

## STATE OF MINNESOTA

## EIGHTY-FIRST SESSION — 1999

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 THIRTY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 22, 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 Carol Joyce, Robbinsdale United Church of Christ, Robbinsdale, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

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

A quorum was present.

Hausman, Mahoney, Munger, Smith and Van Dellen were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Paulsen 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. 198 and H. F. No. 197, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

**SUSPENSION OF RULES**

Pawlenty moved that the rules be so far suspended that S. F. No. 198 be substituted for H. F. No. 197 and that the House File be indefinitely postponed. The motion prevailed.

**PETITIONS AND COMMUNICATIONS**

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

March 18, 1999

The Honorable Steve Sviggum  
Speaker of the House of Representatives  
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 453, relating to local government; directing the city of Minneapolis to authorize participation by certain workers and apprentices in deferred compensation plan.

H. F. No. 157, relating to highways; modifying route of Laura Ingalls Wilder Historic Highway.

H. F. No. 454, relating to health; modifying requirements for nursing home administrators.

Sincerely,

JESSE VENTURA  
Governor

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>
	453	15	1:40 p.m. March 18	March 18
	157	16	1:45 p.m. March 18	March 18
	454	17	1:48 p.m. March 18	March 18

Sincerely,

MARY KIFFMEYER  
Secretary of State

### REPORTS OF STANDING COMMITTEES

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

H. F. No. 73, A bill for an act relating to the year 2000 problem; providing certain immunities; providing for the time of trial of Y2K processing actions; providing for referral of such actions to a panel of the district court; providing additional circumstances in which an emergency can be declared; providing authority to local government units to address the year 2000 problem; requiring reports by certain utilities and health care and nursing home providers; requiring the department of health to collect and disseminate certain information; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 604B.

Reported the same back with the following amendments:

Page 6, line 31, after the first "systems" insert "operated by a public entity" and delete "municipal" and insert "community"

Page 7, delete subdivision 2 and insert:

"Subd. 2. [STATUS REPORTS.] All hospitals, nursing homes, nontransient noncommunity water systems operated by a public entity, and community water supply systems must file status reports on year 2000 problems with the department of health, with a copy to the division of emergency management of the department of public safety, on June 1, September 1, and December 1, 1999. The status report must include a statement of the percentage of the year 2000 problem inventory remediated, a schedule for completing assessment, testing, and remediation, and summary contingency plans related to the risk of loss of service. If there has been no change since the previous report, the report may indicate only that no change has occurred.

Sec. 8. [DEPARTMENT OF HUMAN SERVICES; YEAR 2000 ACTIVITY.]

If year 2000 computer problems create a failure or malfunction in the infrastructure or systems used by the department of human services for payment to health care providers under state government programs or counties, the commissioner of human services shall continue to pay all health care providers paid under state government programs or counties by manual warrant or other measures within the statutorily required time period.

Page 8, lines 26, 27, and 28, delete "10" and insert "11"

Page 9, line 15, delete "12" and insert "13"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after the semicolon, insert "requiring the continuation of payments to certain health care providers;"

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

The report was adopted.

Knoblach from the Committee on Capital Investment to which was referred:

H. F. No. 82, A bill for an act relating to appropriations; prohibiting use of state appropriations for art in state correctional facilities; amending Minnesota Statutes 1998, section 16B.35, by adding a subdivision.

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. 107, A bill for an act relating to game and fish; modifying 24-hour angling license fee and allowing issuance through lottery machines; amending Minnesota Statutes 1998, sections 97A.475, subdivisions 6 and 7; and 97A.485, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 97A.485, is amended by adding a subdivision to read:

Subd. 13. [24-HOUR ANGLING LICENSES.] The commissioner and the director of the state lottery shall cooperate to allow a lottery retailer under chapter 349A to issue 24-hour angling licenses from lottery equipment.

Sec. 2. [REPORT TO LEGISLATURE.]

By January 15, 2002, the commissioner of natural resources shall report to the legislature on the results of licensing under section 1, including a recommendation on whether to continue the licensing from lottery equipment."

Delete the title and insert:

"A bill for an act relating to game and fish; allowing issuance of 24-hour angling licenses from lottery equipment; requiring a report; amending Minnesota Statutes 1998, section 97A.485, by adding a subdivision."

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

The report was adopted.

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

H. F. No. 177, A bill for an act relating to health; prohibiting partial-birth abortions; providing criminal and civil penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the following amendments:

Page 3, line 4, delete "\$....." and insert "\$4,000, or both."

Page 4, after line 11, insert:

"Sec. 8. [EFFECTIVE DATE.]

Section 5 is effective August 1, 1999, and applies to crimes committed on or after that date."

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

The report was adopted.

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

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

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

The report was adopted.

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

H. F. No. 212, A bill for an act relating to capital improvements; appropriating money for the Big Bear Country Education Center; authorizing state bonds.

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

The report was adopted.

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

H. F. No. 313, A bill for an act relating to metropolitan government; providing for nonvoting members to serve on the metropolitan council; expanding the membership of the transportation advisory board; requesting the legislative audit commission to direct a study of the 1994 merger of metropolitan agencies into the metropolitan council; appropriating money for grants to local governments; amending Minnesota Statutes 1998, sections 473.123, subdivisions 1, 3, and by adding a subdivision; and 473.146, subdivision 4.

Reported the same back with the following amendments:

Pages 3 and 4, delete section 4 and insert:

"Sec. 4. [PLAN TO EXPAND TRANSPORTATION ADVISORY BOARD; REPORT.]

To coordinate better transportation planning between the metropolitan area and the counties surrounding the metropolitan area, the metropolitan council shall develop a plan for expanding the transportation advisory board to include representatives of the counties surrounding the metropolitan area. The metropolitan council shall prepare this plan in consultation with representatives of the counties surrounding the metropolitan area and the current transportation advisory board. The council shall report on its plan to the legislature by January 15, 2000."

Page 4, delete section 6

Amend the title as follows:

Page 1, line 4, before "expanding" insert "requiring a plan for"

Page 1, line 8, delete everything after the semicolon and insert "requiring a report;"

Page 1, line 9, delete everything before "amending"

Page 1, line 10, delete "sections" and insert "section"

Page 1, line 11, delete everything after "subdivision" and insert a period

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. 334, A bill for an act relating to appropriations; appropriating money for a grant and a loan to the city of Tracy for a sewer separation project to deal with combined sewer overflow; authorizing state bonds.

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

The report was adopted.

Knoblach from the Committee on Capital Investment to which was referred:

H. F. No. 343, A bill for an act relating to economic development; authorizing the board of trustees of the Minnesota state colleges and universities to accept federal money for construction of a technology center at Pine technical college.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Laws 1998, chapter 404, section 3, subdivision 17, is amended to read:

Subd. 17. Pine Technical College

1,700,000

To predesign, design, ~~and~~ renovate, and construct an addition for a telecommunications/media/technology center, student services, administrative services, classrooms, and a regional economic development center. This project may be a part of a larger advanced technology center project at the college if federal funds are available for the larger project. The board must not proceed with the larger advanced technology center project without the approval of the chairs of the house committee on ways and means and the senate committee on education finance.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to appropriations; modifying terms of an appropriation for Pine Technical College; amending Laws 1998, chapter 404, section 3, subdivision 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.

Dauids from the Committee on Commerce to which was referred:

H. F. No. 358, A bill for an act relating to telecommunications; deregulating coin-operated or public pay telephones under state law; authorizing the public utilities commission to assess administrative penalties for anticompetitive activities by telecommunication providers; proposing coding for new law in Minnesota Statutes, chapter 237.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [237.036] [COIN-OPERATED OR PUBLIC PAY TELEPHONES.]

(a) Neither commission approval nor a commission certificate is required to:

(1) site a coin-operated or public pay telephone in the state; or

(2) implement changes in service, services offered, rates, or location regarding a coin-operated or public pay telephone. Registration under section 237.64 is required to own or operate a coin-operated or public pay telephone in the state.

(b) This section does not change the authority of other state or local government entities to regulate aspects of coin-operated or public pay telephone ownership, location, or operation; however, an entity may not regulate aspects of these services that it did not regulate prior to the effective date of this section. The commission shall retain the authority delegated to it under federal and state law to protect the public interest with regard to coin-operated or public pay telephones.

(c) Owners and operators of coin-operated or public pay telephones are exempt from sections 237.06, 237.07, 237.075, 237.09, 237.23, 237.295, and 237.39 and the annual reporting requirement of section 237.11.

(d) The commission shall require owners of coin-operated or public pay telephones to provide: (1) immediate, coin-free access to 911 emergency services; (2) accurate location and class of service information to enhanced 911 databases; and (3) free access to the telecommunication relay service for the communication impaired. Owners of coin-operated or public pay telephones must post at each coin-operated or public pay telephone location:

(1) customer service and complaint information, including the name, address, and telephone number of the owner of the coin-operated or public pay telephone and the operator service handling calls from the coin-operated or public pay telephone; the identities of the local exchange carrier handling local calls and the telecommunications carriers handling long-distance calls; a toll-free number of the appropriate telephone company for the resolution of complaints; and the toll-free number of the public utilities commission; and

(2) a toll-free number at which consumers can obtain pricing information regarding rates, charges, terms, and conditions of local and long-distance calls.

Sec. 2. Minnesota Statutes 1998, section 237.081, is amended by adding a subdivision to read:

Subd. 1b. [FRIVOLOUS COMPLAINTS PROHIBITED.] No person may file a complaint with the commission under this chapter unless the person has reasonable grounds to believe that the complaint is well grounded in fact and warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law. No person may file a complaint for an improper purpose, such as to harass.

Sec. 3. [237.462] [COMPETITIVE ENFORCEMENT; ADMINISTRATIVE PENALTIES TO PROMOTE AND PROTECT LOCAL TELEPHONE COMPETITION.]

Subdivision 1. [AUTHORITY TO ISSUE PENALTY ORDERS.] After a proceeding under section 237.081, the commission may issue an order administratively assessing monetary penalties for knowing and intentional violations of:

(1) sections 237.09, 237.121, and 237.16 and any rules adopted under those sections;

(2) any standards, limitations, or conditions established in a commission order pursuant to sections 237.09, 237.121, and 237.16;

(3) an approved interconnection agreement; and

(4) any duty or obligation of a telephone company, a telecommunications carrier, or a telecommunications provider imposed upon such telephone company, telecommunications carrier, or telecommunications provider by section 251, paragraph (a), (b), or (c) of the Telecommunications Act of 1996 that relates to service provided in the state. The penalty order must be issued as provided in this section.

Subd. 2. [FRIVOLOUS COMPLAINT PENALTY.] After an opportunity for notice and comment, the commission may issue an order administratively assessing a monetary penalty under this section, assessing expenses reasonably attributable to the complaint including the costs of any investigation and proceeding, or both, against any person who files a complaint if the commission finds the complaint is filed in violation of section 237.081, subdivision 1b.



Subd. 3. [AMOUNT OF PENALTY; CONSIDERATIONS.] (a) The commission may issue an order assessing a penalty of between \$100 and \$100,000 per day for each violation. The amount of penalty assessed per violation per day against a party found to be in violation shall be limited by the number of local exchange telephone service subscribers in the state of the party as follows:

- (1) 0 - 50,000 subscribers, up to \$5,000 per day per violation;
- (2) 50,000 - 100,000 subscribers, up to \$10,000 per day per violation;
- (3) 100,001 - 200,000 subscribers, up to \$20,000 per day per violation;
- (4) 200,001 - 300,000 subscribers, up to \$30,000 per day per violation;
- (5) 300,001 - 400,000 subscribers, up to \$40,000 per day per violation;
- (6) 400,001 - 500,000 subscribers, up to \$50,000 per day per violation; and
- (7) over 500,000 subscribers, up to \$100,000 per day per violation.

(b) In determining the amount of a penalty, the commission shall consider:

- (1) the willfulness or intent of the violation;
- (2) the gravity of the violation, including the harm to customers or competitors;
- (3) the history of past violations, including the gravity of past violations, similarity of previous violations to the current violation to be penalized, number of previous violations, the response of the person to the most recent previous violation identified, and the time lapsed since the last violation;
- (4) the number of violations;
- (5) the economic benefit gained by the person committing the violation;
- (6) any corrective action taken or planned by the person committing the violation; and
- (7) other factors that justice may require, as determined by the commission. The commission shall specifically identify any additional factors in the commission's order.

Subd. 4. [BURDEN OF PROOF.] The commission may not assess a penalty under this section unless the record in the proceeding establishes by a preponderance of the evidence that the penalty is justified based on the factors identified in subdivision 3.

Subd. 5. [CONTENTS OF ORDER.] An order assessing an administrative penalty under this section shall include:

- (1) a concise statement of the facts alleged to constitute a violation;
- (2) a reference to the section of the statute, rule, or order that has been violated;
- (3) a statement of the amount of the administrative penalty to be imposed and the factors upon which the penalty is based; and
- (4) a statement of the person's right to review of the order.

Subd. 6. [PENALTY STAYED.] A penalty imposed under this section shall not be payable sooner than 31 days after the commission issues its final order assessing the penalty. The person subject to the penalty may appeal the commission's penalty order under sections 14.63 to 14.68. If the person does appeal the commission's penalty order, the penalty shall not be payable until either the Minnesota court of appeals issues a decision sustaining the commission's penalty order or the person withdraws the appeal.

Subd. 7. [EXPEDITED PROCEEDING.] (a) The commission may order an expedited proceeding under section 237.61 and this subdivision, in lieu of a contested case under chapter 14, to develop an evidentiary record in any proceeding that involves contested issues of material fact either upon request of a person filing a complaint or upon the commission's own motion if the complaint alleges a violation of:

(1) section 237.09, 237.121, or 237.16 or any rules adopted under those sections;

(2) any standard, limitation, or condition established in a commission order pursuant to section 237.09, 237.121, or 237.16;

(3) an approved interconnection agreement; or

(4) a duty or obligation of a telephone company, a telecommunications carrier, or a telecommunications provider imposed upon such telephone company, telecommunications carrier, or telecommunications provider by section 251, paragraph (a), (b), or (c) of the Telecommunications Act of 1996 that relates to service provided in the state. The commission may order an expedited proceeding under this subdivision if the commission finds an expedited proceeding is in the public interest, regardless of whether all parties agree to the expedited proceeding. In determining whether to grant an expedited proceeding, the commission may consider any evidence of impairment of the provision of telecommunications service to subscribers in the state or impairment of the provision of any service or network element subject to the jurisdiction of the commission.

(b) Any request for an expedited proceeding under this subdivision must be noted in the title of the complaint. The complaint shall also state the specific circumstances that the complaining party believes warrant an expedited proceeding under this subdivision. The complaining party shall serve the complaint along with any written discovery requests by hand delivery and facsimile on the party against whom the complaint is filed, the department of public service, and the office of the attorney general on the same day the complaint is filed with the commission.

(c) The party responding to a complaint that includes a request for an expedited proceeding under this subdivision shall file an answer within 15 days after receiving the complaint. The responding party shall state in the answer the party's position on the request for an expedited proceeding. The responding party shall serve with the answer any objections to any written discovery requests as well as any written discovery requests the responding party wishes to serve on the complaining party. Except for stating any objections, the responding party is not required to answer any written discovery requests under this subdivision until a time established at a prehearing conference. The responding party shall serve a copy of the answer and any discovery requests and objections on the complaining party, the department of public service, and office of the attorney general by hand delivery and facsimile on the same day as the answer is filed with the commission.

(d) Within 15 days of receiving the answer to a complaint for which an expedited proceeding is requested, the commission shall determine whether the complaint warrants an expedited proceeding. If the commission decides to grant a request by a complaining party or if the commission orders an expedited proceeding on its own motion, the commission shall conduct within seven days of the decision a prehearing conference to schedule the evidentiary hearing. During the prehearing conference, the commission shall establish a discovery schedule that requires all discovery to be completed no later than three days before the start of the hearing. An evidentiary hearing under this subdivision must commence no later than 45 days after the commission's decision to order an expedited proceeding. A quorum of the commission shall preside at any evidentiary hearing under this subdivision unless all the parties to the proceeding agree otherwise.

(e) All pleadings submitted under this subdivision must be verified and all oral statements of fact made in a hearing or deposition under this subdivision must be made under oath or affirmation.

(f) The commission shall issue a written decision and final order on the complaint within 15 days after the close of the evidentiary hearing under this subdivision. On the day of issuance, the commission shall notify the parties by facsimile that a final order has been issued and shall provide each party with a copy of the final order.

(g) The commission may extend any time periods under this subdivision if all parties to the proceeding agree to the extension or if the commission finds the extension is necessary to ensure a just resolution of the complaint.

Subd. 8. [TEMPORARY, EMERGENCY RELIEF PENDING DISPUTE RESOLUTION.] (a) A person filing a complaint may include in the complaint a request that the commission issue an order granting temporary, emergency relief under paragraph (c) if the complaint alleges a violation of:

(1) section 237.09, 237.121, or 237.16 or any rules adopted under those sections;

(2) any standard, limitation, or condition established in a commission order pursuant to section 237.09, 237.121, or 237.16;

(3) an approved interconnection agreement; or

(4) a duty or obligation of a telephone company, a telecommunications carrier, or a telecommunications provider imposed upon such a telephone company, telecommunications carrier, or telecommunications provider by section 251, paragraph (a), (b), or (c) of the Telecommunications Act of 1996 that relates to service provided in the state. Any request for temporary, emergency relief under this subdivision must be noted in the title of the complaint. The complaining party shall provide a copy of the complaint requesting temporary, emergency relief by hand delivery and facsimile to the party alleged to be in violation on the same day a complaint requesting such relief is filed with the commission. The commission shall issue a decision upon such a request within 20 days of the filing of the complaint.

(b) The commission may also order temporary, emergency relief on its own motion for an alleged violation of one or more of the provisions of paragraph (a), clauses (1) to (4) in accordance with this subdivision.

(c) After notice and an opportunity for comment, the commission may grant an order for temporary, emergency relief under this subdivision upon a verified factual showing that:

(1) the party seeking relief will likely succeed on the merits;

(2) the order is necessary to protect the public's interest in fair and reasonable competition or to prevent irreparable harm to a provider of or a subscriber to local exchange telephone service in the state; and

(3) the relief sought is technically feasible.

An order for temporary, emergency relief must include a finding that the requirements of this subdivision have been fulfilled.

(d) In an order granting temporary, emergency relief, the commission shall require the responding party to act or refrain from acting as the commission deems necessary to avoid, prevent, or mitigate the complained-of harm to subscribers or local exchange telephone service providers resulting from the alleged violation of one or more of the provisions in paragraph (a), clauses (1) to (4). The commission must give the responding party a reasonable period of time to comply with the order.

(e) A party may seek review, reconsideration, or rehearing of a temporary, emergency relief order prior to a final decision on the complaint by the commission.

(f) If there is a material issue of fact and the commission issues an order based on written pleadings without an evidentiary hearing, the order may not remain in effect for more than 30 days prior to which time the commission shall hold an evidentiary hearing to determine whether the order for temporary, emergency relief should be continued, modified, or reversed. Otherwise, an order for temporary, emergency relief shall remain in effect until a final order is issued by the commission unless the commission or a court issues an order or decision reversing the order for temporary, emergency relief.

Subd. 9. [ENFORCEMENT.] The attorney general, on behalf of the state, may proceed to enforce and collect penalties that are due and payable under this section in any manner provided to the attorney general by other law.

Subd. 10. [CUMULATIVE REMEDIES.] The attorney general may not seek civil penalties under section 237.461 for the same violations for which the commission has issued an order imposing administrative monetary penalties under this section. The imposition of administrative penalties in accordance with this section is in addition to all other remedies available under statutory or common law. The payment of a penalty does not preclude the use of other enforcement provisions, under which penalties are not assessed, in connection with the violation or violations for which the penalty was assessed.

Subd. 11. [PENALTY PROCEEDS DEPOSITED IN GENERAL FUND.] The proceeds of any penalty assessed under this section paid to the state shall be deposited in the general fund.

Subd. 12. [PRIVATE REMEDIES.] Nothing in this section affects the ability of a telephone company, telecommunications provider, telecommunications carrier, or subscriber to bring a private cause of action in court against a provider of local exchange telephone service based on conduct for which a penalty is imposed under this section.

Subd. 13. [APPLICATION.] This section applies to any telecommunications provider, telephone company, or telecommunications carrier that offers local exchange telephone service within the service territory of a telephone company with 50,000 subscribers or more, regardless of where the violation occurs.

Sec. 4. Minnesota Statutes 1998, section 237.5799, is amended to read:

237.5799 [EXPIRATION OF COMPETITIVE SERVICE LAWS.]

Sections 237.58, ~~237.59~~, 237.60, subdivisions 1, 2, and 5, ~~237.61~~, 237.62, and 237.625, ~~237.63~~, ~~237.64~~, ~~237.65~~, and ~~237.68~~ expire on August 1, 1999.

Sec. 5. [SUNSET.]

Section 3 and Minnesota Statutes 1998, sections 237.63, 237.65, and 237.68 expire on December 31, 2004.

Sec. 6. [EFFECTIVE DATE.]

This act is effective immediately upon enactment and does not apply to dockets pending on the date of enactment."

Delete the title and insert:

"A bill for an act relating to telecommunications; deregulating coin-operated or public pay telephones under state law; prohibiting frivolous complaints; authorizing the public utilities commission to assess administrative penalties for anticompetitive activities by telecommunication providers and for frivolous complaints; amending Minnesota Statutes 1998, sections 237.081, by adding a subdivision; and 237.5799; proposing coding for new law in Minnesota Statutes, chapter 237."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 502, A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in Wabasha county.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; COOK COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Cook county may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general.

(c) The land that may be conveyed is located in Cook county and is described as:

(1) an undivided 1/3 interest in Government Lot 5, Section 28, Township 63 North, Range 1 East, containing approximately 14.08 acres; and

(2) an undivided 1/4 interest in the South one-half of the SW 1/4, the NW 1/4 of the SW 1/4, and Government Lot 4, Section 23, Township 63 North, Range 4 East.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 2. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER AND WETLAND; HENNEPIN COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, and the public sale provisions of Minnesota Statutes, chapter 282, Hennepin county shall convey to the city of Eden Prairie for no consideration the tax-forfeited land bordering public water and wetland that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that, except for the portion of land to be sold by the city of Eden Prairie under Minnesota Statutes, chapter 469, for private development, the land reverts to the state if the city of Eden Prairie stops using the land for the public purposes described in paragraph (d).

(c) The land to be conveyed is located in Hennepin county and is described as:

Outlot A, CASTLE RIDGE, Hennepin county, Minnesota and that part of Lot 2, Block 2, CASTLE RIDGE, Hennepin county, Minnesota, lying westerly and southerly of the following described line: Beginning at a point on the north line of said Lot 2, distant 364.69 feet East from the northwest corner of said Lot 2; thence South 36 degrees 21 minutes 21 seconds West (assuming said north line has a bearing of South 89 degrees 59 minutes 22 second East) a distance of 99.42 feet; thence southerly 436.16 feet along a tangential curve, concave to the East, having a radius of 420 feet and a central angle of 59 degrees 30 minutes 00 seconds; thence South 23 degrees 08 minutes 39 seconds East, tangent to said curve, a distance of 142.19 feet; thence southeasterly 163.33 feet along a tangential curve, concave to the northeast, having a radius of 140 feet and a central angle of 66 degrees 50 minutes 43 seconds; thence South 89 degrees 59 minutes 22 seconds East a distance of 147.58 feet to the point of curvature which intersects the north line of Castlemoor Drive and the south line of said Lot 2, and there said described line terminating.

(d) The county has determined that the land is needed by the city of Eden Prairie for road, park, and wetland open space purposes and for private development.

Sec. 3. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING WETLAND; WASHINGTON COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 103F.535; 282.018, subdivision 2; and 282.241, the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Washington county shall sell by private sale to the owner at the time of forfeiture the tax-forfeited land bordering wetland that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sale must be in a form approved by the attorney general for a consideration of taxes due on the property and any penalties, interest, and costs.

(c) The land to be conveyed is located in Washington county and is described as:

Lot 12, Block 1, Brandon Acres, city of Hugo, identified as PID number 28-031-21-33-0012.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 4. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CHISAGO COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, the commissioner of revenue shall convey by deed to the county of Chisago the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in Chisago county and is described as:

(1) Lot 18 of Lilygrens Beach;

(2) Lot 19 of Lilygrens Beach; and

(3) Lot 23 of Lilygrens Beach.

(d) The county has determined that the land is needed for highway purposes.

Sec. 5. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER AND WETLAND; OLMSTED COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103.535, and 282.018, and the public sale provisions of Minnesota Statutes, chapter 282, Olmsted county may convey to the city of Rochester for no consideration the tax-forfeited land bordering public water and wetland that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city of Rochester stops using the land for the public purpose described in paragraph (d).

(c) The land to be conveyed is located in Olmsted county and is described as:

That part of the Northeast Quarter of the Northeast Quarter East of County Road 1 and North of Pinewood Road and easterly of Willow Creek, Section 13, Township 106 North, Range 14 West.

(d) The county has determined that the land is needed by the city of Rochester to use as a public park.

## Sec. 6. [PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; WADENA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Wadena county may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sales must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in Wadena county and are described as:

(1) part of Government Lot 9 commencing at the southeast corner of Government Lot 10; thence South 146 feet; thence East 16 feet to a point of beginning; thence East 84 feet; thence South 150 feet; thence West 84 feet; thence North to the point of beginning, Section 14, Township 135 North, Range 33 West (PID 03-014-1260);

(2) part of Government Lot 10 commencing at the northwest corner; thence South 300 feet; thence East 167 feet; thence South 300 feet; thence West 167 feet; thence North 300 feet to the point of beginning, Section 14, Township 135 North, Range 33 West (PID 03-014-2040);

(3) part of Government Lot 10 commencing at the northwest corner of said Lot 10; thence East 200 feet; thence South 100 feet to a point of beginning; thence East 330 feet to the Crow Wing river; thence southerly 100 feet along the Crow Wing river; thence West 400 feet to a point due South of the point of beginning; thence North 100 feet to the point of beginning, Section 14, Township 135 North, Range 33 West (PID 03-014-2060);

(4) part of Government Lot 10 commencing at the northwest corner of said Lot 10; thence East 167 feet; thence South 300 feet; thence West 167 feet; thence North 300 feet to the point of beginning, Section 14, Township 135 North, Range 33 West (PID 03-014-2070);

(5) part of Government Lot 10 commencing at the northwest corner of said Lot 10; thence East 200 feet; thence South 400 feet to a point of beginning; thence East 400 feet, more or less, to the Crow Wing river; thence South 100 feet along said river; thence West 400 feet, more or less, to a point due South of the point of beginning; thence North 100 feet to the point of beginning, Section 14, Township 135 North, Range 33 West (PID 03-014-2080);

(6) part of Government Lot 10 commencing at the northwest corner of said Lot 10; thence East 200 feet; thence South 500 feet to a point of beginning; thence East 400 feet, more or less, to the Crow Wing river; thence South 100 feet along said river; thence West 400 feet, more or less, to a point due South of the point of beginning; thence North 100 feet to the point of beginning, Section 14, Township 135 North, Range 33 West (PID 03-014-2140);

(7) River Forest Acres Survey, Lot 13, 3.20 acres of Government Lot 8, Section 10, Township 136 North, Range 33 West (PID 06-003-3100 and 06-010-2020);

(8) Lot 1, Section 4, Township 136 North, Range 33 West, consisting of 41.78 acres (PID 06-004-1010);

(9) Lot 2, Section 16, Township 137 North, Range 34 West, consisting of 47.75 acres (PID 07-016-2020);

(10) Lot 4, Section 7, Township 137 North, Range 33 West, consisting of 51.30 acres (PID 09-007-2040);

(11) Lot 5, Section 7, Township 137 North, Range 33 West, consisting of 16.31 acres (PID 09-007-2030);

(12) the Northeast Quarter of the Southwest Quarter, Section 12, Township 137 North, Range 33 West (PID 09-012-3030);

(13) the Southwest Quarter of the Southeast Quarter, Section 12, Township 137 North, Range 33 West (PID 09-012-4010);

(14) the Southeast Quarter of the Northwest Quarter, Section 13, Township 137 North, Range 33 West (PID 09-013-1030);

(15) the Northeast Quarter of the Northwest Quarter, Section 13, Township 137 North, Range 33 West (PID 09-013-2010); and

(16) all of Lot 3, Block 5 and part of Lot 1, Block 5 beginning at a point on the east line of Lot 1, Block 5 Sharps Addition 210 feet South of the northeast corner of said Lot 1; thence South 70 feet to the north line of said Lot 3; thence West 156 feet on the north line of Lot 3; thence southeasterly 124 feet to the point of beginning, city of Wadena (PID 22-480-0440).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 7. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; WADENA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Wadena county may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in Wadena county and is described as: Reserve Lot C, except the east seven acres, Borchart's Addition, city of Wadena (PID 22-600-0830).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 8. [PRIVATE CONVEYANCE OF COUNTY LAND; ITASCA COUNTY.]

(a) Notwithstanding Minnesota Statutes, section 373.01, subdivision 1, clause (4), Itasca county may privately convey the land described in paragraph (b) to the former owner for no consideration.

(b) The land to be conveyed is described as:

That portion of Government Lot 2 lying and being North of the Ball Club river in Section 31, Township 145, Range 25, according to the government survey thereof on file and of record with the county recorder of and for said county and state.

Subject to reservations, restrictions, and easements as they appear of record.

(c) The land described in paragraph (b) was donated to Itasca county to develop a park. Itasca county has chosen not to develop a park and has determined that the land should be returned to the donor.

Sec. 9. [AUTHORIZING EXERCISE OF EMINENT DOMAIN; CITY OF BEMIDJI.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 103F.535, or other law to the contrary, the city council of Bemidji may exercise the right of eminent domain in the manner provided by Minnesota Statutes, chapter 117, to acquire the following trust fund land bordering public waters and wetlands, except minerals and mineral rights:

That part of Government Lot 2, Section 36, Township 147 North, Range 34 West, Beltrami county, Minnesota, described as follows:

Beginning at MN/DOT right-of-way marker B4, as shown on MN/DOT right-of-way plat numbered 04-23 as the same is on file and of record in the office of the county recorder, Beltrami county, Minnesota; thence Azimuth of 201 degrees 27 minutes 46 seconds a distance of 690.00 feet to MN/DOT right-of-way marker B3; thence Azimuth



of 291 degrees 27 minutes 46 seconds a distance of 500.00 feet; thence Azimuth of 21 degrees 27 minutes 46 seconds a distance of 690.00 feet to the southwesterly right-of-way line of Trunk Highway No. 2; thence Azimuth of 111 degrees 27 minutes 46 seconds along the southwesterly right-of-way line of Trunk Highway No. 2 a distance of 500.00 feet to said MN/DOT right-of-way marker B4 and there terminating, containing 7.9 acres.

(b) The city of Bemidji needs the land for economic development purposes and, in particular, for the construction of an office and laboratory facility to house the future northern service center of the bureau of criminal apprehension. The site is adjacent to the northwest district headquarters of the department of transportation.

(c) If the land in paragraph (a) is not used for a bureau of criminal apprehension service center in paragraph (b), the land reverts to the state.

Sec. 10. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; WABASHA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Wabasha county may sell by private sale to the city of Hammond the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sale must be in a form approved by the attorney general and shall not retain a reversionary interest to the state. The sale may be for less than the appraised value of the land.

(c) The land to be conveyed is located in Wabasha county and is described as: the East 103 feet of Lot 6 and the East 128 feet of Lot 7, Block 1, city of Hammond.

(d) The county has determined that the county's land management interests would best be served if the lands were sold to the city of Hammond.

Sec. 11. [PRIVATE SALE OF SURPLUS STATE LAND; HOUSTON COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 89.0211, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general for consideration no less than the appraised value of the land. The conveyance shall reserve to the state an access easement to ensure access for state forest management.

(c) The land to be conveyed is located in Houston county and is described as:

That part of the Southeast Quarter of the Southeast Quarter of Section 18, Township 104 North, Range 7 West, Houston county, Minnesota, as described as follows:

Commencing at the southeast corner of said Southeast Quarter of the Southeast Quarter; thence on an assumed bearing of West along the south line of said Southeast Quarter of the Southeast Quarter 555.0 feet to a 3/4 inch by 24 inch rebar with a plastic cap stamped "MN DNR SURVEY MARKER" (DNR MON) and the point of beginning; thence continuing West along the south line of said Southeast Quarter of the Southeast Quarter 279.99 feet to Point "A"; thence continuing West along the south line of said Southeast Quarter of the Southeast Quarter 113.01 feet; thence North 82.50 feet; thence East 126.54 feet to Point "B"; thence continuing East 137.46 feet; thence North 82.50 feet; thence West 162.50 feet to Point "C"; thence continuing West 101.50 feet; thence North 34.71 feet to a DNR MON; thence East 90.97 feet to Point "D"; thence continuing East 302.03 feet to a DNR MON; thence South 199.71 feet to the point of beginning; containing 1.30 acres.

(d) The commissioner has determined that the land is no longer needed for any natural resource purpose, other than access to be provided by easement, and that the state's land management interests would best be served if the land was returned to private ownership to correct an inadvertent trespass.

Sec. 12. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; HUBBARD COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Hubbard county may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sale must be in a form approved by the attorney general.

(c) The land to be sold is located in Hubbard county, consists of about 0.65 acres, and is described as:

That part of Government Lot 4, Section 15, Township 141 North, Range 33 West of the Fifth Principal Meridian, Hubbard county, Minnesota described as follows: Commencing at the southeast corner of said Government Lot 4; thence on a record bearing of North 87 degrees 38 minutes 33 seconds West along the south line of said Government Lot 4 a distance of 530.51 feet to the westerly right-of-way line of Hubbard county road No. 2 and the POINT OF BEGINNING of the parcel of land to be described; thence North 26 degrees 36 minutes 27 seconds West along said right-of-way line 125.00 feet; thence North 87 degrees 38 minutes 33 seconds West 200.00 feet; thence South 28 degrees 56 minutes 56 seconds West 122.30 feet to the south line of said Government Lot 4; thence South 87 degrees 38 minutes 33 seconds East along said south line 315.28 feet to the POINT OF BEGINNING. Subject to easements, restrictions and reservations of record, if any.

(d) The sale corrects a trespass and the county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 13. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; HUBBARD COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Hubbard county may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for the appraised value as determined by the Hubbard county board of commissioners.

