; and 141.36.

Reported the same back with the following amendments:

Page 11, line 6, after the period, insert "The performance indicators used in this determination shall include, but not be limited to: degree granting status, national accreditation, loan default rates, placement rate of graduates, student withdrawal rates, audit results, student complaints, and school status with the United States Department of Education. Schools that meet the requirements established in rule shall be required to submit a full relicensure report once every four years, and in the interim years will be exempt from the requirements of section 141.25, subdivision 3, clauses (4), (5), and (8), and Minnesota Rules, parts 4880.1700, subpart 6; and 4880.2100, subpart 4."

Page 17, line 21, after the period, insert "Fines for violations shall not exceed \$500 per day per violation."

Page 19, line 14, strike everything after "instruction"

Page 19, strike line 15

Page 19, line 16, strike everything before the semicolon

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

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

H. F. No. 627, A bill for an act relating to Washington county; changing the length of the terms of housing and redevelopment authority commissioners; amending Laws 1974, chapter 475, section 2, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 9, delete "TWO-YEAR" and insert "THREE-YEAR"

Page 1, line 12, delete "two" and insert "three"

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. 650, A bill for an act relating to land servitudes; exempting owners of certain shooting ranges from liability for certain civil and criminal actions; proposing coding for new law in Minnesota Statutes, chapters 500; and 604A.

Reported the same back with the following amendments:



Delete everything after the enacting clause and insert:

"Section 1. [500.31] [SHOOTING RANGE SERVITUDES.]

The right to use real property as a range safety zone or as a noise or pollution abatement zone for a shooting range is a land burden or servitude upon real property that may be granted and held, and runs with the burdened property though not attached to land. For the purposes of this section, "shooting range" has the meaning given in section 561.20.

Sec. 2. [561.20] [DEFINITIONS.]

Subdivision 1. [SCOPE.] For the purposes of sections 561.20 to 561.22, the terms defined in this section have the meanings given them.

Subd. 2. [PERSON.] "Person" means an individual, proprietorship, partnership, corporation, club, political subdivision, or other legal entity.

Subd. 3. [SHOOTING RANGE OR RANGE.] "Shooting range" or "range" means an area or facility designed and operated for the use of firearms as defined in section 97A.015, subdivision 19, or archery, and includes shooting preserves as defined in section 97A.115 or any other Minnesota law.

Sec. 3. [561.21] [SHOOTING RANGES; EFFECT OF FUTURE LAWS OR ORDINANCES.]

Notwithstanding any other provision of law or ordinance, a person who owns or operates a shooting range in this state is subject only to the noise control and noise pollution laws or ordinances, if any, in effect at the time of the shooting range's construction or initial operation and is not subject to more restrictive noise control or noise pollution laws or ordinances enacted after that date.

Sec. 4. [561.22] [NOISE; NUISANCE ACTIONS.]

A person who owns, operates, or uses a shooting range is not subject to a civil action for nuisance, and a court of the state shall not enjoin or restrain the use or operation of a range on the basis of nuisance, or of noise or noise pollution, unless the range is not in material compliance with any noise control laws and ordinances, if any, that applied to the range and its operation at the time of construction or initial operation of the range. This section does not prohibit actions for negligence or recklessness in the operation of the range or by a person using the range resulting in personal injury.

Sec. 5. [EFFECTIVE DATE.]

Sections 1 to 4 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to shooting ranges; exempting owners of shooting ranges from the application of future noise control laws or ordinances that are more restrictive than those in effect at the time the range was constructed or initially operated; clarifying liability resulting from the use of shooting ranges; proposing coding for new law in Minnesota Statutes, chapters 500; and 561."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 663, A bill for an act relating to employment; modifying provisions governing payment of wages on state projects; amending Minnesota Statutes 1998, sections 116J.871, subdivision 2; 177.41; 177.42; 177.43; 177.44; and 471.345, subdivision 7; repealing Minnesota Statutes 1998, section 177.435.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 116J.871, subdivision 2, is amended to read:

Subd. 2. [PREVAILING WAGE REQUIRED.] A state agency may provide financial assistance to a person only if the person receiving or benefiting from the financial assistance certifies to the commissioner of labor and industry that laborers and mechanics at employed in connection with and directly on the project work site of any project meeting the requirements of sections 177.42, subdivision 2, and 177.43, subdivision 7, during construction, installation, remodeling, and repairs for which the financial assistance was provided will be paid the prevailing wage rate as defined in section 177.42, subdivision 6.

Sec. 2. Minnesota Statutes 1998, section 177.42, is amended to read:

177.42 [DEFINITIONS.]

Subdivision 1. [SCOPE.] As used in sections 177.41 to 177.44 the terms defined in this section have the meanings given them except where the context indicates otherwise.

Subd. 2. [PROJECT.] "Project" means erection, construction, remodeling, or repairing of a public building or other public work financed in whole or part by state funds.

Subd. 3. [AREA.] "Area" means the county ~~or other locality from which labor for any project is normally secured in which the project is located, or, in the case of projects involving multiple counties, the county in which the largest single part of the project is located, or, where provided in subdivision 6, the county within the same region which is nearest geographically to the county in which the project, or the largest single part of the project, is located.~~

Subd. 4. [PREVAILING HOURS OF LABOR.] "Prevailing hours of labor" means ~~the hours of labor per day and per week worked within the area by a larger number of workers of the same class than are employed within the area for any other number of hours per day and per week. The prevailing hours of labor may not be more than eight hours per day or more than 40 hours per week.~~

Subd. 5. [HOURLY BASIC RATE.] "Hourly basic rate" means the hourly wage paid to any employee employed in connection with and directly on a project work site.

Subd. 6. [PREVAILING WAGE RATE.] "Prevailing wage rate" means the hourly basic rate of pay plus the contribution for health and welfare benefits, vacation benefits, pension benefits, and any other economic benefit paid to the largest number of workers engaged in the same class of labor within the area ~~and includes, for the purposes of section 177.44, rental rates for truck hire paid to those who own and operate the truck. If no single rate is paid to the majority of the employees engaged in the same class of labor in the area, then the prevailing wage rate is the average of the hourly rates of pay plus the rate of contribution or cost for benefits, as described above, paid or made available to employees engaged in the same class of labor within the area, such average to be weighted by the number of employees to whom such rates are paid in the area. If no prevailing wage rate has been determined for that class of labor in the county in which the project is located or in which the largest single part of the project is located, within the last two years, then the prevailing wage rate is the prevailing wage rate determined for that class of labor in the county nearest to the project within the same region, as defined in Minnesota Rules, part 5200.1030, for which such a prevailing wage rate for that class of labor has been determined within the last two years.~~ The prevailing wage rate may not be less than a reasonable and living wage.

Sec. 3. Minnesota Statutes 1998, section 177.43, is amended to read:

177.43 [CONTRACTS FOR STATE PROJECTS; PENALTY.]

Subdivision 1. [HOURS OF LABOR.] Any contract and any bid specification or request or invitation for proposal which provides for a project must state that:

(1) no laborer or mechanic employed in connection with and directly on the project work site by the contractor or any subcontractor, agent, or other person doing or contracting to do all or a part of the work of the project, is permitted or required to work more hours than the prevailing hours of labor unless paid for all hours in excess of the prevailing hours at a rate of at least 1-1/2 times the hourly basic rate of pay; and

(2) a laborer or mechanic employed in connection with and directly on the project work site may not be paid a lesser rate of wages than the prevailing wage rate in the same or most similar trade or occupation in the area.

Subd. 2. [EXCEPTIONS.] This section ~~does not apply~~ applies only to wage rates and hours of employment of laborers or mechanics employed in connection with and directly on the work site of the project. ~~All other employees, including but not limited to, employees who process or manufacture materials or products or to the delivery of deliver materials or products by or for commercial establishments which have a fixed place of business from which they regularly supply processed or manufactured materials or products. This section applies to laborers or mechanics who deliver, regardless of whether the delivery does or does not involve the delivery of mineral aggregate such as sand, gravel, or stone which is incorporated into the work under the contract by depositing the material substantially in place, directly or through spreaders, from the transporting vehicle, are not subject to this section.~~

Subd. 3. [CONTRACT AND BID REQUIREMENTS.] The contract and any bid specification or request or invitation for proposal must specifically state the prevailing wage rates, prevailing hours of labor, and hourly basic rates of pay.

Subd. 4. [DETERMINATION BY COMMISSIONER.] The prevailing wage rates, ~~prevailing hours of labor,~~ and hourly basic rates of pay for all trades and occupations required in any project must be ascertained in the manner required by section 177.42, subdivision 6, before the state asks for bids. The commissioner of labor and industry shall investigate as necessary to ascertain the information. The commissioner shall keep the information posted on the project in at least one conspicuous place for the information of the employees working on the project. Any employer of employees employed in connection with and directly on the work site of any project may request additions or corrections to the schedule of prevailing rates from the commissioner, who shall not unreasonably withhold timely corrections or additions. A person aggrieved by a final determination of the commissioner may petition the commissioner for reconsideration of findings. A person aggrieved by a decision of the commissioner after reconsideration may, within 20 days after the decision, petition the commissioner for a public hearing in the manner of a contested case under sections 14.57 to 14.61.

Subd. 5. [PENALTY.] It is a misdemeanor for an officer or employee of the state to execute a contract for a project without complying with this section, or for a contractor, subcontractor, or agent to pay any laborer, worker, or mechanic employed in connection with and directly on the project work site a lesser wage for work done under the contract than the prevailing wage rate as stated in the contract. This misdemeanor is punishable by a fine of not more than \$700, or imprisonment for not more than 90 days, or both. Each agent or subcontractor shall furnish to the contractor evidence of compliance with this section. Each day a violation of this section continues is a separate offense.

Subd. 6. [EXAMINATION OF RECORDS.] The department of labor and industry shall enforce this section. The department may demand, and the contractor and subcontractor shall furnish to the department, copies of any or all payrolls. The department may examine all records relating to wages paid laborers or mechanics on work to which sections 177.41 to 177.44 apply, provided that the records and any information derived from the department's examination of them shall be deemed to be private data under section 13.02.

Subd. 7. [APPLICABILITY.] This section does not apply to a contract, or work under a contract, under which:

~~(1) the estimated total cost of completing the project is less than \$2,500 and only one trade or occupation is required to complete it, or~~

~~(2) the estimated total cost of completing the project is less than \$25,000 and more than one trade or occupation is required to complete it \$100,000.~~

Sec. 4. Minnesota Statutes 1998, section 177.44, is amended to read:

177.44 [HIGHWAY CONTRACTS; HOURS OF LABOR; WAGE RATES; PENALTY.]

Subdivision 1. [HOURS, WAGES PERMITTED.] A laborer or mechanic employed by a contractor, subcontractor, agent, or other person doing or contracting to do all or part of the work under a contract based on bids as provided in Minnesota Statutes 1971, section 161.32, to which the state is a party, for the construction or maintenance of a highway, may not be permitted or required to work longer than the prevailing hours of labor unless the laborer or mechanic is paid for all hours in excess of the prevailing hours at a rate of at least 1-1/2 times the hourly basic rate of pay of the laborer or mechanic. The laborer or mechanic must be paid at least the prevailing wage rate in the same or most similar trade or occupation in the area.

Subd. 2. [APPLICABILITY.] This section ~~does not apply~~ applies only to wage rates and hours of employment of laborers or mechanics engaged in the processing employed in connection with and on the site of the project. All other employees, including but not limited to, employees who process or manufacture of materials or products, or to the delivery of deliver materials or products by or for commercial establishments which have a fixed place of business from which they regularly supply the processed or manufactured materials or products. This section applies to laborers or mechanics who deliver, regardless of whether the delivery does or does not involve the delivery of mineral aggregate such as sand, gravel, or stone which is incorporated into the work under the contract by depositing the material substantially in place, directly or through spreaders, from the transporting vehicle, are not subject to this section.

Subd. 3. [INVESTIGATIONS BY DEPARTMENT OF LABOR AND INDUSTRY.] The department of labor and industry shall conduct investigations and hold public hearings necessary to define classes of laborers and mechanics and to determine the ~~hours of labor and~~ wage rates prevailing in all areas of the state for all classes of labor and mechanics commonly employed in highway construction work, so as to determine ~~prevailing hours of labor,~~ prevailing wage rates; and hourly basic rates of pay in the manner required by section 177.42, subdivision 6.

