

STATE OF MINNESOTA

EIGHTY-SECOND SESSION — 2001

 THIRTY-SECOND DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 9, 2001

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

A quorum was present.

Erhardt, Luther and Solberg were excused.

Bishop was excused until 3:30 p.m.

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

REPORTS OF CHIEF CLERK

S. F. No. 1154 and H. F. No. 1218, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Rhodes moved that the rules be so far suspended that S. F. No. 1154 be substituted for H. F. No. 1218 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1206 and H. F. No. 1687, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Clark, K., moved that S. F. No. 1206 be substituted for H. F. No. 1687 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1460 and H. F. No. 1634, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Mahoney moved that S. F. No. 1460 be substituted for H. F. No. 1634 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1780 and H. F. No. 1747, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Solberg moved that S. F. No. 1780 be substituted for H. F. No. 1747 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

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

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Don Samuelson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2001 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2001</i>	<i>Date Filed 2001</i>
509		13	10:14 a.m. April 6	April 6
63		14	10:14 a.m. April 6	April 6
346		15	10:15 a.m. April 6	April 6
647		Resolution No. 2	10:14 a.m. April 6	April 6

Sincerely,

MARY KIFFMEYER
Secretary of State

REPORTS OF STANDING COMMITTEES

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

H. F. No. 58, A bill for an act relating to alcoholic beverages; prescribing standards for identification of beer kegs; requiring retailers of beer to maintain records of sale of beer kegs and to record the identification number of each beer keg sold; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 340A.

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

The report was adopted.

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

H. F. No. 170, A bill for an act relating to driver's licenses; permitting courts to stay adjudication of certain driving after suspension, revocation, and cancellation cases on condition that the driver obtain reinstatement of driving privileges; amending Minnesota Statutes 2000, section 171.24, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 171.24, is amended by adding a subdivision to read:

Subd. 8. [STAY OF ADJUDICATION.] (a) Notwithstanding section 609.132, when a person is found guilty or enters a guilty plea for driving after suspension, revocation, or cancellation of driving privileges in violation of subdivision 1, 2, or 3, in a case not involving a commercial motor vehicle, the court may, without entering a judgment of guilty, stay adjudication of the offense if:

(1) the person has not previously received a stay of adjudication for a violation of subdivision 1, 2, or 3;

(2) the court determines that the person has the present ability to obtain reinstatement of driving privileges by remedying the circumstance for which the person's driving privileges originally were suspended or revoked or by complying with section 171.29;

(3) the person agrees to seek reinstatement of driving privileges; and

(4) the court schedules a sentencing hearing within 90 days, which time may be extended for good cause shown, to review whether the person's driving privileges have been reinstated.

(b) At the hearing, if the court determines that the person's driving privileges have been reinstated, the court may dismiss the proceedings against the person, discharge the person without adjudicating the person guilty of violating subdivision 1, 2, or 3, or set additional probationary conditions. If the court determines that the person has failed to obtain reinstatement of driving privileges, or if the person fails to appear at the hearing, the court may enter a judgment of guilty for the violation of subdivision 1, 2, or 3.

(c) The court shall notify the commissioner of public safety when it dismisses the proceedings against a person or discharges the person without an adjudication of guilt as authorized in paragraph (b). The commissioner shall record this fact on the person's driver's record.

(d) This subdivision does not apply to persons whose driving privileges were suspended, revoked, or canceled for an impaired driving offense under chapter 169A.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective August 1, 2001, and applies to proceedings conducted on or after that date."

Delete the title and insert:

"A bill for an act relating to driver's licenses; permitting courts to stay adjudication of certain driving after suspension, revocation, and cancellation cases on condition that the driver obtain reinstatement of driving privileges; amending Minnesota Statutes 2000, section 171.24, by adding a subdivision."

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. 173, A bill for an act relating to state government; revising provisions governing compensation of boards and advisory groups; amending Minnesota Statutes 2000, sections 15.059, subdivision 3; 15.0575, subdivision 3; and 214.09, subdivision 3.

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

The report was adopted.

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

H. F. No. 236, A bill for an act relating to capital investment; appropriating general fund money for the Lewis and Clark rural water project and canceling the 2000 appropriation from the bond proceeds fund for the project.

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

The report was adopted.

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

H. F. No. 382, A bill for an act relating to natural resources; providing for seasonal firefighters; making temporary emergency firefighters eligible for unemployment insurance; amending Minnesota Statutes 2000, sections 88.12, by adding a subdivision; and 268.035, subdivision 20.

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

The report was adopted.

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

H. F. No. 422, A bill for an act relating to education; improving recruitment of excellent teachers in science, math, industrial technology, and special education and in rural areas; establishing a loan repayment program; providing for rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 122A.

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

The report was adopted.

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

H. F. No. 440, A bill for an act relating to probate; providing for background investigations before appointment of guardians or conservators; authorizing access to data on substantiated maltreatment of vulnerable adults; requiring professionals to file informational statements with the court; authorizing courts to establish competency and training requirements for professionals; amending Minnesota Statutes 2000, sections 525.539, by adding a subdivision; and 525.56, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 525.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [245A.041] [SYSTEMS AND RECORDS.]

Subdivision 1. [ESTABLISHMENT; USE.] (a) The commissioner may establish systems and records to fulfill the requirements of section 245A.04. The commissioner may also use these systems and records to obtain and provide criminal history data from the bureau of criminal apprehension and data about substantiated maltreatment under section 626.556 or 626.557, for other purposes, provided that:

(1) the background study is specifically authorized in statute; or

(2) the request is made with the informed consent of the subject of the study as provided in section 13.05, subdivision 4.

A person making a request under clause (2) must agree in writing not to disclose the data to any other person without the consent of the subject of the data.

(b) The commissioner may recover the cost of obtaining and providing background study data by charging the person requesting the study a fee of no more than \$12 per study.

Subd. 2. [NATIONAL RECORDS SEARCH.] When specifically required by statute, the commissioner shall also obtain criminal history data from the national criminal records repository. To obtain criminal history data from the national criminal records repository, the commissioner shall require classifiable fingerprints of the data subject and must submit these fingerprint requests through the bureau of criminal apprehension. The commissioner may recover the cost of obtaining and providing criminal history data from the national criminal records repository by charging the person requesting the study a fee of no more than \$30 per study.

Sec. 2. Minnesota Statutes 2000, section 525.539, is amended by adding a subdivision to read:

Subd. 8. [PROFESSIONAL GUARDIAN OR CONSERVATOR.] "Professional guardian or conservator" means a person who acts as a guardian or conservator at the same time for two or more wards or conservatees who are not related to the guardian or conservator by blood or marriage.

Sec. 3. [525.545] [BACKGROUND STUDY.]

Subdivision 1. [WHEN REQUIRED; EXCEPTION.] (a) The court shall require a background study under this section:

(1) before the appointment of a guardian or conservator, unless a background study has been done on the person under this section within the previous three years; and

(2) once every three years after the appointment, if the person continues to serve as a guardian or conservator.

(b) The background study must include criminal history data from the bureau of criminal apprehension and data regarding whether the person has been a perpetrator of substantiated maltreatment of a vulnerable adult.

(c) The court shall request a search of the national criminal records repository if the proposed guardian or conservator has not resided in Minnesota for the previous five years or if the bureau of criminal apprehension information received from the commissioner of human services under subdivision 2, paragraph (b), indicates that the subject is a multistate offender or that the individual's multistate offender status is undetermined.

(d) If the guardian or conservator is not an individual, the background study must be done on all individuals currently employed by the proposed guardian or conservator who will be responsible for exercising powers and duties under the guardianship or conservatorship.

(e) If the court determines that it would be in the best interests of the ward or conservatee to appoint a guardian or conservator before the background study can be completed, the court may make the appointment pending the results of the study.

(f) The fee for conducting a background study for appointment of a professional guardian or conservator must be paid by the guardian or conservator. In other cases, the fee must be paid as follows:

(1) if the matter is proceeding in forma pauperis, the fee is an expense for purposes of section 563.01;

(2) if there is an estate of the ward or conservatee, the fee must be paid from the estate; or

(3) in the case of a guardianship or conservatorship of the person that is not proceeding in forma pauperis, the court may order that the fee be paid by the guardian or conservator or by the court.

(g) The requirements of this subdivision do not apply if the guardian or conservator is:

(1) a state agency or county; or

(2) a parent or guardian of a proposed ward or conservatee who has mental retardation or a related condition, if the parent or guardian has raised the proposed ward or conservatee in the family home until the time the petition is filed, unless counsel appointed for the proposed ward or conservatee under section 525.5501 recommends a background study.

Subd. 2. [PROCEDURE; CRIMINAL HISTORY AND MALTREATMENT RECORDS BACKGROUND CHECK.] (a) The court shall request the commissioner of human services to complete a background study under section 245A.041. The request must be accompanied by the applicable fee and the signed consent of the subject of the study authorizing the release of the data obtained to the court. If the court is requesting a search of the national criminal records repository, the request must be accompanied by a set of classifiable fingerprints of the subject of the study. The fingerprints must be recorded on a fingerprint card provided by the commissioner of human services.

(b) The commissioner of human services shall provide the court with information from the bureau of criminal apprehension's criminal justice information system and data regarding substantiated maltreatment of vulnerable adults under section 626.557 within 15 working days of receipt of a request. If the subject of the study has been the perpetrator of substantiated maltreatment of a vulnerable adult, the response must include a copy of the public portion of the investigation memorandum under section 626.557, subdivision 12b. If the court did not request a search of the national criminal records repository and information from the bureau of criminal apprehension indicates that the subject is a multistate offender or that multistate offender status is undetermined, the response must include this information. The commissioner shall provide the court with information from the national criminal records repository within three working days of the commissioner's receipt of the data.

(c) Notwithstanding section 626.557, subdivision 12b, if the commissioner of human services or a county lead agency has information that a person on whom a background study was previously done under this section has been determined to be a perpetrator of maltreatment of a vulnerable adult, the commissioner or the county may provide this information to the court that requested the background study. The commissioner may also provide the court with additional criminal history information that becomes available after the background study is done.

Subd. 3. [FORM.] The commissioner of human services shall develop a form to be used for requesting a background study under this section, which must include:

(1) a notification to the subject of the study that the court will request the commissioner to perform a background study under this section;

(2) a notification to the subject of the rights in subdivision 4; and

(3) a signed consent to conduct the background study.

Subd. 4. [RIGHTS.] The court shall notify the subject of a background study that the subject has the following rights:

(1) the right to be informed that the court will request a background study on the subject for the purpose of determining whether the person's appointment or continued appointment is in the best interests of the ward or conservatee;

(2) the right to be informed of the results of the study and to obtain from the court a copy of the results; and

(3) the right to challenge the accuracy and completeness of information contained in the results under section 13.04, subdivision 4, except to the extent precluded by section 256.045, subdivision 3."

Delete the title and insert:

"A bill for an act relating to probate; providing for a background study before appointment of guardians or conservators; authorizing access to data on substantiated maltreatment of vulnerable adults; providing for background study systems and records in the department of human services; amending Minnesota Statutes 2000, section 525.539, by adding a subdivision; and proposing coding for new law in Minnesota Statutes, chapters 245A; 525."

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

The report was adopted.

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

H. F. No. 531, A bill for an act relating to health; providing exceptions to the hospital construction moratorium and the moratorium on new nursing facility beds; amending Minnesota Statutes 2000, sections 144.551, subdivision 1; and 144A.071, subdivision 4a.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance without further recommendation.

The report was adopted.

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

H. F. No. 604, A bill for an act relating to employment; providing for access to employee assistance records; requiring employee assistance records to be kept separate from personnel records; proposing coding for new law in Minnesota Statutes, chapter 181.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [181.980] [ACCESS TO EMPLOYEE ASSISTANCE RECORDS.]

Subdivision 1. [DEFINITIONS.] (a) For the purpose of this section, the following terms have the meanings given to them in this subdivision.

(b) "Employee assistance services" means services paid for or provided by an employer and offered to employees or their family members on a voluntary basis. The services are designed to assist in the identification and resolution of productivity problems associated with personal concerns. Services include, but are not limited to, assessment; assistance; counseling or referral assistance with medical or mental health problems; alcohol or drug use; or emotional, marital, familial, financial, legal, or other personal problems.

(c) "Employer" means a person or entity located or doing business in the state and having one or more employees, but does not include a government entity that is subject to chapter 13.

(d) "Employee assistance provider" means an employer, or a person acting on behalf of an employer, who is providing employee assistance services.

(e) "Employee assistance records" means the records created, collected, or maintained by an employee assistance provider that relate to participation by an employee or an employee's family member in employee assistance services.

Employee assistance records do not include:

(1) written or recorded comments or data of a personal nature about a person other than the employee, if disclosure of the information would constitute an intrusion upon that person's privacy;

(2) written or recorded comments or data kept by the employee's supervisor or an executive, administrative, or professional employee, provided the written comments or data are kept in the sole possession of the author of the record;

(3) information that is not discoverable in a worker's compensation, grievance arbitration, administrative, judicial, or quasi judicial proceeding; or

(4) any portion of a written, recorded, or transcribed statement by a third party about the recipient of employee assistance services that discloses the identity of the third party by name, inference, or otherwise.

Subd. 2. [ACCESS.] Upon written request of a person who has received employee assistance services, or a parent or legal guardian of the person if the person is a minor, an employee assistance provider shall provide the requesting person with an opportunity to review and obtain copies of the person's employee assistance records or the pertinent portion of the records specified by the person. An employee assistance provider shall comply with a request under this subdivision no later than seven working days after receipt of the request if the records are located in this state, or 14 working days after receipt of the request if the records are located outside this state. An employee assistance provider may not charge a fee for a copy of the record.

Subd. 3. [RELATION TO PERSONNEL FILE.] Employee assistance records must be maintained separate from personnel records and must not become part of an employee's personnel file.

Subd. 4. [OTHER RIGHTS PRESERVED.] The rights and obligations created by this section are in addition to rights or obligations created under a contract or other law governing access to records.

Subd. 5. [DISCLOSURE.] No portion of employee assistance records, or participation in employee assistance services, may be disclosed to a third person, including the employer or its representative, without the prior written authorization of the person receiving services, or the person's legal representative. This subdivision does not prohibit disclosure:

(1) pursuant to state or federal law or judicial order;

(2) required in the normal course of providing the requested services; or

(3) if necessary to prevent physical harm or the commission of a crime.

Subd. 6. [REMEDIES.] In addition to other remedies provided by law, the recipient of employee assistance services may bring a civil action to compel compliance with this section and to recover actual damages, plus costs."

Delete the title and insert:

"A bill for an act relating to employment; providing for access to employee assistance records; requiring employee assistance records to be kept separate from personnel records; proposing coding for new law in Minnesota Statutes, chapter 181."

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

The report was adopted.

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

H. F. No. 608, A bill for an act relating to economic development; providing money to promote wireless Internet access in rural southwestern Minnesota; appropriating money.

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

The report was adopted.

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

H. F. No. 667, A bill for an act relating to state government; modifying certain procedures relating to administrative rules; amending Minnesota Statutes 2000, sections 14.05, subdivision 6; 14.116; 14.18, subdivision 1; 14.19; proposing coding for new law in Minnesota Statutes, chapter 14; repealing Minnesota Statutes 2000, section 14.05, subdivision 4; Laws 1999, chapter 129, section 6.

Reported the same back with the following amendments:

Page 2, line 29, after "rules" insert "under section 14.389"

Page 2, line 31, after the period, insert "Section 14.389, subdivision 5, applies to these rules."

Page 3, after line 16, insert:

"Subd. 2. [FEES.] (a) An agency may charge a petitioner a variance fee. The fee is:

(1) \$10, which must be submitted with the petition, and is not refundable; or

(2) the estimated cost for the agency to process the variance petition, if the agency estimates that the cost will be more than \$20.

(b) If an agency intends to charge costs to the petitioner under paragraph (a), clause (2):

(1) the agency and the petitioner must agree on the costs and the timing and manner of payment;

(2) for purposes of the 60-day limit in subdivision 5, the petition is not complete until there is agreement with the petitioner on the costs and timing and manner of payment; and

(3) if the payment made by the petitioner exceeds the agency's actual costs, the agency must refund the overpayment to the petitioner. The payment is not otherwise refundable.

(c) Proceeds from fees charged under this subdivision must be deposited in the fund that supports the program that is the subject of the variance petition. These proceeds are appropriated to the agency."

Re-number the remaining subdivisions

Page 4, delete lines 8 to 11, and insert:

"Sections 14.055 and 14.056 create variance standards and procedures that apply when there is not another state or federal law or rule authorizing variances. Sections 14.055 and 14.056 do not apply to the extent another state or federal law or rule authorizes or requires the granting of variances."

Page 10, line 2, after "1" insert "and 5"

Page 10, line 2, after the period, insert "Sections 2 to 4 are effective July 1, 2002, except that the authority to adopt rules under Minnesota Statutes, section 14.055, subdivision 5, is effective the day following final enactment."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "appropriating money;"

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

The report was adopted.

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

H. F. No. 760, A bill for an act relating to public safety; changing distribution of state patrol fines; creating trooper training account and specifying uses of money in the account; appropriating money from the account; amending Minnesota Statutes 2000, section 299D.03, subdivisions 5, 6, and by adding a subdivision.

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

The report was adopted.

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

H. F. No. 765, A bill for an act relating to natural resources; increasing the dedication of revenues from the in lieu of sales tax on lottery tickets for natural resource purposes; amending Minnesota Statutes 2000, section 297A.94.

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

The report was adopted.

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

H. F. No. 770, A bill for an act relating to education; establishing a state board of education; amending Minnesota Statutes 2000, sections 120A.05, by adding a subdivision; 127A.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 127A.

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

The report was adopted.

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

H. F. No. 912, A bill for an act relating to crime prevention; extending the operations of the arson strike force; amending Minnesota Statutes 2000, section 299F.058, subdivision 2.

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

The report was adopted.

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

H. F. No. 981, A bill for an act relating to metropolitan government; establishing the legislative commission on metropolitan government; providing for oversight of the metropolitan council's operating and capital budgets, work program, and capital improvement program; proposing coding for new law in Minnesota Statutes, chapters 3; and 473.

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

The report was adopted.

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

H. F. No. 1002, A bill for an act relating to the agricultural utilization resource institute; providing for an additional member on the board of directors; amending Minnesota Statutes 2000, section 116O.09, subdivision 1a.

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

The report was adopted.

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

H. F. No. 1006, A bill for an act relating to human services; extending the time limit for negotiating a rate increase for certain board and lodging facilities; appropriating money; amending Minnesota Statutes 2000, section 256I.05, subdivision 1d.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 256I.05, is amended by adding a subdivision to read:

Subd. 1f. [SUPPLEMENTARY SERVICE RATE FOR CERTAIN FACILITIES.] Notwithstanding the provisions of subdivisions 1a and 1c, beginning July 1, 2001, a county agency must negotiate, as provided in this subdivision, a supplementary service rate in addition to the rate specified in subdivision 1, for a group residential housing provider that:

(1) is located in Ramsey county;

(2) operates in two separate locations:

(i) a 30-bed facility located in Hennepin county that was licensed and registered by the department of health under section 157.17 in August 1996 and receives a supplementary service rate under subdivision 1d; and

(ii) a 28-bed facility located in Ramsey county that was licensed and registered by the department of health under section 157.17 in August 1996; and

(3) serves people with mental illness or chemical dependency.

The supplementary service rate for the 28-bed facility under clause (2), item (ii), must be an amount equal to the rate that was negotiated under subdivision 1d for a 30-bed facility under clause (2), item (i)."

Delete the title and insert:

"A bill for an act relating to human services; modifying the group residential housing supplementary service rate for certain facilities serving persons with mental illness or chemical dependency; amending Minnesota Statutes 2000, section 256I.05, by adding a subdivision."

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

The report was adopted.

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

H. F. No. 1030, A bill for an act relating to human services; providing an exception to the moratorium on nursing facility construction to allow construction of a replacement facility; providing a rate increase for the new facility; appropriating money; amending Minnesota Statutes 2000, sections 144A.071, subdivision 4a; and 256B.434, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance without further recommendation.

The report was adopted.

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

H. F. No. 1080, A bill for an act proposing an amendment to the Minnesota Constitution, article I, sections 2, 6, 7, 8, 16, and 17; article IV, sections 5, 8, 21, 23, and 24; article V, sections 2, 3, 5, and 6; article VI, sections 4, 6, 9, 10, and 13; article VII, sections 1, 2, 3, 6, and 8; article VIII, sections 3 and 4; article XI, section 13; and article XIII, sections 7 and 11; changing gender-specific language to gender-neutral language in the constitution.

Reported the same back with the following amendments:

Page 8, line 13, strike "seaman" and insert "sailor"

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.

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

H. F. No. 1117, A bill for an act relating to health; providing an exception to the moratorium on nursing facility beds for a facility located in Pine City; amending Minnesota Statutes 2000, section 144A.071, subdivision 4a.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance without further recommendation.

The report was adopted.

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

H. F. No. 1172, A bill for an act relating to drivers' licenses; modifying certain annual requirements relating to school bus drivers; amending Minnesota Statutes 2000, section 171.321, subdivision 5.

Reported the same back with the following amendments:

Page 1, line 21, delete "twice"

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. 1174, A bill for an act relating to public safety; providing for creation of a propane education and research council.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [COUNCIL.]

Propane producers and propane retail marketers, as defined by United States Code, title 15, section 6402, may form a propane education and research council for the purpose of establishing, supporting, or conducting research, training, and education programs concerning the safe and efficient use of propane.

Sec. 2. [ORGANIZATION.]

Organization and membership of the council shall be in compliance with United States Code, title 15, sections 6403, subsections (a) and (b), and 6404, subsection (c), and must abide by the requirements of United States Code, title 15, section 6409. The council is established upon certification by the commissioner of public safety that the council has been organized in compliance with United States Code, title 15, sections 6403, subsections (a) and (b), and 6404, subsection (c).

Sec. 3. [ASSESSMENT.]

A propane education and research council, established and certified pursuant to section 2, may assess propane producers and retail marketers an amount not to exceed one mill per gallon of odorized propane in a manner established by the council in compliance with United States Code, title 15, section 6405, subsections (a) to (c). Propane producers and retail marketers shall be responsible for the amounts assessed.

Sec. 4. [ANNUAL REPORT.]

A propane education and research council collecting assessments pursuant to section 3 shall annually report to the commissioner of public safety, detailing collections and expenditures made pursuant to this act.

Sec. 5. [CONTINGENT REPEALER.]

Sections 1 to 4 are repealed effective August 1, 2004, if no propane energy and research council has been established by that date.

Sec. 6. [REPEALER.]

Sections 1 to 5 are repealed effective August 1, 2009."

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. 1182, A bill for an act relating to commerce; modifying requirements for invention developers; amending Minnesota Statutes 2000, sections 325A.04, by adding a subdivision; 325A.06, subdivisions 1 and 2; and 325A.09, subdivision 5, and by adding subdivisions; repealing Minnesota Statutes 2000, section 325A.06, subdivision 3.

Reported the same back with the following amendments:

Page 3, delete section 6

Page 3, line 7, delete "7" and insert "6"

Amend the title as follows:

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

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

The report was adopted.

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

H. F. No. 1238, A bill for an act relating to agriculture; establishing a milk price control board; providing for minimum pricing of raw milk and maximum pricing of milk at wholesale and retail; creating the option for a milk supply quota system; allowing for pooling of milk payments; authorizing enforcement; imposing penalties; proposing coding for new law as Minnesota Statutes, chapter 32A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [32A.01] [CITATION.]

This chapter may be cited as the "Minnesota Dairy Supply Management Act."

Sec. 2. [32A.02] [APPLICATION.]

This chapter does not apply to foreign or interstate commerce except insofar as it may be effective in compliance with the United States Constitution and with the laws of the United States.

Sec. 3. [32A.03] [DEFINITIONS.]

Subdivision 1. [SCOPE.] The definitions in this section apply to this chapter.

Subd. 2. [ADMINISTRATIVE FUNCTION.] "Administrative function" means duties and procedures concerning the execution and enforcement of the laws, rules, orders, directives, duties, and obligations imposed for the control and government of the persons or businesses regulated, together with related investigative activities and procedures inherently administrative or executive in character.

Subd. 3. [ADMINISTRATOR.] "Administrator" means the board's executive arm.

Subd. 4. [BOARD.] "Board" means the milk control board created under section 32A.05.

Subd. 5. [CLASS I; CLASS II; CLASS III; AND CLASS IV MILK.] "Class I milk," "Class II milk," "Class III milk," and "Class IV milk" have the meanings given in Code of Federal Regulations, title 7, part 1000.40, or successor regulations.

Subd. 6. [DISTRIBUTOR.] "Distributor" means a person buying milk from a producer and distributing it for consumption in this state. The term includes what are commonly known as jobbers and independent contractors. The term excludes a person purchasing milk from a distributor, for resale over the counter at retail, or for consumption on the premises.

Subd. 7. [LEGISLATIVE FUNCTION.] "Legislative function" means the establishment and adoption of all rules, orders, and directives of general or particular applicability governing the conduct of the regulated persons or businesses, related investigative procedures, and all other valid acts and procedures that are historically or functionally legislative in character.

Subd. 8. [PROCESSOR.] "Processor" means a person engaged in manufacturing or processing dairy products from producers' milk in the person's own plant for sale.

Subd. 9. [PRODUCER.] "Producer" means a person who operates a dairy herd or herds in Minnesota producing milk commercially and whose milk is sold to, or received or handled by, a distributor or processor.

Subd. 10. [PRODUCER PRICE.] "Producer price" means the price at which milk owned by a producer is sold in bulk to a distributor or processor.

Sec. 4. [32A.04] [DUTIES AND POWERS OF ADMINISTRATOR.]

In enforcing this chapter, the administrator and the administrator's assistants, agents, and employees have the power and authority granted under sections 31.02 to 31.171. This authority must be exercised at the request of and in coordination with the board.

Sec. 5. [32A.05] [MILK CONTROL BOARD.]

Subdivision 1. [CREATION; MEMBERSHIP; APPOINTMENT.] The milk control board consists of five members appointed by the governor. Members may serve four consecutive three-year terms at the pleasure of the governor. The board shall elect a chair from among its members. No member may be connected in any way with the production, processing, distribution, or wholesale or retail sale of milk or dairy products. A member may not have held an elective or appointive public office during the two years immediately preceding appointment and a member may not hold a public office, either elective or appointive, during a term on the board. Not more than three members may be of the same political party.

Subd. 2. [ASSIGNMENT; FISCAL AGENT.] The board is to be housed in the department of agriculture for administrative purposes. The commissioner of agriculture shall serve as fiscal agent to the board.

Sec. 6. [32A.06] [FEES AND ASSESSMENTS.]

(a) In addition to license fees and other assessments imposed under chapters 17 and 32, the board shall, in each year, before April 1, for the purpose of securing funds to administer and enforce this chapter, levy an assessment upon producers and distributors as follows:

(1) a fee per hundredweight on the total volume of all milk subject to this chapter sold by a producer; and

(2) a fee per hundredweight on the total volume of all milk subject to this chapter sold by a processor or distributor, except that which is sold to another processor or distributor.

(b) The board shall adopt rules fixing the amount of each fee. The amounts may not exceed levels sufficient to provide for the administration of this chapter.

(c) The assessments upon producers and distributors must be paid monthly. The amount of the assessments must be computed by applying the fee designated by the board to the volume of milk sold in the preceding month.

(d) All assessments required by this chapter must be deposited by the administrator in the milk price control account in the agricultural fund. Money in that account is appropriated to the administrator for administering this chapter, including the salaries of employees and assistants, per diem and expenses of board members, and all other disbursements necessary to carry out the purpose of this chapter.

(e) If costs of administering and enforcing this chapter can be derived from lower rates, the board may fix the rates at a lesser amount on or before April 1 in any year.

Sec. 7. [32A.07] [PRODUCER COMMITTEE.]

A producer committee must be elected by district in proportion to the number of farms in each district consisting of not fewer than ten members nor more than 15 members to deal primarily with producer issues and make recommendations to the board.

Sec. 8. [32A.08] [REGULATION OF MILK PRICES.]

Subdivision 1. [ESTABLISHMENT OF MINIMUM PRICES.] (a) The board shall fix minimum producer prices for Class I, Class II, Class III, and Class IV milk by adopting rules pursuant to chapter 14.

(b) Notwithstanding paragraph (a), the minimum price of Class I milk must be no lower than \$15.50 per hundredweight.

Subd. 2. [FORMULAS.] (a) Except as provided in subdivision 1, the board shall establish minimum and maximum prices by means of flexible formulas that must be devised so that they bring about automatic changes in all minimum prices that are justified on the basis of changes in production, supply, processing, distribution, and retailing costs.

(b) The board shall consider the balance between production and consumption of milk, the costs of production and distribution, and prices in adjacent and neighboring areas and states so that prices result that are fair and equitable to producers and consumers.

(c) The board shall, when publishing notice of proposed rulemaking under authority of this section, specify the factors that must be taken into consideration in establishing the formulas and, in particular, in determining costs of production and of the actual financial costs of production that preliminary studies and investigations of auditors or accountants in its employment indicate will or should be shown at the hearing so that all interested parties will have opportunity to be heard and to question or rebut the considerations as a matter of record.

(d) Specific factors may include, but are not limited to:

(1) current and prospective supplies of milk in relation to current and prospective demands for milk for all purposes; and

(2) the cost factors in producing milk, including the prices paid by farmers generally, as used in parity calculations of the United States Department of Agriculture, prices paid by farmers for dairy feed in particular, and farm wage rates in this state.

(e) The board, after consideration of the evidence produced, shall make written findings and conclusions and set by rule the formula under which minimum producer prices for milk in classes I, II, III, and IV must be computed. Generally the minimum price for Class I milk must be no lower than the federal milk market order price for the order covering the majority of Minnesota's dairy industry. In no case may the minimum price for Class I milk be lower than \$15.50 per hundredweight.

(f) This section may not be construed as requiring the board to promulgate a specific number of formulas, but it must be construed liberally so that the board may adopt a reasonable method of expression to accomplish the objectives of this chapter.

(g) Each rule establishing or revising milk pricing formulas must classify milk by forms, classes, grades, or uses that the board considers advisable and must specify the minimum prices for the forms, classes, grades, and uses.

(h) All milk purchased by a distributor must be purchased on a uniform basis established by the board after the producers and the distributors have been consulted.

Subd. 3. [QUOTA PLAN.] Upon petition of a processor or distributor or a majority of a processor's or distributor's producers, the board shall hold a hearing to receive and consider evidence regarding the advisability and need for a quota plan. If the board finds that the evidence presented at the hearing warrants the establishment of a quota plan, the board shall proceed to establish the quota plan.

Subd. 4. [PAYMENT POOLING PLAN.] (a) Upon petition by ten percent of the dairy producers in Minnesota, or upon petition by a processor or distributor, the board shall hold a hearing to receive and consider evidence regarding the advisability and need for a statewide pooling arrangement as a method of payment of producer prices. At the hearing, the board shall, among other things, specifically receive and consider evidence concerning production and marketing practices that have historically prevailed statewide. If the board finds that the evidence presented at the hearing warrants the establishment of a statewide pooling arrangement, the board shall proceed to establish the arrangement. An order is not effective until it is approved in a referendum conducted by individually mailed ballots to affected producers. The order must be approved by a simple majority of the producers who vote in the referendum. If the board finds it necessary, the board may conduct more than one referendum on any order.

(b) The order of the board establishing the statewide pooling arrangement may include other provisions that the board considers necessary for the proper and efficient operation of the pool. These provisions may include, but are not limited to:

(1) a statewide base or quota plan;

(2) the establishment of a pool settlement fund to be administered by the board for the purpose of receiving payments from pool distributors or making payments to them as necessary in order to operate and administer the statewide pool; and

(3) the establishment of a pool expense fund for the purpose of offsetting the costs to the board of administering the pool, funded by a levy assessed against each pool producer.

(c) An order of the board establishing a statewide pooling arrangement that has been approved in a referendum may be rescinded in the same manner as provided for approval of the order. The order may be amended without a referendum if, prior to amending the order, the board gives written notice of its intended action and holds a public hearing.

Sec. 9. [32A.09] [ENFORCEMENT.]

Subdivision 1. [REPORTS OF DEALERS; ACCOUNTING SYSTEM; RECORDS.] (a) The board may require producers, processors, and distributors to file, either under oath or otherwise, reports showing the person's production, sale, or distribution of milk and any information considered necessary by the board that pertains to the production, sale, or distribution of milk.