(c) The land to be conveyed is located in Hubbard county, consists of about two acres, and is described as: the North 66 feet of the Northwest Quarter of the Northeast Quarter of section 17, Township 144 North, Range 34 West. Subject to easements, restrictions, and reservation of record, if any.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 14. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; SHERBURNE COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, the commissioner of revenue may convey to the county of Sherburne for no consideration the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the county of Sherburne stops using the land for the public purpose described in paragraph (d). The conveyance shall reserve to the state all mineral rights in the property.

(c) The land to be conveyed is located in Sherburne county and is described as:

All that part of Government Lot 3 lying between county state-aid highway Number 1 and Elk Lake, excepting therefrom the North 150 feet as measured along the centerline of county state-aid highway Number 1, located in Section 36, Township 35 North, Range 27 West, Blue Hill Township, Sherburne county, Minnesota. Further that this parcel is also part of Parcel Number 12, Sherburne county highway right-of-way plat number 9, as recorded with the Sherburne county recorder's office.

(d) The county has determined that the land is needed for a road right-of-way.

Sec. 15. [CONVEYANCE OF TAX-FORFEITED LAND; RAMSEY COUNTY.]

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, Ramsey county shall convey to the city of New Brighton for no consideration the tax-forfeited land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city of New Brighton stops using the land for the public purpose described in paragraph (d).

(c) The land to be conveyed is located in Ramsey county, consists of about 0.48 acres, and is described as that part lying southerly of Long Lake Road of Lots 2 through 6, together with all of Lot 7, Block 1. West End Addition to Minneapolis Stock Yards. The street address for the property is 1760 Long Lake Road.

(d) The county has determined that the land is needed by the city of New Brighton for long-term stormwater retention purposes.

Sec. 16. [PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; DOUGLAS COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Douglas county shall sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sale must be in a form approved by the attorney general for consideration not less than the appraised value as determined by the Douglas county board.

(c) The land to be sold is located in Douglas county and is described as:

Lot 43, Block 1, Christinas Moon Lake Heights, Section 28, Township 129 North, Range 39 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 17. [LAND CONVEYANCES IN STEELE COUNTY.]

(a) Notwithstanding Laws 1987, chapter 146, section 1, the city of Owatonna shall quitclaim and convey to the state for no consideration the land described as:

All that part of the SE1/4 of the NE1/4 of Section 17, T 107 N, R 20 W, Steele county, Minnesota, described by:

Commencing at the southeast corner of said NE1/4; thence S 88 degrees 31 minutes 43 seconds W, assumed bearing, 347.08 feet along the south line of said NE1/4 to the True Point of Beginning; thence S 88 degrees 31 minutes 43 seconds W 210.00 feet along the south line of said NE1/4; thence N 1 degree 28 minutes 17 seconds W 110.00 feet; thence N 88 degrees 31 minutes 43 seconds E 118.58 feet; thence S 41 degrees 12 minutes 00 seconds E 143.03 feet to said True Point of Beginning.

Containing 0.415 acre, more or less.

Subject to easements and restrictions of record, if any.

(b) The private owner of the land described in this paragraph shall quitclaim and convey to the state for no consideration the land described as:

Outlot A and Outlot B, Ogle Addition.

(c) After the conveyances described in paragraphs (a) and (b), the commissioner of administration shall quitclaim and convey to the city of Owatonna for no consideration the land described in paragraph (b). The land reverts to the state if the land is not used for park purposes and the state pays the city of Owatonna for the appraised value of improvements.

(d) After the conveyances described in paragraphs (a) and (b), the commissioner of administration shall quitclaim and convey to the private owner described in paragraph (b) for no consideration the land described in paragraph (a).

(e) The land conveyances described in this section shall be in a form approved by the attorney general.

(f) The land conveyances described in this section are to correct an inadvertent trespass on land conveyed by the state to the city of Owatonna under Laws 1987, chapter 146, section 1.

Sec. 18. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING ON PUBLIC WATER OR NATURAL WETLANDS; HENNEPIN COUNTY.]

Subdivision 1. [AUTHORIZATION.] Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Hennepin county shall convey to the city of Eden Prairie, for no consideration, the tax-forfeited land bordering public water or natural wetlands that is described in subdivision 3.

Subd. 2. [FORM.] (a) The conveyance must be in a form approved by the attorney general and provide that the property reverts to the state if:

(1) the city of Eden Prairie stops using the property for park and open space purposes; or

(2) paragraph (b) or (c) is violated or not completed.

(b) The conveyance is subject to a conservation easement in favor of and approved by the Minnesota Land Trust. The conservation easement shall be subject to a trail easement along the northerly 14 feet of said property for pedestrians and bicycles only.

(c) The conveyance is subject to a wetland replacement plan for construction of approximately three acres of wetland, approved under Minnesota Statutes, section 103G.2242, and Minnesota Rules, chapter 8420.

(d) If the property reverts to the state, any duly recorded conservation easement conveyed to the Minnesota Land Trust shall remain in full force and effect.

Subd. 3. [DESCRIPTION.] The land to be conveyed is located in Hennepin county, designated as PIN No. 09-116-22-12-0066, and described as:

Outlot A, Glenshire Addition, embraced within the West Half of the Northeast Quarter of Section 9, Township 116 North, Range 22 West, according to the plat on file in the office of the Hennepin county recorder.

## Sec. 19. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ANOKA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Anoka county may convey to the city of Coon Rapids the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if it is not used for park or open space purposes. The conveyance must provide that no landscape changes, stormwater discharge, or watercourse alterations that affect the hydrology and vegetative characteristics of the land are allowed beyond those conditions that exist at the time of the conveyance in order that the wetland characteristics and resulting wildlife habitats are maintained in perpetuity.

(c) The land that may be conveyed is located in Anoka county and is described as follows:

City of Coon Rapids, (PIN No. 14-31-24-43-0025) that part of the Southeast Quarter of the Southwest Quarter and that part of the Southwest Quarter of the Southeast Quarter in Section 14, Township 31 North, Range 24 West, Anoka county, Minnesota, described as follows: Commencing at the northwest corner of said Southeast Quarter of the Southwest Quarter; thence due East (assumed bearing) along the north line of said Southeast Quarter of the Southwest Quarter, a distance of 680 feet; thence South 7 degrees 16 minutes East 720.7 feet to the actual point of beginning of the tract of land to be described; thence South 87 degrees 06 minutes East to the centerline of Coon Creek; thence northerly, westerly and northwesterly along the centerline of said creek to the north line of said Southeast Quarter of the Southwest Quarter; thence East along said north line to the southwesterly right-of-way line of United States Highway No. 10; thence southeasterly along said highway right-of-way line to the westerly railroad right-of-way line of Burlington Northern, Inc.; thence southerly along said railroad right-of-way line to the south line of said Southwest Quarter of the Southeast Quarter; thence West along the south line of said Southwest Quarter of the Southeast Quarter and along the south line of said Southeast Quarter of the Southwest Quarter to the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North along the west line of said Southeast Quarter of the Southwest Quarter to a point distant 900 feet South of the initial point of commencement, as measured along the west line of said Southeast Quarter of the Southwest Quarter; thence East and parallel with the north line of said Southeast Quarter of the Southwest Quarter to an intersection with a line drawn southerly from the actual point of beginning and parallel with the west line of said Southeast Quarter of the Southwest Quarter, thence northerly to the actual point of beginning; EXCEPT that part platted as Robinson's Preserve.

(d) The county has determined that its land management interests would best be served if the land was conveyed to the city of Coon Rapids to use for park or open space purposes.

## Sec. 20. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ANOKA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Anoka county may convey to the city of St. Francis the tax-forfeited lands bordering public water that are described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general and provide that the lands revert to the state if they are not used for park or open space purposes. The land described in paragraph (c), clause (3), shall be used for open space purposes only. No landscape changes, stormwater discharge, or watercourse alterations that affect the hydrology and vegetative characteristics of the lands are allowed beyond those conditions that exist at the time of the conveyances in order that the wetland characteristics and resulting wildlife habitats are maintained in perpetuity.

(c) The lands that may be conveyed are located in Anoka county and are described as follows:

(1) City of St. Francis, (PIN No. 05-33-24-13-0001) Lot 14, Oak Grove River Lots;

(2) City of St. Francis, (PIN No. 05-33-24-13-0002) Lot 15, Oak Grove River Lots; and

(3) City of St. Francis (PIN No. 32-34-24-31-0016) all that part of Outlot 19, Village of St. Francis, lying westerly of the westerly right-of-way line of Butterfield Drive; EXCEPT the south 190.00 feet of the west 150.00 feet of said Outlot 19; ALSO EXCEPT the north 100.00 feet of the south 300.00 feet of the west 150.00 feet of said Outlot 19; ALSO EXCEPT all that part of said Outlot 19 described as follows: Commencing at the northeast corner of Lot 6, Block 5, Village of St. Francis; thence North along said westerly right-of-way line of Butterfield Drive 749.74 feet, more or less, to the north line of said Outlot 19; thence westerly along said north line 230.00 feet to the point of beginning; thence continue westerly along said north line to the northeast corner of Outlot 18, Village of St. Francis; thence South along the east line of said Outlot 18 to the southeast corner thereof; thence West along the south line of said Outlot 18 a distance of 81.00 feet; thence South at right angles 284.74 feet; thence East at right angles 341.00 feet, more or less, to a point 230.00 feet west of said westerly right-of-way line of Butterfield Drive, as measured along said north line of Outlot 19; thence North to the actual point of beginning; ALSO EXCEPT all that part of said Outlot 19 described as follows: Beginning at the northeast corner of said Lot 6, Block 5, Village of St. Francis; thence North along said westerly right-of-way line of Butterfield Drive 749.74 feet, more or less, to said north line of Outlot 19; thence westerly along said north line 230.00 feet; thence southerly parallel with said westerly right-of-way line 749.74 feet, more or less, to the south line of said Outlot 19; thence easterly 230.00 feet, more or less, to the point of beginning.

(d) The county has determined that its land management interests would best be served if the lands were conveyed to the city of St. Francis to use for park or open space purposes according to paragraph (b).

Sec. 21. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ANOKA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Anoka county may convey to the city of Ramsey the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and must provide that the land reverts to the state if it is not used for open space purposes. The conveyance must provide that no landscape changes, stormwater discharge, or watercourse alterations that affect the hydrology and vegetative characteristics of the land are allowed beyond those conditions that exist at the time of the conveyance in order that the wetland characteristics and resulting wildlife habitats are maintained in perpetuity.

(c) The land that may be conveyed is located in Anoka county and is described as follows:

City of Ramsey, (PIN No. 26-32-25-42-0017) Outlot B, Chestnut Hill.

(d) The county has determined that its land management interests would best be served if the land was conveyed to the city of Ramsey to use for open space purposes.

Sec. 22. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ANOKA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Anoka county may convey to the town of Columbus the tax-forfeited lands bordering public water that are described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general and must provide that the lands revert to the state if they are not used for open space purposes. The conveyances must provide that no landscape changes, stormwater discharge, or watercourse alterations that affect the hydrology and vegetative characteristics of the lands are allowed beyond those conditions that exist at the time of the conveyances in order that the wetland characteristics and resulting wildlife habitats are maintained in perpetuity.

(c) The lands that may be conveyed are located in Anoka county and are described as follows:

(1) Township of Columbus, (PIN No. 30-33-22-42-0007) Lot 31, Breezy Shore; and

(2) Township of Columbus, (PIN No. 30-33-22-42-0008) Lot 32, Breezy Shore.

(d) The county has determined that its land management interests would best be served if the lands were conveyed to the town of Columbus to use for open space purposes.

Sec. 23. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER OR NATURAL WETLANDS; ANOKA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, and the public sale provisions of Minnesota Statutes, chapter 282, Anoka county may convey to the city of Lino Lakes or the commissioner of natural resources the tax-forfeited land bordering public water or natural wetlands that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. If the land is conveyed to the city of Lino Lakes, the conveyance must provide that the land reverts to the state if it is not used for open space purposes.

(c) The land that may be conveyed is located in Anoka county and is described as follows:

City of Lino Lakes, (PIN No. 11-31-22-34-0007) all that part of Lot 6, Auditors Subdivision Number 55, Revised, lying westerly of the westerly right-of-way line of Peltier Lake Drive and lying southerly of the following described line: Beginning at the northeast corner of said Lot 6; thence West along the north line of said Lot 6 a distance of 93.50 feet; thence South 05 degrees 49 minutes 00 seconds West along said westerly right-of-way line of Peltier Lake Drive 300.00 feet; thence West parallel with said north line of Lot 6 a distance of 86.68 feet to the easterly line of land held by the St. Paul Water Department; thence South 06 degrees 16 minutes 00 seconds East along said easterly line 35.03 feet to the point of beginning of the line to be described; thence East parallel with said north line of Lot 6 a distance of 79.31 feet to said westerly right-of-way line of Peltier Lake Drive and there terminating.

(d) The county has determined that its land management interests would best be served if the land was conveyed to the city of Lino Lakes or the commissioner of natural resources for open space purposes.

Sec. 24. [CONVEYANCE OR SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER OR NATURAL WETLANDS; ANOKA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, and the public sale provisions of Minnesota Statutes, chapter 282, Anoka county may convey to the city of Fridley the tax-forfeited land bordering public water or natural wetlands that is described in paragraph (c) or may sell the land to adjoining landowners under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance or sale must be in a form approved by the attorney general. If the land is conveyed to the city of Fridley, the conveyance must provide that the land reverts to the state if it is not used for open space purposes. If the land is sold to adjoining landowners, a conservation easement in a form prescribed by the commissioner of natural resources must be reserved to the state.

(c) The land that may be conveyed is located in Anoka county and is described as follows:

City of Fridley, (PIN No. 15-30-24-11-0034) Tract D, Registered Land Survey No. 51.

(d) The county has determined that its land management interests would best be served if the lands were conveyed to the city of Fridley to use for open space purposes or returned to private ownership.

Sec. 25. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER OR NATURAL WETLANDS; ANOKA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, and the public sale provisions of Minnesota Statutes, chapter 282, Anoka county may convey to the town of Linwood the tax-forfeited lands bordering public water or natural wetlands that are described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general and must provide that the lands revert to the state if they are not used for open space purposes.

(c) The lands that may be conveyed are located in Anoka county and are described as follows:

(1) Township of Linwood, (PIN No. 26-34-22-23-0021) Lot 1, Block 2, Paradise Point Unit 4; and

(2) Township of Linwood (PIN No. 26-34-22-23-0042) Lot 6, Block 4, Paradise Point Unit 4.

(d) The county has determined that its land management interests would best be served if the lands were conveyed to the town of Linwood to use for open space purposes.

Sec. 26. [CONVEYANCE OR SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER OR NATURAL WETLANDS; ANOKA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, and the public sale provisions of Minnesota Statutes, chapter 282, Anoka county may convey the tax-forfeited land bordering public water or natural wetlands that is described in paragraph (c) to a political subdivision, including the commissioner of natural resources.

(b) The conveyance must be in a form approved by the attorney general. If the land is conveyed to a political subdivision other than the commissioner of natural resources, the conveyance must provide that the land reverts to the state if it is not used for open space purposes. The conveyance must provide that no changes may be made to the landscape that would alter the hydrology and vegetative characteristics of the land from those conditions existing at the time of conveyance in order to maintain the upland and woodland characteristics of the land and the resulting wildlife habitats in perpetuity. If the land is conveyed to a political subdivision other than the commissioner of natural resources, a conservation easement in a form prescribed by the commissioner of natural resources must be reserved to the state.

(c) The land that may be conveyed is located in Anoka county and is described as follows:

City of Oak Grove, (PIN No. 08-33-24-24-0001) an island lying in the Southeast Quarter of the Northwest Quarter of Section 8, Township 33 North, Range 24 West, said island being located in the Rum river.

(d) The county has determined that its land management interests would best be served if the lands were retained in public ownership and conveyed to a political subdivision to use for open space purposes.

Sec. 27. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ANOKA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.18, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, the commissioner of revenue shall convey the tax-forfeited land bordering public water that is described in paragraph (c) to Anoka county.

(b) The conveyance must be in a form approved by the attorney general. Anoka county shall use the land for highway ponding, public access to Round lake, and wildlife habitat.

(c) The land to be conveyed is located in Anoka county and is described as follows:

City of Andover (PIN No. 29-32-24-42-0055), Outlot A, Brandon's Lakeview Estates, according to the plat on file in the office of the Anoka county recorder.

(d) The county has determined that the county's land management interests would best be served if the land was conveyed to the county for the purposes described in paragraph (b).



## Sec. 28. [SALE OF TAX-FORFEITED LAND; MOWER COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Mower county may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sale must be in a form approved by the attorney general.

(c) The land to be sold is located in Mower county and is described as:

The following portion of the South Half of the Northwest Quarter and the North Half of the Southwest Quarter of Section 33, Township 101 North, Range 18 West: Beginning at a point 703.9 feet East of a point on the West Section line 1729 feet North of the Southwest corner of said Section 33; thence due East 1216 feet to the center of the Cedar river; thence North 30 degrees 52 minutes West along the centerline of said river 534 feet; thence North 35 degrees 50 minutes West along said centerline 272 feet; thence North 51 degrees 20 minutes West along said centerline 357 feet; thence North 12 degrees 26 minutes East along said centerline 359 feet to a point 605 feet due East of a point 1264.9 feet North of the place of beginning; thence 605 feet due West to said point 1264.9 feet North of the place of beginning; thence 1264.9 feet South to the place of beginning, containing 25 acres. Also an easement for cartway purposes for ingress to and egress from the above-described 25 acre tract, upon a strip of land 33 feet North and South, the north line of which borders upon the south line of the land conveyed to the Woodbury cemetery association of Lyle, Mower county, Minnesota, by the deed recorded in Book 14 of Deeds, page 488, in the office of the register of deeds of said county, and which extends from the highway along the west line of said section, eastward to the said 25-acre tract.

(d) The county has determined that the county's land management interests would best be served if the land was returned to private ownership.

## Sec. 29. [PRIVATE SALE OF COUNTY LAND.]

Subdivision 1. [SALE TO ADJOINING LANDOWNERS.] (a) Notwithstanding the public sale provisions of Minnesota Statutes, section 373.01, subdivision 1, clause (4), or other law to the contrary, Goodhue county may sell, lease, or otherwise convey county owned land that abuts Lake Byllesby to adjoining property owners for direct access to Lake Byllesby by private sale.

(b) A sale, lease, or conveyance under this section shall be for the appraised market value of the interest conveyed, as determined by Goodhue county.

(c) A sale, lease, or conveyance under this section need not comply with Minnesota Statutes, section 373.01, subdivision 1, clause (4), except that:

(1) all iron ore and other valuable minerals, with the right to explore for, mine, and remove the iron ore and other valuable minerals shall be reserved to the county according to Minnesota Statutes, section 373.01, subdivision 1, clause (4); and

(2) no minerals or mineral rights shall be disposed of except according to Minnesota Statutes, section 373.01, subdivision 1, clause (4).

(d) A sale, lease, or conveyance under this section shall be subject to reservation by Goodhue county of flowage easements relating to water levels in Lake Byllesby.

Subd. 2. [PUBLIC PARKS EXCLUDED FROM CONVEYANCE.] This section does not apply to county owned land that is developed as public parks.

Sec. 30. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; HENNEPIN COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Hennepin county shall convey to the city of Brooklyn Park for no consideration the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city of Brooklyn Park stops using the land for the public purpose described in paragraph (d).

(c) The land to be conveyed is located in Hennepin county and is described as:

Tract D, Registered Land Survey No. 0293 (PID 28-119-21-22-0087)

(d) The county has determined that the land is needed by the city of Brooklyn Park for open space or park purposes.

Sec. 31. [PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ITASCA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Itasca county shall sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sale must be in a form approved by the attorney general.

(c) The land to be sold is located in Itasca county and is described as:

All of CONDOMINIUM NUMBER 4, POKEGAMA COMMONS, a condominium, including the "Additional Real Estate" and "Common Elements" delineated and described therein, except Condominium Unit Number 1, Condominium Unit Number 2, Townhouse Unit A102, Townhouse Unit A104, Townhouse Unit A201, Townhouse Unit A202, Townhouse Unit A203, and Townhouse Unit A204, according to the plat and declarations thereof on file and of record in the office of the Itasca county recorder, Itasca county, Minnesota.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 32. [CONVEYANCE OF TAX-FORFEITED LAND; KOOCHICHING COUNTY.]

(a) Upon recommendation of the Koochiching county board, the commissioner of revenue shall convey by deed in the name of the state the tax-forfeited land described in paragraph (c) to the Bois Forte Band of Chippewa Indians. Except as otherwise provided by this section, the conveyance shall be in the manner provided under Minnesota Statutes, section 282.01, subdivision 1a, for conveyance of tax-forfeited land to a governmental subdivision.

(b) The conveyance shall be for no consideration and in a form approved by the attorney general. Upon conveyance, the lands are released from the trust in favor of Koochiching county.

(c) The land that may be conveyed is in Koochiching county, consists of approximately 9.6 acres, and is described as:

That part of the Southeast Quarter of the Northwest Quarter of Section 16, Township 65 North, Range 23 West, described as follows:

Commencing at the southeast corner of said Southeast Quarter of the Northwest Quarter, and assuming the east line thereof to have a bearing of North 00 degrees, 22 minutes, 29 seconds East; thence North 64 degrees, 39 minutes, 05 seconds West, 108.73 feet to the point of beginning; thence North 63 degrees, 40 minutes, 58 seconds

West, 454.18 feet; thence North 89 degrees, 50 minutes, 06 seconds West, 423.42 feet; thence North 11 degrees, 54 minutes, 43 seconds East, 289.67 feet; thence North 89 degrees, 50 minutes, 45 seconds East, 59.10 feet; thence South 03 degrees, 55 minutes, 37 seconds West, 866.09 feet to the point of beginning.

(d) The county has determined that the land is needed by the Bois Forte Band of Chippewa Indians to maintain burial grounds and support the preservation of cultural, spiritual, and historic interests.

Sec. 33. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; LE SUEUR COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Le Sueur county shall sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for the fair market value as determined by the Le Sueur county board of commissioners.

(c) The land to be conveyed to adjacent landowners is located in Le Sueur county and is described as:

That part of Government Lot 7, Section 35, Township 109 North, Range 24 West, described as follows: Commencing at a point 1165.40 feet North and 1465.20 feet East of the west quarter corner of said Section 35; thence North 55 degrees 00 minutes 00 seconds West 524.80 feet to the southeast corner of Lot 6, Block 2, ROEMHILDTS WATERS EDGE ADDITION, according to the recorded plat thereof; thence North 70 degrees 37 minutes 00 seconds West 77.63 feet along the south line of said Lot 6 to the point of beginning; thence continuing North 70 degrees 37 minutes 00 seconds West 234.12 feet along the south line of Lots 6 and 5, said Block 2 to a southeasterly line of said Lot 5; thence South 29 degrees 00 minutes 00 seconds West 66.00 feet along said southeasterly line of Lot 5; thence South 70 degrees 37 minutes 00 seconds East 234.12 feet; thence North 29 degrees 00 minutes 00 seconds East 66.00 feet to the point of beginning.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 34. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; LE SUEUR COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45, 282.01, subdivision 1a, and 282.018, subdivision 1, and upon the recommendation of the Le Sueur county board, the commissioner of revenue shall convey by deed the tax-forfeited land bordering public water described in paragraph (c) to the commissioner of natural resources for its fair market value as determined by the Le Sueur county board of commissioners.

(b) The conveyance must be in a form approved by the attorney general and shall release the land from the trust in favor of Le Sueur county.

(c) The land to be conveyed is located in Le Sueur county and is described as:

That part of Government Lots 6 and 7, Section 35, Township 109 North, Range 24 West, described as follows: Commencing at a point 1165.40 feet North and 1465.20 feet East of the west quarter of said Section 35 and the point of beginning; thence North 55 degrees 00 minutes 00 seconds West 524.80 feet to the southeast corner of Lot 6, Block 2, ROEMHILDTS WATERS EDGE ADDITION, according to the recorded plat thereof; thence North 70 degrees 37 minutes 00 seconds West 77.63 feet along the south line of said Lot 6; thence South 29 degrees 00 minutes 00 seconds West 66.00 feet; thence South 70 degrees 37 minutes 00 seconds East 77.63 feet; thence South 55 degrees 00 minutes 00 seconds East 315.80; thence South 29 degrees 00 minutes 00 seconds West 190 feet, more or less, to the water's edge of Frances lake; thence southeasterly along the water's edge of said lake to a point South of the point of beginning; thence North 190 feet, more or less, to the point of beginning.

(d) The department of natural resources shall use the land for fish management.

Sec. 35. [SALE OF TAX-FORFEITED LAND; STEARNS COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Stearns county may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land that may be sold is located in Stearns county and is described as:

(1) Lot 3, Block 1, Jody Estates First Addition to Wakefield Township;

(2) Government Lot 2 lying westerly of county state aid highway No. 22, less the north 50 feet, Section 14, Township 122 North, Range 31 West, which must be sold under Minnesota Statutes, section 282.01, subdivision 7a;

(3) Lot B, Holiday Heights Addition to Oak Township; and

(4) the east 200 feet of the west 650 feet of Government Lot 1, Section 3, Township 126 North, Range 34 West, which must be sold under Minnesota Statutes, section 282.01, subdivision 7a.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 36. [SALE OF TAX-FORFEITED LANDS; ITASCA COUNTY.]

Subdivision 1. [SALE AUTHORIZED.] Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Itasca county may in its sole discretion sell tax-forfeited lands bordering public waters that are currently leased for recreational purposes under Minnesota Statutes, section 282.04. Itasca county may also sell other tax-forfeited lands that are not necessary for public access to water and that have been included in the plats of tax-forfeited lands authorized for sale under this section or such adjacent tax-forfeited lands necessary for roadway access and the creation of conforming lot sizes.

Subd. 2. [METHOD OF SALE.] (a) The leaseholder of a leased parcel may at private sale purchase the leased parcel and any other lands allocated to the parcel by the county under subdivision 5 that is offered for sale under this section. The purchase price shall be the appraised value of the land exclusive of improvements thereon. To purchase a parcel, a leaseholder must tender to the county in cash an amount equal to the appraised value of the land within 180 days from the date of mailing or service of notice of appraised value upon the leaseholder by the county. The 180-day period shall run from the date of mailing of a copy of the appraisal to the leaseholder at the address shown upon the most recent lease agreement between the parties, exclusive of the date of mailing or service. The county may at its option use any alternative method of notice as set forth in the Minnesota Rules of Civil Procedure for the service of a summons and complaint.

(b) In the event the leaseholder does not purchase the parcel so offered, the county may in its sole discretion offer the lands for sale at public auction in accordance with the provisions of Minnesota Statutes, section 282.01, subdivision 3. If a person other than the leaseholder purchases the parcel, the purchaser must make payment in full to the leaseholder in the manner provided in Minnesota Statutes, section 92.06, subdivision 4, for the value of any improvements as determined under subdivision 3.

(c) Failure of a purchaser to comply with the terms of payment voids the sale and the property may be reoffered for sale.

Subd. 3. [APPRAISAL.] (a) An appraisal shall be made in accordance with Minnesota Statutes, section 282.01, subdivision 3, except as modified by this subdivision. Improvements that are owned by the lessee shall be appraised separately.

(b) An appraiser shall be selected by the county. The appraiser selected shall meet the minimal appraisal standards established by the federal Farmers Home Administration or the federal Veterans Administration, be licensed under Minnesota Statutes, section 82B.03, and be approved by the department of natural resources to appraise the property to be sold.

(c) The costs of appraisal shall be allocated by the county to the lots offered for sale and the successful purchaser on each lot shall reimburse the county for the appraisal costs allocated to the lot purchased. If no one purchases a lot, the county is responsible for the appraisal cost.

(d) If a leaseholder disagrees with the appraised value of the land or leasehold improvements, the leaseholder may select an appraiser that meets the qualifications set forth herein to reappraise the land and improvements. The leaseholder must give notice of its intent to object to the appraised value of the land and buildings within ten days of the date of the mailing or service of notice under subdivision 2, paragraph (a). The reappraisal must be delivered by the leaseholder to the county auditor within 60 days of the date of mailing or service of notice of appraised value under subdivision 2, paragraph (a), or the initial appraisal shall be conclusive. The leaseholder is responsible for the costs of this reappraisal. If the parcel is reappraised within the time set forth herein and the county and the leaseholder fail to agree on the value of the land and improvements within 30 days of the date of delivery of the reappraisal, each of the appraisers shall agree upon the selection of a third appraiser to conduct a third appraisal that shall be conclusive as to the value of the land and improvements. The cost of this appraisal shall be paid equally by the county and the leaseholder.

Subd. 4. [PROCEEDS.] The proceeds from the sale of land described in subdivision 1 must be deposited by the county into an environmental trust fund as provided in Laws 1998, chapter 389, article 16, section 31, subdivision 4.

Subd. 5. [SURVEY.] (a) Itasca county shall cause to be surveyed according to Minnesota Statutes, chapter 505, and the Itasca county platting and subdivision ordinance, each lot prior to offering it for sale.

(b) The costs of survey shall be allocated by the county to the lots offered for sale and the successful purchaser on each lot shall reimburse the county for the survey costs allocated to the lot purchased. If no one purchases the lot, the county is responsible for the survey costs. All surveying must be conducted by a licensed surveyor.

Subd. 6. [ADDING LANDS; ZONING CONFORMANCE.] Any lands to be sold under this section shall for zoning purposes be considered lots of record. Whenever possible, Itasca county may add tax-forfeited land to the lots offered for sale to permit conformance with zoning requirements. The added lands must be included in the appraised value of the lot.

Subd. 7. [ROADWAYS.] Itasca county shall have the authority to designate whether roads within minor subdivisions under the county platting and subdivision ordinance are public or private.

Subd. 8. [SUNSET.] This section expires five years after the day of final enactment.

Sec. 37. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ITASCA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Itasca county shall sell by private sale the tax-forfeited land, some of which borders public water, that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282. The lands allowed for sale may not include tax forfeited lands lying within the Mesabi Range iron formation if the state owns the mineral rights or has a claim against the mineral rights under the provisions of Minnesota Statutes, section 93.55, provided that Itasca county or the state may lease these lands.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in Itasca county and is described as:

(1) Sections 1 to 4 and 9 to 15, Township 56 North, Range 23 West;

(2) Sections 3 to 10, 14 to 18, 20 to 23, and 26 to 29, Township 56 North, Range 22 West;

(3) Sections 20 to 22 and 27 to 33, Township 57 North, Range 22 West; and

(4) Sections 25 to 27 and 34 to 36, Township 57 North, Range 23 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 38. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CASS COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Cass county may sell by private sale the tax-forfeited lands bordering public water that are described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general.

(c) The lands to be conveyed are located in Cass county and are described as:

(1) the West Quarter of the West Half of the Southwest Quarter of the Southeast Quarter, section 35, Township 141 North, Range 28 West; and

(2) Wilderness Park Estates and Wilderness Park Estates Additions 1 through 9.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 39. [EXCHANGE OF TAX-FORFEITED LAND BORDERING PUBLIC WATERS; CASS COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.342, subdivision 3, 282.018, subdivision 1, or other law to the contrary, Cass county may exchange land bordering public water that is described in paragraph (c) under the provisions of Minnesota Statutes, section 94.344.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land that may be exchanged is located in Cass county and is described as:

That part of Government Lot 1, Section 5, Township 140 North, Range 28 West, Cass county, Minnesota, described as follows:

Beginning at the northwest corner of Lot 22, Block 1, BROADWATER ESTATES, according to the record plat thereof, on file in the office of the Cass county recorder; thence South 1 degree 53 minutes 19 seconds East, bearing assigned, on the west lines of said Lot 22, also being the east line of said Government Lot 1, a distance of 86.46 feet; thence South 88 degrees 41 minutes 00 seconds West 151 feet, more or less, to intersect the shore of Woman Lake; thence northeasterly on said shore to intersect the east line of said Government Lot 1; thence South 1 degree 53 minutes 19 seconds East 255 feet, more or less, to the point of beginning and there terminate.

Subject to reservations, restrictions, and easements of record.

(d) The county has determined that the county's land management interests would best be served if the land was exchanged for a private parcel.

## Sec. 40. [PRIVATE SALE OF STATE WILDLIFE LAND; ANOKA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16 and 97A.135, subdivision 2, the commissioner of natural resources may sell by private sale the land in the Lamprey Pass wildlife management area described in paragraph (c).

(b) The conveyance shall be in a form approved by the attorney general for consideration of not less than the appraised value.

(c) The land that may be sold is in the Lamprey Pass wildlife management area in Anoka county and is described as:

The East 54 feet of the South 830 feet of the Southwest Quarter of the Southwest Quarter of Section 14, Township 32 North, Range 22 West, containing one acre, more or less.

(d) This conveyance will provide sufficient setback between the adjacent landowner's buildings and the state land to meet minimum zoning requirements to allow for any future alterations or additions to the landowner's buildings and a buffer zone between the adjacent landowner and public hunting activities on the wildlife management area.

## Sec. 41. [PRIVATE SALE OF TAX-FORFEITED LAND; WASHINGTON COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Washington county may sell by private sale to an adjacent landowner the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for not less than the appraised value.

(c) The parcel of land that may be conveyed is located in Washington county and is described as Lot 6, Block 3, Valley Hills, Section 12, Township 32 North, Range 21 West.

(d) The county has determined that the county's land management interests would best be served if the land was returned to private ownership.

## Sec. 42. [PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; KANDIYOHI COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Kandiyohi county may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sale must be in a form approved by the attorney general.

(c) The land to be sold is located in Kandiyohi county and is described as: Lot 1, Block 1, Diamond Woods, Section 28, Township 120 North, Range 33 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

## Sec. 43. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; RED LAKE COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Red Lake county shall sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in Red Lake county, consists of about 13.35 acres, and is described as: Government Lot 1, Section 36, Township 152 North, Range 40 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 44. [PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ROSEAU COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Roseau county may sell the tax-forfeited land that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form that is approved by the attorney general.

(c) The land to be conveyed is located in Roseau county and is described as:

The Southwest Quarter of the Northeast Quarter of Section 20, Township 163 North, Range 36 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 45. [AUTHORIZING EXERCISE OF EMINENT DOMAIN; KOOCHICHING COUNTY.]

