

STATE OF MINNESOTA

EIGHTY-SECOND SESSION — 2002

SIXTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 14, 2002

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

Prayer was offered by the Reverend Mariann Budde, St. John's Episcopal Church, Minneapolis, 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	Dibble	Hilty	Lenczewski	Otremba	Stanek
Abrams	Dorman	Holberg	Leppik	Ozment	Stang
Anderson, B.	Dorn	Howes	Lieder	Paulsen	Swapinski
Anderson, I.	Eastlund	Huntley	Lindner	Pawlenty	Swenson
Bakk	Entenza	Jacobson	Lipman	Paymar	Thompson
Bernardy	Erickson	Jaros	Mahoney	Pelowski	Tingelstad
Biernat	Evans	Jennings	Mares	Penas	Tuma
Bishop	Finseth	Johnson, J.	Mariani	Peterson	Vandever
Blaine	Folliard	Johnson, R.	Marko	Pugh	Wagenius
Boudreau	Fuller	Johnson, S.	Marquart	Rhodes	Walker
Bradley	Gerlach	Juhnke	McGuire	Rifenberg	Walz
Buesgens	Gleason	Kahn	Milbert	Rukavina	Wasiluk
Carlson	Goodno	Kalis	Molnau	Ruth	Westerberg
Cassell	Goodwin	Kelliher	Mulder	Schumacher	Westrom
Clark, J.	Gray	Kielkucki	Mullery	Seagren	Wilkin
Clark, K.	Greiling	Knoblach	Murphy	Seifert	Winter
Daggett	Gunther	Koskinen	Ness	Sertich	Wolf
Davids	Haas	Krinkie	Nornes	Skoe	Spk. Sviggum
Davnie	Hackbarth	Kubly	Olson	Skoglund	
Dawkins	Harder	Kuisle	Opatz	Slawik	
Dehler	Hausman	Larson	Osskopp	Smith	
Dempsey	Hilstrom	Leighton	Osthoff	Solberg	

A quorum was present.

Erhardt, Holsten, McElroy, Sykora and Workman were excused.

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

REPORTS OF STANDING COMMITTEES

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 2525, A bill for an act relating to employment; requiring that employers allow unpaid leave for employees to perform volunteer firefighter duties; proposing coding for new law in Minnesota Statutes, chapter 181.

Reported the same back with the following amendments:

Page 1, line 23, after "firefighter" insert ", if those duties are emergency response activities. This section does not apply where the duties involve administrative or training activities only"

With the recommendation that when so amended the bill pass.

The report was adopted.

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 2573, A bill for an act relating to real estate; filling in an inadvertent omission for a temporary increase in the surcharge for filing and recording certain documents to fund the real estate task force; amending Minnesota Statutes 2001 Supplement, sections 508.82, subdivision 1; 508A.82, subdivision 1.

Reported the same back with the following amendments:

Page 5, line 19, delete "amendments made" and insert "50 cent surcharge imposed" and delete "are only" and insert "is"

Page 5, delete line 20

Page 5, line 21, delete everything before "June" and insert "until" and before the period, insert ", for documents: (1) last acknowledged ten or more days after the date of enactment; or (2) filed 45 days or more following final enactment"

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.

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

H. F. No. 2598, A bill for an act relating to education; requiring recitation of the pledge of allegiance in all public schools; providing for instruction in the proper etiquette, display, and respect of the United States flag; amending Minnesota Statutes 2000, section 121A.11, by adding subdivisions.

Reported the same back with the following amendments:

Page 2, line 9, delete "must" and insert "is recommended to"

Page 2, after line 14, insert:

"Sec. 3. Minnesota Statutes 2001 Supplement, section 124D.10, subdivision 8, is amended to read:

Subd. 8. [STATE AND LOCAL REQUIREMENTS.] (a) A charter school shall meet all applicable state and local health and safety requirements.

(b) A school sponsored by a school board may be located in any district, unless the school board of the district of the proposed location disapproves by written resolution.

(c) A charter school must be nonsectarian in its programs, admission policies, employment practices, and all other operations. A sponsor may not authorize a charter school or program that is affiliated with a nonpublic sectarian school or a religious institution.

(d) Charter schools must not be used as a method of providing education or generating revenue for students who are being home-schooled.

(e) The primary focus of a charter school must be to provide a comprehensive program of instruction for at least one grade or age group from five through 18 years of age. Instruction may be provided to people younger than five years and older than 18 years of age.

(f) A charter school may not charge tuition.

(g) A charter school is subject to and must comply with chapter 363 and section 121A.04.

(h) A charter school is subject to and must comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56, and the Minnesota Public School Fee Law, sections 123B.34 to 123B.39.

(i) A charter school is subject to the same financial audits, audit procedures, and audit requirements as a district. Audits must be conducted in compliance with generally accepted governmental auditing standards, the Federal Single Audit Act, if applicable, and section 6.65. A charter school is subject to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06; 123B.52, subdivision 5; 471.38; 471.391; 471.392; 471.425; 471.87; 471.88, subdivisions 1, 2, 3, 4, 5, 6, 12, 13, and 15; 471.881; and 471.89. The audit must comply with the requirements of sections 123B.75 to 123B.83, except to the extent deviations are necessary because of the program at the school. Deviations must be approved by the commissioner. The department of children, families, and learning, state auditor, or legislative auditor may conduct financial, program, or compliance audits. A charter school determined to be in statutory operating debt under sections 123B.81 to 123B.83 must submit a plan under section 123B.81, subdivision 4.

(j) A charter school is a district for the purposes of tort liability under chapter 466.

(k) A charter school is subject to the pledge of allegiance requirement under section 121A.11, subdivision 3.

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

Amend the title as follows:

Page 1, line 6, before the period, insert "; Minnesota Statutes 2001 Supplement, section 124D.10, subdivision 8"

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. 2600, A bill for an act relating to health; directing the commissioner of health to exempt certain wading pools from the requirements for public swimming pools.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 144.1222, is amended by adding a subdivision to read:

Subd. 2a. [POOLS AT FAMILY DAY CARE OR GROUP FAMILY DAY CARE HOMES.] A portable wading pool that is located at a family day care or group family day care home licensed under Minnesota Rules, chapter 9502, or at a home at which child care services are provided under section 245A.03, subdivision 2, clause (2), shall be defined as a private residential pool and not as a public pool for purposes of public swimming pool regulations under Minnesota Rules, chapter 4717, provided that the portable wading pool has a maximum depth of 24 inches and is capable of being manually emptied and moved.

Sec. 2. Minnesota Statutes 2000, section 245A.14, is amended by adding a subdivision to read:

Subd. 10. [PORTABLE WADING POOLS; FAMILY DAY CARE AND GROUP FAMILY DAY CARE PROVIDERS.] A portable wading pool as defined in section 144.1222 may not be used by a child at a family day care or group family day care home or at a home at which child care services are provided under section 245A.03, subdivision 2, clause (2), unless the parent or legal guardian of the child has provided written consent. The written consent shall include a statement that the parent or legal guardian has received and read material provided by the department of health to the department of human services for distribution to all family day care or group family day care homes related to the risk of disease transmission as well as other health risks associated with the use of portable wading pools.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to human services; defining portable wading pools; clarifying the use of portable wading pools at family day care settings; amending Minnesota Statutes 2000, sections 144.1222, by adding a subdivision; 245A.14, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 2629, A bill for an act relating to professions; allowing retired individuals licensed by the board of architecture, engineering, land surveying, landscape architecture, geoscience, and interior design to use a retired professional designation; amending Minnesota Statutes 2000, section 326.02, subdivision 1.

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

The report was adopted.

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

H. F. No. 2640, A bill for an act relating to human services; requiring persons wrongfully obtaining medical assistance, MinnesotaCare, or general assistance medical care to be disqualified from the program; amending Minnesota Statutes 2001 Supplement, section 256.98, subdivision 8.

Reported the same back with the following amendments:

Page 2, line 35, delete "medical assistance, MinnesotaCare, or"

Page 3, line 5, delete everything after the period and insert "The period of disqualification is one year after the first offense, two years after the second offense, and permanently after the third or subsequent offense."

Page 3, delete lines 6 to 12

Page 3, delete lines 30 to 36 and insert:

"(d) Any person found to be guilty of wrongfully obtaining medical assistance through a criminal action is subject to the penalties in section 256B.061. Upon any future change in federal law allowing the use of administrative disqualification hearings, the commissioner shall develop and recommend procedures for conducting such hearings and imposing periods of disqualification upon individuals found to have wrongfully obtained medical assistance or MinnesotaCare by an administrative disqualification hearing or waiver thereof."

Page 4, delete lines 1 to 3

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. 2649, A bill for an act relating to government data practices; providing for disclosure by the department of public safety of personal data related to operation of a motor vehicle; amending Minnesota Statutes 2000, section 168.346.

Reported the same back with the following amendments:

Page 2, line 25, delete everything after "safety" and insert a period

Page 2, delete lines 26 to 28

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. 2698, A bill for an act relating to rulemaking; extending the authority of the board of physical therapy to adopt rules on licensee ethics.

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. 2702, A bill for an act relating to health occupations; providing for a Nurse Licensure Compact; providing for appointments; 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 Civil Law.

The report was adopted.

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

H. F. No. 2706, A bill for an act relating to traffic regulations; imposing misdemeanor penalty for intentionally obstructing emergency vehicle during emergency duty; making clarifying changes; appropriating money; amending Minnesota Statutes 2000, section 169.20, subdivision 5a; Minnesota Statutes 2001 Supplement, section 169.20, subdivision 5.

Reported the same back with the following amendments:

Page 2, line 23, delete "is guilty of a petty misdemeanor and"

Page 2, delete lines 25 to 27

Page 2, line 33, delete "paragraph" and insert "if the violation constitutes a misdemeanor."

Page 2, delete line 34

Page 3, delete section 3

Amend the title as follows:

Page 1, line 5, delete "appropriating money;"

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

The report was adopted.

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 2719, A bill for an act relating to higher education; providing for registration of agents of student athletes; defining terms; providing penalties and remedies; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 81A.

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.

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

H. F. No. 2757, A bill for an act relating to human services; modifying requirements for background studies; limiting authority of commissioner of human services to set aside a disqualification; amending Minnesota Statutes 2001 Supplement, section 245A.04, subdivision 3b.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2001 Supplement, section 245A.04, subdivision 3b, is amended to read:

Subd. 3b. [RECONSIDERATION OF DISQUALIFICATION.] (a) The individual who is the subject of the disqualification may request a reconsideration of the disqualification.

The individual must submit the request for reconsideration to the commissioner in writing. A request for reconsideration for an individual who has been sent a notice of disqualification under subdivision 3a, paragraph (b), clause (1) or (2), must be submitted within 30 calendar days of the disqualified individual's receipt of the notice of disqualification. Upon showing that the information in clause (1) or (2) cannot be obtained within 30 days, the disqualified individual may request additional time, not to exceed 30 days, to obtain that information. A request for reconsideration for an individual who has been sent a notice of disqualification under subdivision 3a, paragraph (b), clause (3), must be submitted within 15 calendar days of the disqualified individual's receipt of the notice of disqualification. An individual who was determined to have maltreated a child under section 626.556 or a vulnerable adult under section 626.557, and who was disqualified under this section on the basis of serious or recurring maltreatment, may request reconsideration of both the maltreatment and the disqualification determinations. The request for reconsideration of the maltreatment determination and the disqualification must be submitted within 30 calendar days of the individual's receipt of the notice of disqualification. Removal of a disqualified individual from direct contact shall be ordered if the individual does not request reconsideration within the prescribed time, and for an individual who submits a timely request for reconsideration, if the disqualification is not set aside. The individual must present information showing that:

(1) the information the commissioner relied upon is incorrect or inaccurate. If the basis of a reconsideration request is that a maltreatment determination or disposition under section 626.556 or 626.557 is incorrect, and the commissioner has issued a final order in an appeal of that determination or disposition under section 256.045 or 245A.08, subdivision 5, the commissioner's order is conclusive on the issue of maltreatment. If the individual did not request reconsideration of the maltreatment determination, the maltreatment determination is deemed conclusive; or

(2) the subject of the study does not pose a risk of harm to any person served by the applicant, license holder, or registrant under section 144A.71, subdivision 1.

(b) The commissioner shall rescind the disqualification if the commissioner finds that the information relied on to disqualify the subject is incorrect. The commissioner may set aside the disqualification under this section if the commissioner finds that the individual does not pose a risk of harm to any person served by the applicant, license holder, or registrant under section 144A.71, subdivision 1. In determining that an individual does not pose a risk of harm, the commissioner shall consider the nature, severity, and consequences of the event or events that lead to disqualification, whether there is more than one disqualifying event, the age and vulnerability of the victim at the time of the event, the harm suffered by the victim, the similarity between the victim and persons served by the program, the time elapsed without a repeat of the same or similar event, documentation of successful completion by the individual studied of training or rehabilitation pertinent to the event, and any other information relevant to reconsideration. In reviewing a disqualification under this section, the commissioner shall give preeminent weight to the safety of each person to be served by the license holder, applicant, or registrant under section 144A.71, subdivision 1, over the interests of the license holder, applicant, or registrant under section 144A.71, subdivision 1.