(b) The board shall adopt a uniform system of accounting to be used by distributors to account for the usage of all milk received by each distributor.

(c) A distributor must keep a record of:

(1) milk, cream, or dairy products received, detailed as to location, names and addresses of suppliers, prices paid, deductions or charges made, and the use to which the milk or cream was put;

(2) the quantity of each kind of milk or dairy product manufactured and the quantity and price of milk or dairy products sold;

(3) milk, cream, or dairy products sold, classified as to kind and grade, showing where sold, and the amount received in payment;

(4) the waste or loss of milk or dairy products;

(5) the items of handling expense;

(6) refrigeration facilities sold for storage purposes to any person, showing types, sizes, and location of the facilities and the original or duplicate original of all agreements covering sales for them; and

(7) other items the board considers necessary for the proper enforcement of this chapter.

Subd. 2. [COOPERATION WITH OTHER GOVERNMENTAL AGENCIES.] In order to secure a uniform system of milk price control, the board shall confer and cooperate with the proper authorities of other states and of the United States, including the Secretary of Agriculture of the United States, and for those purposes, the board may conduct joint hearings, issue joint or concurrent orders, and exercise all its powers under this chapter."

Delete the title and insert:

"A bill for an act relating to agriculture; establishing a milk control board; providing for minimum pricing of raw milk and maximum pricing of milk at wholesale and retail; creating the option for a milk supply quota system; allowing for pooling of milk payments; authorizing enforcement; proposing coding for new law as Minnesota Statutes, chapter 32A."

With the recommendation that when so amended the bill be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy without further recommendation.

The report was adopted.

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

H. F. No. 1255, A bill for an act relating to juveniles; providing reimbursement to county social service agencies for the costs of out-of-home placement; appropriating money; amending Minnesota Statutes 2000, sections 256.01, subdivision 2; 256.82, subdivision 2; 260.765, by adding a subdivision; 260.771, subdivision 4; 260B.331, subdivision 1; and 260C.331, subdivisions 1 and 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 256.01, subdivision 2, is amended to read:

Subd. 2. [SPECIFIC POWERS.] Subject to the provisions of section 241.021, subdivision 2, the commissioner of human services shall:

(1) Administer and supervise all forms of public assistance provided for by state law and other welfare activities or services as are vested in the commissioner. Administration and supervision of human services activities or services includes, but is not limited to, assuring timely and accurate distribution of benefits, completeness of service, and quality program management. In addition to administering and supervising human services activities vested by law in the department, the commissioner shall have the authority to:

- (a) require county agency participation in training and technical assistance programs to promote compliance with statutes, rules, federal laws, regulations, and policies governing human services;
 - (b) monitor, on an ongoing basis, the performance of county agencies in the operation and administration of human services, enforce compliance with statutes, rules, federal laws, regulations, and policies governing welfare services and promote excellence of administration and program operation;
 - (c) develop a quality control program or other monitoring program to review county performance and accuracy of benefit determinations;
 - (d) require county agencies to make an adjustment to the public assistance benefits issued to any individual consistent with federal law and regulation and state law and rule and to issue or recover benefits as appropriate;
 - (e) delay or deny payment of all or part of the state and federal share of benefits and administrative reimbursement according to the procedures set forth in section 256.017;
 - (f) make contracts with and grants to public and private agencies and organizations, both profit and nonprofit, and individuals, using appropriated funds; and
 - (g) enter into contractual agreements with federally recognized Indian tribes with a reservation in Minnesota to the extent necessary for the tribe to operate a federally approved family assistance program or any other program under the supervision of the commissioner. The commissioner may also enter into contractual agreements with federally recognized Indian tribes with a reservation in Minnesota to the extent necessary for the tribe to operate placement programs for Indian children, so that the tribes may receive direct federal and state reimbursement, where appropriate, for the placement of individual Indian children. The commissioner shall consult with the affected county or counties in the contractual agreement negotiations, if the county or counties wish to be included, in order to avoid the duplication of county and tribal assistance program services. The commissioner may establish necessary accounts for the purposes of receiving and disbursing funds as necessary for the operation of the programs.
- (2) Inform county agencies, on a timely basis, of changes in statute, rule, federal law, regulation, and policy necessary to county agency administration of the programs.
- (3) Administer and supervise all child welfare activities; promote the enforcement of laws protecting handicapped, dependent, neglected and delinquent children, and children born to mothers who were not married to the children's fathers at the times of the conception nor at the births of the children; license and supervise child-caring and child-placing agencies and institutions; supervise the care of children in boarding and foster homes or in private institutions; and generally perform all functions relating to the field of child welfare now vested in the state board of control.
- (4) Administer and supervise all noninstitutional service to handicapped persons, including those who are visually impaired, hearing impaired, or physically impaired or otherwise handicapped. The commissioner may provide and contract for the care and treatment of qualified indigent children in facilities other than those located and available at state hospitals when it is not feasible to provide the service in state hospitals.
- (5) Assist and actively cooperate with other departments, agencies and institutions, local, state, and federal, by performing services in conformity with the purposes of Laws 1939, chapter 431.
- (6) Act as the agent of and cooperate with the federal government in matters of mutual concern relative to and in conformity with the provisions of Laws 1939, chapter 431, including the administration of any federal funds granted to the state to aid in the performance of any functions of the commissioner as specified in Laws 1939, chapter 431, and including the promulgation of rules making uniformly available medical care benefits to all recipients of public assistance, at such times as the federal government increases its participation in assistance expenditures for medical care to recipients of public assistance, the cost thereof to be borne in the same proportion as are grants of aid to said recipients.

(7) Establish and maintain any administrative units reasonably necessary for the performance of administrative functions common to all divisions of the department.

(8) Act as designated guardian of both the estate and the person of all the wards of the state of Minnesota, whether by operation of law or by an order of court, without any further act or proceeding whatever, except as to persons committed as mentally retarded. For children under the guardianship of the commissioner whose interests would be best served by adoptive placement, the commissioner may contract with a licensed child-placing agency to provide adoption services. A contract with a licensed child-placing agency must be designed to supplement existing county efforts and may not replace existing county programs, unless the replacement is agreed to by the county board and the appropriate exclusive bargaining representative or the commissioner has evidence that child placements of the county continue to be substantially below that of other counties. Funds encumbered and obligated under an agreement for a specific child shall remain available until the terms of the agreement are fulfilled or the agreement is terminated.

(9) Act as coordinating referral and informational center on requests for service for newly arrived immigrants coming to Minnesota.

(10) The specific enumeration of powers and duties as hereinabove set forth shall in no way be construed to be a limitation upon the general transfer of powers herein contained.

(11) Establish county, regional, or statewide schedules of maximum fees and charges which may be paid by county agencies for medical, dental, surgical, hospital, nursing and nursing home care and medicine and medical supplies under all programs of medical care provided by the state and for congregate living care under the income maintenance programs.

(12) Have the authority to conduct and administer experimental projects to test methods and procedures of administering assistance and services to recipients or potential recipients of public welfare. To carry out such experimental projects, it is further provided that the commissioner of human services is authorized to waive the enforcement of existing specific statutory program requirements, rules, and standards in one or more counties. The order establishing the waiver shall provide alternative methods and procedures of administration, shall not be in conflict with the basic purposes, coverage, or benefits provided by law, and in no event shall the duration of a project exceed four years. It is further provided that no order establishing an experimental project as authorized by the provisions of this section shall become effective until the following conditions have been met:

(a) The secretary of health and human services of the United States has agreed, for the same project, to waive state plan requirements relative to statewide uniformity.

(b) A comprehensive plan, including estimated project costs, shall be approved by the legislative advisory commission and filed with the commissioner of administration.

(13) According to federal requirements, establish procedures to be followed by local welfare boards in creating citizen advisory committees, including procedures for selection of committee members.

(14) Allocate federal fiscal disallowances or sanctions which are based on quality control error rates for the aid to families with dependent children program formerly codified in sections 256.72 to 256.87, medical assistance, or food stamp program in the following manner:

(a) One-half of the total amount of the disallowance shall be borne by the county boards responsible for administering the programs. For the medical assistance and the AFDC program formerly codified in sections 256.72 to 256.87, disallowances shall be shared by each county board in the same proportion as that county's expenditures for the sanctioned program are to the total of all counties' expenditures for the AFDC program formerly codified in sections 256.72 to 256.87, and medical assistance programs. For the food stamp program, sanctions shall be shared by each county board, with 50 percent of the sanction being distributed to each county in the same proportion as that county's administrative costs for food stamps are to the total of all food stamp administrative costs for all counties,

and 50 percent of the sanctions being distributed to each county in the same proportion as that county's value of food stamp benefits issued are to the total of all benefits issued for all counties. Each county shall pay its share of the disallowance to the state of Minnesota. When a county fails to pay the amount due hereunder, the commissioner may deduct the amount from reimbursement otherwise due the county, or the attorney general, upon the request of the commissioner, may institute civil action to recover the amount due.

(b) Notwithstanding the provisions of paragraph (a), if the disallowance results from knowing noncompliance by one or more counties with a specific program instruction, and that knowing noncompliance is a matter of official county board record, the commissioner may require payment or recover from the county or counties, in the manner prescribed in paragraph (a), an amount equal to the portion of the total disallowance which resulted from the noncompliance, and may distribute the balance of the disallowance according to paragraph (a).

(15) Develop and implement special projects that maximize reimbursements and result in the recovery of money to the state. For the purpose of recovering state money, the commissioner may enter into contracts with third parties. Any recoveries that result from projects or contracts entered into under this paragraph shall be deposited in the state treasury and credited to a special account until the balance in the account reaches \$1,000,000. When the balance in the account exceeds \$1,000,000, the excess shall be transferred and credited to the general fund. All money in the account is appropriated to the commissioner for the purposes of this paragraph.

(16) Have the authority to make direct payments to facilities providing shelter to women and their children according to section 256D.05, subdivision 3. Upon the written request of a shelter facility that has been denied payments under section 256D.05, subdivision 3, the commissioner shall review all relevant evidence and make a determination within 30 days of the request for review regarding issuance of direct payments to the shelter facility. Failure to act within 30 days shall be considered a determination not to issue direct payments.

(17) Have the authority to establish and enforce the following county reporting requirements:

(a) The commissioner shall establish fiscal and statistical reporting requirements necessary to account for the expenditure of funds allocated to counties for human services programs. When establishing financial and statistical reporting requirements, the commissioner shall evaluate all reports, in consultation with the counties, to determine if the reports can be simplified or the number of reports can be reduced.

(b) The county board shall submit monthly or quarterly reports to the department as required by the commissioner. Monthly reports are due no later than 15 working days after the end of the month. Quarterly reports are due no later than 30 calendar days after the end of the quarter, unless the commissioner determines that the deadline must be shortened to 20 calendar days to avoid jeopardizing compliance with federal deadlines or risking a loss of federal funding. Only reports that are complete, legible, and in the required format shall be accepted by the commissioner.

(c) If the required reports are not received by the deadlines established in clause (b), the commissioner may delay payments and withhold funds from the county board until the next reporting period. When the report is needed to account for the use of federal funds and the late report results in a reduction in federal funding, the commissioner shall withhold from the county boards with late reports an amount equal to the reduction in federal funding until full federal funding is received.

(d) A county board that submits reports that are late, illegible, incomplete, or not in the required format for two out of three consecutive reporting periods is considered noncompliant. When a county board is found to be noncompliant, the commissioner shall notify the county board of the reason the county board is considered noncompliant and request that the county board develop a corrective action plan stating how the county board plans to correct the problem. The corrective action plan must be submitted to the commissioner within 45 days after the date the county board received notice of noncompliance.

(e) The final deadline for fiscal reports or amendments to fiscal reports is one year after the date the report was originally due. If the commissioner does not receive a report by the final deadline, the county board forfeits the funding associated with the report for that reporting period and the county board must repay any funds associated with the report received for that reporting period.

(f) The commissioner may not delay payments, withhold funds, or require repayment under paragraph (c) or (e) if the county demonstrates that the commissioner failed to provide appropriate forms, guidelines, and technical assistance to enable the county to comply with the requirements. If the county board disagrees with an action taken by the commissioner under paragraph (c) or (e), the county board may appeal the action according to sections 14.57 to 14.69.

(g) Counties subject to withholding of funds under paragraph (c) or forfeiture or repayment of funds under paragraph (e) shall not reduce or withhold benefits or services to clients to cover costs incurred due to actions taken by the commissioner under paragraph (c) or (e).

(18) Allocate federal fiscal disallowances or sanctions for audit exceptions when federal fiscal disallowances or sanctions are based on a statewide random sample for the foster care program under title IV-E of the Social Security Act, United States Code, title 42, in direct proportion to each county's title IV-E foster care maintenance claim for that period.

(19) Be responsible for ensuring the detection, prevention, investigation, and resolution of fraudulent activities or behavior by applicants, recipients, and other participants in the human services programs administered by the department.

(20) Require county agencies to identify overpayments, establish claims, and utilize all available and cost-beneficial methodologies to collect and recover these overpayments in the human services programs administered by the department.

(21) Have the authority to administer a drug rebate program for drugs purchased pursuant to the prescription drug program established under section 256.955 after the beneficiary's satisfaction of any deductible established in the program. The commissioner shall require a rebate agreement from all manufacturers of covered drugs as defined in section 256B.0625, subdivision 13. Rebate agreements for prescription drugs delivered on or after July 1, 2002, must include rebates for individuals covered under the prescription drug program who are under 65 years of age. For each drug, the amount of the rebate shall be equal to the basic rebate as defined for purposes of the federal rebate program in United States Code, title 42, section 1396r-8(c)(1). This basic rebate shall be applied to single-source and multiple-source drugs. The manufacturers must provide full payment within 30 days of receipt of the state invoice for the rebate within the terms and conditions used for the federal rebate program established pursuant to section 1927 of title XIX of the Social Security Act. The manufacturers must provide the commissioner with any information necessary to verify the rebate determined per drug. The rebate program shall utilize the terms and conditions used for the federal rebate program established pursuant to section 1927 of title XIX of the Social Security Act.

(22) Operate the department's communication systems account established in Laws 1993, First Special Session chapter 1, article 1, section 2, subdivision 2, to manage shared communication costs necessary for the operation of the programs the commissioner supervises. A communications account may also be established for each regional treatment center which operates communications systems. Each account must be used to manage shared communication costs necessary for the operations of the programs the commissioner supervises. The commissioner may distribute the costs of operating and maintaining communication systems to participants in a manner that reflects actual usage. Costs may include acquisition, licensing, insurance, maintenance, repair, staff time and other costs as determined by the commissioner. Nonprofit organizations and state, county, and local government agencies involved in the operation of programs the commissioner supervises may participate in the use of the department's communications technology and share in the cost of operation. The commissioner may accept on behalf of the state any gift, bequest, devise or personal property of any kind, or money tendered to the state for any lawful purpose pertaining to the communication activities of the department. Any money received for this purpose must be deposited in the department's communication systems accounts. Money collected by the commissioner for the use of communication systems must be deposited in the state communication systems account and is appropriated to the commissioner for purposes of this section.

(23) Receive any federal matching money that is made available through the medical assistance program for the consumer satisfaction survey. Any federal money received for the survey is appropriated to the commissioner for this purpose. The commissioner may expend the federal money received for the consumer satisfaction survey in either year of the biennium.

(24) Incorporate cost reimbursement claims from First Call Minnesota into the federal cost reimbursement claiming processes of the department according to federal law, rule, and regulations. Any reimbursement received is appropriated to the commissioner and shall be disbursed to First Call Minnesota according to normal department payment schedules.

(25) Develop recommended standards for foster care homes that address the components of specialized therapeutic services to be provided by foster care homes with those services.

Sec. 2. Minnesota Statutes 2000, section 256.82, subdivision 2, is amended to read:

Subd. 2. [FOSTER CARE MAINTENANCE PAYMENTS.] Beginning January 1, ~~1986~~ 2002, for the purpose of foster care maintenance payments under title IV-E of the Social Security Act, United States Code, title 42, sections 670 to 676, the county paying the maintenance costs must be reimbursed for the costs from the federal and state money available for the purpose. Beginning July 1, 1997, for the purposes of determining a child's eligibility under title IV-E of the Social Security Act, the placing agency shall use AFDC requirements in effect on July 16, 1996.

Sec. 3. Minnesota Statutes 2000, section 260.765, is amended by adding a subdivision to read:

Subd. 2a. [FINANCIAL RESPONSIBILITY.] When an Indian child is voluntarily placed in foster care by a tribal social services agency, the commissioner shall be responsible for reimbursing the nonfederal share of the costs of placement, within the limits of appropriations made available for that purpose. Beginning January 1, 2002, the local social services agency or tribal social services agency shall be reimbursed on a calendar year basis for the nonfederal share of the costs of placements under this subdivision that are in excess of those costs in calendar year 2001.

Sec. 4. Minnesota Statutes 2000, section 260.771, subdivision 4, is amended to read:

Subd. 4. [EFFECT OF TRIBAL COURT PLACEMENT ORDERS.] To the extent that any child subject to sections 260.755 to 260.835 is otherwise eligible for social services, orders of a tribal court concerning placement of such child shall have the same force and effect as orders of a court of this state. In any case where the tribal court orders placement through a local social services agency, the court shall provide to the local agency notice and an opportunity to be heard regarding the placement. Within the limits of appropriations made available for this purpose, the commissioner of human services shall reimburse the local social services agency or tribal social services agency for the nonfederal share of the costs for Indian children placed according to a tribal court placement order. Beginning January 1, 2002, the local social services agency or tribal social services agency shall be reimbursed on a calendar year basis for the nonfederal share of the costs of placements under this subdivision that are in excess of those costs in calendar year 2001. Determination of county of financial responsibility for the placement shall be determined by the local social services agency in accordance with section 256G.02, subdivision 4. Disputes concerning the county of financial responsibility shall be settled in the manner prescribed in section 256G.09.

Sec. 5. Minnesota Statutes 2000, section 260B.331, subdivision 1, is amended to read:

Subdivision 1. [CARE, EXAMINATION, OR TREATMENT.] (a)(1) Whenever legal custody of a child is transferred by the court to a local social services agency, or

(2) whenever legal custody is transferred to a person other than the local social services agency, but under the supervision of the local social services agency, and

(3) whenever a child is given physical or mental examinations or treatment under order of the court, and no provision is otherwise made by law for payment for the care, examination, or treatment of the child, these costs are a charge upon the welfare funds of the county in which proceedings are held upon certification of the judge of juvenile court.

(b) The court shall order, and the local social services agency shall require, the parents or custodian of a child, while the child is under the age of 18, to use the total income and resources attributable to the child for the period of care, examination, or treatment, except for clothing and personal needs allowance as provided in section 256B.35, to reimburse the county for the cost of care, examination, or treatment. Income and resources attributable to the child include, but are not limited to, social security benefits, supplemental security income (SSI), veterans benefits, railroad retirement benefits and child support. When the child is over the age of 18, and continues to receive care, examination, or treatment, the court shall order, and the local social services agency shall require, reimbursement from the child for the cost of care, examination, or treatment from the income and resources attributable to the child less the clothing and personal needs allowance.

(c) If the income and resources attributable to the child are not enough to reimburse the county for the full cost of the care, examination, or treatment, the court shall inquire into the ability of the parents to support the child and, after giving the parents a reasonable opportunity to be heard, the court shall order, and the local social services agency shall require, the parents to contribute to the cost of care, examination, or treatment of the child. Except in delinquency cases where the victim is a member of the child's immediate family, when determining the amount to be contributed by the parents, the court shall use a fee schedule based upon ability to pay that is established by the local social services agency and approved by the commissioner of human services. In delinquency cases where the victim is a member of the child's immediate family, the court shall use the fee schedule but may also take into account the seriousness of the offense and any expenses which the parents have incurred as a result of the offense. The income of a stepparent who has not adopted a child shall be excluded in calculating the parental contribution under this section.

(d) The court shall order the amount of reimbursement attributable to the parents or custodian, or attributable to the child, or attributable to both sources, withheld under chapter 518 from the income of the parents or the custodian of the child. A parent or custodian who fails to pay without good reason may be proceeded against for contempt, or the court may inform the county attorney, who shall proceed to collect the unpaid sums, or both procedures may be used.

(e) If the court orders a physical or mental examination for a child, the examination is a medically necessary service for purposes of determining whether the service is covered by a health insurance policy, health maintenance contract, or other health coverage plan. Court-ordered treatment shall be subject to policy, contract, or plan requirements for medical necessity. Nothing in this paragraph changes or eliminates benefit limits, conditions of coverage, copayments or deductibles, provider restrictions, or other requirements in the policy, contract, or plan that relate to coverage of other medically necessary services.

(f) Within the limits set forth in paragraph (g), the county shall be reimbursed by the commissioner of human services for the nonfederal share of county expenditures made under this subdivision.

(g) Beginning January 1, 2002, counties shall be reimbursed on a calendar year basis for those annual county expenditures under this subdivision that are in excess of the county expenditures made under this subdivision in calendar year 2001.

Sec. 6. Minnesota Statutes 2000, section 260B.331, subdivision 2, is amended to read:

Subd. 2. [COST OF GROUP FOSTER CARE.] Whenever a child is placed in a group foster care facility as provided in section 260B.198, subdivision 1, clause (b) or (c), item (5), the cost of providing the care shall, upon certification by the juvenile court, be paid from the welfare fund of the county in which the proceedings were held. To reimburse the counties for the costs of providing group foster care for delinquent children and to promote the establishment of suitable group foster homes, the state shall quarterly, from funds appropriated for that purpose,

reimburse counties 50 percent of the costs not paid by federal and other available state aids and grants. Reimbursement shall be prorated if the appropriation is insufficient. In addition, beginning January 1, 2002, counties shall be fully reimbursed on a calendar year basis for those annual county expenditures under this subdivision that are in excess of the county expenditures made under this subdivision in calendar year 2001.

The commissioner of corrections shall establish procedures for reimbursement and certify to the commissioner of finance each county entitled to receive state aid under the provisions of this subdivision. Upon receipt of a certificate the commissioner of finance shall issue a state warrant to the county treasurer for the amount due, together with a copy of the certificate prepared by the commissioner of corrections.

Sec. 7. Minnesota Statutes 2000, section 260C.331, subdivision 1, is amended to read:

Subdivision 1. [CARE, EXAMINATION, OR TREATMENT.] (a) Except where parental rights are terminated,

(1) whenever legal custody of a child is transferred by the court to a local social services agency,

(2) whenever legal custody is transferred to a person other than the local social services agency, but under the supervision of the local social services agency, or

(3) whenever a child is given physical or mental examinations or treatment under order of the court, and no provision is otherwise made by law for payment for the care, examination, or treatment of the child, these costs are a charge upon the welfare funds of the county in which proceedings are held upon certification of the judge of juvenile court.

(b) The court shall order, and the local social services agency shall require, the parents or custodian of a child, while the child is under the age of 18, to use the total income and resources attributable to the child for the period of care, examination, or treatment, except for clothing and personal needs allowance as provided in section 256B.35, to reimburse the county for the cost of care, examination, or treatment. Income and resources attributable to the child include, but are not limited to, social security benefits, supplemental security income (SSI), veterans benefits, railroad retirement benefits and child support. When the child is over the age of 18, and continues to receive care, examination, or treatment, the court shall order, and the local social services agency shall require, reimbursement from the child for the cost of care, examination, or treatment from the income and resources attributable to the child less the clothing and personal needs allowance.

(c) If the income and resources attributable to the child are not enough to reimburse the county for the full cost of the care, examination, or treatment, the court shall inquire into the ability of the parents to support the child and, after giving the parents a reasonable opportunity to be heard, the court shall order, and the local social services agency shall require, the parents to contribute to the cost of care, examination, or treatment of the child. When determining the amount to be contributed by the parents, the court shall use a fee schedule based upon ability to pay that is established by the local social services agency and approved by the commissioner of human services. The income of a stepparent who has not adopted a child shall be excluded in calculating the parental contribution under this section.

(d) The court shall order the amount of reimbursement attributable to the parents or custodian, or attributable to the child, or attributable to both sources, withheld under chapter 518 from the income of the parents or the custodian of the child. A parent or custodian who fails to pay without good reason may be proceeded against for contempt, or the court may inform the county attorney, who shall proceed to collect the unpaid sums, or both procedures may be used.

(e) If the court orders a physical or mental examination for a child, the examination is a medically necessary service for purposes of determining whether the service is covered by a health insurance policy, health maintenance contract, or other health coverage plan. Court-ordered treatment shall be subject to policy, contract, or plan

requirements for medical necessity. Nothing in this paragraph changes or eliminates benefit limits, conditions of coverage, copayments or deductibles, provider restrictions, or other requirements in the policy, contract, or plan that relate to coverage of other medically necessary services.

(f) Within the limits set forth in paragraph (g), the county shall be reimbursed by the commissioner of human services for the nonfederal share of county expenditures made under this subdivision.

(g) Beginning January 1, 2002, counties shall be reimbursed on a calendar year basis for those annual county expenditures under this subdivision that are in excess of the county expenditures made under this subdivision in calendar year 2001.

Sec. 8. Minnesota Statutes 2000, section 260C.331, subdivision 2, is amended to read:

Subd. 2. [COST OF GROUP FOSTER CARE.] Whenever a child is placed in a group foster care facility as provided in section 260C.201, subdivision 1, paragraph (b), clause (2) or (3), the cost of providing the care shall, upon certification by the juvenile court, be paid from the welfare fund of the county in which the proceedings were held. To reimburse the counties for the costs of promoting the establishment of suitable group foster homes, the state shall quarterly, from funds appropriated for that purpose, reimburse counties 50 percent of the costs not paid by federal and other available state aids and grants. In addition, beginning January 1, 2002, counties shall be fully reimbursed on a calendar year basis for those annual county expenditures under this subdivision that are in excess of the county expenditures made under this subdivision in calendar year 2001. Reimbursement shall be prorated if the appropriation is insufficient.

The commissioner of corrections shall establish procedures for reimbursement and certify to the commissioner of finance each county entitled to receive state aid under the provisions of this subdivision. Upon receipt of a certificate the commissioner of finance shall issue a state warrant to the county treasurer for the amount due, together with a copy of the certificate prepared by the commissioner of corrections.

Sec. 9. [APPROPRIATIONS.]

(a) \$..... is appropriated from the general fund to the commissioner of human services for the biennium ending June 30, 2003, for purposes of reimbursing counties for the costs of placements under Minnesota Statutes, sections 256.82; 260.765, subdivision 2a; 260.771, subdivision 4; 260B.331, subdivision 1, paragraph (g); and 260C.331, subdivision 1, paragraph (g).

(b) \$..... is appropriated to the commissioner of corrections from the general fund for the biennium ending June 30, 2003, for the purpose of reimbursing counties for the costs of placements specified in Minnesota Statutes, sections 260B.331, subdivision 2; and 260C.331, subdivision 2."

Delete the title and insert:

"A bill for an act relating to juveniles; providing reimbursement to county social service agencies for the costs of out-of-home placement; appropriating money; amending Minnesota Statutes 2000, sections 256.01, subdivision 2; 256.82, subdivision 2; 260.765, by adding a subdivision; 260.771, subdivision 4; 260B.331, subdivisions 1, 2; 260C.331, subdivisions 1, 2."

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.

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

H. F. No. 1277, A bill for an act relating to transportation; modifying financing procedures for interregional transportation corridor; modifying provisions relating to statewide communications system and clarifying appropriation of related fees; modifying provisions relating to transportation revolving loan fund; making technical and clarifying changes; amending Minnesota Statutes 2000, sections 161.23, subdivision 3; 174.70, subdivisions 2 and 3; and 446A.085; Laws 1999, chapter 238, article 1, section 2, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 161.

Reported the same back with the following amendments:

Page 3, line 15, delete the period and insert "on a first-come, first-served basis for each tower or site. The commissioner may not make agreements that grant the exclusive use of towers. After the commissioner has agreed to make space available on a specific tower or at a specific site,"

Page 3, line 20, strike "(1)" and after "improvements" insert "such as tower reinforcement, reconstruction, site development, or other site improvements,"

Page 3, line 22, strike everything after "property"

Page 3, line 23, strike "wireless service provider" and delete the new language and after the period, insert "This section must not be construed to create a right to install privately owned towers on trunk highway right-of-way."

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. 1315, A bill for an act relating to public safety; transferring additional responsibilities to state fire marshal and authorizing support, as requested, of fire administration support teams and critical incident stress response; re-creating fire marshal account to help fund administration of division of fire marshal and its activities; appropriating money; amending Minnesota Statutes 2000, sections 299F.01; 299F.11, subdivision 2; 299M.10; and 299M.11, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 299F.

Reported the same back with the following amendments:

Page 1, after line 12, insert:

"Section 1. Minnesota Statutes 2000, section 221.0355, subdivision 18, is amended to read:

Subd. 18. [DEPOSIT AND USE OF FEES.] Fees received by the commissioner for administrative processing and investigating information in a disclosure statement must be deposited in the state treasury and credited to the trunk highway fund. Notwithstanding section 221.82, registration fees collected under subdivisions 4, 5, 7, and 7a must be deposited in the state treasury, credited to the general fund state fire marshal account established in section 299F.211, and used to cover the costs of hazardous materials incident response capability under sections 299A.48 to 299A.52 and 299K.095."

Page 3, line 22, after "sections" insert "221.0355, subdivision 18, 299A.49 to 299A.52," and delete "and" and after "299M.11," insert "and 624.22,"

Page 3, line 28, delete everything after "office" and insert a period

Page 3, delete lines 29 and 30

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, after "sections" insert "221.0355, subdivision 18;"

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

The report was adopted.

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

H. F. No. 1369, A bill for an act relating to economic security; exempting certain advisory councils from expiration; modifying requirements for the rehabilitation council for the blind; amending Minnesota Statutes 2000, sections 15.059, subdivision 5a; 248.10; and 268A.02, subdivision 2.

Reported the same back with the following amendments:

Page 5, after line 5, insert:

"Sec. 3. Minnesota Statutes 2000, section 268.29, is amended to read:

268.29 [JUVENILE JUSTICE PROGRAM.]

The governor shall designate the department of economic security as the sole agency responsible for supervising the preparation and administration of the state plan for juvenile justice required by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

The governor shall designate the juvenile justice advisory committee as the supervisory board for the department of economic security with respect to preparation and administration of the state plan and award of grants.

The governor shall appoint members to the juvenile justice advisory committee in accordance with the membership requirements of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended. Section 15.059, subdivision 3, governs the compensation of the members."

Page 5, line 10, after "council" insert "and a statewide independent living council"

Page 5, line 12, strike "council" and insert "councils"

Page 5, line 31, delete everything after the comma

Page 5, delete line 32

Page 5, line 33, delete everything before the period and insert "created in Minnesota Statutes, section 268A.02, subdivision 2"

Page 6, line 2, delete "4" and insert "5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "providing for compensation for members of the juvenile justice advisory committee;"

Page 1, line 6, delete "and" and insert "268.29;"

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

The report was adopted.

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

H. F. No. 1404, A bill for an act relating to traffic regulations; exempting certain towed implements of husbandry from requirement to display tail lamps; making clarifying changes; amending Minnesota Statutes 2000, section 169.50, subdivision 1.

Reported the same back with the following amendments:

Page 2, after line 2, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1407, A bill for an act relating to health; modifying provisions for public health collaboration plans; modifying rural hospital programs eligibility; transferring certain enforcement authority related to the provision of funeral goods and services; repealing professional boxing regulation; amending Minnesota Statutes 2000, sections 62Q.075; 144.147, subdivision 1; 144.148, subdivision 1; 144.1483; 149A.01, by adding a subdivision; 149A.02, subdivision 14, by adding a subdivision; 149A.11; 149A.62; 149A.71, subdivision 4; 149A.97, subdivision 8; repealing Minnesota Statutes 2000, section 144.994; Laws 2000, chapter 488, article 2, section 26.

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

The report was adopted.