Subdivision 1. [EMINENT DOMAIN AUTHORIZED.] The Koochiching county board may exercise the right of eminent domain in the manner provided by Minnesota Statutes, chapter 117, reserving to the state all minerals and mineral rights, to acquire the following trust fund lands:

That part of the Northeast Quarter of the Northeast Quarter, Section 36, Township 71 North, Range 23 West, Koochiching county, Minnesota, lying northerly of a line described as follows: Commencing at the northeast corner of said Northeast Quarter of the Northeast Quarter; thence South 0 degrees 26 minutes 39 seconds East, bearing assumed, along the east line of said Northeast Quarter of the Northeast Quarter, a distance of 60.00 feet to the point of beginning of the line to be described; thence North 90 degrees 0 minutes West a distance of 173.04 feet; thence North 83 degrees 31 minutes West a distance of 68.90 feet; thence South 88 degrees 09 minutes West a distance of 25.85 feet; thence South 70 degrees 06 minutes West a distance of 77.87 feet; thence South 84 degrees 45 minutes West a distance of 128.97 feet; thence South 63 degrees 22 minutes West a distance of 82.56 feet; thence South 79 degrees 59 minutes West a distance of 41.43 feet; thence North 75 degrees 19 minutes West a distance of 77.77 feet; thence South 84 degrees 04 minutes West a distance of 27.61 feet; thence South 66 degrees 39 minutes West a distance of 37.98 feet; thence South 54 degrees 07 minutes West a distance of 43.20 feet; thence South 47 degrees 42 minutes West a distance of 149.84 feet; thence North 77 degrees 20 minutes West a distance of 114.45 feet; thence North 63 degrees 40 minutes West a distance of 76.63 feet; thence North 56 degrees 19 minutes West a distance of 161.20 feet; thence South 65 degrees 26 minutes West a distance of 68.67 feet; thence South 75 degrees 42 minutes West a distance of 104.62 feet to the intersection with the west line of said Northeast Quarter of the Northeast Quarter and said line there terminating, which point of intersection is 165.84 feet South of the northwest corner of said Northeast Quarter of the Northeast Quarter; said tract consisting of 4.06 acres, more or less.

Subd. 2. [DISPOSITION OF LAND.] (a) After the Koochiching county board acquires the land described in subdivision 1, the county board shall convey to the nominal titleholders their respective interest in the land described in subdivision 1, as determined by the Koochiching county surveyor. Minnesota Statutes, section 373.01, clause (4), does not apply to conveyances under this subdivision. Each titleholder shall reimburse the county board for a proportional share of the cost of the eminent domain proceedings.



(b) The Koochiching county board may vacate the road designated as Withrow Drive according to the plat of Withrow Point and may relocate the road as county road 137, as county road 137 exists on the effective date of this act. The Koochiching county surveyor shall prepare and file a corrected plat of Withrow Point.

Sec. 46. [EFFECTIVE DATE.]

Sections 2, 9, 10, 17 to 27, 30, 32, 39, and 44 are effective the day following final enactment. Section 29 is effective on the day following approval by the Goodhue county board and compliance with the provisions of Minnesota Statutes, section 645.021."

Delete the title and insert:

"A bill for an act relating to public lands; authorizing public and private sales, conveyances, and exchanges of certain tax-forfeited lands that border public water in Wabasha, Hubbard, Sherburne, Douglas, Mower, Hennepin, Itasca, Le Sueur, Stearns, Cass, Washington, Cook, Chisago, Wadena, Kandiyohi, Red Lake, and Roseau counties; authorizing conveyance of certain tax-forfeited land in Ramsey and Koochiching counties; authorizing private sale of certain surplus land in Houston and Anoka counties; authorizing certain land conveyances in connection with the transfer of state land in Steele county; authorizing public and private sales and conveyances of certain tax-forfeited land that borders public water or natural wetlands in Hennepin, Washington, Olmsted, and Anoka counties; authorizing private sales and conveyances of certain county land in Goodhue and Itasca counties; authorizing Koochiching county to exercise the power of eminent domain for acquisition of certain trust fund land; authorizing the city of Bemidji to exercise the power of eminent domain for acquisition of certain trust fund land that borders public waters and wetlands."

With the recommendation that when so amended the bill pass.

The report was adopted.

Seagren from the Committee on K-12 Education Finance to which was referred:

H. F. No. 504, A bill for an act relating to education; appropriating money for a new facility for Pine Point school and for a community center.

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

The report was adopted.

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

H. F. No. 539, A bill for an act relating to welfare; exempting minor parents from MFIP orientation; amending Minnesota Statutes 1998, sections 256J.14; and 256J.45, by adding a subdivision.

Reported the same back with the following amendments:

Page 3, line 25, after "minors" insert "who are complying with the provisions of section 256J.54"

Page 3, after line 27, insert:

"Sec. 3. [APPROPRIATION; ADULT-SUPERVISED LIVING ARRANGEMENTS FOR MINOR PARENTS.]

\$..... is appropriated from the TANF reserve to the commissioner of human services for the biennium ending June 30, 2001, for the purpose of creating and expanding adult-supervised supportive living arrangements under Minnesota Statutes, section 256J.14. The commissioner shall request proposals from interested parties that have

knowledge and experience in the area of adolescent housing, and shall award grants for the purpose of either expanding existing living arrangements or creating new living arrangements. Minor parents who are MFIP participants shall be given priority for this housing, but excess living arrangements may be used by minor parents who are not MFIP participants."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "appropriating money for adult-supervised living arrangements for minor parents;"

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

The report was adopted.

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

H. F. No. 543, A bill for an act relating to agriculture; establishing a program to develop cooperatively owned livestock processing plants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41B.

Reported the same back with the following amendments:

Page 1, line 7, delete "41B.048" and insert "41B.0461"

Page 2, after line 25, insert:

"Sec. 2. [41B.0462] [CULTURALLY SPECIFIC LIVESTOCK PROCESSING DEVELOPMENT PROGRAM.]

Subdivision 1. [LOANS AND GRANTS FOR CULTURALLY SPECIFIC PLANTS.] The authority may establish, adopt rules for, and implement a program of loans and grants to provide capital for livestock slaughter and processing plants catering primarily to members of a minority cultural or ethnic community. The program may provide for secured or unsecured loans, loan participations, and loan guarantees with respect to real or personal property comprising all or part of a livestock processing plant, and the payment of costs incurred by the authority to establish and administer the program.

Subd. 2. [CULTURALLY SPECIFIC LIVESTOCK PROCESSING FUND.] A culturally specific livestock processing fund is established in the state treasury. All repayments of financial assistance granted under subdivision 1, including principal and interest, must be deposited into this fund. Interest earned on money in the fund accrues to the fund, and money in the fund is appropriated to the commissioner of agriculture for purposes of the culturally specific livestock processing loan and grant program, including costs incurred by the authority to establish and administer the program.

Subd. 3. [PROGRAM REQUIREMENTS.] The requirements in this subdivision apply to the culturally specific livestock processing loan and grant program.

(a) Loans and grants from the fund may be made to a participant to establish a new livestock processing facility or to relocate a previously operating facility in the case of a forced relocation.

(b) A participant in the program is not required to meet the eligibility requirements of section 41B.03, subdivision 1, if the participant is a family group or an extended family group consisting of 15 or more natural persons 18 years of age or older residing in Minnesota and generally regarded by the cultural or ethnic group to be served as a recognized family or family group.

(c) A participant may be required to pay a reasonable nonrefundable application fee established by the authority under section 41B.07. Application fees received by the authority must be deposited in the culturally specific livestock processing fund.

(d) The total assistance provided to a culturally specific livestock processing plant must not exceed \$500,000.

(e) The interest rate on loans and loan participations made by the authority from appropriated money must not exceed two percent. The interest payable on loans and loan participations funded from other sources may be at a rate determined by the authority.

(f) The outstanding balance of a loan made from appropriated money to a culturally specific livestock plant under this program must be forgiven after the plant has been in operation for a period of 60 full months."

Page 2, line 26, delete "41B.049" and insert "41B.0463"

Page 2, line 29, delete "a cooperative that"

Page 2, line 30, delete "operates" and insert "the operator of" and after "plant" insert "established under section 41B.0461 or 41B.0462 and"

Page 2, line 31, after "eligible" insert "pork or beef"

Page 2, line 32, after the period, insert "The payment is five cents for each pound of eligible poultry meat produced."

Page 2, line 34, after "(2)" insert "the livestock must be marketed by a cooperative association organized under chapter 308A:

(3)"

Page 2, line 36, delete "(3)" and insert "(4)"

Page 3, line 2, delete "cooperatives" and insert "operators of livestock processing plants"

Page 3, line 3, delete "\$800,000" and insert "\$1,600,000" and delete "\$200,000" and insert "\$400,000"

Page 3, line 7, delete "cooperatives" and insert "operators of livestock processing plants"

Page 3, after line 11, insert:

"(d) All producer payments made to operators of livestock processing plants under this section must be used to satisfy the financial obligations of the plant."

Page 3, line 16, after "1" insert "and the culturally specific loan and grant program under section 2"

Page 3, line 17, delete "2" and insert "3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the first semicolon, insert "establishing a culturally specific livestock processing development program;"

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

The report was adopted.

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

H. F. No. 619, A bill for an act relating to local government; shooting ranges; providing for shooting range easements to be conservation easements; defining generally accepted operation practices; providing for relation to ordinances, closing and relocation, nuisance liability, and noise standards; proposing coding for new law in Minnesota Statutes, chapter 84C; proposing coding for new law as Minnesota Statutes, chapter 87A.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 2

Page 3, lines 2 and 8, delete "substantial"

Page 3, after line 28, insert:

"(c) To the extent matters within this section are the express subject of a voluntary negotiated agreement entered into prior to March 1, 1999, between a unit of government and a range operator of a range located in Washington county and located in part within an existing or sited regional park, the negotiated agreement may be enforced pursuant to its terms."

Pages 4 and 5, delete subdivision 6

Page 5, lines 12 and 24, delete "substantial"

Page 5, line 32, delete "8" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 3

Page 1, line 4, delete "conservation easements;"

Page 1, line 7, delete everything after the semicolon

Page 1, line 8, delete everything before "proposing"

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. 625, A bill for an act relating to local government; permitting Grand Rapids Township to hold its general election in November.

Reported the same back with the following amendments:

Page 1, after line 19, insert:

"Sec. 2. [CITY OF GRAND RAPIDS PUBLIC UTILITIES COMMISSION; MEMBERSHIP.]

Notwithstanding Minnesota Statutes, section 412.341, the city of Grand Rapids may by ordinance increase the Grand Rapids public utilities commission membership to five members. The ordinance increasing the commission membership must provide for the initial terms of the additional members so that no more than two positions on the commission are open for appointment in any year.

## Sec. 3. [LOCAL APPROVAL NOT REQUIRED.]

This act is effective without local approval as provided in Minnesota Statutes, section 645.023."

Amend the title as follows:

Page 1, line 3, before the period, insert "; permitting the city of Grand Rapids to increase the membership of its public utilities commission to five members"

With the recommendation that when so amended the bill pass.

The report was adopted.

Seagren from the Committee on K-12 Education Finance to which was referred:

H. F. No. 628, A bill for an act relating to education; approving maximum effort capital loans for certain school districts; authorizing the sale of bonds; appropriating money.

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

The report was adopted.

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

H. F. No. 689, A bill for an act relating to employment; modifying provisions governing payment of wages upon discharge; amending Minnesota Statutes, section 181.13.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 181.14, is amended to read:

181.14 [PAYMENT TO EMPLOYEES WHO QUIT OR RESIGN PENALTY FOR FAILURE TO PAY WAGES PROMPTLY; SETTLEMENT OF DISPUTES.]

Subdivision 1. [PROMPT PAYMENT REQUIRED.] ~~(a)~~ Except as otherwise provided in section 181.11, 181.145, or 181.87, when any ~~such~~ employee quits ~~or~~, resigns, or is discharged from employment, the wages or commissions earned and unpaid at the time the employee quits ~~or~~, resigns, or is discharged shall be paid in full not later than the first regularly scheduled payday following the employee's final day of employment, unless an employee is subject to a collective bargaining agreement with a different provision. If the first regularly scheduled payday is less than five calendar days following the employee's final day of employment, full payment may be delayed until the second regularly scheduled payday but shall not exceed a total of 20 calendar days following the employee's final day of employment.

~~(b) Notwithstanding the provisions of paragraph (a), in the case of migrant workers, as defined in section 181.85, the wages or commissions earned and unpaid at the time the employee quits or resigns shall become due and payable within five days thereafter.~~

Subd. 2. [NONPROMPT PAYMENT.] Wages or commissions not paid within the required time period shall become immediately payable upon the demand of the employee. If the employee's earned wages or commissions are not paid within 24 hours after the demand, the employer shall be liable to the employee for an additional sum equal to the amount of the employee's average daily earnings provided in the contract of employment, for every day, not exceeding 15 days in all, until such payment or other settlement satisfactory to the employee is made.

Subd. 3. [SETTLEMENT OF DISPUTES.] If the employer disputes the amount of wages or commissions claimed by the employee under the provisions of this section or ~~section 181.13~~, and the employer makes a legal tender of the amount which the employer in good faith claims to be due, the employer shall not be liable for any sum greater than the amount so tendered and interest thereon at the legal rate, unless, in an action brought in a court having jurisdiction, the employee recovers a greater sum than the amount so tendered with interest thereon; and if, in the suit, the employee fails to recover a greater sum than that so tendered, with interest, the employee shall pay the cost of the suit, otherwise the cost shall be paid by the employer.

Subd. 4. [EMPLOYEES ENTRUSTED WITH MONEY OR PROPERTY.] In cases where the discharged or quitting employee was, during employment, entrusted with the collection, disbursement, or handling of money or property, the employer shall have ten calendar days after the termination of the employment to audit and adjust the accounts of the employee before the employee's wages or commissions shall be paid as provided in this section, and the penalty herein provided shall apply in such case only from the date of demand made after the expiration of the period allowed for payment of the employee's wages or commissions. If, upon such audit and adjustment of the accounts of the employee, it is found that any money or property entrusted to the employee by the employer has not been properly accounted for or paid over to the employer, as provided by the terms of the contract of employment, the employee shall not be entitled to the benefit of sections ~~181.13~~ 181.14 to 181.171, but the claim for unpaid wages or commissions of such employee, if any, shall be disposed of as provided by existing law.

Subd. 5. [PLACE OF PAYMENT.] Wages and commissions paid under this section shall be paid at the usual place of payment unless the employee requests that the wages and commissions be sent to the employee through the mails. If, in accordance with a request by the employee, the employee's wages and commissions are sent to the employee through the mail, the wages and commissions shall be deemed to have been paid as of the date of their postmark for the purposes of this section.

Sec. 2. Minnesota Statutes 1998, section 181.145, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For the purposes of this section, "commission salesperson" means a person who is paid on the basis of commissions for sales and who is not covered by ~~sections 181.13 and section~~ 181.14 because the person is an independent contractor. For the purposes of this section, the phrase "commissions earned through the last day of employment" means commissions due for services or merchandise which have actually been delivered to and accepted by the customer by the final day of the salesperson's employment.

Sec. 3. Minnesota Statutes 1998, section 181.145, subdivision 2, is amended to read:

Subd. 2. [~~PROMPT PAYMENT REQUIRED UPON RESIGNATION OR TERMINATION.~~] (a) When any Payment of commissions earned through the last day of employment to the commission salesperson shall be made in the same manner as payment of commissions earned prior to the resignation or termination. A person, firm, company, association, or corporation employing a commission salesperson in this state terminates the salesperson; or when the salesperson resigns that position, the employer shall promptly pay the salesperson, at the usual place of payment, commissions earned through the last day of employment or be liable to the salesperson for the penalty provided under subdivision 3 in addition to any earned commissions unless the employee requests that the commissions be sent to the employee through the mails. If, in accordance with a request by the employee, the employee's commissions are sent to the employee through the mail, the commissions shall be deemed to have been paid as of the date of their postmark for the purposes of this section may not alter the method of payment, timing of payment, or procedures for payment of commissions after the employee or salesperson has resigned or been terminated.

~~(b) If the employer terminates the salesperson or if the salesperson resigns giving at least five days' written notice, the employer shall pay the salesperson's commissions earned through the last day of employment on demand no later than three working days after the salesperson's last day of work.~~

~~(c) If the salesperson resigns without giving at least five days' written notice, the employer shall pay the salesperson's commissions earned through the last day of employment on demand no later than six working days after the salesperson's last day of work.~~

~~(d) Notwithstanding the provisions of paragraphs (b) and (c), If the terminated or resigning salesperson was, during employment, entrusted with the collection, disbursement, or handling of money or property, the employer has ten working days after the termination of employment to audit and adjust the accounts of the salesperson before the salesperson can demand commissions earned through the last day of employment. In such cases, the penalty provided in subdivision 3 shall apply only from the date of demand made after the expiration of the ten working day audit period. If during the ten working days of audit, the payment of commissions would have normally been due, then the employer will have an additional ten working days within which to pay commissions earned.~~

Sec. 4. Minnesota Statutes 1998, section 181.145, subdivision 3, is amended to read:

Subd. 3. [PENALTY FOR NONPROMPT PAYMENT.] If the employer fails to pay the salesperson commissions earned through the last day of employment ~~on demand~~ within the applicable period as provided under subdivision 2, the employer shall be liable to the salesperson, in addition to earned commissions, for a penalty for each day, ~~not exceeding 15 days, which~~ the employer is late in making full payment or satisfactory settlement to the salesperson for the commissions earned through the last day of employment. The daily penalty ~~shall be in~~ is an amount equal to 1/15 of the salesperson's commissions earned through the last day of employment which ~~are still remain~~ unpaid ~~at the time that the penalty will be assessed.~~ This daily penalty shall not exceed 15 days.

Sec. 5. [181.645] [EXPENSES FOR BACKGROUND CHECKS AND TRAINING.]

An employer, as defined in section 181.931, or a prospective employer may not require an employee or job applicant to pay for expenses incurred in criminal or background checks, credit checks, testing of any sort, orientation, or required training, except when that training is required in order to obtain or maintain a license for the employee.

Sec. 6. Minnesota Statutes 1998, section 181.87, subdivision 2, is amended to read:

Subd. 2. [BIWEEKLY PAY.] The employer shall pay wages due to the migrant worker at least every two weeks, except on termination, when the employer shall pay within ~~three days~~ 24 hours.

Sec. 7. [REPEALER.]

Minnesota Statutes 1998, section 181.13, is repealed."

Delete the title and insert:

"A bill for an act relating to employment; modifying provisions regulating payment of wages; prohibiting employers from charging for background checks and certain training; amending Minnesota Statutes 1998, sections 181.14; 181.145, subdivisions 1, 2, and 3; and 181.87, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 181; repealing Minnesota Statutes 1998, section 181.13."

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. 701, A bill for an act relating to education; modifying staff development committee outcomes and revenue; amending Minnesota Statutes 1998, sections 122A.60, subdivisions 1 and 3; and 122A.61, subdivision 1.

Reported the same back with the following amendments:

Page 3, line 28, delete "in the district"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on K-12 Education Finance.

The report was adopted.

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

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

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CONDITIONS ON LAND ACQUISITION.]

Subdivision 1. [GENERAL RULE.] Notwithstanding any law to the contrary, the state must not acquire land located in a county that has 50 percent or more of its acreage in public or nonprofit ownership unless the state makes a qualified transfer of other property by the state.

Subd. 2. [APPLICATION; EXEMPTIONS.] (a) This section applies to purchases, gifts, and eminent domain acquisitions of property by the state.

(b) The section does not apply if:

(1) the property was not subject to ad valorem property taxation at any time within the three calendar years before the purchase unless the property was owned by a nonprofit organization;

(2) the acquisition was made through tax forfeiture; or

(3) the acquisition resulted from a foreclosure or sale under a tax lien or another security interest of the state obtained by legal process other than a voluntary transfer by the landowner or eminent domain.

Subd. 3. [QUALIFIED TRANSFER.] (a) A qualified transfer means a transfer to the county by the state of other real property that meets all of the following:

(1) the property transferred has a value for ad valorem property tax purposes at least equal to the property to be acquired by the state;

(2) the property transferred was exempt from ad valorem taxation for the three calendar years before the transfer;

(3) the property is located in the same county as the property to be acquired by the state; and



(4) the transferred property will be subject to ad valorem taxation after the transfer.

(b) The terms of qualified transfer are subject to approval of the county board. The county must then proceed to offer the property for sale or exchange to potential property taxpayers. If a parcel offered for sale or exchange under this section is not sold or exchanged within two years of the transfer from the state, the county may derive income from the transferred property in the same way as otherwise provided by law for counties to derive income from tax-forfeited property.

Subd. 4. [COUNTY MAY WAIVE.] The governing body of the county in which the property is located may waive, by resolution, the application of this section.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for interests to be acquired by the state in a qualifying county after July 31, 1999."

Delete the title and insert:

"A bill for an act relating to counties; imposing certain conditions on state acquisition of lands in counties having 50 percent or more of acreage in public or nonprofit ownership."

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. 764, A bill for an act relating to family law; providing for grandparent visitation rights on behalf of the child; expanding grandparent visitation rights; specifying procedures; requiring mediation; amending Minnesota Statutes 1998, section 257.022, subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1998, section 257.022, subdivisions 2 and 2a.

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. 802, A bill for an act relating to human services; making permanent the expansion of unlicensed child care providers; amending Minnesota Statutes 1998, section 245A.03, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 20, delete everything after "families"

Page 1, line 21, delete "provisions of chapter 245A"

Page 4, line 15, strike "(6)" and insert "(7)"

Page 4, after line 19, insert:

"Sec. 2. Minnesota Statutes 1998, section 245A.03, subdivision 2b, is amended to read:

Subd. 2b. [EXCEPTION.] The ~~provision~~ provisions in subdivision 2, ~~clause~~ clauses (2) and (3), ~~does do~~ not apply to:

(1) a child care provider who as an applicant for licensure or as a license holder has received a license denial under section 245A.05, a fine under section 245A.06, or a sanction under section 245A.07 from the commissioner that has not been reversed on appeal; or

(2) a child care provider, or a child care provider who has a household member who, as a result of a licensing process, has a disqualification under this chapter that has not been set aside by the commissioner.

Sec. 3. Minnesota Statutes 1998, section 245A.03, subdivision 4, is amended to read:

Subd. 4. [~~EXCLUDED EXEMPT CHILD CARE PROGRAMS; RIGHT TO SEEK LICENSURE.~~] Nothing in this section shall prohibit a child care program that is ~~excluded exempt~~ from licensure under subdivision 2, clause (2) or (3), ~~or under Laws 1997, chapter 248, section 46, as amended by Laws 1997, First Special Session chapter 5, section 10,~~ from seeking a license under this chapter. The commissioner shall ensure that any application received from such an ~~excluded exempt~~ provider is processed in the same manner as all other applications for licensed family day care."

Page 4, line 20, delete "2" and insert "4"

Amend the title as follows:

Page 1, line 4, delete "subdivision" and insert "subdivisions"

Page 1, line 5, after "2" insert ", 2b, and 4"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 808, A bill for an act relating to agriculture; the board of animal health; making paratuberculosis (Johne's disease) diagnosis nonpublic data; changing the name of the executive secretary of the board of animal health to the executive director; repealing limitations on the sale of cattle; amending Minnesota Statutes 1998, sections 35.02, subdivision 1; 35.04; 35.08; 35.09, subdivisions 2 and 2a; 35.67; 35.68; 35.82, subdivisions 1b, 2, and 3; 35.92, subdivision 5; and 35.93, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 1998, sections 35.245; and 35.96, subdivision 4.

Reported the same back with the following amendments:

Page 1, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 3

Page 1, line 4, delete "nonpublic data;"

Page 1, line 11, delete everything after the semicolon

Page 1, line 12, delete everything before "repealing"

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

The report was adopted.

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

H. F. No. 839, A bill for an act relating to crime; clarifying that the "defense of dwelling" defense does not include a duty to retreat before using deadly force; limiting the duty to retreat in self-defense situations; amending Minnesota Statutes 1998, section 609.065; proposing coding for new law in Minnesota Statutes, chapter 609.

Reported the same back with the following amendments:

Page 1, line 22, before the period, insert "if the actor reasonably believes there is a threat of bodily harm or death to the actor or another person"

Pages 1 and 2, delete section 2

Delete the title and insert:

"A bill for an act relating to crime; clarifying that the "defense of dwelling" defense does not include the duty to retreat before using deadly force; amending Minnesota Statutes 1998, section 609.065."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 893, A bill for an act relating to agriculture; changing and clarifying provisions of the warehouse law; amending Minnesota Statutes 1998, sections 231.01; 231.04; 231.08; 231.09; 231.11; 231.12; 231.13; 231.14; 231.15; 231.16; 231.17; 231.18, subdivisions 1 and 6; 231.24; 231.28; 231.34; 231.36; 231.37; 231.38; and 231.39; repealing Minnesota Statutes 1998, sections 231.02; 231.03; 231.05; 231.06; 231.07; 231.10; 231.15; and 231.35.

Reported the same back with the following amendments:

Page 1, delete line 26 and insert "goods, wares, or merchandise of another by a warehouse operator."

Page 4, line 35, after "iron ore." insert "steel, aluminum."

Page 5, line 5, before the period, insert "or provided by a railroad or common carrier"

Page 8, line 35, after "RULES" insert "; STORAGE OF HOUSEHOLD GOODS"

Pages 9 to 11, delete section 10 and insert:

"Sec. 10. Minnesota Statutes 1998, section 231.16, is amended to read:

231.16 [WAREHOUSE OPERATOR OR HOUSEHOLD GOODS WAREHOUSE OPERATOR TO OBTAIN LICENSE.]

~~Every person desiring to engage in the business of a warehouse operator, before engaging therein, shall or household goods warehouse operator must be licensed annually by, and shall be under the supervision and subject to the inspection of, the department. The department shall prescribe the form of the written application. in the form prescribed by the department shall be made to the department for license, specifying the city in which it is proposed to carry on the business of warehousing, the location, size, character, and equipment of the buildings or premises to be used by the warehouse operator, the kind of goods, wares, and merchandise intended to be stored therein, the name of the person or corporation operating the same, and of each member of the firm or officer of the corporation, and any other facts necessary to satisfy the department that the property proposed to be used is suitable for warehouse purposes and that the warehouse operator making the application is qualified to carry on the business of warehousing. Should If the department decide that the building or other property proposed to be used as a warehouse is suitable for the proposed purpose and that the applicants are entitled to a license, notice of the decision shall be given the interested parties and, upon the applicants filing approves the license application and the applicant files with the department the necessary bond, in the case of household goods warehouse operators, or proof of warehouse operators legal liability insurance coverage in an amount of \$50,000 or more, as provided for in this chapter, the department shall issue the license provided for; upon payment of the license fee, as required in this section provided. A warehouse operator or household goods warehouse operator to whom a license is issued shall pay for the license a fee based on the storage capacity of the warehouse as follows:~~

Storage capacity in square feet

Building square footage used for public storage

(1) 5,000 or less	\$ 80
(2) 5,001 to 10,000	\$155
(3) 10,001 to 20,000	\$250
(4) 20,001 to 100,000	\$315
(5) 100,001 to 200,000	\$410
(6) over 200,000	\$470

Fees collected under this chapter ~~shall~~ must be paid into the grain buyers and storage fund established in section 232.22.

The license ~~shall~~ must be renewed annually on or before July 1, and always upon payment of the full license fee; ~~as provided for required in this section for such renewal, and.~~ No license shall be issued for any portion of a year for less than the full amount of the license fee, ~~as provided for required in this section.~~ Each license obtained under this chapter ~~shall~~ must be publicly displayed in the main office of the place of business of the warehouse operator or household goods warehouse operator to whom it is issued. The license ~~shall authorize~~ authorizes the warehouse operator or household goods warehouse operator to carry on the business of warehousing only in the one city or town named in the application and in the buildings therein described. The department, without requiring an additional bond and license, may issue permits from time to time to any warehouse operator already duly licensed under the provisions of this chapter to operate an additional warehouse in the same city or town for which the original license was issued during the term thereof, upon the filing an application for a permit in the form prescribed by the department.

A license may be refused for good cause shown and revoked by the department for violation of law or of any rule adopted by it prescribed the department, upon notice and after hearing."

Page 11, line 13, delete "HOUSEHOLD GOODS" and after "OPERATORS" insert "; LEGAL LIABILITY INSURANCE"

Page 11, lines 21 to 23, strike the old language

Page 12, after line 4, insert:

"A warehouse operator that does not provide for the storage of household goods must have proof of legal liability insurance coverage of \$50,000 or more. The insurance policy must be continuous until canceled and must provide that the insurer will provide 90 days' written notice of the policy's termination date to the licensee and the department."

Page 14, line 10, delete "households" and insert "household"

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. 901, A bill for an act relating to appropriations; appropriating money for water and sewer extension to the Fond du Lac area.

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

The report was adopted.

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

H. F. No. 928, A bill for an act relating to recreational vehicles; prohibiting the use of metal traction devices on paved public trails; requiring a metal traction device sticker; defining terms; providing for duplicate state trail and metal traction device stickers; appropriating money; amending Minnesota Statutes 1998, sections 84.81, by adding a subdivision; and 84.8205, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 1998, section 84.871, subdivision 2; and Laws 1998, chapter 401, section 23.

Reported the same back with the following amendments:

Page 3, line 20, delete "and"

Page 3, line 21, after "23" insert "; and Laws 1999, chapter 4, section 2, subdivision 1"

Amend the title as follows:

Page 1, line 11, delete "and"

Page 1, line 12, before the period, insert "; and Laws 1999, chapter 4, section 2, subdivision 1"

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. 935, A bill for an act relating to education; authorizing lap and shoulder belts on school buses; requiring training on appropriately using lap and shoulder belts; requiring a local match; authorizing a levy; appropriating money; amending Minnesota Statutes 1998, sections 123B.90, subdivisions 2, 3, and by adding a subdivision; 123B.92, by adding a subdivision; 169.447, by adding subdivisions; and 169.4502, by adding a subdivision.

Reported the same back with the following amendments:

Page 4, delete section 4

Page 4, delete lines 34 to 36

Page 5, delete lines 1 to 4 and insert:

"(e) In an action for personal injury by a passenger on a school bus against a school district, a school bus operator under contract with a school district, or any agent or employee of a school district or operator, or against a volunteer, no such person or entity shall be held liable because the injured party was not wearing a safety belt; provided, however, that nothing contained herein shall be construed to grant immunity from liability for failure to:

(1) maintain in operating order any equipment required by statute, rule, or school district policy; or

(2) comply with an applicable statute, rule, or school district policy.

(f) In a civil action, a school district, a school bus contract operator, any agent or employee of a school district or operator, or a volunteer is not liable for failing to assist any child with the adjustment, fastening, unfastening, or other use of the lap belt or lap and shoulder belt."

Page 5, delete section 8

Page 5, line 30, delete "7" and insert "6"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "requiring"

Page 1, delete line 5

Page 1, line 6, delete "money;"

Page 1, line 8, delete everything after the first semicolon

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 949, A bill for an act relating to health occupations; clarifying licensure requirements for the practice of midwifery; proposing coding for new law as Minnesota Statutes, chapter 147D; repealing Minnesota Statutes 1998, sections 148.30; 148.31; and 148.32; Minnesota Rules, parts 5600.2000; and 5600.2100.

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

The report was adopted.

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

H. F. No. 968, A bill for an act relating to occupations; modifying provisions relating to plumbers giving bond to the state; amending Minnesota Statutes 1998, section 326.40, subdivisions 2, 4, and 5.

Reported the same back with the following amendments:

Page 1, line 15, before the period, insert "for all work entered into within the state"

Page 2, after line 27, insert:

"Sec. 4. [STUDY REGARDING THE EXPANSION OF PLUMBER LICENSURE AND PLUMBING INSPECTION REQUIREMENTS.]

(a) The commissioner of health, in consultation with representatives of the plumbing industry and other interested individuals, shall study and make recommendations to the legislature on the following issues:

(1) whether licensure requirements for plumbers should be expanded to require all persons and firms working as master plumbers or journeyman plumbers in any home rule city or statutory city to be licensed by the commissioner;

(2) whether any modifications are necessary to the education requirements for licensure for master plumbers and journeyman plumbers;

(3) whether the commissioner may charge fees to fund the hiring of inspectors and plan reviewers to inspect and review all new plumbing installations, and the amounts of such fees; and

(4) whether the commissioner's authority to inspect new plumbing installations should be expanded to require inspections of all new plumbing installations for new construction and additions, regardless of location or the population of the city or town in which the installation is located.

(b) These recommendations, and draft legislation if appropriate, must be presented to the legislature by January 15, 2000.

Sec. 5. [EFFECTIVE DATE.]

Sections 1 to 3 are effective January 1, 2001."

Amend the title as follows:

Page 1, line 3, 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 Health and Human Services Finance.

The report was adopted.

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

H. F. No. 978, A bill for an act relating to agriculture; appropriating money for an agricultural water quality and quantity management, research, demonstration, and education program.

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

The report was adopted.

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

H. F. No. 984, A bill for an act relating to professions; modifying provisions relating to psychologists' licensing; amending Minnesota Statutes 1998, sections 148.89, subdivisions 2a, 4, 5, and by adding a subdivision; 148.915; 148.925, subdivision 7; 148.941, subdivisions 2 and 6; and 148.96, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 148.

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

The report was adopted.

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

H. F. No. 1015, A bill for an act relating to elections; providing for redistricting; appropriating money; amending Minnesota Statutes 1998, sections 204B.135, by adding a subdivision; 204B.14, subdivision 4; 204B.146, by adding a subdivision; and 205.84.

Reported the same back with the following amendments:

Pages 3 and 4, delete section 5

Amend the title as follows:

Page 1, line 3, delete "appropriating money;"

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

The report was adopted.

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

H. F. No. 1023, A bill for an act relating to health; establishing an employer-subsidized health coverage program; amending Minnesota Statutes 1998, section 256L.07, subdivision 3; proposing coding for new law as Minnesota Statutes, chapter 256M.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 256L.07, subdivision 3, is amended to read:

Subd. 3. [OTHER HEALTH COVERAGE.] (a) Families and individuals enrolled in the MinnesotaCare program must have no health coverage while enrolled or for at least four months prior to application and renewal. Children enrolled in the original children's health plan and children in families with income equal to or less than 150 percent of the federal poverty guidelines, who have other health insurance, are eligible if the other health coverage meets the requirements of Minnesota Rules, part 9506.0020, subpart 3, item B. The commissioner may change this eligibility criterion for sliding scale premiums in order to remain within the limits of available appropriations. The requirement of no health coverage does not apply to newborns.

(b) For purposes of this section, medical assistance, general assistance medical care, and civilian health and medical program of the uniformed service, CHAMPUS, are not considered insurance or health coverage.



(c) For purposes of this section, the requirement of no health coverage does not apply to children who are no longer eligible for the subsidized employer health coverage program described in chapter 256M due to employment termination.

(d) For purposes of this section, Medicare Part A or B coverage under title XVIII of the Social Security Act, United States Code, title 42, sections 1395c to 1395w-4, is considered health coverage. An applicant or enrollee may not refuse Medicare coverage to establish eligibility for MinnesotaCare.