~~The department shall determine the nature of the equipment furnished by truck drivers who own and operate trucks on contract work to determine minimum rates for the equipment, and shall establish by rule minimum rates to be computed into the prevailing wage rate.~~

Subd. 4. [CERTIFICATION OF HOURS AND RATE.] The commissioner of labor and industry shall at least once a year certify the ~~prevailing hours of labor,~~ the prevailing wage rate; and the hourly basic rate of pay for all classes of laborers and mechanics referred to in subdivision 3 in each area in the manner required by section 177.42, subdivision 6. ~~The certification must also include future hours and rates when they can be determined for classes of laborers and mechanics in an area. The certification must specifically state the effective dates of future hours and rates when they are certified.~~ If a construction project extends into more than one area ~~there shall be only one standard of hours of labor and~~ the wage rates for the entire project shall be the rate applicable to the area containing the largest single part of the project. A person aggrieved by a final determination of the commissioner may petition the commissioner for reconsideration of findings. A person aggrieved by a decision of the commissioner after reconsideration may within 20 days after the decision petition the commissioner for a public hearing as in a contested case under sections 14.57 to 14.61. If the commissioner finds that a change in the certified ~~prevailing hours of labor,~~ prevailing wage rate; and the hourly basic rate of pay for a class of laborers or mechanics in any area is required, the commissioner may at any time certify that change.

Subd. 5. [~~HOURS AND RATES TO BE POSTED.~~] The prevailing ~~hours of labor, the prevailing~~ wage rates, the hourly basic rates of pay, and classifications for all labor as certified by the commissioner must be specifically stated in the bid specifications and invitations or requests for proposals and contracts for each highway construction contract to which the state is a party. These ~~hours, rates, and classifications~~, together with the provisions of subdivision 6, must be kept posted on the project by the employer in at least one conspicuous place for the information of employees working on the project.

Subd. 6. [PENALTIES.] A contractor, subcontractor, or agent who violates this section is guilty of a misdemeanor and may be fined not more than \$300 or imprisoned not more than 90 days or both. Each day that the violation continues is a separate offense.

Whoever induces a job applicant or employee on any project subject to this section to give up or forego any part of the wages to which entitled under the contract governing the project by threat not to employ, by threat of dismissal from employment, or by any other means may be fined not exceeding \$1,000 or imprisoned not more than one year or both.

Any employee under this section who knowingly permits the contractor or subcontractor to pay less than the prevailing wage rate set forth in the contract, or who gives up any part of the compensation to which entitled under the contract, may be fined not exceeding \$40 or imprisoned not more than 30 days or both. Each day any violation of this paragraph continues is a separate offense.

Subd. 7. [DEPARTMENT OF TRANSPORTATION TO ENFORCE.] The department of transportation shall require adherence to this section. The commissioner of transportation may demand and every contractor and subcontractor shall furnish copies of payrolls. The commissioner of transportation may examine all records relating to hours of work and the wages paid laborers and mechanics on work to which this section applies, provided that the records and any information derived from the department's examination of them shall be deemed to be private data under section 13.02. Upon request of the department of transportation or upon complaint of alleged violation, the county attorney of the county in which the work is located shall investigate and prosecute violations in a court of competent jurisdiction.

Sec. 5. Minnesota Statutes 1998, section 471.345, subdivision 7, is amended to read:

Subd. 7. [MINIMUM LABOR STANDARDS.] Nothing in this section shall be construed to prohibit any municipality from adopting ~~rules, regulations, or ordinances which establish, for a specific construction project, by resolution,~~ the prevailing wage rate and prevailing hours of labor, as defined in section 177.42, as a minimum standard for wages and ~~which establish the hours and working conditions prevailing for the largest number of workers engaged in the same class of labor within the area as a minimum standard for a municipal contractor's employees which must be agreed to by any contractor before the contractor may be awarded for work under any contract for the furnishing of any labor, material, supplies, or service a project, as defined in section 177.42, even though the project is locally funded. If a resolution is adopted for a project, all of the requirements of section 177.42 apply to the project as to both the contractor and the municipality. A municipality may not adopt any prevailing wage rate or hours requirement for projects or other work except in compliance with this section.~~

Amend the title as follows:

Page 1, line 5, delete "177.41;"

Page 1, line 6, delete everything after "7"

Page 1, line 7, delete everything before the period

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

The report was adopted.

Davids from the Committee on Commerce to which was referred:

H. F. No. 684, A bill for an act relating to insurance; requiring no-fault automobile insurance medical benefits to include sign interpreting and language translation; making technical changes; amending Minnesota Statutes 1998, section 65B.44, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 19, after "services" insert ", other than such services provided by a family member of the patient,"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 2, line 18, delete everything after "of" and insert "those"

Page 2, line 19, after "subdivisions" insert "primarily benefiting from the project"

With the recommendation that when so amended the bill pass.

The report was adopted.

Davids from the Committee on Commerce to which was referred:

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

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

The report was adopted.

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

H. F. No. 842, A bill for an act relating to natural resources; modifying cross-country ski pass provisions; amending Minnesota Statutes 1998, sections 85.40, subdivision 5; 85.41, subdivisions 1, 4, and 5; 85.42; 85.44; and 85.45, subdivision 1.

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

The report was adopted.

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

H. F. No. 863, A bill for an act relating to adoption; changing requirements and procedures for the putative fathers' adoption registry, communication or contact agreements, and postadoption reports; amending Minnesota Statutes 1998, sections 259.52, subdivisions 4, 7, 9, 10, and 11; 259.58; and 259.60, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1998, section 259.52, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT OF REGISTRY; PURPOSE; FEES.] (a) The commissioner of health shall establish a fathers' adoption registry for the purpose of determining the identity and location of a putative father interested in a minor child who is, or is expected to be, the subject of an adoption proceeding, in order to provide notice of the adoption proceeding to the putative father who is not otherwise entitled to notice under section 259.49, subdivision 1, paragraph (a) or (b), clauses (1) to (7). The commissioner of health may establish informational material and public service announcements necessary to implement this section. Any limitation on a putative father's right to assert an interest in the child as provided in this section applies only in adoption proceedings and only to those putative fathers not entitled to notice and consent under sections 259.24 and 259.49, subdivision 1, paragraph (a) or (b), clauses (1) to (7). The commissioner of health has no independent obligation to gather or update the information to be maintained on the registry. It is the registrant's responsibility to update his personal information on the registry.

(b) The fathers' adoption registry must contain the following information:

(1) with respect to the putative father, the:

(i) name, including any other names by which the putative father may be known and that he may provide to the registry;

(ii) address at which he may be served with notice of a petition under this chapter, including any change of address;

(iii) social security number, if known;

(iv) date of birth; and

(v) if applicable, a certified copy of an order by a court of another state or territory of the United States adjudicating the putative father to be the father of this child;

(2) with respect to the mother of the child:

(i) name, including all other names known to the putative father by which the mother may be known;

(ii) if known to the putative father, her last address;

(iii) social security number, if known; and

(iv) date of birth;

(3) if known to the putative father, the name, gender, place of birth, and date of birth or anticipated date of birth of the child;

(4) the date that the commissioner of health received the putative father's registration; and

(5) other information the commissioner of health determines by rule to be necessary for the orderly administration of the registry. For purposes of clause (4), "date" means the postmark date or the date of delivery by means other than United States mail to the address specified on the registration form.

(c) The commissioner of health shall notify the mother of the child whenever a putative father has registered with the father's adoption registry under this section. Notice shall be sent to the name and address submitted by the putative father under paragraph (b), clause (2). If no current address for the mother is submitted by the putative father under paragraph (b), clause (2), the commissioner of health shall not notify the mother. The commissioner of health has no independent obligation to locate the mother. The notice shall be mailed within 14 days of the date that the commissioner received the putative father's adoption registration unless a search has been requested under subdivision 2. There shall be no charge to the birth mother for this notice.

(d) The commissioner of health shall set reasonable fees for the use of the registry; however, a putative father shall not be charged a fee for registering. Revenues generated by the fee must be deposited in the state government special revenue fund and appropriated to the commissioner of health to administer the fathers' adoption registry."

Page 1, line 12, after "registry" insert ", including all data provided in requesting the search of the registry."

Page 1, line 13, after "2" insert ", and are nonpublic data with respect to data not on individuals, as defined in section 13.02, subdivision 9"

Page 1, line 22, delete "is representing" and insert "has signed an affidavit provided by the department of health attesting that the attorney represents"

Page 2, line 7, delete everything after the period and insert "A registration is timely filed if it is postmarked or delivered by means other than United States mail to the address specified on the registration form no later than 30 days after the birth of the child."

Page 2, delete lines 8 to 10

Page 6, line 16, after "country" insert "or if a resident of this state brings a child into the state under an IR-3 or IR-4 visa issued for the child by the United States Immigration and Naturalization Service"

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 6, after "subdivisions" insert "1,"

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. 989, A bill for an act relating to probate; changing provisions of the Uniform Probate Code; changing nomination provisions for conservators and guardians; amending Minnesota Statutes 1998, sections 524.2-101; 524.2-213; 524.2-702; 524.3-916; and 525.544, subdivision 1.



Reported the same back with the following amendments:

Page 1, line 14, delete "decedents" and insert "descendants"

Pages 1 and 2, delete section 2

Page 9, line 22, after "conservatee" insert a comma

Page 9, line 25, after the first "conservatee" insert a comma

Page 9, after line 32, insert:

"Sec. 5. [INSTRUCTION TO REVISOR.]

The revisor of statutes is directed to remove the words "executor" and "administrator" or similar terms each place that the words appear in chapter 48 of Minnesota Statutes and replace those words with "personal representative" or similar terms, provided that any reference to the "administrator of veterans affairs" shall not be changed. The revisor of statutes is directed to add the word "conservator" or similar term to each section of chapter 48 of Minnesota Statutes where there appears the word "guardian," except where the word "guardian" is followed by the words "of a minor"."

Renumber sections in sequence

Amend the title as follows:

Page 1, line 5, delete "524.2-213;"

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

The report was adopted.

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

H. F. No. 1004, A bill for an act relating to crimes; lowering per se level for alcohol impairment offenses from 0.10 to 0.08 for hunting, for handling explosives, for criminal vehicular operation, and for operating a motor vehicle, recreational vehicle, or watercraft; amending Minnesota Statutes 1998, sections 97B.065, subdivision 1; 97B.066, subdivision 1; 169.121, subdivision 1; 169.123, subdivisions 2, 4, 5a, and 6; 171.20, subdivision 4; 192A.555; and 609.21.

Reported the same back with the following amendments:

Page 15, after line 10, insert:

"Sec. 11. [STUDY REQUIRED.]

The commissioner of public safety shall evaluate the public safety and fiscal impacts of the reduction of the per se limit from 0.10 to 0.08 alcohol concentration and shall report the findings of that study by February 1, 2002, to the chairs of the house and senate committees responsible for criminal justice policy and finance."

Page 15, line 11, delete "11" and insert "12"

Page 15, line 12, delete "August" and insert "September"

Page 15, line 13, delete "Section" and insert "Sections"

Page 15, line 14, delete "is" and insert "and 11 are"

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "requiring a study;"

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

The report was adopted.

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

H. F. No. 1035, A bill for an act relating to civil actions; requiring the summons to include notice of the alternative dispute resolution process; amending Minnesota Statutes 1998, section 518.091; proposing coding for new law in Minnesota Statutes, chapter 543.

Reported the same back with the following amendments:

Page 2, delete lines 3 to 14 and insert:

"(4) FAMILY LAW PROCEEDINGS ARE SUBJECT TO DISTRICT COURT RULE 310.01 (WHICH REQUIRES MOST BUT NOT ALL PARTIES TO CONSIDER ALTERNATIVE DISPUTE RESOLUTION). YOU MAY CONTACT THE COURT ADMINISTRATOR ABOUT ALTERNATIVE DISPUTE RESOLUTION IN YOUR AREA. IF YOU CANNOT PAY FOR MEDIATION OR ALTERNATIVE DISPUTE RESOLUTION, IN SOME COUNTIES, ASSISTANCE MAY BE AVAILABLE TO YOU THROUGH A NONPROFIT PROVIDER OR A COURT PROGRAM."