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

H. F. No. 1462, A bill for an act relating to retirement; modifying teachers retirement provisions; providing for service credit purchases; permitting a transfer of funds; extending the prior service credit determination procedure; amending Minnesota Statutes 2000, sections 354.534, subdivision 1; 354.539; and 356.55, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 354 and 354B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

OPEN MEETING REQUIREMENT FOR LOCAL PUBLIC PENSION PLANS

Section 1. Minnesota Statutes 2000, section 13D.01, subdivision 1, is amended to read:

Subdivision 1. [IN EXECUTIVE BRANCH, LOCAL GOVERNMENT.] All meetings, including executive sessions, must be open to the public

(a) of a state

(1) agency,

(2) board,

(3) commission, or

(4) department,

when required or permitted by law to transact public business in a meeting; ~~and~~

(b) of the governing body of a

(1) school district however organized,

(2) unorganized territory,

(3) county,

(4) statutory or home rule charter city,

(5) town, or

(6) other public body; ~~and~~

(c) of any

(1) committee,

(2) subcommittee,

(3) board,

(4) department, or

(5) commission,

of a public body; and

(d) of the governing body or a committee of:

(1) a statewide public pension plan defined in section 356A.01, subdivision 24; or

(2) a local public pension plan governed by section 69.77, sections 69.771 to 69.775, or chapter 354A, 422A, or 423B.

Sec. 2. Minnesota Statutes 2000, section 356A.08, subdivision 1, is amended to read:

Subdivision 1. [PUBLIC MEETINGS.] A meeting of the governing board of a covered ~~statewide~~ pension plan or of a committee of the governing board of the ~~statewide~~ covered pension plan is governed by chapter 13D.

Sec. 3. [EFFECTIVE DATE.]

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

ARTICLE 2

POLICE STATE AID AMENDMENTS

Section 1. Minnesota Statutes 2000, section 69.011, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] Unless the language or context clearly indicates that a different meaning is intended, the following words and terms shall for the purposes of this chapter and chapters 423, 423A, 424 and 424A have the meanings ascribed to them:

(a) "Commissioner" means the commissioner of revenue.

(b) "Municipality" means ~~any~~:

(1) a home rule charter or statutory city;

(2) an organized town ~~or~~;

(3) a park district subject to chapter 398;

(4) the University of Minnesota; ~~and~~;

(5) for purposes of the fire state aid program only, an American Indian tribal government entity located within a federally recognized American Indian reservation; ~~and~~;

(6) for purposes of the police state aid program only, an American Indian tribal government with a tribal police department which exercises state arrest powers under section 626.90, 626.91, 626.92, or 626.93;

(7) for purposes of the police state aid program only, the metropolitan airports commission; with respect to peace officers covered under chapter 422A; ~~or~~ and

(8) for purposes of the police state aid program only, the department of natural resources and the department of public safety with respect to peace officers covered under chapter 352B.

(c) "Minnesota Firetown Premium Report" means a form prescribed by the commissioner containing space for reporting by insurers of fire, lightning, sprinkler leakage and extended coverage premiums received upon risks located or to be performed in this state less return premiums and dividends.

(d) "Firetown" means the area serviced by any municipality having a qualified fire department or a qualified incorporated fire department having a subsidiary volunteer firefighters' relief association.

(e) "Market value" means latest available market value of all property in a taxing jurisdiction, whether the property is subject to taxation, or exempt from ad valorem taxation obtained from information which appears on abstracts filed with the commissioner of revenue or equalized by the state board of equalization.

(f) "Minnesota Aid to Police Premium Report" means a form prescribed by the commissioner for reporting by each fire and casualty insurer of all premiums received upon direct business received by it in this state, or by its agents for it, in cash or otherwise, during the preceding calendar year, with reference to insurance written for insuring against the perils contained in auto insurance coverages as reported in the Minnesota business schedule of the annual financial statement which each insurer is required to file with the commissioner in accordance with the governing laws or rules less return premiums and dividends.

(g) "Peace officer" means any person:

(1) whose primary source of income derived from wages is from direct employment by a municipality or county as a law enforcement officer on a full-time basis of not less than 30 hours per week;

(2) who has been employed for a minimum of six months prior to December 31 preceding the date of the current year's certification under subdivision 2, clause (b);

(3) who is sworn to enforce the general criminal laws of the state and local ordinances;

(4) who is licensed by the peace officers standards and training board and is authorized to arrest with a warrant; and

(5) who is a member of a local police relief association to which section 69.77 applies, the state patrol retirement plan, the public employees police and fire fund, or the Minneapolis employees retirement fund.

(h) "Full-time equivalent number of peace officers providing contract service" means the integral or fractional number of peace officers which would be necessary to provide the contract service if all peace officers providing service were employed on a full-time basis as defined by the employing unit and the municipality receiving the contract service.

(i) "Retirement benefits other than a service pension" means any disbursement authorized under section 424A.05, subdivision 3, clauses (2), (3), and (4).

(j) "Municipal clerk, municipal clerk-treasurer, or county auditor" means the person who was elected or appointed to the specified position or, in the absence of the person, another person who is designated by the applicable governing body. In a park district, the clerk is the secretary of the board of park district commissioners. In the case of the University of Minnesota, the clerk is that official designated by the board of regents. For the metropolitan airports commission, the clerk is the person designated by the commission. For the department of natural resources or the department of public safety, the clerk is the respective commissioner. For a tribal police department which exercises state arrest powers under section 626.90, 626.91, 626.92, or 626.93, the clerk is the person designated by the applicable American Indian tribal government.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.

ARTICLE 3

POSTRETIREMENT HEALTH CARE INSURANCE COVERAGE

Section 1. [352.98] [POSTRETIREMENT HEALTH CARE SAVINGS PLAN.]

Subdivision 1. [PLAN CREATED.] The Minnesota state retirement system shall establish a plan or plans, known as postretirement health care savings plans, through which public employers and employees may save to cover

postretirement health care costs. The Minnesota state retirement system shall make available one or more trusts authorized under the Internal Revenue Code to be eligible for tax-preferred or tax-free treatment through which employers and employees can save to cover postretirement health care costs.

Subd. 2. [CONTRACTING AUTHORIZED.] The Minnesota state retirement system is authorized to administer the plan and to contract with public and private entities to provide investment services, recordkeeping, benefit payments, and other functions necessary for the administration of the plan. If allowed by the Minnesota state board of investment, the Minnesota state board of investment supplemental investment funds may be offered as investment options under the postretirement savings plan or plans.

Subd. 3. [CONTRIBUTIONS.] (a) Contributions to the plan shall be determined through a personnel policy or in a collective bargaining agreement of a public employer with the exclusive representative of the covered employees in an appropriate unit. The Minnesota state retirement system may offer different types of trusts permitted under the Internal Revenue Code to best meet the needs of different employee units.

(b) Contributions to the plan by or on behalf of the employee shall be held in trust for reimbursement of employee and dependent health-related expenses following retirement from public employment. The Minnesota state retirement system shall maintain a separate account of the contributions made by or on behalf of each participant and the earnings thereon. The Minnesota state retirement system shall make available a limited range of investment options, and each employee may direct the investment of the accumulations in the employee's account among the investment options made available by the Minnesota state retirement system. At the request of a participating employer and employee group, the Minnesota state retirement system may determine how the assets of the affected employer and employee group should be invested.

Subd. 4. [REIMBURSEMENT FOR HEALTH-RELATED EXPENSES.] Following termination of public service, the Minnesota state retirement system shall reimburse employees at least quarterly for submitted health-related expenses, until the employee exhausts the accumulation in the employee's account. If an employee dies prior to exhausting the employee's account balance, the employee's spouse or dependents shall be eligible to be reimbursed for health care expenses from the account until the account balance is exhausted. If an account balance remains after the death of a participant and all of the participant's legal dependents, the remainder of the account shall be paid to the employee's beneficiaries or, if none, to the employee's estate.

Subd. 5. [FEES.] The Minnesota state retirement plan is authorized to charge uniform fees to participants to cover the ongoing cost of operating the plan. Any fees not needed shall revert to participant accounts or be used to reduce plan fees the following year.

Subd. 6. [ADVISORY COMMITTEE.] (a) The Minnesota state retirement system shall establish a participant advisory committee for the plan, made up of one representative appointed by each employee unit participating in the plan. Each participating unit shall be responsible for the expenses of its own representative.

(b) The advisory committee shall meet at least twice per year and shall be consulted on plan offerings and vendor selection. By October 1 of each year, the Minnesota state retirement system shall give the advisory committee a statement of fees collected and the use of the fees.

Subd. 7. [CONTRACTING WITH PRIVATE ENTITIES.] Nothing in this section shall prohibit employers from contracting with private entities to provide for postretirement health care reimbursement plans.

Sec. 2. Minnesota Statutes 2000, section 356.24, subdivision 1, is amended to read:

Subdivision 1. [RESTRICTION; EXCEPTIONS.] It is unlawful for a school district or other governmental subdivision or state agency to levy taxes for, or contribute public funds to a supplemental pension or deferred compensation plan that is established, maintained, and operated in addition to a primary pension program for the benefit of the governmental subdivision employees other than:

- (1) to a supplemental pension plan that was established, maintained, and operated before May 6, 1971;
- (2) to a plan that provides solely for group health, hospital, disability, or death benefits;
- (3) to the individual retirement account plan established by chapter 354B;
- (4) to a plan that provides solely for severance pay under section 465.72 to a retiring or terminating employee;
- (5) for employees other than personnel employed by the state university board or the community college board and covered by the board of trustees of the Minnesota state colleges and universities supplemental retirement plan under chapter 354C, if provided for in a personnel policy of the public employer or in the collective bargaining agreement between the public employer and the exclusive representative of public employees in an appropriate unit, in an amount matching employee contributions on a dollar for dollar basis, but not to exceed an employer contribution of \$2,000 a year per employee;
 - (i) to the state of Minnesota deferred compensation plan under section 352.96; or
 - (ii) in payment of the applicable portion of the contribution made to any investment eligible under section 403(b) of the Internal Revenue Code, if the employing unit has complied with any applicable pension plan provisions of the Internal Revenue Code with respect to the tax-sheltered annuity program during the preceding calendar year; or
- (6) for personnel employed by the state university board or the community college board and not covered by clause (5), to the supplemental retirement plan under chapter 354C, if provided for in a personnel policy or in the collective bargaining agreement of the public employer with the exclusive representative of the covered employees in an appropriate unit, in an amount matching employee contributions on a dollar for dollar basis, but not to exceed an employer contribution of \$2,700 a year for each employee; or
- (7) to a supplemental plan to save for postretirement health care expenses qualified for tax-preferred treatment under the Internal Revenue Code, if provided for in a personnel policy or in the collective bargaining agreement of a public employer with the exclusive representative of the covered employees in an appropriate unit.

Sec. 3. [APPROPRIATION.]

\$75,000 is appropriated to the Minnesota state retirement system from the general fund to cover the costs of establishing the plan created in section 1. Any amount not needed shall revert to the general fund on June 30, 2003.

ARTICLE 4

PRIVATIZED PUBLIC EMPLOYEE DISABILITY COVERAGE

Section 1. [352F.051] [CONTINUATION OF DISABILITY COVERAGE.]

Subdivision 1. [ELIGIBILITY.] A terminated hospital employee who is totally and permanently disabled under section 352.01, subdivision 17, and who had a medically documented preexisting condition of the disability before January 1, 1997, may apply under Minnesota Statutes 1996, section 352.113, subdivision 1, for a disability benefit.

Subd. 2. [CALCULATION OF BENEFITS.] A person qualifying under subdivision 1 is entitled to receive a disability benefit calculated under Minnesota Statutes 1996, section 352.113, subdivision 3. The disability benefit must be augmented under section 352.72, subdivision 2, from January 1, 1997, to the date on which the disability benefit begins to accrue.

Subd. 3. [APPLICABILITY OF GENERAL LAW.] Except as otherwise provided, section 352.113 applies to a person who qualifies for disability under subdivision 1.

Sec. 2. [353F.051] [CONTINUATION OF DISABILITY COVERAGE.]

Subdivision 1. [ELIGIBILITY.] A terminated medical facility or other public employing unit employee who is totally and permanently disabled under Minnesota Statutes 1998, section 353.01, subdivision 19, and who had a medically documented preexisting condition of the disability before the termination of coverage, may apply for a disability benefit.

Subd. 2. [CALCULATION OF BENEFITS.] A person qualifying under subdivision 1 is entitled to receive a disability benefit calculated under Minnesota Statutes 1998, section 353.33, subdivision 3. The disability benefit must be augmented under Minnesota Statutes 1998, section 353.71, subdivision 2, from the date of termination to the date the disability benefit begins to accrue.

Subd. 3. [APPLICABILITY OF GENERAL LAW.] Except as otherwise provided, Minnesota Statutes 1998, section 353.33, applies to a person who qualifies for disability under subdivision 1.

Sec. 3. [EFFECTIVE DATE.]

(a) Sections 1 and 2 are effective the day following final enactment.

(b) A disability benefit under section 1 is payable retroactively to March 1, 2000, or to the first of the month next following the date on which the eligible person attempted to apply for a disability benefit from the general state employees retirement plan of the Minnesota state retirement system, whichever is later.

ARTICLE 5

PERA-GENERAL MEMBERSHIP INCLUSIONS

Section 1. Minnesota Statutes 2000, section 353.01, subdivision 2a, is amended to read:

Subd. 2a. [INCLUDED EMPLOYEES.] Public employees whose salary from one governmental subdivision exceeds \$425 in any month shall participate as members of the association. If the salary of an employee is less than \$425 in a subsequent month, the employee retains membership eligibility. The following persons are considered public employees:

(1) employees whose annual salary from one governmental subdivision exceeds a stipulation prepared in advance, in writing, to be not more than \$5,100 per calendar year or per school year for school employees for employment expected to be of a full year's duration or more than the prorated portion of \$5,100 per employment period expected to be of less than a full year's duration. If compensation from one governmental subdivision to an employee under this clause exceeds \$5,100 per calendar year or school year after being stipulated in advance not to exceed that amount, the stipulation is no longer valid and contributions must be made on behalf of the employee under section 353.27, subdivision 12, from the month in which the employee's salary first exceeded \$425;

(2) employees whose total salary from concurrent nontemporary positions in one governmental subdivision exceeds \$425 in any month;

(3) elected officers for service to which they were elected by the public-at-large, or persons appointed to fill a vacancy in an elective office, who elect to participate by filing an application for membership, but not for service on a joint or regional board that is a governmental subdivision under subdivision 6, paragraph (a), unless the salary earned for that service exceeds \$425 in any month. The option to become a member, once exercised, may not be withdrawn during the incumbency of the person in office;

(4) members who are appointed by the governor to be a state department head and elect not to be covered by the Minnesota state retirement system under section 352.021;

- (5) employees of elected officers;
- (6) persons who elect to remain members under section 480.181, subdivision 2;
- (7) employees of a school district who receive separate salaries for driving their own buses;
- (8) employees of the Minnesota association of townships when the board of the association, at its option, certifies to the executive director that its employees are to be included for purposes of retirement coverage, in which case coverage of all employees of the association is permanent;
- (9) employees of a county historical society who are county employees;
- (10) employees of a county historical society located in the county whom the county, at its option, certifies to the executive director to be county employees for purposes of retirement coverage under this chapter, which status must be accorded to all similarly situated county historical society employees and, once established, must continue as long as a person is an employee of the county historical society and is not excluded under subdivision 2b; ~~and~~
- (11) employees who became members before July 1, 1988, based on the total salary of positions held in more than one governmental subdivision; and
- (12) full-time employees of the Dakota county agricultural society.

Sec. 2. Minnesota Statutes 2000, section 353.01, subdivision 2b, is amended to read:

Subd. 2b. [EXCLUDED EMPLOYEES.] The following public employees shall not participate as members of the association with retirement coverage by the public employees retirement plan or the public employees police and fire retirement plan:

- (1) elected public officers, or persons appointed to fill a vacancy in an elective office, who do not elect to participate in the association by filing an application for membership;
- (2) election officers;
- (3) patient and inmate personnel who perform services in charitable, penal, or correctional institutions of a governmental subdivision;
- (4) employees who are hired for a temporary position under subdivision 12a, and employees who resign from a nontemporary position and accept a temporary position within 30 days in the same governmental subdivision, but not those employees who are hired for an unlimited period but are serving a probationary period. If the period of employment extends beyond six consecutive months and the employee earns more than \$425 from one governmental subdivision in any one calendar month, the department head shall report the employee for membership and require employee deductions be made on behalf of the employee under section 353.27, subdivision 4.

Membership eligibility of an employee who resigns or is dismissed from a temporary position and within 30 days accepts another temporary position in the same governmental subdivision is determined on the total length of employment rather than on each separate position. Membership eligibility of an employee who holds concurrent temporary and nontemporary positions in one governmental subdivision is determined by the length of employment and salary of each separate position;

- (5) employees whose actual salary from one governmental subdivision does not exceed \$425 per month, or whose annual salary from one governmental subdivision does not exceed a stipulation prepared in advance, in writing, that the salary must not exceed \$5,100 per calendar year or per school year for school employees for employment expected to be of a full year's duration or more than the prorated portion of \$5,100 per employment period for employment expected to be of less than a full year's duration;

- (6) employees who are employed by reason of work emergency caused by fire, flood, storm, or similar disaster;
- (7) employees who by virtue of their employment in one governmental subdivision are required by law to be a member of and to contribute to any of the plans or funds administered by the Minnesota state retirement system, the teachers retirement association, the Duluth teachers retirement fund association, the Minneapolis teachers retirement association, the St. Paul teachers retirement fund association, the Minneapolis employees retirement fund, or any police or firefighters relief association governed by section 69.77 that has not consolidated with the public employees retirement association, or any local police or firefighters consolidation account but who have not elected the type of benefit coverage provided by the public employees police and fire fund under sections 353A.01 to 353A.10, or any persons covered by section 353.665, subdivision 4, 5, or 6, who have not elected public employees police and fire plan benefit coverage. This clause must not be construed to prevent a person from being a member of and contributing to the public employees retirement association and also belonging to and contributing to another public pension fund for other service occurring during the same period of time. A person who meets the definition of "public employee" in subdivision 2 by virtue of other service occurring during the same period of time becomes a member of the association unless contributions are made to another public retirement fund on the salary based on the other service or to the teachers retirement association by a teacher as defined in section 354.05, subdivision 2;
- (8) persons who are excluded from coverage under the federal Old Age, Survivors, Disability, and Health Insurance Program for the performance of service as specified in United States Code, title 42, section 410(a)(8)(A), as amended through January 1, 1987, if no irrevocable election of coverage has been made under section 3121(r) of the Internal Revenue Code of 1954, as amended;
- (9) full-time students who are enrolled and are regularly attending classes at an accredited school, college, or university and who are part-time employees as defined by a governmental subdivision;
- (10) resident physicians, medical interns, and pharmacist residents and pharmacist interns who are serving in a degree or residency program in public hospitals;
- (11) students who are serving in an internship or residency program sponsored by an accredited educational institution;
- (12) persons who hold a part-time adult supplementary technical college license who render part-time teaching service in a technical college;
- (13) foreign citizens working for a governmental subdivision with a work permit of less than three years, or an H-1b visa valid for less than three years of employment. Upon notice to the association that the work permit or visa extends beyond the three-year period, the foreign citizens are eligible for membership from the date of the extension;
- (14) public hospital employees who elected not to participate as members of the association before 1972 and who did not elect to participate from July 1, 1988, to October 1, 1988;
- (15) except as provided in section 353.86, volunteer ambulance service personnel, as defined in subdivision 35, but persons who serve as volunteer ambulance service personnel may still qualify as public employees under subdivision 2 and may be members of the public employees retirement association and participants in the public employees retirement fund or the public employees police and fire fund on the basis of compensation received from public employment service other than service as volunteer ambulance service personnel;
- (16) except as provided in section 353.87, volunteer firefighters, as defined in subdivision 36, engaging in activities undertaken as part of volunteer firefighter duties; provided that a person who is a volunteer firefighter may still qualify as a public employee under subdivision 2 and may be a member of the public employees retirement association and a participant in the public employees retirement fund or the public employees police and fire fund on the basis of compensation received from public employment activities other than those as a volunteer firefighter;

(17) pipefitters and associated trades personnel employed by independent school district No. 625, St. Paul, with coverage under a collective bargaining agreement by the pipefitters local 455 pension plan ~~under a collective bargaining agreement~~ who were either first employed after May 1, 1997, or, if first employed before May 2, 1997, elected to be excluded under Laws 1997, chapter 241, article 2, section 12; ~~and~~

(18) electrical workers, plumbers, carpenters, and associated trades personnel employed by independent school district No. 625, St. Paul, or the city of St. Paul, with coverage under a collective bargaining agreement by the electrical workers local 110 pension plan, the united association plumbers local 34 pension plan, or the carpenters local 87 pension plan ~~under a collective bargaining agreement~~ who were either first employed after May 1, 2000, or, if first employed before May 2, 2000, elected to be excluded under Laws 2000, chapter 461, article 7, section 5;

(19) bricklayers, allied craftworkers, cement masons, glaziers, glassworkers, painters, allied tradesworkers, and plasterers employed by the city of St. Paul or independent school district No. 625, St. Paul, with coverage under a collective bargaining agreement by the bricklayers and allied craftworkers local 1 pension plan, the cement masons local 633 pension plan, the glaziers and glassworkers local L-1324 pension plan, the painters and allied trades local 61 pension plan, or the Twin Cities plasterers local 265 pension plan who were either first employed after May 1, 2001, or if first employed before May 2, 2001, elected to be excluded under section 6; and

(20) plumbers employed by the metropolitan airports commission, with coverage under a collective bargaining agreement by the plumbers local 34 pension plan who were either first employed after May 1, 2001, or if first employed before May 2, 2001, elected to be excluded under section 6.

Sec. 3. Minnesota Statutes 2000, section 353.01, subdivision 6, is amended to read:

Subd. 6. [GOVERNMENTAL SUBDIVISION.] (a) "Governmental subdivision" means a county, city, town, school district within this state, or a department or unit of state government, or any public body whose revenues are derived from taxation, fees, assessments or from other sources.

(b) Governmental subdivision also means the public employees retirement association, the league of Minnesota cities, the association of metropolitan municipalities, public hospitals owned or operated by, or an integral part of, a governmental subdivision or governmental subdivisions, the association of Minnesota counties, the metropolitan intercounty association, the Minnesota municipal utilities association, the metropolitan airports commission, the Minneapolis employees retirement fund for employment initially commenced after June 30, 1979, the range association of municipalities and schools, soil and water conservation districts, ~~and~~ economic development authorities created or operating under sections 469.090 to 469.108, the Spring Lake Park fire department, incorporated, and the Dakota county agricultural society.

(c) Governmental subdivision does not mean any municipal housing and redevelopment authority organized under the provisions of sections 469.001 to 469.047; or any port authority organized under sections 469.048 to 469.089; or any hospital district organized or reorganized prior to July 1, 1975, under sections 447.31 to 447.37 or the successor of the district, nor the Minneapolis community development agency.

Sec. 4. [383D.48] [METROPOLITAN INTER-COUNTY ASSOCIATION.]

Notwithstanding any other law to the contrary, Dakota county may provide financial and accounting services, including payroll management and records, to the Metropolitan Inter-county Association. Notwithstanding this section, Metropolitan Inter-county Association employees are not county employees for any purpose.

Sec. 5. [383D.49] [AGRICULTURAL SOCIETY.]

Notwithstanding any other law to the contrary, Dakota county may provide financial and accounting services, including payroll management and records, to the Dakota county agricultural society and may determine that employees of the society are county employees for the purposes of section 471.61. Dakota county agricultural society employees are not county employees for any other purpose.

Sec. 6. [PUBLIC PENSION COVERAGE EXCLUSION FOR CERTAIN TRADES PERSONNEL.]

Subdivision 1. [EXCLUSION ELECTION.] (a) A bricklayer, allied craftworker, cement mason, glazier, glassworker, painter, allied tradesworker, or plasterer who is employed by the city of St. Paul or independent school district No. 625, St. Paul, on the effective date of this section and who has pension coverage under a collective bargaining agreement by the bricklayers and allied craftworkers local 1 pension plan, the cement masons local 633 pension plan, the glaziers and glassworkers local L-1324 pension plan, the painters and allied trades local 61 pension plan, or the Twin Cities plasterers local 265 pension plan may elect to be excluded from pension coverage by the public employees retirement association.

(b) A plumber who is employed by the metropolitan airports commission on the effective date of this section and who has pension coverage under a collective bargaining agreement by the plumbers local 34 pension plan may elect to be excluded from pension coverage by the public employees retirement association.

(c) The exclusion election under this section must be made in writing on a form prescribed by the executive director of the public employees retirement association and must be filed with the executive director. The exclusion election is irrevocable. Authority to make the coverage exclusion expires on January 1, 2002.

Subd. 2. [ELIGIBILITY FOR MEMBER CONTRIBUTION REFUND.] A person who has less than three years of allowable service in the public employees retirement association and who elects the pension coverage exclusion under subdivision 1 is entitled to immediately apply for a refund under Minnesota Statutes, section 353.34, subdivisions 1 and 2, following the effective date of the exclusion election.

Subd. 3. [DEFERRED ANNUITY ELIGIBILITY.] In lieu of the refund under subdivision 2, a person who elects the pension coverage exclusion under subdivision 1 is entitled to a deferred retirement annuity under Minnesota Statutes, sections 353.34, subdivision 3; and 353.71, subdivision 2, based on any length of allowable service credit under Minnesota Statutes, section 353.01, subdivision 16, to the credit of the person as of the date of the coverage exclusion election.

Sec. 7. [DAKOTA COUNTY AGRICULTURAL SOCIETY EMPLOYEE PENSION CERTIFICATION.]

Notwithstanding section 5, the Dakota county board of commissioners may certify to the executive director of the public employees retirement association that full-time employees of the Dakota county agricultural society are county employees for purposes of retirement coverage under Minnesota Statutes, chapter 353, which status must be accorded to all similarly situated Dakota county agricultural society employees.

Sec. 8. [EFFECTIVE DATE; LOCAL APPROVAL.]

(a) Sections 1, 3, 4, and 5 are effective the day after the governing body of Dakota county and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

(b) Section 7 is effective the day after the governing board of Dakota county and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3, and certification to the executive director of the public employees retirement association.

(c) Sections 2 and 6 are effective for bricklayers, allied craftworkers, cement masons, glaziers, glassworkers, painters, allied tradesworkers, and plasterers employed by the city of St. Paul or independent school district No. 625, St. Paul, as applicable, on the day following approval by majority vote of the St. Paul city council or governing board of independent school district No. 625, St. Paul, as applicable, and compliance with Minnesota Statutes, section 645.021.

(d) Sections 2 and 6 are effective for plumbers employed by the metropolitan airports commission on the day following approval by majority vote of the metropolitan airports commission and compliance with Minnesota Statutes, section 645.021.

ARTICLE 6

GENERALIZED SERVICE CREDIT PURCHASES

Section 1. Minnesota Statutes 2000, section 352.01, subdivision 11, is amended to read:

Subd. 11. [ALLOWABLE SERVICE.] "Allowable service" means:

(1) Service by an employee for which on or before July 1, 1957, the employee was entitled to allowable service credit on the records of the system by reason of employee contributions in the form of salary deductions, payments in lieu of salary deductions, or in any other manner authorized by Minnesota Statutes 1953, chapter 352, as amended by Laws 1955, chapter 239.

(2) Service by an employee for which on or before July 1, 1961, the employee chose to obtain credit for service by making payments to the fund under Minnesota Statutes 1961, section 352.24.

(3) Except as provided in clauses (8) and (9), service by an employee after July 1, 1957, for any calendar month in which the employee is paid salary from which deductions are made, deposited, and credited in the fund, including deductions made, deposited, and credited as provided in section 352.041.

(4) Except as provided in clauses (8) and (9), service by an employee after July 1, 1957, for any calendar month for which payments in lieu of salary deductions are made, deposited, and credited in the fund, as provided in section 352.27 and Minnesota Statutes 1957, section 352.021, subdivision 4.

For purposes of clauses (3) and (4), except as provided in clauses (8) and (9), any salary paid for a fractional part of any calendar month, including the month of separation from state service, is deemed the compensation for the entire calendar month.

(5) The period of absence from their duties by employees who are temporarily disabled because of injuries incurred in the performance of duties and for which disability the state is liable under the workers' compensation law until the date authorized by the director for the commencement of payments of a total and permanent disability benefit from the retirement fund.

(6) Service covered by a refund repaid as provided in section 352.23 or 352D.05, subdivision 4, except service rendered as an employee of the adjutant general for which the person has credit with the federal civil service retirement system.

(7) Service before July 1, 1978, by an employee of the transit operating division of the metropolitan transit commission or by an employee on an authorized leave of absence from the transit operating division of the metropolitan transit commission who is employed by the labor organization which is the exclusive bargaining agent representing employees of the transit operating division, which was credited by the metropolitan transit commission-transit operating division employees retirement fund or any of its predecessor plans or funds as past, intermediate, future, continuous, or allowable service as defined in the metropolitan transit commission-transit operating division employees retirement fund plan document in effect on December 31, 1977.

(8) Service after July 1, 1983, by an employee who is employed on a part-time basis for less than 50 percent of full time, for which the employee is paid salary from which deductions are made, deposited, and credited in the fund, including deductions made, deposited, and credited as provided in section 352.041 or for which payments in lieu of salary deductions are made, deposited, and credited in the fund as provided in section 352.27 shall be credited on a fractional basis either by pay period, monthly, or annually based on the relationship that the percentage of salary earned bears to a full-time salary, with any salary paid for the fractional service credited on the basis of the rate of salary applicable for a full-time pay period, month, or a full-time year. For periods of part-time service that is duplicated service credit, section 356.30, subdivision 1, clauses (i) and (j), govern.

Allowable service determined and credited on a fractional basis shall be used in calculating the amount of benefits payable, but service as determined on a fractional basis must not be used in determining the length of service required for eligibility for benefits.

(9) Any period of authorized leave of absence without pay that does not exceed one year and for which the employee obtained credit by payment to the fund in lieu of salary deductions. To obtain credit, the employee shall pay an amount equal to the employee and employer contribution rate in section 352.04, subdivisions 2 and 3, multiplied by the employee's hourly rate of salary on the date of return from leave of absence and by the days and months of the leave of absence without pay for which the employee wants allowable service credit. The employing department, at its option, may pay the employer amount on behalf of its employees. Payments made under this clause must include interest at an annual rate of 8.5 percent compounded annually from the date of termination of the leave of absence to the date payment is made unless payment is completed within one year of the return from leave of absence.

(10) A period purchased under section 356.555.

Sec. 2. Minnesota Statutes 2000, section 352B.01, subdivision 3, is amended to read:

Subd. 3. [ALLOWABLE SERVICE.] (a) "Allowable service" means:

(1) for members defined in subdivision 2, clause (a), monthly service is granted for any month for which payments have been made to the state patrol retirement fund, and

(2) for members defined in subdivision 2, clauses (b) and (c), service for which payments have been made to the state patrol retirement fund, service for which payments were made to the state police officers retirement fund after June 30, 1961, and all prior service which was credited to a member for service on or before June 30, 1961.

(b) Allowable service also includes any period of absence from duty by a member who, by reason of injury incurred in the performance of duty, is temporarily disabled and for which disability the state is liable under the workers' compensation law, until the date authorized by the executive director for commencement of payment of a disability benefit or return to employment.

(c) Allowable service also includes a period purchased under section 356.555.

Sec. 3. Minnesota Statutes 2000, section 353.01, subdivision 16, is amended to read:

Subd. 16. [ALLOWABLE SERVICE.] (a) "Allowable service" means service during years of actual membership in the course of which employee contributions were made, periods covered by payments in lieu of salary deductions under section 353.35, and service in years during which the public employee was not a member but for which the member later elected, while a member, to obtain credit by making payments to the fund as permitted by any law then in effect.

(b) "Allowable service" also means a period of authorized leave of absence with pay from which deductions for employee contributions are made, deposited, and credited to the fund.

(c) "Allowable service" also means a period of authorized leave of absence without pay that does not exceed one year, and during or for which a member obtained credit by payments to the fund made in place of salary deductions, provided that the payments are made in an amount or amounts based on the member's average salary on which deductions were paid for the last six months of public service, or for that portion of the last six months while the member was in public service, to apply to the period in either case immediately preceding commencement of the leave of absence. If the employee elects to pay employee contributions for the period of any leave of absence without pay, or for any portion of the leave, the employee shall also, as a condition to the exercise of the election, pay to the fund an amount equivalent to both the required employer and additional employer contributions for the employee. The payment must be made within one year from the expiration of the leave of absence or within 20 days after

termination of public service under subdivision 11a. The employer by appropriate action of its governing body, made a part of its official records, before the date of the first payment of the employee contribution, may certify to the association in writing its commitment to pay the employer and additional employer contributions from the proceeds of a tax levy made under section 353.28. Payments under this paragraph must include interest at an annual rate of 8.5 percent compounded annually from the date of the termination of the leave of absence to the date payment is made. An employee shall return to public service and receive a minimum of three months of allowable service to be eligible to pay employee and employer contributions for a subsequent authorized leave of absence without pay.