#### SUBSIDIZED EMPLOYER HEALTH COVERAGE PROGRAM

##### Sec. 2. [256M.01] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] For purposes of this chapter, the terms defined in this section have the meanings given them.

Subd. 2. [COMMISSIONER.] "Commissioner" means the commissioner of human services.

Subd. 3. [EMPLOYER-SUBSIDIZED HEALTH COVERAGE.] "Employer-subsidized health coverage" has the meaning provided in section 256L.07, subdivision 2, paragraph (b).

##### Sec. 3. [256M.03] [ELIGIBILITY FOR EMPLOYER-SUBSIDIZED COVERAGE.]

Subdivision 1. [GENERAL REQUIREMENTS.] (a) A child who is under the age of 19 and whose family gross income is equal to or less than 275 percent of the federal poverty guidelines for the applicable family size and who would otherwise be eligible for coverage under the MinnesotaCare program, except for the availability of employer-subsidized dependent health coverage, is eligible for subsidized payment of the employee share of the employer-subsidized dependent health coverage available to the child's family in accordance with section 256M.05.

(b) To be eligible under this section, a child must not be covered under employer-subsidized dependent health coverage at the time of application.

Subd. 2. [EMPLOYER-SUBSIDIZED HEALTH COVERAGE.] To be eligible for the premium payment under this chapter, the employer-subsidized coverage offered to employees must meet the requirements for a number two qualified plan described in section 62E.06 or its actuarial equivalent.

Subd. 3. [LOW-COST HEALTH PLAN OPTION.] If an employer offers more than one health plan option to employees, eligibility for subsidized premium payments shall be limited to the lowest cost health plan option offered that serves the geographic area in which the eligible child resides.

Subd. 4. [PROBATIONARY PERIOD.] If an employer has a probationary period during which an employee or an employee's dependent is not eligible for employer-subsidized health coverage, the employee's dependent shall not be considered eligible under this section until the employer's probationary period is over.

##### Sec. 4. [256M.05] [PAYMENTS.]

Subdivision 1. [PREMIUMS.] Children who are eligible under section 256M.03 shall pay a premium in accordance with the MinnesotaCare sliding premium scale as specified in section 256L.15, except that children in families with income at or below 150 percent of the federal poverty guidelines for the applicable family size, shall not be required to pay an amount in excess of the maximum monthly charge allowable under title XXI of the Social Security Act, section 2103(e)(3)(A). The commissioner shall inform the employer and the employee of the premium owed by each eligible employee and the subsidy amount to be paid by the department of human services. The employee shall pay the employer the premium owed. The employer may deduct the premium from the employee's paycheck.

Subd. 2. [PAYMENT TO EMPLOYER.] The commissioner shall pay the employer the difference between the premiums paid by the employee as specified under subdivision 1 and the cost of the employee share of the employer-subsidized health coverage. Payment of the employee share is limited to the amount of the premium attributable to the cost of dependent coverage for the eligible children, unless the amount of the premium for dependent coverage does not differentiate between adult and child dependents.

Subd. 3. [PAYMENTS TO HEALTH CARE PROVIDERS.] Any copayments, deductibles, or coinsurance owed on behalf of an eligible child under the employer's health plan shall be paid by the commissioner to the health care provider. Payment shall be made according to the usual and customary charges established under the employer's health plan. The family is responsible for notifying the health care provider that they are covered under the subsidized employer health coverage program. The provider must bill the commissioner for any copayment, deductible, or coinsurance owed by the family for covered services provided to the eligible child by the health care provider. Upon the submission of a bill, the commissioner must promptly pay the provider the amount of any copay, deductible, or coinsurance owed on behalf of an eligible child plus an administrative fee equal to one percent of the total amount paid by the commissioner.

Sec. 5. [256M.07] [APPLICATIONS.]

Subdivision 1. [AVAILABILITY.] Applicants shall apply for the program through the licensed insurance broker who provides employee benefits to their employer, or through another individual as designated by their employer. The licensed insurance broker or individual designated by the employer shall accept applications and forward them to the commissioner for processing. The commissioner of human services shall make information on the program available to employers, employees, and other interested parties.

Subd. 2. [PROCESSING.] The commissioner shall determine an applicant's initial eligibility. Applicants who from the information provided on the application appear to meet the eligibility requirements shall be enrolled without income verification.

Subd. 3. [RENEWAL OF ELIGIBILITY.] An enrollee's eligibility must be renewed every 12 months. Renewal of eligibility may be completed by the licensed insurance broker or individual designated by the employer. Renewal applications must include income verification information.

Sec. 6. [WAIVER REQUESTS.]

(a) The commissioner shall seek federal approval for a waiver under section 1115 of the Social Security Act to obtain federal financial participation under title XIX for children in the subsidized employer health coverage program whose premium obligation under the MinnesotaCare sliding premium scale would exceed five percent of gross family income.

(b) The commissioner shall seek federal approval for a waiver under section 1115 of the Social Security Act to allow, at the family's option, federal financial participation under title XIX for subsidized employer health coverage for a Medicaid-eligible child who has a sibling eligible for the subsidized employer health coverage program.

(c) The commissioner shall seek federal approval for a waiver under title XXI of the Social Security Act for authority to obtain federal financial participation for health coverage for the employee's spouse when an employer offers family coverage.

(d) The commissioner shall seek federal approval for a waiver under title XXI of the Social Security Act to use the number two qualified plan or its actuarial equivalent as benchmark coverage.

Sec. 7. [EFFECTIVE DATE.]

(a) Sections 1 to 5 are effective 30 days following federal approval of all waiver requests in section 6. If the federal government does not approve all waiver requests in section 6, sections 1 to 5 shall not be implemented by the commissioner of human services.

(b) Section 6 is effective the day following final enactment.

Sec. 8. [SUNSET; RECOMMENDATIONS.]

(a) Sections 1 to 5 sunset two years after their effective date.

(b) If sections 1 to 5 are implemented, the commissioner of human services shall present recommendations to the legislature on whether the subsidized employer health coverage program should continue beyond the sunset date."

Amend the title accordingly

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

The report was adopted.

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

H. F. No. 1049, A bill for an act relating to counties; removing the sunset provision on a county authority to issue administrative penalty orders; amending Minnesota Statutes 1998, section 116.072, subdivision 1.

Reported the same back with the following amendments:

Page 2, lines 14 and 15, reinstate the stricken language

Page 2, line 16, after the stricken period, insert "2003."

Amend the title as follows:

Page 1, line 2, delete "removing" and insert "delaying"

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

The report was adopted.

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

H. F. No. 1065, A bill for an act relating to highways; requiring the commissioner of transportation to erect directional signs at specified locations for the New Life Treatment Center.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 173.02, subdivision 6, is amended to read:

Subd. 6. [VARIOUS SIGNS AND NOTICES DEFINED.] Directional and other official signs and notices shall mean:

(a) "Official signs and notices" mean signs and notices erected and maintained by public officers or public agencies within their territorial jurisdiction and pursuant to and in accordance with direction or authorization contained in federal or state law for the purposes of carrying out an official duty or responsibility. Historical markers authorized by state law and erected by state or local governmental agencies or nonprofit historical societies, star city signs erected under section 173.085, and municipal identification entrance signs erected in accordance with section 173.025 may be considered official signs.

(b) "Public utility signs" mean warning signs, notices, or markers which are customarily erected and maintained by publicly or privately owned public utilities, as essential to their operations.

(c) "Service club and religious notices" mean signs and notices, not exceeding eight square feet in advertising area, whose erection is authorized by law, relating to meetings and location of nonprofit service clubs or charitable associations, or religious services.

(d) "Directional signs" means signs containing directional information about public places owned or operated by ~~federal, state, or local governments~~ public authorities as defined in Code of Federal Regulations, title 23, section 460.02, paragraph (b), or their agencies, publicly or privately owned natural phenomena, historic, cultural, scientific, educational, and religious sites, and areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public. To qualify for directional signs, privately owned attractions must be nationally or regionally known, and of outstanding interest to the traveling public.

(e) All definitions in this subdivision are intended to be in conformity with the national standards for directional and other official signs.

Sec. 2. [COMMISSIONER TO ERECT SIGNS.]

The commissioner of transportation shall erect, at nonstate expense, at the intersections of Pipestone county state-aid highway No. 18 with marked trunk highways Nos. 23 and 30, one sign in each direction displaying directions to the New Life Treatment Center.

Sec. 3. [NORMANDALE COLLEGE DIRECTIONAL SIGNS.]

The commissioner of transportation shall place directional signs for Normandale Community College on each side of marked interstate highway No. 494 before the exit ramps at its intersection with France Avenue South, and on the south side of that highway at its intersection with Normandale Boulevard. The commissioner shall take no action under this section until determining that the cost of designing, manufacturing, and installing the signs will be paid by Normandale Community College.

Sec. 4. [EFFECTIVE DATE.]

Section 2 is effective the day following final enactment."

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "redefining "directional sign";"

Page 1, line 4, before the period, insert "; requiring directional sign on I-494 for Normandale Community College; amending Minnesota Statutes 1998, section 173.02, subdivision 6"

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

The report was adopted.

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

H. F. No. 1078, A bill for an act relating to economic development authorities; authorizing multi-year pledges of the authority's levy to secure revenue bonds; amending Minnesota Statutes 1998, section 469.103, subdivision 5, and by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CUYUNA RANGE JOINT POWERS ECONOMIC DEVELOPMENT AUTHORITY; REVENUE BONDS.]

(a) Notwithstanding any other provision to the contrary, the Cuyuna Range joint powers economic development authority may pledge to pay all or part of the proceeds of the annual levy imposed under Minnesota Statutes, section 469.107, by the member cities for the authority for a period of up to 25 years to secure revenue bonds issued under Minnesota Statutes, section 469.103.

(b) Before issuing bonds secured by a pledge of the levy, the authority must publish a notice of its intention to issue the bonds and the date and time of a hearing to obtain public comment on the matter. The notice must be published in the official newspaper of each member city or in a newspaper of general circulation in each member city. The notice must be published at least 14, but not more than 28, days before the date of the hearing.

(c) If a petition requesting a vote on the issuance is signed by voters equal to five percent or more of the votes cast in the member cities in the last general election and is filed with the clerical officer of any of the member cities within 30 days after the public hearing, the authority may issue bonds that pledge levy proceeds only upon obtaining the approval of a majority of the voters in each of the member cities voting on the question of issuing the obligations.

Sec. 2. [CUYUNA RANGE JOINT POWERS ECONOMIC DEVELOPMENT AUTHORITY.]

The Cuyuna Range joint powers economic development authority, originally established by resolutions of the member cities, is authorized to act as an economic development authority and may exercise the powers of an economic development authority under Minnesota Statutes, sections 469.090 to 469.1081, that are delegated to it by the member cities, including, without limitation, the authority to own and operate a civic center facility that includes athletic and other public facilities.

Sec. 3. [EFFECTIVE DATE; LOCAL APPROVAL.]

This act is effective the day following final enactment without local approval as provided under Minnesota Statutes, section 645.023."

Delete the title and insert:

"A bill for an act relating to the Cuyuna Range joint powers economic development authority; authorizing it to act as a statutory economic development authority and to issue certain revenue bonds and make pledges to secure them; providing for certain notices and a conditional referendum."

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

The report was adopted.

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

H. F. No. 1081, A bill for an act relating to crime; providing criminal penalties for possessing and disseminating pornographic work depicting a minor; including computer-generated or computer-altered images within the definition of pornographic work; amending Minnesota Statutes 1998, sections 617.246, subdivisions 1, 2, 3, 4, and by adding a subdivision; and 617.247, subdivisions 1, 2, 3, 4, and by adding a subdivision.

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. 1085, A bill for an act relating to agriculture; authorizing owners or renters of agricultural crop land to take one deer per year if the animal is causing damage; amending Minnesota Statutes 1998, section 97A.445, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 97A.441, subdivision 7, is amended to read:

Subd. 7. [OWNERS OR TENANTS OF AGRICULTURAL LAND.] (a) The commissioner ~~may~~ shall issue, without ~~an additional~~ a fee, a license to take ~~additional~~ a deer ~~with firearms under section 97B.301, subdivision 4, of either sex~~ to a person who is an owner or tenant and ~~lives is living and actively farming~~ on at least ~~ten~~ 80 acres of agricultural land, as defined in section 97B.001, in ~~an area where the commissioner has made these licenses available. Landowners and tenants applying for a license under this subdivision must receive preference over other applicants for the licenses~~ deer permit areas that have deer archery licenses to take additional deer under section 97B.301, subdivision 4. A person may receive only one license per year under this subdivision. For properties with coowners or cotenants, only one coowner or cotenant may receive a license under this subdivision per year. The license issued under this subdivision is restricted to the land owned or leased by the holder of the license within the permit area where the qualifying land is located. The holder of the license may transfer the license to the holder's spouse or dependent. Notwithstanding sections 97A.415, subdivision 1, and 97B.301, subdivision 2, the holder of the license may purchase an additional license for taking deer and may take an additional deer under that license.

(b) ~~Persons~~ A person who ~~obtain~~ obtains a license under paragraph (a) must allow public deer hunting on their land during that deer hunting season, with the exception of the first Saturday and Sunday during the deer hunting season applicable to the license issued under section 97A.475, subdivision 2, clause (4)."

Delete the title and insert:

"A bill for an act relating to game and fish; providing a free deer license to certain landowners to use on their land; amending Minnesota Statutes 1998, section 97A.441, subdivision 7."

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

The report was adopted.

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

H. F. No. 1091, A bill for an act relating to agriculture; providing partial funding for Minnesota Marketplace; appropriating money.

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

The report was adopted.

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

H. F. No. 1097, A bill for an act relating to municipalities; increasing certain dollar limits in the Uniform Municipal Contracting Law; amending Minnesota Statutes 1998, section 471.345, subdivisions 3 and 4.

Reported the same back with the following amendments:

Page 2, after line 3, insert:

"Sec. 3. Minnesota Statutes 1998, section 471.345, is amended by adding a subdivision to read:

Subd. 15. [COOPERATIVE PURCHASING.] A municipality may contract for the purchase of supplies, materials, or equipment without regard to the competitive bidding requirements of this section if the purchase is through a national municipal association's purchasing alliance or cooperative that purchases items from more than one source on the basis of competitive bids or competitive quotations."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "allowing certain purchasing through an alliance or cooperative without bidding;"

Page 1, line 5, delete "and 4" and insert ", 4, and by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1103, A bill for an act relating to capital improvements; appropriating money to the Minnesota state colleges and universities to demolish structures, eliminate blight, and construct parking facilities and necessary amenities on certain recently acquired land at Moorhead state university; authorizing state bonds.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [MOORHEAD STATE UNIVERSITY.]

\$1,090,000 is appropriated from the bond proceeds fund to the board of trustees of the Minnesota state colleges and universities to demolish structures, eliminate blight, and provide security lighting on certain recently acquired land at Moorhead state university.

Sec. 2. [BOND SALE.]

To provide the money appropriated in this act from the bond proceeds fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$1,090,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Sec. 3. [AUTHORIZATION TO ACCEPT CITY FUNDS AND CONSTRUCT PARKING FACILITIES.]

The board of trustees of the Minnesota state colleges and universities may design and construct parking lots, and accomplish site preparation and demolition of buildings as necessary for the construction, at Moorhead state university. The board may accept funds from the city of Moorhead for this purpose and shall enter into a contract for repayment of the funds to the city over a period not to exceed 15 years. Repayments to the city shall be contractual obligations payable from the general resources of the board of trustees of the Minnesota state colleges and universities without limitation or from appropriations for such purpose, and shall not be payments of assessments subject to Minnesota Statutes, section 3.754, 135A.131, or 435.19. The total cost of the project is not to exceed \$4,100,000.

Sec. 4. [AUTHORIZATION FOR THE CITY OF MOORHEAD TO ISSUE BONDS.]

To provide funds to loan to the board of trustees of the Minnesota state colleges and universities for parking lots at Moorhead state university, the city of Moorhead may issue not to exceed \$4,100,000 of general obligation bonds without an election and not subject to limits on net debt. Payments made by the board of trustees of the Minnesota state colleges and universities shall be pledged to the payment of the bonds, and notwithstanding Minnesota Statutes, section 475.61, taxes need not be levied if the pledged contract payments are sufficient to meet 100 percent of the debt service on the bonds when due.

This section is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the city council of the city of Moorhead."

Delete the title and insert:

"A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature; appropriating money to the Minnesota state colleges and universities to demolish structures, eliminate blight, and construct parking facilities and provide security lighting; authorizing state bonds; authorizing the board of trustees of the Minnesota state colleges and universities to accept money to demolish buildings and construct parking lots and to contract to repay the money; authorizing the city of Moorhead to issue bonds."

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

The report was adopted.

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

H. F. No. 1123, A bill for an act relating to appropriations; providing a grant to the city of Saint Paul for the creation of a holding pond for flood mitigation; appropriating money.

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

The report was adopted.

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

H. F. No. 1129, A bill for an act relating to education; defining home school for purposes of extracurricular activities; requiring school boards to allow all students to fully participate in extracurricular activities; amending Minnesota Statutes 1998, sections 123B.36, subdivision 1; and 123B.49, subdivision 4.

Reported the same back with the following amendments:



Page 3, line 19, after "all" insert "resident"

Page 3, line 21, after "to" insert "be eligible to"

Page 3, line 22, before the period, insert "on the same basis as public school students"

Amend the title as follows:

Page 1, line 4, delete "all" and delete "fully" and insert "be eligible to"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on K-12 Education Finance.

The report was adopted.

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

H. F. No. 1142, A bill for an act relating to animals; increasing certain penalties for cruelty to animals; defining acts or omissions constituting cruelty or abuse; imposing criminal penalties; amending Minnesota Statutes 1998, sections 343.20, subdivision 3, and by adding subdivisions; and 343.21, subdivisions 2, 7, 10, and by adding subdivisions; repealing Minnesota Statutes 1998, sections 343.21, subdivisions 1 and 9; and 346.57.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 343.20, subdivision 3, is amended to read:

Subd. 3. [~~TORTURE; CRUELTY.~~] (a) "~~Torture~~" or "Cruelty" means every act, omission, or neglect which causes or permits unnecessary or unjustifiable ~~pain, suffering;~~ harm or death.

"Cruelty" does not include:

(1) commonly accepted veterinary procedures performed by a licensed veterinarian;

(2) lawful slaughtering of animals;

(3) scientific research activities performed in accordance with federal and state laws and regulations by licensed or registered facilities;

(4) commonly accepted animal husbandry practices;

(5) the taking of wild animals in accordance with state, federal, or local game and fish laws; or

(6) acts of God as defined in section 115B.02, subdivision 2.

(b) The taking of wild animals in violation of federal, state, or local game and fish laws is not prima facie evidence of cruelty to animals.

Sec. 2. Minnesota Statutes 1998, section 343.20, is amended by adding a subdivision to read:

Subd. 6. [BODILY HARM; SUBSTANTIAL BODILY HARM; GREAT BODILY HARM.] "Bodily harm," "substantial bodily harm," and "great bodily harm" have the meanings given them in section 609.02, subdivisions 7, 7a, and 8.

Sec. 3. Minnesota Statutes 1998, section 343.21, subdivision 2, is amended to read:

Subd. 2. [NOURISHMENT; SHELTER; REST.] No person shall deprive any animal over which the person has ownership, custody, charge, or control of necessary food, water, or shelter, or rest; or overdrive, overload, or cruelly work an animal.

Sec. 4. Minnesota Statutes 1998, section 343.21, subdivision 7, is amended to read:

Subd. 7. [CRUELTY.] No person shall ~~willfully~~ knowingly instigate or in any way further any act of cruelty to any animal or animals, or any act or omission tending to produce cruelty to animals.

Sec. 5. Minnesota Statutes 1998, section 343.21, is amended by adding a subdivision to read:

Subd. 9a. [PENALTY.] (a) A violation of subdivision 2 or 7 that results in great bodily harm or death is a felony. A person guilty of a violation of subdivision 2 or 7 may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both.

(b) A violation of subdivision 2 or 7 that results in substantial bodily harm is a gross misdemeanor. A person convicted of a violation under this paragraph within three years of a previous conviction for violating this section is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both.

(c) Except as provided in paragraphs (a) and (b), a violation of subdivision 2, 3, 4, 5, 6, 7, or 8 is a misdemeanor. A person convicted of a violation under this paragraph within three years of a previous conviction for violating this section is guilty of a gross misdemeanor.

Sec. 6. Minnesota Statutes 1998, section 343.21, subdivision 10, is amended to read:

Subd. 10. [RESTRICTIONS.] If a person is convicted of violating this section, the court shall require that ~~pet or companion animals, as defined in section 346.36, subdivision 6,~~ that have not been seized by a peace officer or agent and are in the custody of the person must be turned over to a peace officer or other appropriate officer or agent unless the court determines that the person is able and fit to provide adequately for an animal. If the evidence indicates lack of proper and reasonable care of an animal, the burden is on the person to affirmatively demonstrate by clear and convincing evidence that the person is able and fit to have custody of and provide adequately for an animal. The court may limit the person's further possession or custody of ~~pet or companion animals,~~ an animal and may impose other conditions the court considers appropriate, including, but not limited to:

(1) imposing a probation period during which the person may not have ownership, custody, or control of ~~a pet or companion~~ an animal;

(2) requiring periodic visits of the person by an animal control officer or agent appointed pursuant to section 343.01, subdivision 1;

(3) requiring performance by the person of community service, but not in a humane facility; and

(4) requiring the person to receive psychological or behavioral counseling.

Sec. 7. [REPEALER.]

Minnesota Statutes 1998, section 343.21, subdivisions 1 and 9, are repealed.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective August 1, 1999, and apply to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to animals; increasing certain penalties for cruelty to animals; defining acts or omissions constituting cruelty or abuse; imposing criminal penalties; amending Minnesota Statutes 1998, sections 343.20, subdivision 3, and by adding a subdivision; and 343.21, subdivisions 2, 7, 10, and by adding a subdivision; repealing Minnesota Statutes 1998, section 343.21, subdivisions 1 and 9."

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

The report was adopted.

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

H. F. No. 1148, A bill for an act relating to tax-forfeited lands; providing that net proceeds apportioned to a municipal subdivision may be used for general purposes; amending Minnesota Statutes 1998, section 282.05.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 282.05, is amended to read:

282.05 [PROCEEDS APPORTIONED.]

The net proceeds received from the sale or rental of forfeited lands shall be apportioned to the general funds of the state or municipal subdivision thereof, in the manner hereinafter provided, and ~~shall~~ must be ~~first~~ used by the municipal subdivision to ~~retire any indebtedness then existing as provided in section 282.08.~~

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for net proceeds received after the date of final enactment of this act."

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

The report was adopted.

Dauids from the Committee on Commerce to which was referred:

H. F. No. 1150, A bill for an act relating to commerce; regulating insurance for funeral or burial expenses; allowing funeral establishments to sell funeral insurance and receive commissions for these sales; amending Minnesota Statutes 1998, section 72A.325.

Reported the same back with the following amendments:

Page 1, line 19, delete the new language and strike the old language

Page 1, line 20, before "of" insert "persons with legal authority to control the disposition of the remains of the deceased policyholder under section 149A.80, subdivision 2,"

Page 1, lines 21 to 24, reinstate the stricken language

Page 1, line 25, reinstate the stricken language and before the period, insert ", except the sale of a preneed funeral insurance contract with a face amount not to exceed \$20,000"

Page 2, after line 2, insert:

"For purposes of this section, "preneed funeral insurance contract" means an agreement by or for an individual before that individual's death relating to the purchase or provision of specific funeral or cemetery merchandise or services.

Nothing in this section constitutes a waiver or exception to the requirements of chapter 60K."

With the recommendation that when so amended the bill pass.

The report was adopted.

Knobloch from the Committee on Capital Investment to which was referred:

H. F. No. 1161, A bill for an act relating to transportation; allowing port authorities to retain lease or management contract revenues from commercial navigation projects financed by the state; amending Minnesota Statutes 1998, section 457A.04, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 1196, A bill for an act relating to traffic regulations; authorizing cities and towns in metropolitan area to prescribe speed limits on streets and highways under their jurisdiction; amending Minnesota Statutes 1998, section 169.14, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 11, delete "located in the metropolitan"

Page 1, line 12, delete "area, as defined in section 473.121, subdivision 2,"

Page 1, line 20, after "that" insert "are located in an urban district and"

Amend the title as follows:

Page 1, line 3, delete "in metropolitan area"

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. 1215, A bill for an act relating to railroads; providing for minimum safety standards for southern rail corridor grade crossings; proposing coding for new law in Minnesota Statutes, chapter 219.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [219.445] [SOUTHERN RAIL CORRIDOR IMPROVEMENT PLAN.]

Subdivision 1. [CORRIDOR DEVELOPMENT.] The commissioner of transportation shall develop a corridor improvement plan for grade crossings intersecting or crossing the railway right-of-way in the railway corridor that runs east to west across southern Minnesota within all of the counties of Winona, Olmsted, Dodge, Steele, Waseca, Blue Earth, Brown, Redwood, Lyon, and Lincoln.

Subd. 2. [GRADE CROSSING RECOMMENDATIONS.] (a) The corridor improvement plan will include crossing-by-crossing assessments based on ten-year and 20-year projections of train and vehicle volumes that will identify minimum improvements necessary at crossings with moderate levels of exposure, consistent with rules adopted by the commissioner. The plan will include identification of all crossings that are candidates for grade separations where levels of exposure exceed 300,000, or crossings that meet the criteria identified in the rules adopted by the commissioner. For purposes of this section, "levels of exposure" means average daily vehicle traffic multiplied by the number of trains per day at a crossing.

(b) The department shall consider crossings that are candidates for closure, consistent with rules adopted by the commissioner governing the vacating of a grade crossing.

(c) When community plans have been developed by the affected railroad company and local governing bodies, the department shall review the community plans for compliance with the department's minimum criteria for necessary crossing improvements at all public crossings as identified in the commissioner's rules. The agreed-to community plans take precedence over the elements of the corridor improvement plan negotiated between the affected railroad company and the department.

Subd. 3. [LOCAL GOVERNMENT AND RAILROAD COMPANY PARTICIPATION; FEDERAL REVIEW.] (a) The commissioner shall provide an opportunity for an affected railroad company or local governing body to participate in developing the corridor improvement plan. The commissioner shall allow an affected local governing body the opportunity to review the corridor improvement plan before executing an agreement for grade crossing improvements in the corridor improvement plan between the department and the railroad company and before forwarding the plan to the federal Surface Transportation Board (STB).

(b) Paragraph (a) does not preclude the department from providing comments or information related to the railway corridor improvement project to the STB or any other governing body related to construction activities or environmental impact statement preparation.

Subd. 4. [FINAL PLAN; HOLD HARMLESS.] (a) The final plan must be submitted to any affected area transportation partnership, local unit of government, and railroad company established within the corridor area in order to provide future grade crossing safety improvement planning guidance.

(b) Unless otherwise specifically agreed to as part of the plan, the development of a corridor improvement plan does not bind the state or any local government unit to a specific implementation timetable or to funding the cost of proposed recommended safety upgrades.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 1999."

Delete the title and insert:

"A bill for an act relating to railroads; directing commissioner to establish southern railway corridor improvement plan; proposing coding for new law in Minnesota Statutes, chapter 219."

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

The report was adopted.

Knoblach from the Committee on Capital Investment to which was referred:

H. F. No. 1224, A bill for an act relating to local government; establishing the Cedar lake area water and sanitary sewer district.

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

The report was adopted.

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

H. F. No. 1227, A bill for an act relating to education; establishing a school guidance counselor to student ratio; proposing coding for new law in Minnesota Statutes, chapter 123B.

Reported the same back with the following amendments:

Page 1, line 9, delete "200" and insert "250"

Page 1, line 11, delete "1999-2000" and insert "2000-2001"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on K-12 Education Finance.

The report was adopted.

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

H. F. No. 1281, A bill for an act relating to gambling; allowing a class B licensee of a class A racetrack conducting horse racing to conduct card club activities; amending Minnesota Statutes 1998, sections 240.01, by adding subdivisions; 240.03; 240.15, subdivision 1; 240.23; 541.20; 541.21; and 609.761, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 240.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 240.01, is amended by adding a subdivision to read:

Subd. 24. [CARD CLUB.] "Card club" means a facility or portion of a facility where the commission has authorized a licensee to conduct card playing.

Sec. 2. Minnesota Statutes 1998, section 240.01, is amended by adding a subdivision to read:

Subd. 25. [CARD PLAYING.] "Card playing" means an activity wherein individuals compete and wager with each other utilizing a 52-unit system comprised of a series of numbers, numbered 2 through 10, and the letters J, Q, K, and A, combined with four symbols commonly known as hearts, diamonds, spades, and clubs, wherein each individual unit constitutes the display of one of the 52 possible combinations. The symbol commonly known as a joker may be incorporated into the system.

Sec. 3. Minnesota Statutes 1998, section 240.01, is amended by adding a subdivision to read:

Subd. 26. [UNBANKED.] "Unbanked" means a wagering system or game where the individual participants compete against each other and not against the sponsor or house. In an unbanked system or game, the sponsor or house may deduct a percentage from the accumulated wagers and impose other charges for hosting the activity, but does not have an interest in the outcome of a game. The sponsor or house may add additional prizes, awards, or money to any game for promotional purposes.

Sec. 4. Minnesota Statutes 1998, section 240.10, is amended to read:

#### 240.10 [LICENSE FEES.]

The fee for a class A license is \$10,000 per year. The fee for a class B license is \$100 for each assigned racing day on which racing is actually conducted, and \$50 for each day on which simulcasting is authorized and actually takes place. The fee for a class D license is \$50 for each assigned racing day on which racing is actually conducted. The fee for a card club license is \$250,000 per year. Fees imposed on class B and class D, and card club licenses must be paid to the commission at a time and in a manner as provided by rule of the commission.

The commission shall by rule establish an annual license fee for each occupation it licenses under section 240.08 but no annual fee for a class C license may exceed \$100.

License fee payments received must be paid by the commission to the state treasurer for deposit in the general fund.

Sec. 5. [240.135] [CARD CLUB REVENUE.]

From the amounts derived from charges authorized under section 240.30, subdivision 4, the licensee shall set aside the amounts specified in this section to be used for purse payments or to be deposited in the breeders fund. These amounts are in addition to the breeders fund and purse requirements set forth elsewhere in this chapter.

(a) For the first \$3,000,000 deducted by the licensee in any year, the licensee shall set aside six percent to be used as purses.

(b) For amounts between \$3,000,000 and \$6,000,000, the licensee shall set aside ten percent to be used as purses.

(c) For amounts in excess of \$6,000,000, the licensee shall set aside 14 percent to be used as purses.

(d) From all amounts deducted, the licensee shall set aside one percent to be deposited in the breeders fund. The licensee and the horseperson's organization representing the majority of horsepersons who have raced at the racetrack during the preceding 12 months may negotiate percentages different from those stated in this section if the agreement is in writing and filed with the racing commission.

(e) From all amounts deducted, the licensee shall set aside ... percent. This amount must be transmitted to the state for deposit in the general fund. These amounts are appropriated to the commissioner of human services for the compulsive gambling treatment program under section 245.98.

Sec. 6. Minnesota Statutes 1998, section 240.155, subdivision 1, is amended to read:

Subdivision 1. [REIMBURSEMENT ACCOUNT CREDIT.] Money received by the commission as reimbursement for the costs of services provided by assistant veterinarians, stewards, and medical testing of horses, and for costs related to card club regulation and enforcement, must be deposited in the state treasury and credited to a racing reimbursement account, except as provided under subdivision 2. Receipts are appropriated to the commission to pay the costs of providing the services.

Sec. 7. [240.30] [CARD CLUBS.]

Subdivision 1. [CARD CLUB LICENSES.] The commission may license a class B operator of a class A racetrack to operate a card club at a racetrack licensed under section 240.06 and offer card playing services to patrons.

Subd. 2. [SUPERVISION.] The authorized licensee is responsible for conducting and supervising the card games, providing all necessary equipment, services, and personnel, and reimbursing the commission for costs related to card club regulation and enforcement.

Subd. 3. [TYPE OF WAGERING.] All card club wagering activities must be conducted in an unbanked system.

Subd. 4. [CHARGES.] The authorized licensee may charge patrons for card playing services by deducting and retaining money from wagers, by charging a fee based on playing time, or by any other means authorized by the commission.

Subd. 5. [LIMITATION.] The commission shall not allow a licensee to operate a card club unless the licensee has conducted at least 50 days of live racing at a class A facility within the past 12 months or during the preceding calendar year.

Subd. 6. [PLAN OF OPERATION.] (a) The commission shall not authorize a class B licensee to operate a card club unless the licensee has submitted, and the commission approved, a plan of operation for card playing activities. The plan must set forth all necessary details for conducting card playing activities including, among other things:

- (1) specifying and defining all card games to be played, including all governing aspects of each game;
  - (2) time and location of card playing activities;
  - (3) amount and method by which participants will be charged for card playing services;
  - (4) arrangements to ensure the security of card playing activities;
  - (5) designation of all licensed employees of the licensee who undertake supervisory positions related to card playing activities; and
  - (6) internal control systems for card playing activities.
- (b) The licensee must prepare and make available to all customers a written manual that covers all portions of the current plan of operation. The licensee must also publish, in pamphlet form, a condensed and comprehensive version of the manual and make it available to all customers.

Subd. 7. [AMENDMENTS TO PLAN; VIOLATIONS.] The licensee may amend the plan of operation with the approval of the commission. The commission may withdraw its approval of a plan of operation. Card playing activities are deemed to be relevant to the integrity of racing in Minnesota. An act of the licensee that is contrary to the licensee's approved plan of operation is deemed to be a violation of an order of the commission for purposes of section 240.26, subdivision 3. An act of the licensee that is contrary to the licensee's approved plan of operation, and any violation of this chapter related to card playing activities, is deemed to be detrimental to the integrity of racing in Minnesota.



Subd. 8. [LIMITATIONS.] The commission may not approve any plan of operation under subdivision 6 that exceeds any of the following limitations:

(1) the maximum number of tables used for card playing at the card club at any one time may not exceed 50;

(2) the opening wager by any player in any card game may not exceed \$15; and

(3) no single wager that increases the total amount staked in any card game may exceed \$30.

Subd. 9. [REIMBURSEMENT TO COMMISSION.] The commission may require that the licensee reimburse it for the commission's actual costs of regulating the card club. Amounts received under this subdivision must be deposited as provided in section 240.155, subdivision 1.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to gambling; allowing a class B licensee of a class A racetrack to conduct card club activities; appropriating money; amending Minnesota Statutes 1998, sections 240.01, by adding subdivisions; 240.10; and 240.155, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 240."