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. 1037, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1998, sections 2.724, subdivision 1; 10A.01, subdivision 18; 11A.16, subdivision 6; 12.21, subdivision 3; 12.33, subdivision 4; 15.059, subdivision 5a; 16B.171; 16B.335, subdivision 4; 16B.465, subdivision 1; 16C.05, subdivision 2; 17.114, subdivisions 3 and 4; 17.117, subdivision 15; 17.452, subdivision 1; 17.498; 18B.045, subdivision 1; 18E.06; 19.52, subdivision 2; 48A.12, subdivision 1; 58.02, subdivision 22; 62E.15, subdivision 2; 79A.06, subdivision 5; 103A.43; 103B.321, subdivision 1; 103B.351; 103B.581, subdivision 2; 103F.461; 103G.221, subdivision 1; 103H.175, subdivision 3; 103H.275; 115A.175, subdivision 2; 115A.33; 115B.20, subdivisions 1 and 6; 115C.021, subdivision 1; 116.182, subdivision 3a; 116J.70, subdivision 2a; 117.47; 119A.03, subdivision 2; 119A.26, subdivision 2; 119A.45; 119A.46, subdivision 4; 119A.51, subdivision 1; 119B.05, subdivision 1; 123B.57, subdivision 6; 124D.17, subdivision 7; 126C.21, subdivision 4; 126C.48, subdivision 8; 136F.47; 156.11; 168.022, subdivision 4; 169.1217, subdivision 7a; 169.129, subdivision 2; 171.061, subdivision 1; 171.07, subdivision 10; 174.06, subdivision 1; 179.12; 181.58; 205A.01, subdivision 2; 219.074, subdivision 2; 219.39; 221.034, subdivision 5; 221.036, subdivisions 1 and 3; 239.761, subdivisions 13 and 14; 245.462, subdivision 7; 245.466,

subdivision 4; 245.4871, subdivision 9; 245.4875, subdivision 4; 245.825, subdivision 1b; 256B.0625, subdivision 32; 256B.0911, subdivision 7; 256B.0928; 256J.45, subdivision 2; 257.45; 257.74, subdivision 2; 268.9165; 287.09; 307.08, subdivisions 2, 8, 9, and 10; 340A.3021, subdivision 2; 446A.01; 446A.04, subdivision 7; 462A.21, subdivision 19; 480.054; 480.09, subdivision 1; 481.02, subdivision 2; 500.245, subdivision 1; 518.5511, subdivision 1; 518.6111, subdivision 5; and 609.26, by adding a subdivision; Laws 1994, chapter 560, article 2, section 15; repealing Minnesota Statutes 1998, sections 3.873; 16B.88, subdivision 5; 62J.47; 79.51, subdivision 4; 115A.159; 119A.28, subdivision 4; 119A.31, subdivision 3; 119A.54; 124D.17, subdivision 8; 144.121, subdivision 7; 144.664, subdivision 4; 197.236, subdivisions 1 and 2; 218.011, subdivision 7; 245.825, subdivision 1a; 256.995, subdivision 7; 256B.434, subdivision 13; 323.02, subdivisions 10 and 11; 383.01; 383.02; 383.03; 383.04; 383.05; 383.06; 383.07; 383.08; 383.09; 383.10; 383.11; 383.12; 509.01; 509.02; 509.03; 509.04; 509.05; 509.06; and 526.20; Laws 1996, chapter 426, sections 1 and 2; Laws 1998, chapters 388, section 16; 404, section 49; and 407, article 2, section 97; and Laws 1998, First Special Session chapter 1, article 3, section 15.

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

The report was adopted.

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

H. F. No. 1056, A bill for an act relating to children; allowing consideration of a mother's lost wages as reasonable expenses of pregnancy and confinement; amending Minnesota Statutes 1998, section 257.66, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 22, after "confinement" insert ", including the mother's lost wages due to medical necessity"

Page 2, lines 3 to 6, delete the new language

Amend the title as follows:

Page 1, line 2, delete "consideration" and insert "payment"

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. 1211, A bill for an act relating to crime; providing that certain acts relating to dog and cat fur is a crime; imposing a criminal penalty; amending Minnesota Statutes 1998, section 325F.792, subdivision 1.

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

The report was adopted.

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

H. F. No. 1248, A bill for an act relating to natural resources; modifying harmful exotic species provisions; amending Minnesota Statutes 1998, sections 84.027, subdivision 13; 84D.01, subdivision 2; 84D.02, subdivision 4; 84D.03, subdivision 1, and by adding a subdivision; 84D.09, subdivision 2; 84D.10; 84D.11, by adding a subdivision; and 84D.12, subdivisions 1 and 3; repealing Minnesota Statutes 1998, sections 84D.01, subdivision 10; and 84D.03, subdivision 2.

Reported the same back with the following amendments:

Page 4, line 1, delete "solely" and insert "except those designated"

Page 4, line 2, delete "Eurasian water milfoil" and insert "prohibited exotic species of fish"

Page 4, line 3, delete "is" and insert "may be"

Page 4, line 4, after "taking" insert "of wild animals for bait and aquatic farm purposes"

Page 4, line 5, before the semicolon, insert ", subject to rules adopted by the commissioner"

Page 4, line 6, before the period, insert "in waters that contain Eurasian water milfoil"

Page 5, line 33, delete "solely" and insert a comma

Page 5, line 34, delete everything before the period and insert "except those designated because they contain prohibited exotic species of fish"

Page 5, line 35, delete "Eurasian water" and insert "harmful exotic species"

Page 5, line 36, delete "milfoil" and after "person" insert "annually"

Page 6, after line 25, insert:

"Sec. 12. [EFFECTIVE DATE; APPLICATION.]

This act is effective two days after final enactment and applies to any cause of action arising on or after that date."

With the recommendation that when so amended the bill pass.

The report was adopted.

Workman from the Committee on Transportation Policy to which was referred:

H. F. No. 1291, A bill for an act relating to traffic regulations; redefining types of school buses to increase by two persons their maximum manufacturer's rated seating capacity; amending Minnesota Statutes 1998, section 169.01, subdivision 6.

Reported the same back with the following amendments:

Page 2, lines 2, 14, 20, and 28, reinstate the stricken language and delete the new language

Page 2, line 8, reinstate the stricken language

Page 2, line 9, delete the new language

Page 2, line 16, after the period, insert "A type C school bus has a maximum length of 45 feet."

Page 2, line 24, after the period, insert "A type D school bus has a maximum length of 45 feet."

Page 2, line 26, strike "in"

Page 2, line 27, strike "service after January 1, 1999," and strike "an original" and insert "a"

Page 2, line 35, after the period, insert "A van or bus converted to a seating capacity of ten or fewer must have been originally manufactured to comply with the passenger safety standards."

Page 2, after line 35, insert:

"Sec. 2. Minnesota Statutes 1998, section 169.03, subdivision 6, is amended to read:

Subd. 6. [WORKING ON HIGHWAY.] (a) The provisions of this chapter shall not apply to persons, motor vehicles, and other equipment while actually engaged in work upon the highway, except as provided in paragraphs (b) and (c).

(b) This chapter shall apply to those persons and vehicles when traveling to or from such work, except that persons operating equipment owned, rented or hired by road authorities shall be exempt from the width, height and length provisions of sections 169.80 and 169.81 and shall be exempt from the weight limitations of this chapter while engaged in snow or ice removal and while engaged in flood control operations on behalf of the state or a local governmental unit.

(c) Sections 169.121 to 169.129 and 169.444 apply to persons while actually engaged in work upon the highway.

Sec. 3. Minnesota Statutes 1998, section 171.3215, subdivision 2, is amended to read:

Subd. 2. [CANCELLATION FOR DISQUALIFYING AND OTHER OFFENSES.] Within ten days of receiving notice under section 631.40, subdivision 1a, or otherwise receiving notice for a nonresident driver, that a school bus driver has been convicted of a disqualifying offense, the commissioner shall permanently cancel the school bus driver's endorsement on the offender's driver's license and in the case of a nonresident, the driver's privilege to operate a school bus in Minnesota. A school bus driver whose endorsement or privilege to operate a school bus in Minnesota has been permanently canceled may not apply for reinstatement. Within ten days of receiving notice under section 631.40, subdivision 1a, or otherwise receiving notice for a nonresident driver, that a school bus driver has been convicted of ~~a gross misdemeanor, or~~ a violation of section 169.121, 169.129, or a similar statute or ordinance from another state, and within ten days of revoking a school bus driver's license under section 169.123, the commissioner shall cancel the school bus driver's endorsement on the offender's driver's license or the nonresident's privilege to operate a school bus in Minnesota for five years. After five years, a school bus driver may apply to the commissioner for reinstatement. Even after five years, cancellation of a school bus driver's endorsement or a nonresident's privilege to operate a school bus in Minnesota for a violation under section 169.121, 169.123, 169.129, or a similar statute or ordinance from another state, shall remain in effect until the driver provides proof of successful completion of an alcohol or controlled substance treatment program. For a first offense, proof of completion is required only if treatment was ordered as part of a chemical use assessment. Within ten days of receiving notice under section 631.40, subdivision 1a, or otherwise receiving notice for a nonresident driver, that a school bus driver has been convicted of a fourth moving violation in the last three years, the commissioner shall cancel the school bus driver's endorsement on the offender's driver's license or the nonresident's privilege to operate a school bus in Minnesota until one year has elapsed since the last conviction. A school bus driver who has no new convictions after one year may apply for reinstatement. Upon canceling the offender's school bus driver's endorsement, the commissioner shall immediately notify the licensed offender of the cancellation in writing, by depositing in the United States post office a notice addressed to the licensed offender at the licensed offender's last known address, with postage prepaid thereon.

Sec. 4. Minnesota Statutes 1998, section 171.3215, subdivision 4, is amended to read:

Subd. 4. [WAIVER OF PERMANENT CANCELLATION.] (a) The commissioner of public safety or the commissioner's designee, in consultation with the division of driver and vehicle services, may waive the permanent cancellation requirement of ~~this section 171.3215~~ for a person convicted of a misdemeanor, a gross misdemeanor, a nonfelony violation of chapter 152, or a felony that is not a violent crime under section 609.1095.

(b) After notice to the requesting school district and contract provider of school bus transportation, the commissioner may waive the permanent cancellation requirement after ten years have elapsed since the person was convicted of a violation of section 609.582, subdivision 2, 3, or 4."

Delete the title and insert:

"A bill for an act relating to traffic regulations; modifying provisions relating to school buses and drivers; amending Minnesota Statutes 1998, sections 169.01, subdivision 6; 169.03, subdivision 6; and 171.3215, subdivisions 2 and 4."

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

The report was adopted.

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

H. F. No. 1301, A bill for an act relating to natural resources; renaming a state park; adding to and deleting from state parks; authorizing a land exchange in a state park; transferring land from a state wayside to a state park and abolishing a state wayside; authorizing a private sale of surplus land in Rock county; amending Minnesota Statutes 1998, section 85.012, subdivision 19; proposing coding for new law in Minnesota Statutes, chapter 85; repealing Minnesota Statutes 1998, section 85.013, subdivision 8.

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

The report was adopted.

Workman from the Committee on Transportation Policy to which was referred:

H. F. No. 1305, A bill for an act relating to highways; requiring commissioner of transportation to transfer excess highway easements to city of Kenyon.

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

The report was adopted.

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

S. F. No. 99, A bill for an act relating to crime; requiring offenders convicted for failure to appear after release to pay costs incurred by the prosecuting authority or governmental agency due to the failure to appear; amending Minnesota Statutes 1998, section 609.49, subdivisions 1, 2, and by adding a subdivision.

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

The report was adopted.

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

H. F. No. 223, A bill for an act relating to health; creating a tobacco prevention board; appropriating money; amending Minnesota Statutes 1998, section 10A.01, subdivision 18; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [145A.135] [TOBACCO USE PREVENTION GRANTS FOR YOUTH.]