(c) Unless the information the commissioner relied on in disqualifying an individual is incorrect, the commissioner may not set aside the disqualification of an individual ~~in connection with a license to provide family day care for children, foster care for children in the provider's own home, or foster care or day care services for adults in the provider's own home if:~~

(1) less than ten years have passed since the discharge of the sentence imposed for the offense; and the individual has been convicted of a violation of any offense listed in sections ~~609.20 (manslaughter in the first degree), 609.205 (manslaughter in the second degree), criminal vehicular homicide under 609.21 (criminal vehicular homicide and injury); 609.215 (aiding suicide or aiding attempted suicide), felony violations under 609.221 to 609.2231 (assault in the first, second, third, or fourth degree), 609.713 (terroristic threats), 609.235 (use of drugs to injure or to facilitate crime), 609.24 (simple robbery), 609.245 (aggravated robbery), 609.25 (kidnapping), 609.255 (false imprisonment), 609.561 or 609.562 (arson in the first or second degree); 609.71 (riot), burglary in the first or second degree under 609.582 (burglary), 609.66 (dangerous weapon), 609.665 (spring guns), 609.67 (machine guns and short-barreled shotguns), 609.749 (harassment; stalking), 152.021 or 152.022 (controlled substance crime in the first or second degree), 152.023, subdivision 1, clause (3) or (4), or subdivision 2, clause (4) (controlled substance crime in the third degree), 152.024, subdivision 1, clause (2), (3), or (4) (controlled substance crime in the fourth degree); 152.024 or 152.025 (controlled substance crime in the fourth or fifth degree), 609.224, subdivision 2, paragraph (c) (fifth-degree assault by a caregiver against a vulnerable adult), 609.228 (great bodily harm caused by distribution of drugs); 609.23 (mistreatment of persons confined), 609.231 (mistreatment of residents or patients), 609.2325 (criminal abuse of a vulnerable adult), 609.233 (criminal neglect of a vulnerable adult), 609.2335 (financial exploitation of a vulnerable adult), 609.234 (failure to report), 609.265 (abduction), 609.2664 to 609.2665 (manslaughter of an unborn child in the first or second degree), 609.267 to 609.2672 (assault of an unborn child in the first, second, or third degree), 609.268 (injury or death of an unborn child in the commission of a crime); 617.293 (disseminating or displaying harmful material to minors), a felony level conviction involving alcohol or drug use, a gross misdemeanor offense under 609.324, subdivision 1 (other prohibited acts), a gross misdemeanor offense under 609.378 (neglect or endangerment of a child), a gross misdemeanor offense under 609.377 (malicious punishment of a child); 609.72, subdivision 3 (disorderly conduct against a vulnerable adult); or an attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or an offense in any other state, the elements of which are substantially similar to the elements of any of the foregoing offenses;~~

(2) regardless of how much time has passed since the involuntary termination of parental rights under section 260C.301 or the discharge of the sentence imposed for the offense, the individual was convicted of a violation of any offense listed in sections 609.185 to 609.195 (murder in the first, second, or third degree), 609.20 (manslaughter in the first degree), 609.205 (manslaughter in the second degree), criminal vehicular homicide under 609.21 (criminal vehicular homicide and injury), 609.235 (use of drugs to injure or to facilitate crime), 609.24 (simple robbery), 609.245 (aggravated robbery), 609.25 (kidnapping), 609.255 (false imprisonment), 609.561 or 609.562 (arson in the first or second degree), 609.749 (harassment; stalking), 609.228 (great bodily harm caused by distribution of drugs), 609.2664 to 609.2665 (manslaughter of an unborn child in the first or second degree), 609.267 or 609.2671 (assault of an unborn child in the first or second degree), 609.268 (injury or death of an unborn child in the commission of a crime), 609.221 to 609.223 (assault in the first, second, or third degree), 609.582 (burglary

in the first degree), 609.66, subdivision 1e (drive-by shooting), 609.267 or 609.2671 (assault of an unborn child in the first or second degree), 609.165 (felon ineligible to possess firearm), 609.498, subdivision 1 (tampering with a witness), 609.687 (adulteration), 609.855, subdivision 5 (shooting in or at a public transit vehicle or facility), 609.229 (crime committed for benefit of a gang), 609.2661 to 609.2663 (murder of an unborn child in the first, second, or third degree), a felony offense under 609.377 (malicious punishment of a child), a felony offense under 609.324, subdivision 1 (other prohibited acts), a felony offense under 609.378 (neglect or endangerment of a child), 609.322 (solicitation, inducement, and promotion of prostitution), 609.342 to 609.345 (criminal sexual conduct in the first, second, third, or fourth degree), 609.352 (solicitation of children to engage in sexual conduct), 617.246 (use of minors in a sexual performance), 617.247 (possession of pictorial representations of a minor), 609.365 (incest), a felony offense under sections 609.2242 and 609.2243 (domestic assault), a felony offense under 624.713 (certain persons not to possess pistols), 152.021, 152.022, or 152.023 (controlled substance crime in the first, second, or third degree), a felony offense of spousal abuse, a felony offense of child abuse or neglect, a felony offense of a crime against children, or an attempt or conspiracy to commit any of these offenses as defined in Minnesota Statutes, or an offense in any other state, the elements of which are substantially similar to any of the foregoing offenses;

(3) within the seven years preceding the study, the individual committed an act that constitutes maltreatment of a child under section 626.556, subdivision 10e, and that resulted in substantial bodily harm as defined in section 609.02, subdivision 7a, or substantial mental or emotional harm as supported by competent psychological or psychiatric evidence; or

(4) within the seven years preceding the study, the individual was determined under section 626.557 to be the perpetrator of a substantiated incident of maltreatment of a vulnerable adult that resulted in substantial bodily harm as defined in section 609.02, subdivision 7a, or substantial mental or emotional harm as supported by competent psychological or psychiatric evidence.

In the case of any ground for disqualification under clauses (1) to (4), if the act was committed by an individual other than the applicant, license holder, or registrant under section 144A.71, subdivision 1, residing in the applicant's or license holder's home, or the home of a registrant under section 144A.71, subdivision 1, the applicant, license holder, or registrant under section 144A.71, subdivision 1, may seek reconsideration when the individual who committed the act no longer resides in the home.

The disqualification periods provided under clauses (1), (3), and (4) are the minimum applicable disqualification periods. The commissioner may determine that an individual should continue to be disqualified from licensure or registration under section 144A.71, subdivision 1, because the license holder, applicant, or registrant under section 144A.71, subdivision 1, poses a risk of harm to a person served by that individual after the minimum disqualification period has passed.

(d) The commissioner shall respond in writing or by electronic transmission to all reconsideration requests for which the basis for the request is that the information relied upon by the commissioner to disqualify is incorrect or inaccurate within 30 working days of receipt of a request and all relevant information. If the basis for the request is that the individual does not pose a risk of harm, the commissioner shall respond to the request within 15 working days after receiving the request for reconsideration and all relevant information. If the request is based on both the correctness or accuracy of the information relied on to disqualify the individual and the risk of harm, the commissioner shall respond to the request within 45 working days after receiving the request for reconsideration and all relevant information. If the disqualification is set aside, the commissioner shall notify the applicant or license holder in writing or by electronic transmission of the decision.

(e) Except as provided in subdivision 3c, if a disqualification is not set aside or is not rescinded, an individual who was disqualified on the basis of a preponderance of evidence that the individual committed an act or acts that meet the definition of any of the crimes lists in subdivision 3d, paragraph (a), clauses (1) to (4); or for failure to make required reports under section 626.556, subdivision 3, or 626.557, subdivision 3, pursuant to subdivision 3d, paragraph (a), clause (4), may request a fair hearing under section 256.045. Except as provided under subdivision 3c, the commissioner's final order for an individual under this paragraph is conclusive on the issue of maltreatment and disqualification, including for purposes of subsequent studies conducted under subdivision 3, and is the only administrative appeal of the final agency determination, specifically, including a challenge to the accuracy and completeness of data under section 13.04.

(f) Except as provided under subdivision 3c, if an individual was disqualified on the basis of a determination of maltreatment under section 626.556 or 626.557, which was serious or recurring, and the individual has requested reconsideration of the maltreatment determination under section 626.556, subdivision 10i, or 626.557, subdivision 9d, and also requested reconsideration of the disqualification under this subdivision, reconsideration of the maltreatment determination and reconsideration of the disqualification shall be consolidated into a single reconsideration. For maltreatment and disqualification determinations made by county agencies, the consolidated reconsideration shall be conducted by the county agency. Except as provided under subdivision 3c, if an individual who was disqualified on the basis of serious or recurring maltreatment requests a fair hearing on the maltreatment determination under section 626.556, subdivision 10i, or 626.557, subdivision 9d, the scope of the fair hearing under section 256.045 shall include the maltreatment determination and the disqualification. Except as provided under subdivision 3c, the commissioner's final order for an individual under this paragraph is conclusive on the issue of maltreatment and disqualification, including for purposes of subsequent studies conducted under subdivision 3, and is the only administrative appeal of the final agency determination, specifically, including a challenge to the accuracy and completeness of data under section 13.04.

Sec. 2. Minnesota Statutes 2001 Supplement, section 245A.04, subdivision 3d, is amended to read:

Subd. 3d. [DISQUALIFICATION.] (a) Upon receipt of information showing, or when a background study completed under subdivision 3 shows any of the following: a conviction of one or more crimes listed in clauses (1) to (4); the individual has admitted to or a preponderance of the evidence indicates the individual has committed an act or acts that meet the definition of any of the crimes listed in clauses (1) to (4); or an investigation results in an administrative determination listed under clause (4), the individual shall be disqualified from any position allowing direct contact with persons receiving services from the license holder, entity identified in subdivision 3, paragraph (a), or registrant under section 144A.71, subdivision 1, and for individuals studied under section 245A.04, subdivision 3, paragraph (c), clauses (2), (6), and (7), the individual shall also be disqualified from access to a person receiving services from the license holder:

(1) regardless of how much time has passed since the involuntary termination of parental rights under section 260C.301 or the discharge of the sentence imposed for the offense, and unless otherwise specified, regardless of the level of the conviction, the individual was convicted of any of the following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in the second degree); 609.195 (murder in the third degree); 609.2661 (murder of an unborn child in the first degree); 609.2662 (murder of an unborn child in the second degree); 609.2663 (murder of an unborn child in the third degree); 609.20 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); 609.21 (criminal vehicular homicide and injury); 609.221 to 609.223 (assault in the first, second, or third degree); 609.228 (great bodily harm caused by distribution of drugs); 609.235 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated robbery); 609.25 (kidnapping); 609.255 (false imprisonment); 609.267 (assault of an unborn child in the first degree); 609.2671 (assault of an unborn child in the second degree); 609.268 (injury or death of an unborn child in the commission of a crime); 609.561 (arson in the first degree); 609.562 (arson in the second degree); 609.582 (burglary); 609.749 (harassment; stalking; penalties); 609.165 (felon ineligible to possess firearm); 609.66, subdivision 1e (drive-by shooting); 609.687 (adulteration); 609.855, subdivision 5 (shooting at or in a public transit vehicle or facility); felony offense under 624.713 (certain persons not to possess pistols); 609.229 (crime committed for benefit of a gang); 609.498, subdivision 1 (tampering with a witness); 609.2664 (manslaughter of an unborn child in the first degree); 609.2665 (manslaughter of an unborn child in the second degree); 152.021, 152.022, or 152.023 (controlled substance crime in the first, second, or third degree); 609.322 (solicitation, inducement, and promotion of prostitution); 609.342 (criminal sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in the fourth degree); 609.352 (solicitation of children to engage in sexual conduct); 609.365 (incest); ~~felony offense under~~ 609.377 (malicious punishment of a child); ~~a felony offense under~~ 609.378 (neglect or endangerment of a child); a felony offense under 609.324, subdivision 1 (other prohibited acts); 617.246 (use of minors in sexual performance prohibited); 617.247 (possession of pictorial representations of minors); a felony offense under sections 609.2242 and 609.2243 (domestic assault), a felony offense of spousal abuse, a felony offense of child abuse or neglect, a felony offense of a crime against children; or attempt or conspiracy to commit any of these offenses as defined in Minnesota Statutes, or an offense in any other state or country, where the elements are substantially similar to any of the offenses listed in this clause;

(2) if less than 15 years have passed since the discharge of the sentence imposed for the offense; and the individual has received a felony conviction for a violation of any of these offenses: sections ~~609.20 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); 609.21 (criminal vehicular homicide and injury); 609.215 (suicide); 609.221 to 609.2231 (assault in the first, second, third, or fourth degree); repeat offenses under 609.224 (assault in the fifth degree); repeat offenses under 609.3451 (criminal sexual conduct in the fifth degree); 609.713 (terroristic threats); 609.235 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated robbery); 609.25 (kidnapping); 609.255 (false imprisonment); 609.561 (arson in the first degree); 609.562 (arson in the second degree); 609.563 (arson in the third degree); repeat offenses under 617.23 (indecent exposure; penalties); repeat offenses under 617.241 (obscene materials and performances; distribution and exhibition prohibited; penalty); 609.71 (riot); 609.66 (dangerous weapons); 609.67 (machine guns and short-barreled shotguns); 609.749 (harassment; stalking; penalties); 609.228 (great bodily harm caused by distribution of drugs); 609.2325 (criminal abuse of a vulnerable adult); 609.2664 (manslaughter of an unborn child in the first degree); 609.2665 (manslaughter of an unborn child in the second degree); 609.267 (assault of an unborn child in the first degree); 609.2671 (assault of an unborn child in the second degree); 609.268 (injury or death of an unborn child in the commission of a crime); 609.52 (theft); 609.2335 (financial exploitation of a vulnerable adult); 609.521 (possession of shoplifting gear); 609.582 (burglary); 609.625 (aggravated forgery); 609.63 (forgery); 609.631 (check forgery; offering a forged check); 609.635 (obtaining signature by false pretense); 609.27 (coercion); 609.275 (attempt to coerce); 609.687 (adulteration); 260C.301 (grounds for termination of parental rights); ~~chapter 152 (drugs; controlled substance); 152.024 or 152.025 (controlled substance crime in the fourth or fifth degree);~~ and a felony level conviction involving alcohol or drug use. An attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or an offense in any other state or country, the elements of which are substantially similar to the elements of the offenses in this clause. If the individual studied is convicted of one of the felonies listed in this clause, but the sentence is a gross misdemeanor or misdemeanor disposition, the lookback period for the conviction is the period applicable to the disposition, that is the period for gross misdemeanors or misdemeanors;~~

(3) if less than ten years have passed since the discharge of the sentence imposed for the offense; and the individual has received a gross misdemeanor conviction for a violation of any of the following offenses: sections 609.224 (assault in the fifth degree); 609.2242 and 609.2243 (domestic assault); violation of an order for protection under 518B.01, subdivision 14; 609.3451 (criminal sexual conduct in the fifth degree); repeat offenses under 609.746 (interference with privacy); repeat offenses under 617.23 (indecent exposure); 617.241 (obscene materials and performances); 617.243 (indecent literature, distribution); 617.293 (harmful materials; dissemination and display to minors prohibited); 609.71 (riot); 609.66 (dangerous weapons); ~~609.749 (harassment; stalking; penalties);~~ 609.224, subdivision 2, paragraph (c) (assault in the fifth degree by a caregiver against a vulnerable adult); 609.23 (mistreatment of persons confined); 609.231 (mistreatment of residents or patients); 609.2325 (criminal abuse of a vulnerable adult); 609.233 (criminal neglect of a vulnerable adult); 609.2335 (financial exploitation of a vulnerable adult); 609.234 (failure to report maltreatment of a vulnerable adult); 609.72, subdivision 3 (disorderly conduct against a vulnerable adult); 609.265 (abduction); ~~609.378 (neglect or endangerment of a child); 609.377 (malicious punishment of a child);~~ 609.324, subdivision 1a (other prohibited acts; minor engaged in prostitution); 609.33 (disorderly house); 609.52 (theft); ~~609.582 (burglary);~~ 609.631 (check forgery; offering a forged check); 609.275 (attempt to coerce); or an attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or an offense in any other state or country, the elements of which are substantially similar to the elements of any of the offenses listed in this clause. If the defendant is convicted of one of the gross misdemeanors listed in this clause, but the sentence is a misdemeanor disposition, the lookback period for the conviction is the period applicable to misdemeanors; or

(4) if less than seven years have passed since the discharge of the sentence imposed for the offense; and the individual has received a misdemeanor conviction for a violation of any of the following offenses: sections 609.224 (assault in the fifth degree); 609.2242 (domestic assault); violation of an order for protection under 518B.01 (Domestic Abuse Act); violation of an order for protection under 609.3232 (protective order authorized; procedures; penalties); 609.746 (interference with privacy); 609.79 (obscene or harassing phone calls); 609.795 (letter, telegram, or package; opening; harassment); 617.23 (indecent exposure; penalties); 609.2672 (assault of an unborn child in the third degree); 617.293 (harmful materials; dissemination and display to minors prohibited); 609.66 (dangerous weapons); 609.665 (spring guns); 609.2335 (financial exploitation of a vulnerable adult); 609.234 (failure to report

maltreatment of a vulnerable adult); 609.52 (theft); 609.27 (coercion); or an attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or an offense in any other state or country, the elements of which are substantially similar to the elements of any of the offenses listed in this clause; a determination or disposition of failure to make required reports under section 626.556, subdivision 3, or 626.557, subdivision 3, for incidents in which: (i) the final disposition under section 626.556 or 626.557 was substantiated maltreatment, and (ii) the maltreatment was recurring or serious; or a determination or disposition of substantiated serious or recurring maltreatment of a minor under section 626.556 or of a vulnerable adult under section 626.557 for which there is a preponderance of evidence that the maltreatment occurred, and that the subject was responsible for the maltreatment.