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Capital Investment to which was referred:

H. F. No. 1284, A bill for an act relating to water and sanitary sewer districts; authorizing the Banning Junction area water and sanitary sewer district.

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

The report was adopted.

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

H. F. No. 1309, A bill for an act relating to professions; modifying provisions relating to nursing home administrator licensing, the board of examiners for nursing home administrators, immunity for complainants, board members, and staff, and acting administrator permits; amending Minnesota Statutes 1998, sections 144A.19, subdivision 1; 144A.20, subdivision 1; 144A.22; 144A.24; and 144A.27; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 1998, sections 144A.19, subdivision 3; 144A.20, subdivision 2; and 144A.29.

Reported the same back with the following amendments:

Page 3, delete lines 33 to 36

Page 4, delete lines 1 and 2

Page 4, line 3, delete everything before "Members"

Amend the title as follows:

Page 1, line 5, delete "complainants," and after "members" delete the comma

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1312, A bill for an act relating to commerce; regulating the duties of the secretary as a licensed certification authority; modifying the effective period of emerging suspensions of certificates; specifying the consequences of accepting certain digital signatures; regulating fees; appropriating money; amending Minnesota Statutes 1998, sections 325K.03, by adding a subdivision; 325K.04; 325K.05, subdivision 1; 325K.09, by adding a subdivision; 325K.10, subdivision 5; 325K.14, by adding a subdivision; and 325K.15, by adding a subdivision; repealing Minnesota Rules, part 8275.0045, subpart 2.

Reported the same back with the following amendments:

Page 1, line 19, delete "without"

Page 1, line 20, delete "chapter 14" and insert "section 14.389"

Page 2, line 2, after the period, insert "Until July 1, 2001,"

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

The report was adopted.

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

H. F. No. 1331, A bill for an act relating to appropriations; appropriating money to the job skills partnership board for funding a certain program of the St. Paul port authority.

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

The report was adopted.

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

H. F. No. 1339, A bill for an act relating to public employment; imposing a hiring freeze on certain public employers.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [SALARY LIMIT.]

Subdivision 1. [EXECUTIVE BRANCH.] (a) During the fiscal year ending June 30, 2000, the aggregate amount spent by all executive branch agencies on employee salaries may not exceed .. percent of the aggregate amount these agencies spent on employee salaries in the fiscal year ending June 30, 1999.

(b) During the fiscal year ending June 30, 2001, the aggregate amount spent by all executive branch agencies on employee salaries may not exceed .. percent of the aggregate amount these agencies spent on employee salaries in the fiscal year ending June 30, 1999.

(c) For purposes of this section "executive branch" has the meaning given in Minnesota Statutes, section 43A.02, subdivision 22, but does not include the Minnesota state colleges and universities or constitutional offices.

Subd. 2. [LEGISLATIVE BRANCH.] (a) During the fiscal year ending June 30, 2000, the amount spent on employee salaries by (1) the house of representatives; (2) the senate; and (3) the legislative coordinating commission and all groups under its jurisdiction, may not exceed .. percent of the amount spent on these salaries during the fiscal year ending June 30, 1999.

(b) During the fiscal year ending June 30, 2001, the amount spent on employee salaries by (1) the house of representatives; (2) the senate; and (3) the legislative coordinating commission and all groups under its jurisdiction, may not exceed .. percent of the amount spent on these salaries during the fiscal year ending June 30, 1999. Each entity listed in clauses (1), (2), and (3) must be treated separately for purposes of determining compliance with this subdivision, except that the legislative coordinating commission and all groups under its jurisdiction must be treated as one unit."

Delete the title and insert:

"A bill for an act relating to state employment; limiting amounts spent on certain salaries during upcoming biennium."

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

The report was adopted.

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

H. F. No. 1379, A bill for an act relating to the environment; modifying environmental assessment worksheet requirements for a facility along the Mississippi river; amending Minnesota Statutes 1998, section 116G.151.

Reported the same back with the following amendments:

Page 4, delete lines 14 to 25, and insert:

"(k) A person aggrieved by a final decision of the pollution control agency or the commissioner of the pollution control agency with respect to any project to which this section applies may obtain judicial review with the court of appeals pursuant to sections 14.63 to 14.69 and may not obtain judicial review in state district court or under any other section of state law. Notwithstanding the time requirements of section 14.63, an aggrieved person may file an appeal with the court of appeals of a decision of the pollution control agency or the commissioner of the pollution control agency covered by this section and which is the subject of a pending district court action as of the effective

date of this section within 30 days after the effective date of this section. Notwithstanding section 14.69, the standard of review applied by the court of appeals to appeals filed under this section shall be: (1) with regard to factual issues, whether the agency decision is arbitrary or capricious and without a rational basis; and (2) with regard to legal issues, whether the agency decision is in violation of constitutional provisions, in excess of statutory authority or jurisdiction of the agency, or otherwise contrary to law. This paragraph applies to any actions pending in state district court for which there has not been a final decision on the merits as of the effective date of this section and any appeal of a decision by the pollution control agency or the commissioner of the pollution control agency subject to this section after the effective date.

(1) If, in the environmental assessment worksheet, the pollution control agency has considered the factors set forth in paragraph (d), as they relate to a project covered by this section, then a decision by the pollution control agency regarding the need for further environmental review or the commissioner of the pollution control agency and any findings in an environmental assessment worksheet are deemed valid and not arbitrary or capricious or without a rational basis."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1381, A bill for an act relating to amateur sports; providing for the Minnesota Access Facilities Development Act; appropriating money; amending Minnesota Statutes 1998, sections 297A.44, subdivision 1; 373.40, subdivision 1; 471.16, subdivision 1; and 475.58, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 240A; and 373.

Reported the same back with the following amendments:

Page 2, line 6, before the period, insert "except as provided in subdivision 7"

Page 2, line 28, before "Grants" insert "Subject to subdivision 7,"

Page 2, line 30, delete "first,"

Page 2, line 31, delete "25" and insert "50"

Page 2, line 35, before "Grant" insert "Except for funds distributed under subdivision 7,"

Page 3, after line 4, insert:

"Subd. 7. [ARTS ORGANIZATION.] Ten percent of the money received by a community under this section must be awarded by the community to nonprofit arts groups serving the community."

Pages 3 and 4, delete section 3

Page 6, line 7, delete "5" and insert "4"

Page 8, line 24, delete "9" and insert "8"

Re-number the sections in sequence and correct internal references

Amend the title as follows:

Page 1, line 5, delete "297A.44, subdivision 1;"

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

The report was adopted.

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

H. F. No. 1393, A bill for an act relating to human services; making technical changes to cross-references in statutes; amending Minnesota Statutes 1998, sections 13.46, subdivisions 1 and 2; 16D.02, subdivision 3; 16D.13, subdivision 3; 84.98, subdivision 3; 119A.54; 119B.01, subdivisions 2, 10, 12, 13, 15, and 16; 119B.02, subdivision 1; 119B.03, subdivisions 3 and 4; 119B.05, subdivision 1; 119B.07; 119B.075; 119B.08, subdivision 3; 119B.09, subdivisions 1, 3, and 7; 119B.14; 119B.15; 136A.125, subdivision 2; 145.415, subdivision 3; 196.27; 237.70, subdivision 4a; 245.4871, subdivision 25; 254B.02, subdivision 1; 256.01, subdivisions 2 and 4; 256.017, subdivisions 1, 2, and 4; 256.019; 256.025, subdivision 2; 256.046, subdivision 1; 256.0471, subdivision 1; 256.741, subdivisions 1 and 2; 256.82, subdivision 2; 256.935, subdivision 1; 256.98, subdivisions 1 and 8; 256.981; 256.983, subdivision 4; 256.9861, subdivision 5; 256B.031, subdivisions 4 and 5; 256B.69, subdivision 5a; 256C.21; 256C.23, subdivision 1; 256D.01, subdivisions 1a and 1e; 256D.05, subdivisions 1, 3, and 5; 256D.051, subdivision 3a; 256D.055; 256D.23, subdivision 1; 256D.435, subdivision 3; 256D.44, subdivision 5; 256E.03, subdivision 2; 256E.06, subdivisions 1 and 3; 256E.07, subdivision 1; 256E.08, subdivision 3; 256F.05, subdivisions 3 and 8; 256F.10, subdivision 6; 256F.13, subdivision 3; 256G.01, subdivision 4; 256G.03, subdivision 2; 256J.01, subdivision 1; 256J.11, subdivisions 1 and 2; 256J.12, subdivision 1; 256J.21, subdivision 3; 256J.26, subdivisions 1, 2, 3, and 4; 256J.42, subdivisions 1 and 5; 256J.43, subdivision 1; 256J.50, subdivision 3a; 256J.62, subdivisions 3, 6, and 7; 256J.76, subdivision 1; 256K.01, subdivisions 2, 3, and 8; 256K.015; 256K.02; 256K.03, subdivisions 1 and 12; 256K.04, subdivision 2; 256K.05, subdivision 2; 256K.06; 256K.07; 256K.08, subdivision 1; 256L.11, subdivision 4; 257.33, subdivision 2; 257.3573, subdivision 2; 257.60; 257.85, subdivisions 3, 5, 7, and 11; 259.67, subdivision 4; 260.38; 261.063; 268.0111, subdivisions 5 and 7; 268.0122, subdivision 3; 268.552, subdivision 5; 268.672, subdivision 6; 268.86, subdivision 2; 268.871, subdivision 1; 268.90, subdivision 2; 268.95, subdivision 4; 275.065, subdivision 5a; 290.067, subdivision 1; 290A.03, subdivision 7; 393.07, subdivision 6; 462A.205, subdivision 2; 462A.222, subdivision 1a; 473.129, subdivision 8; 477A.0122, subdivision 2; 501B.89, subdivision 2; 518.171, subdivision 1; 518.551, subdivision 5; 518.57, subdivision 3; 518.614, subdivision 3; 518.64, subdivision 2; 548.13; 550.136, subdivision 6; 550.143, subdivision 3; 550.37, subdivision 14; 551.05, subdivision 1a; 551.06, subdivision 6; 570.025, subdivision 6; 570.026, subdivision 2; 571.72, subdivision 8; 571.912; 571.925; 571.931, subdivision 6; 571.932, subdivision 2; and 583.22, subdivision 7b; repealing Minnesota Statutes 1998, sections 119B.01, subdivision 12a; 119B.05, subdivision 6; 126C.05, subdivision 4; 126C.06; 256.031, subdivision 1a; 256.736; 256.74, subdivision 1c; 256.9850; 256J.62, subdivision 5; 268.871, subdivision 5; and 290A.22; Minnesota Rules, parts 9500.2000; 9500.2020; 9500.2060; 9500.2100; 9500.2140; 9500.2180; 9500.2220; 9500.2260; 9500.2300; 9500.2340; 9500.2380; 9500.2420; 9500.2440; 9500.2480; 9500.2500; 9500.2520; 9500.2560; 9500.2580; 9500.2600; 9500.2620; 9500.2640; 9500.2680; 9500.2700; 9500.2720; 9500.2722; 9500.2724; 9500.2726; 9500.2728; 9500.2730; 9500.2740; 9500.2760; 9500.2780; 9500.2800; 9500.2820; 9500.2860; and 9500.2880.

Reported the same back with the following amendments:

Page 7, line 3, strike "program-statewide" and insert "program"

Page 7, line 24, strike "statewide"

Page 9, line 15, strike "program-statewide" and insert "program"

Page 9, line 32, after "services" insert "policy"

Page 9, line 33, before "family" insert "health and"

Page 9, line 34, strike "services" and insert "security"

- Page 10, line 2, strike "MFIP-S" and insert "MFIP"
- Page 11, line 35, delete "of" and insert a comma
- Page 11, line 36, after "Work" insert "Opportunity"
- Page 12, line 8, strike "MFIP-S" and insert "MFIP"
- Page 13, line 3, delete "of" and insert a comma
- Page 13, line 4, after "Work" insert "Opportunity"
- Page 14, line 32, strike "MFIP-S" and insert "MFIP"
- Page 17, line 35, strike "MFIP-S" and before "or" insert "MFIP"
- Page 18, line 10, after "program" insert "assistance"
- Page 19, line 19, strike "MFIP-S" and insert "MFIP"
- Page 19, line 22, strike "MFIP-S" and insert "MFIP"
- Page 20, line 20, strike "program-statewide" and insert "program"
- Page 22, line 9, strike "program-statewide" and insert "program"
- Page 23, line 31, strike "program-statewide" and insert "program"
- Page 24, line 1, strike everything after "for"
- Page 24, line 2, strike "children," and strike "program-statewide" and insert "program"
- Page 28, line 4, strike ", education, and welfare" and insert "and human services"
- Page 28, line 22, strike "MFIP-S,"
- Page 33, line 6, delete "of" and insert a comma
- Page 33, line 7, after "Work" insert "Opportunity"
- Page 33, line 32, strike "program-statewide" and insert "program"
- Page 34, line 31, strike "program-statewide" and insert "program"
- Page 36, line 7, strike "MFIP-S" and insert "MFIP"
- Page 37, line 36, strike "MFIP-S" and insert "MFIP"
- Page 38, line 28, after "MFIP-R" insert "formerly codified" and strike "MFIP-S" and insert "MFIP"
- Page 39, line 9, strike "MFIP-S" and insert "MFIP under chapter 256J"
- Page 39, line 10, after "MFIP-R" strike the first comma and insert "and" and after "MFIP" insert "formerly codified under chapter 256"
- Page 41, line 14, strike "MFIP-S" and insert "MFIP"

Page 43, line 8, strike "program-statewide" and insert "program"

Page 44, line 8, strike "program-statewide"

Page 44, line 19, strike "program-statewide" and insert "program"

Page 45, line 13, strike "MFIP-S" and insert "MFIP"

Page 50, line 24, strike "MFIP-S" and insert "MFIP"

Page 56, line 1, strike "MFIP-S" and insert "MFIP"

Page 57, line 26, strike "program-statewide"

Page 57, line 28, before the first "and" insert "program"

Page 58, strike lines 8 and 9

Page 58, line 10, strike "demonstration."

Page 58, line 11, strike everything after the period

Page 58, strike lines 12 to 14

Page 59, line 4, strike "program-statewide" and insert "program"

Page 61, line 4, strike "program-statewide" and insert "program"

Page 61, line 17, after "program" insert "assistance"

Page 68, line 16, strike "program-statewide" and insert "program"

Page 69, line 5, strike "PROGRAM-STATEWIDE (MFIP-S)" and insert "PROGRAM (MFIP)"

Page 69, line 7, strike everything before the period and insert "program (MFIP)" and strike "MFIP-S" and insert "MFIP"

Page 69, line 9, strike "under" and insert "and formerly codified in"

Page 69, line 15, strike "MFIP-S" and insert "MFIP"

Page 69, line 21, strike "MFIP-S" and insert "MFIP"

Page 69, line 22, strike "MFIP-S" and insert "MFIP"

Page 70, line 5, strike "MFIP-S" and insert "MFIP" in both places

Page 70, line 30, strike "the AFDC, family general assistance," and strike "or MFIP-S"

Page 70, line 31, strike "programs"

Page 70, line 32, strike "MFIP-S" and insert "MFIP"

Page 70, line 34, strike "MFIP-S" and insert "MFIP"

Page 70, line 35, strike "MFIP-S" and insert "MFIP"

Page 71, line 10, strike "MFIP-S" and insert "MFIP" in both places

Page 71, line 18, strike "MFIP-S" and insert "MFIP"

Page 71, line 22, strike "MFIP-S" and insert "MFIP"

Page 71, line 34, strike "MFIP-S" and insert "MFIP"

Page 72, line 29, strike "MFIP-S" and insert "MFIP"

Page 73, lines 2 and 12, strike "MFIP-S" and insert "MFIP"

Page 73, line 19, strike "MFIP-S" and insert "MFIP"

Page 74, line 12, strike "MFIP-S" and insert "MFIP"

Page 74, line 20, strike "MFIP-S" and insert "MFIP"

Page 74, line 29, strike "MFIP-S" and insert "MFIP"

Page 75, line 2, strike "MFIP-S" and insert "MFIP"

Page 75, line 6, strike "MFIP-S" and insert "MFIP"

Page 75, line 7, strike "MFIP-S" and insert "MFIP"

Page 75, line 30, strike "MFIP-S" and insert "MFIP"

Page 76, line 18, strike "MFIP-S" and insert "MFIP"

Page 76, line 32, strike "MFIP-S" and insert "MFIP"

Page 77, line 6, strike "MFIP-S" and insert "MFIP"

Page 77, line 34, strike "MFIP-S" and insert "MFIP"

Page 78, line 8, strike "MFIP-S" and insert "MFIP"

Page 79, line 2, strike "MFIP-S" and insert "MFIP"

Page 79, line 4, strike "MFIP-S" and insert "MFIP"

Page 79, line 20, strike "MFIP-S" and insert "MFIP"

Page 79, line 22, strike "MFIP-S" and insert "MFIP"

Page 80, line 3, strike "MFIP-S" and insert "MFIP"

Page 80, line 5, strike "MFIP-S" and insert "MFIP"

Page 80, line 22, delete "256J.05" and insert "256F.05"



Page 80, line 33, strike "MFIP-S" and insert "and MFIP grant."

Page 81, line 1, strike "MFIP-S" and insert "MFIP,"

Page 81, line 2, delete "application under"

Page 81, line 17, delete "a" and strike "MFIP-S"

Page 81, line 18, before "grant" insert "an MFIP"

Page 83, line 9, strike "MFIP-S" and before "to" insert "MFIP"

Page 83, line 19, reinstate the stricken language

Page 83, line 20, delete the new language and strike "MFIP-S" and before "benefit" insert "MFIP"

Page 83, line 28, strike "MFIP-S"

Page 83, line 29, before "to" insert "MFIP,"

Page 83, line 36, strike "MFIP-S"

Page 84, line 1, strike "program" and insert "MFIP"

Page 84, line 10, strike "MFIP-S"

Page 84, line 11, before "application" insert "MFIP"

Page 85, line 2, strike "MFIP-S" and after the stricken "assistance" insert "MFIP"

Page 85, line 25, strike "MFIP-S" and before "benefit" insert "MFIP"

Page 86, line 8, strike "MFIP-S"

Page 86, line 9, before "monthly" insert "MFIP"

Page 86, line 25, strike "MFIP-S"

Page 86, line 26, before "recipient" insert "MFIP"

Page 87, line 4, reinstate "an" and delete "a" and strike "MFIP-S"

Page 87, line 5, before "recipient" insert "MFIP"

Page 87, line 10, strike "MFIP-S" and before "receipt" insert "MFIP"

Page 87, line 25, strike "MFIP-S" and before "shall" insert "MFIP"

Page 88, line 8, strike "MFIP-S" and insert "MFIP"

Page 90, line 13, strike "program-statewide" and insert "program assistance"

Page 91, line 20, strike "the"

Page 91, line 21, strike "MFIP-S"

Page 91, line 23, delete the new language and strike "programs"

Page 93, line 1, strike "MFIP-S" and insert "MFIP"

Page 93, line 3, strike "MFIP-S" and insert "MFIP"

Page 93, line 7, strike "MFIP-S" and insert "MFIP"

Page 93, line 35, strike "MFIP-S," and insert "MFIP"

Page 95, line 9, reinstate "an" and delete "a"

Page 96, line 17, strike the old language before "MFIP" and strike "programs"

Page 97, line 22, strike the comma

Page 99, line 7, strike "program-statewide" and insert "program"

Page 100, line 1, strike "program-statewide" and insert "program"

Page 100, line 12, strike "program-statewide" and before "and" insert "program"

Page 100, line 20, strike "program-statewide" and insert "program"

Page 101, line 29, strike "program-statewide" and insert "program"

Page 102, line 22, strike "program-statewide" and insert "program"

Page 105, line 27, strike "program-statewide" and before "or" insert "program assistance"

Page 106, line 4, strike "program-statewide" and insert "program assistance"

Page 109, line 18, strike "(4)" and insert "(iv)" and strike "(6)" and insert "(vi)"

Page 109, line 21, strike "(1)" and insert "(i)" and strike "(10)" and insert "(x)"

Page 110, line 8, strike everything after "child"

Page 110, strike line 9

Page 110, line 10, strike "104-193,"

Page 112, line 10, strike "program-statewide" and insert "program"

Page 115, line 34, strike "program-statewide" and insert "program"

Page 132, line 19, after "program," insert "Emergency Assistance (EA),"

Page 135, line 21, after "program," insert "Emergency Assistance (EA),"

Page 145, line 5, after "(MFIP)," insert "Emergency Assistance (EA),"

Page 148, line 29, after "program," insert "Emergency Assistance (EA),"

Page 150, line 22, after "program," insert "Emergency Assistance (EA),"

Page 152, line 14, strike "and"

Page 152, line 15, after the semicolon, insert "and

(x) Emergency Assistance (EA):"

Page 153, line 13, after "(MFIP)," insert "Emergency Assistance (EA),"

Page 157, line 8, after "(MFIP)," insert "Emergency Assistance (EA),"

Page 157, line 11, strike "Work Readiness,"

Page 160, line 28, after "(MFIP)," insert "Emergency Assistance (EA),"

Page 162, line 27, after "(MFIP)," insert "Emergency Assistance (EA),"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1412, A bill for an act relating to natural resources; rescinding certain orders of the commissioner of natural resources; reinstating certain appropriations.

Reported the same back with the following amendments:

Page 1, line 7, delete "orders" and insert "order" and delete everything after the second "of"

Page 1, line 8, delete everything before "January"

Page 1, line 9, delete "are" and insert "is"

Page 1, delete lines 10 to 12

Amend the title as follows:

Page 1, lines 2 and 3, delete "certain orders" and insert "an order"

Page 1, line 3, delete the semicolon and insert a period

Page 1, delete line 4

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

The report was adopted.

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

H. F. No. 1420, A bill for an act relating to capital improvements; appropriating money to enhance the West Seventh Street/Gateway area.

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

The report was adopted.

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

H. F. No. 1421, A bill for an act relating to professions; modifying temporary permit requirements for podiatrists; amending Minnesota Statutes 1998, sections 153.16, subdivision 3; and 153.17, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 12, after "preceptorship" insert " , under direct supervision."

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

The report was adopted.

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

H. F. No. 1423, A bill for an act relating to elections; changing certain precinct caucus procedures; eliminating the presidential primary; amending Minnesota Statutes 1998, sections 202A.18, by adding a subdivision; and 202A.20, subdivision 2; repealing Minnesota Statutes 1998, sections 207A.01; 207A.02; 207A.03; 207A.04; 207A.06; 207A.07; 207A.08; 207A.09; and 207A.10.

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

The report was adopted.

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

H. F. No. 1426, A bill for an act relating to health; modifying well notification fees; modifying definitions; modifying terms of the advisory council on water supply systems and wastewater treatment facilities; modifying provisions for grants to rural hospitals and community health centers; modifying student loan repayment provisions for health professionals; amending Minnesota Statutes 1998, sections 103I.208, subdivision 1; 115.71, subdivisions 9a and 10; 115.741, subdivisions 1 and 2; 144.147, subdivisions 2, 3, 4, and 5; 144.1484, subdivision 1; 144.1486, subdivisions 3, 4, and 8; 144.1488, subdivisions 1, 3, and 4; 144.1489, subdivisions 2 and 4; 144.1490, subdivision 2; 144.1494, subdivisions 2, 3, 5, and by adding a subdivision; 144.1495, subdivisions 3, 4, and by adding a subdivision; 144.1496, subdivisions 2 and 5; and 144.382, subdivision 4.

Reported the same back with the following amendments:

Pages 2 and 3, delete sections 2 to 5

Page 19, delete section 29

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 3 and 4

Page 1, line 5, delete everything before "modifying"

Page 1, line 9, delete everything after the semicolon

Page 1, line 10, delete everything before "144.147"

Page 1, line 16, after the semicolon, insert "and"

Page 1, line 17, delete everything after "5" and insert a period

Page 1, delete line 18

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

The report was adopted.

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

H. F. No. 1436, A bill for an act relating to health; providing additional funding for the primary care physician training initiative; appropriating money.

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

The report was adopted.

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

H. F. No. 1440, A bill for an act relating to human services; modifying payment rate determination for intermediate care facilities; requiring a local system needs planning process; establishing a statewide advisory committee; amending Minnesota Statutes 1998, sections 252.28, subdivision 1; and 256B.5011, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 252; and 256B; repealing Minnesota Statutes 1998, sections 144.0723; 256B.501, subdivision 3g; and 256B.5011, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 252.28, subdivision 1, is amended to read:

Subdivision 1. [DETERMINATIONS; REDETERMINATIONS.] In conjunction with the appropriate county boards, the commissioner of human services shall determine, and shall redetermine at least every four years, the need, location, size, and program of public and private residential services and day training and habilitation services

for persons with mental retardation or related conditions. This subdivision does not apply to semi-independent living services and residential-based habilitation services provided to four or fewer persons at a single site funded as home and community-based services. A determination of need shall not be required for a change in ownership.

Sec. 2. [252.282] [ICF/MR LOCAL SYSTEM NEEDS PLANNING.]

Subdivision 1. [HOST COUNTY RESPONSIBILITY.] (a) For purposes of this section, "local system needs planning" means the determination of need for ICF/MR services by program type, location, demographics, and size of licensed services for persons with developmental disabilities or related conditions.

(b) This section does not apply to semi-independent living services and residential-based habilitation services funded as home and community-based services.

(c) In collaboration with the commissioner and ICF/MR providers, counties shall complete a local system needs planning process for each ICF/MR facility. Counties shall evaluate the preferences and needs of persons with developmental disabilities to determine resource demands through a systematic assessment and planning process by May 15, 2000, and by July 1 every two years thereafter beginning in 2001.

(d) A local system needs planning process shall be undertaken more frequently when the needs or preferences of consumers change significantly to require reformation of the resources available to persons with developmental disabilities.

(e) A local system needs plan shall be amended anytime recommendations for modifications to existing ICF/MR services are made to the host county, including recommendations for:

(1) closure;

(2) relocation of services;

(3) downsizing;

(4) rate adjustments exceeding 90 days duration to address access; or

(5) modification of existing services for which a change in the framework of service delivery is advocated.

Subd. 2. [CONSUMER NEEDS AND PREFERENCES.] In conducting the local system needs planning process, the host county must use information from the individual service plans of persons for whom the county is financially responsible and of persons from other counties for whom the county has agreed to be the host county. The determination of services and supports offered within the county shall be based on the preferences and needs of consumers. The host county shall also consider the community social services plan, waiting lists, and other sources that identify unmet needs for services. A review of ICF/MR facility licensing and certification surveys, substantiated maltreatment reports, and established service standards shall be employed to assess the performance of providers and shall be considered in the county's recommendations. Consumer satisfaction surveys may also be considered in this process.

Subd. 3. [RECOMMENDATIONS.] (a) Upon completion of the local system needs planning assessment, the host county shall make recommendations by May 15, 2000, and by July 1 every two years thereafter beginning in 2001. If no change is recommended, a copy of the assessment along with corresponding documentation shall be provided to the commissioner by July 1 prior to the contract year.

(b) Except as provided in section 252.292, subdivision 4, recommendations regarding closures, relocations, or downsizings that include a rate increase and recommendations regarding rate adjustments exceeding 90 days shall be submitted to the statewide advisory committee for review and determination, along with the assessment, plan, and corresponding budget.

(c) Recommendations for closures, relocations, and downsizings that do not include a rate increase and for modification of existing services for which a change in the framework of service delivery is necessary shall be provided to the commissioner by July 1 prior to the contract year or at least 90 days prior to the anticipated change, along with the assessment and corresponding documentation.

Subd. 4. [THE STATEWIDE ADVISORY COMMITTEE.] (a) The commissioner shall appoint a five-member statewide advisory committee. The advisory committee shall include representatives of providers and counties and the commissioner or the commissioner's designee.

(b) The criteria for ranking proposals, already developed in 1997 by a task force authorized by the legislature, shall be adopted and incorporated into the decision-making process. Specific guidelines, including time frame for submission of requests, shall be established and announced through the State Register, and all requests shall be considered in comparison to each other and the ranking criteria. The advisory committee shall review and recommend requests for facility rate adjustments to address closures, downsizing, relocation, or access needs within the county and shall forward recommendations and documentation to the commissioner. The committee shall ensure that:

(1) applications are in compliance with applicable state and federal law and with the state plan; and

(2) cost projections for the proposed service are within fiscal limitations.

(c) The advisory committee shall review proposals and submit recommendations to the commissioner within 60 days following the published deadline for submission under subdivision 5.

Subd. 5. [RESPONSIBILITIES OF THE COMMISSIONER.] (a) In collaboration with counties, providers, and the statewide advisory committee, the commissioner shall ensure that services recognize the preferences and needs of persons with developmental disabilities and related conditions through a recurring systemic review and assessment of ICF/MR facilities within the state.

(b) The commissioner shall publish a notice in the state register twice each calendar year to announce the opportunity for counties or providers to submit requests for rate adjustments associated with plans for downsizing, relocation, and closure of ICF/MR facilities.

(c) The commissioner shall designate funding parameters to counties and to the statewide advisory committee for the overall implementation of system needs within the fiscal resources allocated by the legislature.

(d) The commissioner shall contract with ICF/MR providers. The initial contracts shall cover the period from October 1, 2000, to December 31, 2001. Subsequent contracts shall be for two-year periods beginning January 1, 2002.

Sec. 3. Minnesota Statutes 1998, section 256B.5011, subdivision 1, is amended to read:

Subdivision 1. [IN GENERAL.] Effective October 1, 2000, the commissioner shall implement a ~~performance-based~~ contracting system to replace the current method of setting total cost payment rates under section 256B.501 and Minnesota Rules, parts 9553.0010 to 9553.0080. In determining prospective payment rates of intermediate care facilities for persons with mental retardation or related conditions, the commissioner shall index each facility's ~~total operating~~ payment rate by an inflation factor as described in ~~subdivision 3 section 256B.5012~~. The commissioner of finance shall include annual inflation adjustments in operating costs for intermediate care facilities for persons with mental retardation and related conditions as a budget change request in each biennial detailed expenditure budget submitted to the legislature under section 16A.11.

Sec. 4. Minnesota Statutes 1998, section 256B.5011, subdivision 2, is amended to read:

Subd. 2. [CONTRACT PROVISIONS.] (a) The ~~performance-based service~~ contract with each intermediate care facility must include provisions for:

(1) modifying payments when significant changes occur in the needs of the consumers;

- (2) ~~monitoring service quality using performance indicators that measure consumer outcomes;~~
- ~~(3) the establishment and use of continuous quality improvement processes using the results attained through service quality monitoring;~~
- ~~(4) the annual reporting of facility statistical information on all supervisory personnel, direct care personnel, specialized support personnel, hours, wages and benefits, staff-to-consumer ratios, and staffing patterns~~
- (3) appropriate and necessary statistical information required by the commissioner;
- ~~(5) (4) annual aggregate facility financial information or an annual certified audited financial statement, including a balance sheet and income and expense statements for each facility, if a certified audit was prepared; and~~
- ~~(6) (5) additional requirements and penalties for intermediate care facilities not meeting the standards set forth in the performance-based service contract.~~

(b) The commissioner shall recommend to the legislature by January 15, 2000, whether the contract should include service quality monitoring that may utilize performance indicators that measure consumer and program outcomes. Performance measurement shall not increase or duplicate regulatory requirements.

Sec. 5. [256B.5012] [ICF/MR PAYMENT SYSTEM IMPLEMENTATION.]

Subdivision 1. [TOTAL PAYMENT RATE.] The total payment rate effective October 1, 2000, for existing ICF/MR facilities is the total of the operating payment rate and the property payment rate plus inflation factors as defined in this section. The initial rate year shall run from October 1, 2000, through December 31, 2001. Subsequent rate years shall run from January 1 through December 31 beginning in the year 2002.

Subd. 2. [OPERATING PAYMENT RATE.] (a) The operating payment rate equals the facility's total payment rate in effect on September 30, 2000, minus the property rate. The operating payment rate includes the special operating rate and the efficiency incentive in effect as of September 30, 2000. The operating payment shall be increased for each rate year by the annual percentage change in the Consumer Price Index-All Items (United States City Average) (CPI-U), as forecasted by Data Resources, Inc., in the second quarter of the calendar year preceding the start of each rate year. In the case of the initial rate year beginning October 1, 2000, and continuing through December 31, 2001, the percentage change shall be based on the percentage change in the CPI-U for the 15-month period beginning October 1, 2000, as forecast by Data Resources, Inc., in the first quarter of 2000.

(b) Effective October 1, 2000, the operating payment rate shall be adjusted to reflect an occupancy rate equal to 100 percent of the facility's capacity days as of September 30, 2000.

Subd. 3. [PROPERTY PAYMENT RATE.] (a) The property payment rate effective October 1, 2000, is based on the facility's property payment rate in effect on September 30, 2000. Effective October 1, 2000, a facility minimum property rate of \$8.13 shall be applied to all existing ICF/MR facilities. Facilities with a property payment rate effective September 30, 2000, which is below the minimum property rate shall receive an increase effective October 1, 2000, equal to the difference between the minimum property payment rate and the property payment rate in effect as of September 30, 2000. Facilities with a property payment rate at or above the minimum property payment rate effective September 30, 2000, shall have no change in their property payment rate effective October 1, 2000.

(b) Facility property payment rates shall be increased annually for inflation, effective January 1, 2002. The increase shall be based on each facility's property payment rate in effect on September 30, 2000. Property payment rates effective September 30, 2000, shall be arrayed from highest to lowest before applying the minimum property payment rate in paragraph (a). For property payment rates at the 90th percentile or above, the annual inflation increase shall be zero. For property payment rates below the 90th percentile but equal to or above the 75th percentile, the annual inflation increase shall be one percent. For property payment rates below the 75th percentile, the annual inflation increase shall be two percent.



## Sec. 6. [256B.5013] [PAYMENT RATE ADJUSTMENTS.]

Subdivision 1. [VARIABLE RATE ADJUSTMENTS.] When there is a documented increase in the resource needs of a current ICF/MR recipient or recipients, or a person is admitted to a facility who requires additional resources, the county of financial responsibility may approve an enhanced rate for one or more persons in the facility. Resource needs directly attributable to an individual that may be considered under the variable rate adjustment include increased direct staff hours and other specialized services, equipment, and human resources. The guidelines in paragraphs (a) to (d) apply for the payment rate adjustments under this section.