Subdivision 1. [COMPETITIVE GRANTS.] (a) The commissioner of health, in consultation with the commissioner of children, families, and learning, shall award grants to community health boards for tobacco use prevention grants targeted at youth up to age 18. The commissioner shall issue a request for proposals by September 1, 1999, require proposals to be submitted by November 1, 1999, and award grants by December 1, 1999. The request for proposals must describe the criteria for evaluation, outcome measures, and evaluation methodology developed by the commissioner under subdivision 4.

(b) The commissioner shall award grants to community health boards that:

(1) have developed, in collaboration with community action agencies established under sections 119A.374 to 119A.376, a four-year plan to reduce the rate of smoking and tobacco use among youth up to age 18; and

(2) will implement the plan in collaboration with community action agencies, schools, and other public or private entities conducting similar or related initiatives, in a manner that does not duplicate existing efforts.

Community health boards, in collaboration with their community action agencies, may form partnerships and jointly apply for grants.

(c) The commissioner shall award at least two but not more than four competitive grants. Grants awarded by the commissioner must target different areas of the state. At least one grant must target a youth population at high risk of tobacco use.

(d) Grants shall be awarded for two years and may be renewed by the commissioner for an additional two years. A grant recipient may request renewal of a grant by submitting to the commissioner a written request for renewal, a description of initiatives funded by the initial grant, and information on progress toward achieving the outcome measures developed by the commissioner under subdivision 4. The commissioner may renew a grant only if the commissioner determines that the grant recipient has made adequate progress toward implementing its plan and achieving the outcome measures.

Subd. 2. [GRANTS TO COMMUNITY HEALTH BOARDS.] (a) The commissioner shall award grants to each community health board that submits a proposal to establish and implement, in collaboration with community action agencies established under sections 119A.374 to 119A.376, tobacco use prevention initiatives targeted at youth up to age 18. Proposals must be developed in collaboration with the community action agencies. The commissioner shall require community health boards to submit proposals by November 1, 1999, and shall award grants by December 15, 1999. The commissioner shall establish grant levels using the formula in section 145A.13.

(b) Grants shall be awarded for two years and may be renewed by the commissioner for an additional two years. A community health board may request renewal of a grant by submitting to the commissioner a written request for renewal, a description of initiatives funded by the initial grant, and information on progress toward achieving the outcome measures developed by the commissioner under subdivision 4. The commissioner may renew a grant only if the commissioner determines that the community health board has made adequate progress toward implementing its plan and achieving the outcome measures.

Subd. 3. [PROHIBITION ON MULTIPLE AWARDS.] A community health board may apply for grants under both subdivisions 1 and 2, but may accept only one grant award. If a community health board is awarded a grant under both subdivisions 1 and 2, the board must return one of the grant awards to the commissioner. If a grant awarded under subdivision 1 is returned, the commissioner shall award this money to another applicant. If a grant awarded under subdivision 2 is returned, the commissioner shall distribute this money on a pro rata basis to all other community health boards awarded that grant.

Subd. 4. [EVALUATION.] (a) The commissioner, in consultation with the commissioner of children, families, and learning, shall evaluate the effectiveness of the initiatives funded by the grants provided under this section. Grant recipients shall cooperate with the commissioner in the evaluation and provide the commissioner with outcomes data and other information necessary to conduct the evaluation.

(b) The commissioner, in consultation with the commissioner of children, families, and learning, shall develop criteria for evaluation, outcome measures, and an evaluation methodology by September 1, 2000, and shall provide this information to grant applicants. The commissioner shall include evaluation results in the preliminary and final reports required under subdivision 5.

Subd. 5. [REPORTS.] The commissioner shall present a preliminary report to the legislature by January 15, 2001, on the grant program established by this section. The preliminary report must include information on grant recipients and grant awards, a summary of the evaluation criteria, outcome measures, and evaluation methodology, and preliminary evaluation results. The commissioner shall submit a final report to the legislature by January 15, 2003. The final report must include information on grant renewals, final evaluation results, and recommendations for effective tobacco use prevention initiatives for youth.

Sec. 2. [APPROPRIATION.]

(a) \$15,000,000 from the general fund is appropriated to the commissioner of health for the biennium ending June 30, 2001, to implement section 1.

(b) Of this appropriation, \$2,000,000 in fiscal year 2000 and \$2,000,000 in fiscal year 2001 is for competitive grants provided under section 1, subdivision 1.

(c) Of this appropriation, \$4,600,000 in fiscal year 2000 and \$4,600,000 in fiscal year 2001 is for grants to community health boards provided under section 1, subdivision 2.

(d) Of this amount, \$750,000 in fiscal year 2000 and \$750,000 in fiscal year 2001 is available to the commissioner for costs related to evaluation. This money is available until expended.

(e) Of this amount, \$150,000 in fiscal year 2000 and \$150,000 in fiscal year 2001 is available to the commissioner for administrative costs. Any balance remaining at the end of fiscal year 2000 may be carried over to fiscal year 2001."

Delete the title and insert:

"A bill for an act relating to child health; requiring the commissioner of health to provide tobacco use prevention grants for youth; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145A."

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



## MINORITY REPORT

March 3, 1999

We, the undersigned, being a minority of the Committee on Health and Human Services Policy, recommend that H. F. No. 223 do pass with the following amendments and be re-referred to the Committee on Health and Human Services Finance:

Delete everything after the enacting clause and insert:

"Section 1. [10.57] [MINNESOTA FAMILIES FOUNDATION.]

Subdivision 1. [ESTABLISHMENT.] The legislature finds that the Minnesota families foundation will foster a public-private partnership that will provide improved services to clients, a more effective coordination of services, and a more efficient allocation of resources. The Minnesota families foundation is a nonprofit foundation established to support self-sufficiency and reduce long-term dependency on government. The foundation shall operate as a supporting organization under the Internal Revenue Code, section 509(a), and chapter 317A. The foundation is not subject to chapters 13, 14, 16A, 16B, 16C, 43A, and 179A.

Subd. 2. [BOARD MEMBERSHIP.] The foundation shall be governed by a 15-member board of directors consisting of:

(1) four members, who are not state employees, appointed by the governor;

(2) four members, who are not members of the legislature, two of whom are appointed by the senate and two of whom are appointed by the house of representatives; and

(3) seven members appointed by the board itself.

Subd. 3. [TERMS; COMPENSATION; REMOVAL.] (a) Board members appointed by the governor and the legislature shall serve during the term of the appointing authority. The governor and the legislature shall make initial appointments of board members, as specified in subdivision 2, as soon as possible after the effective date of this section. Initially appointed board members' terms shall begin on July 1, 1999. Two of the governor's initial appointments shall be for two-year terms. Subsequent appointments shall be made at the beginning of each regular session of the legislature. The board members appointed by the governor and the legislature shall appoint seven board members no later than January 1, 2000. Board members appointed by the board shall serve four-year terms. A vacancy on the board shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(b) Board members shall be reimbursed for reasonable out-of-pocket expenses actually incurred.

(c) Board members must disclose fully to the board of directors whenever they may have a conflict of interest within the meaning of section 317A.255, subdivision 2. Liability of board members shall be governed by section 317A.257.

Subd. 4. [ORGANIZATION.] The board of directors shall adopt bylaws necessary for the conduct of the business of the foundation. The board shall select a chairperson from its members, and any other officers the board deems necessary. Board meetings shall be open to the public, and all grants, contracts, and meeting minutes of the foundation shall be available to the public.

Subd. 5. [EXECUTIVE DIRECTOR; EMPLOYEES OF THE FOUNDATION.] (a) The board members appointed by the governor and the legislature shall convene prior to January 1, 2000, and hire an executive director. The executive director shall serve at the pleasure of the board of directors. The executive director shall serve as a nonvoting member of the board. The executive director's compensation shall be capped at 95 percent of the governor's salary.

(b) The executive director shall oversee the daily operations of the foundation, including the hiring of necessary staff. Employees of the foundation are not state employees.

(c) The executive director shall prepare an annual budget for the foundation for review and approval by the board of directors.

(d) To the extent that the board of directors makes funds available, the department of finance shall provide administrative support to the foundation until June 30, 2000, including but not limited to processing of payroll for the executive director and foundation staff, payment of expenses to board members, and payment of rent. The board of directors shall make up to \$200,000 available to the department of finance to cover payroll, expenses of board members, rent, and other administrative expenses incurred to support the foundation in fiscal year 2000.

Subd. 6. [FOUNDATION FUNDS.] (a) The board of directors shall be responsible for managing the investment of the foundation funds as follows:

(1) all foundation fund assets, including income and appreciation, shall be placed in the Minnesota families endowment fund;

(2) the foundation funds shall be audited annually by an independent auditor;

(3) the foundation funds shall be invested and managed according to rules applicable to trust investments, as provided in the Minnesota Prudent Investor Act, sections 501B.151 and 501B.152;

(4) reasonable and necessary administrative and investment expenses directly associated with the management and investment of the foundation funds may be recovered from the foundation; and

(5) according to limits established by the board and consistent with the limitations in the Uniform Management of Institutional Funds Act, sections 309.62 to 309.71, earnings on foundation funds shall be expended to cover administrative expenses of the foundation and grant awards under subdivision 7.

(b) The foundation may accept gifts from private donors. Such gifts to the foundation must be accounted for and expended in a manner consistent with this section.

Subd. 7. [FOUNDATION GRANTS.] (a) Beginning in January 2001, the foundation shall provide grants to nonprofit, community-based organizations for activities that:

(1) are flexible and innovative and that close the gap between dependence on government and independence from government programs;

(2) support the efforts of working families and working individuals to remain self-sufficient by building assets that promote family stability;

(3) will ensure that core public sector efforts to encourage self-sufficiency have every opportunity to succeed;

(4) focus resources in a way that can demonstrate impact on a single goal or a single set of goals; and

(5) have demonstrated success in reducing future government expenditures.

(b) All grantees must match funds received from the foundation, dollar for dollar. The match may include up to 25 percent in-kind. The match cannot be made with federal, state, or local government funds.

Subd. 8. [REPORTS TO THE LEGISLATURE.] (a) The foundation shall biennially report to the governor and the legislature on January 15th of each odd-numbered year. The report must include:

- (1) a financial report that details the foundation's earnings;
- (2) an expense report detailing the amounts and purposes for which funds were expended;
- (3) a list of grant awards; and
- (4) a copy of the independent audit reports for the two previous years.

(b) The initial report of the foundation shall include a copy of the foundation's mission statement, bylaws, and policies adopted by the board of directors.

Subd. 9. [ENDOWMENT FUND; APPROPRIATION.] The Minnesota families endowment fund is created as an account in the state treasury. The commissioner of finance shall credit to the fund 16 percent of the tobacco settlement payments received by the state on January 3, 2000; January 2, 2001; January 2, 2002; and January 2, 2003, as a result of the settlement of State v. Philip Morris Inc., No. C1-94-8565 (Minnesota District Court, Second Judicial District). All earnings of the fund must be credited to the fund.

Subd. 10. [DISSOLUTION OF THE FOUNDATION.] On June 30, 2009, the foundation shall sunset and all remaining foundation funds shall be returned to the general fund. If the legal status of the foundation or the foundation funds are successfully challenged in state or federal court, the foundation is automatically dissolved and the funds appropriated to the foundation, along with any unspent earnings, revert to the general fund.

Sec. 2. [137.44] [HEALTH PROFESSIONAL EDUCATION AND MEDICAL RESEARCH ENDOWMENT FUND.]

Subdivision 1. [CONDITION; APPROPRIATION.] If the board of regents accepts the appropriation under section 5, it shall comply with this section.

Subd. 2. [ESTABLISHMENT; PURPOSE; ADMINISTRATION.] The board of regents shall establish the health professional education and medical research endowment fund solely to support health professional education programs at the university academic health center and medical research at the university. The board of regents shall administer the fund. All earnings including income and appreciation of the endowment fund must be credited to the fund. The commissioner of finance shall credit to the fund 27 percent of the tobacco settlement payments received by the state on January 3, 2000; January 2, 2001; January 2, 2002; and January 2, 2003, as a result of the settlement of State v. Philip Morris Inc., No. C1-94-8565 (Minnesota District Court, Second Judicial District).