For the purposes of this section, "serious maltreatment" means sexual abuse; maltreatment resulting in death; or maltreatment resulting in serious injury which reasonably requires the care of a physician whether or not the care of a physician was sought; or abuse resulting in serious injury. For purposes of this section, "abuse resulting in serious injury" means: bruises, bites, skin laceration or tissue damage; fractures; dislocations; evidence of internal injuries; head injuries with loss of consciousness; extensive second-degree or third-degree burns and other burns for which complications are present; extensive second-degree or third-degree frostbite, and others for which complications are present; irreversible mobility or avulsion of teeth; injuries to the eyeball; ingestion of foreign substances and objects that are harmful; near drowning; and heat exhaustion or sunstroke. For purposes of this section, "care of a physician" is treatment received or ordered by a physician, but does not include diagnostic testing, assessment, or observation. For the purposes of this section, "recurring maltreatment" means more than one incident of maltreatment for which there is a preponderance of evidence that the maltreatment occurred, and that the subject was responsible for the maltreatment. For purposes of this section, "access" means physical access to an individual receiving services or the individual's personal property without continuous, direct supervision as defined in section 245A.04, subdivision 3.

(b) Except for background studies related to child foster care, adult foster care, or family child care licensure, when the subject of a background study is regulated by a health-related licensing board as defined in chapter 214, and the regulated person has been determined to have been responsible for substantiated maltreatment under section 626.556 or 626.557, instead of the commissioner making a decision regarding disqualification, the board shall make a determination whether to impose disciplinary or corrective action under chapter 214.

(1) The commissioner shall notify the health-related licensing board:

(i) upon completion of a background study that produces a record showing that the individual was determined to have been responsible for substantiated maltreatment;

(ii) upon the commissioner's completion of an investigation that determined the individual was responsible for substantiated maltreatment; or

(iii) upon receipt from another agency of a finding of substantiated maltreatment for which the individual was responsible.

(2) The commissioner's notice shall indicate whether the individual would have been disqualified by the commissioner for the substantiated maltreatment if the individual were not regulated by the board. The commissioner shall concurrently send this notice to the individual.

(3) Notwithstanding the exclusion from this subdivision for individuals who provide child foster care, adult foster care, or family child care, when the commissioner or a local agency has reason to believe that the direct contact services provided by the individual may fall within the jurisdiction of a health-related licensing board, a referral shall be made to the board as provided in this section.

(4) If, upon review of the information provided by the commissioner, a health-related licensing board informs the commissioner that the board does not have jurisdiction to take disciplinary or corrective action, the commissioner shall make the appropriate disqualification decision regarding the individual as otherwise provided in this chapter.

(5) The commissioner has the authority to monitor the facility's compliance with any requirements that the health-related licensing board places on regulated persons practicing in a facility either during the period pending a final decision on a disciplinary or corrective action or as a result of a disciplinary or corrective action. The commissioner has the authority to order the immediate removal of a regulated person from direct contact or access when a board issues an order of temporary suspension based on a determination that the regulated person poses an immediate risk of harm to persons receiving services in a licensed facility.

(6) A facility that allows a regulated person to provide direct contact services while not complying with the requirements imposed by the health-related licensing board is subject to action by the commissioner as specified under sections 245A.06 and 245A.07.

(7) The commissioner shall notify a health-related licensing board immediately upon receipt of knowledge of noncompliance with requirements placed on a facility or upon a person regulated by the board."

Delete the title and insert:

"A bill for an act relating to human services; modifying requirements for background studies; limiting authority of commissioner of human services to set aside a disqualification; modifying list of disqualifying crimes; amending Minnesota Statutes 2001 Supplement, section 245A.04, subdivisions 3b, 3d."

With the recommendation that when so amended the bill pass.

The report was adopted.

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 2766, A bill for an act relating to motor vehicle fuel franchises; removing an expiration date; amending Minnesota Statutes 2001 Supplement, section 80C.147.

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

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 2836, A bill for an act relating to local government; authorizing the establishment of a specific nonprofit corporation in development region nine for certain specified purposes.

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

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 2851, A bill for an act relating to railroads; prohibiting the metropolitan council from further activities relating to the Dan Patch commuter rail line; amending Minnesota Statutes 2000, section 473.399, by adding a subdivision.

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

The report was adopted.

Sykora from the Committee on Family and Early Childhood Education Finance to which was referred:

H. F. No. 2901, A bill for an act relating to children; child care; requiring annual market rate surveys; amending Minnesota Statutes 2000, section 119B.13, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

CHILDREN AND FAMILY SUPPORT

Section 1. Minnesota Statutes 2000, section 119B.011, subdivision 7, is amended to read:

Subd. 7. [CHILD CARE SERVICES.] "Child care services" means the provision of child care provided in family day care homes, group day care homes, nursery schools, day nurseries, child day care centers, head start, and extended day school age child care programs in or out of the child's home as defined in subdivision 5.

Sec. 2. Minnesota Statutes 2000, section 119B.011, is amended by adding a subdivision to read:

Subd. 22. [SERVICE PERIOD.] "Service period" means the biweekly period used by the child care assistance program for billing and payment purposes.

Sec. 3. Minnesota Statutes 2000, section 119B.02, subdivision 1, is amended to read:

Subdivision 1. [CHILD CARE SERVICES.] The commissioner shall develop standards for county and human services boards to provide child care services to enable eligible families to participate in employment, training, or education programs. Within the limits of available appropriations, the commissioner shall distribute money to counties to reduce the costs of child care for eligible families. The commissioner shall adopt rules to govern the program in accordance with this section. The rules must establish a sliding schedule of fees for parents receiving child care services. The rules shall provide that funds received as a lump sum payment of child support arrearages shall not be counted as income to a family in the month received but shall be prorated over the 12 months following receipt and added to the family income during those months. ~~In the rules adopted under this section, county and human services boards shall be authorized to establish policies for payment of child care spaces for absent children, when the payment is required by the child's regular provider. The rules shall not set a maximum number of days for which absence payments can be made, but instead shall direct the county agency to set limits and pay for absences according to the prevailing market practice in the county. County policies for payment of absences shall be subject to the approval of the commissioner.~~ The commissioner shall maximize the use of federal money under title I and title IV of Public Law Number 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, and other programs that provide federal or state reimbursement for child care services for low-income families who are in education, training, job search, or other activities allowed under those programs. Money appropriated under this section must be coordinated with the programs that provide federal reimbursement for child care services to accomplish this purpose. Federal reimbursement obtained must be allocated to the county that spent money for child care that is federally reimbursable under programs that provide federal reimbursement for child care services. The counties shall use the federal money to expand child care services. The commissioner may adopt rules under chapter 14 to implement and coordinate federal program requirements.

Sec. 4. Minnesota Statutes 2000, section 119B.061, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] A family in which a parent provides care for the family's infant child may receive a subsidy in lieu of assistance if the family is eligible for, or is receiving assistance under the basic sliding fee program. An eligible family must meet the eligibility factors under section 119B.09, except as provided in subdivision 4, the income criteria under section 119B.12, and the requirements of this section. Subject to federal

match and maintenance of effort requirements for the child care and development fund, the commissioner shall establish a pool of up to seven percent of the annual appropriation for the basic sliding fee program to provide assistance under the at-home infant child care program. At the end of a fiscal year, the commissioner may carry forward any unspent funds under this section to the next fiscal year within the same biennium for assistance under the basic sliding fee program.

Sec. 5. Minnesota Statutes 2001 Supplement, section 119B.061, subdivision 4, is amended to read:

Subd. 4. [ASSISTANCE.] (a) A family is limited to a lifetime total of 12 months of assistance under subdivision 2. The maximum rate of assistance is equal to 90 percent of the rate established under section 119B.13 for care of infants in licensed family child care in the applicant's county of residence. ~~Assistance must be calculated to reflect the parent fee requirement under section 119B.12 for the family's actual income level and family size while the family is participating in the at-home infant child care program under this section~~ For purposes of this section, the annual income of the applicant family must be based on an annualization of the income received only during the period in which the family is participating in the at-home infant care program.

(b) A participating family must report income and other family changes as specified in the county's plan under section 119B.08, subdivision 3.

(c) Persons who are admitted to the at-home infant care program retain their position in any basic sliding fee program or on any waiting list attained at the time of admittance. If they are on the waiting list, they must advance as if they had not been admitted to the program. Persons leaving the at-home infant care program re-enter the basic sliding fee program at the position they would have occupied or the waiting list at the position to which they would have advanced. Persons who would have attained eligibility for the basic sliding fee program must be given assistance or advance to the top of the waiting list when they leave the at-home infant care program. Persons admitted to the at-home infant care program who are not on a basic sliding fee waiting list may apply to the basic sliding fee program, and if eligible, be placed on the waiting list.

(d) The time that a family receives assistance under this section must be deducted from the one-year exemption from work requirements under the MFIP program.

(e) Assistance under this section does not establish an employer-employee relationship between any member of the assisted family and the county or state.

Sec. 6. Minnesota Statutes 2000, section 119B.061, subdivision 5, is amended to read:

Subd. 5. [IMPLEMENTATION.] ~~(a)~~ The commissioner shall implement the at-home infant child care program under this section through counties that administer the basic sliding fee program under section 119B.03. The commissioner must develop and distribute consumer information on the at-home infant care program to assist parents of infants or expectant parents in making informed child care decisions.

~~(b) The commissioner shall evaluate this program and report the impact to the legislature by January 1, 2000. The evaluation must include data on the number of families participating in the program; the number of families continuing to pursue employment or education while participating in the program; the average income of families prior to, during, and after participation in the program; family size; and single parent and two-parent status.~~

Sec. 7. Minnesota Statutes 2000, section 119B.09, subdivision 1, is amended to read:

Subdivision 1. [GENERAL ELIGIBILITY REQUIREMENTS FOR ALL APPLICANTS FOR CHILD CARE ASSISTANCE.] (a) Child care services must be available to families who need child care to find or keep employment or to obtain the training or education necessary to find employment and who:

(1) meet the requirements of section 119B.05; receive MFIP assistance; and are participating in employment and training services under chapter 256J or 256K;

(2) have household income below the eligibility levels for MFIP; or

(3) have household income ~~within a range established by the commissioner~~ less than or equal to 225 percent of the federal poverty level, adjusted for family size.

(b) Child care services must be made available as in-kind services.

(c) All applicants for child care assistance and families currently receiving child care assistance must be assisted and required to cooperate in establishment of paternity and enforcement of child support obligations for all children in the family as a condition of program eligibility. For purposes of this section, a family is considered to meet the requirement for cooperation when the family complies with the requirements of section 256.741.

[EFFECTIVE DATE.] This section is effective July 1, 2003.

Sec. 8. Minnesota Statutes 2000, section 119B.09, subdivision 2, is amended to read:

Subd. 2. [SLIDING FEE.] Child care services to families ~~with incomes in the commissioner's established range~~ must be made available on a sliding fee basis. The upper limit of ~~the range income eligibility~~ must be ~~neither less than 70 percent nor more than 90 percent of the state median income~~ equal to 225 percent of the federal poverty level for a family of four, adjusted for family size.

[EFFECTIVE DATE.] This section is effective July 1, 2003.

Sec. 9. Minnesota Statutes 2000, section 119B.11, subdivision 2a, is amended to read:

Subd. 2a. [RECOVERY OF OVERPAYMENTS.] An amount of child care assistance paid to a recipient in excess of the payment due is recoverable by the county agency. If the family remains eligible for child care assistance, the overpayment must be recovered through recoupment as identified in Minnesota Rules, part 3400.0140, subpart 19, except that the recoupment amount must be calculated and collected on a service period, rather than monthly, basis. If the family no longer remains eligible for child care assistance, the county may choose to initiate efforts to recover overpayments from the family for overpayment less than \$50. If the overpayment is greater than or equal to \$50, the county shall seek voluntary repayment of the overpayment from the family. If the county is unable to recoup the overpayment through voluntary repayment, the county shall initiate civil court proceedings to recover the overpayment unless the county's costs to recover the overpayment will exceed the amount of the overpayment. A family with an outstanding debt under this subdivision is not eligible for child care assistance until: (1) the debt is paid in full; or (2) satisfactory arrangements are made with the county to retire the debt consistent with the requirements of this chapter and Minnesota Rules, chapter 3400, and the family is in compliance with the arrangements.

Sec. 10. Minnesota Statutes 2000, section 119B.12, subdivision 2, is amended to read:

Subd. 2. [PARENT FEE.] A family must be assessed a parent fee for each service period. A family's ~~monthly~~ parent fee must be a fixed percentage of its annual gross income. Parent fees must apply to families eligible for child care assistance under sections 119B.03 and 119B.05. Income must be as defined in section 119B.011, subdivision 15. The fixed percent is based on the relationship of the family's annual gross income to 100 percent of state median income. Beginning January 1, 1998, parent fees must begin at 75 percent of the poverty level. The minimum parent fees for families between 75 percent and 100 percent of poverty level must be ~~\$5~~ \$2.50 per ~~month~~ service period. Parent fees must be established in rule and must provide for graduated movement to full payment.