(a) All persons must be screened according to section 256B.092, subdivisions 7 and 8, prior to implementation of the new payment system and annually thereafter. Screening data shall be analyzed to develop broad profiles of the functional characteristics of recipients. Three components shall be used to distinguish recipients based on the following broad profiles:

(1) functional ability to care for and maintain one's own basic needs;

(2) the intensity of any aggressive or destructive behavior; and

(3) any history of obstructive behavior in combination with a diagnosis of psychosis or neurosis.

The profile groups shall be used to link resource needs to funding. The resource profile shall determine the level of funding that may be authorized by the county. The county of financial responsibility may approve a rate adjustment for an individual. The commissioner shall recommend to the legislature by January 15, 2000, a methodology using the profile groups to determine variable rates. The variable rate must be applied to expenses related to increased direct staff hours and other specialized services, equipment, and human resources. This variable rate component plus the facility's current operating payment rate equals the individual's total operating payment rate.

(b) A recipient must be screened by the county of financial responsibility using the developmental disabilities screening document completed immediately prior to approval of a variable rate by the county. A comparison of the updated screening and the previous screening must demonstrate an increase in resource needs.

(c) Rate adjustments projected to exceed the authorized funding level associated with the person's profile must be submitted to the commissioner.

(d) The new rate approved through this process shall not be averaged across all persons living at a facility but shall be an individual rate. The county of financial responsibility must indicate the projected length of time that the additional funding may be needed by the individual. The need to continue an individual variable rate must be reviewed at the end of the anticipated duration of need but at least annually through the completion of the developmental disabilities screening document.

Subd. 2. [OTHER PAYMENT RATE ADJUSTMENTS.] Facility total payment rates may be adjusted by the host county, with authorization from a statewide advisory committee, if, through the local system needs planning process, it is determined that a need exists to amend the package of purchased services with a resulting increase or decrease in costs. Except as provided in section 252.292, subdivision 4, if a provider demonstrates that the loss of revenues caused by the downsizing or closure of a facility cannot be absorbed by the facility based on current operations, the host county or the provider may submit a request to the statewide advisory committee for a facility base rate adjustment.

Subd. 3. [RELOCATION.] (a) Property rates for all facilities relocated after December 31, 1997, and up to and including October 1, 2000, shall have the full annual costs of relocation included in their October 1, 2000, property rate. The property rate for the relocated home is subject to the costs that were allowable under Minnesota Rules, chapter 9553, and the investment per bed limitation for newly constructed or newly established class B facilities.

(b) In ensuing years, all relocated homes shall be subject to the investment per bed limit for newly constructed or newly established class B facilities under section 256B.501, subdivision 11. The limits shall be adjusted on January 1 of each year by the percentage increase in the construction index published by the Bureau of Economic Analysis of the United States Department of Commerce in the Survey of Current Business Statistics in October of the previous two years. Facilities that are relocated within the investment per bed limit may be approved by the statewide advisory committee. Costs for relocation of a facility that exceed the investment per bed limit must be absorbed by the facility.

(c) The payment rate shall take effect when the new facility is licensed and certified by the commissioner of health. Rates for facilities that are relocated after December 31, 1997, through October 1, 2000, shall be adjusted to reflect the full inclusion of the relocation costs, subject to the investment per bed limit in paragraph (b). The investment per bed limit calculated rate for the year in which the facility was relocated shall be the investment per bed limit used.

Subd. 4. [TEMPORARY RATE ADJUSTMENTS TO ADDRESS OCCUPANCY AND ACCESS.] If a facility is operating at less than 100 percent occupancy on September 30, 2000, or if a recipient is discharged from a facility, the commissioner shall adjust the total payment rate for up to 90 days for the remaining recipients. This mechanism shall not be used to pay for hospital or therapeutic leave days beyond the maximums allowed. Facility payment adjustments exceeding 90 days to address a demonstrated need for access must be submitted to the statewide advisory committee with a local system needs assessment, plan, and budget for review and recommendation.

Sec. 7. [256B.5014] [FINANCIAL REPORTING.]

All facilities shall maintain financial records and shall provide annual income and expense reports to the commissioner of human services on a form prescribed by the commissioner no later than April 30 of each year in order to receive medical assistance payments. The reports for the reporting year ending December 31 must include:

(1) salaries and related expenses, including program salaries, administrative salaries, other salaries, payroll taxes, and fringe benefits;

(2) general operating expenses, including supplies, training, repairs, purchased services and consultants, utilities, food, licenses and fees, real estate taxes, insurance, and working capital interest;

(3) property related costs, including depreciation, capital debt interest, rent, and leases; and

(4) total annual resident days.

Sec. 8. [256B.5015] [PASS-THROUGH OF TRAINING AND HABILITATION SERVICES COSTS.]

Training and habilitation services costs shall be paid as a pass-through payment at the lowest rate paid for the comparable services at that site under sections 252.40 to 252.46. The pass-through payments for training and habilitation services shall be paid separately by the commissioner and shall not be included in the computation of the total payment rate.

Sec. 9. [ICF/MR REIMBURSEMENT EFFECTIVE OCTOBER 1, 1999.]

(a) For the rate year beginning October 1, 1999, the commissioner of human services shall exempt an intermediate care facility for persons with mental retardation from reductions to the payment rates under Minnesota Statutes, section 256B.501, subdivision 5b, paragraph (d), clause (6), if the facility:

(1) has had a settle-up payment rate established in the reporting year preceding the rate year for the one-time rate adjustment;

(2) is a newly established facility;

(3) is an A to B conversion that has been converted under Minnesota Statutes, section 252.292, since rate year 1990;

(4) has a payment rate subject to a community conversion project under Minnesota Statutes, section 252.292;

(5) has a payment rate established under Minnesota Statutes, section 245A.12 or 245A.13; or

(6) is a facility created by the relocation of more than 25 percent of the capacity of a related facility during the reporting year.

(b) Notwithstanding any contrary provision in Minnesota Statutes, section 256B.501, for the rate year beginning October 1, 1999, the commissioner of human services shall, for purposes of the spend-up limit, array facilities within each grouping established under Minnesota Statutes, section 256B.501, subdivision 5b, paragraph (d), clause (4), by each facility's cost per resident day. A facility's cost per resident day shall be determined by dividing its allowable historical general operating cost for the reporting year by the facility's resident days for the reporting year. Facilities with a cost per resident day at or above the median shall be limited to the lesser of:

(1) the current reporting year's cost per resident day; or

(2) the prior report year's cost per resident day plus the inflation factor established under Minnesota Statutes, section 256B.501, subdivision 3c, clause (2), increased by three percentage points. In no case shall the amount of this reduction exceed: (i) three percent for a facility with a licensed capacity greater than 16 beds; (ii) two percent for a facility with a licensed capacity of nine to 16 beds; and (iii) one percent for a facility with a licensed capacity of eight or fewer beds.

(c) The commissioner shall not apply the limits established under Minnesota Statutes, section 256B.501, subdivision 5b, paragraph (d), clause (8), for the rate year beginning October 1, 1999.

(d) Notwithstanding paragraphs (b) and (c), the commissioner must utilize facility payment rates based on the laws in effect for October 1, 1998, payment rates and use the resulting allowable operating cost per diems as the basis for the spend-up limits for the rate year beginning October 1, 1999.

Sec. 10. [REPEALER.]

(a) Minnesota Statutes 1998, sections 144.0723; and 256B.5011, subdivision 3, are repealed.

(b) Minnesota Statutes 1998, section 256B.501, subdivision 3g, is repealed effective October 1, 2000."

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

The report was adopted.

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

H. F. No. 1464, A bill for an act relating to public transit; reducing percentage of operating costs required to be paid by provider of large urbanized area service; amending Minnesota Statutes 1998, section 174.24, subdivision 3b.

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

The report was adopted.

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

H. F. No. 1468, A bill for an act relating to education; requiring school districts to provide remedial instruction to students who fail to meet minimum course requirements in core academic subjects; requiring a report to project remediation costs; amending Minnesota Statutes 1998, section 120A.22, subdivision 9.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 120A.22, subdivision 9, is amended to read:

Subd. 9. [CURRICULUM.] (a) Instruction must be provided in at least the following subject areas:

- (1) basic communication skills including reading and writing, literature, and fine arts;
- (2) mathematics and science;
- (3) social studies including history, geography, and government; and
- (4) health and physical education.

(b) Every student in grades 1 through 6 who receives a letter "F" or "D" or the equivalent of a letter "F" or "D" in a reading, mathematics, or writing course must receive remedial instruction. Using proven instructional practices, the school district must provide remedial instruction to all eligible students in an after-school program or during summer school. A teacher must inform the student and the student's parent in a timely fashion that the student is obligated to receive remedial instruction. The student's parent, the student's teachers in the current school year and, where applicable, one or more elementary school teachers teaching the student in the next grade following the grade in which the student is currently enrolled, must jointly decide on the content of the student's remedial instruction. Consistent with the requirements of chapter 125A, the individual education plan team of a student with a disability must establish a basis for determining whether the student requires remedial instruction under this subdivision.

(c) Instruction, textbooks, and materials must be in the English language. Another language may be used pursuant to sections 124D.59 to 124D.61.

Sec. 2. Minnesota Statutes 1998, section 123B.80, is amended by adding a subdivision to read:

Subd. 4. [APPROVAL STANDARD; REMEDIAL EDUCATION.] The commissioner may approve a fund transfer from any fund or account if the district requesting the transfer demonstrates to the commissioner's satisfaction that the fund or account has a surplus balance and that the amount transferred will be spent on remedial education services.

Sec. 3. [REPORT.]

(a) School districts are encouraged to provide remedial instruction to students under Minnesota Statutes, section 120A.22, subdivision 9, paragraph (b), during the 1999-2000 and 2000-2001 school years. School districts that provide such remedial instruction must report to the commissioner of children, families, and learning by July 1, 2000, on the number of students, by grade, that need and receive remedial instruction and the cost and methods of instruction. All other school districts not providing remedial instruction must report to the commissioner by July 1, 2000, on the number of students, by grade, who would have required remedial instruction under Minnesota Statutes, section 120A.22, subdivision 9, paragraph (b), during the 1999-2000 school year. The commissioner shall compile the data in a useful format and report to the education committees of the legislature by October 1, 2000.

(b) By January 1, 2001, all school districts must identify and report to the commissioner of children, families, and learning the number of students who would require remedial instruction under Minnesota Statutes, section 120A.22, subdivision 9, based on the students' failure to meet reading, mathematics, or writing requirements during the 2000-2001 school year, and the estimated cost for that remediation by grade. The commissioner must report the compiled data under this paragraph to the education committees of the legislature by February 15, 2001, in order for the committees to determine the costs of providing remedial instruction for the 2001-2002 school year and later.

Sec. 4. [CATEGORICAL AID FOR REMEDIAL INSTRUCTION.]

The legislature must consider the desirability of establishing a categorical aid for remedial instruction in order to advise the 2001 legislature concerning how best to fund remedial instruction under section 1.

Sec. 5. [EFFECTIVE DATE.]

Section 1 is effective for the 2001-2002 school year. Section 2 is effective July 1, 1999. Section 3 is effective the day following final enactment. Section 4 is effective October 15, 2000.

Delete the title and insert:

"A bill for an act relating to education; providing remedial education under certain circumstances; authorizing certain fund transfers; requiring reports; amending Minnesota Statutes 1998, sections 120A.22, subdivision 9; and 123B.80, by adding a subdivision."

With the recommendation that when so amended the bill be re-referred to the Committee on K-12 Education Finance without further recommendation.

The report was adopted.

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

H. F. No. 1472, A bill for an act relating to transportation; modifying provisions relating to special number plates for collector aircraft; amending Minnesota Statutes 1998, sections 360.531, subdivision 3; and 360.55, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 11, delete "Aeronautics" and insert "Aviation"

Page 1, line 22, delete "with the exception of" and insert "and includes"

Page 2, line 2, delete "with the exception of" and insert "and includes"

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

The report was adopted.

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

H. F. No. 1480, A bill for an act relating to capital improvements; providing for construction of new facilities for the bureau of criminal apprehension; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [BUREAU OF CRIMINAL APPREHENSION; ST. PAUL FACILITY.]

\$4,500,000 is appropriated from the general fund to the commissioner of administration to construct the new facility for the bureau of criminal apprehension in St. Paul for which site acquisition and design money were appropriated in Laws 1998, chapter 404, section 13, subdivision 11.

Sec. 2. [BUREAU OF CRIMINAL APPREHENSION; BEMIDJI SATELLITE LABORATORY FACILITY.]

Subdivision 1. [LEASE-PURCHASE AGREEMENT.] The commissioner of administration and the city of Bemidji may enter into a lease-purchase agreement providing for the acquisition by the commissioner of a northern satellite laboratory facility for the bureau of criminal apprehension in the city of Bemidji, for which predesign money was appropriated in Laws 1998, chapter 404, section 13, subdivision 11. The lease-purchase agreement shall be subject to the following terms:

(1) the term of the lease shall not exceed 20 years; and

(2) the lease-purchase agreement must provide the commissioner of administration with a unilateral right to purchase the satellite laboratory facility from the city of Bemidji at the end of the lease term.

Subd. 2. [CONSTRUCTION OF FACILITY.] The city of Bemidji may acquire the necessary site and construct, or cause to be constructed, the satellite laboratory facility in accordance with the lease-purchase agreement authorized in subdivision 1. The city of Bemidji may issue revenue bonds to finance site acquisition and construction of the satellite laboratory facility pursuant to Minnesota Statutes, chapter 475, provided that such bonds shall be deemed to be payable wholly from the proceeds of a revenue-producing convenience for purposes of chapter 475.

Subd. 3. [APPROPRIATION.] \$2,270,000 is appropriated from the general fund to the commissioner of administration to pay rent and related costs under the lease-purchase agreement authorized in subdivision 1 and to operate the satellite laboratory facility. This appropriation is available until June 30, 2001.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective on the day following final enactment."

Amend the title as follows:

Page 1, line 3, delete "construction of"

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

The report was adopted.

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

H. F. No. 1486, A bill for an act relating to the environment; repealing the prohibition against certain metals in products; repealing Minnesota Statutes 1998, section 115A.9651.

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. 1550, A bill for an act relating to transportation; governing liability for claims of loss incurred by person while in highway right-of-way; amending Minnesota Statutes 1998, sections 3.736, subdivision 3; and 466.03, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 1553, A bill for an act relating to corrections; authorizing offenders conditionally released to perform community work service to file claims for injuries sustained during compensated service; repealing a requirement for a report on training funds; authorizing expenditure of funds for staff working in licensed juvenile facilities; authorizing deduction from an inmate's account of restitution ordered for damage to staff property and personal injuries to another; authorizing Minnesota correctional facility-Red Wing to retain money collected from detention holds and federal contracts; authorizing the commissioner to require any inmate to participate in rehabilitative programs and impose disciplinary sanctions for refusal to participate; exempting licensed contractor requirement for institution work crew program; clarifying that sentence for imprisonment is only for felonies; making certain criminal justice agency records available to commissioner of corrections and probation officers; specifying criteria for commitment of juvenile male offenders at the Minnesota correctional facility-Red Wing; repealing the law authorizing the mutual agreement rehabilitative program; amending Minnesota Statutes 1998, sections 3.739, subdivision 1; 241.01, subdivision 5; 241.0221, subdivisions 1, 2, and 4; 241.26, subdivision 5; 242.32, subdivision 1; 243.23, subdivision 3; 244.03; 244.05, subdivision 1b; 326.84, subdivision 3; 609.105, subdivision 1; and 609.115, subdivision 3; Laws 1997, chapter 239, article 9, section 45; repealing Minnesota Statutes 1998, section 244.02.

Reported the same back with the following amendments:

Page 6, line 20, delete "administratively" and insert ", under chapter 14," and delete "and"

Page 6, line 21, delete "develop"

Page 8, delete section 7

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 27, delete "242.32, subdivision 1;"

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. 1554, A bill for an act relating to corrections; authorizing the department of corrections to contract with the department of human services to conduct criminal history background checks for job applicants for juvenile corrections facilities; amending Minnesota Statutes 1998, section 241.021, subdivision 6.

Reported the same back with the following amendments:

Page 2, line 5, delete "or access"

Page 2, line 12, delete "shall include programs" and insert "means a program that is"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1558, A bill for an act relating to agriculture; changing meeting provisions and duties of the board of grain standards; changing certain fees; defining and clarifying certain terms; changing certain provisions related to grain buyers, warehouses, and grain storage; authorizing rulemaking; amending Minnesota Statutes 1998, sections 17B.07; 17B.12; 17B.15, subdivision 1; 27.01, subdivision 8, and by adding a subdivision; 27.19, subdivision 1; 223.17, subdivisions 5 and 6; 223.175; 232.21, by adding a subdivision; and 232.23, subdivisions 3 and 6; proposing coding for new law in Minnesota Statutes, chapters 231; and 232.

Reported the same back with the following amendments:

Page 1, after line 14, insert:

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

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

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

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

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

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

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

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

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

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

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



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

Sec. 2. Minnesota Statutes 1998, section 17.109, subdivision 3, is amended to read:

Subd. 3. [APPROPRIATIONS MUST BE MATCHED BY PRIVATE FUNDS.] Appropriations to the Minnesota grown matching account may be expended only to the extent that they are matched with contributions to the account from private sources on a basis of \$4 of the appropriation to each \$1 of private contributions. Private contributions eligible to be matched include gifts, revenue received from the sale of advertising space and directory listings, and revenue received from the development and sale of promotional materials. Matching funds are not available after the appropriation is encumbered."

Page 3, after line 29, insert:

"Sec. 6. Minnesota Statutes 1998, section 18B.26, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENT.] (a) A person may not use or distribute a pesticide in this state unless it is registered with the commissioner. ~~Pesticide registrations expire on December 31 of each year and may be renewed on or before that date for the following calendar year.~~ Registration of each pesticide expires on December 31. Beginning on January 1, 2001, each company whose company name begins with a letter from A to M shall be registered for two years. Each company whose company name begins with a letter from N to Z shall be registered for one year and shall pay one-half the minimum fee for each registered pesticide. Each subsequent registration is for two years.

(b) Registration is not required if a pesticide is shipped from one plant or warehouse to another plant or warehouse operated by the same person and used solely at the plant or warehouse as an ingredient in the formulation of a pesticide that is registered under this chapter.

(c) An unregistered pesticide that was previously registered with the commissioner may be used for a period of two years following the cancellation of the registration of the pesticide, unless the commissioner determines that the continued use of the pesticide would cause unreasonable adverse effects on the environment, or with the written permission of the commissioner. To use the unregistered pesticide at any time after the two-year period, the pesticide end user must demonstrate to the satisfaction of the commissioner, if requested, that the pesticide has been continuously registered under a different brand name or by a different manufacturer and has similar composition, or, the pesticide end user obtains the written permission of the commissioner.

(d) Each pesticide with a unique United States Environmental Protection Agency pesticide registration number or a unique brand name must be registered with the commissioner.

Sec. 7. Minnesota Statutes 1998, section 18B.26, subdivision 3, is amended to read:

Subd. 3. [APPLICATION FEE.] (a) A registrant shall pay ~~an annual~~ a biennial application fee for each pesticide to be registered, ~~and this fee is set at one-tenth of one percent for calendar year 1990, at one-fifth of one percent for calendar year 1991, and at two-fifths of one percent for calendar year 1992 and thereafter~~ of two-fifths of one percent of annual gross sales within the state and annual gross sales of pesticides used in the state, with a minimum ~~nonrefundable~~ fee of \$250 \$500 per registration period. The fee for a new product registered any time during the first year of the registration period must be the minimum. The fee for a new product registered during the second year of a company's registration period must be one-half of the minimum. The registrant shall determine when and which pesticides are sold or used in this state. The registrant shall secure sufficient sales information of pesticides

distributed into this state from distributors and dealers, regardless of distributor location, to make a determination. Sales of pesticides in this state and sales of pesticides for use in this state by out-of-state distributors are not exempt and must be included in the registrant's annual report, as required under paragraph (c), and fees shall be paid by the registrant based upon those reported sales. Sales of pesticides in the state for use outside of the state are exempt from the application fee in this paragraph if the registrant properly documents the sale location and distributors. A registrant paying more than the minimum fee shall pay the balance due by March 1 based on the gross sales of the pesticide by the registrant for the preceding calendar year. The fee for disinfectants and sanitizers shall be the minimum. The minimum fee is due by December 31 preceding the first year of the two-year period for which the application for registration is made. Of the amount collected after calendar year 1990, at least \$600,000 per fiscal year must be credited to the waste pesticide account under section 18B.065, subdivision 5.

(b) An additional fee of \$100 must be paid by the applicant for each pesticide to be registered if the application is a renewal application that is submitted after December 31.

(c) A registrant must annually report to the commissioner the amount and type of each registered pesticide sold, offered for sale, or otherwise distributed in the state. The report shall be filed by March 1 for the previous year's registration. The commissioner shall specify the form of the report and require additional information deemed necessary to determine the amount and type of pesticides annually distributed in the state. The information required shall include the brand name, amount, and formulation of each pesticide sold, offered for sale, or otherwise distributed in the state, but the information collected, if made public, shall be reported in a manner which does not identify a specific brand name in the report.

Sec. 8. Minnesota Statutes 1998, section 18B.26, subdivision 6, is amended to read:

Subd. 6. [DISCONTINUANCE OF REGISTRATION.] To ensure complete withdrawal from distribution or further use of a pesticide, a person who intends to discontinue a pesticide registration must:

(1) terminate a further distribution within the state and continue to register the pesticide ~~annually~~ for two successive years. If the second year of discontinuation of a product falls on the first year of a company's registration period, the fee must be one-half of the minimum;

(2) initiate and complete a total recall of the pesticide from all distribution in the state within 60 days from the date of notification to the commissioner of intent to discontinue registration; or

(3) submit to the commissioner evidence adequate to document that no distribution of the registered pesticide has occurred in the state.

Sec. 9. Minnesota Statutes 1998, section 18B.315, subdivision 3, is amended to read:

Subd. 3. [APPLICATION.] (a) A person must apply to the commissioner for an aquatic pest control license on forms and in a manner required by the commissioner. The commissioner shall require the applicant to pass a written, closed-book, monitored examination or oral examination, or both, and may also require a practical demonstration regarding aquatic pest control. The commissioner shall establish the examination procedure, including the phases and contents of the examination.

(b) The commissioner may license a person as a master under an aquatic pest control license if the person has the necessary qualifications through knowledge and experience to properly plan, determine, and supervise the selection and application of pesticides in aquatic pest control. To demonstrate the qualifications and become licensed as a master under the aquatic pest control license, a person must:

(1) pass a closed-book test administered by the commissioner;

(2) have direct experience as a licensed journeyman under an aquatic pest control license for at least two years by this state or a state with equivalent certification requirements, ~~or have at least 1,600 hours of qualifying experience in the previous four years as determined by the commissioner;~~ and

(3) show practical knowledge and field experience under clause (2) in the actual selection and application of pesticides under varying conditions.

(c) The commissioner may license a person as a journeyman under an aquatic pest control license if the person:

(1) has the necessary qualifications in the practical selection and application of pesticides;

(2) has passed a closed-book examination given by the commissioner; and

(3) is engaged as an employee of or is working under the direction of a person licensed as a master under an aquatic pest control license.

Sec. 10. Minnesota Statutes 1998, section 18B.315, subdivision 4, is amended to read:

Subd. 4. [RENEWAL.] (a) An aquatic pest control applicator license may be renewed on or before the expiration of an existing license subject to reexamination, attendance at workshops approved by the commissioner, or other requirements imposed by the commissioner to provide the applicator with information regarding changing technology and to help assure a continuing level of competency and ability to use pesticides safely and properly. The commissioner may require an additional demonstration of applicator qualification if the applicator has had a license suspended or revoked or has otherwise had a history of violations of this chapter.

(b) If a person fails to renew an aquatic pest control license within ~~three~~ 12 months of its expiration, the person must obtain an aquatic pest control license subject to the requirements, procedures, and fees required for an initial license.

Sec. 11. Minnesota Statutes 1998, section 18B.315, subdivision 6, is amended to read:

Subd. 6. [FEES.] (a) An applicant for an aquatic pest control license for a business must pay a nonrefundable application fee of \$100. An employee of a licensed business must pay a nonrefundable application fee of \$50 for an individual aquatic pest control license.

(b) An application received after ~~expiration of the aquatic pest control license~~ March 1 in the year for which the license is to be issued is subject to a penalty of 50 percent of the application fee.

(c) An applicant that meets renewal requirements by reexamination instead of attending workshops must pay the equivalent workshop fee for the reexamination as determined by the commissioner.

Sec. 12. Minnesota Statutes 1998, section 18C.421, subdivision 1, is amended to read:

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

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

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

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

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

Page 6, after line 36, insert:

"Sec. 16. Minnesota Statutes 1998, section 31.101, subdivision 10, is amended to read:

Subd. 10. [MEAT AND POULTRY RULES.] Federal regulations in effect on ~~April 1, 1997~~ January 1, 1999, as provided by Code of Federal Regulations, title 9, parts 301 to 362 and 381 to 391, ~~with the exception of Subpart C-Exemptions, sections 381.10 to 381.15 et seq.~~, are incorporated as part of the meat and poultry rules in this state. The rules may be amended by the commissioner under chapter 14.

Sec. 17. Minnesota Statutes 1998, section 31A.01, is amended to read:

31A.01 [POLICY.]

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

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

Sec. 18. Minnesota Statutes 1998, section 31A.02, subdivision 4, is amended to read:

Subd. 4. [ANIMALS.] "Animals" means cattle, swine, sheep, goats, poultry, farmed cervidae, as defined in section 17.451, subdivision 2, llamas, as defined in section 17.455, subdivision 2, ratitae, as defined in section 17.453, subdivision 3, horses, equines, and other large domesticated animals, not including poultry.

Sec. 19. Minnesota Statutes 1998, section 31A.02, is amended by adding a subdivision to read:

Subd. 17a. [FEDERAL POULTRY INSPECTION ACT.] "Federal Poultry Inspection Act" means the Federal Poultry Products Inspection Act, as amended.

Sec. 20. Minnesota Statutes 1998, section 31A.02, is amended by adding a subdivision to read:

Subd. 24. [POULTRY.] "Poultry" means any domesticated bird, including, but not limited to, chickens, turkeys, ducks, geese, or guineas.

Sec. 21. Minnesota Statutes 1998, section 31A.15, subdivision 1, is amended to read:

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

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

(2) to the custom processing by a person of cattle, sheep, swine, poultry, or goats delivered by the owner for processing, and the preparation or transportation in intrastate commerce of the carcasses, parts of carcasses, meat, and meat food products of animals, exclusively for use in the household of the owner by the owner and members of

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

Sec. 22. Minnesota Statutes 1998, section 31A.21, subdivision 1, is amended to read:

Subdivision 1. [DESIGNATION.] The Minnesota department of agriculture is the state agency responsible for cooperating with the United States Secretary of Agriculture under section 301 of the Federal Meat Inspection Act and of the Poultry Products Inspection Act to develop and administer the state meat inspection program under this chapter so that its requirements at least equal those imposed under titles I and IV of the Federal Meat Inspection Act and of the Poultry Products Inspection Act to develop and administer the state program under sections 31A.17 to 31A.20 to carry out the purposes of this chapter and the federal act.

Sec. 23. Minnesota Statutes 1998, section 31A.21, subdivision 3, is amended to read:

Subd. 3. [ADVICE; CONSULTATION.] The Minnesota department of agriculture may recommend to the United States Secretary of Agriculture officials or employees of this state for appointment to the advisory committees provided for in section 301 of the Federal Meat Inspection Act and of the Poultry Products Inspection Act. The Minnesota department of agriculture shall serve as the representative of the governor for consultation with the secretary under paragraph (c) of section 301 of the Federal Meat Inspection Act and of the Poultry Products Inspection Act unless the governor selects another representative.

Sec. 24. Minnesota Statutes 1998, section 31A.31, is amended to read:

31A.31 [CITATION.]

This chapter may be cited as the Minnesota Meat and Poultry Inspection Act."

Page 9, delete section 10

Page 10, delete section 14 and insert:

"Sec. 31. [REPEALER.]

Minnesota Statutes 1998, section 31A.28, is repealed."

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "authorizing rulemaking;" and insert "clarifying uses of value-added agricultural product processing and marketing grants; clarifying contributions eligible for certain matching funds; changing pesticide registration and aquatic pest control licensing provisions; clarifying a fertilizer reporting requirement; conforming meat and poultry rules to federal law; providing for poultry inspection;"

Page 1, line 7, after "sections" insert "17.101, subdivision 5; 17.109, subdivision 3;"

Page 1, line 8, after the second semicolon, insert "18B.26, subdivisions 1, 3, and 6; 18B.315, subdivisions 3, 4, and 6; 18C.421, subdivision 1;"

Page 1, line 9, after the second semicolon, insert "31.101, subdivision 10; 31A.01; 31A.02, subdivision 4, and by adding subdivisions; 31A.15, subdivision 1; 31A.21, subdivisions 1 and 3; 31A.31;"

Page 1, line 12, delete everything after the semicolon, and insert "repealing Minnesota Statutes 1998, section 31A.28."

Page 1, delete line 13

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

The report was adopted.

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

H. F. No. 1569, A bill for an act relating to education; providing for site council recommendations for board appointments; clarifying provisions relating to the Minnesota state academies; appropriating money; amending Minnesota Statutes 1998, sections 125A.62; 125A.64; 125A.65, subdivisions 3, 5, 6, 7, 8, and 10; 125A.68, subdivision 1; 125A.69, subdivisions 1 and 3; 125A.70, subdivision 2; 125A.71, subdivision 3; 125A.72; and 125A.73.

Reported the same back with the following amendments:

Page 1, line 24, strike everything after "governor"

Page 1, line 25, strike everything before the period

With the recommendation that when so amended the bill pass and be re-referred to the Committee on K-12 Education Finance.

The report was adopted.

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

H. F. No. 1574, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Blue Earth; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1575, A bill for an act relating to appropriations; appropriating wastewater funding for the city of North Mankato; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1580, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Crosslake; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1581, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Nisswa; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1586, A bill for an act relating to natural resources; allowing certain land to be enrolled in more than one state or federal conservation program; amending Minnesota Statutes 1998, section 103F.515, subdivision 2.

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

The report was adopted.

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

H. F. No. 1604, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Good Thunder; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1605, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Hinckley; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1606, A bill for an act relating to appropriations; appropriating wastewater funding for Twin Lakes township; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1612, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Dilworth; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1614, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Northfield; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1615, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Plato; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1617, A bill for an act relating to appropriations; appropriating wastewater funding for Schroeder township; authorizing the sale of state bonds.

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

The report was adopted.



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

H. F. No. 1618, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Tofte; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1619, A bill for an act relating to appropriations; appropriating wastewater funding for the Castle Danger area in Silver Creek township; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1627, A bill for an act relating to appropriations; appropriating wastewater funding for Lake City; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1632, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Cannon Falls; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1643, A bill for an act relating to appropriations; appropriating wastewater funding for the western Lake Superior sanitary district biosolids management project; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1645, A bill for an act relating to human services; providing for a truancy prevention pilot program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256J.

Reported the same back with the following amendments:

Page 1, line 14, after "in" insert "voluntary"

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

The report was adopted.

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

H. F. No. 1646, A bill for an act relating to family law; providing visitation rights to certain relatives; amending Minnesota Statutes 1998, section 257.022, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 1652, A bill for an act relating to appropriations; appropriating wastewater funding for north shore area planning and design in the western Lake Superior sanitary district; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1653, A bill for an act relating to appropriations; appropriating wastewater funding for the Pike Lake project in the Western Lake Superior Sanitary District; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1654, A bill for an act relating to state telecommunications infrastructure development; providing for open competition for state telecommunications services; prohibiting state competition with the private sector; making other conforming changes; amending Minnesota Statutes 1998, sections 16B.415; 16B.46; and 16B.465; Laws 1995, First Special Session chapter 3, article 12, section 10.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 16B.415, is amended to read:

16B.415 [OPERATION OF INFORMATION SYSTEMS.]

The commissioner, through a division of technology management, is responsible for ongoing operations of state agency information technology activities. These include records management, activities relating to the Government Data Practices Act, ~~operation of~~ administering the state information infrastructure, and activities necessary to make state information systems year 2000 compliant.

Sec. 2. Minnesota Statutes 1998, section 16B.46, is amended to read:

16B.46 [TELECOMMUNICATION; POWERS.]

The commissioner shall supervise and control the leasing of all state telecommunication ~~facilities~~ services including any transmission, emission, or reception of signs, signals, writing, images, and sounds or intelligence of any nature by wire, radio, optical, or other electromagnetic systems. Nothing in this section modifies, amends, or abridges any powers and duties presently vested in or imposed upon the commissioner of transportation or the commissioner of public safety relating to telecommunications facilities or the commissioner of transportation relating only to radio air navigation facilities or other air navigation facilities.

Sec. 3. Minnesota Statutes 1998, section 16B.465, is amended to read:

16B.465 [STATE INFORMATION INFRASTRUCTURE.]

Subdivision 1. [PURPOSE.] (a) The legislature finds that the government provision of telecommunication services in competition with the private sector is counterproductive and contrary to state policy. It is the policy of the state of Minnesota not to purchase, own, or lease any equipment or facilities that can be used in providing telecommunication network services that can be provided by the private sector. It is the policy of the state of Minnesota to lease all telecommunication services from the private sector to the extent practicable. The state of Minnesota and its departments and agencies are urged to seek ways to encourage the growth of the private sector in the area of telecommunications and not pursue policies that restrict market opportunities for the private sector. The state may provide only those telecommunication services that are not available through the private sector.

(b) This section does not preclude the state from purchasing, owning, or leasing customer premises equipment. Customer premises equipment consists of terminal and associated equipment and inside wire located at an end user's premises and connected with communication channels at the point established in a building or a complex to separate customer equipment from the network.

~~Subdivision 1~~ Subd. 1a. [CREATION.] The state information infrastructure ~~provides~~ shall arrange for the provision of leased voice, data, video, and other telecommunications transmission services to state agencies; educational institutions, including public schools as defined in section 120A.05, subdivisions 9, 11, 13, and 17, nonpublic, church or religious organization schools that provide instruction in compliance with sections 120A.22, 120A.24, and 124A.41, and private colleges; public corporations; and state political subdivisions. It is not a telephone company for purposes of chapter 237. The state shall not purchase, own, or lease any telecommunication network facilities or equipment unless the state has sought bids or proposals and has determined that the private sector cannot provide the services that the state intends to provide using the facilities or equipment. It shall not resell or sublease any services or facilities to nonpublic entities except it may serve private schools and colleges. The commissioner has the responsibility for planning, development, and operations of the state information infrastructure in order to provide cost-effective leased telecommunications transmission services to state information infrastructure users. For purposes of this section, "state information infrastructure" means the network facilities and telecommunications services provided through contracts administered by the commissioner.