Subd. 3. [INVESTMENT MANAGEMENT.] (a) The board of regents shall transfer the endowment fund money to the Minnesota medical foundation, which shall be responsible for managing the investment of the endowment fund according to this section.

(b) The Minnesota medical foundation shall manage the investment of the endowment fund as follows:

- (1) all endowment fund assets including income and appreciation shall be placed in a separate account;
- (2) the endowment fund shall be audited annually by an independent auditor;
- (3) the endowment fund shall be invested and managed according to rules applicable to trust investments as provided in the Minnesota Prudent Investor Act, sections 501B.151 and 501B.152;

(4) reasonable and necessary administrative and investment expenses directly associated with the management and investment of the endowment fund may be recovered from the endowment fund; and

(5) the Minnesota medical foundation shall transfer assets from the endowment fund for purposes consistent with this section as directed by the board of regents, including the return of the entire balance in the endowment fund on July 1, 2009, to the board of regents.

(c) The board of regents shall in its discretion establish an annual appropriation from the endowment fund, not to exceed five percent of the fair market value of all assets held in the endowment fund as of the first day of the calendar year.

(d) The amount of the annual appropriation determined in paragraph (c) shall be distributed as directed by the board of regents for the purposes of the endowment fund according to subdivision 2.

Subd. 4. [ADVISORY BOARD.] (a) The board of regents shall appoint an advisory board to consult with the senior vice-president for health sciences in making budget recommendations regarding the annual appropriation from the endowment fund.

(b) The advisory board shall consist of seven members, one of which shall be the commissioner of health. The other members shall be Minnesota residents, selected in equal number to represent the interests of health care consumers and providers.

Subd. 5. [BUDGETING ANNUAL APPROPRIATION.] (a) The board of regents shall adopt an annual budget for the use of the annual appropriation from the endowment fund. In each year, funds shall be specifically budgeted for the instructional costs of health professional education programs and for medical research at the University of Minnesota.

(b) Seventy-five percent of the annual appropriation from the endowment fund shall be budgeted for the instructional costs of health professional education programs of the academic health center.

(c) Twenty-five percent of the annual appropriation from the endowment fund shall be budgeted for medical research costs at the university and is available only if matched dollar-for-dollar by nonstate funds.

Subd. 6. [ANNUAL REPORT.] (a) The board of regents shall annually prepare a report detailing how the annual appropriation is budgeted and the amounts and purposes for which it is expended.

(b) The board of regents shall include the following in the biennial budget document submitted to the governor and legislature:

(1) endowment fund annual reports for the two most recent fiscal years completed; and

(2) a discussion of forecasted endowment fund income and planned expenditures for the coming biennium.

Subd. 7. [SUNSET.] The endowment fund expires July 1, 2009, at which time the board of regents shall return to the general fund the balance in the endowment fund on July 1, 2009.

Sec. 3. [144.1461] [MEDICAL EDUCATION AND RESEARCH COSTS ENDOWMENT.]

Subdivision 1. [ESTABLISHMENT; PURPOSE.] The medical education and research costs endowment fund is established as a nonexpendable trust fund to support medical education and research activities throughout the state. The commissioner of health shall administer the fund. All earnings of the endowment must be credited to the fund. The commissioner of finance shall credit to the fund seven percent of the tobacco settlement payments received by the state on January 3, 2000; January 2, 2001; January 2, 2002; and January 2, 2003, as a result of the settlement of State v. Philip Morris Inc., No. C1-94-8565 (Minnesota District Court, Second Judicial District).

Subd. 2. [APPROPRIATION.] Beginning in fiscal year 2000, the accrued earnings of the medical education and research costs endowment fund, not to exceed \$5,000,000, is annually appropriated to the commissioner of health for distribution according to section 62J.69.

Subd. 3. [REVIEW.] The purpose of the endowment fund shall be reviewed in the governor's budget each biennium.

Sec. 4. [144.3942] [TOBACCO PREVENTION ENDOWMENT FUND.]

Subdivision 1. [CREATION.] The tobacco prevention endowment fund is created as an account in the state treasury. The commissioner of finance shall credit to the fund 50 percent of the tobacco settlement payments received by the state on January 3, 2000; January 2, 2001; January 2, 2002; and January 2, 2003, as a result of the settlement of State v. Philip Morris Inc., No. C1-94-8565 (Minnesota District Court, Second Judicial District). The state board of investment shall invest the fund under section 11A.24. All earnings of the fund must be credited to the fund.

Subd. 2. [APPROPRIATION; EXPENDITURES.] The purpose of the fund is to provide money to reduce the human and economic consequences of tobacco use through tobacco prevention measures. On July 1 of each year, a sum equal to five percent of the market value of the fund on the preceding July 1 is appropriated from the fund to the commissioner of health for grants to the Minnesota partnership for action against tobacco. The Minnesota partnership for action against tobacco shall use the amounts received for tobacco use prevention measures. A portion of the grants shall be distributed to local boards of health for tobacco use prevention measures.

Subd. 3. [AUDITS REQUIRED.] The legislative auditor shall audit endowment fund expenditures to ensure that the money is spent for tobacco prevention measures.

Subd. 4. [REPORT.] Beginning January 15, 2000, and annually thereafter, the Minnesota partnership for action against tobacco must submit a report to the legislature on the prevention measures and initiatives that have been undertaken during the preceding year.

Sec. 5. [APPROPRIATIONS.]

(a) \$32,256,000 is appropriated from the general fund to the commissioner of finance for transfer to the medical education and research endowment fund in the fiscal year ending June 30, 1999.

(b) \$73,728,000 is appropriated from the general fund to the commissioner of finance for transfer to the Minnesota families endowment fund in the fiscal year ending June 30, 1999.

(c) \$124,416,000 is appropriated from the general fund to the commissioner of finance for transfer to the health professional education and medical research endowment fund in the fiscal year ending June 30, 1999.

(d) \$230,400,000 is appropriated from the general fund to the commissioner of finance for transfer to the tobacco prevention endowment fund in the fiscal year ending June 30, 1999.

Sec. 6. [EFFECTIVE DATE.]

Sections 1 to 5 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to health; providing for the disposition of tobacco settlement money; establishing the Minnesota families foundation; creating health-related endowment funds; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 10; 137; and 144."

Signed:

THOMAS E. HUNTLEY  
LEE GREENFIELD  
BETTY MCCOLLUM  
LUANNE KOSKINEN  
DARLENE LUTHER

CARLOS MARIANI  
LINDA WEJCMAN  
MARY ELLEN OTREMBA  
JOHN DORN  
LOREN JENNINGS

Huntley moved that the Minority Report on H. F. No. 223 be substituted for the Majority Report and that the Minority Report be now adopted.

A roll call was requested and properly seconded.

#### CALL OF THE HOUSE

On the motion of Luther and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Abrams 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

Molnau moved that the Minority Report on H. F. No. 223 be laid on the table.

A roll call was requested and properly seconded.

The question was taken on the Molnau motion and the roll was called.

Abrams moved that those not voting be excused from voting. The motion prevailed.

There were 69 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Harder	McElroy	Rostberg	Van Dellen
Abrams	Dorman	Holberg	Molnau	Seagren	Vandever
Anderson, B.	Erhardt	Holsten	Mulder	Seifert, J.	Westerberg
Bishop	Erickson	Howes	Ness	Seifert, M.	Westfall
Boudreau	Finseth	Kielkucki	Nornes	Smith	Westrom
Bradley	Fuller	Knoblach	Olson	Stanek	Wilkin
Broecker	Gerlach	Krinkie	Osskopp	Stang	Wolf
Buesgens	Goodno	Kuisle	Ozment	Storm	Workman
Cassell	Gunther	Larsen, P.	Paulsen	Swenson	Spk. Sviggum
Daggett	Haake	Leppik	Reuter	Sykora	
Dauids	Haas	Lindner	Rhodes	Tingelstad	
Dehler	Hackbarth	Mares	Rifenberg	Tuma	

Those who voted in the negative were:

Anderson, I.	Gleason	Juhnke	Mahoney	Paymar	Trimble
Bakk	Gray	Kahn	Mariani	Pelowski	Tunheim
Biernat	Greenfield	Kalis	Marko	Peterson	Wagenius
Carlson	Greiling	Kelliher	McCollum	Pugh	Wejzman
Carruthers	Hasskamp	Koskinen	McGuire	Rest	Wenzel
Chaudhary	Hausman	Kubly	Milbert	Rukavina	Winter
Clark, K.	Hilty	Larson, D.	Mullery	Schumacher	
Dawkins	Huntley	Leighton	Murphy	Skoe	
Dorn	Jaros	Lenczewski	Opatz	Skoglund	
Entenza	Jennings	Lieder	Orfield	Solberg	
Folliard	Johnson	Luther	Otremba	Tomassoni	

The motion prevailed and the Minority Report on H. F. No. 223 was laid on the table.

Huntley moved that the Majority Report on H. F. No. 223 be rejected and that the bill be returned to the Committee on Health and Human Services Policy.

A roll call was requested and properly seconded.

#### LAY ON THE TABLE

Abrams moved to lay the Huntley motion on the table.

A roll call was requested and properly seconded.

The question was taken on the Abrams motion and the roll was called.

Abrams moved that those not voting be excused from voting. The motion prevailed.

There were 69 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Harder	McElroy	Rostberg	Van Dellen
Abrams	Dorman	Holberg	Molnau	Seagren	Vandever
Anderson, B.	Erhardt	Holsten	Mulder	Seifert, J.	Westerberg
Bishop	Erickson	Howes	Ness	Seifert, M.	Westfall
Boudreau	Finseth	Kielkucki	Nornes	Smith	Westrom
Bradley	Fuller	Knoblach	Olson	Stanek	Wilkin
Broecker	Gerlach	Krinkie	Osskopp	Stang	Wolf
Buesgens	Goodno	Kuisle	Ozment	Storm	Workman
Cassell	Gunther	Larsen, P.	Paulsen	Swenson	Spk. Sviggum
Daggett	Haake	Leppik	Reuter	Sykora	
Davids	Haas	Lindner	Rhodes	Tingelstad	
Dehler	Hackbarth	Mares	Rifenberg	Tuma	

Those who voted in the negative were:

Anderson, I.	Gleason	Juhnke	Mahoney	Paymar	Trimble
Bakk	Gray	Kahn	Mariani	Pelowski	Tunheim
Biernat	Greenfield	Kalis	Marko	Peterson	Wagenius
Carlson	Greiling	Kelliher	McCollum	Pugh	Wejzman
Carruthers	Hasskamp	Koskinen	McGuire	Rest	Wenzel
Chaudhary	Hausman	Kubly	Milbert	Rukavina	Winter
Clark, K.	Hilty	Larson, D.	Mullery	Schumacher	
Dawkins	Huntley	Leighton	Murphy	Skoe	
Dorn	Jaros	Lenczewski	Opatz	Skoglund	
Entenza	Jennings	Lieder	Orfield	Solberg	
Folliard	Johnson	Luther	Otremba	Tomassoni	

The motion prevailed and the Huntley motion was laid on the table.

The question recurred on the adoption of the Majority Report from the Committee on Health and Human Services Policy relating to H. F. No. 223. The Majority Report on H. F. No. 223 was adopted.

#### CALL OF THE HOUSE LIFTED

Abrams moved that the call of the House be suspended. The motion prevailed and it was so ordered.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 70, 111, 174, 462, 526, 627, 650, 684, 726, 790, 863, 989, 1035, 1037, 1056, 1211, 1248 and 1305 were read for the second time.



**SECOND READING OF SENATE BILLS**

S. F. Nos. 649 and 99 were read for the second time.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

McCollum; Osthoff; Rhodes; Pugh; Rostberg; Lieder; Lindner; Johnson; Westfall; Ozment; Mulder; Smith; Dempsey; Mares; Kubly; Cassell; Otremba; McGuire; Hasskamp; Chaudhary; Skoe; Kelliher; Marko; Mahoney; Larson, D.; Pelowski; Koskinen; Milbert and Tingelstad introduced:

H. F. No. 1706, A bill for an act relating to veterans; appropriating money for a national World War II memorial.

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

Haake, Bishop, Skoglund and Murphy introduced:

H. F. No. 1707, A bill for an act relating to public safety; prohibiting use of the requirement to register as a sex offender as negotiable item in plea negotiations; amending Minnesota Statutes 1998, section 243.166, subdivision 2.