Sec. 11. Minnesota Statutes 2000, section 119B.13, subdivision 1, is amended to read:

Subdivision 1. [SUBSIDY RESTRICTIONS.] The maximum rate paid for child care assistance under the child care fund may not exceed the 75th percentile rate for like-care arrangements in the county as surveyed by the commissioner. Beginning in 2003, the commissioner must survey child care providers, including all child care

centers licensed by the department of human services, except in counties with more than 200 licensed child care centers. In counties with more than 200 licensed centers, the commissioner may survey a geographically representative sample of licensed child care centers. The commissioner must conduct the survey after April 1 of each year to determine the 75th percentile of the market rate. The commissioner must implement any resulting rate changes by August 1 of each year. A rate which includes a provider bonus paid under subdivision 2 or a special needs rate paid under subdivision 3 may be in excess of the maximum rate allowed under this subdivision. The department shall monitor the effect of this paragraph on provider rates. The county shall pay the provider's full charges for every child in care up to the maximum established. The commissioner shall determine the maximum rate for each type of care, including special needs and handicapped care. Not less than once every two years, the commissioner shall evaluate market practices for payment of absences and shall establish policies for payment of absent days that reflect current market practice.

When the provider charge is greater than the maximum provider rate allowed, the parent is responsible for payment of the difference in the rates in addition to any family copayment fee.

Sec. 12. Minnesota Statutes 2001 Supplement, section 119B.13, subdivision 6, is amended to read:

Subd. 6. [PROVIDER PAYMENTS.] Counties or the state shall make vendor payments to the child care provider or pay the parent directly for eligible child care expenses. If payments for child care assistance are made to providers, the provider shall bill the county for services provided within ten days of the end of the ~~month of~~ service period. If bills are submitted in accordance with the provisions of this subdivision, a county or the state shall issue payment to the provider of child care under the child care fund within 30 days of receiving an invoice from the provider. Counties or the state may establish policies that make payments on a more frequent basis. A county's payment policies must be included in the county's child care plan under section 119B.08, subdivision 3. If payments are made by the state, in addition to being in compliance with this subdivision, the payments must be made in compliance with section 16A.124.

Sec. 13. Minnesota Statutes 2000, section 124D.135, subdivision 3, is amended to read:

Subd. 3. [EARLY CHILDHOOD FAMILY EDUCATION LEVY.] ~~For fiscal year 2001 to obtain early childhood family education revenue, a district may levy an amount equal to the tax rate of .5282 percent times the adjusted tax capacity of the district for the year preceding the year the levy is certified.~~ Beginning with levies for fiscal year 2002, by September 30 of each year, the commissioner shall establish a tax rate for early childhood education revenue that raises \$21,027,000 for fiscal year 2002 and \$22,135,000 ~~in~~ for fiscal year 2003 and each subsequent year. If the amount of the early childhood family education levy would exceed the early childhood family education revenue, the early childhood family education levy must equal the early childhood family education revenue.

Sec. 14. Minnesota Statutes 2001 Supplement, section 124D.135, subdivision 8, is amended to read:

Subd. 8. [RESERVE ACCOUNT LIMIT.] (a) Under this section, the average balance, during the most recent three-year period in a district's early childhood family education reserve account on June 30 of each year, adjusted for any prior reductions under this subdivision, must not be greater than the greater of \$18,000 or 25 percent of the district's early childhood family education annual revenue for the prior year. If a district's adjusted average early childhood family education reserve over the three-year period is in excess of the greater of \$18,000 or 25 percent of the prior year annual revenue, the district's early childhood family education state aid and levy authority for the current school year must be reduced by the excess reserve amount. The aid reduction equals the product of the lesser of the excess reserve amount or the current year revenue under subdivision 1 times the ratio of the district's aid for the prior current year under subdivision 4 to the district's revenue for the prior current year under subdivision 1. The levy reduction equals the lesser of the excess reserve amount or the current year revenue under subdivision 1 minus the aid reduction. Beginning in fiscal year 2004, the commissioner must reallocate aid and levy reduced under this subdivision to other eligible early childhood family education programs in proportion to each district's revenue for the prior year under subdivision 1. For the purposes of this subdivision, if a district does not levy the entire amount permitted under subdivision 4, the revenue under subdivision 1 must be reduced in direct proportion to the actual amount levied.

(b) Notwithstanding paragraph (a), for fiscal year 2003, the excess reserve amount shall be computed using the balance in a district's early childhood family education reserve account on June 30, 2002. For fiscal year 2004, the excess reserve amount shall be computed using the adjusted average balance in a district's early childhood family education reserve account on June 30, 2002, and June 30, 2003.

Sec. 15. Minnesota Statutes 2001 Supplement, section 124D.16, subdivision 6, is amended to read:

Subd. 6. [RESERVE ACCOUNT LIMIT.] (a) Under this section, the average balance, during the most recent three-year period, in a district's school readiness reserve account on June 30 of each year, adjusted for any prior reductions under this subdivision, must not be greater than 25 percent of the district's school readiness annual revenue for the prior year. If a district's adjusted average school readiness reserve over the three-year period is in excess of 25 percent of the prior year annual revenue, the district's current year school readiness state aid must be reduced by the lesser of the excess reserve amount or the current year aid. The commissioner must reallocate aid reduced under this subdivision to other eligible school readiness programs in proportion to each district's aid for the prior current year under subdivision 2.

(b) Notwithstanding paragraph (a), for fiscal year 2003, the excess reserve amount shall be computed using the balance in a district's school readiness reserve account on June 30, 2002. For fiscal year 2004, the excess reserve amount shall be computed using the adjusted average balance in a district's school readiness reserve account on June 30, 2002, and June 30, 2003.

Sec. 16. Laws 2000, chapter 489, article 1, section 36, is amended to read:

Sec. 36. [MFIP SOCIAL SERVICES CHILD CARE SUNSET AND REPORT.]

Minnesota Statutes, section 119B.05, subdivision 1, clause (5), expires on June 30, 2003. MFIP social services child care must be paid for with the appropriations under section 45, subdivision 3. Priority must be given to mental health services and chemical dependency services. ~~Any amount that is not needed for MFIP social services child care must be used for child care assistance under Minnesota Statutes, section 119B.03.~~ The commissioner of children, families, and learning must notify the chairs of the family and early childhood committees in the house and the senate if expenditures for MFIP social services child care are expected to exceed appropriations under section 45, subdivision 3. The commissioner shall report to the legislature by January 15, 2003, on the use of MFIP social services child care with recommendations on the need for social services child care and its effectiveness in promoting self-sufficiency.

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

Sec. 17. Laws 2001, First Special Session chapter 3, article 1, section 17, subdivision 3, is amended to read:

Subd. 3. [EARLY CHILDHOOD FAMILY EDUCATION AID.] For early childhood family education aid according to Minnesota Statutes, section 124D.135:

\$20,758,000 <u>\$20,725,000</u>	.....	2002
\$20,663,000 <u>\$19,024,000</u>	.....	2003

The 2002 appropriation includes \$2,036,000 for 2001 and ~~\$18,722,000~~ \$18,689,000 for 2002.

The 2003 appropriation includes ~~\$2,081,000~~ \$2,076,000 for 2002 and ~~\$18,582,000~~ \$16,948,000 for 2003.

Any balance in the first year does not cancel but is available in the second year.

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

Sec. 18. Laws 2001, First Special Session chapter 3, article 1, section 17, subdivision 7, is amended to read:

Subd. 7. [SCHOOL AGE CARE AID.] For school age care aid according to Minnesota Statutes, section 124D.22:

\$221,000	. . . . .	2002
\$133,000 <u>\$100,000</u>	. . . . .	2003

The 2002 appropriation includes \$30,000 for 2001 and \$191,000 for 2002.

The 2003 appropriation includes \$21,000 for 2002 and ~~\$112,000~~ \$79,000 for 2003.

Any balance in the first year does not cancel but is available in the second year.

Sec. 19. Laws 2001, First Special Session chapter 3, article 1, section 17, subdivision 8, is amended to read:

Subd. 8. [BASIC SLIDING FEE.] For child care assistance according to Minnesota Statutes, section 119B.03:

\$51,999,000	. . . . .	2002
\$51,999,000 <u>\$42,827,000</u>	. . . . .	2003

The fiscal year 2004 appropriation is \$45,254,000. The fiscal year 2005 appropriation is \$44,718,000.

Any balance in the first year does not cancel but is available in the second year.

Sec. 20. Laws 2001, First Special Session chapter 3, article 1, section 17, subdivision 9, is amended to read:

Subd. 9. [MFIP CHILD CARE.] For child care assistance according to Minnesota Statutes, section 119B.05:

\$82,253,000 <u>\$69,201,000</u>	. . . . .	2002
\$78,606,000 <u>\$77,122,000</u>	. . . . .	2003

Any balance in the first year does not cancel but is available in the second year.

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

Sec. 21. Laws 2001, First Special Session chapter 3, article 1, section 17, subdivision 11, is amended to read:

Subd. 11. [CHILD CARE SERVICE GRANTS.] For child care development activities under child care service grants according to Minnesota Statutes, section 119B.21:

\$1,865,000	. . . . .	2002
\$1,865,000	. . . . .	2003

The fiscal year 2004 appropriation is \$0. Beginning in 2005, the base is \$1,865,000 from the general fund each year.

Any balance in the first year does not cancel but is available in the second year. This appropriation is available until June 30, 2003.

Sec. 22. Laws 2001, First Special Session chapter 3, article 1, section 18, is amended to read:

Sec. 18. [SPECIAL REVENUE; CHILD SUPPORT COLLECTIONS.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.] Appropriations in this section are from child support collection payments in the special revenue fund pursuant to Minnesota Statutes, section 119B.074. The sums indicated are appropriated to the department of children, families, and learning for the fiscal years designated.

Subd. 2. [CHILD CARE ASSISTANCE.] For child care assistance according to Minnesota Statutes, section 119B.03:

\$2,441,439	.....	2002
\$2,340,251 <u>\$3,340,251</u>	.....	2003

Sec. 23. Laws 2001, First Special Session chapter 3, article 1, section 19, subdivision 3, is amended to read:

Subd. 3. [TRANSITION YEAR FAMILIES.] To provide uninterrupted assistance under Minnesota Statutes, section 119B.03, for families completing transition year child care assistance:

\$3,620,000 <u>\$1,404,000</u>	.....	2002
\$4,040,000 <u>\$1,000,000</u>	.....	2003

~~Any balance in the first year does not cancel but is available in the second year. Any unspent balance from the appropriations for 2002 and 2003 is returned to the TANF reserve. TANF dollars appropriated for this purpose in 2001 which are not encumbered by January 1, 2002, are returned to the TANF reserve.~~

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

Sec. 24. Laws 2001, First Special Session chapter 3, article 1, section 19, subdivision 5, is amended to read:

Subd. 5. [MFIP SOCIAL SERVICES CHILD CARE.] For social services child care costs of eligible MFIP participants under Minnesota Statutes, section 119B.05, subdivision 1, clause (5):

\$3,297,000 <u>\$973,000</u>	.....	2002
\$2,865,000 <u>\$497,000</u>	.....	2003

~~Any balance in the first year does not cancel but is available in the second year. Any unspent balance from the appropriations for 2002 and 2003 is returned to the TANF reserve. TANF dollars appropriated for this purpose in 2001 which are not encumbered by January 1, 2002, are returned to the TANF reserve.~~

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

Sec. 25. [FEDERAL FUNDS.]

Notwithstanding Minnesota Statutes, section 3.3005, subdivisions 4 and 5, all plans to spend federal funds related to family and early childhood education must be reviewed by the appropriate legislative committees prior to their submission to the federal government. If federal funds become available to the state for expenditure while the legislature is not in session, the commissioner of finance must submit a request for review and recommendation for further review to the members of the legislative committees responsible for family and early childhood education. If a recommendation is not made within ten days, no further legislative review is required. If a recommendation by any member is for further review, the governor must submit the request to the legislative committees for their review and recommendation.

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

Sec. 26. [MFIP CHILD CARE; GENERAL FUND LAPSE.]

Notwithstanding Minnesota Statutes, section 16A.28, subdivision 3, any excess MFIP child care general fund appropriation up to \$3,000,000 may be transferred to the basic sliding fee program under Minnesota Statutes, section 119B.03. This section expires on July 1, 2003.

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

Sec. 27. [DIRECTION TO COMMISSIONER OF CHILDREN, FAMILIES, AND LEARNING; CHILD CARE CO-PAYMENTS.]

The commissioner is directed to adjust the child care assistance co-payment schedule under Minnesota Statutes, section 119B.12, based on the income eligibility level under section 8.

Sec. 28. [APPROPRIATION.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.] The sums indicated in this section are appropriated from the general fund to the department of children, families, and learning for the fiscal years designated, unless otherwise indicated.

Subd. 2. [CHILD CARE IMPROVEMENT GRANTS.] For child care improvement grants according to Minnesota Statutes, section 119B.25:

<u>\$200,000</u>	*****	<u>2003</u>
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The fiscal year 2004 appropriation is \$200,000 from the general fund.

Sec. 29. [TANF APPROPRIATIONS.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.] The sum indicated in this section for fiscal year 2003 is appropriated to the commissioner of human services from the TANF block grant funds authorized under United States Code, title 42, section 601 et seq., and awarded in federal fiscal years 2000 to 2002, and is transferred to the department of children, families, and learning for the fiscal years indicated for use as provided in this section. This amount is available for expenditure until June 30, 2003.

Subd. 2. [BASIC SLIDING FEE CHILD CARE.] For child care assistance according to Minnesota Statutes, section 119B.03:

<u>\$3,857,000</u>	*****	<u>2003</u>
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ARTICLE 2

PREVENTION

Section 1. Minnesota Statutes 2000, section 119A.37, subdivision 3, is amended to read:

Subd. 3. [FUNDING.] The commissioner may award grants to create or maintain parenting time centers.

In awarding grants to maintain a parenting time center, the commissioner may award a grant to a center that can demonstrate a ~~35~~ 25 percent local match, provided the center is diligently exploring and pursuing all available funding options in an effort to become self-sustaining, and those efforts are reported to the commissioner.

In awarding grants to create a parenting time center, the commissioner shall give priority to:

- (1) areas of the state where no other parenting time center or similar facility exists;
- (2) applicants who demonstrate that private funding for the center is available and will continue; and
- (3) facilities that are adapted for use to care for children, such as day care centers, religious institutions, community centers, schools, technical colleges, parenting resource centers, and child care referral services.

In awarding grants to create or maintain a parenting time center, the commissioner shall require the proposed center to meet standards developed by the commissioner to ensure the safety of the custodial parent and children.

Sec. 2. Minnesota Statutes 2000, section 124D.221, subdivision 2, is amended to read:

Subd. 2. ~~[PRIORITY NEIGHBORHOODS.]~~ (a) The commissioner must give priority to all applicants, except as provided in paragraph (b), demonstrating a match of 25 cents of nonstate funding for each \$1 of the grant amount awarded for the implementation of an after-school enrichment program.