(d) "Allowable service" also means a periodic, repetitive leave that is offered to all employees of a governmental subdivision. The leave program may not exceed 208 hours per annual normal work cycle as certified to the association by the employer. A participating member obtains service credit by making employee contributions in an amount or amounts based on the member's average salary that would have been paid if the leave had not been taken. The employer shall pay the employer and additional employer contributions on behalf of the participating member. The employee and the employer are responsible to pay interest on their respective shares at the rate of 8.5 percent a year, compounded annually, from the end of the normal cycle until full payment is made. An employer shall also make the employer and additional employer contributions, plus 8.5 percent interest, compounded annually, on behalf of an employee who makes employee contributions but terminates public service. The employee contributions must be made within one year after the end of the annual normal working cycle or within 20 days after termination of public service, whichever is sooner. The association shall prescribe the manner and forms to be used by a governmental subdivision in administering a periodic, repetitive leave.

(e) "Allowable service" also means a period during which a member is on an authorized sick leave of absence, without pay, limited to one year. An employee who has received one year of allowable service shall return to public service and receive a minimum of three months of allowable service to receive allowable service for a subsequent authorized sick leave of absence.

(f) "Allowable service" also means an authorized temporary layoff under subdivision 12, limited to three months allowable service per authorized temporary layoff in one calendar year. An employee who has received the maximum service allowed for an authorized temporary layoff shall return to public service and receive a minimum of three months of allowable service to receive allowable service for a subsequent authorized temporary layoff.

(g) Notwithstanding any law to the contrary, "allowable service" also means a parental leave. The association shall grant a maximum of two months service credit for a parental leave, within six months after the birth or adoption, upon documentation from the member's governmental subdivision or presentation of a birth certificate or other evidence of birth or adoption to the association.

(h) "Allowable service" also means a period during which a member is on an authorized leave of absence to enter military service, provided that the member returns to public service upon discharge from military service under section 192.262 and pays into the fund employee contributions based upon the employee's salary at the date of return from military service. Payment must be made within five years of the date of discharge from the military service. The amount of these contributions must be in accord with the contribution rates and salary limitations, if any, in effect during the leave, plus interest at an annual rate of 8.5 percent compounded annually from the date of return to public service to the date payment is made. The matching employer contribution and additional employer contribution under section 353.27, subdivisions 3 and 3a, must be paid by the governmental subdivision employing the member upon return to public service if the member makes the employee contributions. The governmental subdivision involved may appropriate money for those payments. A member may not receive credit for a voluntary extension of military service at the instance of the member beyond the initial period of enlistment, induction, or call to active duty.

(i) For calculating benefits under sections 353.30, 353.31, 353.32, and 353.33 for state officers and employees displaced by the Community Corrections Act, chapter 401, and transferred into county service under section 401.04, "allowable service" means combined years of allowable service as defined in paragraphs (a) to (i) and section 352.01, subdivision 11.

(j) For a public employee who has prior service covered by a local police or firefighters relief association that has consolidated with the public employees retirement association or to which section 353.665 applies, and who has elected the type of benefit coverage provided by the public employees police and fire fund either under section 353A.08 following the consolidation or under section 353.665, subdivision 4, "applicable service" is a period of service credited by the local police or firefighters relief association as of the effective date of the consolidation based on law and on bylaw provisions governing the relief association on the date of the initiation of the consolidation procedure.

(k) "Allowable service" also means a period purchased under section 356.555.

Sec. 4. Minnesota Statutes 2000, section 354.534, subdivision 1, is amended to read:

Subdivision 1. [SERVICE CREDIT PURCHASE AUTHORIZED.] (a) A teacher who has at least three years of allowable service credit with the teachers retirement association is entitled to purchase up to ten years of allowable and formula service credit for out-of-state teaching service by making payment under section 356.55, provided the out-of-state teaching service was performed for an educational institution established and operated by another ~~state; governmental subdivision of another state, or the federal government~~ governmental jurisdiction and the teacher is not entitled to receive a current or deferred age and service retirement annuity or disability benefit and has not purchased service credit from another defined benefit public employee pension plan for that out-of-state teaching service.

(b) For purposes of paragraph (a), "another governmental jurisdiction" means:

(1) another state of the United States;

(2) a governmental subdivision of another state of the United States;

(3) the federal government;

(4) a federally recognized American Indian tribe; or

(5) a country other than the United States.

Sec. 5. Minnesota Statutes 2000, section 354.536, subdivision 1, is amended to read:

Subdivision 1. [SERVICE CREDIT PURCHASE AUTHORIZED.] A teacher who has at least three years of allowable service credit with the teachers retirement association is entitled to purchase up to ten years of allowable and formula service credit for developmental achievement center, nonprofit community-based corporation, private, or parochial school teaching service by making payment under section 356.55, provided that the teacher is not entitled to receive a current or deferred age and service retirement annuity or disability benefit from the applicable employer-sponsored pension plan and has not purchased service credit from the applicable defined benefit employer-sponsored pension plan for that service.

Sec. 6. Minnesota Statutes 2000, section 354.539, is amended to read:

354.539 [USE OF COLLEGE SUPPLEMENTAL RETIREMENT FUNDS TO PURCHASE SERVICE CREDIT.]

(a) Unless prohibited by or subject to a penalty under federal law, a teacher who is a participant in the college supplemental retirement plan established under chapter 354C may utilize the teacher's supplemental plan account to purchase service credit under sections 354.53, 354.533, 354.534, 354.535, 354.536, 354.537, ~~and~~ 354.538, 354.541, and 354.542 or to repay a refund under section 354.50.

(b) At the request of a member, if determined by the executive director to be eligible to purchase service credit, the executive director shall notify the board of the Minnesota state colleges and universities system of the cost of the purchase and shall request the transfer of funds from the member's college supplemental retirement account to the teachers retirement association. Upon receipt of the full prior service credit purchase payment amount, the teachers retirement association shall grant the requested allowable and formula service credit.

Sec. 7. [354.541] [PRIOR UNIVERSITY OF MINNESOTA TEACHING SERVICE CREDIT PURCHASE.]

Subdivision 1. [SERVICE CREDIT PURCHASE AUTHORIZED.] A teacher who has at least three years of allowable service credit with the teachers retirement association is entitled to purchase up to ten years of allowable and formula service credit for University of Minnesota teaching service by making payment under section 356.55, provided the teacher is not entitled to receive a current or deferred age and service retirement annuity or disability benefit and has not purchased service credit from another defined benefit public employee pension plan for that University of Minnesota teaching service.

Subd. 2. [APPLICATION AND DOCUMENTATION.] A teacher who desires to purchase service credit under subdivision 1 must apply with the executive director to make the purchase. The application must include all necessary documentation of the teacher's qualifications to make the purchase, signed written permission to allow the executive director to request and receive necessary verification of applicable facts and eligibility requirements, and any other relevant information that the executive director may require. Payment must be made before the teacher's effective date of retirement.

Subd. 3. [SERVICE CREDIT GRANT.] Allowable and formula service credit for the purchase period must be granted by the teachers retirement association to the purchasing teacher on receipt of the purchase payment amount.

Sec. 8. [354.542] [PRIOR TEACHING SERVICE CREDIT PURCHASE BY IRAP MEMBERS WITH DEFERRED TEACHERS RETIREMENT ASSOCIATION CREDIT.]

A person in covered employment under section 354B.20, subdivision 4, who is a participant in the individual retirement account plan authorized by chapter 354B and who has at least three years of allowable service credit with the teachers retirement association may purchase service credit as provided in sections 354.533 to 354.538 and 354.541.

Sec. 9. Minnesota Statutes 2000, section 354A.098, subdivision 1, is amended to read:

Subdivision 1. [SERVICE CREDIT PURCHASE AUTHORIZED.] (a) A teacher who has at least three years of allowable service credit with one of the retirement fund associations under this chapter and who rendered out-of-state teaching service for an educational institution established and operated by another state, ~~governmental subdivision of another state, or the federal government~~ governmental entity specified in paragraph (b) is entitled to purchase up to ten years of allowable service credit for that out-of-state service by making payment under section 356.55, provided the teacher is not entitled to receive a current or deferred age and service retirement annuity or disability benefit and has not purchased service credit from another defined benefit public employee pension plan for that out-of-state teaching service. Payment must be made before the teacher's effective date of retirement.

(b) An eligible governmental entity for purposes of paragraph (a) is:

(1) another state of the United States;

(2) a governmental subdivision of another state of the United States;

(3) the federal government;

(4) a federally recognized American Indian tribe; or

(5) a public education institution in a foreign country.

Sec. 10. Minnesota Statutes 2000, section 354A.101, subdivision 1, is amended to read:

Subdivision 1. [SERVICE CREDIT PURCHASE AUTHORIZED.] A teacher who has at least three years of allowable service credit with the teachers retirement fund association is entitled to purchase up to ten years of allowable service credit for developmental achievement center, nonprofit community-based corporation, private, or parochial school teaching service by making payment under section 356.55, provided that the teacher is not entitled to receive a current or deferred age and service retirement annuity or disability benefit from the applicable employer-sponsored pension plan and has not purchased service credit from the applicable defined benefit employer-sponsored pension plan for that service.

Sec. 11. Minnesota Statutes 2000, section 354A.106, is amended to read:

354A.106 [USE OF COLLEGE SUPPLEMENTAL RETIREMENT FUNDS TO PURCHASE SERVICE CREDIT.]

(a) Unless prohibited by or subject to a penalty under federal law, a teacher who is a participant in the college supplemental retirement plan established under chapter 354C may utilize the teacher's supplemental plan account to purchase service credit under sections 354A.097, 354A.098, 354A.099, 354A.101, 354A.102, 354A.103, ~~and~~ 354A.104, 354A.107, and 354A.108, or to repay a refund under section 354A.38.

(b) At the request of a member, if determined by the executive director of the applicable teachers retirement fund association to be eligible to purchase service credit, the executive director shall notify the board of the Minnesota state colleges and universities system of the cost of the purchase and shall request the transfer of funds from the member's college supplemental retirement account to the applicable teachers retirement fund association. Upon receipt of the full prior service credit purchase payment amount, the applicable teachers retirement fund association shall grant the requested allowable and formula service credit.

Sec. 12. [354A.107] [PRIOR UNIVERSITY OF MINNESOTA TEACHING SERVICE CREDIT PURCHASE.]

Subdivision 1. [SERVICE CREDIT PURCHASE AUTHORIZED.] A teacher who has at least three years of allowable service credit with the teachers retirement fund association is entitled to purchase up to ten years of allowable service credit for University of Minnesota teaching service by making payment under section 356.55, provided the teacher is not entitled to receive a current or deferred age and service retirement annuity or disability benefit and has not purchased service credit from another defined benefit public employee pension plan for that University of Minnesota teaching service.

Subd. 2. [APPLICATION AND DOCUMENTATION.] A teacher who desires to purchase service credit under subdivision 1 must apply with the executive director to make the purchase. The application must include all necessary documentation of the teacher's qualifications to make the purchase, signed written permission to allow the executive director to request and receive necessary verification of applicable facts and eligibility requirements, and any other relevant information that the executive director may require. Payment must be made before the teacher's effective date of retirement.

Subd. 3. [SERVICE CREDIT GRANT.] Allowable service credit for the purchase period must be granted by the teachers retirement association to the purchasing teacher on receipt of the purchase payment amount.

Sec. 13. [354A.108] [PRIOR TEACHING SERVICE CREDIT PURCHASE BY IRAP MEMBERS WITH DEFERRED TEACHERS RETIREMENT ASSOCIATION CREDIT.]

A teacher who is a participant in the individual retirement account plan authorized by chapter 354B and who has at least three years of allowable service credit with a teachers retirement fund association may purchase service credit as provided in sections 354A.091 to 354A.099 and 354A.101 to 354A.107.

Sec. 14. Minnesota Statutes 2000, section 356.55, subdivision 7, is amended to read:

Subd. 7. [EXPIRATION OF PURCHASE PAYMENT DETERMINATION PROCEDURE.] (a) This section expires and is repealed on July 1, ~~2001~~ 2003.

(b) Authority for any public pension plan to accept a prior service credit payment calculated in a timely fashion under this section expires on October 1, ~~2001~~ 2003.

Sec. 15. [356.555] [PARENTAL OR FAMILY LEAVE SERVICE CREDIT PURCHASE.]

Subdivision 1. [SERVICE CREDIT PURCHASE AUTHORIZATION.] (a) Notwithstanding any provision to the contrary of the laws governing a plan enumerated in subdivision 4, a member of the pension plan who has at least three years of allowable service covered by the applicable pension plan and who was granted by the employer a parental leave of absence as defined in paragraph (b), or who was granted by the employer a family leave of absence as defined in paragraph (c), or who had a parental- or family-related break in employment, as defined in paragraph (d), for which the person did not previously receive service credit or for which the person did not receive or purchase service credit from another defined benefit public employee pension plan, is entitled to purchase the actual period of the leave or of the break in service, up to five years, of allowable service credit in the applicable retirement plan. The purchase payment amount is governed by section 356.55.

(b) For purposes of this section, a parental leave of absence is a temporary period of interruption or of separation from active employment for the purposes of handling maternity or paternity duties that has been approved by the employing unit and that includes the right of reinstatement to employment.

(c) For purposes of this section, a family leave of absence is a family leave under United States Code, title 42, section 12631, as amended.

(d) For purposes of this section, a parental- or family-related break in employment is a period following a termination of active employment primarily for the purpose of the birth of a child, the adoption of a child, or the provision of care to a near relative or in-law, after which the person returned to the prior employing unit or an employing unit covered by the same pension plan that provided retirement coverage immediately prior to the termination of employment.

Subd. 2. [APPLICATION AND DOCUMENTATION.] A person who desires to purchase service credit under subdivision 1 must apply for the service credit purchase with the chief administrative officer of the enumerated pension plan. The application must include all necessary documentation of the qualifications of the person to make the purchase, signed written permission to allow the chief administrative officer to request and receive necessary verification of all applicable facts and eligibility requirements, and any other relevant information that the chief administrative officer may require.

Subd. 3. [SERVICE CREDIT GRANT.] Allowable service credit in the applicable enumerated pension plan for the purchase period must be granted to the purchaser upon receipt of the purchase payment amount calculated under section 356.55. Payment of the purchase price must be made before the person retires.

Subd. 4. [COVERED PENSION PLANS.] This section applies to the following pension plans:

- (1) general state employees retirement plan governed by chapter 352;
- (2) correctional state employees retirement plan governed by chapter 352;
- (3) general public employees retirement plan governed by chapter 353;
- (4) public employees police and fire plan governed by chapter 353;

(5) Minneapolis employees retirement plan governed by chapter 422A;

(6) Minneapolis police relief association governed by chapter 423B; and

(7) Minneapolis fire department relief association governed by sections 69.25 to 69.53 and augmented by Laws 1959, chapters 213, 491, and 568, and other special local legislation.

Sec. 16. Minnesota Statutes 2000, section 422A.155, is amended to read:

422A.155 [DETERMINATION OF SERVICE CREDIT.]

(a) Notwithstanding the provisions of section 422A.15, subdivision 1, no employee of the contributing class of the Minneapolis employees retirement fund shall be entitled to receive a year of service credit during the employee's final year of service unless the employee is employed and has received compensation from the city of Minneapolis or other applicable employing unit during each of the calendar months making up the year for which the employee would usually be employed. Any employee of the contributing class who is employed and receives compensation in fewer than the usual number of calendar months during the final year of service shall receive credit for that portion of a year that the employee's completed months of employment and receipt of compensation bears to the usual number of months which the employee would usually be employed.

(b) Notwithstanding any provision of this chapter to the contrary, service credit also means a period purchased under section 356.555.

Sec. 17. Minnesota Statutes 2000, section 423B.01, is amended by adding a subdivision to read:

Subd. 3a. [ALLOWABLE SERVICE CREDIT.] "Allowable service credit" means:

(1) service rendered as an active member;

(2) service as an elected public official under section 423B.03;

(3) military service credited under section 423B.09, subdivision 3; and

(4) a period of service purchased under section 356.555.

Sec. 18. [MINNEAPOLIS FIRE DEPARTMENT RELIEF ASSOCIATION; PARENTAL LEAVE PURCHASE.]

Notwithstanding any provision of Minnesota Statutes, sections 69.25 to 69.53; Laws 1959, chapters 213, 491, and 568; or any other special local law governing the Minneapolis fire department relief association to the contrary, service credit for the purposes of calculating service pensions, disability benefits, or survivor benefits includes a period purchased under Minnesota Statutes, section 356.555.

Sec. 19. [EXPIRATION DATE.]

(a) The amendments in sections 1, 2, 3, 14, 15, 16, 17, and 18 expire May 16, 2003.

(b) Sections 8 and 13 expire May 16, 2002.

Sec. 20. [EFFECTIVE DATE.]

(a) Sections 5 and 9 are effective the day following final enactment.

(b) Sections 1 to 4, 6 to 8, and 10 to 19 are effective July 1, 2001.

ARTICLE 7

MINNESOTA STATE COLLEGES AND
UNIVERSITIES SYSTEM RETIREMENT PROVISIONS

Section 1. Minnesota Statutes 2000, section 354.41, subdivision 4, is amended to read:

Subd. 4. [MEMBERSHIP ELIGIBILITY FOR LABOR ORGANIZATION EMPLOYEES.] (a) A person who is a member on an authorized leave of absence and is employed as an employee or officer by the Minnesota federation of teachers or its affiliated branches within the state, the Minnesota education association, the Minnesota association of school principals, the Minnesota association of secondary school principals or the Minnesota a labor organization that is the exclusive bargaining agent representing teachers covered by this chapter or by an association of school administrators may elect to be a coordinated member of the association based on that employment, subject to the limitations set forth in subdivisions 4a and 4b. However, no person is entitled to membership under this section if the person also is a member of a teachers retirement association in a city of the first class organized under chapter 354A for the same period of service.

(b) The election must be made within 90 days of commencing employment by the labor organization.

Sec. 2. [354B.32] [TRANSFER OF FUNDS TO IRAP.]

A participant in the individual retirement account plan established in this chapter who has less than ten years of allowable service under the teachers retirement association or the teachers retirement fund association may elect to transfer an amount equal to the participant's accumulated member contributions to the teachers retirement association or the teachers retirement fund association, plus compound interest at the rate of six percent per annum, to the individual retirement account plan. The transfers are irrevocable fund to fund transfers, and in no event may the participant receive direct payment of the money transferred prior to retirement. If a participant elects the contribution transfer, all of the participant's allowable and formula service credit in the teachers retirement association or the teachers retirement fund association associated with the transferred amount is forfeited.

The executive director of the teachers retirement association and the chief administrative officers of the teachers retirement fund associations, in cooperation with the chancellor of the Minnesota state colleges and universities, shall notify participants who are eligible to transfer of their right to transfer and the amount that they are eligible to transfer, and shall, upon request, provide forms to implement the transfer. The chancellor of the Minnesota state colleges and universities shall assist the teachers retirement association and the teachers retirement fund associations in developing transfer forms and in implementing the transfers.

Authority to elect a transfer under this section expires on July 1, 2004.

Sec. 3. [REPEALER.]

Minnesota Statutes 2000, section 354.41, subdivision 9, is repealed.

Sec. 4. [EFFECTIVE DATE.]

(a) Sections 1 to 3 are effective the day following final enactment.

(b) Coverage under section 1 applies to employment as an officer of the interfaculty organization on or after July 1, 1996.

ARTICLE 8

SUPPLEMENTAL PENSION PLAN PROVISIONS

Section 1. Minnesota Statutes 2000, section 356.24, subdivision 1, is amended to read:

Subdivision 1. [RESTRICTION; EXCEPTIONS.] It is unlawful for a school district or other governmental subdivision or state agency to levy taxes for, or contribute public funds to a supplemental pension or deferred compensation plan that is established, maintained, and operated in addition to a primary pension program for the benefit of the governmental subdivision employees other than:

(1) to a supplemental pension plan that was established, maintained, and operated before May 6, 1971;

(2) to a plan that provides solely for group health, hospital, disability, or death benefits;

(3) to the individual retirement account plan established by chapter 354B;

(4) to a plan that provides solely for severance pay under section 465.72 to a retiring or terminating employee;

(5) for employees other than personnel employed by the state university board or the community college board and covered by the board of trustees of the Minnesota state colleges and universities supplemental retirement plan under chapter 354C, if provided for in a personnel policy of the public employer or in the collective bargaining agreement between the public employer and the exclusive representative of public employees in an appropriate unit, in an amount matching employee contributions on a dollar for dollar basis, but not to exceed an employer contribution of \$2,000 a year per employee;

(i) to the state of Minnesota deferred compensation plan under section 352.96; or

(ii) in payment of the applicable portion of the contribution made to any investment eligible under section 403(b) of the Internal Revenue Code, if the employing unit has complied with any applicable pension plan provisions of the Internal Revenue Code with respect to the tax-sheltered annuity program during the preceding calendar year; or

(6) for personnel employed by the state university board or the community college board and not covered by clause (5), to the supplemental retirement plan under chapter 354C, if provided for in a personnel policy or in the collective bargaining agreement of the public employer with the exclusive representative of the covered employees in an appropriate unit, in an amount matching employee contributions on a dollar for dollar basis, but not to exceed an employer contribution of \$2,700 a year for each employee; or

(7) to the laborer's national industrial pension fund for the employees of a governmental subdivision who are covered by a collective bargaining agreement that provides for coverage by that fund and that sets forth a fund contribution rate, but not to exceed an employer contribution of \$2,000 per year per employee.

ARTICLE 9

MINNEAPOLIS POLICE RELIEF ASSOCIATION
MAIL-IN BALLOTING OR VOTING PROVISIONS

Section 1. Minnesota Statutes 2000, section 423B.05, is amended by adding a subdivision to read:

Subd. 4. [RIGHT TO PARTICIPATE BY MAIL-IN BALLOT.] Active members, retired members, and surviving spouse members of the relief association have the right to participate in the election of board members of the association by mail-in ballot.

Sec. 2. Minnesota Statutes 2000, section 423B.05, is amended by adding a subdivision to read:

Subd. 5. [MAIL-IN REFERENDUM ON VOTING BY MAIL.] (a) The board of the association is authorized to submit the following question in a binding member referendum to be conducted by mail:

"Shall the bylaws of the Minneapolis police relief association be amended to allow future proposed amendments to the bylaws of the relief association to be approved by a vote of relief association members by mail?"

Yes
No"

(b) The board of the relief association shall conduct the referendum by mailing a printed copy of the referendum question and of the ballot to all active members, retired members, and surviving spouse members in accordance with the voting procedures that the board of the relief association used in the most recent board election prior to March 1, 2001.

(c) Before submitting the referendum question to a vote by the relief association membership, the relief association board shall solicit the opinions of relief association members for the question and against the question. The solicitation for member comments must be included in the next regular relief association communication to relief association members following the proposal of the bylaw amendment and on the Internet Web site of the relief association. The comment period continues for 30 days. The executive director of the relief association shall prepare a summary of the comments of relief association members for and against the question in a fair and impartial manner. A draft of the summary document must be placed on the Internet Web site of the relief association for five days. If a relief association board member challenges the objectivity of the draft summary, the draft summary must be reviewed by a neutral third party. The neutral third party must be an accredited professional mediator. The relief association executive director shall include the recommendations of the neutral third party in the final summary document. The written summary prepared by the relief association executive director must be included with the question and the ballot mailed to relief association members.

(d) Balloting procedures must be designed to maintain secrecy as to the identity of voting members. The receipt of returned ballots and the counting of those ballots must be conducted by an accounting firm designated by the relief association board to perform those functions.

(e) For adoption, the question must receive favorable votes from two-thirds of the relief association members who return ballots on the question.

(f) If the question in paragraph (a) is approved in the referendum, future bylaw amendments must be conducted in the same manner as provided in this subdivision.

Sec. 3. [EFFECTIVE DATE.]

(a) Sections 1 and 2 are effective the day following final enactment.

(b) If the referendum question in section 2 is approved, no proposed bylaw amendment may be submitted for approval by mail until January 1, 2002.

ARTICLE 10

VOLUNTEER FIRE RELIEF ASSOCIATION ADMINISTRATION

Section 1. Minnesota Statutes 2000, section 424A.04, is amended by adding a subdivision to read:

Subd. 3. [CONDITIONS ON RELIEF ASSOCIATION CONSULTANTS.] (a) As a condition of performing consultant services for a volunteer firefighter relief association, any consultant must:

(1) post a bond in an amount equal to the potential adverse financial impact applicable to the activities of the consultant in the event of error, malfeasance, misfeasance, or nonfeasance; or

(2) provide evidence of errors and omissions or professional liability insurance in force in an amount equal to the potential adverse financial impact applicable to the activities of the consultant in the event of error, malfeasance, misfeasance, or nonfeasance, from an insurance company licensed to do business in this state.

(b) A consultant is any person who is or who represents to the volunteer fire relief association that the person is:

(1) an actuary;

(2) a licensed public accountant or a certified public accountant;

(3) an attorney;

(4) an investment advisor or manager, or an investment counselor;

(5) an investment advisor or manager selection consultant;

(6) a pension benefit design advisor or consultant; or

(7) any other financial consultant.

(c) The bond must be posted with or the evidence of insurance must be filed with the clerk of the municipality in which the volunteer firefighter relief association is located. If the volunteer firefighter relief association is associated with or subsidiary to an independent nonprofit firefighter corporation, the bond must be posted with or the evidence of insurance must be filed with the clerk of the largest municipality, by population, contracting with the independent firefighting corporation.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 2001.

ARTICLE 11

LOCAL POLICE AND PAID FIRE PENSION PLANS

Section 1. [EVELETH RETIRED POLICE AND FIRE TRUST FUND; AD HOC POSTRETIREMENT ADJUSTMENT.]

In addition to the current pensions and other retirement benefits payable, the pensions and retirement benefits payable to retired police officers and firefighters and their surviving spouses by the Eveleth police and fire trust fund are increased by \$100 per month. Increases are retroactive to January 1, 2001.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective on the day after the date on which the Eveleth city council and the chief clerical officer of the city of Eveleth complete in a timely manner their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

ARTICLE 12

ONE PERSON OR SMALL GROUP SERVICE CREDIT PURCHASES

Section 1. [TEACHERS RETIREMENT ASSOCIATION; SABBATICAL LEAVE OF ABSENCE SERVICE CREDIT PURCHASE.]

(a) An eligible person described in paragraph (b) is entitled to purchase 0.34 of a year of allowable and formula service credit from the teachers retirement association.

(b) An eligible person is a person who:

(1) was born on August 7, 1942;

(2) was employed by independent school district No. 11, Anoka-Hennepin, on August 28, 1970;

(3) was on a sabbatical leave of absence from July 1, 1977, to June 30, 1978; and

(4) due to inadvertent clerical error by independent school district No. 11, Anoka-Hennepin, did not have full contributions for the sabbatical leave made in a timely fashion and 0.654 of a year of service credit was credited rather than one year of service for the sabbatical leave.

(c) To purchase the service credit under this section, the eligible person must pay to the teachers retirement association the amount of the shortage in member contributions for the sabbatical leave period plus interest from June 30, 1978, to the date on which payment is made at an annual compound rate of 8.5 percent. Authority to make this payment expires on July 1, 2002, or the date of termination of service, whichever is earlier.

(d) If the eligible person makes the payment required in paragraph (c) in a timely manner, independent school district No. 11, Anoka-Hennepin, may pay the balance of the full prior service credit purchase payment amount calculated under Minnesota Statutes, section 356.55 or 356.551, whichever applies. If independent school district No. 11, Anoka-Hennepin, does not pay the balance within 30 days of notification by the executive director of the teachers retirement association of the payment of the member contribution payment by the eligible person under paragraph (c), the executive director shall notify the commissioner of finance of that fact and the commissioner shall deduct from any state aid payable to independent school district No. 11, Anoka-Hennepin, that amount, plus interest on that amount of 1.5 percent per month for each month or portion of a month that has elapsed from the effective date of this section.

(e) The eligible person shall provide any relevant documentation related to eligibility to make this service credit purchase that is required by the executive director of the teachers retirement association.

Sec. 2. [TEACHERS RETIREMENT ASSOCIATION; PURCHASE OF EXTENDED LEAVE OF ABSENCE SERVICE CREDIT.]

(a) An eligible person, as described in paragraph (b), is entitled to purchase allowable and formula service credit in the teachers retirement association for the period specified in paragraph (c) by making the payment specified in Minnesota Statutes, section 356.55.

(b) An eligible person is a person who:

(1) was born on May 25, 1948;

(2) was employed by the Hutchinson public schools for 26 years;

(3) was granted an extended leave of absence on May 27, 1997; and

(4) due to a clerical error within the person's electrical business, omitted payment of contributions under Minnesota Statutes, section 354.094, for the 1997-1998 school year.

(c) The prior service credit purchase period is the 1997-1998, 1998-1999, and 1999-2000 school years.

(d) The service credit purchase authority expires on June 29, 2001, or the date of the person's retirement, whichever is earlier.

Sec. 3. [PUBLIC EMPLOYEES RETIREMENT ASSOCIATION; PURCHASE OF PREVIOUSLY UNCREDITED WHITE BEAR LAKE PUBLIC SCHOOL CLERICAL SERVICE.]

(a) An eligible person described in paragraph (b) is entitled to receive credit for one year of allowable service from the public employees retirement association on June 30, 2001.

(b) An eligible person is a person who:

(1) was born on July 24, 1939;

(2) was initially employed by independent school district No. 624, White Bear Lake, as a casual clerical employee on March 15, 1971;

(3) was subsequently employed as a full-time clerical employee by independent school district No. 624, White Bear Lake, from the 1973-1974 school year until the 1990-1991 school year;

(4) was subsequently employed as a teacher by independent school district No. 624, White Bear Lake, from August 26, 1991; and

(5) was not included in coverage by the public employees retirement association for full-time clerical employment during the 1973-1974 school year.

(c) The prior service credit purchase payment must be determined under Minnesota Statutes, section 356.55 or 356.551, whichever provision is in effect, and must include the impact of the purchase on the eligible person's prospective retirement annuity from the teachers retirement association. Notwithstanding any provision of Minnesota Statutes, section 356.55 or 356.551, to the contrary, independent school district No. 624, White Bear Lake, is obligated to pay the full required service credit payment, including any amount attributable to the teachers retirement association. If the school district does not make payment of the service credit purchase amount by June 30, 2001, the executive director of the public employees retirement association and the executive director of the teachers retirement association shall notify the commissioner of finance of the school district's failure. Following notification, the commissioner of finance shall deduct the required amount from any state aid otherwise payable to independent school district No. 624, White Bear Lake, and shall transfer the appropriate amounts to the public employees retirement fund and the teachers retirement fund.

(d) The eligible person must provide the executive director of the public employees retirement association with necessary documentation of the applicability of this section and with any other relevant information that the executive director may require.

Sec. 4. [MINNEAPOLIS TEACHERS RETIREMENT FUND ASSOCIATION; SERVICE CREDIT PURCHASE AUTHORIZATION.]

(a) Notwithstanding any provision of law to the contrary, an eligible person described in paragraph (b) is authorized to purchase allowable service credit under procedures specified in Minnesota Statutes, section 356.55 or 356.551, whichever is in effect, from the Minneapolis teachers retirement fund association for the period described in paragraph (c).

(b) An eligible person is a person who:

(1) was born on July 21, 1941;

(2) initially was employed as a teacher by independent school district No. 281, Robbinsdale, in December 1962;

(3) began employment as a teacher in special school district No. 1, Minneapolis, in August 1985;

(4) currently is a special education teacher at the Webster open school; and

(5) had no retirement contributions or social security contributions withheld from compensation by special school district No. 1, Minneapolis, for the 1985-1986 school year.

(c) The allowable service credit purchase period is the 1985-1986 school year.

(d) The eligible person must provide all relevant documentation of the applicability of the requirements set forth in paragraph (b) and any other applicable information that the executive director of the Minneapolis teachers retirement fund association may request.