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

Seifert, J.; Davids and Tomassoni introduced:

H. F. No. 1708, A bill for an act relating to insurance; property and liability; regulating FAIR plan coverage; amending Minnesota Statutes 1998, sections 65A.32; 65A.33, subdivision 3, and by adding a subdivision; 65A.34, subdivisions 1, 4, and 5; 65A.36, subdivisions 1 and 5; 65A.37; 65A.38, subdivision 1; and 65A.42.

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

Mullery introduced:

H. F. No. 1709, A bill for an act relating to traffic regulations; deleting some particulars about transporting sand, gravel, and the like; amending Minnesota Statutes 1998, section 169.81, subdivision 5b.

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

Molnau introduced:

H. F. No. 1710, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Carver; authorizing the sale of state bonds.

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

Abeler, Tingelstad, Huntley and Greenfield introduced:

H. F. No. 1711, A bill for an act relating to human services; providing continuous medical assistance eligibility for 12 months for certain children; amending Minnesota Statutes 1998, section 256B.057, subdivision 2.

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

Buesgens, Wolf and Workman introduced:

H. F. No. 1712, A bill for an act relating to utilities; modifying political subdivision's authority to manage the public right-of-way; amending Minnesota Statutes 1998, sections 237.162, subdivision 8; and 237.163, subdivision 7.

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

Holberg, Davids, Broecker, Bishop and Skoglund introduced:

H. F. No. 1713, A bill for an act relating to crime prevention; providing for indeterminate sentencing for certain convicted sex offenders; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Goodno, Bradley, Howes and Wejcman introduced:

H. F. No. 1714, A bill for an act relating to occupations and professions; allowing the board of pharmacy to grant waivers to pharmacists regarding the ratio of pharmacists to pharmacy technicians; modifying requirements for the ratio of pharmacists to pharmacy technicians; amending Minnesota Statutes 1998, section 151.102.

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

Paymar introduced:

H. F. No. 1715, A bill for an act relating to state government; creating the Minnesota center for crime victim services; providing for its duties; transferring powers and duties of the commissioners of corrections and public safety relating to victim services to the Minnesota center for crime victim services; authorizing the director of the Minnesota center for crime victim services to provide and administer grants-in-aid for sexual violence, battered women, and general crime victim programs in consultation with the battered women's advisory council, sexual assault advisory council, and the general crime advisory council; amending Minnesota Statutes 1998, sections 609.3241; 609.605, subdivision 2; 609.7495, subdivision 1; 611A.01; 611A.0311, subdivision 3; 611A.07, subdivision 1; 611A.25; 611A.32; 611A.34; 611A.35; 611A.36; 611A.361; 611A.55; 611A.57, subdivision 3; 611A.675, subdivision 1; 611A.71; and 611A.76; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1998, sections 611A.21; 611A.22; 611A.221; 611A.31; 611A.33; 611A.345; 611A.41; 611A.43; and 611A.78.

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

Osskopp, Holsten and Tingelstad introduced:

H. F. No. 1716, A bill for an act relating to public employment labor relations; modifying the definition of public employee; amending Minnesota Statutes 1998, section 179A.03, subdivision 14.

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

Hasskamp introduced:

H. F. No. 1717, A bill for an act relating to lawful gambling; reducing rates of tax; amending Minnesota Statutes 1998, sections 297E.02, subdivisions 1, 4, and 6.

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

Krinkie, Kahn, Greenfield and Mares introduced:

H. F. No. 1718, A bill for an act relating to liquor; authorizing the cities of Minneapolis, St. Paul, Duluth, and Bloomington to adopt ordinances authorizing on-sales 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.

Skoglund introduced:

H. F. No. 1719, A bill for an act relating to crimes; creating a gross misdemeanor penalty for violation of alcohol-related restriction on driver's license if violation occurs while driving a motor vehicle; providing penalties; amending Minnesota Statutes 1998, sections 171.09; and 609.035, subdivision 2.

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

Tuma introduced:

H. F. No. 1720, A bill for an act relating to health occupations; making a technical change to the Dental Practice Act; amending Minnesota Statutes 1998, section 150A.11, subdivision 1.

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

Kelliher; Rest; Pugh; Dorn; Larson, D.; Lenczewski; Paulsen; Entenza; Greiling; Wagenius; McGuire; Gleason; Van Dellen; Carruthers; Folliard; Paymar; Mahoney and Schumacher introduced:

H. F. No. 1721, A bill for an act relating to property taxes; increasing the valuation limit for the first tier of residential homestead property; increasing the education homestead credit rate; reducing the general education levy; amending Minnesota Statutes 1998, sections 273.13, subdivision 22; 273.1382, subdivision 1; and 273.1398, subdivision 1a; repealing Minnesota Statutes 1998, section 273.1382, subdivision 1a.

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

Trimble, Dawkins, Osthoff, Hausman and McCollum introduced:

H. F. No. 1722, A bill for an act relating to capital improvements; appropriating money for certain capital redevelopment activities in St. Paul; authorizing state bonds.

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

Dempsey, Mares, Entenza, Buesgens and Osthoff introduced:

H. F. No. 1723, A bill for an act relating to education; appropriating money for a grant to the Minnesota Children's Museum's Ready?Set.Read! program.

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

Rukavina, Bakk and Tomassoni introduced:

H. F. No. 1724, A bill for an act relating to the city of Mountain Iron; exempting a tax increment financing district from certain restriction under general law.

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

Boudreau, Otremba, Greenfield and Tingelstad introduced:

H. F. No. 1725, A bill for an act relating to health; authorizing counties to establish home visiting programs to promote child safety and healthy development; establishing requirements for program operation and evaluation; appropriating money; amending Minnesota Statutes 1998, section 145A.15.

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

Bradley introduced:

H. F. No. 1726, A bill for an act relating to health; regulating access to health records; modifying the definition of patient; amending Minnesota Statutes 1998, section 144.335, subdivision 1.

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

Holberg introduced:

H. F. No. 1727, A bill for an act relating to government data; making certain rideshare program data on individuals private; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 1998, section 13.72, subdivision 2.

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

Seifert, J., and Huntley introduced:

H. F. No. 1728, A bill for an act relating to professions; modifying provisions of the board of architecture, engineering, land surveying, landscape architecture, geoscience, and interior design relating to fees and continuing education; increasing penalties; amending Minnesota Statutes 1998, section 326.111, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Rules, part 1800.0500, subpart 3.

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

Tunheim introduced:

H. F. No. 1729, A bill for an act relating to environment; wastewater treatment grant to the city of Williams; appropriating money.

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

Skoglund and Goodno introduced:

H. F. No. 1730, A bill for an act relating to crimes; eliminating DWI offender's right to independent alcohol concentration test while in custody; amending Minnesota Statutes 1998, section 169.123, subdivision 3.

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

Skoglund and Goodno introduced:

H. F. No. 1731, A bill for an act relating to crimes; prohibiting first-time DWI offender with at least 0.20 alcohol concentration from receiving shortened license revocation period; amending Minnesota Statutes 1998, section 169.121, subdivision 4.

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

Mulder; Wenzel; Ness; Daggett; Finseth; Harder; Juhnke; Kuisle; Schumacher; Rifenberg; Otremba; Clark, J.; Peterson; Seifert, M.; Skoe; Gunther; Westfall; Kubly; Tunheim; Swenson; Westrom and Stang introduced:

H. F. No. 1732, A bill for an act relating to property taxes; eliminating school district taxes on certain types of agriculture property; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 273.

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

Skoglund and Goodno introduced:

H. F. No. 1733, A bill for an act relating to crimes; permitting the results of a preliminary breath test to be admissible in a criminal prosecution for the crime of implied consent test refusal; amending Minnesota Statutes 1998, section 169.121, subdivision 6.

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

Winter, Peterson, Kubly and Schumacher introduced:

H. F. No. 1734, A bill for an act relating to commerce; regulating farm equipment suppliers; providing for warranty reimbursement; proposing coding for new law as Minnesota Statutes, chapter 80F.

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

Winter, Peterson, Juhnke and Schumacher introduced:

H. F. No. 1735, A bill for an act relating to education funding; making permanent the telecommunications access grant program; providing funding for additional telecommunications access grants; appropriating money; amending Laws 1997, First Special Session chapter 4, article 9, section 13.

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

Luther, Tomassoni, Carruthers, Haas and Johnson introduced:

H. F. No. 1736, A bill for an act relating to retirement; public employees retirement association; eliminating the requirement that local elected officials terminate the elected official employment to qualify for a retirement annuity based on other public employment; amending Minnesota Statutes 1998, section 353.29, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 353.

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

McCollum, Skoglund, Mullery, Smith and Pawlenty introduced:

H. F. No. 1737, A bill for an act relating to crime; defining the crimes of laser assault to include using laser pointers to harm or distract others at places of public assembly; imposing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Mulder, Winter and Harder introduced:

H. F. No. 1738, A bill for an act relating to energy; modifying provisions relating to wind power; amending Minnesota Statutes 1998, sections 116C.692; 216B.1645; and 216B.243, subdivision 8.

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

Winter and Tomassoni introduced:

H. F. No. 1739, A bill for an act relating to education; appropriating money to independent school district No. 505, Fulda, to supplement its operating capital fund.

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

Erhardt, Cassell, Winter, Dawkins and Hasskamp introduced:

H. F. No. 1740, A bill for an act relating to taxation; modifying the property tax refund schedule; amending Minnesota Statutes 1998, section 290A.04, subdivision 2; repealing Minnesota Statutes 1998, section 290A.04, subdivisions 2a and 2b.

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

Tunheim introduced:

H. F. No. 1741, A bill for an act relating to motor vehicles; requiring commercial vehicles to display red strobe lamp at rear of projecting load; amending Minnesota Statutes 1998, section 169.52.

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

Clark, J., and Swenson introduced:

H. F. No. 1742, A bill for an act relating to appropriations; appropriating money for landowner losses.

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

Jennings introduced:

H. F. No. 1743, A bill for an act relating to retirement; authorizing purchase of service credit in the public employees retirement association for certain military service.

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

Workman introduced:

H. F. No. 1744, A bill for an act relating to metropolitan government; providing for an elected metropolitan council; regulating contributions to candidates; amending Minnesota Statutes 1998, sections 15.0597, subdivision 1; 204B.06, subdivision 4; 204B.09, subdivisions 1 and 1a; 204B.11; 204B.135, subdivision 2; 204B.32, subdivision 2; 204D.02, subdivision 1; 204D.08, subdivision 6; 204D.27, by adding a subdivision; 209.02, subdivision 1; 211B.01, subdivision 3; 353D.01, subdivision 2; and 473.123, subdivisions 1, 4, and 7; proposing coding for new law in Minnesota Statutes, chapters 204D; and 473; repealing Minnesota Statutes 1998, section 473.123, subdivisions 2a, 3, 3a, and 3c.

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

Knoblach introduced:

H. F. No. 1745, A bill for an act relating to human services; providing supplementary payments to adult foster care providers for respite care; amending Minnesota Statutes 1998, section 256I.05, by adding a subdivision.

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

Erickson introduced:

H. F. No. 1746, A bill for an act relating to game and fish; allowing the use of dogs to hunt bear; amending Minnesota Statutes 1998, sections 97A.321; 97B.011; and 97B.205.

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

Westfall, Finseth, Skoe, Kalis and Kuisle introduced:

H. F. No. 1747, A bill for an act relating to agriculture; expanding eligibility for certain agricultural chemical response reimbursements; amending Minnesota Statutes 1998, section 18E.02, subdivision 5.

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

Haas, Gunther and Kahn introduced:

H. F. No. 1748, A bill for an act relating to commerce; motor vehicle fuel franchises; changing the definition of a franchise; creating a right of first refusal upon assignment or sale of marketing premises; amending Minnesota Statutes 1998, section 80C.01, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 80C.

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

Kielkucki introduced:

H. F. No. 1749, A bill for an act relating to insurance; no-fault auto; modifying coverage limits; amending Minnesota Statutes 1998, section 65B.49, subdivisions 3 and 3a.