Subd. 3. [DUTIES.] (a) The commissioner, after consultation with the office of technology, shall:

(1) ~~provide~~ negotiate, enter into, and administer contracts for voice, data, video, and other leased telecommunications transmission services to the state and to political subdivisions through an account in the intertechnologies revolving fund;

(2) manage vendor relationships, ~~network function,~~ and capacity planning in order to be responsive to the needs of the state information infrastructure users;

(3) set rates and fees for services;

(4) approve contracts for leased services relating to the system;

(5) in consultation with the office of technology, develop ~~the system a plan, including plans for the phasing of its implementation and maintenance of the initial system~~ out the provision of telecommunications services and network operations, except as provided in paragraph (b), and for the annual program and fiscal plans for the leased system; and

(6) in consultation with the office of technology, and the department of children, families, and learning in regard to schools, assist state agencies, political subdivisions of the state, and higher education institutions, including private colleges and public and private schools, to identify their telecommunication needs, and develop a plan plans for interconnection of the provision of leased telecommunications services and equipment to ensure the integration of these needs into an interoperable statewide network with private colleges and public and private schools in the state.

(b) The commissioner may purchase, own, or lease telecommunication network facilities or equipment if the commissioner has sought bids or proposals and has determined that the private sector cannot provide services that the state intends to provide using the facilities or equipment.

(c) The commissioner, in consultation with the office of technology and the department of children, families, and learning in regard to schools, when requested, may assist state agencies, political subdivisions of the state, and higher education institutions, including private colleges and public and private schools, in identifying, purchasing, or leasing their customer premises equipment.

(d) The commissioner shall, by June 30, 2000, develop and implement a plan for phasing out ownership of telecommunications network equipment currently owned by the state of Minnesota.

Subd. 4. [PROGRAM PARTICIPATION.] (~~a~~) The commissioner may ~~require the participation~~ secure bids or proposals for services from private sector vendors to serve the needs of state agencies, the state board of education, ~~and the board of trustees of the Minnesota state colleges and universities, and may request the participation of the board of regents of the University of Minnesota, in the planning and implementation of the network to provide interconnective technologies. Alternatively, those entities may seek bids or proposals for services directly from private sector vendors without the participation of the commissioner.~~

Subd. 4a. [RATES.] The commissioner shall establish reimbursement rates in cooperation with the commissioner of finance to be billed to participating agencies and educational institutions sufficient to cover the operating, maintenance, and administrative costs of the ~~system~~ leased services.

~~(b) A direct appropriation made to an educational institution for usage costs associated with the state information infrastructure must only be used by the educational institution for payment of usage costs of the network as billed by the commissioner of administration.~~

Subd. 6. [APPROPRIATION.] Money appropriated for the state information infrastructure and fees for leased telecommunications services must be deposited in an account in the intertechnologies fund. Money in the account is appropriated annually to the commissioner to ~~operate telecommunications services~~ carry out the purposes of this section.

Subd. 7. [EXEMPTION.] The system is exempt from the five-year limitation on contracts set by sections 16C.05, subdivision 2, paragraph (a), clause (5), 16C.08, subdivision 3, clause (7), and 16C.09, clause (6). Section 16E.03, subdivision 3, does not apply to this section.

Sec. 4. Laws 1995, First Special Session chapter 3, article 12, section 10, is amended to read:

Sec. 10. [ELECTRONIC COST REDUCTION.]

The commissioner of education shall identify methods to reduce the costs of Internet access for school districts. The commissioner shall work in conjunction with ~~MN~~ the state information infrastructure, the department of administration, and the telecommunication industry to provide Internet access and long distance phone service at a favorable group rate.

Sec. 5. [EFFECTIVE DATE.]

This act is effective the day following final enactment. This act does not affect any valid contracts executed before the effective date of this act."

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

The report was adopted.

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

H. F. No. 1659, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Lewiston; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1663, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Rollingstone; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 1682, A bill for an act relating to motor vehicles; exempting from registration taxes vehicles owned by a commercial driving school and used exclusively in driver education and training; amending Minnesota Statutes 1998, section 168.012, subdivision 1.

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

The report was adopted.

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

H. F. No. 1688, A bill for an act relating to human services; modifying state-operated services; changing adult mental health day treatment and consolidated chemical dependency treatment fund requirements; amending Minnesota Statutes 1998, sections 16C.10, subdivision 5; 245.4712, subdivision 2; 246.18, subdivision 6; 253B.045, by adding subdivisions; 253B.07, subdivision 1; 253B.185, by adding a subdivision; 254B.01, by adding a subdivision; 254B.02, subdivision 3; 254B.03, subdivision 2; 254B.04, subdivision 1; 254B.05, subdivision 1; and 256.01, subdivision 6; Laws 1995, chapter 207, article 8, section 41, as amended; proposing coding for new law in Minnesota Statutes, chapter 246.

Reported the same back with the following amendments:

Page 2, after line 14, insert:

"Sec. 2. Minnesota Statutes 1998, section 245.462, subdivision 4, is amended to read:

Subd. 4. [~~CASE MANAGER MANAGEMENT SERVICE PROVIDER.~~] (a) "~~Case manager management service provider~~" means ~~an individual~~ a case manager or case manager associate employed by the county or other entity authorized by the county board to provide case management services specified in section 245.4711.

~~A case manager must have a bachelor's degree in one of the behavioral sciences or related fields including, but not limited to, social work, psychology, or nursing from an accredited college or university and. A case manager must have at least 2,000 hours of supervised experience in the delivery of services to adults with mental illness, must be skilled in the process of identifying and assessing a wide range of client needs, and must be knowledgeable about local community resources and how to use those resources for the benefit of the client. The case manager shall meet in person with a mental health professional at least once each month to obtain clinical supervision of the case manager's activities. Case managers with a bachelor's degree but without 2,000 hours of supervised experience in the delivery of services to adults with mental illness must complete 40 hours of training approved by the commissioner of human services in case management skills and in the characteristics and needs of adults with serious and persistent mental illness and must receive clinical supervision regarding individual service delivery from a mental health professional at least once each week until the requirement of 2,000 hours of supervised experience is met.~~

(b) Supervision for a case manager during the first year of service providing case management services shall be one hour per week of clinical supervision from a case management supervisor. After the first year, the case manager shall receive regular ongoing supervision totaling 38 hours per year, of which at least one hour per month must be clinical supervision regarding individual service delivery with a case management supervisor. The remainder may be provided by a case manager with two years of experience. Group supervision may not constitute more than one-half of the required supervision hours. Clinical supervision must be documented in the client record.

(c) A case manager with a bachelor's degree who is not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in mental illness and mental health services annually.

(d) A case manager with a bachelor's degree but without 2,000 hours of supervised experience described in paragraph (a), must complete 40 hours of training approved by the commissioner covering case management skills and the characteristics and needs of adults with serious and persistent mental illness.

(e) Case managers without a bachelor's degree must meet one of the requirements in clauses (1) to (3):

(1) have three or four years of experience as a case manager associate;

(2) be a registered nurse without a bachelor's degree and have a combination of specialized training in psychiatry and work experience consisting of community interaction and involvement or community discharge planning in a mental health setting totaling three years; or

(3) be a person who qualified as a case manager under the 1998 department of human service federal waiver provision and meet the continuing education and mentoring requirements in this section.

(f) A case manager associate must work under the direction of a case manager or case management supervisor and must be 21 years of age. A case manager associate must also have a high school diploma and meet one of the following criteria:

(1) have an associate of arts degree in one of the behavioral sciences or human services;

(2) be a registered nurse without a bachelor's degree;

(3) have three years of life experience with serious and persistent mental illness as defined in section 245.462, subdivision 20, within the previous ten years, or 6,000 hours life experience as a primary caregiver to an adult with serious and persistent mental illness within the previous ten years;

(4) have 6,000 hours work experience as a nondegreed state hospital technician; or

(5) be a mental health practitioner as defined in section 245.462, subdivision 17, clause (2).

Individuals meeting one of the criteria in clauses (1) to (4) may qualify as a case manager after four years of supervised work experience as a case manager associate. Individuals meeting the criteria in clause (5) may qualify as a case manager after three years of supervised experience as a case manager associate.

Case management associates must have 40 hours preservice training under paragraph (d) and receive at least 40 hours of continuing education in mental illness and mental health services annually. Case manager associates shall receive at least five hours of mentoring per week from a case management mentor. A "case management mentor" means a qualified, practicing case manager or case management supervisor who teaches or advises and provides intensive training and clinical supervision to one or more case manager associates. Mentoring may occur while providing direct services to consumers in the office or in the field and may be provided to individuals or groups of case manager associates. At least two mentoring hours per week must be individual and face-to-face.

(g) A case management supervisor must meet the criteria for mental health professionals, as specified in section 245.462, subdivision 18.

(h) Until June 30, 1999, an immigrant who does not have the qualifications specified in this subdivision may provide case management services to adult immigrants with serious and persistent mental illness who are members of the same ethnic group as the case manager if the person: (1) is actively pursuing credits toward the completion of a bachelor's degree in one of the behavioral sciences or a related field including, but not limited to, social work, psychology, or nursing from an accredited college or university; (2) completes 40 hours of training as specified in this subdivision; and (3) receives clinical supervision at least once a week until the requirements of this subdivision are met.

~~(b) The commissioner may approve waivers submitted by counties to allow case managers without a bachelor's degree but with 6,000 hours of supervised experience in the delivery of services to adults with mental illness if the person:~~

~~(1) meets the qualifications for a mental health practitioner in subdivision 26;~~

~~(2) has completed 40 hours of training approved by the commissioner in case management skills and in the characteristics and needs of adults with serious and persistent mental illness; and~~

~~(3) demonstrates that the 6,000 hours of supervised experience are in identifying functional needs of persons with mental illness, coordinating assessment information and making referrals to appropriate service providers, coordinating a variety of services to support and treat persons with mental illness, and monitoring to ensure appropriate provision of services. The county board is responsible to verify that all qualifications, including content of supervised experience, have been met.~~

Sec. 3. Minnesota Statutes 1998, section 245.462, subdivision 17, is amended to read:

Subd. 17. [MENTAL HEALTH PRACTITIONER.] "Mental health practitioner" means a person providing services to persons with mental illness who is qualified in at least one of the following ways:

(1) holds a bachelor's degree in one of the behavioral sciences or related fields from an accredited college or university and either:

(i) has at least 2,000 hours of supervised experience in the delivery of services to persons with mental illness; or

(ii) is fluent in the non-English language of the ethnic group to which over 50 percent of the practitioner's clients belong, completes 40 hours of training in the delivery of services to persons with mental illness, and is supervised by a mental health professional at least once a week until 2,000 hours of supervised experience in delivering services to persons with mental illness is obtained;

(2) has at least 6,000 hours of supervised experience in the delivery of services to persons with mental illness;

(3) is a graduate student in one of the behavioral sciences or related fields and is formally assigned by an accredited college or university to an agency or facility for clinical training; or

(4) holds a master's or other graduate degree in one of the behavioral sciences or related fields from an accredited college or university and has less than 4,000 hours post-master's experience in the treatment of mental illness.

Sec. 4. Minnesota Statutes 1998, section 245.4711, subdivision 1, is amended to read:

Subdivision 1. [AVAILABILITY OF CASE MANAGEMENT SERVICES.] (a) By January 1, 1989, the county board shall provide case management services for all adults with serious and persistent mental illness who are residents of the county and who request or consent to the services and to each adult for whom the court appoints a case manager. Staffing ratios must be sufficient to serve the needs of the clients. The case manager must meet the requirements in section 245.462, subdivision 4.

(b) Case management services provided to adults with serious and persistent mental illness eligible for medical assistance must be billed to the medical assistance program under sections 256B.02, subdivision 8, and 256B.0625.

(c) Case management services provided by a case manager associate as defined in section 245.462, subdivision 4, are eligible for reimbursement under the medical assistance program. Costs associated with mentoring, supervision, and continuing education may be included in the reimbursement rate methodology used for case management services under the medical assistance program."

Page 3, after line 14, insert:

"Sec. 6. Minnesota Statutes 1998, section 245.4871, subdivision 4, is amended to read:

Subd. 4. [~~CASE MANAGER~~ MANAGEMENT SERVICE PROVIDER.] (a) "Case ~~manager~~ management service provider" means ~~an individual~~ a case manager or case manager associate employed by the county or other entity authorized by the county board to provide case management services specified in subdivision 3 for the child with severe emotional disturbance and the child's family. A case manager must have experience and training in working with children.

(b) A case manager must:

(1) have at least a bachelor's degree in one of the behavioral sciences or a related field including, but not limited to, social work, psychology, or nursing from an accredited college or university;



- (2) have at least 2,000 hours of supervised experience in the delivery of mental health services to children;
  - (3) have experience and training in identifying and assessing a wide range of children's needs; and
  - (4) be knowledgeable about local community resources and how to use those resources for the benefit of children and their families.
- (c) The case manager may be a member of any professional discipline that is part of the local system of care for children established by the county board.
- (d) ~~The case manager must meet in person with a mental health professional at least once each month to obtain clinical supervision~~ shall receive regular ongoing supervision totaling 38 hours per year, of which at least one hour per month must be clinical supervision regarding individual service delivery with a case management supervisor. The remainder may be provided by a case manager with two years of experience. Group supervision may not constitute more than one-half of the required supervision hours.
- (e) Case managers with a bachelor's degree but without 2,000 hours of supervised experience in the delivery of mental health services to children with emotional disturbance must:
- (1) begin 40 hours of training approved by the commissioner of human services in case management skills and in the characteristics and needs of children with severe emotional disturbance before beginning to provide case management services; and
  - (2) receive clinical supervision regarding individual service delivery from a mental health professional at least ~~once~~ one hour each week until the requirement of 2,000 hours of experience is met.
- (f) Clinical supervision must be documented in the child's record. When the case manager is not a mental health professional, the county board must provide or contract for needed clinical supervision.
- (g) The county board must ensure that the case manager has the freedom to access and coordinate the services within the local system of care that are needed by the child.
- (h) Case managers who have a bachelor's degree but are not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in severe emotional disturbance and mental health services annually.
- (i) Case managers without a bachelor's degree must meet one of the requirements in clauses (1) to (3):
    - (1) have three or four years of experience as a case manager associate;
    - (2) be a registered nurse without a bachelor's degree who has a combination of specialized training in psychiatry and work experience consisting of community interaction and involvement or community discharge planning in a mental health setting totaling three years; or
    - (3) be a person who qualified as a case manager under the 1998 department of human service federal waiver provision and meets the continuing education and mentoring requirements in this section.
  - (j) A case manager associate (CMA) must work under the direction of a case manager or case management supervisor and must be 21 years of age. A case manager associate must also have a high school diploma and meet one of the following criteria:
    - (1) have an associate of arts degree in one of the behavioral sciences or human services;
    - (2) be a registered nurse without a bachelor's degree;

(3) have three years of life experience as a primary caregiver to a child with serious emotional disturbance as defined in section 245.4871, subdivision 6, within the last ten years;

(4) have 6,000 hours work experience as a nondegreed state hospital technician; or

(5) be a mental health practitioner as defined in section 245.462, subdivision 17, clause (2).

Individuals meeting one of the criteria in clauses (1) to (4) may qualify as a case manager after four years of supervised work experience as a case manager associate. Individuals meeting the criteria in clause (5) may qualify as a case manager after three years of supervised experience as a case manager associate.

Case manager associates must have 40 hours of preservice training under paragraph (e), clause (1), and receive at least 40 hours of continuing education in severe emotional disturbance and mental health service annually. Case manager associates shall receive at least five hours of mentoring per week from a case management mentor. A "case management mentor" means a qualified, practicing case manager or case management supervisor who teaches or advises and provides intensive training and clinical supervision to one or more case manager associates. Mentoring may occur while providing direct services to consumers in the office or in the field and may be provided to individuals or groups of case manager associates. At least two mentoring hours per week must be individual and face-to-face.

(k) A case management supervisor must meet the criteria for a mental health professional as specified in section 245.4871, subdivision 27.

(1) Until June 30, 1999, an immigrant who does not have the qualifications specified in this subdivision may provide case management services to child immigrants with severe emotional disturbance of the same ethnic group as the immigrant if the person:

(1) is actively pursuing credits toward the completion of a bachelor's degree in one of the behavioral sciences or related fields at an accredited college or university;

(2) completes 40 hours of training as specified in this subdivision; and

(3) receives clinical supervision at least once a week until the requirements of obtaining a bachelor's degree and 2,000 hours of supervised experience are met.

(i) The commissioner may approve waivers submitted by counties to allow case managers without a bachelor's degree but with 6,000 hours of supervised experience in the delivery of services to children with severe emotional disturbance if the person:

(1) meets the qualifications for a mental health practitioner in subdivision 26;

(2) has completed 40 hours of training approved by the commissioner in case management skills and in the characteristics and needs of children with severe emotional disturbance; and

(3) demonstrates that the 6,000 hours of supervised experience are in identifying functional needs of children with severe emotional disturbance, coordinating assessment information and making referrals to appropriate service providers, coordinating a variety of services to support and treat children with severe emotional disturbance, and monitoring to ensure appropriate provision of services. The county board is responsible to verify that all qualifications, including content of supervised experience, have been met.

Sec. 7. Minnesota Statutes 1998, section 245.4871, subdivision 26, is amended to read:

Subd. 26. [MENTAL HEALTH PRACTITIONER.] "Mental health practitioner" means a person providing services to children with emotional disturbances. A mental health practitioner must have training and experience in working with children. A mental health practitioner must be qualified in at least one of the following ways:

(1) holds a bachelor's degree in one of the behavioral sciences or related fields from an accredited college or university and either:

(i) has at least 2,000 hours of supervised experience in the delivery of mental health services to children with emotional disturbances; or

(ii) is fluent in the non-English language of the ethnic group to which over 50 percent of the practitioner's clients belong, completes 40 hours of training in the delivery of services to children with emotional disturbances, and is supervised by a mental health professional at least once a week until 2,000 hours of supervised experience in delivering mental health services to children with emotional disturbances is obtained;

(2) has at least 6,000 hours of supervised experience in the delivery of mental health services to children with emotional disturbances;

(3) is a graduate student in one of the behavioral sciences or related fields and is formally assigned by an accredited college or university to an agency or facility for clinical training; or

(4) holds a master's or other graduate degree in one of the behavioral sciences or related fields from an accredited college or university and has less than 4,000 hours post-master's experience in the treatment of emotional disturbance.

Sec. 8. Minnesota Statutes 1998, section 245.4881, subdivision 1, is amended to read:

Subdivision 1. [AVAILABILITY OF CASE MANAGEMENT SERVICES.] (a) By April 1, 1992, the county board shall provide case management services for each child with severe emotional disturbance who is a resident of the county and the child's family who request or consent to the services. Staffing ratios must be sufficient to serve the needs of the clients. The case manager must meet the requirements in section 245.4871, subdivision 4.

(b) Except as permitted by law and the commissioner under demonstration projects, case management services provided to children with severe emotional disturbance eligible for medical assistance must be billed to the medical assistance program under sections 256B.02, subdivision 8, and 256B.0625.

(c) Case management services provided by case manager associates as defined in section 245.4871, subdivision 4, are eligible for reimbursement under the medical assistance program. Costs of mentoring, supervision, and continuing education may be included in the reimbursement rate methodology used for case management services under the the medical assistance program."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "defining case management service provider and changing requirements for case managers and case manager associates; changing the definition of mental health practitioner;"

Page 1, line 6, after the semicolon, insert "245.462, subdivisions 4 and 17; 245.4711, subdivision 1;"

Page 1, line 7, after the first semicolon, insert "245.4871, subdivisions 4 and 26; 245.4881, subdivision 1;"

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

The report was adopted.

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

H. F. No. 1702, A bill for an act relating to public safety; eliminating duplicative toxic chemical release reporting requirements that are also required by federal government; removing obsolete provisions; amending Minnesota Statutes 1998, sections 115D.07, subdivision 1; and 299K.08, subdivision 3.

Reported the same back with the following amendments:

Page 2, lines 25 to 33, reinstate the stricken language and delete the new language

Page 2, line 34, reinstate everything before the stricken "5169" and reinstate the stricken "7384,"

Page 2, line 35, reinstate the stricken "8734, or 9223"

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. 1710, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Carver; authorizing the sale of state bonds.

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

The report was adopted.

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

H. F. No. 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; amending Minnesota Statutes 1998, section 151.102.

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 1, line 14, delete "children" and insert "any adult child"

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

The report was adopted.

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

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

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

The report was adopted.

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

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.

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

The report was adopted.

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

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.

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

The report was adopted.

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

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

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

The report was adopted.

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

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.

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

The report was adopted.

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

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.

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

The report was adopted.

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

H. F. No. 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.

Reported the same back with the following amendments:

Page 2, delete lines 25 to 37

Page 3, delete lines 1 to 10 and insert:

"Subd. 7. [COST SHARING.] (a) Enrollees shall pay an annual ~~premium of \$120.~~ enrollment fee based on the following sliding scale.

<u>Household income as percentage of the federal poverty guidelines</u>	<u>Annual Enrollment fee</u>
<u>120 percent or less</u>	<u>\$ 0</u>
<u>121 percent to 150 percent</u>	<u>\$120</u>
<u>151 percent to 200 percent</u>	<u>\$360</u>
<u>201 percent to 250 percent</u>	<u>\$600</u>
<u>251 percent to 300 percent</u>	<u>full average per person cost of coverage minus the \$420 annual deductible</u>

Enrollees whose household incomes increase above 300 percent of the federal poverty guidelines after initial program enrollment may remain enrolled if they maintain continuous enrollment and pay an annual enrollment fee equal to the full average per person cost of coverage minus the \$420 annual deductible.

(b) Program enrollees must satisfy a ~~\$300~~ \$420 annual deductible, based upon expenditures for prescription drugs, to be paid as follows:

~~(1) \$25 monthly deductible for persons with a monthly spenddown, or~~

~~(2) \$150 biannual deductible for persons with a six-month spenddown in~~ \$35 monthly increments.

Sec. 3. Minnesota Statutes 1998, section 256.955, subdivision 8, is amended to read:

Subd. 8. [REPORT.] The commissioner shall annually report to the legislature on the senior citizen drug program. The report must include demographic information on enrollees, per-prescription expenditures, total program expenditures, hospital and nursing home costs avoided by enrollees, any savings to medical assistance and Medicare resulting from the provision of prescription drug coverage under Medicare by health maintenance

organizations, other public and private options for drug assistance to the senior population, any hardships caused by the annual ~~premium~~ enrollment fee and deductible, and any recommendations for changes in the senior drug program."

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "2 and 7" and insert "2, 7, and 8"

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

The report was adopted.

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

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.

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.

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

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.

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

The report was adopted.

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

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

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 7, delete section 4

Page 14, line 29, delete "10 to 14" and insert "9 to 13"

Page 14, line 31, delete "6" and insert "5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, delete "subdivisions 4 and 8" and insert "subdivision 4"

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 1, line 18, after "litem" insert "with approval of the foster parent"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 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.

Reported the same back with the following amendments:

Page 1, line 21, after "data" insert "classified as public data under chapter 13"

Page 1, line 22, before the period, insert "and to the commissioner of commerce under chapters 62A and 62C"

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

The report was adopted.



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

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.

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.

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

H. F. No. 1813, A bill for an act relating to tax increment financing; expanding the definition of a qualified housing district to include certain owner-occupied housing for purposes of the state aid offset; amending Minnesota Statutes 1998, section 273.1399, subdivision 1.

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

The report was adopted.

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

H. F. No. 1819, A bill for an act relating to the environment; requiring inventory and ranking of dumps by counties; providing grants for cleanup of dumps by counties; appropriating money; amending Minnesota Statutes 1998, section 115B.42, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 115B.

Reported the same back with the following amendments:

Page 2, line 25, delete "must" and insert "may"

Page 4, line 4, delete everything after "dump"

Page 4, line 5, delete "county"

Amend the title as follows:

Page 1, line 2, delete "requiring" and insert "authorizing"

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

The report was adopted.

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

H. F. No. 1820, A bill for an act relating to appropriations; appropriating money for wastewater treatment to the city of Dassel.

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

The report was adopted.

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

H. F. No. 1867, A bill for an act relating to natural resources; establishing a stream protection and improvement loan program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103G.

Reported the same back with the following amendments:

Page 2, line 17, delete "bond" and insert "general"

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

The report was adopted.

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

H. F. No. 1868, A bill for an act relating to education; allowing school district residents to participate in shared time, cocurricular and extracurricular activities sponsored by the resident school district; amending Minnesota Statutes 1998, sections 123B.49, subdivisions 2 and 4; and 126C.01, subdivision 8.

Reported the same back with the following amendments:

Page 1, line 20, after "school" insert "located within the district" and before the period, insert "unless the nonpublic or home school offers the cocurricular activity"

Page 1, line 25, delete "extracurricular" and insert "cocurricular"

Page 2, line 3, delete "may" and insert "located within the district are eligible to"

Page 2, line 14, delete ", whether they" and insert "who"

Page 2, line 15, delete "public," and delete the second comma

Page 2, line 16, delete "or another school district,"

Page 2, line 19, before the period, insert "unless the nonpublic or home school offers the extracurricular activity"

Page 2, line 20, delete the new language

Page 2, line 21, after "pupils" insert "and school-age pupils residing in the district who attend a nonpublic or home school located within the district"

Page 3, line 34, after the second comma, insert "or"

Page 3, lines 35 and 36, delete ", or previous disciplinary proceedings"

With the recommendation that when so amended the bill be re-referred to the Committee on K-12 Education Finance without further recommendation.

The report was adopted.

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

H. F. No. 1870, A bill for an act relating to natural resources; appropriating money to maintain and update the Minnesota land use map.

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.

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

H. F. No. 1872, A bill for an act relating to economic development; providing for a grant to Martin county for a wastewater treatment project by the Fox Lake improvement district; appropriating money.

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

The report was adopted.

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

H. F. No. 1916, A bill for an act relating to Itasca county; providing for tax increment financing district and development powers for power plant related to taconite mine direct reduction plant and steel mill.

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

The report was adopted.

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

H. F. No. 1919, A bill for an act relating to environment; adding methane gas recovery to the list of preferred waste management practices; amending Minnesota Statutes 1998, section 115A.02.

Reported the same back with the following amendments:

Page 2, line 9, before "resource" insert "land disposal and" and delete "through disposal"

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

The report was adopted.

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

H. F. No. 1927, A bill for an act relating to public safety; appropriating money to establish a shared information management system for police agencies.

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

The report was adopted.

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

H. F. No. 1937, A bill for an act relating to local government; establishing county services districts; requiring counties to cooperate in the delivery of services; authorizing boards and advisory committees; proposing coding for new law in Minnesota Statutes, chapter 373.

Reported the same back with the following amendments:

Page 3, line 1, before the period, insert "as feasible"

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. 1993, A bill for an act relating to highways; establishing task force to study seasonal road restrictions.

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

The report was adopted.

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

H. F. No. 2004, A bill for an act relating to education; modifying AIDS prevention program to include human papilloma virus prevention; amending Minnesota Statutes 1998, section 121A.23.

Reported the same back with the following amendments:

Page 1, line 19, delete "encourages" and insert "includes encouraging"

Page 2, line 19, delete "fulfill this statute" and insert "satisfy the requirements of this paragraph"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on K-12 Education Finance.

The report was adopted.

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

H. F. No. 2012, A bill for an act relating to veterinary medicine; changing veterinary practice requirements; clarifying procedures; amending Minnesota Statutes 1998, sections 156.001, subdivisions 2, 3, and by adding a subdivision; 156.01, subdivision 3; 156.02, subdivisions 1 and 2; 156.03; 156.072; 156.10; 156.11; and 156.12, subdivisions 2 and 4; proposing coding for new law in Minnesota Statutes, chapter 156.

Reported the same back with the following amendments:

Page 7, line 13, delete "or to supervise the practice of"

Page 7, line 14, delete "veterinary medicine"

Page 7, line 22, before "It" insert "(a)"

Page 7, after line 35, insert:

"(b) Notwithstanding section 319B.08, a veterinary medical practice firm has 12 months after the death or the beginning of the disqualification of an owner before all of the owner's ownership interest must be acquired by the practice, by persons permitted to own the ownership interest, or by some combination."

Pages 9 and 10, delete section 14

Renumber the sections in sequence

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

The report was adopted.

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

H. F. No. 2026, A bill for an act relating to tax increment financing; modifying the rule allowing use of economic development districts for commercial developments in small cities; amending Minnesota Statutes 1998, sections 469.174, subdivision 27; and 469.176, subdivision 4c.

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

The report was adopted.

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

H. F. No. 2027, A bill for an act relating to local government; permitting the city of St. Peter to lay dark fiber optic cable.

Reported the same back with the recommendation that 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. 2029, A bill for an act relating to the city of Plymouth; tax increment financing; waiving the local contribution requirement for a district.

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

The report was adopted.

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

H. F. No. 2056, A bill for an act relating to higher education; directing the regent candidate advisory council to change its recommendation process; amending Minnesota Statutes 1998, section 137.0245, subdivision 4.

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

The report was adopted.

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

H. F. No. 2060, A bill for an act relating to corrections; authorizing Minnesota correctional facility-Sauk Centre to accept youth on parole status; amending Laws 1997, chapter 239, article 9, section 43.

Reported the same back with the following amendments:

Page 1, after line 21, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2064, A bill for an act relating to tax increment financing; exempting certain superfund sites from fiscal disparities; amending Minnesota Statutes 1998, section 469.177, subdivision 3.

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

The report was adopted.

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

H. F. No. 2067, A bill for an act relating to juvenile justice; when an extended jurisdiction juvenile offender has stayed sentence executed for violation of stay no credit is granted for time in juvenile facility; amending Minnesota Statutes 1998, section 260.126, subdivision 5.

Reported the same back with the recommendation that 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. 2111, A bill for an act relating to taxation; allowing the city of Proctor to impose a local sales tax.

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

The report was adopted.

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

H. F. No. 2129, A bill for an act relating to criminal justice; delaying the transfer of the powers, duties, and functions relating to the operating and funding of shelters for battered women from the department of human services to the crime victim services center and requiring a plan on the implementation of the transfer; removing mandatory requirements on productive day initiative programs and requiring annual reports on the programs; increasing the driver license reinstatement fee to allow the bureau of criminal apprehension to purchase laboratory supplies and equipment; transferring the office of drug policy and violence prevention and community advisory violence prevention council from the department of children, families, and learning to the department of public safety; expanding the duties of the office of drug policy and violence prevention; authorizing the commissioner of corrections to open and operate a correctional facility at Rush City; authorizing the commissioner of corrections to enter into contracts with private corporations and other governmental units for the housing of inmates; allowing the commissioner of corrections to place youth at the Minnesota correctional facility-Sauk Centre when bed space is unavailable at the Minnesota correctional facility-Red Wing; appropriating money for asset preservation and facility repair of adult and juvenile correctional institutions; appropriating money for grants to local officials for cooperative investigation of cross-jurisdictional criminal activity; amending Minnesota Statutes 1998, sections 119A.26; 119A.28, subdivisions 2 and 3; 119A.29, subdivision 1; 119A.31, subdivision 3; 119A.32; 119A.33; 119A.34, subdivisions 3 and 4; 171.29, subdivision 2; and 241.275, subdivisions 1, 2, and 5; Laws 1997, chapter 85, article 3, section 53; proposing coding for new law in Minnesota Statutes, chapters 243; and 299A; repealing Minnesota Statutes 1998, sections 119A.04, subdivision 5; and 256D.05, subdivisions 3 and 3a.

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

The report was adopted.

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

S. F. No. 9, A bill for an act relating to civil service; providing for the abolition of a police civil service commission by a unanimous vote of the city council; amending Minnesota Statutes 1998, sections 419.16 and 419.17.

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

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 82, 313, 358, 502, 619, 625, 689, 730, 764, 802, 839, 893, 935, 1081, 1097, 1150, 1196, 1281, 1309, 1379, 1393, 1421, 1553, 1554, 1646, 1702, 1714, 1787, 1937, 2027, 2060 and 2067 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 198 and 9 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Davids introduced:

H. F. No. 2183, A bill for an act relating to commerce; regulating motor vehicle sales and distributions; specifying certain unfair practices; amending Minnesota Statutes 1998, sections 80E.13; and 80E.17.

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

Otremba introduced:

H. F. No. 2184, A bill for an act relating to natural resources; appropriating money for research and technology transfer on agroforestry.

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

Rest introduced:

H. F. No. 2185, A bill for an act relating to taxation; reducing individual income tax rates; increasing the income limitations for the dependent care credit; providing income tax credits for children; adjusting property tax refund amounts; providing a sales tax exemption for capital equipment used to provide telecommunications services; appropriating money; amending Minnesota Statutes 1998, sections 290.06, subdivisions 2c and 2d; 290.067, subdivisions 2 and 2b; 290A.04, subdivisions 2, 2a, and 4; 297A.01, subdivision 16; and 297A.15, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Van Dellen introduced:

H. F. No. 2186, A bill for an act relating to education; increasing the referendum allowance limit; amending Minnesota Statutes 1998, section 126C.17, subdivision 2.

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

Gray and Mares introduced:

H. F. No. 2187, A bill for an act relating to education; modifying the definition of parent for compulsory education and reporting; permitting reporting to a county or state agency providing services to a child; working to develop, provide, and maintain an educational structure that meets the needs of at-risk students; identifying obstacles to student educational success; providing for staff development and community training grants; creating an advisory council to assist in analyzing student performance data; emphasizing outcomes; appropriating money; amending Minnesota Statutes 1998, sections 120A.22, subdivision 3; and 120A.26, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 124D.

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



Gray introduced:

H. F. No. 2188, A bill for an act relating to education; appropriating money for the urban league street academy.

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

Westerberg introduced:

H. F. No. 2189, A bill for an act relating to appropriations; appropriating money for individual sewage treatment system loans in the city of Blaine.

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

Rest; Seifert, M., and Carlson introduced:

H. F. No. 2190, A bill for an act relating to education; modifying the composition of the school site decision-making team; amending Minnesota Statutes 1998, section 123B.04, subdivision 2.

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

Otremba introduced:

H. F. No. 2191, A bill for an act relating to education; requiring semiannual visits to certain unaccredited nonpublic schools, homes, or other institutions; amending Minnesota Statutes 1998, section 120A.26, subdivision 1.

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

Peterson introduced:

H. F. No. 2192, A bill for an act relating to education funding; extending a special operating levy for independent school district No. 2853, Lac qui Parle Valley.

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

Jennings introduced:

H. F. No. 2193, A bill for an act relating to independent school district Nos. 138, North Branch, 139, Rush City, and 2144, Chisago Lakes; authorizing the districts to impose school impact fees.