(e) Allowable service credit for the purchase period must be granted by the Minneapolis teachers retirement fund association to the eligible person upon receipt of the payment amounts. If the service credit purchase created additional liabilities in the teachers retirement association, the applicable portion of the full payment amounts shall be transferred to that association.

(f) The prior service credit purchase authority expires on July 1, 2001, or on the date of the termination of active teaching service with special school district No. 1, Minneapolis, by the eligible person, whichever occurs earlier.

Sec. 5. [PUBLIC EMPLOYEES RETIREMENT ASSOCIATION; PAYMENT OF OMITTED SALARY DEDUCTIONS.]

Subdivision 1. [APPLICATION.] A person who was born on February 1, 1961, who was employed by Lac qui Parle county in March 1989, June 1989, and July 1989, but who first had public employees retirement association member contributions deducted in August 1989, is entitled to purchase service credit from the public employees retirement association for the service in March, June, and July 1989.

Subd. 2. [PAYMENT.] (a) The purchase payment amount for the service credit purchase authorized in subdivision 1 is governed by Minnesota Statutes, section 356.55 or 356.551, whichever is applicable.

(b) To purchase the allowable service credit, the eligible person must pay an amount equal to the employee contribution rate or rates in effect during the service credit purchase period applied to the actual salary in effect during that period, plus 8.5 percent compound annual interest from the date the contributions should have been made until the date of actual payment.

(c) Upon receipt of the payment by the eligible person as specified under paragraph (b), the executive director of the public employees retirement association shall notify the chief administrative officer of Lac Qui Parle county of that fact. Within 30 days of that notification, Lac Qui Parle county shall pay to the public employees retirement association the balance of the service credit purchase payment amount under Minnesota Statutes, section 356.55 or 356.551, whichever is in effect, that is not paid by the eligible person.

(d) If Lac Qui Parle county does not make the payments required by paragraph (c) in a timely fashion, the executive director of the public employees retirement association shall notify the commissioner of finance, who shall then deduct the required amounts from any state aid payable to the county, plus interest at the rate of one percent per month or part of a month that has elapsed since the date on which the eligible person made payment under paragraph (b).

Subd. 3. [APPLICATION; DOCUMENTATION.] A person described in subdivision 1 must apply to the executive director of the public employees retirement association to make the purchase. The application must be on a form provided by the executive director and must include all necessary documentation of the applicability of this section and any other relevant information that the executive director may require.

Subd. 4. [LIMITATION.] Authority under this section expires on July 1, 2002, or upon termination of service, whichever is earlier.

Sec. 6. [PUBLIC EMPLOYEES RETIREMENT ASSOCIATION; PAYMENT OF OMITTED SALARY DEDUCTION.]

Subdivision 1. [APPLICATION.] (a) An eligible person described in paragraph (b) and an eligible person described in paragraph (c) are authorized to purchase service credit in the public employees retirement association general plan for the period specified in paragraph (d).

(b) An eligible person is a person who:

(1) was born on February 11, 1948;

(2) is currently a member of the public employees retirement association general plan; and

(3) is currently employed by the Minneapolis park board and was first employed by that board on March 8, 1983.

(c) An eligible person is a person who:

(1) was born on August 12, 1936;

(2) is currently a member of the public employees retirement association general plan; and

(3) is currently employed by the Minneapolis park board and was first employed by that board on April 4, 1983.

(d) The service credit purchase period is any period of previously uncredited service, unless properly excluded under law, during which the eligible person in paragraph (b) or (c), as applicable, was employed by the Minneapolis park board following the date on which, under applicable requirements of public employees retirement association law, the applicable eligible person should have been reported for plan membership.

Subd. 2. [PAYMENT.] The purchase payment for the service credit purchases authorized in subdivision 1 is governed by Minnesota Statutes 2000, section 356.55 or 356.551, whichever is applicable.

Subd. 3. [DOCUMENTATION.] A person described in subdivision 1 must apply to the executive director of the public employees retirement association to make the purchase. The application must be in writing and must include all necessary documentation of the applicability of this section and any other relevant information required by the executive director.

Subd. 4. [APPLICATION DATE.] Authority to purchase service credit under this section terminates on January 1, 2002, or upon termination of the applicable person from service.

Sec. 7. [PERA-COORDINATED RETIREMENT PLAN; SERVICE CREDIT PURCHASE AUTHORIZED.]

(a) Notwithstanding any provision of law to the contrary, an eligible person described in paragraph (b) is authorized to purchase allowable service credit from the coordinated plan of the public employees retirement system for the period described in paragraph (c) by making a prior service credit purchase payment required under Minnesota Statutes, section 356.55 or 356.551, whichever is applicable. Notwithstanding the authority in these sections, neither the Minneapolis employees retirement fund nor the city of Minneapolis is authorized to pay any portion of the purchase payment amount.

(b) An eligible person is a person who:

(1) is a current employee of the Minneapolis employees retirement fund and is a current member of the coordinated plan of the public employees retirement association and an inactive member of the unclassified retirement plan of the Minnesota state retirement system;

(2) was born on April 26, 1949;

(3) was employed as a full-time instructor temporary classification on August 15, 1981, by the accounting department, Carlson school of management, University of Minnesota; and

(4) was subsequently reappointed annually as a full-time instructor temporary classification for an additional three years and terminated employment on August 14, 1985.

(c) The allowable service credit purchase period is the period described in paragraph (b), clauses (3) and (4).

(d) The eligible person must provide all relevant documentation of the applicability of the requirements in paragraph (b) and any other applicable information that the executive director of the public employees retirement association may request.

(e) Allowable service credit for the purchase period must be granted by the coordinated plan of the public employees retirement fund to the eligible person upon receipt of the prior service credit purchase payment amount.

(f) The prior service credit purchase authority expires on July 1, 2002, or on the date of termination of active service covered by the public employees retirement association by the eligible person, whichever occurs earlier.

Sec. 8. [PUBLIC EMPLOYEES POLICE AND FIRE PLAN; PURCHASE OF PRIOR SERVICE CREDIT.]

Subdivision 1. [AUTHORIZATION.] A member of the public employees retirement association police and fire plan who was born on August 2, 1951, who was employed by the city of Brainerd as a police officer before February 29, 1996, and who has at least three years of allowable service credit with the public employees retirement association police and fire fund is entitled to purchase up to ten years of allowable service credit for employment by the city of Brainerd as a full-time police officer in a position that was not covered by the police and fire fund but was covered by a local relief association governed by Minnesota Statutes, section 69.77. This authorization applies notwithstanding any contrary provision of Minnesota Statutes, section 353A.10. To purchase service credit, an eligible person must make payments required under Minnesota Statutes, section 356.55 or 356.551, whichever is applicable. This authorization applies only if the person is not entitled to receive a current or deferred service pension or retirement annuity or a current disability benefit from another Minnesota public pension plan, including a local police relief association, for that service.

Subd. 2. [APPLICATION AND DOCUMENTATION.] A person who desires to purchase service credit under subdivision 1 must apply in writing with the executive director of the public employees retirement association to make the purchase. The application must include all necessary documentation of the person's qualifications to make the purchase, signed written permission to allow the executive director to request and receive necessary verification of applicable facts and eligibility requirements, and any other relevant information that the executive director may require.

Subd. 3. [SERVICE CREDIT GRANT.] Allowable service credit for the purchase period must be granted by the public employees retirement association to the purchasing person only upon receipt of the purchase payment amount. Payment must be made before the person's effective date of retirement.

Sec. 9. [PUBLIC EMPLOYEES RETIREMENT ASSOCIATION; PURCHASE OF SERVICE FOR UNCREDITED SERVICE AS A MEMBER OF THE ST. PAUL CITY COUNCIL.]

Subdivision 1. [APPLICABILITY.] This section applies to a person:

(1) who was born September 10, 1938;

(2) who began service as a member of the St. Paul city council in 1970;

(3) who was eligible for membership in the public employees retirement association for the period from July 1, 1974, to March 31, 1975;

(4) for whom no employer contributions were paid and no employee contributions deducted by the city of St. Paul for the period described in clause (3); and

(5) who retired September 1, 2000, and is currently receiving retirement annuities from the St. Paul teachers retirement fund association, the public employees retirement association general plan, and the Minnesota state retirement system general plan.

Subd. 2. [PURCHASE OF SERVICE.] (a) A person described in subdivision 1 may purchase service credit under Minnesota Statutes, section 356.55, in the public employees retirement association general plan for the period described in subdivision 1, clause (3).

(b) To purchase the allowable service credit, the eligible person must pay an amount equal to the employee contribution rate or rates in effect during the service credit purchase period applied to the actual salary in effect during that period, plus 8.5 percent compound annual interest from the date the contributions should have been made until the date of actual payment.

(c) Upon receipt of the payment under paragraph (b) by the eligible person, the executive director of the public employees retirement association shall notify the chief administrative officer of the city of St. Paul of that fact. Within 30 days of that notification, the city of St. Paul shall pay to the public employees retirement association the balance of the service credit purchase payment amount under Minnesota Statutes, section 356.55, that is not paid by the eligible person.

(d) If the city of St. Paul does not make the payments required by paragraph (c) in a timely fashion, the executive director of the public employees retirement association shall notify the commissioner of finance, who shall then deduct the required amounts from any state aid payable to the city, plus interest at the rate of one percent per month or part of a month that has elapsed since the date on which the eligible person made payment under paragraph (b).

Subd. 3. [APPLICATION; DOCUMENTATION.] A person described in subdivision 1 must apply to the executive director of the public employees retirement association to make the purchase. The application must be on a form provided by the executive director and must include all necessary documentation of the applicability of this section and any other relevant information that the executive director may require.

Subd. 4. [LIMITATION.] Authority under this section expires on July 1, 2001.

Subd. 5. [BENEFIT REVISION DATE.] The annuity of the eligible individual under subdivision 1 is to be revised on the first day of the month following the month in which the full purchase price determined under subdivision 2 is received by the public employees retirement association.

Subd. 6. [LUMP-SUM PAYMENT.] The public employees retirement association shall also pay the person described in subdivision 1 a lump-sum amount equal to the difference between the annuity received from the association from September 1, 2000, to the date of payment for the service credit and the amount the person would have received with the additional service credit purchased under this section.

Sec. 10. [PUBLIC EMPLOYEES POLICE AND FIRE PLAN; PURCHASE OF SERVICE CREDIT FOR EMPLOYEE ERRONEOUSLY ENROLLED IN PERA-GENERAL.]

(a) Notwithstanding any provision of law to the contrary, an eligible person described in paragraph (b) is authorized to elect to transfer past service credit for the period May 5, 1983, to August 29, 1987, in the general employee retirement plan of the public employees retirement association to the public employees police and fire retirement plan. The transfer includes the transfer of assets provided for in paragraph (c). The transfer occurs following the receipt by the executive director of the public employees retirement association of the payment amounts specified in paragraphs (d) and (e).

(b) An eligible person is a person who:

(1) was born on October 23, 1956;

(2) was hired as a part-time town constable by White Bear township from May 5, 1983, to August 29, 1987; and

(3) was covered by the general employees retirement plan of the public employees retirement association rather than the public employees police and fire retirement plan for this public safety employer service.

(c) Assets equal to 86.31 percent of the actuarial accrued liability of the general employees retirement plan of the public employees retirement association determined with respect to the eligible person by the actuary retained by the legislative commission on pensions and retirement in accordance with Minnesota Statutes, section 356.215, must be transferred from the general employees retirement fund to the public employees police and fire retirement fund. The expense of the legislative commission on pensions and retirement related to these calculations must be reimbursed by the public employees police and fire fund. The transfer of assets must be made within 30 days of the date on which the eligible employee elects to transfer past service credit to the public employees police and fire retirement plan.

(d) To obtain the service credit transfer under this section, the eligible person must pay to the public employees police and fire retirement plan the difference between the member contribution rate of the general employees retirement plan of the public employees retirement association and the member contribution rate of the public employees police and fire retirement plan for the period May 5, 1983, to August 29, 1987, applied to the eligible person's average salary for that period, plus 8.5 percent compound annual interest on the total from July 1, 1985, to the date of payment. Authority for the eligible person to make the payment under this paragraph expires on July 1, 2002.

(e) If the eligible person makes the required payment under paragraph (d) in a timely manner, the executive director of the public employees retirement association shall notify the clerk-treasurer of White Bear township of that fact. Within 30 days of that notification, White Bear township shall pay to the public employees police and fire fund: (1) the balance of the payment amount calculated under Minnesota Statutes, section 356.55 or 356.551, whichever is in effect, that exceeds the total of the amount transferred under paragraph (c) and the amount paid by the eligible person under paragraph (d); and (2) the cost associated with the actuarial calculation under paragraph (c). If White Bear township does not make the payment required by the paragraph in a timely fashion, the executive director of

the public employees retirement association shall notify the commissioner of finance of that fact, who shall then deduct the required amount from any subsequent state aid or other state payments to the township, plus interest at the rate of one percent per month or a part of a month that has elapsed since the date on which the eligible person made payment under paragraph (d).

(f) The eligible person must elect to make the service credit transfer on a form prescribed by the executive director of the public employees retirement association. The eligible person must supply all necessary documentation of the applicability of this section and any other relevant information that the executive director may require.

(g) Authority under this section expires on July 1, 2002, or upon the retirement of the eligible person from the general employees retirement plan of the public employees retirement association or from the public employees police and fire retirement plan, whichever is earlier.

Sec. 11. [EFFECTIVE DATE.]

(a) Sections 1 to 10 are effective the day following final enactment.

(b) Section 8 is repealed effective May 16, 2002."

Delete the title and insert:

"A bill for an act relating to retirement; various statewide and local retirement plans and programs; clarifying the application of the open meeting law to local retirement plans; including certain American Indian tribal governments in police state aid; extending disability coverage to certain privatized university hospital and other public employees; authorizing voluntary employee benefit associations; authorizing various generalized and specific service credit purchases; excluding certain trades personnel from the public employees retirement association; including certain Dakota county agricultural society employees in the public employees retirement association; authorizing mail-in elections and referenda for the Minneapolis police relief association; modifying restrictions on supplemental retirement plans; clarifying membership for certain faculty collective bargaining representatives; requiring bonding or insurance by certain volunteer fire relief association financial consultants; providing a postretirement adjustment to certain Eveleth police and paid fire trust fund retirees; appropriating money; amending Minnesota Statutes 2000, sections 13D.01, subdivision 1; 69.011, subdivision 1; 352.01, subdivision 11; 352B.01, subdivision 3; 353.01, subdivisions 2a, 2b, 6, 16; 354.41, subdivision 4; 354.534, subdivision 1; 354.536, subdivision 1; 354.539; 354A.098, subdivision 1; 354A.101, subdivision 1; 354A.106; 356.24, subdivision 1; 356.55, subdivision 7; 356A.08, subdivision 1; 422A.155; 423B.01, by adding a subdivision; 423B.05, by adding subdivisions; 424A.04, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 352; 352F; 353F; 354; 354A; 354B; 356; 383D; repealing Minnesota Statutes 2000, section 354.41, subdivision 9."

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.

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

H. F. No. 1527, A bill for an act relating to public safety; enacting Driver's License Agreement Act; modifying definition of passenger automobile to include certain vans; modifying provisions naming vehicles eligible to display collector vehicle plates; providing grounds for cancellation of motor vehicle dealer license; modifying definition of utility trailer as it relates to motor vehicle dealers; providing for uncontested vehicle sale cancellation; allowing traffic accidents to be reported electronically; authorizing nonidentifying traffic accident data to be made public; providing for display and issuance of permits for vehicle registration plates; modifying provisions governing the administrative impoundment of vehicle registration plates; removing requirement that signature on driver's license

or permit be in ink; increasing monetary amount for satisfaction of judgment resulting from traffic accident; modifying driver instruction requirements; expanding ability of department of public safety to capture advertising revenue; making conforming, technical, and clarifying changes and removing unnecessary language; amending Minnesota Statutes 2000, sections 168.011, subdivision 7; 168.09, subdivision 7; 168.10, subdivision 1b; 168.27, subdivisions 12a, 20; 169.09, subdivisions 8, 9, 10, 13; 169.79; 169A.60, subdivisions 8, 14; 171.07, subdivision 1; 171.183, subdivision 1; 171.39; 171.51, subdivision 2; 171.52; 171.55; 299A.01, subdivision 1b; proposing coding for new law in Minnesota Statutes, chapters 168A; 171; repealing Minnesota Statutes 2000, sections 171.50; 171.51, subdivision 1; 171.53.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 168.011, subdivision 7, is amended to read:

Subd. 7. [PASSENGER AUTOMOBILE.] "Passenger automobile" means any motor vehicle designed and used for ~~the~~ carrying of not more than 15 persons including the driver. "Passenger automobile" does not include motorcycles, motor scooters, and buses described in subdivision 9, paragraph (a), clause (2). For purposes of taxation only, "passenger automobile" includes pickup trucks and vans, ~~other than~~ including those vans designed to carry passengers with a manufacturer's nominal rated carrying capacity of one ton, but does not include commuter vans as defined in section 168.126.

Sec. 2. Minnesota Statutes 2000, section 168.09, subdivision 3, is amended to read:

Subd. 3. [PRORATABLE VEHICLES; OTHER VEHICLES.] (a) Plates or other insignia issued for a motor vehicle registered under the provisions of section 168.187 for a calendar year shall be displayed on the motor vehicle not later than 12:01 a.m. on March 2 of the year unless extended by the registrar for the period of time required for the issuance of the new plates or insignia. The commissioner of public safety shall register all motor vehicles registered under section 168.187 for a period of 14 months for the registration year 1994 to implement the provisions of this subdivision. The registration year for vehicles registered under section 168.187 as provided in this section shall be from March 1 to the last day of February for 1995 and succeeding years.

(b) Plates or other insignia issued for a self-propelled motor vehicle registered for over 27,000 pounds except a motor vehicle registered under the provision of sections 168.017 and 168.187 shall be displayed on the vehicle not later than 12:01 a.m. on March 2 of the year, nor earlier than 12:01 a.m. on February 15 of the year, unless otherwise extended by the registrar for the period of time required for the issuance of the new plates or insignia.

(c) Plates or other insignia issued for a self-propelled vehicle registered for 27,000 pounds or less and all other motor vehicles except those registered under the provisions of section 168.017 or 168.187 shall be displayed not later than 12:01 a.m. on March 2 of the year, and not earlier than January 1 of the year unless otherwise extended by the registrar for the period of time required for the issuance of the new plates or insignia. The registration year for all vehicles as provided in this paragraph and paragraph (b) shall be from March 1 to the last day of February for 1979 and succeeding years.

(d) Notwithstanding paragraphs (b) and (c), plates issued for a recreational vehicle shall be displayed not later than 12:01 a.m. on the second day of a month designated by the registrar by order. The registration year for a recreational vehicle is from the first day of the month designated by the registrar under this paragraph to the last day of the eleventh month following that month.

Sec. 3. Minnesota Statutes 2000, section 168.09, subdivision 7, is amended to read:

Subd. 7. [DISPLAY OF TEMPORARY PERMIT; SPECIAL PLATES.] (a) A vehicle that displays a special plate issued under section 168.021; 168.12, subdivision 2, 2a, 2b, 2c, or 2d; 168.123; 168.124; 168.125; 168.126; 168.128; or 168.129 may display a temporary permit in conjunction with expired registration if:

- (1) the current registration tax and all other fees have been paid in full; and
- (2) the plate requires replacement under section 168.12, subdivision 1, paragraph (b), clause (3).

(b) A vehicle that is registered under section 168.10 may display a temporary permit in conjunction with expired registration, with or without a registration license plate, if:

(1) the license plates have been applied for and the registration tax has been paid in full, as provided for in section 168.10; and

(2) the vehicle is used solely as a collector vehicle while displaying the temporary permit and not used for general transportation purposes.

~~(b)~~ (c) The permit is valid for a period of 60 days. The permit must be in a form prescribed by the commissioner of public safety and whenever practicable must be posted upon the driver's side of the rear window on the inside of the vehicle. The permit is valid only for the vehicle for which it was issued to allow a reasonable time for the new license plates to be manufactured and delivered to the applicant.

Sec. 4. Minnesota Statutes 2000, section 168.27, subdivision 12a, is amended to read:

Subd. 12a. [~~GROUND FOR CANCELLATION WITHOUT HEARING; NOTICE REQUIRED.~~] (a) A license may be canceled by the registrar after notice to the dealer, upon satisfactory proof that the dealer: (1) has failed to provide or maintain the required surety bond; or that the dealer; (2) has failed to provide or maintain the insurance required under chapter 65B; or (3) is no longer operating at the dealer's licensed location.

(b) Surety companies and insurers providing required coverages shall promptly notify the registrar upon canceling any surety bond or required insurance. The registrar shall notify the dealer of the reason or reasons for cancellation before the cancellation occurs.

Sec. 5. Minnesota Statutes 2000, section 168.27, subdivision 20, is amended to read:

Subd. 20. [~~APPLICATION TO SALE OF OTHER VEHICLES.~~] (a) This section ~~shall~~ does not apply:

(1) to any person, copartnership, or corporation engaged in the business of selling vehicles designed to operate exclusively over snow, motor scooters, motorized wheelchairs, utility trailers, farm wagons, farm trailers, or farm tractors or other farm implements, whether self-propelled or not; and even though such wagons, trailers, tractors or implements a vehicle listed in this clause may be equipped with a trailer hitch; or

(2) to any person licensed as a real estate broker or salesperson pursuant to chapter 82, who engages in the business of selling, or who offers to sell, or who solicits or advertises the sale of manufactured homes affixed to land; unless such.

(b) However, this section does apply to a person, copartnership, or corporation ~~shall~~ described in paragraph (a) who is also be engaged in the business of selling other motor vehicles or manufactured homes within the provisions of this section.

~~(b)~~ (c) As used in this subdivision ~~the term "utility trailer" has the following meaning:~~ "utility trailer" means a motorless vehicle, other than a boat trailer or snowmobile trailer, equipped with one or two wheels ~~and~~ having a ~~carrying capacity of 2000 gross vehicle weight of 4,000~~ pounds or less, and used for carrying property on its own structure while being drawn by a motor vehicle.

Sec. 6. Minnesota Statutes 2000, section 168.31, subdivision 1, is amended to read:

Subdivision 1. [~~WHEN DUE AND PAYABLE.~~] (a) The tax required under this chapter to be paid upon a motor vehicle for each calendar year becomes due when the vehicle first uses the public streets or highways in the state, and upon January 1 each year thereafter, except those vehicles which are taxed under section 168.017 and vehicles registered under 168.09, subdivision 3. Taxes due upon January 1 become payable upon November 15 preceding the calendar year for which they are assessed.

(b) The tax required to register vehicles for the registration year March 1 to the last day of February is due on March 1 and payable January 1 preceding.

(c) The tax required to register vehicles under the provisions of section 168.017 and recreational vehicles taxed under section 168.013, subdivision 1g, is due the first day of the month commencing the 12-month registration period and payable during the 45 days preceding the due date.

(d) Nothing in this section shall preclude prepayment.

Sec. 7. [168A.101] [CANCELLATION OF MOTOR VEHICLE SALE.]

Subdivision 1. [REQUIRED DOCUMENTATION.] If the parties cancel a purchase of a motor vehicle after the transfer of interest, they must submit within 90 days of the original purchase date the following items:

(1) the outstanding certificate of title with proper assignment; and

(2) an affidavit correcting ownership signed by the parties.

Subd. 2. [REFUNDS.] A party may be eligible for a refund of taxes and fees only if the items indicated in subdivision 1 are submitted within the 90-day time frame unless otherwise provided by law.

Sec. 8. Minnesota Statutes 2000, section 169.09, subdivision 8, is amended to read:

Subd. 8. [OFFICER TO REPORT ACCIDENT TO COMMISSIONER.] ~~Every A law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident of which report must be made as required in that must be reported under this section, either at the time of and at the scene of the accident or thereafter by interviewing participants or witnesses, shall, within ten days after the date of such the accident, forward a an electronic or written report of such the accident to the commissioner of public safety.~~

Sec. 9. Minnesota Statutes 2000, section 169.09, subdivision 9, is amended to read:

Subd. 9. [ACCIDENT REPORT FORMS.] The department of public safety shall prepare, ~~and~~ electronic or written forms for accident reports required under this section. Upon request, the department shall supply the forms to police departments, coroners, sheriffs, garages, and other suitable agencies or individuals, forms for accident reports required hereunder. ~~The forms must be~~ appropriate with respect to the persons required to make ~~such the~~ reports and the purposes to be served. ~~The electronic or written reports report forms to be made completed by persons involved in accidents and by investigating officers shall must call for sufficiently detailed information to disclose with reference to a traffic accident the causes, conditions then existing, and the persons and vehicles involved.~~

Sec. 10. Minnesota Statutes 2000, section 169.09, subdivision 10, is amended to read:

Subd. 10. [USE OF FORM REQUIRED.] ~~Every A required~~ accident report ~~required to be made in writing shall~~ must be made on the an appropriate form approved by the department of public safety and contain all of the information required ~~therein~~ unless not available.

Sec. 11. Minnesota Statutes 2000, section 169.09, subdivision 13, is amended to read:

Subd. 11. [REPORTS CONFIDENTIAL; EVIDENCE, FEE, PENALTY, APPROPRIATION.] (a) ~~All~~ Electronic and written reports and supplemental reports required under this section ~~shall be~~ are for the use of the commissioner of public safety and other appropriate state, federal, county, and municipal governmental agencies for accident analysis purposes, except:

(1) the commissioner of public safety or any law enforcement agency shall, upon written request of any person involved in an accident or upon written request of the representative of the person's estate, surviving spouse, or one or more surviving next of kin, or a trustee appointed pursuant to section 573.02, disclose to the requester, the requester's legal counsel, or a representative of the requester's insurer the report required under subdivision 8;

(2) the commissioner of public safety shall, upon written request, provide the driver filing a report under subdivision 7 with a copy of the report filed by the driver;

(3) the commissioner of public safety may verify with insurance companies vehicle insurance information to enforce sections 65B.48, 169.792, 169.793, 169.796, and 169.797;

(4) the commissioner of public safety shall provide the commissioner of transportation the information obtained for each traffic accident involving a commercial motor vehicle, for purposes of administering commercial vehicle safety regulations; and

(5) the commissioner of public safety may give to the United States Department of Transportation commercial vehicle accident information in connection with federal grant programs relating to safety.

(b) Accident reports and data contained in the reports ~~shall be~~ shall be not discoverable under any provision of law or rule of court. ~~No~~ A report ~~shall~~ may not be used as evidence in any trial, civil or criminal, arising out of an accident, except that the commissioner of public safety shall furnish upon the demand of ~~any~~ a person who has, or claims to have, made a report, or, upon demand of ~~any~~ a court, a certificate showing that a specified accident report has or has not been made to the commissioner solely to prove compliance or failure to comply with the requirements that the report be made to the commissioner.

(c) Nothing in this subdivision prevents ~~any~~ a person who has made a report pursuant to this section from providing information to ~~any~~ persons involved in an accident or their representatives or from testifying in ~~any~~ a trial, civil or criminal, arising out of an accident, as to facts within the person's knowledge. It is intended by this subdivision to render privileged the reports required, but it is not intended to prohibit proof of the facts to which the reports relate.

(d) Disclosing ~~any~~ information contained in ~~any~~ an accident report, except as provided in this subdivision, section 13.82, subdivision 3 or 4, or other statutes, is a misdemeanor.

(e) The commissioner of public safety may charge authorized persons a \$5 fee for a copy of an accident report. The commissioner may also furnish copies of the modified accident records database to private agencies as provided in paragraph (g) for not less than the cost of preparing the copies.

(f) The commissioner and law enforcement agencies may charge commercial users who request access to response or incident data relating to accidents a fee not to exceed 50 cents per report. "Commercial user" is a user who in one location requests access to data in more than five accident reports per month, unless the user establishes that access is not for a commercial purpose. Money collected by the commissioner under this paragraph is appropriated to the commissioner.

(g) The commissioner may provide a modified copy of the accident records database that does not contain names, driver's license numbers, vehicle license plate numbers, addresses, or other identifying data to the public upon request.

Sec. 12. Minnesota Statutes 2000, section 169.79, is amended to read:

169.79 [VEHICLE REGISTRATION.]

(a) No person shall operate, drive, or park a motor vehicle on any highway unless the vehicle is registered in accordance with the laws of this state and has the number plates for the current year only or permit confirming that valid registration or operating authority has been obtained, except as provided in sections 168.10 and 168.12,

subdivision 2f, as assigned to it by the commissioner of public safety, conspicuously displayed thereon in a manner that the view of any plate or permit is not obstructed. A plate issued under section 168.27 or a permit issued under chapter 168 may be displayed on a vehicle in conjunction with expired registration whether or not it displays the license plate to which the last registration was issued.

(b) If the vehicle is a semitrailer, the number plate displayed must be assigned to the registered owner and correlate to the certificate of title documentation on file with the department and shall not display a year indicator.

(c) If the vehicle is a motorcycle, motor scooter, motorized bicycle, motorcycle sidecar, trailer, semitrailer, or vehicle displaying a dealer plate, one plate ~~shall~~ must be displayed on the rear ~~thereof~~ of the vehicle.

(d) If the vehicle is (1) a collector's vehicle with a pioneer, classic car, collector, or street rod license; (2) a vehicle that meets the requirements of a pioneer, classic, or street rod vehicle except that the vehicle is used for general transportation purposes; or (3) a vehicle that is of model year 1972 or earlier, not registered under section 168.10, subdivision 1c, and is used for general transportation purposes, one plate ~~shall~~ must be displayed on the rear of the vehicle, or one plate on the front and one on the rear, at the discretion of the owner.

(e) If the vehicle is a truck-tractor, road-tractor or farm truck, as defined in section 168.011, subdivision 17, but excluding from that definition semitrailers and trailers, one plate ~~shall~~ must be displayed on the front ~~thereof~~ of the vehicle.

(f) If the motor vehicle is any kind of motor vehicle other than those provided for in paragraphs (b) to (d), one plate ~~shall~~ must be displayed on the front and one on the rear ~~thereof~~ of the vehicle.

(g) All plates ~~shall~~ must be securely fastened so as to prevent them from swinging. The person driving the motor vehicle shall keep the plate legible and unobstructed and free from grease, dust, or other blurring material so that the lettering ~~shall be~~ is plainly visible at all times. It is unlawful to cover any assigned letters and numbers or the name of the state of origin of a license plate with any material whatever, including any clear or colorless material that affects the plate's visibility or reflectivity.

(h) License plates issued to vehicles registered under section 168.017 must display the month of expiration in the lower left corner as viewed facing the plate and the year of expiration in the lower right corner as viewed facing the plate. License plates issued to vehicles registered under section 168.127 must display either fleet registration validation stickers in the lower right corner as viewed facing the plates or distinctive license plates, issued by the registrar, with "FLEET REG" embossed on the bottom center portion of the plate.

Sec. 13. Minnesota Statutes 2000, section 171.07, subdivision 1, is amended to read:

Subdivision 1. [LICENSE; CONTENTS.] ~~The department shall;~~ Upon the payment of the required fee, the department shall issue to every qualifying applicant ~~qualifying therefor~~ for a license designating the type or class of vehicles the applicant is authorized to drive as applied for, ~~which.~~ This license shall must bear ~~thereon~~ a distinguishing number assigned to the licensee, the full name, date of birth, residence address and permanent mailing address if different, a description of the licensee in such manner as the commissioner deems necessary, and a space upon which the licensee shall write the usual signature and the date of birth of the licensee ~~with pen and ink~~. No license ~~shall be~~ is valid until it has been ~~so~~ signed by the licensee. Except in the case of an instruction permit, every license ~~shall must~~ bear ~~thereon~~ a colored photograph or an electronically produced image of the licensee. Every license issued to an applicant under the age of 21 ~~shall must~~ be of a distinguishing color and plainly marked "Under-21." The department shall use such process or processes in the issuance of licenses that prohibits, as near as possible, the ability to alter or reproduce the licenses, or prohibit the ability to superimpose a photograph or electronically produced image on ~~such the~~ the licenses, without ready detection. A license issued to an applicant ~~of~~ age 65 or over ~~shall must~~ be plainly marked "senior" if requested by the applicant.