(b) For grants in Minneapolis and St. Paul, the commissioner must first give priority to neighborhoods in this ~~subdivision paragraph~~ and then priority according to paragraph (a). In Minneapolis, priority neighborhoods are Near North, Hawthorne, Sumner-Glenwood, Harrison, Jordan, Powderhorn, Central, Whittier, Cleveland, McKinley, Waite Park, Sheridan, Holland, Lyndale, Folwell, and Phillips. In St. Paul, priority neighborhoods are Summit-University, Thomas-Dale, North End, Payne-Phalen, Daytons Bluff, and the West Side.

[EFFECTIVE DATE.] This section is effective July 1, 2003.

Sec. 3. Laws 2001, First Special Session chapter 3, article 2, section 15, subdivision 3, is amended to read:

Subd. 3. [COMMUNITY EDUCATION AID.] For community education aid according to Minnesota Statutes, section 124D.20:

\$14,209,000 <u>\$14,190,000</u>	.....	2002
\$13,111,000 <u>\$8,186,000</u>	.....	2003

The 2002 appropriation includes \$1,528,000 for 2001 and ~~\$12,681,000~~ \$12,662,000 for 2002.

The 2003 appropriation includes ~~\$1,409,000~~ \$1,406,000 for 2002 and ~~\$11,702,000~~ \$6,780,000 for 2003.

Any balance in the first year does not cancel but is available in the second year.

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

Sec. 4. Laws 2001, First Special Session chapter 3, article 2, section 15, subdivision 6, is amended to read:

Subd. 6. [VIOLENCE PREVENTION EDUCATION GRANTS.] For violence prevention education grants according to Minnesota Statutes, section 120B.23:

\$1,305,000	.....	2002
\$1,450,000	.....	2003

The 2002 appropriation includes \$0 for 2001 and \$1,305,000 for 2002.

The 2003 appropriation includes \$145,000 for 2002 and \$1,305,000 for 2003.

Beginning in fiscal year 2004, the base is \$750,000 from the general fund each year.

Any balance in the first year does not cancel but is available in the second year.

Sec. 5. Laws 2001, First Special Session chapter 3, article 2, section 15, subdivision 9, is amended to read:

Subd. 9. [~~FAMILY VISITATION~~ PARENTING TIME CENTERS.] (a) For ~~family visitation~~ parenting time centers according to Minnesota Statutes, section 119A.37:

\$200,000	.....	2002
\$200,000	.....	2003

Any balance in the first year does not cancel but is available in the second year.

(b) An additional \$96,000 in fiscal year 2002 and \$96,000 in fiscal year 2003 are appropriated from the special revenue fund under Minnesota Statutes, section 517.08, subdivision 1c, for ~~family visitation~~ parenting time centers. Any balance in the first year does not cancel but is available for the second year.

Sec. 6. Laws 2001, First Special Session chapter 3, article 2, section 15, subdivision 10, is amended to read:

Subd. 10. [~~AFTER-SCHOOL ENRICHMENT GRANTS.~~] For after-school enrichment grants according to Minnesota Statutes, section 124D.221:

\$5,510,000	.....	2002
\$5,510,000	.....	2003

Beginning in fiscal year 2004, the base is \$4,133,000 from the general fund each year.

Any balance in the first year does not cancel but is available in the second year.

Sec. 7. Laws 2001, First Special Session chapter 3, article 2, section 16, subdivision 2, is amended to read:

Subd. 2. [~~GUARD OUR YOUTH.~~] For the guard our youth program sponsored by the department of military affairs to serve at-risk and underserved youth ages nine to 16 years:

\$191,000 <u>\$44,000</u>	2002
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This is a one-time appropriation.

Any balance in the first year does not cancel but is available in the second year.

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

ARTICLE 3

SELF-SUFFICIENCY

Section 1. Minnesota Statutes 2000, section 119A.374, is amended by adding a subdivision to read:

Subd. 1a. [RULEMAKING.] The commissioner shall adopt rules necessary to implement sections 119A.374 to 119A.376.

Sec. 2. Minnesota Statutes 2000, section 124D.518, subdivision 3, is amended to read:

Subd. 3. [CONTACT HOURS.] (a) "Contact hours" means the number of hours during which a student was engaged in learning activities provided by an approved adult education program. Contact hours excludes homework but includes interactive distance learning. The commissioner may only reallocate contact hours among programs to adjust for changes in program membership between the first prior program year and the current program year based on the actual contact hours reported for the first prior program year.

~~(b) For revenue beginning in fiscal year 2002, contact hours for a provider of adult basic education services funded in fiscal year 2000, but not eligible for basic population aid in fiscal year 2001, is computed by multiplying the provider's contact hours by 1.03.~~

~~(c) For aid in fiscal year 2001, contact hours in fiscal year 2000 equals the number of full-time equivalent learners times the contact hours. A level one full-time equivalent learner is equal to 240 contact hours and a level two full-time learner is equal to 408 contact hours.~~

Sec. 3. Minnesota Statutes 2000, section 124D.518, is amended by adding a subdivision to read:

Subd. 6. [NONDISTRICT PROGRAMS.] "Nondistrict programs" means approved adult basic education programs in corrections, 501(c)3 nonprofit organizations, intermediate school districts, and tribal councils. These programs must:

(1) determine the type of adult basic education program offered;

(2) hire staff;

(3) make program location decisions;

(4) manage the personal education plan process; and

(5) collect and report required adult basic education data.

Paid instructors of eligible nondistrict programs must be employees of the nondistrict program and not employees of a school district that work at the nondistrict site.

Sec. 4. Minnesota Statutes 2000, section 124D.52, subdivision 3, is amended to read:

Subd. 3. [ACCOUNTS; REVENUE; AID.] (a) Each district, group of districts, or private nonprofit organization providing adult basic education programs must establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these programs. All revenue received pursuant to this section must be utilized solely for the purposes of adult basic education programs. State aid must not equal more than 100 percent of the unreimbursed expenses of providing these programs, excluding in-kind costs.

(b) Notwithstanding section 123A.26 or any other law to the contrary, an adult basic education consortium providing an approved adult basic education program, may be its own fiscal agent and eligible to receive state aid payments directly from the commissioner.

Sec. 5. Minnesota Statutes 2001 Supplement, section 124D.531, subdivision 1, is amended to read:

Subdivision 1. [STATE TOTAL ADULT BASIC EDUCATION AID.] (a) ~~The state total adult basic education aid for fiscal year 2001 equals \$30,157,000. The state total adult basic education aid for later years~~ fiscal year 2002 equals:

(1) the state total adult basic education aid for the preceding fiscal year; times

(2) the lesser of:

(i) 1.08, or

(ii) the greater of 1.00 or the ratio of the state total contact hours in the first prior program year to the state total contact hours in the second prior program year. The state total adult basic education aid for fiscal year 2003 equals the state total adult basic education aid for fiscal year 2002. The state total adult basic education aid for fiscal year 2004 and beyond equals:

(1) the state total adult basic education aid for the preceding fiscal year; times

(2) the lesser of:

(i) 1.04, or

(ii) the greater of 1.00 or the ratio of the state total contact hours in the first prior program year to the state total contact hours in the second prior program year.

Beginning in fiscal year 2002, two percent of the state total adult basic education aid must be set aside for adult basic education supplemental service grants under section 124D.522.

(b) The state total adult basic education aid, excluding basic population aid, equals the difference between the amount computed in paragraph (a), and the state total basic population aid under subdivision 2.

Sec. 6. Minnesota Statutes 2000, section 124D.531, subdivision 4, is amended to read:

Subd. 4. [ADULT BASIC EDUCATION PROGRAM AID LIMIT.] (a) Notwithstanding subdivisions 2 and 3, the total adult basic education aid for a program per prior year contact hour must not exceed four times the rate per prior year contact hour computed under subdivision 3, clause (2).

(b) For fiscal year 2002 ~~and later~~, the aid for a program under subdivision 3, clause (2), adjusted for changes in program membership, must not exceed the aid for that program under subdivision 3, clause (2), for the first preceding fiscal year by more than the greater of 17 percent or \$20,000. For fiscal year 2003 and later, the aid for a program under subdivision 3, clause (2), adjusted for changes in program membership, must not exceed the contact hours for that program under subdivision 3, clause (2), for the first preceding fiscal year by more than nine percent.

(c) Adult basic education aid is payable to a program for unreimbursed costs.

Sec. 7. Minnesota Statutes 2000, section 124D.531, is amended by adding a subdivision to read:

Subd. 10. [NONDISTRICT PROGRAMS.] (a) Notwithstanding section 16A.28, subdivision 3, beginning in fiscal year 2003, adult basic education aid under this section that remains unallocated after the application of revenue caps under subdivision 4, paragraphs (a) and (b), shall be reallocated annually to all approved nondistrict adult basic education program providers. The reallocation amount each year shall be distributed to the approved nondistrict providers in proportion to their prior year contact hours.

(b) Notwithstanding section 16A.28, subdivision 3, beginning in fiscal year 2002, adult basic education aid allocated under subdivisions 1, 2, and 3 that is unspent at the end of the year shall be reallocated annually to all approved nondistrict adult basic education providers. The reallocation amount each year shall be distributed to the approved nondistrict providers in proportion to their prior year contact hours.

(c) Notwithstanding section 16A.28, subdivision 3, the adult basic education program may carry forward appropriations from one fiscal year to the next and one biennium to the next. The aid described in paragraphs (a) and (b) shall be distributed to nondistrict programs in the fiscal year following the final calculation of the aid under this section.

Sec. 8. Laws 2001, First Special Session chapter 3, article 3, section 9, subdivision 2, is amended to read:

Subd. 2. [MINNESOTA ECONOMIC OPPORTUNITY GRANTS.] For Minnesota economic opportunity grants, Minnesota Statutes, sections 119A.374 to 119A.376:

\$8,514,000	.....	2002
\$8,514,000	.....	2003

The fiscal year 2004 appropriation is \$8,014,000. In fiscal year 2005 and thereafter, the base is \$8,514,000 from the general fund each year.

Any balance in the first year does not cancel but is available in the second year.

Sec. 9. Laws 2001, First Special Session chapter 3, article 3, section 9, subdivision 5, is amended to read:

Subd. 5. [ADULT BASIC EDUCATION AID.] For adult basic education aid according to Minnesota Statutes, section 124D.531:

\$32,150,000	.....	2002
\$34,731,000 <u>\$32,368,000</u>	.....	2003

The 2002 appropriation includes \$3,019,000 for 2001 and \$29,131,000 for 2002.

The 2003 appropriation includes \$3,237,000 for 2002 and ~~\$31,494,000~~ \$29,131,000 for 2003.

Sec. 10. Laws 2001, First Special Session chapter 3, article 3, section 9, subdivision 6, is amended to read:

Subd. 6. [ADULT BASIC EDUCATION AUDITS; ~~STATE DIRECTOR.~~] For adult basic education audits under Minnesota Statutes, section 124D.531, ~~and for a state adult basic education director:~~

\$100,000	.....	2002
\$275,000 <u>\$175,000</u>	.....	2003

The fiscal year 2004 appropriation is ~~\$275,000~~ \$175,000. In fiscal year 2005 and thereafter, the base is ~~\$170,000~~ \$70,000 from the general fund each year.

Any balance in the first year does not cancel but is available in the second year.

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

Sec. 11. [REVISOR INSTRUCTION.]

The revisor of statutes shall codify the Minnesota family assets for independence initiative under Laws 1998, First Special Session chapter 1, article 1, sections 6 to 12 as amended by Laws 1999, chapter 205, article 4, sections 8, 9, and 10 and Laws 2000, chapter 489, article 1, sections 23, 24, 25, and 46, in Minnesota Statutes, chapter 119A.

Sec. 12. [REPEALER.]

Laws 2001, First Special Session chapter 3, article 3, section 8, is repealed."

Delete the title and insert:

"A bill for an act relating to family and early childhood education; providing for children and family support, prevention, and self-sufficiency programs; appropriating money and reducing earlier appropriations; amending Minnesota Statutes 2000, sections 119A.37, subdivision 3; 119A.374, by adding a subdivision; 119B.011, subdivision 7, by adding a subdivision; 119B.02, subdivision 1; 119B.061, subdivisions 1, 5; 119B.09, subdivisions 1, 2; 119B.11, subdivision 2a; 119B.12, subdivision 2; 119B.13, subdivision 1; 124D.135, subdivision 3; 124D.221, subdivision 2; 124D.518, subdivision 3, by adding a subdivision; 124D.52, subdivision 3; 124D.531, subdivision 4, by adding a subdivision; Minnesota Statutes 2001 Supplement, sections 119B.061, subdivision 4; 119B.13, subdivision 6; 124D.135, subdivision 8; 124D.16, subdivision 6; 124D.531, subdivision 1; Laws 2000, chapter 489, article 1, section 36; Laws 2001, First Special Session chapter 3, article 1, section 17, subdivisions 3, 7, 8, 9, 11; Laws 2001, First Special Session chapter 3, article 1, section 18; Laws 2001, First Special Session chapter 3, article 1, section 19, subdivisions 3, 5; Laws 2001, First Special Session chapter 3, article 2, section 15, subdivisions 3, 6, 9, 10; Laws 2001, First Special Session chapter 3, article 2, section 16, subdivision 2; Laws 2001, First Special Session chapter 3, article 3, section 9, subdivisions 2, 5, 6; repealing Laws 2001, First Special Session chapter 3, article 3, section 8."

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.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 2908, A bill for an act relating to Pine county; authorizing the county to combine county offices of recorder and assessor into one appointed office.

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

The report was adopted.

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

H. F. No. 2909, A bill for an act relating to public safety; establishing an integrated set of agriculture, public safety, drivers' license, emergency management, pollution control, law enforcement, and criminal justice terrorist activity prevention, response, and investigation policies; modifying provisions relating to criminal justice, public safety, agriculture, emergency management, 911 emergency communications, pollution control, criminal background checks, and identification procedures; enhancing penalties and creating new crimes designed to deter and punish terroristic activities; providing for interception of terroristic communications; modifying provisions governing response to hazardous materials; classifying data on terroristic activities and authorizing sharing of terrorist data; upon commission of terrorist offenses providing for attachment of financial assets and seizure and forfeiture of property associated with those offenses; providing for release of juvenile court record; appropriating money for antiterrorism initiatives; amending Minnesota Statutes 2000, sections 12.03, subdivision 4; 12.21, subdivisions 1, 2, 3; 12.22, subdivision 2; 12.31, subdivision 2; 12.32; 12.34, subdivision 1; 12.36; 13.37, subdivisions 1, 3; 13.6905, by adding a subdivision; 17.03, by adding a subdivision; 31.05, subdivision 1, by adding a subdivision; 168.011, by adding subdivisions; 171.07, subdivisions 1a, 4; 171.27; 299A.49, subdivisions 2, 4; 299A.50, subdivision 1; 609.035, by adding a subdivision; 609.185; 609.531, subdivision 1; 609.532, subdivision 3; 609.625, by adding a subdivision; 609.713; 626A.05, subdivision 2; Minnesota Statutes 2001 Supplement, sections 28A.085, subdivision 4; 35.0661, subdivision 2; 260B.171, subdivision 1; proposing coding for new law in Minnesota Statutes,

chapters 13; 168; 171; 609; 626A; proposing coding for new law as Minnesota Statutes, chapter 609B; repealing Minnesota Statutes 2000, section 299A.50, subdivision 3; Minnesota Statutes 2001 Supplement, section 35.0661, subdivision 4.

Reported the same back with the following amendments:

Pages 10 and 11, delete section 14

Page 28, after line 28, insert:

"Sec. 40. [609.712] [INTRODUCING OR THREATENING TO INTRODUCE LIVESTOCK, CAPTIVE CERVIDAE, POULTRY, OR WILD DEER PATHOGENS.]

Subdivision 1. [LIVESTOCK, CAPTIVE CERVIDAE, AND POULTRY.] (a) Whoever intentionally introduces an organism pathogenic to livestock, captive cervidae, or poultry is guilty of a felony.

(b) Whoever threatens to introduce an organism pathogenic to livestock, captive cervidae, or poultry located in this state with purpose to terrorize the owner of the livestock, captive cervidae, or poultry or to terrorize members of the public is guilty of a gross misdemeanor.

(c) It is an affirmative defense to criminal liability under this subdivision that the organism has a recognized therapeutic veterinary purpose.

Subd. 2. [WILD DEER.] (a) Whoever introduces an organism pathogenic to wild deer is guilty of a felony.

(b) Whoever threatens to introduce an organism pathogenic to wild deer located in this state with purpose to terrorize members of the public is guilty of a gross misdemeanor.

(c) It is an affirmative defense to criminal liability under this subdivision that the organism has a recognized therapeutic veterinary purpose.

Subd. 3. [PENALTY.] (a) A person convicted of violating subdivision 1, paragraph (a), or subdivision 2, paragraph (a), may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both.

(b) A person convicted of violating subdivision 1, paragraph (b), or subdivision 2, paragraph (b), may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

Subd. 4. [CIVIL ACTION.] Any person injured by a violation of subdivision 1 may bring an action for the damages sustained, costs, and attorney fees."

Page 32, line 11, delete "(a)"

Page 32, delete lines 13 and 14

Page 32, line 16, delete "34" and insert "33"

Page 32, line 17, delete "35" and insert "34 to 39 and 41"

Page 32, line 18, after the period, insert "Section 40 is effective August 1, 2002, for crimes committed and causes of action arising on or after the effective date."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 26, delete everything after the semicolon

Page 1, line 27, delete "subdivision;"

Page 1, line 40, delete everything after "3" and insert a period

Page 1, delete line 41

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

The report was adopted.

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

H. F. No. 2969, A bill for an act relating to education; permitting special education data to be recorded in an electronic format; amending Minnesota Statutes 2000, section 13.32, subdivision 1.

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.

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

H. F. No. 3010, A bill for an act relating to education; enacting the American Heritage Education in Minnesota Public Schools Act; proposing coding for new law in Minnesota Statutes, chapter 120B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [120B.25] [AMERICAN HERITAGE EDUCATION.]

(a) School districts shall adopt a policy to allow for grade-level instruction to assure that all students are encouraged, and have the opportunity, to read and study America's founding documents that are pertinent to understanding the principles, character, and world view of America's founders; including documents that contributed to the foundation or maintenance of America's representative republican form of limited government, our free-market economic system, and patriotism. Districts shall permit principals and teachers, in the ordinary course of their duties, to use, read, or post in a public school building or classroom any excerpts or portions of the documents, writings, speeches, proclamations, or records relating to the history, heritage, or foundation of the United States or the state of Minnesota, including, but not limited to:

(1) the Mayflower compact;

(2) the Declaration of Independence;

- (3) the Constitutions of the United States and the state of Minnesota and the Bill of Rights;
- (4) the Federalist Papers;
- (5) the Northwest Ordinance of 1787;
- (6) the Pledge of Allegiance in its original and current forms and the national anthem;
- (7) Washington's farewell address to the nation, Lincoln's Gettysburg address, and other writings from George Washington Carver, Phyllis Wheatley, and Martin Luther King; and
- (8) the published records of Congress and the United States Supreme Court decisions.
- (b) In the ordinary course of providing instruction and curriculum, districts may not prohibit the use of documents, writings, speeches, proclamations, or records described under paragraph (a) based on religious references. These and any other materials must be used for educational purposes and not to establish any religion.
- (c) Students may voluntarily choose to read, write, share, report, or otherwise study a topic which is religious in nature provided other students are provided with the same opportunity to freely choose a topic.

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

Sec. 2. [TITLE.]

Minnesota Statutes, section 120B.25, shall be known as the American Heritage Education in Minnesota Public Schools Act.

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

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3049, A bill for an act relating to public safety; expanding those persons who are required to register as a predatory offender for their lifetime after a second conviction; amending Minnesota Statutes 2001 Supplement, section 243.166, subdivision 6.

Reported the same back with the following amendments:

Page 2, line 16, after "been" insert "or was"

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. 3091, A bill for an act relating to human services; modifying standards for reporting incidents and emergencies in licensed programs serving persons with mental retardation or related conditions; amending Minnesota Statutes 2000, sections 245B.02, subdivision 10; 245B.05, subdivision 7; 626.557, subdivision 14.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 245B.02, subdivision 10, is amended to read:

Subd. 10. [INCIDENT.] "Incident" means any of the following:

~~(1) serious injury as determined by section 245.91, subdivision 6; accident; reports of a child or vulnerable adult maltreatment; circumstances that involve a law enforcement agency; or~~

~~(2) a consumer's death;~~

~~(3) any medical emergencies, unexpected serious illnesses, or accidents that require physician treatment or hospitalization;~~

~~(4) a consumer's unauthorized absence;~~

~~(5) any fires or other circumstances involving a law enforcement agency;~~

~~(6) physical aggression by a consumer against another consumer that causes physical pain, injury, or persistent emotional distress, including, but not limited to, hitting, slapping, kicking, scratching, pinching, biting, pushing, and spitting;~~

~~(7) any sexual activity between consumers involving force or coercion as defined under section 609.341, subdivisions 3 and 14; or~~

~~(8) a report of child or vulnerable adult maltreatment under section 626.556 or 626.557.~~

Sec. 2. Minnesota Statutes 2000, section 245B.05, subdivision 7, is amended to read:

Subd. 7. [REPORTING INCIDENTS ~~AND EMERGENCIES.~~] (a) The license holder must maintain information about and report the following incidents under section 245B.02, subdivision 10, clauses (1) to (7), to the consumer's legal representative, other licensed caregiver, if any, and case manager within 24 hours of the occurrence, or within 24 hours of receipt of the information:

~~(1) the death of a consumer;~~

~~(2) any medical emergencies, unexpected serious illnesses, or accidents that require physician treatment or hospitalization;~~

~~(3) a consumer's unauthorized absence; or~~

~~(4) any fires and incidents involving a law enforcement agency unless the incident has been reported by another license holder. An incident under section 245B.02, subdivision 10, clause (8), must be reported as required under paragraph (c) unless the incident has been reported by another license holder.~~

(b) When the incident involves more than one consumer, the license holder must not disclose personally identifiable information about any other consumer when making the report to each consumer's legal representative, other licensed caregiver, if any, and case manager unless the license holder has the consent of a consumer or a consumer's legal representative.

(c) Within 24 hours of reporting maltreatment as required under section 626.556 or 626.557, the license holder must inform the consumer's legal representative and case manager of the report unless there is reason to believe that the legal representative or case manager is involved in the suspected maltreatment. The information the license holder must disclose is the nature of the activity or occurrence reported, the agency that receives the report, and the telephone number of the department of human services licensing division.

(d) Death or serious injury of the consumer must also be reported to the department of human services licensing division and the ombudsman, as required under sections 245.91 and 245.94, subdivision 2a.

Sec. 3. Minnesota Statutes 2000, section 245B.07, subdivision 1, is amended to read:

Subdivision 1. [CONSUMER DATA FILE.] The license holder must maintain the following information for each consumer:

(1) identifying information that includes date of birth, medications, legal representative, history, medical, and other individual-specific information, and names and telephone numbers of contacts;

(2) consumer health information, including individual medication administration and monitoring information;

(3) the consumer's individual service plan. When a consumer's case manager does not provide a current individual service plan, the license holder shall make a written request to the case manager to provide a copy of the individual service plan and inform the consumer or the consumer's legal representative of the right to an individual service plan and the right to appeal under section 256.045;

(4) copies of assessments, analyses, summaries, and recommendations;

(5) progress review reports;

(6) ~~incident and emergency reports~~ incidents involving the consumer;

(7) reports required under section 245B.05, subdivision 7;

(8) discharge summary, when applicable;

~~(8)~~ (9) record of other license holders serving the consumer that includes a contact person and telephone numbers, services being provided, services that require coordination between two license holders, and name of staff responsible for coordination; ~~and~~

~~(9)~~ incidents involving (10) information about verbal and physical aggression between consumers directed at the consumer by another consumer; and

(11) information about self-abuse affecting the consumer.

Sec. 4. Minnesota Statutes 2000, section 626.557, subdivision 14, is amended to read:

Subd. 14. [ABUSE PREVENTION PLANS.] (a) Each facility, except home health agencies and personal care attendant services providers, shall establish and enforce an ongoing written abuse prevention plan. The plan shall contain an assessment of the physical plant, its environment, and its population identifying factors which may encourage or permit abuse, and a statement of specific measures to be taken to minimize the risk of abuse. The plan shall comply with any rules governing the plan promulgated by the licensing agency.

(b) Each facility, including a home health care agency and personal care attendant services providers, shall develop an individual abuse prevention plan for each vulnerable adult residing there or receiving services from them. The plan shall contain an individualized assessment of the person's susceptibility to abuse by other individuals, including other vulnerable adults, and a statement of the specific measures to be taken to minimize the risk of abuse to that person. For the purposes of this clause, the term "abuse" includes self-abuse."

Delete the title and insert:

"A bill for an act relating to human services licensing; modifying standards for reporting incidents in licensed programs serving persons with mental retardation or related conditions; amending Minnesota Statutes 2000, sections 245B.02, subdivision 10; 245B.05, subdivision 7; 245B.07, subdivision 1; 626.557, subdivision 14."

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. 3092, A bill for an act relating to health; providing employer immunity for reference checks for certain health care providers and facilities; proposing coding for new law in Minnesota Statutes, chapter 604A.

Reported the same back with the following amendments:

Page 1, line 9, after "to" insert "residential treatment programs for children or group homes for children licensed under chapter 245A, residential services and programs for juveniles licensed under section 241.021,"

Page 1, line 24, delete "clear and convincing" and insert "a preponderance of the"

Page 2, line 1, after "Upon" insert "written"

Page 2, line 12, after "resignation" insert ", and the employee's written response, if necessary, contained in the personnel record"

Page 2, line 30, delete "paragraph" and insert "this subdivision and information on to whom the disclosure was made"

Page 2, line 31, delete "(b)"

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

The report was adopted.

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

H. F. No. 3130, A bill for an act relating to health; prohibiting family planning grant funds from being used to subsidize abortion services; prohibiting organizations that receive family planning grant funds from engaging in certain activities; requiring independent audits of certain organizations; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the following amendments:

Page 4, delete lines 4 to 18 and insert:

"Subd. 5. [INDEPENDENT AUDIT.] When an organization applies for family planning grant funds, the organization must submit with the grant application a copy of the organization's most recent independent audit, to ensure the organization is in compliance with this section. The independent audit must have been conducted no more than two years before the organization submits its grant application."

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.

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

H. F. No. 3286, A bill for an act relating to the organization and operation of state government; providing for programs relating to higher education; reducing earlier appropriations with certain conditions; amending Minnesota Statutes 2001 Supplement, sections 136G.01; 136G.11, subdivision 1; repealing Minnesota Statutes 2000, section 124D.95, subdivisions 1, 2, 3, 4, 5, 7, 8; Minnesota Statutes 2001 Supplement, section 136G.11, subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 10; Laws 1997, chapter 183, article 2, section 19.

Reported the same back with the following amendments:

Page 1, line 28, delete "\$ (8,419,000) \$ (41,581,000) \$ (50,000,000)" and insert "\$ (8,294,000) \$ (41,706,000) \$(50,000,000)"

Page 2, line 6, delete "\$ (8,419,000) \$ (2,511,000) \$ (10,930,000)" and insert "\$ (8,294,000) \$ (2,493,000) \$ (10,787,000)"

Page 2, line 9, delete "\$ (19,144,000) \$ (19,144,000)" and insert "\$ (19,214,000) \$ (19,214,000)"

Page 2, line 11, delete "\$ (19,926,000) \$ (19,926,000)" and insert "\$ (19,999,000) \$ (19,999,000)"

Page 2, line 19, delete "(8,419,000) (2,511,000) (10,930,000)" and insert "(8,294,000) (2,493,000) (10,787,000)"

Page 2, line 20, delete "(525,000) (2,670,000) (2,145,000)" and insert "(400,000) 2,795,000 2,395,000"

Page 2, after line 40, insert:

"For fiscal year 2002, \$4,318,000 of the remaining appropriation in Laws 1997, chapter 183, article 1, section 2, subdivision 8, cancels to the general fund."

Page 2, line 47, delete "(284,000) (716,000) (1,000,000)" and insert "(284,000) (793,000) (1,077,000)"

Page 3, line 5, delete "\$100,000" and insert "\$130,000"

Page 3, line 9, delete "(19,144,000) (19,144,000)" and insert "(19,214,000) (19,214,000)"

Page 3, line 12, delete "\$4,174,000" and insert "\$4,127,000"

Page 3, line 17, after "balances" insert "and through programmatic restructuring"

Page 3, line 21, delete "(19,926,000) (19,926,000)" and insert "(19,999,000) (19,999,000)"

Page 3, line 24, delete "\$4,345,000" and insert "\$4,297,000"

Page 3, after line 39, insert:

"Sec. 5. Laws 2001, First Special Session chapter 1, article 1, section 2, subdivision 3, is amended to read:

Subd. 3. Interstate Tuition Reciprocity	5,250,000	5,250,000
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If the appropriation in this subdivision for either year is insufficient, the appropriation for the other year is available to meet reciprocity contract obligations.

The higher education services office must negotiate the reciprocity agreements for remission of nonresident tuition under Minnesota Statutes, section 136A.08. The agreements must be negotiated under this subdivision with the goal of reducing and minimizing so that beginning with academic year 2003-2004: (1) students from other states who attend Minnesota institutions under a reciprocity agreement pay tuition that is at least equal to the tuition paid by Minnesota residents attending the same institution; and (2) the obligation of participating states to make general fund transfers for the tuition reciprocity program are reduced and minimized while maintaining access for Minnesota students. Negotiations must include consideration of new methods of collaboration with education institutions in reciprocity states to improve student access at lower costs, including on-line learning. The chancellor of the Minnesota state colleges and universities and the president of the University of Minnesota or their designees may participate in any negotiations on the tuition reciprocity agreement. The higher education services office must present progress on negotiations under this subdivision to the higher education finance committees of in the 2002 legislature and 2003 legislative sessions.

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

Page 4, after line 2, insert:

"Sec. 7. Minnesota Statutes 2001 Supplement, section 136A.124, subdivision 2, is amended to read:

Subd. 2. [ELIGIBILITY.] A grant must be awarded to a student scoring an average of three or higher on five or more advanced placement examinations on full-year courses or an average of four or higher on five or more international baccalaureate examinations on full-year courses. Two half-year courses may be considered as one full-year course. The annual amount of each grant must be based on the student's scores on the examinations and the funds available under this section.

A grant under this subdivision must not affect a recipient's eligibility for a state grant under section 136A.121.

Sec. 8. Minnesota Statutes 2001 Supplement, section 136A.124, subdivision 4, is amended to read:

Subd. 4. [ELIGIBLE INSTITUTION.] An "eligible institution" under this section is a public or private four-year degree-granting college or university or a two-year public college in Minnesota that has a credit and placement policy for either advanced placement or international baccalaureate scholarship recipients, or both. Each eligible institution must annually certify its policies to the ~~office~~ commissioner of children, families, and learning. The ~~office~~ commissioner of children, families, and learning must provide each Minnesota secondary school with a copy of the post-secondary advanced placement and international baccalaureate policies of eligible institutions."

Renumber the sections in sequence

Amend the title as follows:

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

Page 1, line 6, after "sections" insert "136A.124, subdivisions 2, 4;" and after "1;" insert "Laws 2001, First Special Session chapter 1, article 1, section 2, subdivision 3;"

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.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2525, 2598, 2600, 2649, 2698, 2757, 2766, 2908, 3010, 3049 and 3091 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Koskinen, Abeler and Bernardy introduced:

H. F. No. 3413, A bill for an act relating to capital improvements; authorizing issuance of state general obligation bonds for reconstruction of interchange of marked trunk highway No. 10 and Hanson Boulevard in Coon Rapids; appropriating money.

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

Harder introduced:

H. F. No. 3414, A bill for an act relating to agriculture; clarifying certain requirements under agricultural contracts; amending Minnesota Statutes 2000, section 17.90, subdivision 1a, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 17.9442.

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

Workman; Juhnke; Lieder; Kuisle; Gunther; Johnson, R.; Swenson; Winter and Kalis introduced:

H. F. No. 3415, A bill for an act proposing an amendment to the Minnesota Constitution, article XIV, section 5, and by adding a section; allocating proceeds from sales tax on motor vehicles; increasing and indexing the motor fuel tax; authorizing trunk highway bonds; appropriating money; amending Minnesota Statutes 2000, sections 296A.07, subdivision 3, by adding a subdivision; 296A.08, subdivision 2, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 297B.09, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 270.

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

Molnau, for the Committee on Transportation Finance, introduced:

H. F. No. 3416, A bill for an act relating to appropriations; reducing appropriations for fiscal years 2002 and 2003 to the department of transportation and other agencies; changing certain formulas for Greater Minnesota transit assistance; abolishing reimbursement to local units of government for certain expenditures relating to peace officer and firefighter insurance coverage; amending Minnesota Statutes 2000, section 174.22, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 174.24, subdivision 3b; repealing Minnesota Statutes 2000, section 299A.465, subdivision 4.

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

Ruth and Kalis introduced:

H. F. No. 3417, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Northeast Park Community Recreational Facility in Waseca.

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

Goodno introduced:

H. F. No. 3418, A bill for an act relating to human services; modifying provisions related to long-term care reform; amending Minnesota Statutes 2000, sections 144A.04, subdivision 7; 256B.47, subdivision 2; Minnesota Statutes 2001 Supplement, sections 144A.071, subdivision 1a; 144A.36, subdivision 1; 144A.74; 256B.431, subdivision 34; 256B.437, subdivision 3; 256B.438, subdivision 1.

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

Schumacher, Dehler and Opatz introduced:

H. F. No. 3419, A bill for an act relating to environment finance; authorizing reimbursement to a county for landfill costs paid; amending Minnesota Statutes 2000, section 115B.42, subdivision 2.

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

Abeler, Dawkins, Walker and Mariani introduced:

H. F. No. 3420, A bill for an act relating to juvenile court; requiring placement with relatives when a child in need of protection has been removed from the home; amending Minnesota Statutes 2000, sections 260C.175, subdivision 2; 260C.176, subdivision 1, by adding a subdivision; 260C.181, subdivision 2.

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

Bakk, Osthoff and Holsten introduced:

H. F. No. 3421, A bill for an act relating to natural resources; appropriating money for a harbor of refuge at Grand Portage; authorizing the sale of state bonds.

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

Walker; Dibble; Entenza; Koskinen; Mariani; Davnie; Clark, K.; Wagenius and Kahn introduced:

H. F. No. 3422, A bill for an act relating to human services; placing a moratorium on the establishment, licensure, and public financing of large institutions for children; requiring a study on children and families whose needs are not being met by the current child welfare or social services systems.

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

Goodno, Juhnke, Stang, Milbert and Jennings introduced:

H. F. No. 3423, A bill for an act relating to stadiums; creating a public corporation; providing for a football stadium and a parking ramp; imposing taxes and fees; appropriating money; amending Minnesota Statutes 2000, sections 272.02, by adding a subdivision; 290.62; 297A.71, by adding a subdivision; 349A.10, subdivision 5; Minnesota Statutes 2001 Supplement, section 297A.94; proposing coding for new law in Minnesota Statutes, chapters 295; 473; proposing coding for new law as Minnesota Statutes, chapter 473I.

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

McGuire, Goodwin, Evans and Tingelstad introduced:

H. F. No. 3424, A bill for an act relating to natural resources; authorizing bonds and appropriating money to the suburban Hennepin regional park district to construct the Silver Lake environmental education center.

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

Dauids introduced:

H. F. No. 3425, A bill for an act relating to insurance; regulating certain credit scoring procedures; proposing coding for new law in Minnesota Statutes, chapter 60K.

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

Nornes, Cassell and Otremba introduced:

H. F. No. 3426, A bill for an act relating to local government aid; increasing the city aid base for certain cities; amending Minnesota Statutes 2001 Supplement, section 477A.011, subdivision 36.

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

Lenczewski, Marquart, Mahoney and Westrom introduced:

H. F. No. 3427, A bill for an act relating to natural resources; providing funding for state park and recreation area improvements, restoration, and acquisition; authorizing the sale of state bonds; appropriating money.

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

Ness introduced:

H. F. No. 3428, A bill for an act relating to capital improvements; appropriating money to design and construct a joint laboratory facility with related parking for the departments of health and agriculture; authorizing issuance of bonds.

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

Abeler, Huntley and Boudreau introduced:

H. F. No. 3429, A bill for an act relating to human services; developing a pilot project to deliver services to deaf-blind adults, children, and families.

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

Bradley, McElroy and Vandever introduced:

H. F. No. 3430, A bill for an act relating to housing; defining mixed housing development; requiring negotiation on proposed mixed income developments; changing the burden of proof under certain circumstances; requiring housing fiscal impact notes; authorizing collector street utilities; amending Minnesota Statutes 2000, section 462.361, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462; proposing coding for new law as Minnesota Statutes, chapter 444A.

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

Wolf introduced:

H. F. No. 3431, A bill for an act relating to professions; modifying electrician licensing by requiring the licensure of landscape lighting and irrigation contractors; requiring rulemaking; amending Minnesota Statutes 2000, sections 326.01, by adding subdivisions; 326.241, subdivision 1; 326.242, subdivisions 5, 6c, 8, 12, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 326.243.

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

Holsten, Workman, Jennings and Ozment introduced:

H. F. No. 3432, A bill for an act relating to the environment; amending provisions of the Dry Cleaner Environmental Response and Reimbursement Law; amending Minnesota Statutes 2000, sections 115B.48, subdivision 5; 115B.49, subdivision 4; 115B.51.

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

Paymar and Dawkins introduced:

H. F. No. 3433, A bill for an act relating to baseball; providing for a contribution by the city of St. Paul to the construction of a major league baseball park; authorizing special metropolitan area and city taxes to be imposed to finance a baseball park in the city of St. Paul; providing sales tax exemptions; authorizing the issuance of state bonds for the construction of a major league baseball park; appropriating money; amending Minnesota Statutes 2000, sections 246.18, by adding a subdivision; 297A.67, by adding a subdivision; 297A.71, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16A; 473.

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

Rhodes, Dawkins and Clark, K., introduced:

H. F. No. 3434, A bill for an act relating to financial institutions; enacting restrictions on certain home loans; proposing coding for new law as Minnesota Statutes, chapter 58A.

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

Lenczewski, Workman, Hilstrom, Kelliher and Seagren introduced:

H. F. No. 3435, A bill for an act relating to Hennepin county; providing for design-build contracts; proposing coding for new law in Minnesota Statutes, chapter 383B.

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

Rukavina; Wasiluk; Leighton; Clark, K.; Folliard; Huntley; Swapinski; Goodwin and Bernardy introduced:

H. F. No. 3436, A bill for an act relating to labor; increasing the minimum wage; amending Minnesota Statutes 2000, section 177.24, subdivision 1.

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

Johnson, R.; Boudreau; Dorn; Swenson; Gunther and Kalis introduced:

H. F. No. 3437, A bill for an act relating to capital improvements; authorizing state bonds; appropriating money for the design and construction at Faribault and North Mankato campuses of South Central Technical College.

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

Gunther; Kalis; Johnson, R.; Swenson and Dorn introduced:

H. F. No. 3438, A bill for an act relating to capital improvements; providing for a grant to Blue Earth county for renovation of the Rapidan dam; authorizing issuance of bonds; appropriating money.

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

Gunther and Kalis introduced:

H. F. No. 3439, A bill for an act relating to juvenile justice; appropriating money for a temporary holdover facility in Fairmont county.

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

Workman and Hausman introduced:

H. F. No. 3440, A bill for an act relating to highways; regulating relocation and new installation of utility facilities due to construction projects in highway right-of-way; making clarifying and technical changes; amending Minnesota Statutes 2000, section 161.45, as amended.

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

Krinkie, Abrams, Kahn and Solberg introduced:

H. F. No. 3441, A bill for an act relating to state government; changing the time for submission of the February forecast of revenues and expenditures and the deadline for the submission of the governor's budget to the legislature; amending Minnesota Statutes 2000, sections 16A.103, subdivision 1; 16A.11, subdivision 1.

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

Hausman, Kelliher, Marko, Wagenius and Greiling introduced:

H. F. No. 3442, A bill for an act relating to transportation; imposing an additional tax on gasoline and special fuel; creating a highway mobility account in the trunk highway fund for trunk highway improvement projects and bus transit improvement projects on trunk highways; repealing restrictions on use of trunk highway funds for bus service; amending Minnesota Statutes 2000, sections 160.02, subdivision 7; 296A.08, subdivisions 4, 6; Laws 2001, First Special Session chapter 8, article 1, section 2, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 161; 296A.

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

Juhnke introduced:

H. F. No. 3443, A bill for an act relating to civil actions; providing that a nonprofit organization operating an environmental learning center is a municipality for purposes of tort claims; amending Minnesota Statutes 2000, section 84.0875.

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

McElroy introduced:

H. F. No. 3444, A bill for an act relating to state government; modifying programs and appropriations relating to jobs and economic development; transferring funds; canceling appropriations; appropriating money; amending Minnesota Statutes 2000, sections 116J.8731, subdivisions 5, 7; 326.975, as amended; Laws 2001, First Special Session chapter 4, article 1, section 4, subdivision 6; repealing Minnesota Statutes 2000, sections 82.34, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, 17, 18, 19; Minnesota Statutes 2001 Supplement, section 82.34, subdivisions 7a, 15.

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

Wagenius introduced:

H. F. No. 3445, A bill for an act relating to nonprofit corporations; neighborhood organizations; providing options regarding the election of directors, voting rights, and meeting notice requirements; amending Minnesota Statutes 2000, sections 317A.435, by adding a subdivision; 317A.437, by adding a subdivision; 317A.439, by adding a subdivision; 317A.441.

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

Abeler, Rhodes, Marko, Dempsey and Mares introduced:

H. F. No. 3446, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to the metropolitan council for the livable communities grant program.

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

Knoblach introduced:

H. F. No. 3447, A bill for an act relating to government data practices; classifying certain housing and real property benefit data; amending Minnesota Statutes 2000, section 13.462, subdivision 2.

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

Dempsey, Mares and Rifenberg introduced:

H. F. No. 3448, A bill for an act relating to crimes; making it a felony to assault a school official and inflict demonstrable bodily harm; amending Minnesota Statutes 2000, section 609.2231, subdivision 5.

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

Swenson introduced:

H. F. No. 3449, A bill for an act relating to agriculture; prohibiting the introduction or threatened introduction of certain livestock, poultry, or wild deer pathogens; creating a civil action; imposing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Mulder, Seifert, Winter and Harder introduced:

H. F. No. 3450, A bill for an act relating to taxation; production tax; exempting wind energy conversion systems installed after January 1, 2002, from the property tax; providing for a production tax on electricity from wind energy conversion systems installed after January 1, 2002; amending Minnesota Statutes 2001 Supplement, section 272.02, subdivision 22; proposing coding for new law in Minnesota Statutes, chapter 272; repealing Minnesota Statutes 2001 Supplement, section 272.028.

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

Holsten introduced:

H. F. No. 3451, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for a pilot project to install indoor real time air quality monitors in 50 schools.

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

Paulsen, Ozment, Leppik, Dempsey, Murphy and Lenczewski introduced:

H. F. No. 3452, A bill for an act relating to natural resources; providing funding for state park and recreation area improvements, restoration, and acquisition; authorizing the sale of state bonds; appropriating money.

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

Knoblach, Opatz, Schumacher, Dehler and Stang introduced:

H. F. No. 3453, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the St. Cloud Civic Center.

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

Lenczewski and Krinkie introduced:

H. F. No. 3454, A bill for an act relating to taxation; local government aid to cities; reducing the city aid base as aid appropriations increase; amending Minnesota Statutes 2000, section 477A.011, subdivision 37; Minnesota Statutes 2001 Supplement, section 477A.013, subdivision 9.

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

Leighton and Smith introduced:

H. F. No. 3455, A bill for an act relating to family law; enacting the Marital Agreement Act; proposing coding for new law in Minnesota Statutes, chapter 519; repealing Minnesota Statutes 2000, section 519.11.

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

Davnie; Walker; Huntley; Skoglund; Kelliher; Sertich; Jennings; Dawkins; Jaros; Greiling; Leighton; Solberg; Gray; Biernat; Clark, K.; Goodwin; Swapinski; Mariani; Kahn; Entenza; Bakk; Koskinen and Rukavina introduced:

H. F. No. 3456, A bill for an act relating to education; modifying sexually transmitted diseases program provision; amending Minnesota Statutes 2000, section 121A.23.

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

Rhodes, Jaros and Anderson, B., introduced:

H. F. No. 3457, A bill for an act relating to drivers' licenses; requiring certain young males to be registered with selective service system, or to have personal information submitted to selective service system, upon applying for issuance or renewal of a driver's license or instruction permit or a Minnesota identification card; amending Minnesota Statutes 2000, section 171.04, by adding a subdivision.

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

Blaine, Gunther, Schumacher, Ozment, Opatz and Dehler introduced:

H. F. No. 3458, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to the city of Little Falls for environmental cleanup of the Hennepin Paper Company property.

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

Osskopp and Jennings introduced:

H. F. No. 3459, A bill for an act relating to telecommunications; prohibiting certain practices and requiring certain training for 911 calls in multiline telephone systems; proposing coding for new law in Minnesota Statutes, chapter 403.

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

Kuisle and Abrams introduced:

H. F. No. 3460, A bill for an act relating to taxes; sales and use tax; taxing delivery charges for aggregate materials and concrete block; providing transition language for certain contracts signed prior to a change in sales tax definitions; amending Minnesota Statutes 2001 Supplement, sections 297A.61, subdivision 3; 297A.67, subdivision 25; 297A.68, subdivision 3; Laws 2001, First Special Session chapter 5, article 12, section 11.

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

Workman introduced:

H. F. No. 3461, A bill for an act relating to transportation; prescribing limitation on establishing recreational vehicle trail or bikeway.

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

Mulder and Huntley introduced:

H. F. No. 3462, A bill for an act relating to auditing; modifying certain provisions relating to preneed funeral trust accounts; amending Minnesota Statutes 2000, section 149A.97, subdivision 5.

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

Osthoff introduced:

H. F. No. 3463, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to the metropolitan council for the Snelling bus garage.

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

McElroy introduced:

H. F. No. 3464, A bill for an act relating to commerce; creating a small business category under the Money Transmitter Act; modifying regulations; amending Minnesota Statutes 2001 Supplement, sections 53B.05, subdivision 1; 53B.08, subdivision 1.

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

Erickson introduced:

H. F. No. 3465, A bill for an act relating to education; restricting the participation of open enrollment students in athletic activities for one school year; amending Minnesota Statutes 2000, section 124D.03, by adding a subdivision.

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

Entenza introduced:

H. F. No. 3466, A bill for an act relating to education finance; broadening the health and safety program to include school safety costs associated with student support services; amending Minnesota Statutes 2000, section 123B.57, subdivisions 1, 2.

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

Entenza introduced:

H. F. No. 3467, A bill for an act relating to the city of St. Paul; authorizing the creation of a library agency; modifying notice of proposed property taxes; amending Minnesota Statutes 2001 Supplement, section 275.065, subdivision 3.

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

Stang introduced:

H. F. No. 3468, A bill for an act relating to liquor; exempting certain sales from on-sale hours restrictions; amending Minnesota Statutes 2000, section 340A.504, by adding a subdivision.

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

Erickson introduced:

H. F. No. 3469, A bill for an act relating to education; giving school district advisory committee members an opportunity to testify before a school board votes on committee recommendations; amending Minnesota Statutes 2000, section 120B.11, subdivision 3.

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

Erickson introduced:

H. F. No. 3470, A bill for an act relating to Garrison-Kathio-West Mille Lacs sanitary district; imposing requirements on the parties in order for state funds appropriated to the project to be made available.

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

Holberg introduced:

H. F. No. 3471, A bill for an act relating to human rights; clarifying the definition of sexual harassment; amending Minnesota Statutes 2001 Supplement, section 363.01, subdivision 41.

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

Entenza introduced:

H. F. No. 3472, A bill for an act relating to insurance; fire; regulating the amount collectible on a policy; amending Minnesota Statutes 2000, section 65A.08, subdivision 2.

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

Bradley introduced:

H. F. No. 3473, A bill for an act relating to health; distributing funds for medical education; amending Minnesota Statutes 2000, section 62J.692, subdivision 4; Minnesota Statutes 2001 Supplement, section 62J.694, subdivision 2a.

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

Anderson, I., introduced:

H. F. No. 3474, A bill for an act relating to retirement; pre-1973 retiree special postretirement adjustments; allowing recipients to reverse 2001 conversion from lump-sum payment to monthly benefit increase; amending Minnesota Statutes 2001 Supplement, section 356.866.

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

Entenza introduced:

H. F. No. 3475, A bill for an act relating to commerce; providing an alternative civil penalty in certain antitrust cases; amending Minnesota Statutes 2000, section 325D.56, subdivision 1.

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

Anderson, I., and Abrams introduced:

H. F. No. 3476, A bill for an act relating to taxation; levy limits; modifying the calculation of levy limit base; amending Minnesota Statutes 2001 Supplement, section 275.71, subdivision 2.

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

Wagenius introduced:

H. F. No. 3477, A bill for an act relating to food; requiring bottled water manufacturers to make certain information available; proposing coding for new law in Minnesota Statutes, chapter 31.

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

Walker, Gray, Mariani, Greiling and Folliard introduced:

H. F. No. 3478, A bill for an act relating to human services; defining foster care rate; changing the relative custody assistance payment rate and the adoption assistance rate; appropriating money; amending Minnesota Statutes 2000, sections 257.85, subdivision 7; 259.67, subdivision 2; Minnesota Statutes 2001 Supplement, section 257.85, subdivision 3.

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

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. 2655 and 1471.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2655, A bill for an act relating to rulemaking; extending the authority of the board of physical therapy to adopt rules on licensee ethics.

The bill was read for the first time.

Paulsen moved that S. F. No. 2655 and H. F. No. 2698, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1471, A bill for an act relating to statutes; conforming the statutes to reflect the transfer of authority from the municipal board to the office of strategic and long-range planning; explicitly authorizing delegation by the director; amending Minnesota Statutes 2000, sections 414.01; 414.011, subdivision 7, and by adding a subdivision; 414.012; 414.02; 414.031; 414.0325; 414.033, subdivisions 3, 5, 6, 7, and 10; 414.0335; 414.035; 414.036; 414.041; 414.051; 414.06; 414.061; 414.063; 414.067, subdivisions 1 and 3; 414.07; 414.08; 414.09; 414.12, subdivisions 1 and 2; repealing Minnesota Statutes 2000, sections 414.01, subdivisions 2 and 6a; 414.011, subdivision 8; and 414.11.

The bill was read for the first time.

Dempsey moved that S. F. No. 1471 and H. F. No. 1297, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

H. F. No. 2731 was reported to the House.

Leppik moved that H. F. No. 2731 be re-referred to the Committee on Taxes. The motion prevailed.

H. F. No. 2783, A bill for an act relating to insurance; no-fault auto; regulating residual liability coverage; amending Minnesota Statutes 2000, section 65B.49, subdivision 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 126 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Bishop	Clark, J.	Dempsey	Evans	Goodwin
Abrams	Blaine	Clark, K.	Dibble	Finseth	Gray
Anderson, B.	Boudreau	Daggett	Dorman	Folliard	Greiling
Anderson, I.	Bradley	Davids	Dorn	Fuller	Gunther
Bakk	Buesgens	Davnie	Eastlund	Gerlach	Haas
Bernardy	Carlson	Dawkins	Entenza	Gleason	Hackbarth
Biernat	Cassell	Dehler	Erickson	Goodno	Harder

Hausman	Kalis	Mahoney	Opatz	Rukavina	Thompson
Hilstrom	Kelliher	Mares	Osskopp	Ruth	Tingelstad
Hilty	Kielkucki	Mariani	Osthoff	Schumacher	Tuma
Holberg	Knoblach	Marko	Otremba	Seagren	Vandever
Howes	Koskinen	Marquart	Ozment	Seifert	Wagenius
Huntley	Kubly	McGuire	Paulsen	Sertich	Walker
Jacobson	Kuisle	Milbert	Pawlenty	Skoe	Walz
Jaros	Larson	Molnau	Paymar	Skoglund	Wasiluk
Jennings	Leighton	Mulder	Pelowski	Slawik	Westerberg
Johnson, J.	Lenczewski	Mullery	Penas	Solberg	Westrom
Johnson, R.	Leppik	Murphy	Peterson	Stanek	Wilkin
Johnson, S.	Lieder	Ness	Pugh	Stang	Winter
Juhnke	Lindner	Nornes	Rhodes	Swapinski	Wolf
Kahn	Lipman	Olson	Rifenberg	Swenson	Spk. Sviggum

Those who voted in the negative were:

Krinkie Smith

The bill was passed and its title agreed to.

S. F. No. 58, A bill for an act relating to health; instructing the revisor of statutes to change a phrase concerning mental illness.

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	Dibble	Holberg	Leppik	Ozment	Stang
Abrams	Dorman	Howes	Lieder	Paulsen	Swapinski
Anderson, B.	Dorn	Huntley	Lindner	Pawlenty	Swenson
Anderson, I.	Eastlund	Jacobson	Lipman	Paymar	Thompson
Bakk	Entenza	Jaros	Mahoney	Pelowski	Tingelstad
Bernardy	Erickson	Jennings	Mares	Penas	Tuma
Biernat	Evans	Johnson, J.	Mariani	Peterson	Vandever
Bishop	Finseth	Johnson, R.	Marko	Pugh	Wagenius
Blaine	Folliard	Johnson, S.	Marquart	Rhodes	Walker
Boudreau	Fuller	Juhnke	McGuire	Rifenberg	Walz
Bradley	Gerlach	Kahn	Milbert	Rukavina	Wasiluk
Buesgens	Gleason	Kalis	Molnau	Ruth	Westerberg
Carlson	Goodwin	Kelliher	Mulder	Schumacher	Westrom
Cassell	Gray	Kielkucki	Mullery	Seagren	Wilkin
Clark, J.	Greiling	Knoblach	Murphy	Seifert	Winter
Clark, K.	Gunther	Koskinen	Ness	Sertich	Wolf
Daggett	Haas	Krinkie	Nornes	Skoe	Spk. Sviggum
Davids	Hackbarth	Kubly	Olson	Skoglund	
Davnie	Harder	Kuisle	Opatz	Slawik	
Dawkins	Hausman	Larson	Osskopp	Smith	
Dehler	Hilstrom	Leighton	Osthoff	Solberg	
Dempsey	Hilty	Lenczewski	Otremba	Stanek	

The bill was passed and its title agreed to.

MOTIONS AND RESOLUTIONS

Greiling moved that the name of Bernardy be added as an author on H. F. No. 97. The motion prevailed.

Davids moved that the name of Bernardy be added as an author on H. F. No. 2492. The motion prevailed.

Solberg moved that his name be stricken as an author on H. F. No. 2708. The motion prevailed.

Entenza moved that the names of Bernardy and Slawik be added as authors on H. F. No. 2710. The motion prevailed.

Abrams moved that the names of Buesgens; Ozment; Mulder; Johnson, J., and Penas be added as authors on H. F. No. 2764. The motion prevailed.

McElroy moved that the name of Abeler be added as an author on H. F. No. 2885. The motion prevailed.

Skoe moved that the name of Peterson be added as an author on H. F. No. 2894. The motion prevailed.

Blaine moved that the name of Abeler be added as an author on H. F. No. 2941. The motion prevailed.

Walz moved that the name of Solberg be added as an author on H. F. No. 2944. The motion prevailed.

Seagren moved that the name of Schumacher be added as an author on H. F. No. 2984. The motion prevailed.

Olson moved that the names of Westerberg and Clark, J., be added as authors on H. F. No. 3007. The motion prevailed.

Olson moved that the name of Westerberg be added as an author on H. F. No. 3008. The motion prevailed.

Olson moved that the name of Westerberg be added as an author on H. F. No. 3009. The motion prevailed.

Workman moved that the name of Daggett be added as an author on H. F. No. 3048. The motion prevailed.

Pawlenty moved that the name of Clark, J., be added as an author on H. F. No. 3055. The motion prevailed.

Workman moved that the name of Westerberg be added as an author on H. F. No. 3065. The motion prevailed.

Clark, J., moved that the name of Davids be added as an author on H. F. No. 3067. The motion prevailed.

Gerlach moved that the name of Westerberg be added as an author on H. F. No. 3089. The motion prevailed.

Seagren moved that the name of Schumacher be added as an author on H. F. No. 3118. The motion prevailed.

Holsten moved that the name of Ozment be added as an author on H. F. No. 3129. The motion prevailed.

Swapinski moved that his name be stricken as an author on H. F. No. 3149. The motion prevailed.

Slawik moved that the name of Mullery be added as an author on H. F. No. 3178. The motion prevailed.

Slawik moved that the name of Mullery be added as an author on H. F. No. 3179. The motion prevailed.

Wagenius moved that the name of Folliard be added as an author on H. F. No. 3326. The motion prevailed.

Holsten moved that the name of Lenczewski be added as an author on H. F. No. 3340. The motion prevailed.

Entenza moved that the name of Koskinen be added as an author on H. F. No. 3341. The motion prevailed.

Gunther moved that the name of Harder be added as an author on H. F. No. 3354. The motion prevailed.

Eastlund moved that the name of Erickson be added as an author on H. F. No. 3355. The motion prevailed.

Lenczewski moved that the name of Larson be added as an author on H. F. No. 3384. The motion prevailed.

Clark, J., moved that the name of Harder be added as an author on H. F. No. 3403. The motion prevailed.

Rukavina moved that the name of Davnie be added as an author on H. F. No. 3408. The motion prevailed.

Hackbarth moved that H. F. No. 2525, now on the General Register, be re-referred to the Committee on Civil Law. The motion prevailed.

Stanek moved that H. F. No. 2909 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Civil Law. The motion prevailed.

Boudreau moved that H. F. No. 3276 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

Seagren moved that H. F. No. 3375 be recalled from the Committee on Local Government and Metropolitan Affairs and be re-referred to the Committee on Taxes. The motion prevailed.

Opatz moved that H. F. No. 3394 be recalled from the Committee on Higher Education Finance and be re-referred to the Committee on Education Policy. The motion prevailed.

Smith moved that H. F. No. 3410 be recalled from the Committee on Civil Law and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Solberg moved that H. F. No. 3271 be returned to its author. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 351:

Stanek, Goodno, Seagren, Krinkie and Bakk.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 3:00 p.m., Monday, February 18, 2002. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Monday, February 18, 2002.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