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

Greenfield introduced:

H. F. No. 2194, A bill for an act relating to public employment; exempting administrators of certain hospitals from a compensation limit; amending Minnesota Statutes 1998, section 43A.17, subdivision 9.

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

Holsten and Larsen, P., introduced:

H. F. No. 2195, A bill for an act relating to local government; removing annexation from the municipal board's jurisdiction; providing for annexation by mutual agreement as the exclusive means of annexation; amending Minnesota Statutes 1998, sections 40A.121; 115.49, subdivision 2a; 204B.14, subdivision 5; 272.67, subdivision 1; 276A.09; 414.01, subdivisions 1, 2, and 14; 414.067, subdivision 2; 462.3535, subdivision 5; 465.87, subdivision 1a; 473F.13, subdivision 1; 473H.14; and 572A.02, subdivision 5; proposing coding for new law as Minnesota Statutes, chapter 414A; repealing Minnesota Statutes 1998, sections 414.031, subdivisions 1, 3, 4, 4a, and 6; 414.0325; 414.033, subdivisions 1, 2, 2b, 3, 5, 6, 7, 10, 11, 12, and 13; 414.0335; 414.035; 414.036; 414.061, subdivisions 1, 2, 3, 4, and 5; and 572A.03, subdivisions 4, 5, and 8.

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

Molnau; Buesgens; Seifert, M.; Schumacher and Storm introduced:

H. F. No. 2196, A bill for an act relating to the public facilities authority; changing a wastewater treatment funding formula; amending Minnesota Statutes 1998, section 446A.072, subdivision 4.

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

Entenza, Sykora, Abeler, Johnson and Mariani introduced:

H. F. No. 2197, A bill for an act relating to education; appropriating money to fund the Minnesota International Center's international classroom connection.

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

Munger, Hausman, Leppik, Nornes and Hasskamp introduced:

H. F. No. 2198, A bill for an act relating to natural resources; providing for no net loss of public shoreland; appropriating money; amending Minnesota Statutes 1998, sections 92.45; 282.018, subdivision 1; and 477A.11, subdivisions 3 and 4.

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

Daggett introduced:

H. F. No. 2199, A bill for an act relating to taxation; sales and use; exempting materials and supplies used in constructing a community center by a nonprofit corporation; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

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

Pugh and Greiling introduced:

H. F. No. 2200, A bill for an act relating to consumer protection; providing for the treatment of negative option offers; proposing coding for new law in Minnesota Statutes, chapter 325G.

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

Dawkins introduced:

H. F. No. 2201, A bill for an act relating to taxation; reducing the property tax class rates on residential property containing four or more units; amending Minnesota Statutes 1998, sections 273.13, subdivision 25; and 273.1398, subdivision 1a.

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

Dawkins introduced:

H. F. No. 2202, A bill for an act relating to taxation; providing that the education expense credit and deduction apply to certain expenditures for prekindergarten expenses and museum memberships; amending Minnesota Statutes 1998, sections 290.01, subdivision 19b; and 290.0674, subdivision 1.

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

Clark, K., introduced:

H. F. No. 2203, A bill for an act relating to affordable housing; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 462A.

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

Hausman introduced:

H. F. No. 2204, A bill for an act relating to the state building code; permitting the installation of non-hard-wired stairway chair lifts in private residences in certain circumstances; amending Minnesota Statutes 1998, section 16B.745, subdivision 3.

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

Knoblach; Dempsey; Kalis; Solberg; Bishop; Lindner; Carruthers; Anderson, I.; Rhodes; Murphy; Tuma; Leppik; Trimble and Daggett introduced:

H. F. No. 2205, A bill for an act relating to education; authorizing certain construction.

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

Abrams, Pugh, Rhodes, Kahn and Sviggum introduced:

H. F. No. 2206, A bill for an act relating to taxation; individual income; exempting payments in settlement of certain holocaust claims from state income taxation; amending Minnesota Statutes 1998, sections 290.01, subdivision 19b, and by adding a subdivision; and 290.091, subdivision 2.

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

McElroy, Dorman, Van Dellen, Jennings and Erhardt introduced:

H. F. No. 2207, A bill for an act relating to taxation; income and franchise; modifying allocation of gross income to state; amending Minnesota Statutes 1998, sections 290.17, by adding a subdivision; and 290.20, subdivision 1.

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

Wejcman; Otremba; Clark, K.; Gray; Koskinen; Leighton; Mariani; Orfield; Hausman; Tunheim; Entenza and Jaros introduced:

H. F. No. 2208, A bill for an act relating to health; changing the membership of regional coordinating boards; establishing the Minnesota universal health board; creating the Minnesota universal health program; establishing the Minnesota health care trust fund; establishing statewide and regional health care budgets; abolishing the Minnesota health care commission; appropriating money; amending Minnesota Statutes 1998, sections 62J.09, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62J; proposing coding for new law as Minnesota Statutes, chapter 62K; repealing Minnesota Statutes 1998, sections 62J.09, subdivisions 2 and 8; and 62J.212.

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

Carruthers, Smith, Skoglund, Broecker and Holberg introduced:

H. F. No. 2209, A bill for an act relating to government data; clarifying and providing for data classifications; simplifying terminology for data classifications; amending Minnesota Statutes 1998, sections 3.97, subdivision 11; 6.715, subdivision 2; 10A.02, subdivision 12; 13.02, subdivisions 3, 12, 14, and by adding subdivisions; 13.03; 13.04; 13.05, subdivisions 1, 4, 6, 8, and 9; 13.06; 13.072; 13.073, subdivisions 3 and 4; 13.08; 13.10, subdivisions 2 and 3; 13.30; 13.31; 13.32, subdivision 1; 13.34; 13.35; 13.36; 13.37, subdivision 2; 13.39; 13.392, subdivision 1; 13.40, subdivisions 1 and 3; 13.41, subdivisions 2, 2a, 3, and 4; 13.42, subdivision 2; 13.43; 13.44; 13.45; 13.46, subdivisions 2, 3, 4, 8, 10, and 11; 13.48; 13.50; 13.51; 13.511; 13.52; 13.521; 13.53; 13.531; 13.54, subdivisions 2 and 4; 13.55, subdivisions 1 and 2; 13.551; 13.57; 13.59; 13.61; 13.62; 13.621; 13.622; 13.64; 13.643, subdivision 1; 13.645; 13.646, subdivision 2; 13.65, subdivisions 2 and 3; 13.66; 13.67; 13.671; 13.68; 13.69, subdivision 1; 13.71; 13.72; 13.74; 13.75; 13.76, subdivisions 1 and 2; 13.761; 13.77, subdivision 1; 13.78; 13.79; 13.793; 13.80; 13.82, subdivisions 5, 5b, 5d, 5e, 8, 12, 13, 14, 15, and 16; 13.83, subdivisions 4, 7, 8, and 9; 13.84, subdivisions 2 and 3; 13.85, subdivisions 2 and 3; 13.86, subdivision 2; 13.87, subdivision 2; 13.88; 16A.672, subdivision 11; 16D.06, subdivision 2; 17.117, subdivision 12; 17.498; 17.694, subdivision 1; 18B.38, subdivision 2; 27.04, subdivision 2; 31A.27, subdivision 3; 32.19; 32.71, subdivision 2; 41B.211, subdivision 2; 44A.08, subdivision 2; 45.012; 46.041, subdivision 1; 46.07, subdivisions 2 and 3; 47.66; 53A.081, subdivision 4; 60A.03, subdivision 9; 60A.031, subdivision 4; 60A.135, subdivision 4; 60A.208, subdivision 7; 60A.67, subdivision 1; 60A.93; 60A.968, subdivision 2; 60B.14, subdivision 3; 60C.14, subdivision 2; 60D.22; 60K.10; 62C.17, subdivision 4; 62E.13, subdivision 11; 62G.20, subdivision 3; 62J.152, subdivision 7; 62J.23, subdivision 2; 62J.321, subdivision 5; 62J.452, subdivisions 2, 5, and 9; 62J.79, subdivision 4; 62L.10, subdivision 3; 62Q.03, subdivision 9; 72A.20, subdivision 15; 79A.02, subdivision 2; 115A.84, subdivision 5; 115A.882, subdivision 3; 115A.93, subdivision 5; 115B.17, subdivision 5; 115B.24, subdivision 5; 115C.03, subdivision 8; 115D.09; 116.075, subdivision 2; 116.54; 116C.840, subdivision 2; 116O.03, subdivisions 6 and 7; 116R.02, subdivision 3; 116S.02, subdivision 8; 136A.64, subdivision 2; 144.147, subdivision 5; 144.225, subdivision 6; 144.4186, subdivision 1; 144.581, subdivision 5; 145.64, subdivision 3; 156.082; 169.09, subdivision 13; 171.31; 171.32, subdivisions 1 and 3; 174.30, subdivision 9; 175.24; 175.27; 176.184, subdivision 5; 176.231, subdivision 8; 182.668, subdivision 2; 196.08; 214.25, subdivision 1; 214.35; 216C.17, subdivision 4; 216C.37, subdivision 3b; 221.0355, subdivision 9; 223.17, subdivision 6; 254A.09; 256.01, subdivision 12; 256.9744, subdivision 1; 257.56, subdivision 1; 257.70; 259.10, subdivision 2; 268.19; 268A.05, subdivision 1; 270B.02; 272.115, subdivision 1; 295.57, subdivision 2; 297B.12; 297D.13, subdivision 1; 297E.03, subdivision 8; 298.48, subdivisions 2 and 4; 299A.61, subdivision 2; 299C.065, subdivision 4; 299F.095; 299F.096, subdivision 1; 299J.13, subdivision 3; 319B.11, subdivision 6; 326.3382,

subdivision 3; 363.061, subdivisions 2 and 3; 383B.217, subdivision 7; 383B.225, subdivision 6; 390.11, subdivision 7; 390.32, subdivision 6; 400.08, subdivision 4; 446A.11, subdivision 11; 469.154, subdivision 2; 471.617, subdivision 5; 473.598, subdivision 4; 473.6671, subdivision 3; 473.843, subdivision 4; 475.55, subdivision 6; 583.29; 626.53, subdivision 1; and 626.558, subdivision 3; repealing Minnesota Statutes 1998, sections 13.02, subdivisions 4, 8a, 9, 13, and 15; 13.10, subdivision 1; 13.528; 13.54, subdivisions 3 and 5; 13.77, subdivision 2; 144.58; and 297D.13, subdivisions 2 and 3.

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

Schumacher and Erickson introduced:

H. F. No. 2210, A bill for an act relating to education funding; authorizing special assessment costs to be included in debt service equalization revenue for certain school districts.

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

Schumacher introduced:

H. F. No. 2211, A bill for an act relating to taxation; sales and use; changing the effective date for a change in the calculation of interest paid on certain refunds; amending Laws 1997, chapter 231, article 7, section 47.

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

Davids introduced:

H. F. No. 2212, A bill for an act relating to education; providing for a fund transfer for independent school district No. 495, Grand Meadow.

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

Dawkins, Smith, Knobloch and McElroy introduced:

H. F. No. 2213, A bill for an act relating to income taxes; allowing a credit for child support payments made by low-income noncustodial parents; appropriating money; amending Minnesota Statutes 1998, section 518.551, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Mariani, Gray, Entenza and Biernat introduced:

H. F. No. 2214, A bill for an act relating to education; providing additional opportunities for student choice; appropriating money; amending Minnesota Statutes 1998, section 124D.03, subdivisions 2, 6, 10, and 11, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 127A.

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

McElroy; Rifenberg; Wenzel; Otremba; Van Dellen; Clark, J.; Erickson; Olson; Harder; Paulsen; Kuisle; Reuter; Kielkucki; Dawkins; Wilkin; Wolf; Seagren; Kubly; Stang; Lindner; Workman; Westrom; Juhnke; Knoblach; Sykora; Opatz; Broecker; Tingelstad; Daggett; Schumacher and Erhardt introduced:

H. F. No. 2215, A bill for an act relating to taxation; individual income; modifying education subtraction; modifying education credit; amending Minnesota Statutes 1998, sections 290.01, subdivision 19b; and 290.0674, subdivision 2.

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

Trimble, Rhodes and Peterson introduced:

H. F. No. 2216, A resolution memorializing the President and Congress to honor Hmong and Lao combat veterans by easing naturalization requirements for those who served in the U.S. Secret Army during the Vietnam War and enacting H. R. 371, the Hmong Veterans' Naturalization Act of 1999.

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

Murphy and Mares introduced:

H. F. No. 2217, A bill for an act relating to retirement; changing certain rates governing transfers of contributions and interest for employees transferring from the general Minnesota state retirement system to the unclassified plan; amending Minnesota Statutes 1998, sections 352D.02, subdivision 1c; and 352D.03.

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

Pugh introduced:

H. F. No. 2218, A bill for an act relating to education; modifying laboratory school grants to include the operation of schools; appropriating money; amending Laws 1997, First Special Session chapter 4, article 5, section 23.

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

Hasskamp introduced:

H. F. No. 2219, A bill for an act relating to taxation; property; limiting increases in market value; amending Minnesota Statutes 1998, section 273.11, subdivision 1a.

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

Leppik, Folliard, Erhardt, Abrams and Paulsen introduced:

H. F. No. 2220, A bill for an act relating to education; appropriating money for a year-round school/extended week or day grant for independent school district No. 270, Hopkins.

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

Ozment, Kalis and Haas introduced:

H. F. No. 2221, A bill for an act relating to claims against the state; providing for payment of various claims; clarifying certain language concerning claims; appropriating money; amending Minnesota Statutes 1998, sections 3.738, subdivision 2; and 3.739, subdivision 2a.

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

Biernat introduced:

H. F. No. 2222, A bill for an act relating to education; appropriating money for a grant program for violence prevention through the development of plays, workshops, and educational resources.

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

Kalis introduced:

H. F. No. 2223, A bill for an act relating to compulsive gambling; appropriating money; amending Minnesota Statutes 1998, sections 245.982; and 609.115, subdivision 9; Laws 1998, chapter 407, article 8, section 9.

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

Biernat, Gray, Johnson, Mares and Kielkucki introduced:

H. F. No. 2224, A bill for an act relating to education; appropriating money for the Beacons Project.

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

Bishop introduced:

H. F. No. 2225, 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 for the southeastern Minnesota regional public safety training center in the city of Rochester; authorizing issuance of bonds; appropriating money.

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

Abrams and Rest introduced:

H. F. No. 2226, A bill for an act relating to taxation; property; making changes to tax forfeiture and delinquency procedures; amending Minnesota Statutes 1998, sections 92.51; 279.37, subdivisions 1, 1a, and 2; 281.23, subdivisions 2, 4, and 6; 282.01, subdivisions 1, 4, and 7; 282.04, subdivision 2; 282.08; 282.09; 282.241; 282.261, subdivision 4, and by adding a subdivision; 283.10; 375.192, subdivision 2; and 383C.482, subdivision 1; repealing Minnesota Statutes 1998, sections 92.22; 280.27; 281.13; 281.38; 284.01; 284.02; 284.03; 284.04; 284.05; and 284.06.

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

Abrams introduced:

H. F. No. 2227, A bill for an act relating to tax increment financing; reducing the local contribution rate for housing districts; amending Minnesota Statutes 1998, section 273.1399, subdivision 6.

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

Broecker introduced:

H. F. No. 2228, A bill for an act relating to crime prevention; authorizing grants to Hennepin and Ramsey counties to construct law enforcement training facilities; requiring the counties to submit detailed plans relating to the facilities; appropriating money.

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

Harder; Otremba; Biernat; Abeler; Stang; Westrom; Seifert, M.; Storm and Tuma introduced:

H. F. No. 2229, A bill for an act relating to marriage; providing for a reduced marriage license fee for couples who obtain premarital counseling; amending Minnesota Statutes 1998, section 517.08, subdivisions 1b and 1c.

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

Dorn introduced:

H. F. No. 2230, A bill for an act relating to education; providing for student membership on school boards; amending Minnesota Statutes 1998, section 123B.09, subdivision 1.

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

Larsen, P., and Holsten introduced:

H. F. No. 2231, A bill for an act relating to annexation; limiting annexation of urban towns to certain processes; amending Minnesota Statutes 1998, section 368.01, by adding a subdivision.

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

Chaudhary, Skoe, Gleason, Koskinen and Wenzel introduced:

H. F. No. 2232, A bill for an act relating to state government; increasing the state share of education funding; reducing income taxes; reducing local property tax levies; reducing the sales tax; eliminating the MinnesotaCare provider tax; limiting increases in market value; amending Minnesota Statutes 1998, sections 62J.041, subdivision 1; 62Q.095, subdivision 6; 123B.53, subdivisions 4 and 5; 123B.54; 123B.57, subdivision 4; 126C.13, subdivision 1; 126C.17, subdivision 5; 214.16, subdivisions 2 and 3; 270B.01, subdivision 8; 270B.14, subdivision 1; 273.11, subdivision 1a; 273.13, subdivisions 22 and 25; 273.1382, subdivision 1; 273.1398, subdivision 1a; 290.06, subdivision 2c; 290.091, subdivisions 1, 2, and 6; and 297A.02, subdivision 1; repealing Minnesota Statutes 1998, sections 13.99, subdivision 86b; 144.1484, subdivision 2; 273.1382, subdivision 1a; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; and 295.59.

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



Erhardt and Van Dellen introduced:

H. F. No. 2233, A bill for an act relating to taxation; decreasing registration tax rate for passenger automobiles; amending Minnesota Statutes 1998, section 168.013, subdivision 1a.

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

Chaudhary introduced:

H. F. No. 2234, A bill for an act relating to taxation; corporate franchise tax; increasing the rate of the research credit; amending Minnesota Statutes 1998, section 290.068, subdivision 1.

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

Dorman introduced:

H. F. No. 2235, A bill for an act relating to taxation; sales and use; exempting sales to political subdivisions of a state; amending Minnesota Statutes 1998, sections 297A.25, subdivision 11; and 297A.47.

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

Bishop, Tuma, Leppik, Pelowski and Dorn introduced:

H. F. No. 2236, A bill for an act relating to education, giving the board of trustees of the Minnesota state colleges and universities certain authority with respect to property transactions, construction, repairs, and improvements; appropriating money; amending Minnesota Statutes 1998, sections 136F.36, subdivisions 1, 3, and by adding subdivisions; 136F.60; and 136F.64, subdivision 1.

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

### **MESSAGES FROM THE SENATE**

The following message was received from the Senate:

Mr. Speaker:

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

S. F. Nos. 1094, 881 and 829.

PATRICK E. FLAHAVEN, Secretary of the Senate

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

S. F. No. 1094, 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; 524.2-702; 524.3-916; and 525.544, subdivision 1.

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

S. F. No. 881, A bill for an act relating to recreation; creating a parks and trails plan of regional significance in certain counties in central Minnesota.

The bill was read for the first time.

Opatz moved that S. F. No. 881 and H. F. No. 841, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 829, A bill for an act relating to state lands; authorizing commissioner of human services to sell certain surplus state land to the Bloomington housing and redevelopment authority.

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

### CONSENT CALENDAR

H. F. No. 270, A bill for an act relating to insurance; prohibiting a maximum lifetime benefit limit on certain policies of the Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1998, section 62E.12.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 614, A bill for an act relating to health; expanding the reserve corridor for community integrated service networks; modifying the definition of review organization; amending Minnesota Statutes 1998, sections 62N.28, subdivision 5; and 145.61, subdivision 5.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1126, A bill for an act relating to human services; licensed family day care; modifying child age classification definitions; amending Minnesota Statutes 1998, section 245A.02, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Boudreau	Chaudhary	Dempsey	Folliard	Greiling
Abrams	Bradley	Clark, J.	Dorman	Fuller	Gunther
Anderson, B.	Broecker	Clark, K.	Dorn	Gerlach	Haake
Anderson, I.	Buesgens	Daggett	Entenza	Gleason	Haas
Bakk	Carlson	Davids	Erhardt	Goodno	Hackbarth
Biernat	Carruthers	Dawkins	Erickson	Gray	Harder
Bishop	Cassell	Dehler	Finseth	Greenfield	Hasskamp

Hilty	Krinkie	McElroy	Ozment	Seifert, J.	Vandev eer
Holberg	Kubly	McGuire	Paulsen	Seifert, M.	Wagenius
Holsten	Kuisle	Milbert	Pawlenty	Skoe	Wejcman
Howes	Larsen, P.	Molnau	Paymar	Skoglund	Wenzel
Huntley	Larson, D.	Mulder	Pelowski	Solberg	Westerberg
Jaros	Leighton	Mullery	Peterson	Stanek	Westfall
Jennings	Lenczewski	Murphy	Pugh	Stang	Westrom
Johnson	Leppik	Ness	Rest	Storm	Wilkin
Juhnke	Lieder	Nornes	Reuter	Swenson	Winter
Kahn	Lindner	Olson	Rhodes	Sykora	Wolf
Kalis	Luther	Opatz	Rifenberg	Tingelstad	Workman
Kelliher	Mares	Orfield	Rostberg	Tomassoni	Spk. Sviggum
Kielkucki	Mariani	Osskopp	Rukavina	Trimble	
Knoblach	Marko	Osthoff	Schumacher	Tuma	
Koskinen	McCollum	Otremba	Seagren	Tunheim	

The bill was passed and its title agreed to.

H. F. No. 1216, A bill for an act relating to occupations and professions; modifying practical examination requirements for chiropractors licensed in other states; amending Minnesota Statutes 1998, section 148.06, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Krinkie                      Trimble

The bill was passed and its title agreed to.

H. F. No. 1258, A bill for an act relating to family law; reviving the summary dissolution process; repealing Laws 1991, chapter 271, section 9, as amended.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1565, A bill for an act relating to the military; expanding eligibility for certain state service; amending Minnesota Statutes 1998, sections 190.08, subdivision 3; 192.19; and 193.29, subdivisions 1, 2, and 3.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Boudreau	Chaudhary	Dempsey	Folliard	Greiling
Abrams	Bradley	Clark, J.	Dorman	Fuller	Gunther
Anderson, B.	Broecker	Clark, K.	Dorn	Gerlach	Haake
Anderson, I.	Buesgens	Daggett	Entenza	Gleason	Haas
Bakk	Carlson	Davids	Erhardt	Goodno	Hackbarth
Biernat	Carruthers	Dawkins	Erickson	Gray	Harder
Bishop	Cassell	Dehler	Finseth	Greenfield	Hasskamp

Hilty	Krinkie	McElroy	Ozment	Seifert, J.	Wagenius
Holberg	Kubly	McGuire	Paulsen	Seifert, M.	Wejcman
Holsten	Kuisle	Milbert	Pawlenty	Skoe	Wenzel
Howes	Larsen, P.	Molnau	Paymar	Skoglund	Westerberg
Huntley	Larson, D.	Mulder	Pelowski	Solberg	Westfall
Jaros	Leighton	Mullery	Peterson	Stanek	Westrom
Jennings	Lenczewski	Murphy	Pugh	Stang	Wilkin
Johnson	Leppik	Ness	Rest	Storm	Winter
Juhnke	Lieder	Nornes	Reuter	Swenson	Wolf
Kahn	Lindner	Olson	Rhodes	Sykora	Workman
Kalis	Luther	Opatz	Rifenberg	Tingelstad	Spk. Sviggum
Kelliher	Mares	Orfield	Rostberg	Tomassoni	
Kielkucki	Mariani	Osskopp	Rukavina	Tuma	
Knoblach	Marko	Osthoff	Schumacher	Tunheim	
Koskinen	McCollum	Otremba	Seagren	Vandev eer	

The bill was passed and its title agreed to.

H. F. No. 1968, A bill for an act relating to insurance; making changes in Medicare supplemental insurance required by federal law; amending Minnesota Statutes 1998, sections 62A.31, subdivisions 1, 3, and by adding a subdivision; and 62A.43, subdivision 4.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 132, A bill for an act relating to lawful gambling; exempting certain bingo games from regulation; amending Minnesota Statutes 1998, section 349.166, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dawkins	Greenfield	Osthoff	Wagenius	Wejcman
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The bill was passed and its title agreed to.

H. F. No. 645, A bill for an act relating to the environment; conforming state requirements for water supply and wastewater treatment operator certification to federal requirements; removing the expiration date of an advisory council; removing obsolete references; amending Minnesota Statutes 1998, sections 115.71, subdivisions 9a and 10; and 115.741, subdivisions 1, 2, and 3.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Bishop	Broecker	Carruthers	Clark, J.
Abrams	Bakk	Boudreau	Buesgens	Cassell	Clark, K.
Anderson, B.	Biernat	Bradley	Carlson	Chaudhary	Daggett

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

The bill was passed and its title agreed to.

H. F. No. 1556, A bill for an act relating to state government; extending the civil service pilot project in the housing finance agency; amending Laws 1993, chapter 301, section 1, subdivision 4; and Laws 1995, chapter 248, article 12, section 2.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.



H. F. No. 1660, A bill for an act relating to health occupations; exempting persons employed by a nonprofit organization performing duties that are incidental to research from the unlawful practice of medicine; amending Minnesota Statutes 1998, section 147.09.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day, immediately preceding the remaining bills on the Calendar for the Day, for Monday, March 22, 1999:

H. F. Nos. 484 and 1003; S. F. No. 333; H. F. No. 408; and S. F. No. 609.

#### CALENDAR FOR THE DAY

H. F. No. 484 was reported to the House.

Paulsen moved to amend H. F. No. 484, the third engrossment, as follows:

Page 2, line 29, delete "on the question" and insert "at the election"

Page 2, line 35, delete "at the election" and insert "on the question"

Page 5, line 23, delete "on a 30-point body"

Page 6, lines 34 and 35, delete "year in which they were signed" and insert "deadline in section 3B.39, subdivision 4"

The motion prevailed and the amendment was adopted.

McCollum moved to amend H. F. No. 484, the third engrossment, as amended, as follows:

Page 6, after line 8, insert:

"Sec. 8. [3B.36] [INTERNET SITE.]

Upon preparing initiative petition forms under section 3B.35, the secretary of state shall establish an Internet site containing information about the proposed initiative. The site shall contain information provided by proponents or opponents of the initiative. The persons providing the information are subject to the provisions of sections 211B.04 and 211B.06, subdivision 1. Upon request, the secretary of state shall send a copy of the Internet site information to any registered voter."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

Paulsen offered an amendment to the McCollum amendment to H. F. No. 484, the third engrossment, as amended.

McCollum requested a division of the Paulsen amendment to the McCollum amendment to H. F. No. 484, the third engrossment, as amended.

The first portion of the Paulsen amendment to the McCollum amendment to H. F. No. 484, the third engrossment, as amended, reads as follows:

Page 1, line 6, delete "establish" and insert "maintain"

Page 1, line 8, after "by" insert "political committees established by"

Page 1, line 9, after "initiative" insert "under section 10A.20"

The motion prevailed and the first portion of the Paulsen amendment to the McCollum amendment was adopted.

The second portion of the Paulsen amendment to the McCollum amendment, as amended, to H. F. No. 484, the third engrossment, as amended, reads as follows:

Page 1, line 11, delete everything after the period

Page 1, delete line 12

A roll call was requested and properly seconded.

The question was taken on the second portion of the Paulsen amendment to the McCollum amendment, as amended, and the roll was called. There were 67 yeas and 61 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed and the second portion of the Paulsen amendment to the McCollum amendment, as amended, was adopted.

The question recurred on the adoption of the McCollum amendment, as amended. The motion prevailed and the McCollum amendment, as amended, was adopted.

Leighton moved to amend H. F. No. 484, the third engrossment, as amended, as follows:

Page 5, line 31, delete "and"

Page 5, line 35, after "voter" insert "; and

(6) a statement that some of the circulators of the petition may have been paid to circulate it"

A roll call was requested and properly seconded.

The question was taken on the Leighton amendment and the roll was called. There were 126 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Boudreau            Gerlach            Krinkie

The motion prevailed and the amendment was adopted.

Juhnke moved to amend H. F. No. 484, the third engrossment, as amended, as follows:

Page 1, line 19, delete "three-quarters of the"

Page 1, line 20, delete "congressional districts" and insert "the counties"

Page 1, line 20, delete everything after the comma

Page 1, line 21, delete "whole."

Page 1, line 22, delete "of such districts"

Page 1, line 23, delete everything before the period and insert "county"

Page 1, line 27, delete everything after the first "of" and insert "the counties"

Page 2, line 1, delete "and of the state as a whole."

Page 2, line 22, delete "three-quarters"

Page 2, line 23, delete "of the congressional districts" and insert "the counties"

Page 2, line 23, delete everything after the comma

Page 2, line 24, delete "a whole,"

Page 2, line 25, delete "of such"

Page 2, line 26, delete everything before the period, and insert "county"

A roll call was requested and properly seconded.

The question was taken on the Juhnke amendment and the roll was called. There were 58 yeas and 71 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.

Lenczewski moved to amend H. F. No. 484, the third grossment, as amended, as follows:

Page 2, line 31, after the comma, insert "except that the law must be voted for by three-fifths of all the members elected to each house of the legislature,"

A roll call was requested and properly seconded.

The question was taken on the Lenczewski amendment and the roll was called. There were 60 yeas and 69 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.

Bishop moved to amend H. F. No. 484, the third engrossment, as amended, as follows:

Page 2, line 11, delete "second" and insert "next"

The motion prevailed and the amendment was adopted.

McCollum moved to amend H. F. No. 484, the third engrossment, as amended, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [CONSTITUTIONAL AMENDMENT.]

An amendment to the Minnesota Constitution, adding a section to article IV, is proposed to the people. If the amendment is adopted the section will read as follows:

Sec. 27. The voters may propose to the legislature a bill to enact a new law, amend or repeal existing law, or amend the constitution. The proposal must be delivered to the legislature not later than the first day of the regular session in the even numbered year to appear on the ballot at the general election that year. It must be accompanied

by signatures of registered voters in a number equal to eight percent in each congressional district of the vote in the last election. Unless enacted without change by the legislature before it adjourns sine die, the proposal must be submitted to the voters at the state general election that year. The legislature may also submit to the voters at the same election any proposal on the same subject so that the people may choose between them or reject both. A law voted on by the people under this section is enacted upon the affirmative vote of a majority voting on the question. A constitutional amendment voted on by the people under this section is ratified upon the affirmative vote of a majority voting at the election. The legislature shall provide by law for the implementation of this section.

Sec. 2. [QUESTION.]

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

"Shall the Minnesota Constitution be amended to provide for indirect initiative and referendum?"

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

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the McCollum amendment and the roll was called. There were 49 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Juhnke	Mariani	Pelowski	Trimble
Bakk	Folliard	Kahn	Marko	Peterson	Tunheim
Biernat	Gleason	Kalis	McCollum	Pugh	Wejcmann
Carlson	Gray	Kelliher	Millbert	Rukavina	Winter
Carruthers	Greenfield	Koskinen	Mullery	Schumacher	
Chaudhary	Hasskamp	Kubly	Opatz	Skoe	
Clark, K.	Hilty	Leighton	Orfield	Skoglund	
Dawkins	Jaros	Lieder	Osthoff	Solberg	
Dorn	Johnson	Luther	Otremba	Tomassoni	

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.

Osthoff and McCollum moved to amend H. F. No. 484, the third engrossment, as amended, as follows:

Page 1, line 15, delete "a law, including"

Page 1, line 16, delete the comma

Page 1, delete lines 17 to 23

Page 1, line 27, delete "of three-quarters"

Page 2, line 1, delete ", and of the state as a whole."

Page 2, line 8, delete "on the question" and insert "at the election"

Page 2, delete lines 9 to 36

Page 3, delete lines 1 to 4

Page 3, line 11, delete "initiative and"

A roll call was requested and properly seconded.

The question was taken on the Osthoff and McCollum amendment and the roll was called. There were 50 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Johnson	Luther	Otremba	Trimble
Bakk	Folliard	Juhnke	Mariani	Pelowski	Tunheim
Biernat	Gleason	Kalis	Marko	Peterson	Wejcman
Carlson	Gray	Kelliher	McCollum	Pugh	Wenzel
Carruthers	Hasskamp	Koskinen	Milbert	Rest	Winter
Chaudhary	Hilty	Kubly	Mullery	Rukavina	
Clark, K.	Huntley	Larson, D.	Opatz	Schumacher	
Dawkins	Jaros	Leighton	Orfield	Solberg	
Dorn	Jennings	Lieder	Osthoff	Tomassoni	

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.



Milbert offered an amendment to H. F. No. 484, the third engrossment, as amended.

#### POINT OF ORDER

Abrams raised a point of order pursuant to rule 3.21 that the Milbert amendment was not in order. The Speaker ruled the point of order well taken and the Milbert amendment out of order.

Pugh appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 70 yeas and 56 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

So it was the judgment of the House that the decision of the Speaker should stand.

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

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.

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

The question was taken on the passage of the bill and the roll was called. There were 77 yeas and 51 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Entenza	Johnson	Mariani	Otremba	Solberg
Bakk	Folliard	Juhnke	Marko	Paymar	Tomassoni
Biernat	Gleason	Kahn	McCollum	Peterson	Tunheim
Carlson	Gray	Kalis	McGuire	Pugh	Wagenius
Carruthers	Greenfield	Kelliher	Mullery	Rest	Wecjman
Chaudhary	Greiling	Koskinen	Murphy	Rukavina	Winter
Clark, K.	Hilty	Kubly	Opatz	Schumacher	
Dawkins	Huntley	Leighton	Orfield	Skoe	
Dorn	Jaros	Lieder	Osthoff	Skoglund	

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

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

## MOTIONS AND RESOLUTIONS

Daggett moved that her name be stricken as an author on H. F. No. 1607. The motion prevailed.

Wagenius moved that the name of Trimble be added as an author on H. F. No. 1779. The motion prevailed.

Paulsen moved that the name of Jennings be added as an author on H. F. No. 2010. The motion prevailed.

Peterson moved that the name of Kubly be added as an author on H. F. No. 2086. The motion prevailed.

McElroy moved that the name of Seifert, M., be added as an author on H. F. No. 2128. The motion prevailed.

Broecker moved that H. F. No. 717, now on the General Register, be re-referred to the Committee on Judiciary Finance. The motion prevailed.

Rostberg moved that H. F. No. 1142 be recalled from the Committee on Agriculture and Rural Development Finance and be re-referred to the Committee on Agriculture Policy. The motion prevailed.

Osskopp moved that H. F. No. 1281, now on the General Register, be re-referred to the Committee on State Government Finance. The motion prevailed.

Wolf moved that S. F. No. 685 be recalled from the Committee on Commerce and together with H. F. No. 358, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

#### ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 2:30 p.m., Wednesday, March 24, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Wednesday, March 24, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