Sec. 14. Minnesota Statutes 2000, section 171.183, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENTS.] For the purposes of sections 171.182 to 171.184, a judgment is satisfied if:

(1) ~~\$25,000~~ \$30,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident;

(2) subject to the limit of ~~\$25,000~~ \$30,000 because of bodily injury to or death of one person, the sum of ~~\$50,000~~ \$60,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

(3) \$10,000 has been credited upon any judgment or judgments rendered in excess of that amount because of damage to or destruction of property of others as a result of any one accident.

Sec. 15. Minnesota Statutes 2000, section 171.39, is amended to read:

171.39 [EXEMPTIONS.]

(a) The provisions of sections 171.33 to 171.41 ~~shall do~~ not apply: to any person giving driver training lessons without charge; to employers maintaining driver training schools without charge for their employees only; to a home-school within the meaning of sections 120A.22 and 120A.24; or to schools or classes conducted by colleges, universities, and high schools as a part of the normal program for such those institutions; ~~nor to those schools or persons described in section 171.05, subdivision 2.~~

(b) Any person who is a certificated driver training instructor in a high school driver training program may give driver training instruction to persons over the age of 18 without acquiring a driver training school license or instructor's license, and ~~such those~~ instructors may make a charge for that instruction, if there is no private commercial driver training school licensed under ~~this statute~~ sections 171.33 to 171.41 within ten miles of the municipality where ~~such driver training~~ instruction is given and there is no adult drivers training program in effect in the schools of the school district in which the trainee resides.

Sec. 16. Minnesota Statutes 2000, section 299A.01, subdivision 1b, is amended to read:

Subd. 1b. [DEPARTMENT ADVERTISING SALES; APPROPRIATION.] The commissioner may accept paid advertising for departmental publications, media productions, or other informational materials. Advertising revenues received are appropriated to the commissioner to be used to defray costs of publications, media productions, or other informational materials. The commissioner may not accept paid advertising from an elected official or candidate for elective office.

Sec. 17. [TRANSITION.]

Subdivision 1. [EXTENSION OF REGISTRATION.] The registration period of a recreational vehicle taxed under Minnesota Statutes, section 168.013, subdivision 1g, the Minnesota registration of which would otherwise expire on February 28, 2002, is extended to the last day of the month preceding the month that is designated by the registrar of motor vehicles under section 2 as the first month of the registration year for recreational vehicles.

Subd. 2. [RENEWED REGISTRATION; PROPORTIONATE INCREASE IN TAX.] The tax on a recreational vehicle described in subdivision 3, paragraph (a), the registration of which is renewed in 2002 for the registration year beginning on the first day of the month that is designated by the registrar of motor vehicles under section 2 as the first month of the registration year for recreational vehicles, is increased by an amount equal to 1/12 of the tax imposed under that subdivision for each month between March and the month preceding the designated month.

Subd. 3. [NEW REGISTRATION.] (a) The tax imposed on a recreational vehicle taxable under Minnesota Statutes, section 168.013, subdivision 1g, that is registered for the first time in Minnesota during the period between March 1, 2002, and the first day of the month that is designated by the registrar of motor vehicles under section 2 as the first month of the registration year for recreational vehicles, shall be 1/12 of the tax imposed under that subdivision for each month during that period.

(b) The registrar may, at the registrar's discretion, register recreational vehicles described in paragraph (a) for more than 12 consecutive months for a tax consisting of the annual tax plus 1/12 of the annual tax for each month of registration over 12. The authority in this paragraph expires December 31, 2002.

(c) The 1/12 tax for any month under paragraphs (a) and (b) is reduced by 50 percent for any new registration of a recreational vehicle that is made after the 15th day of that month.

Sec. 18. [EFFECTIVE DATE.]

Sections 1, 3 to 5, and 7 to 15 are effective July 1, 2001. Section 16 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to public safety; modifying definition of passenger automobile to include certain vans; modifying provisions governing registration of recreational vehicles; providing grounds for cancellation of motor vehicle dealer license; modifying definition of utility trailer as it relates to motor vehicle dealers; providing for uncontested vehicle sale cancellation; allowing traffic accidents to be reported electronically; authorizing nonidentifying traffic accident data to be made public; providing for display and issuance of permits for vehicle registration plates; removing requirement that signature on driver's license or permit be in ink; increasing monetary amount for satisfaction of judgment resulting from traffic accident; modifying driver instruction requirements; expanding ability of department of public safety to capture advertising revenue; making conforming, technical, and clarifying changes and removing unnecessary language; amending Minnesota Statutes 2000, sections 168.011, subdivision 7; 168.09, subdivisions 3, 7; 168.27, subdivisions 12a, 20; 168.31, subdivision 1; 169.09, subdivisions 8, 9, 10, 13; 169.79; 171.07, subdivision 1; 171.183, subdivision 1; 171.39; 299A.01, subdivision 1b; proposing coding for new law in Minnesota Statutes, chapter 168A."

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

The report was adopted.

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

H. F. No. 1541, A bill for an act relating to landlords and tenants; requiring landlords to accept current tenant reports on prospective tenants if available; proposing coding for new law in Minnesota Statutes, chapter 504B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [RENTAL APPLICATION FEES.]

The commissioner of the housing finance agency shall convene a committee to study rental application fees paid by prospective tenants of residential apartment units. The committee must include one member from each of the major parties from the house of representatives and senate to be appointed by the chairs of the respective policy committees overseeing landlord tenant issues, as well as members representing landlord and tenant advocacy groups

and tenant screening companies. The committee shall consider various means for reducing the burden on prospective tenants of paying multiple rental application fees when applying for residential housing and make recommendations to the legislature by January 1, 2002."

Delete the title and insert:

"A bill for an act relating to landlords and tenants; requiring a study of rental application fees."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1591, A bill for an act relating to game and fish; authorizing grants for aquatic restoration; providing for administrative penalty orders; clarifying construction of law relating to decoys; providing for disposition of federal aid; providing for compliance with federal law; modifying turtle licensing and taking provisions; providing for conservation law enforcement by agreement with Indian authorities; providing penalties; amending Minnesota Statutes 2000, sections 84.027, by adding a subdivision; 97A.021, subdivision 3; 97A.055, by adding a subdivision; 97A.475, subdivision 41; 97C.605; and 97C.611; proposing coding for new law in Minnesota Statutes, chapters 84; 97A; 97C; and 626; repealing Minnesota Statutes 2000, section 16A.68; Minnesota Rules, parts 6256.0500, subpart 2; and 6266.0600, subpart 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 84.027, is amended by adding a subdivision to read:

Subd. 16. [AQUATIC RESTORATION GRANTS.] The commissioner may make grants for aquatic restoration projects, research, and propagation.

Sec. 2. [87A.01] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 87A.01 to 87A.06.

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

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

Subd. 4. [GENERALLY ACCEPTED OPERATION PRACTICES.] "Generally accepted operation practices" means those voluntary guidelines adopted by the commissioner of natural resources for the safe operation of shooting ranges. In developing the guidelines, the commissioner shall consult with range operators. The generally accepted operation practices shall be reviewed at least every five years by the commissioner of natural resources and revised as the commissioner considers necessary for safe operation of a shooting range. The commissioner shall adopt initial guidelines by July 1, 2001.

Subd. 5. [UNIT OF GOVERNMENT.] "Unit of government" means a home rule charter or statutory city, county, town, municipal corporation, or other political subdivision, or any of their instrumentalities.

Sec. 3. [87A.02] [LOCAL ORDINANCES; EXISTING OPERATIONS.]

(a) A shooting range that is in operation and is in material compliance with existing law at the time of the enactment of an ordinance of a unit of government affecting, directly or indirectly, operation or use of a shooting range must be permitted to continue in operation even if the operation of the shooting range at a later date does not conform to the new ordinance or an amendment to an existing ordinance.

(b) A shooting range that operates in material compliance with generally accepted operation practices, even if not in compliance with an ordinance of a unit of government affecting, directly or indirectly, operation or use of a shooting range, must be permitted to do all of the following within its geographic boundaries if done in accordance with generally accepted operation practices:

(1) repair, remodel, improve, replace, construct, or reinforce any conforming or nonconforming building or structure as may be necessary or desirable in the interest of safety or to secure the continued use of the range, building, or structure;

(2) reconstruct, repair, restore, remodel, improve, replace, or resume the use of any conforming or nonconforming building or structure damaged by fire, collapse, erosion, explosion, act of God, or act of war; and

(3) do anything not prohibited by generally accepted operation practices, including:

(i) expand or increase its membership or opportunities for public participation; and

(ii) make those repairs or improvements necessary or desirable under generally accepted operation practices.

(c) Nothing in sections 87A.01 to 87A.06 exempts any newly constructed or remodeled building on a shooting range from compliance with fire safety, handicapped accessibility, elevator safety, bleacher safety, or other provisions of the State Building Code that have mandatory statewide application.

Sec. 4. [87A.03] [CLOSING OR RELOCATING SHOOTING RANGES; PAYMENT OF CERTAIN COSTS.]

Subdivision 1. [CLOSING OR RELOCATING CRITERIA.] A shooting range may be closed under subdivision 3, or relocated under subdivision 4, by a state agency or unit of government only if, because of new, permitted development of adjacent land, the range becomes a clear, immediate, and proven safety hazard to the adjacent population and it cannot be brought into material compliance with generally accepted operation practices with range or operation improvements.

Subd. 2. [PROCEDURE.] The clear and immediate safety hazard must be proven at a contested case hearing. The hearing must be held after the commissioner provides notice to the owner and operator of the shooting range that includes a clear and precise statement of the factual basis for alleging a safety hazard. The owner and operator of the shooting range must be given an opportunity to be heard and meet the allegation. The commissioner must make written findings and conclusions as to the hazard and whether range improvements can bring the range into material compliance with the generally accepted operation practices. If the commissioner concludes that there is a clear and immediate safety hazard and the operation of the shooting range can be brought into material compliance with the generally accepted operating practices with range improvements, the state agency or unit of government that permitted the development must pay for the range improvements.

Subd. 3. [CLOSURE.] If a clear and immediate safety hazard is proven as required under subdivisions 1 and 2, a shooting range may be closed by the state agency or the unit of government if the agency or unit of government closing the shooting range pays the fair market value of the range operation as a going concern to the operators and the fair market value of the land, including improvements, to the owner of the land.

Subd. 4. [RELOCATION.] Upon request by the operator of the shooting range, the agency or unit of government must relocate the shooting range to a suitable new location if available. The agency or unit of government may use its power of eminent domain to acquire the new location.

Subd. 5. [TRANSFER OF TITLE.] The shooting range owner and operator shall transfer their interests in the property to the agency or unit of government after full and final payment under subdivision 3 or after the relocation is completed under subdivision 4.

Sec. 5. [87A.04] [IRREBUTTABLE PRESUMPTION; NUISANCE LIABILITY.]

In all relevant actions, there shall exist an irrebuttable presumption that a shooting range that is conducted in material compliance with generally accepted operation practices is not a public or private nuisance and does not otherwise invade or interfere with the use and enjoyment of any other land or property.

Sec. 6. [87A.05] [SHOOTING RANGES; NOISE STANDARDS.]

A person who owns, operates, or uses a shooting range in this state is subject only to the noise standards set forth in Minnesota Rules, part 7030.0040, subpart 2, in effect on March 1, 1999.

Sec. 7. [87A.06] [NUISANCE ACTIONS.]

A person who owns, operates, or uses a shooting range in this state that is in material compliance with generally accepted operation practices is not subject to any action for nuisance and no court of this state may enjoin or restrain the use or operation of such a range. This section does not prohibit an action for personal injury resulting from recklessness or negligence in the operation of the range or by a person using the range in a reckless or negligent manner.

Sec. 8. Minnesota Statutes 2000, section 97A.021, subdivision 3, is amended to read:

Subd. 3. [PARTS AND DECOYS OF WILD ANIMALS.] A provision relating to a wild animal applies in the same manner to a part of the wild animal and includes decoys of wild animals placed by a licensed peace officer.

Sec. 9. Minnesota Statutes 2000, section 97A.055, is amended by adding a subdivision to read:

Subd. 2a. [FEDERAL FUNDS TO THE GAME AND FISH FUND.] (a) Federal aid reimbursements under the Federal Aid in Wildlife Restoration Act, as provided by United States Code, title 16, sections 669 to 669i, shall be deposited in the game and fish fund.

(b) Federal aid reimbursements under the Federal Aid in Fish Restoration Act, as provided by United States Code, title 16, sections 777 to 777k, shall be deposited in the game and fish fund.

Sec. 10. [97A.057] [FEDERAL LAW COMPLIANCE; RESTRICTIONS ON LICENSE REVENUE.]

Subdivision 1. [COMPLIANCE.] The commissioner shall take the action necessary to comply with the Federal Aid in Wildlife Restoration Act, as provided by United States Code, title 16, sections 669 to 669i, and the Federal Aid in Fish Restoration Act, as provided by United States Code, title 16, sections 777 to 777k.

Subd. 2. [RESTRICTIONS ON LICENSE REVENUE.] Money accruing to the state from fees charged for hunting and angling licenses shall not be used for any purpose other than game and fish and related activities under the administration of the commissioner.

Sec. 11. [97A.124] [PREDATOR MANAGEMENT PROGRAM.]

The commissioner must develop a predator management program proposal that focuses on protecting ground nesting birds from predators, including but not limited to, skunk, raccoon, and fox.

Sec. 12. Minnesota Statutes 2000, section 97A.475, subdivision 41, is amended to read:

Subd. 41. [TURTLE SELLERS LICENSES.] (a) The fee for a turtle seller's license to sell turtles and to take, transport, purchase buy, and possess turtles for sale is \$70.

(b) The fee for a recreational turtle license to take, transport, and possess turtles is \$25.

(c) The fee for a turtle seller's apprentice license is \$25.

Sec. 13. Minnesota Statutes 2000, section 97B.603, is amended to read:

97B.603 [TAKING SMALL GAME AS A PARTY HUNTING.]

While two or more persons are ~~hunting~~ taking small game as a party and maintaining unaided visual and vocal contact, a member of the party may take and possess more than one limit of small game, but the total number of small game taken and possessed by the party may not exceed the limit of the number of persons in the party that may take and possess small game. This section does not apply to the hunting of migratory game birds or turkeys, except that a licensed turkey hunter may assist another licensed turkey hunter for the same zone and time period as long as the hunter does not shoot or tag a turkey for the other hunter.

Sec. 14. Minnesota Statutes 2000, section 97B.901, is amended to read:

97B.901 [~~COMMISSIONER MAY REQUIRE TAGS ON~~ REGISTRATION AND TAGGING OF FUR-BEARING ANIMALS.]

(a) The commissioner may, by rule, require persons taking, possessing, and transporting fur-bearing animals to tag the animals. The commissioner shall prescribe the manner of issuance and the type of tag, which must show the year of issuance. The commissioner shall issue the tag, without a fee, upon request.

(b) The pelt of each bobcat, fisher, pine marten, and otter must be presented, by the person taking it, to a state wildlife manager or designee for registration before the pelt is sold and before the pelt is transported out of the state, but in no event more than 48 hours after the season closes for the species. Until March 1, 2003, a possession or site tag is not required prior to registration of the bobcat, fisher, pine marten, or otter.

Sec. 15. Minnesota Statutes 2000, section 97B.931, is amended by adding a subdivision to read:

Subd. 3. [SNARES.] A snare need not be tended more frequently than once every third calendar day.

Sec. 16. [97C.303] [CONSERVATION ANGLING LICENSE.]

Subdivision 1. [AVAILABILITY.] The commissioner shall make available a conservation angling license according to this section. Conservation angling licenses shall be offered for resident and nonresident individuals, resident married couples, nonresident married couples valid for 14 consecutive days, and nonresident families.

Subd. 2. [DAILY AND POSSESSION LIMITS.] Daily and possession limits for fish taken under a conservation angling license are one-half the daily and possession limits for the corresponding fish taken under a standard angling license, rounded down to the next whole number if necessary.

Subd. 3. [LICENSE FEE.] The fee for a conservation angling license issued under this section is two-thirds of the corresponding standard angling license fee under section 97A.475, subdivision 6 or 7, rounded to the nearest whole dollar.

Sec. 17. Minnesota Statutes 2000, section 97C.315, subdivision 1, is amended to read:

Subdivision 1. [LINES.] An angler may ~~not use more than one line except:~~

~~(1) two lines may be used to take fish through the ice; and~~

~~(2) the commissioner may, by rule, authorize the use of two lines in areas designated by the commissioner in Lake Superior.~~

Sec. 18. Minnesota Statutes 2000, section 97C.355, subdivision 2, is amended to read:

Subd. 2. [LICENSE REQUIRED.] A person may not take fish from a dark house or fish house unless the house is licensed and has a durable license tag attached to the exterior as prescribed by the commissioner, except as provided in this subdivision. The commissioner must issue a durable tag that is at least two inches in diameter with a 3/16 inch hole in the center with a dark house or fish house license. The durable tag must be marked with a number to correspond with the license and the year of issue. A dark house or fish house license is not required for a portable house removed from the ice on a daily basis or of a resident on boundary waters where the adjacent state does not charge a fee for the same activity.

Sec. 19. Minnesota Statutes 2000, section 97C.605, is amended to read:

97C.605 [TURTLES.]

Subdivision 1. [RESIDENT ANGLING LICENSE REQUIRED.] A person may not take, possess, or transport turtles without ~~an~~ a resident angling license, except as provided in subdivision ~~2~~ 2c.

Subd. 2. [TURTLE SELLER'S LICENSE.] ~~(a)~~ A person may not take, buy, possess, or transport, ~~or purchase~~ turtles for sale, sell turtles, or take turtles for sale using commercial equipment, as described in subdivision 3a, without a turtle seller's license, except as provided in ~~this~~ subdivision 2c.

Subd. 2a. [RECREATIONAL TURTLE LICENSE.] A person who does not possess a turtle seller's license may take turtles for personal use with commercial equipment, as described in subdivision 3a, with a recreational turtle license.

Subd. 2b. [TURTLE SELLER'S APPRENTICE LICENSE.] (a) A person with a turtle seller's license may list one person as an apprentice on the license. A person acting as an apprentice for a turtle seller licensee must have an apprentice license and may assist the turtle seller licensee in all licensed activities.

(b) The turtle seller licensee or the turtle seller's apprentice licensee must be present at all turtle operations conducted under the turtle seller's license. Turtle operations include going to and from turtle harvest locations; setting, lifting, and removing commercial turtle equipment; and transporting turtles from harvest locations.

(c) A turtle seller's apprentice license is transferable by the turtle seller licensee by making application to the commissioner. A person listed as an apprentice by a turtle seller licensee must not be listed as an apprentice by another turtle seller licensee nor may an apprentice possess a turtle seller's license or a recreational turtle license.

~~(b)~~ Subd. 2c. [LICENSE EXEMPTIONS.] A person does not need a turtle seller's license or an angling license:

(1) when buying turtles for resale at a retail outlet;

(2) when buying a turtle at a retail outlet; or

(3) if the person is a nonresident buying a turtle from a licensed turtle seller for export out of state. Shipping documents provided by the turtle seller must accompany each shipment exported out of state by a nonresident. Shipping documents must include: name, address, city, state, and zip code of the buyer; number of each species of turtle; and name and license number of the turtle seller.

Subd. 3. [TAKING; METHODS PROHIBITED.] ~~(a) Except as allowed in paragraph (b);~~ A person may take turtles in any manner, except by the use of:

(1) explosives, drugs, poisons, lime, and other harmful substances;

(2) traps, ~~except as provided under subdivision 3a; or~~

(3) nets other than anglers' fish landing nets; ~~or~~

(4) commercial equipment, ~~except as provided under subdivision 3a.~~

~~(b) A person with a turtle seller's license may take turtles with a floating turtle trap that:~~

~~(1) has one or more openings above the water surface that measure at least ten inches by four inches; and~~

~~(2) has a mesh size of not less than one-half inch, bar measure.~~

The commissioner may prescribe additional regulations for taking turtles for sale.

Subd. 3a. [COMMERCIAL EQUIPMENT FOR TAKING TURTLES.] (a) A person with a turtle seller's license or a recreational turtle license may take turtles with a floating or submerged turtle trap, turtle hooks, and other commercial equipment authorized by the commissioner.

(b) Floating traps must have:

(1) one or more openings above the water surface that measure at least ten inches by four inches; and

(2) a mesh size of not less than one-half inch bar measure.

(c) Submerged traps must be constructed of either flexible webbing or wire. Flexible webbing traps must be of a mesh size not less than 3-1/2 inches bar measure or seven inches stretch measure. Wire traps must be of a mesh size not less than two-inch by four-inch bar measure and must have one square opening on the top at least four inches on a side and two square openings of the same dimension on each of the side panels near the top of the trap.

(d) A person with a turtle seller's license must not operate more than 40 submerged turtle traps and 40 floating turtle traps.

(e) A person with a recreational turtle license may use floating or submerged turtle traps, but must not operate more than three turtle traps.

(f) The commissioner shall issue 40 identification tags for submerged turtle traps and 40 identification tags for floating turtle traps to a turtle seller licensee and three turtle trap identification tags to a recreational turtle licensee. Tags must be attached to submerged and floating traps at all times. Lost tags must be reported within 48 hours to the local conservation officer or the commercial fisheries program consultant. The commissioner may reissue tags upon request.

Subd. 3b. [INTERFERENCE WITH COMMERCIAL OR RECREATIONAL TURTLE OPERATIONS.] A person may not:

(1) knowingly place or maintain an obstruction that will hinder, prevent, or interfere with a licensed turtle operation;

(2) remove turtles, other wild animals, or fish from a floating or submerged trap licensed under the game and fish laws; or

(3) knowingly damage, disturb, or interfere with a licensed turtle operation.

Subd. 4. [ARTIFICIAL LIGHTS.] The commissioner may issue permits to take turtles with the use of artificial lights in designated waters.

Sec. 20. Minnesota Statutes 2000, section 97C.611, is amended to read:

97C.611 [SNAPPING TURTLES; LIMITS.]

A person may not possess more than three snapping turtles of the species *Chelydra serpentina* without a turtle seller's license. A person, including a licensed turtle seller, recreational turtle licensee, or turtle seller's apprentice, may not take snapping turtles ~~of a size~~ less than ten inches wide including curvature, measured from side to side across the shell at midpoint.

Sec. 21. [97C.612] [WESTERN PAINTED TURTLES; LIMITS.]

A licensed turtle seller, a recreational turtle licensee, or a turtle seller's apprentice may not take western painted turtles greater than five inches in shell length.

Sec. 22. Minnesota Statutes 2000, section 103G.265, subdivision 3, is amended to read:

Subd. 3. [CONSUMPTIVE USE OF MORE THAN 2,000,000 GALLONS PER DAY.] (a) Except as provided in paragraph (b), a water use permit or a plan that requires a permit or the commissioner's approval, involving a consumptive use of more than 2,000,000 gallons per day average in a 30-day period, may not be granted or approved until:

(1) a determination is made by the commissioner that the water remaining in the basin of origin will be adequate to meet the basin's water resources needs during the specified life of the consumptive use; and

(2) approval of the consumptive use is given by the legislature.

(b) Legislative approval under paragraph (a), clause (2), is not required for a consumptive use in excess of 2,000,000 gallons per day average in a 30-day period for:

(1) a domestic water supply, excluding industrial and commercial uses of a municipal water supply;

(2) agricultural irrigation and processing of agricultural products;

(3) construction and metallic mineland dewatering;

(4) pollution abatement or remediation; and

(5) fish and wildlife enhancement projects using surface water sources.

Sec. 23. [348.125] [COYOTE CONFLICT MANAGEMENT OPTION.]

A county board may, by resolution, offer a bounty for the destruction of coyotes (Canis latrans). The resolution may be made applicable to the whole or any part of the county. The bounty must apply during the months specified in the resolution and be in an amount determined by the board.

Sec. 24. [EFFECTIVE DATE.]

Sections 2 to 7, 12, and 19 to 21 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to natural resources; authorizing grants for aquatic restoration; providing for the operation of shooting ranges; clarifying construction of law relating to decoys; providing for disposition of federal aid; providing for compliance with federal law; requiring a predator management program proposal; modifying turtle licensing and taking provisions; modifying certain small game provisions; providing for a conservation angling license; modifying certain angling provisions; allowing counties to offer bounties for coyotes; modifying certain water use permit provisions; amending Minnesota Statutes 2000, sections 84.027, by adding a subdivision; 97A.021, subdivision 3; 97A.055, by adding a subdivision; 97A.475, subdivision 41; 97B.603; 97B.901; 97B.931, by adding a subdivision; 97C.315, subdivision 1; 97C.355, subdivision 2; 97C.605; 97C.611; 103G.265, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 97A; 97C; 348; proposing coding for new law as Minnesota Statutes, chapter 87A."

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

The report was adopted.

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

H. F. No. 1595, A bill for an act relating to natural resources; modifying forest resource planning requirements; providing for notification of proposed changes to forest management guidelines; adding duties for regional forest resource committees; modifying monitoring and reporting requirements; modifying review requirements for forest management guidelines; modifying research requirements; extending the authorization for the Minnesota forest resources council; appropriating money; amending Minnesota Statutes 2000, sections 89.001, by adding a subdivision; 89.012; 89A.01, subdivision 3; 89A.05, subdivisions 1, 2a, 4; 89A.06, subdivisions 2, 2a; 89A.08, subdivision 4; Laws 1995, chapter 220, section 142, as amended; proposing coding for new law in Minnesota Statutes, chapter 89; repealing Minnesota Statutes 2000, section 89A.07, subdivisions 1, 2, 3.

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

The report was adopted.

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

H. F. No. 1596, A bill for an act relating to transportation; authorizing use of wheelchair-accessible vehicles in taxicab service in the metropolitan area; proposing coding for new law in Minnesota Statutes, chapter 221.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 221.011, subdivision 49, is amended to read:

Subd. 49. [SMALL VEHICLE PASSENGER SERVICE.] (a) "Small vehicle passenger service" means a service provided by a person engaged in the for-hire transportation of passengers in a vehicle designed to transport seven or fewer persons, including the driver.

(b) In the metropolitan area as defined in section 473.121, subdivision 2, "small vehicle passenger service" also includes for-hire transportation of persons who are certified by the metropolitan council to use special transportation service provided under section 473.386, in a vehicle designed to transport not more than 15 persons including the driver, that is equipped with a wheelchair lift and at least three wheelchair securement positions.

Sec. 2. Minnesota Statutes 2000, section 473.386, is amended by adding a subdivision to read:

Subd. 8. [TRANSFER OF VEHICLES.] The metropolitan council may transfer to a special transportation service provider or a provider of taxi services the title to a vehicle formerly used to provide special transportation service under this section. If the council transfers title to a provider of taxi services, it may do so only to a provider of taxi services that is licensed by a city whose taxi licensing ordinance requires (1) criminal background checks and annual driving record checks for drivers, and (2) inspection of vehicles at least annually.

Sec. 3. [APPLICATION.]

Sections 1 and 2 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Delete the title and insert:

"A bill for an act relating to transportation; expanding definition of small vehicle passenger service to include certain transportation provided in wheelchair-accessible vehicles; imposing restrictions on transfer of former metro mobility vehicles by the metropolitan council; amending Minnesota Statutes 2000, sections 221.011, subdivision 49; 473.386, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1705, A bill for an act relating to drivers' licenses; creating driver's license account and allocating to the account proceeds of fees relating to functions of department of public safety; appropriating money from the account; amending Minnesota Statutes 2000, sections 169.09, subdivision 13; 170.23; 171.06, subdivision 2a; 171.07, subdivision 11; 171.13, subdivision 6; 171.185; 171.26; 171.29, subdivision 2; and 171.36.

Reported the same back with the following amendments:

Page 6, line 34, after the period, insert "Beginning in 2002, the commissioner shall submit to the commissioner of finance, with copies to the chairs of the senate and house of representatives committees having jurisdiction over transportation finance, by October 15, an audited report summarizing expenditures under this paragraph for the previous fiscal year and projections for the current fiscal year."

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

The report was adopted.

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

H. F. No. 1763, A bill for an act relating to drainage; allowing transfer of a public drainage system to a water management authority; defining water management authority; amending Minnesota Statutes 2000, section 103E.005, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103E.

Reported the same back with the following amendments:

Page 5, line 18, delete "transferred"

Page 5, line 20, delete "transferred" and after "system" insert "established under Minnesota Statutes, chapter 103E."

Page 5, line 24, delete "transferred"

Page 5, line 26, delete "transferred"

Page 5, line 28, after "system" insert "or portion of the drainage system"

Page 5, line 31, after "the" insert "administration of the"

Page 5, line 32, delete "regulation under"

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

The report was adopted.

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

H. F. No. 1807, A bill for an act relating to children; providing for measures to improve child support collection and enforcement; providing civil penalties; amending Minnesota Statutes 2000, sections 13B.06, subdivision 7; 256.01, subdivision 2; 256.741, subdivisions 1 and 5; 256.979, subdivisions 5 and 6; 393.07, by adding a subdivision; 518.551, subdivision 13; 518.5513, subdivision 5; 518.575, subdivision 1; 518.5851, by adding a subdivision; 518.5853, by adding a subdivision; 518.6195; 518.64, subdivision 2; 518.641, subdivisions 1, 2, 3, and by adding a subdivision; and 548.091, subdivision 1a; repealing Minnesota Statutes 2000, section 518.641, subdivisions 4 and 5.

Reported the same back with the following amendments:

Page 2, line 13, delete "legislature" and insert "chairs of the committees in the house of representatives and senate with jurisdiction over child support issues"

Pages 2 to 11, delete section 2

Page 11, line 32, delete "a noncustodial parent" and insert "an obligor"

Page 13, line 15, strike "except as provided under"

Page 13, line 16, strike everything before the period and insert "and repaid to the child support agency for any month when the direct support retained is greater than the court-ordered child support and the assistance payment and the obligor owes support arrears"

Page 13, before line 17, insert:

"Sec. 4. Minnesota Statutes 2000, section 256.741, subdivision 8, is amended to read:

Subd. 8. [REFUSAL TO COOPERATE WITH SUPPORT REQUIREMENTS.] (a) Failure by a caregiver to satisfy any of the requirements of subdivision 5 constitutes refusal to cooperate, and the sanctions under paragraph (b) apply. The IV-D agency must determine whether a caregiver has refused to cooperate according to subdivision 5.

(b) Determination by the IV-D agency that a caregiver has refused to cooperate has the following effects:

(1) a caregiver is subject to the applicable sanctions under section 256J.46;

(2) a caregiver who is not a parent of a minor child in an assistance unit may choose to remove the child from the assistance unit unless the child is required to be in the assistance unit; and

(3) a parental caregiver who refuses to cooperate is ineligible for medical assistance; ~~and~~

~~(4) direct support retained by a caregiver must be counted as unearned income when determining the amount of the assistance payment."~~

Page 14, delete lines 18 to 33 and insert:

"Subd. 9a. [ADMINISTRATIVE PENALTIES.] (a) The public authority, as defined in section 518.54, may sanction an employer or payor of funds \$25 per day, up to \$500 per incident, for failing to comply with section 518.5513, subdivision 5, paragraph (a), clauses (5) and (8), if:

(1) the public authority mails the employer or payor of funds a notice of an administrative sanction, at the employer's or payor's of funds last known address, which includes the date the sanction will take effect, the amount of the sanction, the reason for imposing the sanction, and the corrective action that must be taken to avoid the sanction; and

(2) the employer or payor of funds fails to correct the violation before the effective date of the sanction.

(b) The public authority shall include with the sanction notice an additional notice of the right to appeal the sanction and the process for making the appeal.

(c) Unless an appeal is made, the administrative determination of the sanction is final and binding."

Pages 14 to 18, delete section 8

Page 28, line 2, strike "for" and insert "establishing, modifying, or enforcing"

Page 28, line 7, delete "A"

Page 28, delete lines 8 to 11

Page 28, line 12, delete "cost-of-living clause."

Page 32, line 9, delete the comma

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "256.01,"

Page 1, line 6, delete "subdivision 2;" and delete "1 and 5" and insert "1, 5, and 8"

Page 1, line 8, delete "518.551, subdivision 13;"

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

The report was adopted.

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

H. F. No. 1808, A bill for an act relating to crime prevention; adding the chemical substance known as MDMA to the list of schedule I controlled substances; adding the chemical substances known as MDMA and MDA to certain controlled substance penalty enhancement provisions; amending Minnesota Statutes 2000, sections 152.02, subdivision 2; 152.022, subdivision 1; and 152.023, subdivision 2.

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

The report was adopted.