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

Kielkucki introduced:

H. F. No. 1750, A bill for an act relating to education; appropriating money to independent school district No. 108, Norwood, for air quality and building improvement.

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

Goodno introduced:

H. F. No. 1751, A bill for an act relating to human services; directing the commissioner of human services to provide start-up grants for community dental clinics; appropriating money.

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

Wagenius and Osthoff introduced:

H. F. No. 1752, A bill for an act relating to appropriations; authorizing grants to find a replacement for lead fishing sinkers and lead jigs; requiring consultation with the department of natural resources; requiring reporting on grants awarded; appropriating money.

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

Jennings introduced:

H. F. No. 1753, A bill for an act relating to education; establishing a collaborative pilot program to enhance teacher training opportunities by directly involving public colleges and school districts; appropriating money.

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

Jennings, Wolf, Davids, Ozment and Holsten introduced:

H. F. No. 1754, A bill for an act relating to utilities; modifying the conservation improvement requirements for utilities; requiring analysis of the conservation improvement program; amending Minnesota Statutes 1998, section 216B.241, subdivisions 1, 1a, 1b, 2, 2a, 2b, and by adding subdivisions.

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



Greiling, Johnson and McGuire introduced:

H. F. No. 1755, A bill for an act relating to education; providing for a formal hearing to resolve issues related to teacher preparation programs; amending Minnesota Statutes 1998, section 122A.09, subdivision 4.

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

Westerberg; Gunther; Trimble; Anderson, I., and Westfall introduced:

H. F. No. 1756, A bill for an act relating to appropriations; appropriating money for the metropolitan area foreign trade zones commission.

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

Haas, Huntley, Jennings, Bradley and Davids introduced:

H. F. No. 1757, A bill for an act relating to insurance; simplifying regulation of health insurers and health maintenance organizations; amending Minnesota Statutes 1998, sections 62A.0411; 62A.65, subdivision 5; 62D.02, subdivision 8; 62D.11, subdivision 1; 62E.04, subdivision 4; 62J.09, subdivision 8; 62J.301, subdivision 4; 62J.321, subdivision 1; 62J.75; 62M.09, subdivision 3; 62N.25, subdivision 7; 62Q.075, by adding a subdivision; 62Q.095, subdivision 1; and 62Q.51, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 62D; and 62Q; repealing Minnesota Statutes 1998, sections 16B.93; 16B.94; 16B.95; 16B.96; 62D.04, subdivision 5; 62D.08, subdivision 5; 62J.17; 62Q.07; 62Q.075; 62Q.105; 62Q.11; 62Q.30; 62Q.64; and 256B.0644; Minnesota Rules, parts 4685.1105; 4685.1110; 4685.1115; 4685.1120; 4685.1125; 4685.1130; 4685.1200; and 4685.1900.

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

Molnau introduced:

H. F. No. 1758, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Mayer; authorizing the sale of state bonds.

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

Juhnke, Ness, Fuller, Westfall, Wenzel, Stang, Finseth and Kubly introduced:

H. F. No. 1759, A bill for an act relating to agriculture; appropriating money for turkey respiratory disease research.

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

Anderson, B.; Olson and Smith introduced:

H. F. No. 1760, A bill for an act relating to highways; requiring inclusion in statewide transportation plan and state transportation improvement program of improvements to I-94 and trunk highway 55.

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

Dempsey introduced:

H. F. No. 1761, A bill for an act relating to appropriations; appropriating wastewater funding for the Red Wing Bench Street project; authorizing the sale of state bonds.

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

Storm, Harder, Tuma, Swenson and Gunther introduced:

H. F. No. 1762, A bill for an act relating to education funding; authorizing a disaster relief facilities grant for independent school district No. 508, St. Peter; appropriating money.

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

Storm, Tuma, Swenson and Gunther introduced:

H. F. No. 1763, A bill for an act relating to tornado relief; appropriating money for replacement of community center in St. Peter.

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

Mulder introduced:

H. F. No. 1764, A bill for an act relating to appropriations; appropriating wastewater funding for the Leota sanitary district; authorizing the sale of state bonds.

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

Peterson, by request, introduced:

H. F. No. 1765, A bill for an act relating to civil actions; clarifying the delayed discovery rule governing the statute of limitations for damages due to sexual abuse; amending Minnesota Statutes 1998, section 541.073.

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

Buesgens introduced:

H. F. No. 1766, A bill for an act relating to appropriations; appropriating wastewater funding for Spring Lake township; authorizing the sale of state bonds.

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

Haas, Carruthers and Vandeverer introduced:

H. F. No. 1767, A bill for an act relating to health occupations; creating licensure for dental assistants; amending Minnesota Statutes 1998, sections 144.054, subdivision 2; 150A.01, subdivisions 5 and 8; 150A.02, subdivision 1; 150A.03, subdivision 1; 150A.05, subdivision 2, and by adding a subdivision; 150A.06, subdivisions 2a, 2b, 5, and 6; 150A.08, subdivisions 1, 3, 4, 5, 6, and 8; 150A.081, subdivisions 1 and 2; 150A.09, subdivisions 1, 3, and 5; 150A.10, subdivision 2; and 214.18, subdivision 5.

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

Huntley, Abeler, Otremba, Koskinen and Knoblach introduced:

H. F. No. 1768, A bill for an act relating to human services; clarifying that minor parents must live with an adult in order to receive MFIP assistance; appropriating money; amending Minnesota Statutes 1998, section 256J.14.

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

Abeler introduced:

H. F. No. 1769, A bill for an act relating to human services; expanding eligibility for the senior citizen drug program; appropriating money; amending Minnesota Statutes 1998, section 256.955, subdivisions 2 and 7; Laws 1997, chapter 225, article 4, section 4; repealing Minnesota Statutes 1998, section 256.955, subdivision 9.

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

Fuller introduced:

H. F. No. 1770, A bill for an act relating to human services; increasing funding for senior nutrition meals; appropriating money.

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

Kuisle introduced:

H. F. No. 1771, A bill for an act relating to agricultural tax relief; creating an offer-in-compromise program; expanding an exemption; amending Minnesota Statutes 1998, sections 270.67, by adding a subdivision; and 290.491.

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

Kuisle and Molnau introduced:

H. F. No. 1772, A bill for an act relating to transportation; modifying provisions relating to motor carriers of passengers; making conforming amendments; appropriating money; amending Minnesota Statutes 1998, sections 168.011, subdivision 35; 169.122, subdivision 5; 174A.02, subdivision 4; 174A.06; 221.011, subdivisions 15, 37, 38, and by adding subdivisions; 221.021; 221.022; 221.025; 221.026, subdivision 2; 221.0251; 221.031, subdivisions 1, 2, and 6; 221.036, subdivisions 1 and 3; 221.091; 221.122, subdivision 1; 221.124; 221.131, subdivision 2; 221.141, subdivision 1; 221.172, subdivision 10; 221.185, subdivisions 1, 2, 3, 4, 9, and by adding a subdivision; 221.221, subdivision 3; 221.291, subdivision 4; 221.55; 368.01, subdivision 12; and 412.221, subdivision 20; proposing coding for new law in Minnesota Statutes, chapter 221; repealing Minnesota Statutes 1998, sections 168.011, subdivision 36; 168.1281; 221.011, subdivisions 7, 9, 20, 21, 32, and 34; 221.041; 221.051; 221.061; 221.071; 221.081; 221.121, subdivisions 6b and 6h; 221.172, subdivision 9; 221.281; and 221.85.

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

Dawkins introduced:

H. F. No. 1773, A bill for an act relating to education; providing for a youth works program report to the legislature; appropriating money; amending Minnesota Statutes 1998, section 124D.45, by adding a subdivision.

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

Bakk, Hausman, Howes, Osthoff, Westfall and McCollum introduced:

H. F. No. 1774, A bill for an act relating to natural resources; designating a state trail on the north shore of Lake Superior; appropriating money; amending Minnesota Statutes 1998, section 85.015, by adding a subdivision.

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

Ness, Wenzel, Seagren, Finseth, Harder, Skoe, Kubly, Swenson, Kielkucki, Carlson, Molnau, Entenza, Mariani and Chaudhary introduced:

H. F. No. 1775, A bill for an act relating to education; authorizing a planning grant to create an urban agricultural high school; appropriating money; amending Minnesota Statutes 1998, section 41D.02, subdivision 2.

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

Cassell introduced:

H. F. No. 1776, A bill for an act relating to appropriations; appropriating wastewater funding for Lake Mary township; authorizing the sale of state bonds.

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

Cassell introduced:

H. F. No. 1777, A bill for an act relating to appropriations; appropriating wastewater funding for Ida township; authorizing the sale of state bonds.

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

Gunther, Jennings, Wolf, Davids and Kahn introduced:

H. F. No. 1778, A bill for an act relating to telecommunications; providing for telecommunications pricing plans for state government under oversight of public utilities commission; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Wagenius introduced:

H. F. No. 1779, A bill for an act relating to the environment; the closed landfill cleanup program; allowing additional facilities into the closed landfill cleanup program; providing for the release of liability at additional facilities for insurers that participate in the statewide closed landfill insurance settlement process; appropriating money; amending Minnesota Statutes 1998, sections 115B.175, subdivision 2; 115B.39, subdivision 2; 115B.40, subdivisions 4 and 8; 115B.405, subdivision 1; 115B.412, subdivision 3; 115B.42, subdivisions 1 and 2; and 115B.43, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 115B; repealing Minnesota Statutes 1998, section 473.845, subdivision 2.

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

Ozment, Gunther and Winter introduced:

H. F. No. 1780, A bill for an act relating to natural resources; providing for allocation of money for general services of a soil and water conservation district; appropriating money; amending Minnesota Statutes 1998, section 103C.401, by adding a subdivision.

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

Howes and Bakk introduced:

H. F. No. 1781, A bill for an act relating to waters; appropriating money for technical support grants to soil and water conservation districts.

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

Westfall and Winter introduced:

H. F. No. 1782, A bill for an act relating to waters; appropriating money for erosion and sediment control and water quality cost share grants.

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

Winter, Tuma and Kubly introduced:

H. F. No. 1783, A bill for an act relating to agriculture; requiring rules to be adopted on the amount of land applied phosphorus generated by feedlots; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Goodno, Boudreau, Huntley, Greenfield and Bradley introduced:

H. F. No. 1784, A bill for an act relating to handicapped persons; appropriating money for deaf-blind services.

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

Kubly and Juhnke introduced:

H. F. No. 1785, A bill for an act relating to education; authorizing a grant to independent school district No. 2534, Bird Island-Olivia-Lake Lillian; appropriating money.

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

Sviggum and Leighton introduced:

H. F. No. 1786, A bill for an act relating to education funding; authorizing a technology grant for independent school district No. 203, Hayfield; appropriating money.

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

Dawkins introduced:

H. F. No. 1787, A bill for an act relating to children; providing visitation by foster siblings of children formerly in foster care; amending Minnesota Statutes 1998, section 257.022, subdivision 3, and by adding a subdivision.

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

Kalis and Gunther introduced:

H. F. No. 1788, A bill for an act relating to human services; providing an exemption from the nursing facility spend-up limit; amending Minnesota Statutes 1998, section 256B.431, by adding a new subdivision.

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

Schumacher introduced:

H. F. No. 1789, A bill for an act relating to appropriations; appropriating funds to Benton county to pay principal due on bonds issued for environmental response costs at a mixed municipal solid waste facility; appropriating money.

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

Solberg; Anderson, I.; Rukavina; Tomassoni and Bakk introduced:

H. F. No. 1790, A bill for an act relating to economic development; providing for a challenge grant for construction of a steel mill; appropriating money.

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

Solberg; Anderson, I.; Rukavina; Tomassoni and Bakk introduced:

H. F. No. 1791, 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; providing for a grant to Itasca County Railroad Authority for railroad access and natural gas right-of-way and pipeline; providing for a grant to Itasca county for highway improvements; providing for a grant to the city of Nashwauk for wells and wastewater treatment facilities; authorizing issuance of bonds; appropriating money.

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

Pugh introduced:

H. F. No. 1792, A bill for an act relating to education; removing the time period limitation for school district agreements; amending Minnesota Statutes 1998, section 123B.02, subdivision 3.