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

H. F. No. 1855, A bill for an act relating to public administration; providing for design-build contracts; providing for exempt rules; amending Minnesota Statutes 2000, section 16B.31, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16C.

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

The report was adopted.

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

H. F. No. 1872, A bill for an act relating to vocational rehabilitation; making technical changes; modifying procedures for grants to rehabilitation facilities; amending Minnesota Statutes 2000, sections 268A.06, subdivision 1; and 268A.08; repealing Minnesota Statutes 2000, section 268A.06, subdivision 3.

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

The report was adopted.

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

H. F. No. 1893, A bill for an act relating to employment; regulating payment of wages; prohibiting employers from requiring employees or job applicants to pay for background checks or training; amending Minnesota Statutes 2000, section 181.03; proposing coding for new law in Minnesota Statutes, chapter 181.

Reported the same back with the following amendments:

Page 2, line 7, delete "AND"

Page 2, line 8, delete "TRAINING"

Page 2, line 9, before "An" insert "Except as provided by section 123B.03 or as otherwise specifically provided by law."

Page 2, line 12, after "sort," insert "or" and delete everything after "orientation"

Page 2, delete line 13

Page 2, line 14, delete everything before the period

Amend the title as follows:

Page 1, line 4, delete "or training"

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

The report was adopted.

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

H. F. No. 1897, A bill for an act relating to the environment; extending the expiration date of the solid waste council and the prevention, reduction, and recycling advisory council; amending Minnesota Statutes 2000, sections 15.059, subdivision 5a; and 115A.12.

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

The report was adopted.

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

H. F. No. 1914, A bill for an act relating to state government; creating the technology enterprise fund and board; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16E.

Reported the same back with the following amendments:

Page 1, line 12, delete "from"

Page 1, delete lines 13 to 15

Page 2, line 22, delete "15.0575" and insert "15.059" and after "years" insert "and the board expires on June 30, 2005."

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

Sec. 2. [REPORT TO LEGISLATURE.]

By December 31, 2003, the commissioner of administration shall report to the chairs of the finance committees in the senate and house of representatives with jurisdiction over governmental operations on expenditures and activities under section 1"

Amend the title as follows:

Page 1, line 3, after the first semicolon, insert "requiring a report;"

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.

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

H. F. No. 1931, A bill for an act relating to occupational safety and health; providing data practices provisions for occupational safety and health investigations; amending Minnesota Statutes 2000, section 182.659, subdivision 8.

Reported the same back with the following amendments:

Page 1, line 18, delete "Data"

Page 1, delete lines 19 to 21

Page 1, line 22, delete "3, except" and delete "identifies" and insert "identify" and delete "in"

Page 1, line 23, delete "confidence"

Page 1, line 24, delete "For purposes of"

Page 1, delete line 25

Page 2, delete lines 1 to 4

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

The report was adopted.

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

H. F. No. 1950, A bill for an act relating to employment; removing references to search firms in the employment agencies law; amending Minnesota Statutes 2000, sections 184.29; 184.30, subdivision 1; 184.38, subdivisions 6, 8, 9, 10, 11, 17, 18, and 20; 184.41; repealing Minnesota Statutes 2000, sections 184.22, subdivisions 2, 3, 4, and 5; 184.37, subdivision 2.

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

The report was adopted.

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

H. F. No. 1962, A bill for an act relating to human services; providing an exception to the moratorium on new nursing facility beds; amending Minnesota Statutes 2000, section 144A.071, subdivision 4a.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance without further recommendation.

The report was adopted.

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

H. F. No. 1997, A bill for an act relating to public safety; modifying weapons training requirements in rules of the board of private detective and protective agent services; amending Minnesota Statutes 2000, section 326.3361, subdivision 1.

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

The report was adopted.

Ness from the Committee on Agriculture and Rural Development Finance to which was referred:

H. F. No. 2016, A bill for an act relating to agriculture; providing funding for the development of a soybean oilseed processing facility; appropriating money.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 2

Amend the title as follows:

Page 1, line 2, delete "providing" and insert "authorizing"

Page 1, line 3, delete the semicolon and insert a period

Page 1, delete line 4

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

The report was adopted.

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

H. F. No. 2024, A bill for an act relating to local government; modifying provisions relating to community-based planning; amending Minnesota Statutes 2000, sections 4A.08; 394.22, subdivision 9, and by adding a subdivision; 394.232, subdivisions 1, 2, 3, 4, 5, 6, and by adding subdivisions; 462.352, subdivision 5; 462.3535, subdivisions 1, 2, 3, 4, 6, 7, 8, and 9; Laws 1999, chapter 250, article 1, section 115; proposing coding for new law in Minnesota Statutes, chapter 4A; repealing Minnesota Statutes 2000, sections 394.232, subdivisions 7 and 8; and 462.3535, subdivisions 5 and 10.

Reported the same back with the following amendments:

Page 3, line 31, after "participation," insert "and" and delete ", and orderly"

Page 3, line 32, delete "annexation agreements"

Page 5, lines 9 to 12, delete the new language

Page 8, lines 13 to 16, delete the new language

Page 10, line 5, delete "should" and strike "at a minimum" and insert "shall, in coordination with townships"

Page 10, line 8, delete "should" and insert "shall, in coordination with townships,"

Page 10, line 17, delete the new language and reinstate the stricken language

Page 11, line 15, strike "APPROVAL" and insert "COMMENT; URBAN GROWTH AREAS"

Page 11, line 18, strike "approved" and insert "commented on"

Page 11, line 25, strike "approval" and insert "comment"

Page 11, line 27, strike "approve" and insert "comment on"

Page 12, line 18, delete "approved" and insert "commented on"

Page 13, line 5, after "DATE" insert "; EXPIRATION"

Page 13, line 6, after the period, insert "Minnesota Statutes, sections 4A.08, 4A.11, 394.232, and 462.3535, expire July 1, 2003."

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

The report was adopted.

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

H. F. No. 2093, A bill for an act relating to highway traffic regulations; authorizing religious organizations to operate buses painted school bus glossy yellow or golden orange and equipped with stop arm and flashing lights under certain circumstances; amending Minnesota Statutes 2000, section 169.448, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 13, delete "or primarily"

Page 1, line 14, delete "age 18 or under"

Page 1, line 18, delete "or Minnesota"

Page 1, line 19, delete "school bus golden orange" and delete the first "may"

Page 2, line 1, before the period, insert "and must be identified on the outside of the bus as a church bus"

Page 2, after line 1, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Amend the title as follows:

Page 1, line 4, delete "or golden orange"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2110, A bill for an act relating to local government; providing a limited exemption for attendees at a national or international conference or event; amending Minnesota Statutes 2000, section 471.895, subdivision 3.

Reported the same back with the following amendments:

Page 2, line 9, before "the" insert "because" and delete "or other"

Page 2, line 10, delete "event" and after the comma, insert "where"

Page 2, line 11, delete "whose members" and insert "attendees" and delete "or entities"

Page 2, line 12, after "gift" insert "of food or beverage given at a reception or meal"

Page 2, line 13, delete "or event"

Amend the title as follows:

Page 1, line 4, delete "or event"

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. 2119, A bill for an act relating to charitable organizations; amending report filing requirements; amending Minnesota Statutes 2000, section 309.53, subdivisions 1, 2.

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. 2146, A bill for an act relating to human services; providing an exception to the moratorium on the licensure and certification of nursing home beds; appropriating money; amending Minnesota Statutes 2000, section 144A.071, subdivision 4a.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance without further recommendation.

The report was adopted.

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

H. F. No. 2158, A bill for an act relating to metropolitan government; providing for the annual financing of metropolitan area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; amending Minnesota Statutes 2000, section 473.39, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 2172, A bill for an act relating to human services; exempting certain nursing facilities from certain therapy services billing requirements; appropriating money; amending Minnesota Statutes 2000, section 256B.433, subdivision 3a.

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

The report was adopted.

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

H. F. No. 2241, A bill for an act relating to new sports facilities; creating a proposal review and recommendation process; proposing coding for new law in Minnesota Statutes, chapter 4A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [TASK FORCE; FOOTBALL STADIUM REVIEW.]

Subdivision 1. [CREATION.] A task force is created to study issues related to proposals by interested parties to construct a new sports facility or renovate an existing football facility. The task force shall limit its study to proposals for creating a joint facility for college and professional football and/or soccer on the Twin Cities campus of the University of Minnesota or renovating an existing sports facility. The task force shall report to the governor and the legislature. The task force shall have the following membership:

(1) the chair of the house of representatives governmental operations and veterans affairs policy committee, and two other members of the Minnesota house of representatives, appointed by the speaker of the house, with one from the majority party and one from the largest minority party;

(2) three members of the Minnesota senate, appointed by the subcommittee on committees of the committee on rules and administration, with two from the majority party and one from the largest minority party;

(3) five members appointed by the governor, two of whom must be residents of a city under consideration for the facility and at least one of whom shall represent the views of those who are opposed to either direct state appropriations or tax incentives for new stadium construction;

(4) two members appointed by the University of Minnesota board of regents;

(5) two representatives of business interests, one appointed by the speaker of the house and one by the subcommittee on committees of the committee on rules and administration of the senate; and

(6) two representatives of labor interests, one appointed by the speaker of the house and one by the subcommittee on committees of the committee on rules and administration of the senate.

Subd. 2. [ORGANIZATION OF TASK FORCE.] Appointing authorities and the task force shall comply with the following requirements:

(1) each appointing authority shall make all appointments required under this act by June 15, 2001;

(2) the task force shall meet within 15 days of the completion date for all appointments under this act, at a date and place determined by the governor, and shall meet thereafter at the call of the chair;

(3) each appointing authority shall use all possible efforts to create a geographical balance among the membership in order to represent all regional interests of the state;

(4) the chair shall be elected by the members of the task force at their first meeting; and

(5) task force members may receive appropriate per diem and expenses associated with their work from nonstate funds.

Subd. 3. [STUDY MANDATE.] The task force shall issue a report on all matters under the purview of the task force, by October 31, 2001. In evaluating proposals for construction of a joint facility on the Twin Cities campus of the University of Minnesota, the task force must study the following issues:

(1) issues associated with the design, construction, and operation of a joint football and/or soccer facility on the Twin Cities campus of the University of Minnesota, including, but not limited to, unique or conflicting programmatic requirements of a joint facility, revenue generating opportunities, opportunities for joint marketing, governance, and day-to-day operational management of the facility, parking, infrastructure and transportation impacts, neighborhood

and community concerns, and methods to mitigate these issues, direct and indirect economic benefits, opportunities for leveraging other business development, long-term financial viability, opportunities for nonfootball events, and analysis of comparable projects at other Big Ten and Division I NCAA schools;

(2) financial considerations and options associated with stadium construction in Minnesota and elsewhere, including methods used to finance and construct facilities, arenas, and associated development;

(3) examples in other states of stadiums jointly shared between an academic institution and a professional sports franchise; and

(4) methods used to construct, finance, and operate new football stadiums for professional sports use.

Subd. 4. [SUBMISSIONS TO TASK FORCE.] (a) Any interested party may submit a proposal for review by the task force, prior to August 1, 2001. Such proposals shall be the subject of the report required under subdivision 3. As an alternative, the task force may choose to evaluate each proposal as a separate chapter in the overall report. The task force shall review any proposal and report to the legislature and governor by October 31, 2001, on the merits of the proposal, including the financing that might be necessary to complete the proposed stadium. The report shall include the dissenting views of commission members, if any, relating to the evaluation or rejection of any specific proposal. The task force may reject any proposal it deems to be incomplete or untenable.

(b) At a minimum, any proposal to the task force must include the following:

(1) a credible estimate of total costs of the proposal, including construction, land, adjacent parking, and other costs;

(2) an analysis that a substantial market exists for the sport proposed for the given stadium;

(3) a stipulation by potential users of the proposed stadium that each user would cooperate if such a stadium were constructed;

(4) a financing plan that identifies adequate funding sources for construction, operation, and upkeep of the stadium, including at least a \$150,000,000 contribution from privately raised funds; and

(5) a proposed site, or an appropriate site selection process.

(c) The task force shall report on the forms and amounts of financial assistance necessary to complete each submitted proposal. The report shall include all other information and recommendations deemed necessary by the task force.

Subd. 5. [RENOVATION OF EXISTING FACILITIES.] The metropolitan sports facilities commission may submit a proposal for the renovation of the Hubert H. Humphrey Metrodome. The task force shall compare any proposal it receives for new stadium construction with the plan for the renovation of the Metrodome, weighing the merits of each proposal, including but not limited to the estimated total costs, including land and improvements, the proposed finance plan for construction and operation, the public benefits gained or lost, compatibility with the programmatic requirements of the University of Minnesota and a professional football team, and the amount of public financial assistance required. The task force's comparison under this subdivision shall be included in any report it issues under subdivision 4.

Sec. 2. [FUNDING.]

The task force created under this act shall be funded by private sources as long as those sources are not principals in any proposed stadium.

Sec. 3. [EFFECTIVE DATE; SUNSET.]

This bill is effective the day after final enactment. The task force created under this act shall cease operation upon submission of a final report to the legislature and governor."

Delete the title and insert:

"A bill for an act relating to a new sports stadium; creating a task force to study stadiums; mandating issues to be studied; imposing a deadline; inviting proposals; requiring a report."

With the recommendation that when so amended the bill pass.

The report was adopted.

Abrams moved that H. F. No. 2241 be re-referred to the Committee on Taxes. The motion prevailed.

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

H. F. No. 2246, A bill for an act relating to human services; increasing the compensation-related portion of nursing facility operating rates; appropriating money; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance without further recommendation.

The report was adopted.

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

H. F. No. 2258, A bill for an act relating to housing; housing finance agency; consolidating supportive housing related programs into the housing trust fund program; consolidating development and redevelopment programs into the economic development and challenge fund program; consolidating the full cycle homeownership services program and the foreclosure prevention and assistance programs; lengthening the time after which a loan under the rehabilitation loan program may be forgiven; eliminating tenant income limits under the home improvement loan program for the owner-occupied rental buildings; authorizing project-based rental assistance in the bridges program; authorizing the aggregation of earnings from investments of moneys appropriated to the agency; making technical and conforming changes; amending Minnesota Statutes 2000, sections 462A.01; 462A.03, subdivisions 1, 6, 10, and by adding a subdivision; 462A.04, subdivision 6; 462A.05, subdivisions 14, 14a, 16, 22, and 26; 462A.06, subdivisions 1 and 4; 462A.07, subdivisions 10 and 12; 462A.073, subdivision 1; 462A.15; 462A.17, subdivision 3; 462A.20, subdivision 3; 462A.201, subdivisions 2 and 6; 462A.204, subdivision 3; 462A.205, subdivisions 4 and 4a; 462A.209; 462A.2091, subdivision 3; 462A.2093, subdivision 1; 462A.2097; 462A.21, subdivisions 5, 10, and by adding subdivisions; 462A.222, subdivision 1a; 462A.24; and 462A.33, subdivisions 1, 2, 3, 5, and by adding a subdivision; Laws 2000, chapter 488, article 8, section 2, subdivision 6; repealing Minnesota Statutes 2000, sections 462A.201, subdivision 4; 462A.207; 462A.209, subdivision 4; 462A.21, subdivision 17; 462A.221, subdivision 4; 462A.30, subdivision 2; and 462A.33, subdivisions 4, 6, and 7.

Reported the same back with the following amendments:

Page 2, line 31, delete "50" and insert "75"

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

The report was adopted.

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

H. F. No. 2303, A bill for an act relating to human services; providing an exception to the nursing home moratorium; amending Minnesota Statutes 2000, section 144A.071, subdivision 4a.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance without further recommendation.

The report was adopted.

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

H. F. No. 2355, A bill for an act relating to human services; adding a provision under the nursing facility moratorium exceptions; amending Minnesota Statutes 2000, section 256B.431, subdivision 17.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance without further recommendation.

The report was adopted.

Pursuant to Senate Concurrent Resolution No. 5, H. F. No. 2355 was re-referred to the Committee on Rules and Legislative Administration.

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

H. F. No. 2388, A bill for an act relating to human services; providing an exception to the nursing home moratorium; appropriating money; amending Minnesota Statutes 2000, section 144A.071, subdivision 4a.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance without further recommendation.

The report was adopted.

Pursuant to Senate Concurrent Resolution No. 5, H. F. No. 2388 was re-referred to the Committee on Rules and Legislative Administration.

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

S. F. No. 229, A bill for an act relating to criminal records; requiring that crime victims be notified of expungement proceedings and allowed to submit a statement; amending Minnesota Statutes 2000, section 609A.03, subdivisions 2, 3, and 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 609A.02, subdivision 3, is amended to read:

Subd. 3. [CERTAIN CRIMINAL PROCEEDINGS NOT RESULTING IN A CONVICTION.] A petition may be filed under section 609A.03 to seal all records relating to an arrest, indictment or information, trial, or verdict if the records are not subject to section 299C.11, paragraph (b), and if all pending actions or proceedings were resolved in favor of the petitioner. For purposes of this chapter, a verdict of not guilty by reason of mental illness is not a resolution in favor of the petitioner.

Sec. 2. Minnesota Statutes 2000, section 609A.03, subdivision 2, is amended to read:

Subd. 2. [CONTENTS OF PETITION.] (a) A petition for expungement shall be signed under oath by the petitioner and shall state the following:

(1) the petitioner's full name and all other legal names or aliases by which the petitioner has been known at any time;

(2) the petitioner's date of birth;

(3) all of the petitioner's addresses from the date of the offense or alleged offense in connection with which an expungement order is sought, to the date of the petition;

(4) why expungement is sought, if it is for employment or licensure purposes, the statutory or other legal authority under which it is sought, and why it should be granted;

(5) the details of the offense or arrest for which expungement is sought, including the date and jurisdiction of the occurrence, either the names of any victims or that there were no identifiable victims, whether there is a current order for protection, restraining order, or other no contact order prohibiting the petitioner from contacting the victims or whether there has ever been a prior order for protection or restraining order prohibiting the petitioner from contacting the victims, the court file number, and the date of conviction or of dismissal;

(6) in the case of a conviction, what steps the petitioner has taken since the time of the offense toward personal rehabilitation, including treatment, work, or other personal history that demonstrates rehabilitation;

(7) petitioner's criminal conviction record indicating all convictions for misdemeanors, gross misdemeanors, or felonies in this state, and for all comparable convictions in any other state, federal court, or foreign country, whether the convictions occurred before or after the arrest or conviction for which expungement is sought;

(8) petitioner's criminal charges record indicating all prior and pending criminal charges against the petitioner in this state or another jurisdiction, including all criminal charges that have been continued for dismissal or stayed for adjudication, or have been the subject of pretrial diversion; and

(9) all prior requests by the petitioner, whether for the present offense or for any other offenses, in this state or any other state or federal court, for pardon, return of arrest records, or expungement or sealing of a criminal record, whether granted or not, and all stays of adjudication or imposition of sentence involving the petitioner.

(b) If there is a current order for protection, restraining order, or other no contact order prohibiting the petitioner from contacting the victims or there has ever been a prior order for protection or restraining order prohibiting the petitioner from contacting the victims, the petitioner shall attach a copy of the order to the petition.

Sec. 3. Minnesota Statutes 2000, section 609A.03, subdivision 3, is amended to read:

Subd. 3. [SERVICE OF PETITION AND PROPOSED ORDER.] (a) The petitioner shall serve by mail the petition for expungement and a proposed expungement order shall be served by mail on the prosecutorial office that had jurisdiction over the offense for which expungement is sought and all other state and local government agencies and jurisdictions whose records would be affected by the proposed order. Service Petitioner shall also be made serve by mail on the attorney for each agency and jurisdiction.

(b) The prosecutorial office that had jurisdiction over the offense for which expungement is sought shall serve by mail the petition for expungement and a proposed expungement order on any victims of the offense for which expungement is sought who have requested notice of expungement pursuant to section 611A.06. Service under this paragraph does not constitute a violation of an existing order for protection, restraining order, or other no contact order.

(c) The prosecutorial office's notice to victims of the offense under this subdivision must specifically inform the victims of the victims' right to be present and to submit an oral or written statement at the expungement hearing described in subdivision 4.

Sec. 4. Minnesota Statutes 2000, section 609A.03, subdivision 4, is amended to read:

Subd. 4. [HEARING.] A hearing on the petition shall be held no sooner than 60 days after service of the petition. A victim of the offense for which expungement is sought has a right to submit an oral or written statement to the court at the time of the hearing describing the harm suffered by the victim as a result of the crime and the victim's recommendation on whether expungement should be granted or denied. The judge shall consider the victim's statement when making a decision.

Sec. 5. Minnesota Statutes 2000, section 609A.03, subdivision 5, is amended to read:

Subd. 5. [NATURE OF REMEDY; STANDARD; FIREARMS RESTRICTION.] (a) Except as otherwise provided by paragraph (b), expungement of a criminal record is an extraordinary remedy to be granted only upon clear and convincing evidence that it would yield a benefit to the petitioner commensurate with the disadvantages to the public and public safety of:

(1) sealing the record; and

(2) burdening the court and public authorities to issue, enforce, and monitor an expungement order.

(b) Except as otherwise provided by this paragraph, if the petitioner is petitioning for the sealing of a criminal record under section 609A.02, subdivision 3, the court shall grant the petition to seal the record unless the agency or jurisdiction whose records would be affected establishes by clear and convincing evidence that the interests of the public and public safety outweigh the disadvantages to the petitioner of not sealing the record. ~~If a petitioner was found not guilty by reason of mental illness, the court shall grant the petition to seal the record unless the agency or jurisdiction whose records would be affected establishes by a preponderance of the evidence that the interests of the public and public safety outweigh the disadvantages to the petitioner of not sealing the record.~~

(c) If the court issues an expungement order it may require that the criminal record be sealed, the existence of the record not be revealed, and the record not be opened except as required under subdivision 7. Records must not be destroyed or returned to the subject of the record.

Sec. 6. Minnesota Statutes 2000, section 611A.0385, is amended to read:

611A.0385 [SENTENCING; IMPLEMENTATION OF RIGHT TO NOTICE OF OFFENDER RELEASE AND EXPUNGEMENT.]

At the time of sentencing or the disposition hearing in a case in which there is an identifiable victim, the court or its designee shall make reasonable good faith efforts to inform each affected victim of the offender notice of release and notice of expungement provisions of section 611A.06. If the victim is a minor, the court or its designee shall, if appropriate, also make reasonable good faith efforts to inform the victim's parent or guardian of the right to notice of release and notice of expungement. The state court administrator, in consultation with the commissioner of corrections and the prosecuting authorities, shall prepare a form that outlines the notice of release and notice of expungement provisions under section 611A.06 and describes how a victim should complete and submit a request to the commissioner of corrections or other custodial authority to be informed of an offender's release or submit a request to the prosecuting authorities to be informed of an offender's petition for expungement. The state court administrator shall make these forms available to court administrators who shall assist the court in disseminating right to notice of offender release and notice of expungement information to victims.

Sec. 7. Minnesota Statutes 2000, section 611A.06, is amended by adding a subdivision to read:

Subd. 1a. [NOTICE OF EXPUNGEMENT REQUIRED.] The prosecuting authority with jurisdiction over an offense for which expungement is being sought shall make a good faith effort to notify a victim that the expungement is being sought if: (1) the victim has mailed to the prosecuting authority with jurisdiction over an offense for which expungement is being sought a written request for this notice, or (2) the victim has indicated on a request for notice of expungement submitted under subdivision 1 a desire to be notified in the event the offender seeks an expungement for the offense.

A copy of any written request for a notice of expungement request received by the commissioner of corrections or other custodial authority shall be forwarded to the prosecutorial authority with jurisdiction over the offense to which the notice relates. The prosecutorial authority complies with this section upon mailing a copy of an expungement petition relating to the notice to the address which the victim has most recently provided in writing.

Sec. 8. [EFFECTIVE DATE.]

Sections 2, 3, 4, 6, and 7 are effective August 1, 2001, and apply to petitions for expungement filed on or after that date."

Delete the title and insert:

"A bill for an act relating to criminal records; requiring that crime victims be notified of expungement proceedings and allowed to submit a statement; amending Minnesota Statutes 2000, sections 609A.02, subdivision 3; 609A.03, subdivisions 2, 3, 4, 5; 611A.0385; 611A.06, by adding a subdivision."

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:

S. F. No. 773, A bill for an act relating to crime prevention; requiring a study on electronic alcohol monitoring.

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

The report was adopted.

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

S. F. No. 1369, A bill for an act relating to crime victims; authorizing the director of the Minnesota center for crime victim services to adopt rules to administer the battered women's shelter per diem program; amending Minnesota Statutes 2000, section 611A.372.

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

The report was adopted.

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

House Resolution No. 9, A house resolution recognizing the years 2000 through 2010 as the "Bone and Joint Decade."

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

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

House Resolution No. 10, A house resolution commending Chaska Police Officers Brady Juell and Mike Kleber.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 170, 173, 770, 1172, 1174, 1277, 1404, 1407, 1541, 1596, 1808, 1997, 2093, 2110 and 2119 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1154, 1206, 1460, 1780, 229, 773 and 1369 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Mares introduced:

H. F. No. 2420, A bill for an act relating to human services; clarifying the role of the department of children, families, and learning under the maltreatment of minors act and related statutory provisions; providing for other special programs; amending Minnesota Statutes 2000, sections 13.319, by adding a subdivision; 13.32,

subdivision 3; 13.43, by adding a subdivision; 13.46, subdivision 2; 119B.02, by adding a subdivision; 120A.22, subdivision 7; 122A.31, subdivision 2; 125A.023, subdivision 4; 125A.027, by adding a subdivision; 125A.09, subdivision 11; 125A.11, subdivision 3; 125A.27, subdivision 15; 125A.515; 125A.76, subdivisions 1, 2; 256.045, subdivision 3b; 626.556, subdivisions 2, 3, 4, 7, 10, 10b, 10d, 10e, 10i, 10j, 11.

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

Rukavina, Hausman, Ozment and Bakk introduced:

H. F. No. 2421, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for capital repairs to the central steam heating system of the city of Virginia.

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

Mulder introduced:

H. F. No. 2422, A bill for an act relating to education; allowing small school districts and school districts located on the border of the state to determine an appropriate school guidance counselor to student ratio; proposing coding for new law in Minnesota Statutes, chapter 122A.

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

Abeler and Goodno introduced:

H. F. No. 2423, A bill for an act relating to human services; requiring the commissioner of human services to amend the traumatic brain injury waiver; amending Minnesota Statutes 2000, section 256B.49, by adding a subdivision.

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

Hausman introduced:

H. F. No. 2424, A bill for an act relating to human services; providing a rate increase for a nursing facility in Ramsey county; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

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

Clark, K.; Howes; Mariani and Gray introduced:

H. F. No. 2425, A bill for an act relating to Indians; removing the word "squaw" from Minnesota geographic features; amending Minnesota Statutes 2000, sections 83A.02; 83A.05, subdivision 1.

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

Tuma introduced:

H. F. No. 2426, A bill for an act relating to courts; establishing alternative dispute resolution programs in the third and fifth judicial districts; appropriating money.

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

Abeler and Folliard introduced:

H. F. No. 2427, A bill for an act relating to human services; providing an exception to the moratorium on nursing facility construction to allow a renovation; providing an operating rate increase and property rate increase for a 64-bed nursing facility engaged in residential rehabilitation operations under Rule 80; appropriating money; amending Minnesota Statutes 2000, sections 144A.071, subdivision 4a; 256B.434, by adding a subdivision.

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

Abeler and Skoe introduced:

H. F. No. 2428, A bill for an act relating to education finance; creating a transportation reserve account; appropriating money; amending Minnesota Statutes 2000, section 123B.92, by adding a subdivision.

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

Dibble, Hausman, Lieder, Juhnke, Marko, Kalis, Winter and Dawkins introduced:

H. F. No. 2429, A bill for an act relating to taxation; eliminating metropolitan property tax levies for transit operations; reducing the general sales and use tax and motor vehicle sales tax rates; providing for imposition of sales taxes by area transportation partnerships and providing for use of the proceeds; amending Minnesota Statutes 2000, sections 297A.62, subdivision 1; 473.388, subdivision 4; 473.446, subdivisions 1, 8; proposing coding for new law in Minnesota Statutes, chapter 174; repealing Minnesota Statutes 2000, sections 473.388, subdivisions 5, 7; 473.446, subdivisions 1a, 1b.

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

Jaros; Rhodes; Osskopp; Mullery; Gunther; Lieder; Johnson, S.; McGuire; Peterson and Johnson, R., introduced:

H. F. No. 2430, A resolution urging the United States Congress to amend the Railroad Unemployment Insurance Act.

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

McElroy, Holsten, Jennings and Milbert introduced:

H. F. No. 2431, A bill for an act relating to taxation; providing that certain personal property of an electric utility is exempt from taxation; providing state aid payments to replace the revenue lost by local governments; providing a state guarantee for certain bonds; appropriating money; amending Minnesota Statutes 2000, sections 272.02, subdivision 9; 273.13, subdivision 24; and 475A.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 216B; 273; and 475A.

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

Winter introduced:

H. F. No. 2432, A bill for an act relating to agriculture; providing a grant for the development of a soybean oilseed processing facility; appropriating money.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 57, A bill for an act relating to drivers' licenses; including certain crimes against children as disqualifying offenses for purposes of school bus endorsements on drivers' licenses; amending Minnesota Statutes 2000, section 171.3215, subdivision 1.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

Senate Concurrent Resolution No. 7, A senate concurrent resolution relating to adjournment for more than three days.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Pawlenty moved that the rules be so far suspended that Senate Concurrent Resolution No. 7 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 7

A Senate concurrent resolution relating to adjournment for more than three days.

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

1. Upon their adjournments on April 11, 2001, the Senate and House of Representatives may each set its next day of meeting for April 17, 2001.
2. Each house consents to adjournment of the other house for more than three days.

Pawlenty moved that Senate Concurrent Resolution No. 7 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 7 was adopted.

Mr. Speaker:

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

S. F. Nos. 1056 and 1709.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1056, A bill for an act relating to drivers' licenses; modifying certain annual requirements relating to school bus drivers; amending Minnesota Statutes 2000, section 171.321, subdivision 5.

The bill was read for the first time.

Workman moved that S. F. No. 1056 and H. F. No. 1172, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1709, A bill for an act relating to traffic regulations; exempting certain towed implements of husbandry from requirement to display tail lamps; making clarifying changes; amending Minnesota Statutes 2000, section 169.50, subdivision 1.

The bill was read for the first time.

Kuisle moved that S. F. No. 1709 and H. F. No. 1404, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

H. F. No. 1892, A bill for an act relating to human rights; making technical changes; amending Minnesota Statutes 2000, sections 363.03, subdivision 8; 363.05, subdivision 1; 363.073, subdivision 1; and 363.074; repealing Minnesota Statutes 2000, sections 363.01, subdivision 20; and 363.03, subdivision 8b.

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

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

Those who voted in the affirmative were:

Abeler	Buesgens	Dehler	Folliard	Haas	Huntley
Abrams	Carlson	Dibble	Fuller	Hackbarth	Jacobson
Anderson, B.	Cassell	Dorman	Gerlach	Harder	Jaros
Anderson, I.	Clark, J.	Dorn	Gleason	Hausman	Jennings
Bakk	Clark, K.	Eastlund	Goodno	Hilstrom	Johnson, J.
Bernardy	Daggett	Entenza	Goodwin	Hilty	Johnson, R.
Biernat	Davids	Erickson	Gray	Holberg	Johnson, S.
Boudreau	Davnie	Evans	Greiling	Holsten	Juhnke
Bradley	Dawkins	Finseth	Gunther	Howes	Kahn

Kalis	Lieder	Murphy	Penas	Skoglund	Wagenius
Kelliher	Lindner	Ness	Peterson	Slawik	Walker
Kielkucki	Lipman	Nornes	Pugh	Smith	Walz
Knoblach	Mares	Opatz	Rhodes	Stanek	Wasiluk
Koskinen	Mariani	Osskopp	Rifenberg	Stang	Wenzel
Krinkie	Marquart	Osthoff	Rukavina	Swapinski	Westerberg
Kubly	McElroy	Otremba	Ruth	Swenson	Wilkin
Kuisle	McGuire	Ozment	Schumacher	Sykora	Winter
Larson	Milbert	Paulsen	Seagren	Thompson	Wolf
Leighton	Molnau	Pawlenty	Seifert	Tingelstad	Workman
Lenczewski	Mulder	Paymar	Sertich	Tuma	Spk. Sviggum
Leppik	Mullery	Pelowski	Skoe	Vandever	

The bill was passed and its title agreed to.

H. F. No. 1958, A resolution memorializing the President and the Congress of the United States to take whatever action is necessary to reduce or eliminate the disparities between the states in Medicare+Choice benefits.

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

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Wolf

The bill was passed and its title agreed to.

S. F. No. 225, A bill for an act relating to civil commitment; modifying the prohibition on the use of restraints; amending Minnesota Statutes 2000, section 253B.03, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 702, A bill for an act relating to natural resources; modifying requirements for the Blufflands trail system; amending Minnesota Statutes 2000, section 85.015, subdivision 7.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 1204, A bill for an act relating to insurance; regulating the use of HIV and bloodborne pathogen tests; amending Minnesota Statutes 2000, section 72A.20, subdivision 29.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Krinkie

The bill was passed and its title agreed to.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 47

A bill for an act relating to economic development; requiring a closed iron mine and related facilities to be maintained for a period of time; providing extra unemployment benefits for certain workers laid off from the LTV Mining Company; amending Minnesota Statutes 2000, section 93.003.

April 5, 2001

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Don Samuelson
President of the Senate

We, the undersigned conferees for H. F. No. 47, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 47 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 93.003, is amended to read:

93.003 [IRON MINING; CONDITIONS.]

Legal authority to mine and process iron ore, a basic irreplaceable natural resource of the people of the state of Minnesota, is subject to the conditions of this section. When the owner or operator of an iron mine or related production or beneficiation facilities determines to discontinue the operation of the mine or facilities for any reason it shall maintain the mine or facilities in salable operating condition for at least ~~one year~~ two years after it discontinues operation in order to allow the state of Minnesota and other interested public and private bodies to seek a new owner and operator. The requirement imposed by this section is a preliminary and permanent requirement on the right of an owner to commence or continue the operation of an iron mine or related facilities. This requirement is enforceable on all owners and operators and successors of owners and operators and shall be enforced by the state in any action in bankruptcy or other litigation that may affect it.

Sec. 2. [IRON ORE MINING EXTRA BENEFITS.]

Subdivision 1. [EXTRA BENEFITS; AVAILABILITY.] Extra unemployment benefits are available to an applicant if the applicant was permanently laid off due to lack of work after August 1, 2000, from the LTV Mining Company in St. Louis county, including the LTV Mining Company power plant operation at Taconite Harbor in Cook county.

Subd. 2. [PAYMENT FROM FUND; EFFECT ON EMPLOYER.] Extra unemployment benefits are payable from the fund. Extra unemployment benefits shall not affect the future tax rate of a taxpaying employer nor be charged to the reimbursing account of a government or nonprofit employer.

Subd. 3. [ELIGIBILITY CONDITIONS.] An applicant is eligible to receive extra unemployment benefits under this section for any week during the 95-week period following the effective date of the applicant's benefit account of regular unemployment benefits, as a result of a layoff described under subdivision 1, if:

(1) a majority of the applicant's wage credits were with LTV Mining Company, including the power plant operation at Taconite Harbor in Cook county;

(2) except as provided in subdivision 6, the applicant meets the eligibility requirements of Minnesota Statutes, section 268.085;

(3) the applicant is not subject to a disqualification under Minnesota Statutes, section 268.095;

(4) the applicant is not entitled to regular unemployment benefits and the applicant is not entitled to receive unemployment benefits under any other state or federal law for that week; and

(5) the applicant is enrolled in, or has within the last two weeks successfully completed, a program that qualifies as reemployment assistance training under Minnesota Statutes, section 268.035, subdivision 21a, except that an applicant whose training is scheduled to begin in more than 30 days may be considered to be in training if: (i) the applicant's chosen training program does not offer an available start date within 30 days; (ii) the applicant is scheduled to begin training on the earliest available start date for the chosen training program; and (iii) the applicant is scheduled to begin training in no more than 60 days.

If an applicant qualifies for a new regular benefit account at any time after exhausting regular unemployment benefits as a result of the layoff under subdivision 1, the applicant must apply for and exhaust entitlement to those new regular unemployment benefits.

Subd. 4. [WEEKLY AMOUNT OF EXTRA BENEFITS.] (a) The weekly extra unemployment benefits amount available to an applicant is the same as the applicant's weekly regular unemployment benefit amount on the benefit account established as a result of a layoff under subdivision 1.

(b) If an applicant qualifies for a new benefit account in this or any other state, after exhausting regular unemployment benefits as a result of a layoff under subdivision 1 and the weekly benefit amount on that new benefit account is less than the applicant's extra unemployment benefit amount, the applicant shall be entitled to receive a weekly benefit amount under this section equal to the difference between the weekly benefit amount on the new benefit account and the applicant's weekly amount of extra unemployment benefits. If the weekly benefit amount on the new benefit account exceeds the weekly amount of extra unemployment benefits, the applicant shall not be entitled to any extra unemployment benefits until the applicant exhausts unemployment benefits on that new benefit account.

Subd. 5. [MAXIMUM AMOUNT OF EXTRA UNEMPLOYMENT BENEFITS.] The maximum amount of extra unemployment benefits available is 26 times the applicant's weekly extra unemployment benefits amount.

Subd. 6. [WORKERS' COMPENSATION/DISABILITY INSURANCE OFFSET.] (a) An applicant laid off from LTV Mining Company on or after August 1, 2000, who is otherwise eligible for regular or extra unemployment benefits is not subject to the deductible payment provisions of Minnesota Statutes, section 268.085, subdivision 3, paragraph (a), clause (3). Instead, the applicant is subject to the limitations of this subdivision.

(b) An applicant shall not be eligible to receive unemployment benefits for any week with respect to which the applicant is receiving or has received compensation for loss of wages equal to or in excess of the applicant's weekly unemployment benefit amount under:

- (1) the workers' compensation law of this state;
- (2) the workers' compensation law of any other state or similar federal law; or
- (3) any insurance or fund paid in whole or in part by an employer.

If an applicant receives compensation for loss of wages under clauses (1) to (3) that is less than the applicant's weekly unemployment benefit amount, then unemployment benefits requested for that week shall be reduced by the amount of the compensation payment.

(c) An applicant is not ineligible to receive unemployment benefits because the applicant has a claim pending for loss of wages under paragraph (b); however, such a pending claim shall raise an issue of the applicant's ability to work under Minnesota Statutes, section 268.085, subdivision 1, clause (2), that the commissioner shall determine. If the applicant later receives compensation as a result of the pending claim, then that compensation is subject to the provisions of paragraph (b), and shall be subject to recoupment by the commissioner to the extent that the compensation constitutes overpaid unemployment benefits.

(d) If the commissioner intervenes, in accordance with Minnesota Statutes, section 268.18, subdivision 5, in a workers' compensation matter under Minnesota Statutes, section 176.361, in order to recoup overpaid unemployment benefits paid to an applicant laid off under paragraph (a), the commissioner shall not be required to pay any portion of the applicant's attorney fees, and the applicant shall be liable to repay the total amount of the overpaid unemployment benefits.

This subdivision continues in effect until January 1, 2004.

Subd. 7. [PROGRAM EXPIRATION.] This extra unemployment benefit program expires on January 1, 2004. No extra unemployment benefits shall be paid for any week after the expiration of this program.

Sec. 3. [FINDINGS.]

The legislature finds that extra unemployment benefits in addition to those provided for under Minnesota Statutes, chapter 268, may be appropriate in the event of a large layoff only where the following conditions are met:

(1) the employer involved in the layoff has permanently ceased operations and has commenced bankruptcy proceedings;

(2) the community or communities in which the affected employees live is disproportionately affected by the layoff;

(3) the community or communities in which the affected employees live is in a remote location where opportunities for reemployment are limited; and

(4) employees receive extra benefits only while they are making satisfactory progress in an education or job training program.

In cases where these criteria are not fully met, the legislature finds that the availability of benefits should be limited to the amount and duration provided by Minnesota Statutes, chapter 268, including any additional benefits available under Minnesota Statutes, section 268.125.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment and are retroactive to August 1, 2000."

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "providing criteria for future unemployment benefit extensions;"

We request adoption of this report and repassage of the bill.

House Conferees: TOM RUKAVINA, DAN MCELROY, THOMAS BAKK, RON ABRAMS AND MARY LIZ HOLBERG.

Senate Conferees: DOUGLAS J. JOHNSON, ANN H. REST, DICK DAY, DAVID L. KNUTSON AND BOB LESSARD.

Rukavina moved that the report of the Conference Committee on H. F. No. 47 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 47, A bill for an act relating to economic development; requiring a closed iron mine and related facilities to be maintained for a period of time; providing extra unemployment benefits for certain workers laid off from the LTV Mining Company; amending Minnesota Statutes 2000, section 93.003.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 126 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Buesgens Gerlach Lindner Mulder Olson

The bill was repassed, as amended by Conference, and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day, immediately preceding the remaining bill on the Calendar for the Day, for Monday, April 9, 2001:

H. F. Nos. 1360, 326, 757, 525, 949 and 708; and S. F. No. 883.

CALENDAR FOR THE DAY

The Speaker called Abrams to the Chair.

Jaros was excused between the hours of 4:15 p.m. and 6:40 p.m.

H. F. No. 1360 was reported to the House.

Tuma and Stanek moved to amend H. F. No. 1360, the fourth engrossment, as follows:

Page 3, delete section 5 and insert:

"Sec. 5. Minnesota Statutes 2000, section 624.714, is amended by adding a subdivision to read:

Subd. 2a. [TRAINING IN THE SAFE USE OF A PISTOL.] (a) An applicant for a permit under this section must present evidence that the applicant received training in the safe use of a pistol. This requirement is satisfied if the applicant was licensed as a peace officer in Minnesota within the last three years. If the applicant was not licensed as a peace officer, within three years prior to the date of filing an original or renewal application the applicant must complete a firearms safety or training class conducted by a certified instructor that provides basic training in the safe use of a pistol including:

(1) instruction in the fundamentals of pistol use;

(2) successful completion of a live fire shooting exercise with an instructor certified by an agency or organization listed in paragraph (b); and

(3) instruction in the fundamental legal aspects of pistol possession and use, including self-defense.

(b) Firearms instructors certified by only the following agencies or organizations are qualified to conduct courses required under this subdivision:

(1) the American Society of Law Enforcement Trainers;

(2) the Minnesota Association of Law Enforcement Firearms Instructors;

(3) the National Rifle Association;

(4) the peace officer standards and training board of this state or a similar agency of another state;

(5) the department of natural resources of this state or a similar agency of another state; or

(6) the department of public safety of this state or a similar agency of another state."

The motion prevailed and the amendment was adopted.

Stanek, Erickson and Tuma moved to amend H. F. No. 1360, the fourth engrossment, as amended, as follows:

Page 3, after line 5, insert:

"(b) A sheriff may contract with a police chief to process permit applications under this section. If a sheriff contracts with a police chief, the sheriff remains the issuing authority and the police chief acts as the sheriff's agent. If a sheriff contracts with a police chief, all of the provisions of this section still apply."

Renumber the paragraphs in sequence

The motion prevailed and the amendment was adopted.

Stanek, Sykora, Lipman, Holberg, Jacobson, Westerberg, Gerlach, Wilkin, Hackbarth, Olson, Erickson, Tuma and Tingelstad moved to amend H. F. No. 1360, the fourth engrossment, as amended, as follows:

Page 2, delete lines 1 to 5

Page 2, line 6, delete "(c)" and insert "(b)"

Page 2, after line 21, insert:

"Sec. 4. Minnesota Statutes 2000, section 624.714, is amended by adding a subdivision to read:

Subd. 1d. [POSSESSING A PISTOL WHILE UNDER THE INFLUENCE.] (a) It is a crime for any person to carry a pistol in a public place on or about the person's clothes or person:

(1) when the person is under the influence of alcohol;

(2) when the person is under the influence of a controlled substance;

(3) when the person is knowingly under the influence of a hazardous substance that affects the nervous system, brain, or muscles of the person so as to substantially impair the person's clearness of intellect or physical control;

(4) when the person is under the influence of a combination of any two or more of the elements named in clauses (1), (2), and (3);

(5) when the person's alcohol concentration at the time, or within two hours of the time, of carrying a pistol in a public place on or about the person's clothes or person is 0.10 or more;

(6) when the person's body contains any amount of a controlled substance listed in schedule I or II; or

(7) when the person's alcohol concentration at the time, or within two hours of the time, of carrying a pistol in a public place on or about the person's clothes or person is 0.04 or more.

(b) Any person who carries a pistol in a public place on or about the person's clothes or person consents to a chemical test of that person's blood, breath, or urine for the purpose of determining the presence of alcohol, controlled substances, or hazardous substances. The test must be administered at the direction of a peace officer. The administrative procedures under section 169A.50 apply to the test except for provisions that clearly cannot be applied to incidents under this subdivision.

(c) It is a crime for any person to refuse to submit to a chemical test of the person's blood, breath, or urine if a peace officer has probable cause to believe that the person has violated paragraph (a).

(d) A person who violates paragraph (a) or (c) is guilty of a misdemeanor. A second or subsequent violation is a gross misdemeanor.

(e) If a person with a permit to carry a pistol issued under this section is charged with a violation under this subdivision, the person's permit may be suspended by the court as a condition of release.

(f) A permit issued to a person under this section is revoked and a new permit may not be issued for one year from the date of conviction if the person is convicted of a violation of paragraph (a), clause (7).

(g) A permit issued to a person under this section is revoked and a new permit may not be issued for three years from the date of conviction if the person is convicted of a violation of paragraph (a), clauses (1) to (6), or a second violation of paragraph (a), clause (7).

(h) A permit issued to a person under this section is revoked and a new permit may not be issued for the remainder of the person's lifetime if the person is convicted of a second violation of paragraph (a), clauses (1) to (6), or a third violation of paragraph (a), clause (7)."

Renumber the sections in sequence

A roll call was requested and properly seconded.

The question was taken on the Stanek et al amendment and the roll was called. There were 107 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Abeler	Daggett	Goodno	Jennings	Lenczewski	Ness
Abrams	Davids	Goodwin	Johnson, J.	Leppik	Nornes
Anderson, B.	Dehler	Greiling	Johnson, R.	Lindner	Olson
Anderson, I.	Dempsey	Gunther	Juhnke	Lipman	Opatz
Bernardy	Dorman	Haas	Kalis	Mahoney	Osskopp
Biernat	Dorn	Hackbarth	Kelliher	Mares	Osthoff
Bishop	Eastlund	Harder	Kielkucki	Marquart	Otremba
Boudreau	Entenza	Hilty	Knoblach	McElroy	Ozment
Bradley	Erickson	Holberg	Koskinen	Milbert	Paulsen
Buesgens	Evans	Holsten	Kubly	Molnau	Pawlenty
Carlson	Finseth	Howes	Kuisle	Mulder	Paymar
Cassell	Fuller	Huntley	Larson	Mullery	Pelowski
Clark, J.	Gerlach	Jacobson	Leighton	Murphy	Penas

Peterson	Schumacher	Stanek	Tingelstad	Wasiluk	Winter
Pugh	Seagren	Stang	Tuma	Wenzel	Wolf
Rhodes	Seifert	Swenson	Vandever	Westerberg	Workman
Rifenberg	Slawik	Sykora	Walker	Westrom	Spk. Sviggum
Ruth	Smith	Thompson	Walz	Wilkin	

Those who voted in the negative were:

Bakk	Dibble	Hausman	Krinkie	McGuire	Skoglund
Clark, K.	Folliard	Hilstrom	Lieder	Rukavina	Swapinski
Davnie	Gleason	Johnson, S.	Mariani	Sertich	Wagenius
Dawkins	Gray	Kahn	Marko	Skoe	

The motion prevailed and the amendment was adopted.

Bishop moved to amend H. F. No. 1360, the fourth engrossment, as amended, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 624.714, subdivision 5, is amended to read:

Subd. 5. [GRANTING OF PERMITS.] ~~No~~ A permit to carry shall be granted to a person ~~unless the applicant~~ who:

~~(a)~~ (1) is not a person prohibited by section 624.713 from possessing a pistol;

~~(b)~~ (2) is not a person who has been convicted of violating subdivision 1;

(3) provides a firearms safety certificate recognized by the department of natural resources, evidence of successful completion of a test of ability to use a firearm supervised by the chief of police or sheriff or other satisfactory proof of ability to use a pistol safely; and

~~(c)~~ (4) has an occupation ~~or personal safety hazard~~ requiring a permit to carry or has a personal safety hazard not resulting from the person's own criminal activity or from being a member of a criminal gang."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Bishop amendment and the roll was called. There were 1 yeas and 128 nays as follows:

Those who voted in the affirmative were:

Bishop

Those who voted in the negative were:

Abeler	Anderson, I.	Biernat	Buesgens	Clark, J.	Dauids
Abrams	Bakk	Boudreau	Carlson	Clark, K.	Davnie
Anderson, B.	Bernardy	Bradley	Cassell	Daggett	Dawkins

Dehler	Haas	Kielkucki	McGuire	Peterson	Tingelstad
Dempsey	Hackbarth	Knoblach	Milbert	Pugh	Tuma
Dibble	Harder	Koskinen	Molnau	Rhodes	Vandever
Dorman	Hausman	Krinkie	Mulder	Rifenberg	Wagenius
Dorn	Hilstrom	Kubly	Mullery	Rukavina	Walker
Eastlund	Hilty	Kuiple	Murphy	Ruth	Walz
Entenza	Holberg	Larson	Ness	Schumacher	Wasiluk
Erickson	Holsten	Leighton	Nornes	Seagren	Wenzel
Evans	Howes	Lenczewski	Olson	Seifert	Westerberg
Finseth	Huntley	Leppik	Opatz	Sertich	Westrom
Folliard	Jacobson	Lieder	Osskopp	Skoe	Wilkin
Fuller	Jennings	Lindner	Osthoff	Skoglund	Winter
Gerlach	Johnson, J.	Lipman	Otremba	Slawik	Wolf
Gleason	Johnson, R.	Mahoney	Ozment	Smith	Workman
Goodno	Johnson, S.	Mares	Paulsen	Stang	Spk. Sviggum
Goodwin	Juhnke	Mariani	Pawlenty	Swapinski	
Gray	Kahn	Marko	Paymar	Swenson	
Greiling	Kalis	Marquart	Pelowski	Sykora	
Gunther	Kelliher	McElroy	Penas	Thompson	

The motion did not prevail and the amendment was not adopted.

Abeler, Pawlenty, Sykora, Stanek, Larson, Lipman, Gerlach, Erickson, Lenczewski, Wilkin, Seagren, Sviggum, Dorman, Tingelstad, Westerberg, Vandever, Jacobson, Otremba and Molnau moved to amend H. F. No. 1360, the fourth engrossment, as amended, as follows:

Page 1, after line 15, insert:

"Section 1. Minnesota Statutes 2000, section 609.66, subdivision 1d, is amended to read:

Subd. 1d. [FELONY; POSSESSION ON SCHOOL PROPERTY.] (a) Except as provided under paragraph (c), whoever possesses, stores, or keeps a dangerous weapon or uses or brandishes a replica firearm or a BB gun on school property or at a child care center licensed under chapter 245A is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both.

(b) Whoever possesses, stores, or keeps a replica firearm or a BB gun on school property is guilty of a gross misdemeanor.

(c) It is a gross misdemeanor for a person with a permit to carry a pistol issued under section 624.714 to carry a pistol on school property or at a child care center licensed under chapter 245A unless:

(1) the person is in a vehicle dropping-off or picking-up a child; or

(2) otherwise permitted under paragraph (e).

~~(c)~~ (d) As used in this subdivision:

(1) "BB gun" means a device that fires or ejects a shot measuring .18 of an inch or less in diameter;

(2) "dangerous weapon" has the meaning given it in section 609.02, subdivision 6;

(3) "replica firearm" has the meaning given it in section 609.713; and

(4) "school property" means:

(i) a public or private elementary, middle, or secondary school building and its grounds, whether leased or owned by the school; and

(ii) the area within a school bus when that bus is being used to transport one or more elementary, middle, or secondary school students.

~~(d)~~ (e) This subdivision does not apply to:

(1) licensed peace officers, military personnel, or students participating in military training, who are performing official duties;

~~(2) persons who carry pistols according to the terms of a permit;~~

~~(3)~~ persons who keep or store in a motor vehicle pistols in accordance with section 624.714 ~~and~~ or 624.715 or other firearms in accordance with section 97B.045;

~~(4)~~ (3) firearm safety or marksmanship courses or activities conducted on school property;

~~(5)~~ (4) possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;

~~(6)~~ (5) a gun or knife show held on school property; or

~~(7)~~ (6) possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or director of a child care center."

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

The question was taken on the Abeler et al amendment and the roll was called. There were 110 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abeler	Eastlund	Hausman	Koskinen	McGuire	Pugh
Abrams	Entenza	Hilstrom	Krinkie	Milbert	Rhodes
Anderson, I.	Erickson	Hilty	Kubly	Molnau	Rifenberg
Bernardy	Evans	Holberg	Kuisle	Mullery	Ruth
Biernat	Folliard	Howes	Larson	Murphy	Schumacher
Carlson	Fuller	Huntley	Leighton	Ness	Seagren
Clark, J.	Gerlach	Jacobson	Lenczewski	Nornes	Skoglund
Clark, K.	Gleason	Jennings	Leppik	Opatz	Slawik
Daggett	Goodno	Johnson, J.	Lieder	Otremba	Smith
Davids	Goodwin	Johnson, R.	Lipman	Ozment	Stanek
Davnie	Gray	Johnson, S.	Mahoney	Paulsen	Stang
Dawkins	Greiling	Juhnke	Mares	Pawlenty	Swapinski
Dempsey	Gunther	Kahn	Mariani	Paymar	Swenson
Dibble	Haas	Kalis	Marko	Pelowski	Sykora
Dorman	Hackbarth	Kelliher	Marquart	Penas	Thompson
Dorn	Harder	Knoblach	McElroy	Peterson	Tingelstad

Tuma	Walker	Wenzel	Wilkin	Workman
Vandev eer	Walz	Westerberg	Winter	Spk. Sviggum
Wagenius	Wasiluk	Westrom	Wolf	

Those who voted in the negative were:

Anderson, B.	Boudreau	Cassell	Kielkucki	Olson	Seifert
Bakk	Bradley	Dehler	Lindner	Osskopp	Skoe
Bishop	Buesgens	Finseth	Mulder	Rukavina	

The motion prevailed and the amendment was adopted.

H. F. No. 1360, A bill for an act relating to public safety; enacting the Minnesota Citizens' Personal Protection Act of 2001; recognizing the inherent right of law-abiding citizens to self-protection through the lawful use of self-defense; providing a system under which responsible, competent adults can exercise their right to self-protection by authorizing them to obtain a permit to carry a pistol; providing criminal penalties; appropriating money; amending Minnesota Statutes 2000, sections 609.66, subdivision 1d; 624.714, subdivisions 2, 3, 4, 6, 7, 8, 10, 12, by adding subdivisions; repealing Minnesota Statutes 2000, section 624.714, subdivisions 1, 5.

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

The question was taken on the passage of the bill and the roll was called. There were 85 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Abeler	Eastlund	Johnson, J.	Molnau	Rifenberg	Vandev eer
Abrams	Erickson	Juhnke	Mulder	Rukavina	Walz
Anderson, B.	Finseth	Kalis	Murphy	Ruth	Wenzel
Anderson, I.	Fuller	Kielkucki	Ness	Schumacher	Westerberg
Bakk	Gerlach	Knoblach	Nornes	Seagren	Westrom
Boudreau	Goodno	Krinkie	Olson	Seifert	Wilkin
Bradley	Gunther	Kubly	Osskopp	Sertich	Winter
Buesgens	Haas	Kuisle	Osthoff	Skoe	Wolf
Cassell	Hackbarth	Lieder	Otremba	Smith	Workman
Clark, J.	Harder	Lindner	Ozment	Stanek	Spk. Sviggum
Daggett	Holberg	Lipman	Paulsen	Stang	
Davids	Holsten	Mares	Pawlenty	Swenson	
Dehler	Howes	Marquart	Pelowski	Sykora	
Dempsey	Jacobson	McElroy	Penas	Tingelstad	
Dorman	Jennings	Milbert	Peterson	Tuma	

Those who voted in the negative were:

Bernardy	Davnie	Evans	Greiling	Jaros	Koskinen
Biernat	Dawkins	Folliard	Hausman	Johnson, R.	Larson
Bishop	Dibble	Gleason	Hilstrom	Johnson, S.	Leighton
Carlson	Dorn	Goodwin	Hilty	Kahn	Lenczewski
Clark, K.	Entenza	Gray	Huntley	Kelliher	Leppik

Mahoney	McGuire	Paymar	Skoglund	Thompson	Wasiluk
Mariani	Mullery	Pugh	Slawik	Wagenius	
Marko	Opatz	Rhodes	Swapinski	Walker	

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

H. F. No. 326, A bill for an act relating to agencies; clarifying the operation of deadlines for certain state and local agency actions; amending Minnesota Statutes 2000, section 15.99, subdivisions 1 and 2.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 757, A bill for an act relating to highways; designating a route as the King of Trails; amending Minnesota Statutes 2000, section 161.14, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 525, A bill for an act relating to state government; revising conditions under which public employees receive daily payments for service on boards and councils; requiring groups to adopt standards for daily payments; amending Minnesota Statutes 2000, sections 15.0575, subdivision 3; 15.059, subdivision 3; and 214.09, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Cassell	Dorn	Goodwin	Holsten	Kalis
Abrams	Clark, J.	Eastlund	Gray	Howes	Kelliher
Anderson, B.	Clark, K.	Entenza	Greiling	Huntley	Kielkucki
Anderson, I.	Daggett	Erickson	Gunther	Jacobson	Knoblach
Bakk	Dauids	Evans	Haas	Jaros	Koskinen
Bernardy	Davnie	Finseth	Hackbarth	Jennings	Krinkie
Biernat	Dawkins	Folliard	Harder	Johnson, J.	Kubly
Boudreau	Dehler	Fuller	Hausman	Johnson, R.	Kuisle
Bradley	Dempsey	Gerlach	Hilstrom	Johnson, S.	Larson
Buesgens	Dibble	Gleason	Hilty	Juhnke	Leighton
Carlson	Dorman	Goodno	Holberg	Kahn	Lenczewski

Leppik	Milbert	Otremba	Rukavina	Stang	Wasiluk
Lieder	Molnau	Ozment	Ruth	Swapinski	Wenzel
Lindner	Mulder	Paulsen	Schumacher	Swenson	Westerberg
Lipman	Mullery	Pawlenty	Seagren	Sykora	Westrom
Mahoney	Murphy	Paymar	Seifert	Thompson	Wilkin
Mares	Ness	Pelowski	Sertich	Tingelstad	Winter
Mariani	Nornes	Penas	Skoe	Tuma	Wolf
Marko	Olson	Peterson	Skoglund	Vandever	Workman
Marquart	Opatz	Pugh	Slawik	Wagenius	Spk. Sviggum
McElroy	Osskopp	Rhodes	Smith	Walker	
McGuire	Osthoff	Rifenberg	Stanek	Walz	

The bill was passed and its title agreed to.

H. F. No. 949, A bill for an act relating to qualified newspapers; modifying requirements for qualified newspapers serving smaller local public corporations; amending Minnesota Statutes 2000, section 331A.02, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 708, A bill for an act relating to motor vehicles; clarifying exemption from registration taxes for certain well drilling machines, pump hoists, and other equipment; requiring safety inspection of special mobile equipment that is mounted on a commercial motor vehicle chassis; amending Minnesota Statutes 2000, sections 168.012, subdivision 5; 169.781, subdivisions 2, 5.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 883, A bill for an act relating to health; establishing procedure for requesting a variance or waiver for rules regarding the operation, construction, and equipment of hospitals; proposing coding for new law in Minnesota Statutes, chapter 144.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Bakk	Bradley	Clark, J.	Davnie	Dibble
Abrams	Bernardy	Buesgens	Clark, K.	Dawkins	Dorman
Anderson, B.	Biernat	Carlson	Daggett	Dehler	Dorn
Anderson, I.	Boudreau	Cassell	Davids	Dempsey	Eastlund

Entenza	Hilty	Krinkie	Molnau	Pugh	Thompson
Erickson	Holberg	Kubly	Mulder	Rhodes	Tingelstad
Evans	Holsten	Kuisle	Mullery	Rifenberg	Tuma
Finseth	Howes	Larson	Murphy	Rukavina	Vandever
Folliard	Huntley	Leighton	Ness	Ruth	Wagenius
Fuller	Jacobson	Lenczewski	Nornes	Schumacher	Walker
Gerlach	Jaros	Leppik	Olson	Seagren	Walz
Gleason	Jennings	Lieder	Opatz	Seifert	Wasiluk
Goodno	Johnson, J.	Lindner	Osskopp	Sertich	Wenzel
Goodwin	Johnson, R.	Lipman	Osthoff	Skoe	Westerberg
Gray	Johnson, S.	Mahoney	Otremba	Skoglund	Westrom
Greiling	Juhnke	Mares	Ozment	Slawik	Wilkin
Gunther	Kahn	Mariani	Paulsen	Smith	Winter
Haas	Kalis	Marko	Pawlenty	Stanek	Wolf
Hackbarth	Kelliher	Marquart	Paymar	Stang	Workman
Harder	Kielkucki	McElroy	Pelowski	Swapinski	Spk. Sviggum
Hausman	Knoblach	McGuire	Penas	Swenson	
Hilstrom	Koskinen	Milbert	Peterson	Sykora	

The bill was passed and its title agreed to.

H. F. No. 1280 was reported to the House.

Seagren moved that H. F. No. 1280 be continued on the Calendar for the Day. The motion prevailed.

MOTIONS AND RESOLUTIONS

Westrom moved that the name of Abeler be added as an author on H. F. No. 362. The motion prevailed.

Seifert moved that the name of Lipman be added as an author on H. F. No. 667. The motion prevailed.

Slawik moved that the name of Lipman be added as an author on H. F. No. 830. The motion prevailed.

Johnson, R., moved that the name of Dorn be added as an author on H. F. No. 944. The motion prevailed.

Olson moved that the name of Erickson be added as an author on H. F. No. 1028. The motion prevailed.

Clark, J., moved that the name of Bernardy be added as an author on H. F. No. 1046. The motion prevailed.

Knoblach moved that the name of Dehler be added as an author on H. F. No. 1806. The motion prevailed.

Bernardy moved that the name of Clark, J., be added as an author on H. F. No. 2059. The motion prevailed.

Rhodes moved that the name of Hausman be added as an author on H. F. No. 2117. The motion prevailed.

Slawik moved that the name of Bernardy be added as an author on H. F. No. 2231. The motion prevailed.

Carlson moved that the name of Bernardy be added as an author on H. F. No. 2335. The motion prevailed.

Davids moved that the names of Sertich and Clark, J., be added as authors on H. F. No. 2362. The motion prevailed.

Pugh moved that the name of Johnson, J., be added as an author on H. F. No. 2402. The motion prevailed.

Ness moved that the names of Daggett and Gunther be added as authors on H. F. No. 2407. The motion prevailed.

Walker moved that H. F. No. 1602 be returned to its author. The motion prevailed.

Goodno moved that H. F. No. 2344 be returned to its author. The motion prevailed.

Howes moved that H. F. No. 407 be recalled from the Committee on Environment and Natural Resources Finance and be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Abeler moved that H. F. No. 928 be recalled from the Committee on Education Policy and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

Abrams moved that H. F. No. 1053 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Fuller moved that H. F. No. 1315 be recalled from the Committee on Taxes and be re-referred to the Committee on Judiciary Finance. The motion prevailed.

Haas moved that H. F. No. 1338, now on the General Register, be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Abeler moved that H. F. No. 1854 be recalled from the Committee on Education Policy and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

Howes moved that H. F. No. 2330 be recalled from the Committee on Taxes and be re-referred to the Committee on Environment and Natural Resources Policy. The motion prevailed.

Fuller moved that H. F. No. 2403 be recalled from the Committee on Local Government and Metropolitan Affairs and be re-referred to the Committee on Judiciary Finance. The motion prevailed.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 3:00 p.m., Wednesday, April 11, 2001. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Wednesday, April 11, 2001.

EDWARD A. BURDICK, Chief Clerk, House of Representatives