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

Bradley, Greenfield, Huntley and Goodno introduced:

H. F. No. 1793, A bill for an act relating to health; establishing requirements for the Minnesota health data institute to prepare and issue public reports assessing performance and consumer perceptions; appropriating money; amending Minnesota Statutes 1998, section 62J.451, subdivisions 6a, 6b, and 6c.

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

Greenfield and Tingelstad introduced:

H. F. No. 1794, A bill for an act relating to human services; appropriating money for services for deaf and hard-of-hearing persons.

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

Daggett introduced:

H. F. No. 1795, A bill for an act relating to education funding; correcting a pupil count for independent school district No. 2155, Wadena-Deer Creek; appropriating money.

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

Kelliher, Tingelstad, Leppik, Hausman, Kahn, Peterson, Jennings, McCollum and Greiling introduced:

H. F. No. 1796, A bill for an act relating to natural resources; modifying forest assessment provisions; modifying reporting requirements; amending Minnesota Statutes 1998, section 89.011, subdivisions 2 and 3.

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

Kelliher, Peterson, Jennings, McCollum, Tingelstad, Kahn, Greiling and Hausman introduced:

H. F. No. 1797, A bill for an act relating to forest resources; modifying unit forest resource plan requirements; providing public notice; amending Minnesota Statutes 1998, section 89.012; proposing coding for new law in Minnesota Statutes, chapter 90.

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

Ozment; Osthoff; Hackbarth; McCollum; Tingelstad; Sykora; Wagenius; Kelliher; Howes; Hausman; Westfall; Swenson; Finseth; Entenza; Rostberg; Carruthers; Pugh; Tuma; Seifert, J.; Greiling; Leighton; Kahn; Gray; Peterson; Trimble and Wenzel introduced:

H. F. No. 1798, A bill for an act relating to natural resources; providing matching funding from the general fund for private contributions to the nongame wildlife account; appropriating money; amending Minnesota Statutes 1998, sections 290.431; and 290.432.

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

Osthoff and Davids introduced:

H. F. No. 1799, A bill for an act relating to insurance; regulating motor vehicle glass repair and replacement; amending Minnesota Statutes 1998, section 72A.201, subdivision 6.

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

Bishop, Murphy, Broecker, Paymar, Stanek, McGuire and Skoglund introduced:

H. F. No. 1800, A bill for an act relating to appropriations; appropriating money to the commissioner of corrections for the productive day initiative programs administered by the Dodge-Fillmore-Olmsted community corrections agency, the Arrowhead regional community corrections agency, the Ramsey county community corrections agency, and the Hennepin county community corrections agency.

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

McElroy, Abrams, Van Dellen, Orfield and Biernat introduced:

H. F. No. 1801, A bill for an act relating to uniform laws; proposing enactment of the Uniform Principal and Income Act of 1997; proposing coding for new law as Minnesota Statutes, chapter 501C; repealing Minnesota Statutes 1998, sections 501B.59; 501B.60; 501B.61; 501B.62; 501B.63; 501B.64; 501B.65; 501B.66; 501B.67; 501B.68; 501B.69; 501B.70; 501B.71; 501B.72; 501B.73; 501B.74; 501B.75; and 501B.76.

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

Entenza, Goodno, Smith, Pawlenty and Greenfield introduced:

H. F. No. 1802, A bill for an act relating to child protection; modifying procedures for an emergency petition for domestic child abuse; authorizing counties to establish alternative responses to child maltreatment reports; modifying definitions in the child abuse reporting act; providing for the department of children, families, and learning to investigate allegations of child maltreatment in a school; providing for the department of health to investigate alleged child maltreatment by unlicensed home health care providers; providing for information sharing under the child abuse reporting act; providing for screening criteria for maltreatment reports and criteria for use of alternative programs; amending Minnesota Statutes 1998, sections 260.015, subdivisions 2a and 28; 260.133, subdivision 2; 260.191, subdivision 1b; 626.556, subdivisions 2, 3, 4, 7, 10b, 10d, 10e, 10f, 10j, 11, 11b, 11c, and by adding a subdivision; and 626.558, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 626.

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

Kelliher, Hausman, Rhodes, Broecker and Anderson, I., introduced:

H. F. No. 1803, A bill for an act relating to appropriations; appropriating money for the operation and maintenance of the metropolitan regional parks system.

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



Folliard, Seagren, Biernat, Carlson and Mares introduced:

H. F. No. 1804, A bill for an act relating to education; offering licensed kindergarten through grade 12 teachers the opportunity for more staff development and additional salary; amending Minnesota Statutes 1998, sections 120A.41; 122A.40, subdivision 7, and by adding a subdivision; and 122A.41, subdivision 4, and by adding a subdivision.

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

Munger, Ozment, Leppik, Tingelstad, Murphy, Hilty and Hausman introduced:

H. F. No. 1805, A bill for an act relating to waters; implementing a joint powers agreement for St. Louis, Carlton, and Lake counties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103F.

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

Howes, Hackbarth and Bakk introduced:

H. F. No. 1806, A bill for an act relating to taxation; providing, for refund purposes, that one percent of gasoline is used for snowmobiles; amending Minnesota Statutes 1998, section 296A.18, subdivision 3.

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

Carlson, Mares, Ness, Sykora and Dorn introduced:

H. F. No. 1807, A bill for an act relating to education; providing grants to the Minnesota highway safety center to improve traffic safety education; amending Minnesota Statutes 1998, section 171.29, subdivision 2.

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

Molnau, Holberg, Jaros, Luther and Gunther introduced:

H. F. No. 1808, A bill for an act relating to appropriations; transferring money appropriated for the United Nations trade point to the world trade center.

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

Jaros introduced:

H. F. No. 1809, A bill for an act relating to port authorities; allowing an alternative name for the seaway port authority of Duluth; amending Minnesota Statutes 1998, section 469.049, subdivision 1.

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

Jennings; Larsen, P.; Larson, D.; Lenczewski and Milbert introduced:

H. F. No. 1810, A bill for an act relating to public safety; providing health coverage for survivors of public safety officers killed in the line of duty; appropriating money; amending Minnesota Statutes 1998, section 299A.465, subdivision 2.

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

### CONSENT CALENDAR

Molnau moved that the Consent Calendar for today be continued. The motion prevailed.

### CALENDAR FOR THE DAY

Molnau moved that the Calendar for the Day be continued. The motion prevailed.

### MOTIONS AND RESOLUTIONS

Vandever moved that the name of Abeler be added as an author on H. F. No. 1242. The motion prevailed.

Goodno moved that the name of Westerberg be added as an author on H. F. No. 1303. The motion prevailed.

Stang moved that the name of Westerberg be added as an author on H. F. No. 1327. The motion prevailed.

Buesgens moved that the names of Westerberg and Abeler be added as authors on H. F. No. 1366. The motion prevailed.

Dawkins moved that the name of Westerberg be added as an author on H. F. No. 1368. The motion prevailed.

Rostberg moved that the name of Abeler be added as an author on H. F. No. 1370. The motion prevailed.

Holsten moved that the name of Anderson, I., be added as an author on H. F. No. 1374. The motion prevailed.

Paulsen moved that the name of Westerberg be added as an author on H. F. No. 1411. The motion prevailed.

Krinkie moved that the name of Abeler be added as an author on H. F. No. 1471. The motion prevailed.

Howes moved that the names of Cassell, Gunther, Storm, Trimble, Hackbarth and Sykora be added as authors on H. F. No. 1506. The motion prevailed.

Vandever moved that the name of Johnson be added as an author on H. F. No. 1523. The motion prevailed.

Skoe moved that the name of Peterson be added as an author on H. F. No. 1525. The motion prevailed.

Entenza moved that the name of Goodno be added as an author on H. F. No. 1563. The motion prevailed.

Dehler moved that the name of Cassell be added as an author on H. F. No. 1599. The motion prevailed.

Chaudhary moved that the name of Mahoney be added as an author on H. F. No. 1639. The motion prevailed.

Chaudhary moved that the name of Mahoney be added as an author on H. F. No. 1640. The motion prevailed.

Juhnke moved that the names of Kuisle, Swenson and Otremba be added as authors on H. F. No. 1641. The motion prevailed.

Knoblach moved that the name of Dorman be added as an author on H. F. No. 1645. The motion prevailed.

Seifert, M., moved that H. F. No. 144 be recalled from the Committee on Environment and Natural Resources Policy and be re-referred to the Committee on Local Government and Metropolitan Affairs. The motion prevailed.

Tingelstad moved that H. F. No. 863, now on the General Register, be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

Seifert, M., moved that H. F. No. 1036 be recalled from the Committee on Agriculture and Rural Development Finance and be re-referred to the Committee on Higher Education Finance. The motion prevailed.

Boudreau moved that H. F. No. 1038 be recalled from the Committee on Jobs and Economic Development Policy and be re-referred to the Committee on Civil Law. The motion prevailed.

Molnau moved that H. F. No. 1090 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Judiciary Finance. The motion prevailed.

Buesgens moved that H. F. No. 1366 be recalled from the Committee on Education Policy and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

Fuller moved that H. F. No. 1480 be recalled from the Committee on Judiciary Finance and be re-referred to the Committee on Crime Prevention. The motion prevailed.

Ozment moved that H. F. No. 1555 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Civil Law. The motion prevailed.

Dawkins moved that H. F. No. 1773 be recalled from the Committee on Family and Early Childhood Education Finance and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

Holberg moved that S. F. No. 98 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Civil Law. The motion prevailed.

Workman moved that H. F. No. 1319 be returned to its author. The motion prevailed.

#### PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members, register our protest and dissent regarding the actions of Representative Arlon Lindner as chair of the Committee on Jobs and Economic Development Policy in a hearing on House File No. 663 on Tuesday, March 9, 1999, and regarding the negligence of Speaker of the House Steve Sviggum in permitting the committee to operate in a closed and undignified manner.

In his conduct of this hearing, Representative Lindner unfairly limited the ability of members of the public to testify by imposing an unreasonable and entirely artificial 30-minute time limit for public testimony. Representative Lindner unfairly denied 15 citizens of Minnesota an opportunity to speak against the proposed legislation, as is their right. Representative Lindner denied members of the committee their right to ask questions and have those questions answered. Representative Lindner refused to recognize committee members seeking to raise points of order and points of parliamentary inquiry. Representative Lindner appeared to direct the committee secretary to record a member as voting "no" when that member had not yet responded to the calling of the roll. Representative Lindner permitted the author of the bill to manipulate committee rules in a manner designed to deny committee members their right to offer amendments to the legislation. Representative Lindner's lack of openness in the conduct of this hearing brought opprobrium upon the committee, the House of Representatives and the Minnesota Legislature, fostering cynicism and public alienation from the House and their elected representatives.

The evidence of the March 9 hearing of the Committee on Jobs and Economic Development Policy indicates that Speaker Sviggum has failed to exercise his duty as presiding officer of the House to ensure that committees operate in an open, fair and just manner. Speaker Sviggum has permitted Representative Lindner to create committee rules which squelch rather than encourage open debate and public testimony. Speaker Sviggum has failed to counsel Representative Lindner on the proper manner of conducting public hearings on legislation.

We, the undersigned members of the House of Representatives, request that Representative Arlon Lindner make a public apology to the House and to the members of the public who were denied their right to testify on House File No. 663, that said apology be duly entered in the Journal of the Minnesota House of Representatives, and that House File No. 663 be returned to the Committee on Jobs and Economic Development Policy to afford members of the public the opportunity to testify in a full and complete public hearing. We further request that Speaker Sviggum ask the Committee on Rules and Legislative Administration to conduct public hearings on the rules promulgated by committee chairs, and amend those rules where appropriate to ensure full, public and open consideration of legislation.

Signed:

ANDY DAWKINS  
IRV ANDERSON  
ROB LEIGHTON  
THOMAS RUKAVINA  
MIKE JAROS

STEVE TRIMBLE  
KAREN CLARK  
GREGORY GRAY  
GARY W. KUBLY  
SATVEER CHAUDHARY

#### ADJOURNMENT

Molnau moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, March 11, 1999. The motion prevailed.

Molnau moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, March 11, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives