

STATE OF MINNESOTA

EIGHTY-SECOND SESSION — 2001

FIFTY-FIFTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MAY 16, 2001

The House of Representatives convened at 9:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

"Amazing Grace" was performed by Nicole Swanson, Minnesota's Junior Miss, Lakeville, Minnesota.

Prayer was offered by Pastor Gerry Gengenbach, Vang Lutheran Church, Kenyon, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Kalis was excused.

Workman was excused until 10:35 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Thompson 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. 453 and H. F. No. 427, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Westerberg moved that the rules be so far suspended that S. F. No. 453 be substituted for H. F. No. 427 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 577 and H. F. No. 730, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Hausman moved that the rules be so far suspended that S. F. No. 577 be substituted for H. F. No. 730 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1098 and H. F. No. 1293, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Davids moved that the rules be so far suspended that S. F. No. 1098 be substituted for H. F. No. 1293 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1561 and H. F. No. 1733, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Entenza moved that the rules be so far suspended that S. F. No. 1561 be substituted for H. F. No. 1733 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1614 and H. F. No. 1655, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Entenza moved that the rules be so far suspended that S. F. No. 1614 be substituted for H. F. No. 1655 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>
2225		97	1:59 p.m. May 15	May 15
1056		98	2:02 p.m. May 15	May 15
1164		99	1:58 p.m. May 15	May 15
1064		100	2:04 p.m. May 15	May 15
2049		101	1:55 p.m. May 15	May 15
1258		102	2:00 p.m. May 15	May 15
1772		103	1:57 p.m. May 15	May 15
520		104	2:05 p.m. May 15	May 15

Sincerely,

MARY KIFFMEYER
Secretary of State

SECOND READING OF SENATE BILLS

S. F. Nos. 453, 577, 1098, 1561 and 1614 were read for the second time.

The Speaker called Dehler to the Chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 3, A house concurrent resolution relating to adopting Permanent Joint Rules of the Senate and House of Representatives.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2036, A bill for an act relating to Goodhue county; permitting the appointment of the auditor-treasurer and recorder.

PATRICK E. FLAHAVEN, Secretary of the Senate

Dempsey moved that the House refuse to concur in the Senate amendments to H. F. No. 2036, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 1397, A bill for an act relating to health and human services; changing requirements to background studies for licensed programs; amending Minnesota Statutes 2000, sections 13.46, subdivision 4; 144.057; 245A.02, subdivisions 1, 9, by adding a subdivision; 245A.03, subdivision 2, by adding a subdivision; 245A.035, subdivision 1; 245A.04, subdivisions 3, 3a, 3b, 3d, 6, 11, by adding a subdivision; 245A.06, subdivision 6; 245A.16, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 245A; repealing Minnesota Rules, parts 9543.3000; 9543.3010; 9543.3020; 9543.3030; 9543.3040; 9543.3050; 9543.3060; 9543.3080; 9543.3090.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Berglin, Ring, Kiscaden, Sams and Foley.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Goodno moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1397. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 1407, A bill for an act relating to human services; modifying provisions in health care access programs; amending Minnesota Statutes 2000, sections 245B.02, by adding a subdivision; 245B.03, subdivision 1; 252.28, subdivisions 3a and 3b; 256B.056, subdivisions 1a, 4, and 5a; 256B.0595, subdivisions 1 and 2; 256B.0625, subdivision 9; 256B.0635, subdivision 1; 256B.071, subdivision 2; 256B.094, subdivisions 6 and 8; 256B.5013, subdivision 1; 256B.69, subdivision 3a; 256D.03, subdivision 3; and 256L.15, subdivision 1a; Laws 1996, chapter 451, article 2, sections 61 and 62; repealing Minnesota Statutes 2000, section 256B.071, subdivision 5; Laws 1995, chapter 178, article 2, section 46, subdivision 10; Laws 1996, chapter 451, article 2, sections 12, 14, 16, 18, 29, and 30.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Ring, Lourey and Kiscaden.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Walker moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1407. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1947, A bill for an act relating to health; modifying the Vital Statistics Act; modifying access to adoption records; amending Minnesota Statutes 2000, sections 144.212, subdivisions 2a, 3, 5, 7, 8, 9, 11; 144.214, subdivisions 1, 3, 4; 144.215, subdivisions 1, 3, 4, 6, 7; 144.217; 144.218; 144.221, subdivisions 1, 3; 144.222, subdivision 2; 144.223; 144.225, subdivisions 1, 2, 3, 4, 7; 144.226, subdivisions 1, 3; 144.227; 260C.317, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2000, sections 144.1761; 144.217, subdivision 4; 144.219.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mulder moved that the House refuse to concur in the Senate amendments to H. F. No. 1947, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 1154, A bill for an act relating to the metropolitan radio board; extending the expiration date for the board to 2005; amending Laws 1995, chapter 195, article 1, section 18, as amended.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Kelley, S. P.; Fowler and Robling.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Rhodes moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1154. The motion prevailed.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 486

A bill for an act relating to elections; requiring disclaimers in newspaper ads to be legible; amending Minnesota Statutes 2000, section 211B.05, subdivision 1.

May 14, 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. 486, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 486 be further amended as follows:

Page 1, line 14, delete the new language and insert "must be in a legible text size and font."

We request adoption of this report and repassage of the bill.

House Conferees: MARTY SEIFERT, GARY W. KUBLY AND JIM RHODES.

Senate Conferees: ARLENE J. LESEWSKI, LINDA SCHEID AND WARREN LIMMER.

Seifert moved that the report of the Conference Committee on H. F. No. 486 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 486, A bill for an act relating to elections; requiring disclaimers in newspaper ads to be legible; amending Minnesota Statutes 2000, section 211B.05, subdivision 1.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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 bills on the Calendar for the Day, for Wednesday, May 16, 2001:

H. F. No. 2241; S. F. Nos. 321, 1301, 2033 and 1769; H. F. No. 427; S. F. No. 1944; H. F. No. 2514; and S. F. Nos. 1434, 564 and 960.

CALENDAR FOR THE DAY

S. F. No. 179 was reported to the House.

Greiling and Anderson, B., moved to amend S. F. No. 179 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 253B.02, subdivision 13, is amended to read:

Subd. 13. [MENTALLY ILL PERSON.] (a) "Mentally ill person" means any person who has an organic disorder of the brain or a substantial psychiatric disorder of thought, mood, perception, orientation, or memory which grossly impairs judgment, behavior, capacity to recognize reality, or to reason or understand, which is manifested by instances of grossly disturbed behavior or faulty perceptions and poses a substantial likelihood of physical harm to self or others as demonstrated by:

(1) a failure to obtain necessary food, clothing, shelter, or medical care as a result of the impairment; ~~or~~

(2) an inability for reasons other than indigence to obtain necessary food, clothing, shelter, or medical care as a result of the impairment and it is more probable than not that the person will suffer substantial harm, significant psychiatric deterioration or debilitation, or serious illness, unless appropriate treatment and services are provided;

~~(2)~~ (3) a recent attempt or threat to physically harm self or others; or

(4) recent and volitional conduct involving significant damage to substantial property.

(b) A person is not mentally ill under this section if the impairment is solely due to:

(1) epilepsy;

(2) mental retardation;

(3) brief periods of intoxication caused by alcohol, drugs, or other mind-altering substances; or

(4) dependence upon or addiction to any alcohol, drugs, or other mind-altering substances.

Sec. 2. Minnesota Statutes 2000, section 253B.03, subdivision 5, is amended to read:

Subd. 5. [PERIODIC ASSESSMENT.] A patient has the right to periodic medical assessment, including assessment of the medical necessity of continuing care and, if the treatment facility declines to provide continuing care, the right to receive specific written reasons why continuing care is declined at the time of the assessment. The treatment facility shall assess the physical and mental condition of every patient as frequently as necessary, but not less often than annually. If the patient refuses to be examined, the facility shall document in the patient's chart its attempts to examine the patient. If a person is committed as mentally retarded for an indeterminate period of time, the three-year judicial review must include the annual reviews for each year as outlined in Minnesota Rules, part 9525.0075, subpart 6.

Sec. 3. Minnesota Statutes 2000, section 253B.03, subdivision 10, is amended to read:

Subd. 10. [NOTIFICATION.] All persons admitted or committed to a treatment facility shall be notified in writing of their rights ~~under this chapter~~ regarding hospitalization and other treatment at the time of admission. This notification must include:

(1) patient rights specified in this section and section 144.651, including nursing home discharge rights;

(2) the right to obtain treatment and services voluntarily under this chapter;

(3) the right to voluntary admission and release under section 253B.04;

(4) rights in case of an emergency admission under section 253B.05, including the right to documentation in support of an emergency hold and the right to a summary hearing before a judge if the patient believes an emergency hold is improper;

(5) the right to request expedited review under section 62M.05 if additional days of inpatient stay are denied;

(6) the right to continuing benefits pending appeal and to an expedited administrative hearing under section 256.045 if the patient is a recipient of medical assistance, general assistance medical care, or MinnesotaCare; and

(7) the right to an external appeal process under section 62Q.73, including the right to a second opinion.

Sec. 4. Minnesota Statutes 2000, section 253B.03, is amended by adding a subdivision to read:

Subd. 11. [PROXY.] A legally authorized health care proxy, agent, guardian, or conservator may exercise the patient's rights on the patient's behalf.

Sec. 5. Minnesota Statutes 2000, section 253B.04, subdivision 1, is amended to read:

Subdivision 1. [VOLUNTARY ADMISSION AND TREATMENT.] (a) Voluntary admission is preferred over involuntary commitment and treatment. Any person 16 years of age or older may request to be admitted to a treatment facility as a voluntary patient for observation, evaluation, diagnosis, care and treatment without making formal written application. Any person under the age of 16 years may be admitted as a patient with the consent of a parent or legal guardian if it is determined by independent examination that there is reasonable evidence that (1) the proposed patient has a mental illness, or is mentally retarded or chemically dependent; and (2) the proposed patient is suitable for treatment. The head of the treatment facility shall not arbitrarily refuse any person seeking admission as a voluntary patient. In making decisions regarding admissions, the facility shall use clinical admission criteria consistent with the current applicable inpatient admission standards established by the American Psychiatric Association or the American Academy of Child and Adolescent Psychiatry. These criteria must be no more restrictive than, and must be consistent with, the requirements of section 62Q.53. The facility may not refuse to admit a person voluntarily solely because the person does not meet the criteria for involuntary holds under section 253B.05 or the definition of mental illness under section 253B.02, subdivision 13.

(b) In addition to the consent provisions of paragraph (a), a person who is 16 or 17 years of age who refuses to consent personally to admission may be admitted as a patient for mental illness or chemical dependency treatment with the consent of a parent or legal guardian if it is determined by an independent examination that there is reasonable evidence that the proposed patient is chemically dependent or has a mental illness and is suitable for treatment. The person conducting the examination shall notify the proposed patient and the parent or legal guardian of this determination.

Sec. 6. Minnesota Statutes 2000, section 253B.04, subdivision 1a, is amended to read:

Subd. 1a. [VOLUNTARY TREATMENT OR ADMISSION FOR PERSONS WITH MENTAL ILLNESS.] (a) A person with a mental illness may seek or voluntarily agree to accept treatment or admission to a facility. If the mental health provider determines that the person lacks the capacity to give informed consent for the treatment or admission, and in the absence of a health care power of attorney that authorizes consent, the designated agency or its designee may give informed consent for mental health treatment or admission to a treatment facility on behalf of the person.

(b) The designated agency shall apply the following criteria in determining the person's ability to give informed consent:

(1) whether the person demonstrates an awareness of the person's illness, and the reasons for treatment, its risks, benefits and alternatives, and the possible consequences of refusing treatment; and

(2) whether the person communicates verbally or nonverbally a clear choice concerning treatment that is a reasoned one, not based on delusion, even though it may not be in the person's best interests.

(c) The basis for the designated agency's decision that the person lacks the capacity to give informed consent for treatment or admission, and that the patient has voluntarily accepted treatment or admission, must be documented in writing.

(d) A mental health provider that provides treatment in reliance on the written consent given by the designated agency under this subdivision or by a substitute decision-maker appointed by the court is not civilly or criminally liable for performing treatment without consent. This paragraph does not affect any other liability that may result from the manner in which the treatment is performed.

(e) A person who receives treatment or is admitted to a facility under this subdivision or subdivision 1b has the right to refuse treatment at any time or to be released from a facility as provided under subdivision 2. The person or any interested person acting on the person's behalf may seek court review within five days for a determination of whether the person's agreement to accept treatment or admission is voluntary. At the time a person agrees to treatment or admission to a facility under this subdivision, the designated agency or its designee shall inform the person in writing of the person's rights under this paragraph.

(f) This subdivision does not authorize the administration of neuroleptic medications. Neuroleptic medications may be administered only as provided in section 253B.092.

Sec. 7. Minnesota Statutes 2000, section 253B.04, is amended by adding a subdivision to read:

Subd. 1b. [COURT APPOINTMENT OF SUBSTITUTE DECISION-MAKER.] If the designated agency or its designee declines or refuses to give informed consent under subdivision 1a, the person who is seeking treatment or admission, or an interested person acting on behalf of the person, may petition the court for appointment of a substitute decision-maker who may give informed consent for voluntary treatment and services. In making this determination, the court shall apply the criteria in subdivision 1a, paragraph (b).

Sec. 8. Minnesota Statutes 2000, section 253B.05, subdivision 1, is amended to read:

Subdivision 1. [EMERGENCY HOLD.] (a) Any person may be admitted or held for emergency care and treatment in a treatment facility with the consent of the head of the treatment facility upon a written statement by an examiner that:

- (1) the examiner has examined the person not more than 15 days prior to admission;
- (2) the examiner is of the opinion, for stated reasons, that the person is mentally ill, mentally retarded or chemically dependent, and is in ~~imminent~~ danger of causing injury to self or others if not immediately ~~restrained,~~ detained; and
- (3) an order of the court cannot be obtained in time to prevent the anticipated injury.

(b) If the proposed patient has been brought to the treatment facility by another person, the examiner shall make a good-faith effort to obtain a statement of information that is available from that person, which must be taken into consideration in deciding whether to place the proposed patient on an emergency hold. The statement of information must include, to the extent available, direct observations of the proposed patient's behaviors, reliable knowledge of recent and past behavior, and information regarding psychiatric history, past treatment, and current mental health providers. The examiner shall also inquire into the existence of health care directives under chapter 145, and advance psychiatric directives under section 253B.03, subdivision 6d. Failure to obtain the statement of information does not invalidate an emergency hold issued by the examiner under this subdivision.

(c) The examiner's statement shall be: (1) sufficient authority for a peace or health officer to transport a patient to a treatment facility, (2) stated in behavioral terms and not in conclusory language, and (3) of sufficient specificity to provide an adequate record for review. If ~~imminent~~ danger to specific individuals is a basis for the emergency hold, the statement must identify those individuals, to the extent practicable. A copy of the examiner's statement shall be personally served on the person immediately upon admission and a copy shall be maintained by the treatment facility.

Sec. 9. Minnesota Statutes 2000, section 253B.065, subdivision 5, is amended to read:

Subd. 5. [EARLY INTERVENTION CRITERIA.] (a) A court shall order early intervention treatment of a proposed patient who meets the criteria under paragraph (b). The early intervention treatment must be less intrusive than long-term inpatient commitment and must be the least restrictive treatment program available that can meet the patient's treatment needs.

(b) The court shall order early intervention treatment if the court finds all of the elements of the following factors by clear and convincing evidence:

(1) the proposed patient is mentally ill;

(2) the proposed patient refuses to accept appropriate mental health treatment; and

(3) the proposed patient's mental illness is manifested by instances of grossly disturbed behavior or faulty perceptions and either:

(i) the grossly disturbed behavior or faulty perceptions significantly interfere with the proposed patient's ability to care for self and the proposed patient, when competent, would have chosen substantially similar treatment under the same circumstances; or

(ii) due to the mental illness, the proposed patient received court-ordered inpatient treatment under section 253B.09 at least two times in the previous three years; the patient is exhibiting symptoms or behavior substantially similar to those that precipitated one or more of the court-ordered treatments; and the patient is reasonably expected to physically or mentally deteriorate to the point of meeting the criteria for commitment under section 253B.09 unless treated.

For purposes of this paragraph, a proposed patient who was released under section 253B.095 and whose release was not revoked is not considered to have received court-ordered inpatient treatment under section 253B.09.

(c) For purposes of paragraph (b), none of the following constitute a refusal to accept appropriate mental health treatment:

(1) a willingness to take medication but a reasonable disagreement about type or dosage;

(2) a good-faith effort to follow a reasonable alternative treatment plan, including treatment as specified in a valid advance directive under chapter 145C or section 253B.03, subdivision 6d;

(3) an inability to obtain access to appropriate treatment because of inadequate health care coverage or an insurer's refusal or delay in providing coverage for the treatment; or

(4) an inability to obtain access to needed mental health services because the provider will only accept patients who are under a court order or because the provider gives persons under a court order a priority over voluntary patients in obtaining treatment and services.

Sec. 10. Minnesota Statutes 2000, section 253B.066, subdivision 1, is amended to read:

Subdivision 1. [TREATMENT ALTERNATIVES.] If the court orders early intervention under section 253B.065, subdivision 5, the court may include in its order a variety of treatment alternatives including, but not limited to, day treatment, medication compliance monitoring, and short-term hospitalization not to exceed ~~ten~~ 21 days.

If the court orders short-term hospitalization and the proposed patient will not go voluntarily, the court may direct a health officer, peace officer, or other person to take the person into custody and transport the person to the hospital.

Sec. 11. Minnesota Statutes 2000, section 253B.07, subdivision 1, is amended to read:

Subdivision 1. [PREPETITION SCREENING.] (a) Prior to filing a petition for commitment of or early intervention for a proposed patient, an interested person shall apply to the designated agency in the county of the proposed patient's residence or presence for conduct of a preliminary investigation, except when the proposed patient has been acquitted of a crime under section 611.026 and the county attorney is required to file a petition for commitment. The designated agency shall appoint a screening team to conduct an investigation ~~which shall include.~~ The petitioner may not be a member of the screening team. The investigation must include:

(i) (1) a personal interview with the proposed patient and other individuals who appear to have knowledge of the condition of the proposed patient. If the proposed patient is not interviewed, specific reasons must be documented;

(ii) (2) identification and investigation of specific alleged conduct which is the basis for application;

(iii) (3) identification, exploration, and listing of the specific reasons for rejecting or recommending alternatives to involuntary placement;

(iv) (4) in the case of a commitment based on mental illness, the following information, if it is known or available: ~~information,~~ that may be relevant to the administration of neuroleptic medications, ~~if necessary,~~ including the existence of a declaration under section 253B.03, subdivision 6d, or a health care directive under chapter 145C or a guardian, conservator, proxy, or agent with authority to make health care decisions for the proposed patient; information regarding the capacity of the proposed patient to make decisions regarding administration of neuroleptic medication; and whether the proposed patient is likely to consent or refuse consent to administration of the medication; ~~and~~

(v) (5) seeking input from the proposed patient's health plan company to provide the court with information about services the enrollee needs and the least restrictive alternatives; ~~and~~

(6) in the case of a commitment based on mental illness, information listed in clause (4) for other purposes relevant to treatment.

(b) In conducting the investigation required by this subdivision, the screening team shall have access to all relevant medical records of proposed patients currently in treatment facilities. Data collected pursuant to this clause shall be considered private data on individuals. The prepetition screening report is not admissible in any court proceedings unrelated to the commitment proceedings.

(c) The prepetition screening team shall provide a notice, written in easily understood language, to the proposed patient, the petitioner, persons named in a declaration under chapter 145C or section 253B.03, subdivision 6d, and, with the proposed patient's consent, other interested parties. The team shall ask the patient if the patient wants the notice read and shall read the notice to the patient upon request. The notice must contain information regarding the process, purpose, and legal effects of civil commitment and early intervention. The notice must inform the proposed patient that:

(1) if a petition is filed, the patient has certain rights, including the right to a court-appointed attorney, the right to request a second examiner, the right to attend hearings, and the right to oppose the proceeding and to present and contest evidence; and

(2) if the proposed patient is committed to a state regional treatment center or group home, the patient may be billed for the cost of care and the state has the right to make a claim against the patient's estate for this cost.

The ombudsman for mental health and mental retardation shall develop a form for the notice, which includes the requirements of this paragraph.

(d) When the prepetition screening team recommends commitment, a written report shall be sent to the county attorney for the county in which the petition is to be filed. The statement of facts contained in the written report must meet the requirements of subdivision 2, paragraph (b).

~~(d)~~ (e) The prepetition screening team shall refuse to support a petition if the investigation does not disclose evidence sufficient to support commitment. Notice of the prepetition screening team's decision shall be provided to the prospective petitioner and to the proposed patient.

~~(e)~~ (f) If the interested person wishes to proceed with a petition contrary to the recommendation of the prepetition screening team, application may be made directly to the county attorney, who may shall determine whether or not to proceed with the petition. Notice of the county attorney's determination shall be provided to the interested party.

~~(f)~~ (g) If the proposed patient has been acquitted of a crime under section 611.026, the county attorney shall apply to the designated county agency in the county in which the acquittal took place for a preliminary investigation unless substantially the same information relevant to the proposed patient's current mental condition, as could be obtained by a preliminary investigation, is part of the court record in the criminal proceeding or is contained in the report of a mental examination conducted in connection with the criminal proceeding. If a court petitions for commitment pursuant to the rules of criminal or juvenile procedure or a county attorney petitions pursuant to acquittal of a criminal charge under section 611.026, the prepetition investigation, if required by this section, shall be completed within seven days after the filing of the petition.

Sec. 12. Minnesota Statutes 2000, section 253B.07, subdivision 2, is amended to read:

Subd. 2. [THE PETITION.] (a) Any interested person, except a member of the prepetition screening team, may file a petition for commitment in the district court of the county of the proposed patient's residence or presence. If the head of the treatment facility believes that commitment is required and no petition has been filed, the head of the treatment facility shall petition for the commitment of the person.

(b) The petition shall set forth the name and address of the proposed patient, the name and address of the patient's nearest relatives, and the reasons for the petition. The petition must contain factual descriptions of the proposed patient's recent behavior, including a description of the behavior, where it occurred, and the time period over which it occurred. Each factual allegation must be supported by observations of witnesses named in the petition. Petitions shall be stated in behavioral terms and shall not contain judgmental or conclusory statements.

(c) The petition shall be accompanied by a written statement by an examiner stating that the examiner has examined the proposed patient within the 15 days preceding the filing of the petition and is of the opinion that the proposed patient is suffering a designated disability and should be committed to a treatment facility. The statement shall include the reasons for the opinion. In the case of a commitment based on mental illness, the petition and the examiner's statement may shall include, to the extent this information is available, a statement and opinion regarding the proposed patient's need for treatment with neuroleptic medication and the patient's capacity to make decisions regarding the administration of neuroleptic medications, and the reasons for the opinion. If use of neuroleptic medications is recommended by the treating physician, the petition for commitment must, if applicable, include or be accompanied by a request for proceedings under section 253B.092. Failure to include the required information regarding neuroleptic medications in the examiner's statement, or to include a request for an order regarding neuroleptic medications with the commitment petition, is not a basis for dismissing the commitment petition. If a petitioner has been unable to secure a statement from an examiner, the petition shall include documentation that a reasonable effort has been made to secure the supporting statement.

Sec. 13. Minnesota Statutes 2000, section 253B.07, subdivision 7, is amended to read:

Subd. 7. [PRELIMINARY HEARING.] (a) No proposed patient may be held in a treatment facility under a judicial hold pursuant to subdivision 6 longer than 72 hours, exclusive of Saturdays, Sundays, and legal holidays, unless the court holds a preliminary hearing and determines that the standard is met to hold the person.

(b) The proposed patient, patient's counsel, the petitioner, the county attorney, and any other persons as the court directs shall be given at least 24 hours written notice of the preliminary hearing. The notice shall include the alleged grounds for confinement. The proposed patient shall be represented at the preliminary hearing by counsel. The court may admit reliable hearsay evidence, including written reports, for the purpose of the preliminary hearing.

(c) The court, on its motion or on the motion of any party, may exclude or excuse a proposed patient who is seriously disruptive or who is incapable of comprehending and participating in the proceedings. In such instances, the court shall, with specificity on the record, state the behavior of the proposed patient or other circumstances which justify proceeding in the absence of the proposed patient.

(d) The court may continue the judicial hold of the proposed patient if it finds, by a preponderance of the evidence, that serious ~~imminent~~ physical harm to the proposed patient or others is likely if the proposed patient is not immediately confined. If a proposed patient was acquitted of a crime against the person under section 611.026 immediately preceding the filing of the petition, the court may presume that serious ~~imminent~~ physical harm to the patient or others is likely if the proposed patient is not immediately confined.

(e) Upon a showing that a person subject to a petition for commitment may need treatment with neuroleptic medications and that the person may lack capacity to make decisions regarding that treatment, the court may appoint a substitute decision-maker as provided in section 253B.092, subdivision 6. The substitute decision-maker shall meet with the proposed patient and provider and make a report to the court at the hearing under section 253B.08 regarding whether the administration of neuroleptic medications is appropriate under the criteria of section 253B.092, subdivision 7. If the substitute decision-maker consents to treatment with neuroleptic medications and the proposed patient does not refuse the medication, neuroleptic medication may be administered to the patient. If the substitute decision-maker does not consent or the patient refuses, neuroleptic medication may not be administered without a court order, or in an emergency as set forth in section 253B.092, subdivision 3.

Sec. 14. Minnesota Statutes 2000, section 253B.09, subdivision 1, is amended to read:

Subdivision 1. [STANDARD OF PROOF.] (a) If the court finds by clear and convincing evidence that the proposed patient is a mentally ill, mentally retarded, or chemically dependent person and after careful consideration of reasonable alternative dispositions, including but not limited to, dismissal of petition, voluntary outpatient care, voluntary admission to a treatment facility, appointment of a guardian or conservator, or release before commitment as provided for in subdivision 4, it finds that there is no suitable alternative to judicial commitment, the court shall commit the patient to the least restrictive treatment program or alternative programs which can meet the patient's treatment needs consistent with section 253B.03, subdivision 7.

(b) In deciding on the least restrictive program, the court shall consider a range of treatment alternatives including, but not limited to, community-based nonresidential treatment, community residential treatment, partial hospitalization, acute care hospital, and regional treatment center services. The court shall also consider the proposed patient's treatment preferences and willingness to participate voluntarily in the treatment ordered. The court may not commit a patient to a facility or program that is not capable of meeting the patient's needs.

Sec. 15. [DATA REGARDING COUNTY COMMITMENT COSTS.]

Each county shall report data regarding all county costs for civil commitments under Minnesota Statutes, section 253B.09, beginning July 1, 2002, to the commissioner of human services. This fiscal data must include, but is not limited to court costs, hold order costs under Minnesota Statutes, section 253.05, the county share of costs for placement in a regional treatment center, costs for pre-petition screening under Minnesota Statutes, section 253B.07,

case management costs, transportation costs, and contract bed costs. The commissioner shall report this information, including any increases or decreases in county commitment costs that occur after the implementation of sections 1 to 12, to the legislature by January 15, 2004.

Sec. 16. [EFFECTIVE DATE.]

Sections 1 to 15 are effective July 1, 2002."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

S. F. No. 179, A bill for an act relating to civil commitment; requiring certain hearings on neuroleptic medications to be combined with a civil commitment proceeding; amending Minnesota Statutes 2000, sections 253B.066, subdivision 1; 253B.07, subdivision 2.

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 127 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Boudreau Olson

The bill was passed, as amended, and its title agreed to.

S. F. No. 1301, A bill for an act relating to changing certain bid and performance and payment bond thresholds; amending Minnesota Statutes 2000, section 469.015, subdivisions 1, 2, 3, and 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 118 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Gerlach	Krinkie	Vandev eer
Buesgens	Kielkucki	Olson	Wilkin

The bill was passed and its title agreed to.

S. F. No. 2033, A bill for an act relating to insurance; modifying minimum education requirements for insurance agents; amending Minnesota Statutes 2000, section 60K.19, subdivision 8.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Biernat	Buesgens	Clark, J.	Davids
Abrams	Bakk	Boudreau	Carlson	Clark, K.	Davnie
Anderson, B.	Bernardy	Bradley	Cassell	Daggett	Dawkins

Dempsey	Gunther	Kahn	Marquart	Paymar	Stang
Dibble	Haas	Kelliher	McElroy	Pelowski	Swapinski
Dorman	Hackbarth	Kielkucki	McGuire	Penas	Swenson
Dorn	Harder	Knoblach	Milbert	Peterson	Sykora
Eastlund	Hausman	Koskinen	Molnau	Pugh	Thompson
Entenza	Hilstrom	Kubly	Mulder	Rhodes	Tingelstad
Erhardt	Hilty	Kuisle	Mullery	Rifenberg	Tuma
Erickson	Holberg	Larson	Murphy	Rukavina	Wagenius
Evans	Holsten	Leighton	Ness	Ruth	Walker
Finseth	Howes	Lenczewski	Nornes	Schumacher	Walz
Folliard	Huntley	Leppik	Olson	Seagren	Wasiluk
Fuller	Jacobson	Lieder	Opatz	Seifert	Wenzel
Gerlach	Jaros	Lindner	Osskopp	Sertich	Westerberg
Gleason	Jennings	Lipman	Osthoff	Skoe	Westrom
Goodno	Johnson, J.	Luther	Otremba	Skoglund	Wilkin
Goodwin	Johnson, R.	Mahoney	Ozment	Slawik	Winter
Gray	Johnson, S.	Mares	Paulsen	Solberg	Wolf
Greiling	Juhnke	Marko	Pawlenty	Stanek	Spk. Sviggum

Those who voted in the negative were:

Krinkie	Smith	Vandever
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The bill was passed and its title agreed to.

H. F. No. 2514 was reported to the House.

Osskopp moved to amend H. F. No. 2514, the second engrossment, as follows:

Page 5, after line 28, insert:

"(c) The owner of animals or personal property that the board intends to destroy or of land that the governor intends to commandeer for disposal of destroyed animals under this subdivision may seek a hearing at any time after learning the board's or governor's intent. The hearing shall be conducted by a panel of three supreme court justices appointed by the chief justice. The hearing may be held by telephone and must be conducted before the animals are destroyed. The panel must rule on the issue within six hours after the hearing. The owner may contest the destruction of animals or personal property or the commandeering of real property on grounds that it is not reasonably necessary for suppression of the disease."

Reletter the remaining paragraphs in the subdivision accordingly

A roll call was requested and properly seconded.

The question was taken on the Osskopp amendment and the roll was called. There were 43 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Bradley	Davnie	Dorman	Gunther	Hilty
Bakk	Buesgens	Dehler	Fuller	Haas	Holberg
Boudreau	Clark, J.	Dempsey	Gerlach	Hackbarth	Howes

Jacobson	Kuisle	Osskopp	Ruth	Vandever
Jaros	Lindner	Paulsen	Swenson	Walz
Johnson, J.	Lipman	Pawlenty	Thompson	Westerberg
Kielkucki	Milbert	Rifenberg	Tingelstad	Wilkin
Krinkie	Olson	Rukavina	Tuma	Spk. Sviggum

Those who voted in the negative were:

Abeler	Entenza	Huntley	Luther	Ozment	Solberg
Abrams	Erhardt	Jennings	Mahoney	Paymar	Stang
Anderson, I.	Erickson	Johnson, R.	Mariani	Pelowski	Swapinski
Bernardy	Evans	Johnson, S.	Marko	Penas	Sykora
Biernat	Finseth	Juhnke	Marquart	Peterson	Wagenius
Bishop	Folliard	Kahn	McElroy	Pugh	Walker
Carlson	Gleason	Kelliher	McGuire	Rhodes	Wasiluk
Cassell	Goodno	Knoblach	Molnau	Schumacher	Wenzel
Clark, K.	Goodwin	Koskinen	Mulder	Seagren	Westrom
Daggett	Gray	Kubly	Mullery	Seifert	Winter
Davids	Greiling	Larson	Murphy	Sertich	Wolf
Dawkins	Harder	Leighton	Nornes	Skoe	Workman
Dibble	Hausman	Lenczewski	Opatz	Skoglund	
Dorn	Hilstrom	Leppik	Osthoff	Slawik	
Eastlund	Holsten	Lieder	Otremba	Smith	

The motion did not prevail and the amendment was not adopted.

Osskopp moved to amend H. F. No. 2514, the second engrossment, as follows:

Page 6, after line 33, insert:

"(e) No entity of any kind may begin or proceed with any proceeding to collect a debt from the owner of animals or personal property destroyed under this subdivision, until the owner has received compensation under paragraph (d). For purposes of this paragraph, "proceeding to collect a debt" includes foreclosure, repossession, garnishment, levy, contract for deed cancellation, an action to obtain a court judgment, a proceeding to collect real estate taxes or special assessments, eviction, and any other in-court and out-of-court proceedings to collect a debt. The term does not include sending bills or other routine communications to the owner. If an entity refuses to comply with this paragraph after being informed that the owner qualifies for relief under this paragraph, the owner may apply to the district court in the county in which the owner resides for a court order directing the entity to comply with this paragraph and to reimburse the owner for reasonable attorney fees incurred in obtaining the court order. This paragraph does not affect the validity of a mortgage foreclosure, contract for deed cancellation or other proceeding involving the title to real property, unless the owner records in the office of the county recorder, or files in the office of the registrar of titles, prior to completion of the proceeding to collect a debt, a certified copy of a court order, which includes a legal description of the property, determining that the owner qualifies for relief under this paragraph. For purposes of proceedings involving title to real property, the court order must provide that it expires 90 days after the court order was applied for, unless the court extends the court order prior to that date for good cause shown. A certified copy of any such extension of the court order must be recorded or filed in order to affect the validity of a proceeding affecting the title to real property."

The motion prevailed and the amendment was adopted.

The Speaker called Abrams to the Chair.

Skoglund; Finseth; Clark, J., and Smith moved to amend H. F. No. 2514, the second engrossment, as amended, as follows:

Page 2, line 36, delete "agrees to"

Page 3, line 1, delete "abide by" and insert "complies with"

Page 3, delete lines 2 to 4

Page 4, line 15 delete "sign and"

Page 4, line 18, delete "sign and"

The motion prevailed and the amendment was adopted.

H. F. No. 2514, A bill for an act relating to agriculture; expanding emergency authority of the board of animal health to eradicate any dangerous, infectious, or communicable disease affecting domestic animals in the state; amending Minnesota Statutes 2000, section 35.09, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 35.

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 114 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Abeler	Eastlund	Hilty	Lieder	Ozment	Solberg
Abrams	Entenza	Holberg	Luther	Paulsen	Stanek
Anderson, I.	Erhardt	Holsten	Mahoney	Pawlenty	Stang
Bernardy	Erickson	Huntley	Mares	Paymar	Swapinski
Biernat	Evans	Jacobson	Mariani	Pelowski	Sykora
Bishop	Finseth	Jaros	Marko	Penas	Thompson
Bradley	Folliard	Jennings	Marquart	Peterson	Tingelstad
Carlson	Fuller	Johnson, R.	McElroy	Pugh	Tuma
Cassell	Gleason	Johnson, S.	McGuire	Rhodes	Wagenius
Clark, K.	Goodno	Juhnke	Milbert	Rukavina	Walker
Daggett	Goodwin	Kelliher	Molnau	Ruth	Wasiluk
Davids	Gray	Kielkucki	Mulder	Schumacher	Wenzel
Davnie	Greiling	Knoblach	Mullery	Seagren	Westerberg
Dawkins	Gunther	Koskinen	Murphy	Seifert	Westrom
Dehler	Haas	Kubly	Ness	Sertich	Wilkin
Dempsey	Hackbarth	Larson	Nornes	Skoe	Winter
Dibble	Harder	Leighton	Opatz	Skoglund	Wolf
Dorman	Hausman	Lenczewski	Osthoff	Slawik	Workman
Dorn	Hilstrom	Leppik	Otremba	Smith	Spk. Sviggum

Those who voted in the negative were:

Anderson, B.	Buesgens	Howes	Kuisle	Olson	Swenson
Bakk	Clark, J.	Johnson, J.	Lindner	Osskopp	Vandevveer
Boudreau	Gerlach	Krinkie	Lipman	Rifenberg	Walz

The bill was passed, as amended, and its title agreed to.

S. F. No. 1434 was reported to the House.

Kelliher moved to amend S. F. No. 1434 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1612, the second engrossment:

"Section 1. Minnesota Statutes 2000, section 103G.271, subdivision 1, is amended to read:

Subdivision 1. [PERMIT REQUIRED.] (a) Except as provided in paragraph (b), the state, a person, partnership, or association, private or public corporation, county, municipality, or other political subdivision of the state may not appropriate or use waters of the state without a water use permit from the commissioner.

(b) This section does not apply to use for a water supply by less than 25 persons for domestic purposes.

(c) The commissioner may issue a state general permit for ~~temporary~~ appropriation of water to a governmental subdivision or to the general public for classes of activities that have minimal impact upon waters of the state. The general permit may authorize more than one project and the appropriation or use of more than one source of water. Water use permit processing fees and reports required under subdivision 6 and section 103G.281, subdivision 3, are required for each project or water source that is included under a general permit, except that no fee ~~or report~~ is required for uses totaling less than 15,000,000 gallons annually.

Sec. 2. Minnesota Statutes 2000, section 103G.271, subdivision 5, is amended to read:

Subd. 5. [PROHIBITION ON ONCE-THROUGH WATER USE PERMITS.] (a) The commissioner may not, after December 31, 1990, issue a water use permit to increase the volume of appropriation from a groundwater source for a once-through cooling system using in excess of 5,000,000 gallons annually.

(b) ~~Except as provided in paragraph (c);~~ Once-through system water use permits using in excess of 5,000,000 gallons annually, must be terminated by the commissioner by the end of their design life but not later than December 31, 2010, unless the discharge is into a public water basin within a nature preserve approved by the commissioner and established prior to January 1, 2001. Existing once-through systems must not be expanded and are required to convert to water efficient alternatives within the design life of existing equipment.

~~(c) Paragraph (b) does not apply where groundwater appropriated for use in a once-through system is subsequently discharged into a wetland or public waters wetland owned or leased by a nonprofit corporation if:~~

~~(1) the membership of the corporation includes a local government unit;~~

~~(2) the deed or lease requires that the area containing the wetland or public waters wetland be maintained as a nature preserve;~~

(3) public access is allowed consistent with the area's status as a nature preserve; and

(4) by January 1, 2003, the permittee incurs costs of developing the nature preserve and associated facilities that, when discounted to 1992 dollars, exceed twice the projected cost, as determined by the commissioner, of the conversion required in paragraph (b), discounted to 1992 dollars.

The costs incurred under clause (4) may include preparation of plans and designs; site preparation; construction of wildlife habitat structures; planting of trees and other vegetation; installation of signs and markers; design and construction of trails, docks, and access structures; and design and construction of interpretative facilities. The permittee shall submit an estimate of the cost of the conversion required in paragraph (b) to the commissioner by January 1, 1993, and shall annually report to the commissioner on the progress of the project and the level of expenditures.

Sec. 3. Minnesota Statutes 2000, section 103G.271, subdivision 5a, is amended to read:

Subd. 5a. [MAINTENANCE OF SURFACE WATER LEVELS.] Except as provided in subdivision 5, paragraph (c) (b), the commissioner shall, by January 31, 1994, revoke all existing permits, and may not issue new permits, for the appropriation or use of groundwater in excess of 10,000,000 gallons per year for the primary purpose of maintaining or increasing surface water levels in the seven-county metropolitan area and in other areas of concern as determined by the commissioner. This subdivision does not apply until January 1, 1998, to a municipality that, by January 1, 1994, submits a plan acceptable to the commissioner for maintaining or increasing surface water levels using sources other than groundwater.

Sec. 4. Minnesota Statutes 2000, section 103G.301, subdivision 2, is amended to read:

Subd. 2. [PERMIT APPLICATION FEES.] (a) An application for a permit authorized under this chapter, and each request to amend or transfer an existing permit, must be accompanied by a permit application fee to defray the costs of receiving, recording, and processing the application or request to amend or transfer.

(b) The fee to apply for a permit to appropriate water, a permit to construct or repair a dam that is subject to dam safety inspection, or a state general permit or to apply for the state water bank program is \$75. The application fee for a permit to work in public waters or to divert waters for mining must be at least \$75, but not more than \$500, according to a schedule of fees adopted under section 16A.1285.

Sec. 5. [DAM INVENTORY AND ASSESSMENT.]

The commissioner of natural resources shall cooperate with the United States Army Corps of Engineers in carrying out the inventory and assessment, and the repair of dams that are a risk to public safety, that were constructed in this state by the Works Progress Administration, the Works Projects Administration, and the Civilian Conservation Corps, as mandated by section 524 of Public Law Number 106-541.

Delete the title and insert:

"A bill for an act relating to waters; modifying water appropriation permit provisions; establishing fees; requiring cooperation with a dam inventory; amending Minnesota Statutes 2000, sections 103G.271, subdivisions 1, 5, and 5a; and 103G.301, subdivision 2."

The motion prevailed and the amendment was adopted.

S. F. No. 1434, A bill for an act relating to waters; providing for administrative penalty orders; modifying water appropriation permit provisions; establishing fees; providing civil penalties; amending Minnesota Statutes 2000, sections 103G.271, subdivisions 1, 5, and 5a; and 103G.301, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 103G.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed, as amended, and its title agreed to.

S. F. No. 564, 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.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Bakk	Boudreau	Cassell	Davids	Dempsey
Abrams	Bernardy	Bradley	Clark, J.	Davnie	Dibble
Anderson, B.	Biernat	Buesgens	Clark, K.	Dawkins	Dorman
Anderson, I.	Bishop	Carlson	Daggett	Dehler	Dorn

Eastlund	Hilstrom	Krinkie	Milbert	Peterson	Swenson
Entenza	Hilty	Kubly	Molnau	Pugh	Sykora
Erhardt	Holberg	Kuisle	Mulder	Rhodes	Thompson
Erickson	Holsten	Larson	Mullery	Rifenberg	Tingelstad
Evans	Howes	Leighton	Murphy	Rukavina	Tuma
Finseth	Huntley	Lenczewski	Ness	Ruth	Vandever
Folliard	Jacobson	Leppik	Nornes	Schumacher	Wagenius
Fuller	Jaros	Lieder	Olson	Seagren	Walker
Gerlach	Jennings	Lindner	Opatz	Seifert	Walz
Goodno	Johnson, J.	Lipman	Osskopp	Sertich	Wasiluk
Goodwin	Johnson, R.	Luther	Osthoff	Skoe	Wenzel
Gray	Johnson, S.	Mahoney	Otremba	Skoglund	Westerberg
Greiling	Juhnke	Mares	Ozment	Slawik	Westrom
Gunther	Kahn	Mariani	Paulsen	Smith	Wilkin
Haas	Kelliher	Marko	Pawlenty	Solberg	Winter
Hackbarth	Kielkucki	Marquart	Paymar	Stanek	Wolf
Harder	Knoblach	McElroy	Pelowski	Stang	Workman
Hausman	Koskinen	McGuire	Penas	Swapinski	Spk. Svinggum

The bill was passed and its title agreed to.

S. F. No. 960 was reported to the House.

Rukavina moved that S. F. No. 960 be temporarily laid over on the Calendar for the Day. The motion prevailed.

H. F. No. 2362, A resolution memorializing Congress to pass legislation requiring cigarettes that are less likely to start fires.

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 119 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Haas	Koskinen	Molnau	Peterson
Anderson, I.	Dorn	Harder	Kubly	Mulder	Pugh
Bakk	Eastlund	Hausman	Kuisle	Mullery	Rhodes
Bernardy	Entenza	Hilstrom	Larson	Murphy	Rifenberg
Biernat	Erhardt	Hilty	Leighton	Ness	Rukavina
Bishop	Erickson	Holsten	Lenczewski	Nornes	Ruth
Bradley	Evans	Huntley	Leppik	Olson	Schumacher
Carlson	Finseth	Jacobson	Lindner	Opatz	Seagren
Cassell	Folliard	Jaros	Luther	Osskopp	Seifert
Clark, J.	Fuller	Jennings	Mahoney	Osthoff	Sertich
Clark, K.	Gerlach	Johnson, J.	Mares	Otremba	Skoglund
Daggett	Gleason	Johnson, R.	Mariani	Ozment	Slawik
Davids	Goodno	Johnson, S.	Marko	Paulsen	Smith
Davnie	Goodwin	Juhnke	Marquart	Pawlenty	Solberg
Dawkins	Gray	Kahn	McElroy	Paymar	Stanek
Dempsey	Greiling	Kelliher	McGuire	Pelowski	Stang
Dibble	Gunther	Knoblach	Milbert	Penas	Swapinski

Swenson	Tingelstad	Wagenius	Wasiluk	Westrom	Workman
Sykora	Tuma	Walker	Wenzel	Wilkin	Spk. Sviggum
Thompson	Vandev eer	Walz	Westerberg	Winter	

Those who voted in the negative were:

Buesgens	Kielkucki	Wolf
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The bill was passed and its title agreed to.

H. F. No. 905 was reported to the House.

Haas moved that H. F. No. 905 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 1964, A bill for an act relating to insurance; regulating the life and health guaranty association; modifying coverages; assessments; rights and duties; amending Minnesota Statutes 2000, sections 61B.19, subdivisions 2, 3, 4, 5; 61B.20, subdivisions 1, 14, 15, 16, 17, 18, by adding subdivisions; 61B.22, subdivision 3; 61B.23, subdivisions 3, 4, 11, 12, 13, by adding subdivisions; 61B.24, subdivisions 4, 5, by adding subdivisions; 61B.26; 61B.27; 61B.28, subdivisions 1, 3, by adding a subdivision; 61B.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 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 491:

Goodno, Bradley and Greiling.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 722:

Wolf, Ozment, Gunther, Holsten and Jennings.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1154:

Rhodes, Dempsey and Kahn.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1397:

Goodno, Bradley, Boudreau, Tuma and Larson.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2036:

Dempsey, Osskopp and Hilstrom.

CALENDAR FOR THE DAY, Continued

S. F. No. 1541 was reported to the House.

Entenza moved to amend S. F. No. 1541 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1270, the fourth engrossment:

"Section 1. Minnesota Statutes 2000, section 45.0295, is amended to read:

45.0295 [FEES.]

(a) The following fees shall be paid to the commissioner:

(1) for each hour or fraction of one hour of education course approval ~~for continuing education~~ sought, \$10; and

(2) for each ~~continuing education~~ course coordinator approval, \$100.

(b) All fees paid to the commissioner under this section are nonrefundable, except that an overpayment of a fee shall be returned upon proper application.

Sec. 2. Minnesota Statutes 2000, section 53A.081, subdivision 2, is amended to read:

Subd. 2. [INVESTIGATION.] The commissioner may at any time ~~and shall at least once in each year~~ investigate the currency exchange business of any licensee and of every person, partnership, association, and corporation engaged in the business of operating a currency exchange in the manner provided under section 45.027.

Sec. 3. Minnesota Statutes 2000, section 60K.19, subdivision 8, is amended to read:

Subd. 8. [MINIMUM EDUCATION REQUIREMENT.] Each person subject to this section shall complete a minimum of 30 credit hours of courses accredited by the commissioner during each 24-month licensing period. Any person whose initial licensing period extends more than six months shall complete 15 hours of courses accredited by the commissioner during the initial license period. Any person teaching or lecturing at an accredited course qualifies for ~~1-1/2~~ three times the number of credit hours that would be granted to a person completing the accredited course. No more than 15 credit hours per licensing period may be credited to a person for courses sponsored by, offered by, or affiliated with an insurance company or its agents. Courses sponsored by, offered by, or affiliated with an insurance company or agent may restrict its students to agents of the company or agency.

Sec. 4. Minnesota Statutes 2000, section 72B.04, subdivision 6, is amended to read:

Subd. 6. [EXCEPTIONS.] A person who on January 1, 1972, meets all of the qualifications specified in subdivision 2 with regard to the class of license applied for and, if experience is one of the requisites, has gained the experience within the three years next preceding January 1, 1972, shall be eligible for the issuance of a license without taking an examination.

A person who has held a license of any given class or in any field or fields within three years prior to the application shall be entitled to a renewal of the license in the same class or in the same fields without taking an examination.

A person applying for a license as a crop hail adjuster shall not be required to comply with the requirements of subdivision 5.

The commissioner may issue a license under sections 72B.01 to 72B.14 without an examination, if the applicant presents sufficient and satisfactory evidence of having passed a similar examination in another state and if the commissioner, with the advice of the advisory board, has determined that the standards of such other state are equivalent to those in Minnesota for the class of license applied for. Any applicant who presents sufficient and satisfactory evidence of having successfully completed all six parts of the insurance institute of America program in adjusting or other programs approved by the commissioner shall be entitled to an adjuster's license without taking the examination prescribed in subdivision 5.

Sec. 5. Minnesota Statutes 2000, section 72B.04, subdivision 7, is amended to read:

Subd. 7. [LICENSE TERM.] ~~Every adjuster's and public adjuster solicitor's license shall be for a term expiring on October 31 next following the date of its issuance, and may be renewed for the ensuing calendar year upon the timely filing of an application for renewal. (a) Initial licenses issued under this section are valid for a period not to exceed two years. Each initial license must expire on October 31 of the expiration year assigned by the commissioner.~~

(b) Licenses issued under this section may be renewed upon the timely filing of an application for renewal. Every renewal license is valid for a period of 24 months.

Sec. 6. Minnesota Statutes 2000, section 80B.03, subdivision 4a, is amended to read:

Subd. 4a. Within three ~~calendar~~ business days of the date of filing of the registration statement, the commissioner may by order summarily suspend the effectiveness of the takeover offer if the commissioner determines that the registration statement does not contain all of the information specified in subdivisions 2 and 6 or that the takeover

offer materials provided to offerees do not provide full disclosure to offerees of all material information concerning the takeover offer. The suspension shall remain in effect only until the determination following a hearing held pursuant to subdivision 5.

Sec. 7. Minnesota Statutes 2000, section 82.195, subdivision 2, is amended to read:

Subd. 2. [CONTENTS.] All listing agreements must be in writing and must include:

- (1) a definite expiration date;
- (2) a description of the real property involved;
- (3) the list price and any terms required by the seller;
- (4) the amount of any compensation or commission or the basis for computing the commission;
- (5) a clear statement explaining the events or conditions that will entitle a broker to a commission;
- (6) information regarding an override clause, if applicable, including a statement to the effect that the override clause will not be effective unless the licensee supplies the seller with a protective list within 72 hours after the expiration of the listing agreement;
- (7) the following notice in not less than ten point boldface type immediately preceding any provision of the listing agreement relating to compensation of the licensee:

"NOTICE: ~~THE COMMISSION RATE~~ COMPENSATION FOR THE SALE, LEASE, RENTAL, OR MANAGEMENT OF REAL PROPERTY SHALL BE DETERMINED BETWEEN EACH INDIVIDUAL BROKER AND ~~ITS~~ THE BROKER'S CLIENT.";

(8) for residential property listings, the following "dual agency" disclosure statement:

If a buyer represented by broker wishes to buy your property, a dual agency will be created. This means that broker will represent both you and the buyer(s), and owe the same duties to the buyer(s) that broker owes to you. This conflict of interest will prohibit broker from advocating exclusively on your behalf. Dual agency will limit the level of representation broker can provide. If a dual agency should arise, you will need to agree that confidential information about price, terms, and motivation will still be kept confidential unless you instruct broker in writing to disclose specific information about you. All other information will be shared. Broker cannot act as a dual agent unless both you and the buyer(s) agree to it. By agreeing to a possible dual agency, you will be giving up the right to exclusive representation in an in-house transaction. However, if you should decide not to agree to a possible dual agency, and you want broker to represent you, you may give up the opportunity to sell your property to buyers represented by broker.

Seller's Instructions to Broker

Having read and understood this information about dual agency, seller(s) now instructs broker as follows:

- Seller(s) will agree to a dual agency representation and will consider offers made by buyers represented by broker.
- Seller will not agree to a dual agency representation and will not consider offers made by buyers represented by broker.

.....
 Seller Broker

.....
 Seller By:
 Salesperson

Date: ;

(9) a notice requiring the seller to indicate in writing whether it is acceptable to the seller to have the licensee arrange for closing services or whether the seller wishes to arrange for others to conduct the closing. ~~The notice must also include the disclosure of any controlled business arrangement, as the term is defined in United States Code, title 12, section 2602, between the licensee and the real estate closing agent through which the licensee proposes to arrange closing services; and~~

(10) for residential listings, a notice stating that after the expiration of the listing agreement, the seller will not be obligated to pay the licensee a fee or commission if the seller has executed another valid listing agreement pursuant to which the seller is obligated to pay a fee or commission to another licensee for the sale, lease, or exchange of the real property in question. This notice may be used in the listing agreement for any other type of real estate.

Sec. 8. Minnesota Statutes 2000, section 82.196, subdivision 2, is amended to read:

Subd. 2. [CONTENTS.] All buyer's broker agreements must be in writing and must include:

- (1) a definite expiration date;
- (2) the amount of any compensation or commission, or the basis for computing the commission;
- (3) a clear statement explaining the services to be provided to the buyer by the broker, and the events or conditions that will entitle a broker to a commission or other compensation;
- (4) ~~a provision for cancellation of the agreement by either party upon terms agreed upon by the parties; a clear statement explaining if the agreement may be canceled and the terms under which the agreement may be canceled;~~
- (5) information regarding an override clause, if applicable, including a statement to the effect that the override clause will not be effective unless the licensee supplies the buyer with a protective list within 72 hours after the expiration of the buyer's broker agreement;
- (6) the following notice in not less than ten point bold face type immediately preceding any provision of the buyer's broker agreement relating to compensation of the licensee:

"NOTICE: ~~THE COMMISSION RATE~~ COMPENSATION FOR THE PURCHASE, LEASE, RENTAL, OR MANAGEMENT OF REAL PROPERTY IS NEGOTIABLE AND SHALL BE DETERMINED BETWEEN EACH INDIVIDUAL BROKER AND HIS THE BROKER'S CLIENT.";

(7) the following "dual agency" disclosure statement:

If you choose to purchase a property listed by broker, a dual agency will be created. This means that broker will represent both you and the seller(s), and owe the same duties to the seller(s) that broker owes to you. This conflict of interest will prohibit broker from advocating exclusively on your behalf. Dual agency will limit the level of representation broker can provide. If a dual agency should arise, you will need to agree that confidential information about price, terms, and motivation will still be kept confidential unless you instruct broker in writing to disclose

specific information about you. All other information will be shared. Broker cannot act as a dual agent unless both you and the seller(s) agree to it. By agreeing to a possible dual agency, you will be giving up the right to exclusive representation in an in-house transaction. However, if you should decide not to agree to a possible dual agency, and you want broker to represent you, you may give up the opportunity to purchase the properties listed by broker.

Buyer's Instructions to Broker

..... Buyer(s) will agree to a dual agency representation and will consider properties listed by broker.

..... Buyer will not agree to a dual agency representation and will not consider properties listed by broker.

..... Buyer Broker

..... Buyer By: Salesperson

Date: ; and

(8) for buyer's broker agreements which involve residential real property, a notice stating that after the expiration of the buyer's broker agreement, the buyer will not be obligated to pay the licensee a fee or commission if the buyer has executed another valid buyer's broker agreement pursuant to which the buyer is obligated to pay a fee or commission to another licensee for the purchase, lease, or exchange of real property.

Sec. 9. Minnesota Statutes 2000, section 82.197, subdivision 1, is amended to read:

Subdivision 1. [AGENCY DISCLOSURE.] A real estate broker or salesperson shall provide to a consumer in the sale and purchase of a residential real property transaction at the first substantive contact with the consumer an agency disclosure form in substantially the form set forth in subdivision 4. The agency disclosure form shall be intended to provide a description of available options for agency and nonagency relationships, and a description of the role of a licensee under each option. The agency disclosure form shall provide a signature line for acknowledgment of receipt by the consumer.

Sec. 10. Minnesota Statutes 2000, section 82.197, subdivision 4, is amended to read:

Subd. 4. [AGENCY DISCLOSURE FORM.] The agency disclosure form shall be in substantially the form set forth below:

AGENCY RELATIONSHIPS IN REAL ESTATE TRANSACTIONS

Minnesota law requires that early in any relationship, real estate brokers or salespersons discuss with consumers what type of agency representation or relationship they desire.(1) The available options are listed below. This is not a contract. This is an agency disclosure form only. If you desire representation, you must enter into a written contract according to state law (a listing contract or a buyer representation contract). Until such time as you choose to enter into a written contract for representation or assistance, you will be treated as a customer of the broker or salesperson and not represented by the brokerage and will not receive any representation from the broker or

salesperson. The broker or salesperson ~~would then~~ will be acting as a ~~Seller's broker~~ Facilitator (see paragraph ~~¶ V~~ below), or as a nonagent (see paragraph ~~IV~~ below) unless the broker or salesperson is representing another party as described below.

ACKNOWLEDGMENT: I/We acknowledge that I/We have been presented with the below-described options. I/We understand that until I/We have signed a representation contract, I/We are not represented by the broker/salesperson and information given to the broker/salesperson may be disclosed. I/We understand that written consent is required for a dual agency relationship. THIS IS A DISCLOSURE ONLY, NOT A CONTRACT FOR REPRESENTATION.

.....
Signature Date

.....
Signature Date

I.

Seller's Broker: A broker who lists a property, or a salesperson who is licensed to the listing broker, represents the Seller and acts on behalf of the Seller. ~~A broker or salesperson working with a Buyer may also act as a subagent of the Seller, in which case the Buyer is the broker's customer and is not represented by that broker.~~ A Seller's broker owes to the Seller the fiduciary duties described below.(2) The broker must also disclose to the Buyer ~~any~~ material facts as defined in Minnesota Statutes, section 82.197, subdivision 6, of which the broker is aware that could adversely and significantly affect the Buyer's use or enjoyment of the property. If a broker or salesperson who is working with a Buyer as a customer and is representing the Seller and to whom any information is disclosed, he or she must act in the Seller's interests best interest and must tell the Seller the any information disclosed to him or her, except confidential information acquired in a facilitator relationship (see paragraph V below). In that case, the Buyer will not be represented and will not receive advice and counsel from the broker or salesperson.

II.

Subagent: A broker or salesperson who is working with a Buyer but represents the Seller. In this case, the Buyer is the broker's customer and is not represented by that broker. If a broker or salesperson working with a Buyer as a customer is representing the Seller, he or she must act in the Seller's best interest and must tell the Seller any information that is disclosed to him or her. In that case, the Buyer will not be represented and will not receive advice and counsel from the broker or salesperson.

III.

Buyer's Broker: A Buyer may enter into an agreement for the broker or salesperson to represent and act on behalf of the Buyer. The broker may represent the Buyer only, and not the Seller, even if ~~the broker~~ he or she is being paid in whole or in part by the Seller. A Buyer's broker owes to the Buyer the fiduciary duties described below.(2) The broker must disclose to the Buyer ~~any~~ material facts as defined in Minnesota Statutes, section 82.197, subdivision 6, of which the broker is aware that could adversely and significantly affect the Buyer's use or enjoyment of the property. If a broker or salesperson working with a Seller as a customer is representing the Buyer, he or she must act in the Buyer's best interest and must tell the Buyer any information disclosed to him or her, except confidential information acquired in a facilitator relationship (see paragraph V below). In that case, the Seller will not be represented and will not receive advice and counsel from the broker or salesperson.

HH- IV.

Dual Agency-Broker Representing both Seller and Buyer: Dual agency occurs when one broker or salesperson represents both parties to a transaction, or when two salespersons licensed to the same broker each represent a party to the transaction. Dual agency requires the informed consent of all parties, and means that the broker and

salesperson owe the same duties to the Seller and the Buyer. This role limits the level of representation the broker and salespersons can provide, and prohibits them from acting exclusively for either party. In a dual agency, confidential information about price, terms, and motivation for pursuing a transaction will be kept confidential unless one party instructs the broker or salesperson in writing to disclose specific information about ~~the party writing him or her~~. Other information will be shared. Dual agents may not advocate for one party to the detriment of the other.(3)

Within the limitations described above, dual agents owe to both Seller and Buyer the fiduciary duties described below.(2) Dual agents must disclose to Buyers ~~any~~ material facts as defined in Minnesota Statutes, section 82.197, subdivision 6, of which the broker is aware that could adversely and significantly affect the Buyer's use or enjoyment of the property.

IV: V.

Nonagent Facilitator: A broker or salesperson ~~may perform who performs~~ services for either party as a nonagent, if that party signs a nonagency services agreement a Buyer, a Seller, or both but does not represent either in a fiduciary capacity as a Buyer's Broker, Seller's Broker, or Dual Agent. As a nonagent the broker or salesperson facilitates the transaction, but does not act on behalf of either party. **THE NONAGENT FACILITATOR BROKER OR SALESPERSON DOES NOT OWE ANY PARTY ANY OF THE FIDUCIARY DUTIES LISTED BELOW, UNLESS THOSE DUTIES ARE INCLUDED IN THE A WRITTEN NONAGENCY FACILITATOR SERVICES AGREEMENT.** The nonagent facilitator broker or salesperson owes ~~only the duty of confidentiality to the party but owes no other duty to the party except those duties required by law or contained in the a written nonagency facilitator services agreement, if any.~~ In the event a facilitator broker or salesperson, working with a Buyer, shows a property listed by the facilitator broker or salesperson, then the facilitator broker or salesperson must act as a Seller's Broker (see paragraph I above). In the event a facilitator broker or salesperson, working with a Seller, accepts a showing of the property by a Buyer being represented by the facilitator broker or salesperson, then the facilitator broker or salesperson must act as a Buyer's Broker (see paragraph III above).

ACKNOWLEDGMENT: I/We acknowledge that I/We have been presented with the above-described options. I/We understand that Buyers who have not signed a Buyer representation contract or nonagency services agreement are not represented by the broker/salesperson and information given to the broker/salesperson will be disclosed to the Seller. I/We understand that written consent is required for a dual agency relationship. This is a disclosure only, NOT a contract for representation.

.....
Seller	Date	Buyer	Date
.....
Seller	Date	Buyer	Date

(1) This disclosure is required by law in any transaction involving property occupied or intended to be occupied by one to four families as their residence.

(2) The fiduciary duties mentioned above are listed below and have the following meanings:

Loyalty-broker/salesperson will act only in client(s)' best interest.

Obedience-broker/salesperson will carry out all client(s)' lawful instructions.

Disclosure-broker/salesperson will disclose to client(s) all material facts of which broker/salesperson has knowledge which might reasonably affect the client's rights and interests.

Confidentiality-broker/salesperson will keep client(s)' confidences unless required by law to disclose specific information (such as disclosure of material facts to Buyers).

Reasonable Care-broker/salesperson will use reasonable care in performing duties as an agent.

Accounting-broker/salesperson will account to client(s) for all client(s)' money and property received as agent.

(3) If Seller(s) decides not to agree to a dual agency relationship, Seller(s) may give up the opportunity to sell the property to Buyers represented by the broker/salesperson. If Buyer(s) decides not to agree to a dual agency relationship, Buyer(s) may give up the opportunity to purchase properties listed by the broker.

Sec. 11. Minnesota Statutes 2000, section 82.197, is amended by adding a subdivision to read:

Subd. 6. [MATERIAL FACTS.] (a) Licensees shall disclose to any prospective purchaser all material facts of which the licensees are aware, which could adversely and significantly affect an ordinary purchaser's use or enjoyment of the property, or any intended use of the property of which the licensees are aware.

(b) It is not a material fact relating to real property offered for sale and no regulatory action shall be brought against a licensee for failure to disclose in any real estate transaction the fact or suspicion that the property:

(1) is or was occupied by an owner or occupant who is or was suspected to be infected with human immunodeficiency virus or diagnosed with acquired immunodeficiency syndrome; or

(2) was the site of an accidental death, natural death, or perceived paranormal activity.

(c) A licensee or employee of the licensee has no duty to disclose information regarding an offender who is required to register under section 243.166, or about whom notification is made under that section, and a licensee or employee of a licensee is immune from liability for failure to disclose this information if the broker or salesperson, in a timely manner, provides a written notice that information about the predatory offender registry and persons registered with the registry may be obtained by contacting local law enforcement where the property is located or the department of corrections.

(d) A licensee is not required to disclose, except as otherwise provided in paragraph (e), information relating to the physical condition of the property or any other information relating to the real estate transaction, if a written report that discloses the information has been prepared by a qualified third party and provided to the person. For the purposes of this paragraph, "qualified third party" means a federal, state, or local governmental agency, or any person whom the broker, salesperson, or a party to the real estate transaction reasonably believes has the expertise necessary to meet the industry standards of practice for the type of inspection or investigation that has been conducted by the third party in order to prepare the written report and who is acceptable to the person to whom the disclosure is being made.

(e) A licensee shall disclose to the parties to a real estate transaction any facts known by the broker or salesperson that contradict any information included in a written report, if a copy of the report is provided to the licensee, described in paragraph (d).

Sec. 12. Minnesota Statutes 2000, section 82.22, subdivision 13, is amended to read:

Subd. 13. [CONTINUING EDUCATION.] (a) After their first renewal date, all real estate salespersons and all real estate brokers shall be required to successfully complete 30 hours of real estate continuing education, either as a student or a lecturer, in courses of study approved by the commissioner, during each 24-month license period. At least 15 of the 30 credit hours must be completed during the first 12 months of the 24-month licensing period.

Salespersons and brokers whose initial license period extends more than 12 months are required to complete 15 hours of real estate continuing education during the initial license period. Those licensees who will receive a 12-month license on July 1, 1995, because of the staggered implementation schedule must complete 15 hours of real estate continuing education as a requirement for renewal on July 1, 1996. Licensees may not claim credit for continuing education not actually completed as of the date their report of continuing education compliance is filed.

(b) The commissioner shall adopt rules defining the standards for course and instructor approval, and may adopt rules for the proper administration of this subdivision. The commissioner may not approve a course which can be completed by the student at home or outside the classroom without the supervision of an instructor ~~approved by the department of commerce. The commissioner has discretion to establish a pilot program to explore delivery of~~ except accredited courses using new delivery technology, including interactive technology, and the Internet. This pilot program expires on August 1, 2001. Courses in motivation, salesmanship, psychology, or time management shall not be approved by the commissioner for continuing education credit.

(c) Any program approved by Minnesota continuing legal education shall be approved by the commissioner of commerce for continuing education for real estate brokers and salespeople if the program or any part thereof relates to real estate.

(d) As part of the continuing education requirements of this section, the commissioner shall require that all real estate brokers and salespersons receive:

(1) at least ~~two hours~~ one hour of training during each license period in courses in laws or regulations on agency representation and disclosure; and

(2) at least ~~two hours~~ one hour of training during each license period in courses in state and federal fair housing laws, regulations, and rules, or other antidiscrimination laws.

~~Clause~~ Clauses (1) does and (2) do not apply to real estate salespersons and real estate brokers engaged solely in the commercial real estate business who file with the commissioner a verification of this status along with the continuing education report required under paragraph (a).

(e) The commissioner is authorized to establish a procedure for renewal of course accreditation.

(f) Approved courses may be sponsored or offered by a broker of a real estate company and may be held on the premises of a company licensed under this chapter. All course offerings must be open to any interested individuals. Access may be restricted by the sponsor based on class size only. Courses must not be approved if attendance is restricted to any particular group of people. A broker must comply with all continuing education rules prescribed by the commissioner.

(g) No more than one-half of the credit hours per licensing period, including continuing education required under subdivision 6, may be credited to a person for attending any combination of courses either:

(1) sponsored by, offered by, or affiliated with a real estate company or its agents; or

(2) offered using new delivery technology, including interactive technology, and the Internet.

Sec. 13. Minnesota Statutes 2000, section 82.24, subdivision 8, is amended to read:

Subd. 8. [ACCRUED INTEREST.] (a) Each broker shall maintain a pooled interest-bearing trust account for deposit of client funds. The interest accruing on the trust account, less reasonable transaction costs, must be paid to the state treasurer for deposit in the housing trust fund account created under section 462A.201 unless otherwise specified pursuant to an expressed written agreement between the parties to a transaction.

(b) For an account created under paragraph (a), each broker shall direct the financial institution to:

(1) pay the interest, less reasonable transaction costs, computed in accordance with the financial institution's standard accounting practice, at least quarterly, to the state treasurer; and

(2) send a statement to the state treasurer showing the name of the broker for whom the payment is made, the rate of interest applied, the amount of service charges deducted, and the account balance for the period in which the report is made.

The state treasurer shall credit the amount collected under this subdivision to the housing trust fund account established in section 462A.201.

(c) The financial institution must promptly notify the commissioner if a draft drawn on the account is dishonored. A draft is not dishonored if a stop payment order is requested by an issuer who has a good faith defense to payment on the draft.

Sec. 14. Minnesota Statutes 2000, section 82.27, subdivision 3, is amended to read:

Subd. 3. [ORDER TO SHOW CAUSE.] The commissioner shall issue an order requiring a licensee or applicant for a license to show cause why the license should not be revoked or suspended, or the licensee censured, or the application denied. The order shall be calculated to give reasonable notice of the time and place for hearing thereon, and shall state the reasons specific statute or rule that has been violated for the entry of the order. The commissioner may by order summarily suspend a license pending final determination of any order to show cause. If a license is suspended pending final determination of an order to show cause, a hearing on the merits shall be held within 30 days of the issuance of the order of suspension. All hearings shall be conducted in accordance with the provisions of chapter 14. After the hearing, the commissioner shall enter an order making such disposition of the matter as the facts require. If the licensee or applicant fails to appear at a hearing after having been duly notified of it, such person shall be deemed in default, and the proceeding may be determined against the licensee or applicant upon consideration of the order to show cause, the allegations of which may be deemed to be true.

Sec. 15. Minnesota Statutes 2000, section 82.34, subdivision 15, is amended to read:

Subd. 15. Any sums received by the commissioner pursuant to any provisions of this section shall be deposited in the state treasury, and credited to the real estate education, research and recovery fund, and said sums shall be allocated exclusively for the purposes provided in this section. All moneys in the fund are appropriated annually to the commissioner for the purposes of this section.

All money credited to the fund under section 462A.201 may only be used for purposes under subdivision 6, clause (g). Beginning in 1990, the commissioner must, on February 1 of each year, review the amount of money spent or allocated for uses under subdivision 6, clause (g), for the previous calendar year. If the amount spent or allocated is less than the amount credited to the fund under section 462A.201 during the same calendar year, the difference must be transferred from the fund to the housing trust fund account established in section 462A.201. If the fund balance exceeds \$6,000,000, the commissioner may suspend the fee imposed under subdivision 3.

Sec. 16. Minnesota Statutes 2000, section 82B.14, is amended to read:

82B.14 [EXPERIENCE REQUIREMENT.]

(a) As a prerequisite for licensing as a ~~registered real property appraiser~~ or licensed real property appraiser, an applicant must present evidence satisfactory to the commissioner that the person has obtained 2,000 hours of experience in real property appraisal.

As a prerequisite for licensing as a certified residential real property appraiser, an applicant must present evidence satisfactory to the commissioner that the person has obtained 2,500 hours of experience in real property appraisal.

As a prerequisite for licensing as a certified general real property appraiser, an applicant must present evidence satisfactory to the commissioner that the person has obtained 3,000 hours of experience in real property appraisal. At least 50 percent, or 1,500 hours, must be in nonresidential appraisal work.

(b) Each applicant for license under section 82B.11, subdivision 3, 4, or 5, shall give under oath a detailed listing of the real estate appraisal reports or file memoranda for which experience is claimed by the applicant. Upon request, the applicant shall make available to the commissioner for examination, a sample of appraisal reports that the applicant has prepared in the course of appraisal practice.

(c) Applicants may not receive credit for experience accumulated while unlicensed, if the experience is based on activities which required a license under this section.

Sec. 17. Minnesota Statutes 2000, section 83.25, subdivision 1, is amended to read:

Subdivision 1. No person shall offer or sell in this state any interest in subdivided lands without having obtained:

(+) a license under chapter 82; and

~~(2) an additional license to offer or dispose of subdivided lands. This license may be obtained by submitting an application in writing to the commissioner upon forms prepared and furnished by the commissioner. Each application shall be signed and sworn to by the applicant and accompanied by a license fee of \$10 per year. The commissioner may also require an additional examination for this license.~~

Sec. 18. Minnesota Statutes 2000, section 317A.203, is amended to read:

317A.203 [NUMBER.]

A board of directors must consist of three or more individuals, with the number specified in or fixed in accordance with the articles or bylaws, ~~except that if the corporation has either one or two members with voting rights, the number of directors may be less than three but not less than the number of members with voting rights.~~

Sec. 19. Minnesota Statutes 2000, section 326.91, subdivision 1, is amended to read:

Subdivision 1. [CAUSE.] The commissioner may by order deny, suspend, or revoke any license or may censure a licensee, and may impose a civil penalty as provided for in section 45.027, subdivision 6, if the commissioner finds that the order is in the public interest, and that the applicant, licensee, or affiliate of an applicant or licensee, or other agent, owner, partner, director, governor, shareholder, member, officer, qualifying person, or managing employee of the applicant or licensee or any person occupying a similar status or performing similar functions:

(1) has filed an application for a license which is incomplete in any material respect or contains any statement which, in light of the circumstances under which it is made, is false or misleading with respect to any material fact;

(2) has engaged in a fraudulent, deceptive, or dishonest practice;

(3) is permanently or temporarily enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice involving any aspect of the business;

(4) has failed to reasonably supervise employees, agents, subcontractors, or salespersons, or has performed negligently or in breach of contract, so as to cause injury or harm to the public;

(5) has violated or failed to comply with any provision of sections 326.83 to 326.98 or any rule or order under sections 326.83 to 326.98;

(6) has been shown to be incompetent, untrustworthy, or financially irresponsible;

(7) has been convicted of a violation of the State Building Code or, in jurisdictions that do not enforce the State Building Code, has refused to correct a violation of the State Building Code when the violation has been certified by a Minnesota licensed structural engineer;

(8) has failed to use the proceeds of any payment made to the licensee for the construction of, or any improvement to, residential real estate, as defined in section 326.83, subdivision 17, for the payment of labor, skill, material, and machinery contributed to the construction or improvement, knowing that the cost of any labor performed, or skill, material, or machinery furnished for the improvement remains unpaid;

(9) has not furnished to the person making payment either a valid lien waiver as to any unpaid labor performed, or skill, material, or machinery furnished for an improvement, or a payment bond in the basic amount of the contract price for the improvement conditioned for the prompt payment to any person or persons entitled to payment;

(10) has engaged in conduct which was the basis for a contractor's recovery fund payment pursuant to section 326.975, which payment has not been reimbursed;

(11) has engaged in bad faith, unreasonable delays, or frivolous claims in defense of a civil lawsuit arising out of their activities as a licensee under this chapter;

(12) has had a judgment entered against them for failure to make payments to employees or subcontractors, and all appeals of the judgment have been exhausted or the period for appeal has expired;

(13) if unlicensed, has obtained a building permit by the fraudulent use of a fictitious license number or the license number of another, or, if licensed, has knowingly allowed an unlicensed person to use the licensee's license number for the purpose of fraudulently obtaining a building permit; or

(14) has made use of forged mechanics' lien waivers under chapter 514.

Sec. 20. Minnesota Statutes 2000, section 326.975, subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] (a) In addition to any other fees, each applicant for a license under sections 326.83 to 326.98 shall pay a fee to the contractor's recovery fund. The contractor's recovery fund is created in the state treasury and must be administered by the commissioner in the manner and subject to all the requirements and limitations provided by section 82.34 with the following exceptions:

(1) each licensee who renews a license shall pay in addition to the appropriate renewal fee an additional fee which shall be credited to the contractor's recovery fund. The amount of the fee shall be based on the licensee's gross annual receipts for the licensee's most recent fiscal year preceding the renewal, on the following scale:

Fee	Gross Receipts
\$100	under \$1,000,000
\$150	\$1,000,000 to \$5,000,000
\$200	over \$5,000,000

Any person who receives a new license shall pay a fee based on the same scale;

(2) the sole purpose of this fund is to compensate any aggrieved owner or lessee of residential property located within this state who obtains a final judgment in any court of competent jurisdiction against a licensee licensed under section 326.84, on grounds of fraudulent, deceptive, or dishonest practices, conversion of funds, or failure of performance arising directly out of any transaction when the judgment debtor was licensed and performed any of the activities enumerated under section 326.83, subdivision 19, on the owner's residential property or on residential

property rented by the lessee, or on new residential construction which was never occupied prior to purchase by the owner, or which was occupied by the licensee for less than one year prior to purchase by the owner, and which cause of action arose on or after April 1, 1994;

(3) nothing may obligate the fund for more than \$50,000 per claimant, nor more than ~~\$50,000~~ \$75,000 per licensee; and

(4) nothing may obligate the fund for claims based on a cause of action that arose before the licensee paid the recovery fund fee set in clause (1), or as provided in section 326.945, subdivision 3.

(b) Should the commissioner pay from the contractor's recovery fund any amount in settlement of a claim or toward satisfaction of a judgment against a licensee, the license shall be automatically suspended upon the effective date of an order by the court authorizing payment from the fund. No licensee shall be granted reinstatement until the licensee has repaid in full, plus interest at the rate of 12 percent a year, twice the amount paid from the fund on the licensee's account, and has obtained a surety bond issued by an insurer authorized to transact business in this state in the amount of at least \$40,000.

Sec. 21. Minnesota Statutes 2000, section 332.33, is amended by adding a subdivision to read:

Subd. 4a. [EXAMINATION AND INVESTIGATION COSTS.] The licensee shall pay the costs of an examination or investigation by the commissioner or on the commissioner's behalf in the manner provided under section 60A.03, subdivision 5.

Sec. 22. Minnesota Statutes 2000, section 332.41, is amended to read:

332.41 [APPEALS.]

~~Subdivision 1. [FILING OF APPEAL.] In the rejection of an application for a license or the renewal thereof filed under sections 332.31 to 332.45 or of the suspension or revocation of a license granted under sections 332.31 to 332.45 the applicant or licensee may within 90 days after receipt of notice of such rejection, suspension, or revocation, file an appeal and thereafter prosecute the appeal in accordance with the provisions of the statutes governing appeal from, or review of, decisions of administrative agencies in this state.~~

~~Subd. 2. [SUPERSEDEAS.] The filing of an appeal from an order of the commissioner of commerce rejecting an application for a license by a collection agency engaged in business as of July 1, 1969, or rejecting an application for the renewal of a license, or suspending or revoking a license within 60 days after the date of such order, shall operate as a supersedeas which shall continue pending final determination of such appeal.~~

Appeal from a denial, suspension, revocation, or censure of a license must be made according to chapter 14.

Sec. 23. Minnesota Statutes 2000, section 359.02, is amended to read:

359.02 [TERM.]

A notary commissioned under section 359.01 holds office for five years, unless sooner removed by the governor or the district court, or by action of the commissioner. Within ~~seven months~~ 60 days before the expiration of the commission a notary may ~~be reappointed~~ apply for reappointment for a new term to commence and to be designated in the new commission as beginning upon the day immediately following the date of the expiration. A notary whose commission expires on January 1, 2005, may apply for reappointment six months before the expiration date. The reappointment takes effect and is valid although the appointing governor may not be in the office of governor on the effective day.

~~(a) All notary commissions issued before January 31, 1995, will expire on January 31, 1995.~~

~~(b) All notary commissions issued after January 31, 1995, will expire at the end of the licensing period, which will end every fifth year following January 31, 1995.~~

~~(c) All notary commissions issued during a licensing period expire at the end of that period as set forth in this section expire on January 31 of the fifth year following the year of issue.~~

Sec. 24. [APPROPRIATION.]

Up to \$1,000,000 is appropriated from the real estate education, research, and recovery fund established under Minnesota Statutes, section 82.34, to the department of commerce for an educational campaign aimed at fair housing and housing-related antidiscrimination initiatives. The appropriation must be used for educating real estate licensees and for a public information campaign across the state on consumers' rights under current fair housing laws. The educational campaign may include, but is not limited to, television and radio advertisements and printed material. The materials used for the public information campaign should be prepared in multiple languages where necessary.

Sec. 25. [EFFECTIVE DATE.]

Sections 1 to 6, 15, 16, 19, and 22 are effective the day following final enactment. Sections 7 to 14, 17, 18, and 21 are effective August 1, 2001. Section 20 is effective January 1, 2001, and applies to claims arising from incidents or conduct occurring on or after that date."

Delete the title and insert:

"A bill for an act relating to commerce; regulating currency exchanges, real estate brokers, real property appraisers, subdivided land sales licenses, residential contractors, and collection agencies; modifying certain continuing education requirements; regulating certain fees, costs, duties, rights, and penalties; regulating nonprofit corporations; appropriating money; amending Minnesota Statutes 2000, sections 45.0295; 53A.081, subdivision 2; 60K.19, subdivision 8; 72B.04, subdivisions 6, 7; 80B.03, subdivision 4a; 82.195, subdivision 2; 82.196, subdivision 2; 82.197, subdivisions 1, 4, by adding a subdivision; 82.22, subdivision 13; 82.24, subdivision 8; 82.27, subdivision 3; 82.34, subdivision 15; 82B.14; 83.25, subdivision 1; 317A.203; 326.91, subdivision 1; 326.975, subdivision 1; 332.33, by adding a subdivision; 332.41; 359.02."

The motion prevailed and the amendment was adopted.

McElroy and Entenza moved to amend S. F. No. 1541, as amended, as follows:

Page 19, lines 19 to 27, reinstate the stricken language

Page 19, line 27, after the period, insert "This clause expires July 1, 2003."

Page 25, line 5, delete "17,"

The motion prevailed and the amendment was adopted.

S. F. No. 1541, A bill for an act relating to commerce; regulating currency exchanges, real estate brokers, real property appraisers, residential contractors, notaries public, and collection agencies; modifying certain continuing education requirements; regulating certain fees, costs, duties, rights, and penalties; regulating nonprofit corporations; requiring a study; appropriating money; amending Minnesota Statutes 2000, sections 45.0295; 53A.081, subdivision 2; 58.10, subdivision 1, by adding a subdivision; 60K.19, subdivision 8; 72B.04, subdivisions 6, 7;

80B.03, subdivision 4a; 82.195, subdivision 2; 82.196, subdivision 2; 82.197, subdivisions 1, 4, by adding a subdivision; 82.22, subdivision 13; 82.24, subdivision 8; 82.27, subdivision 3; 82.34, subdivision 15, by adding a subdivision; 82B.14; 317A.203; 326.91, subdivision 1; 326.975, subdivision 1; 332.41; 359.02; 507.45, subdivision 3.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed, as amended, and its title agreed to.

S. F. No. 1769 was reported to the House.

Workman moved to amend S. F. No. 1769 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1488, the first engrossment:

"Section 1. Minnesota Statutes 2000, section 161.114, is amended to read:

161.114 [CONSTITUTIONAL TRUNK HIGHWAYS.]

Subdivision 1. [DESIGNATION.] The trunk highway routes, numbered 1 through 70, as described in the constitutional amendment adopted November 2, 1920, are designated as the constitutional routes of the trunk highway system.

Subd. 2. [DESCRIPTIONS.] The constitutional routes are described as follows:

Route No. 1. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southeasterly at Albert Lea and thence extending in a northwesterly direction to a point in Albert Lea and thence extending in a northerly direction to a point on the southerly limits of the city of St. Paul and then beginning at a point on the northerly limits of the city of St. Paul and thence extending in a northerly direction to a point on the westerly limits of the city of Duluth and then beginning at a point on the northerly limits of the city of Duluth and thence extending in a northeasterly direction to a point on the boundary line between the state of Minnesota and the province of Ontario, affording Albert Lea, Owatonna, Faribault, Northfield, Farmington, St. Paul, White Bear, Forest Lake, Wyoming, Rush City, Pine City, Hinckley, Sandstone, Moose Lake, Carlton, Duluth, Two Harbors, Grand Marais and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 2. Beginning at a point on Route No. 1 on the westerly limits of the city of Duluth and thence extending in a southwesterly direction along said Route No. 1 to a point on said route at Carlton and thence extending in a westerly direction to a point on the east bank of the Red River of the North at Moorhead, affording Duluth, Carlton, McGregor, Aitkin, Brainerd, Motley, Staples, Wadena, Detroit, Moorhead and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 3. Beginning at a point on the boundary line between the states of Minnesota and Wisconsin, westerly of La Crosse, Wisconsin, and thence extending in a northwesterly direction to a point on the easterly limits of the city of St. Paul and then beginning at a point on the westerly limits of the city of Minneapolis and thence extending in a northwesterly direction to a point on the east bank of the Red River of the North at Breckenridge, affording La Crescent, Winona, Kellogg, Wabasha, Lake City, Red Wing, Hastings, St. Paul, Minneapolis, Osseo, Champlin, Anoka, Elk River, Big Lake, St. Cloud, Albany, Sauk Centre, Alexandria, Elbow Lake, Fergus Falls, Breckenridge and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 4. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southwesterly of Jackson and thence extending in a northerly direction to a point on Route No. 3, southeasterly of Sauk Centre and thence extending in a northwesterly direction along said Route No. 3 to a point on said route at Sauk Centre and thence extending in a northerly direction to a point at International Falls, affording Jackson, Windom, Sanborn, Redwood Falls, Morton, Olivia, Willmar, Paynesville, Sauk Centre, Long Prairie, Wadena, Park Rapids, Itasca State Park, Bemidji, International Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 5. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southerly of Blue Earth and thence extending in a northeasterly direction to a point on the southerly limits of the city of Minneapolis and then beginning at a point on the northerly limits of the city of Minneapolis and thence extending in a northerly direction to a point in Swan River on Route No. 8, hereinafter described, affording Blue Earth, Winnebago, Mankato, St. Peter, Le Sueur, Jordan, Shakopee, Minneapolis, Cambridge, Mora, McGregor, Swan River and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 6. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southerly of Ash Creek, and thence extending in a northerly direction to a point on the boundary line between the state of Minnesota and the province of Manitoba, near St. Vincent, affording Luverne, Pipestone, Lake Benton, Ivanhoe, Canby, Madison, Bellingham, Odessa, Ortonville, Graceville, Dumont, Wheaton, Breckenridge, Moorhead, Kragnes, Georgetown, Perley, Hendrum, Ada, Crookston, Warren, Donaldson, Hallock and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 7. Beginning at a point on Route No. 3 at Winona and thence extending in a westerly direction to a point on the boundary line between the states of Minnesota and South Dakota, westerly of Lake Benton, affording Winona, St. Charles, Rochester, Kasson, Dodge Center, Claremont, Owatonna, Waseca, Mankato, St. Peter, New Ulm, Springfield, Tracy, Lake Benton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 8. Beginning at a point on the westerly limits of the city of Duluth and thence extending in a northwesterly direction to a point on Route No. 6 near Crookston and thence extending in a westerly and northerly direction along said Route No. 6 to a point on said route northerly of Crookston and thence extending in a northwesterly direction to a point on the east bank of the Red River of the North at East Grand Forks, affording Duluth, Floodwood, Swan River, Grand Rapids, Cass Lake, Bemidji, Bagley, Erskine, Crookston, East Grand Forks and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 9. Beginning at a point on Route No. 3 at La Crescent and thence extending in a westerly direction to a point on the boundary line between the states of Minnesota and South Dakota southwesterly of Beaver Creek, affording La Crescent, Hokah, Houston, Rushford, Lanesboro, Preston, Fountain, Spring Valley, Austin, Albert Lea, Blue Earth, Fairmont, Jackson, Worthington, Luverne and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 10. Beginning at a point on the westerly limits of the city of Minneapolis and thence extending in a northwesterly direction to a point on Route No. 6 at or near Wheaton, affording Minneapolis, Montrose, Cokato, Litchfield, Willmar, Benson, Morris, Herman, Wheaton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 11. Beginning at a point on Route No. 8 at the westerly limits of the city of Duluth and thence extending in a northwesterly and northerly direction to a point on Route No. 4 at International Falls and thence extending in a southwesterly direction along said Route No. 4 to a point on said route southwesterly of International Falls and thence extending in a westerly direction to a point on Route No. 6 at Donaldson, affording Duluth, Eveleth, Virginia, Cook, Orr, Cussons, International Falls, Baudette, Warroad, Roseau, Greenbush, Donaldson and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 12. Beginning at a point on the west bank of the St. Croix River near Hudson, Wisconsin and thence extending in a westerly direction to a point on the easterly limits of the city of St. Paul and then beginning at a point on the westerly limits of the city of Minneapolis and thence extending in a westerly direction to a point on Route No. 6 at Madison, affording St. Paul, Minneapolis, Hopkins, Norwood, Glencoe, Olivia, Granite Falls, Montevideo, Dawson, Madison and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 13. Beginning at a point on Route No. 9 at Albert Lea and thence extending in a northerly direction to a point on Route No. 5 at Jordan affording Albert Lea, Waseca, Waterville, Montgomery, New Prague, Jordan and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 14. Beginning at a point on Route No. 6 at Ivanhoe and thence extending in an easterly direction to a point on Route No. 4 at Redwood Falls and thence extending in an easterly direction along said Route No. 4 to a point on said route at Morton and thence extending in an easterly direction to a point on Route No. 22, hereinafter described, at Gaylord affording Ivanhoe, Marshall, Redwood Falls, Morton, Winthrop, Gaylord and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 15. Beginning at a point on the boundary line between the states of Minnesota and Iowa southerly of Fairmont and thence extending in a northerly direction to a point on Route No. 14 at Winthrop, affording Fairmont, Madelia, New Ulm, Winthrop and intervening and adjacent communities a reasonable means of communication each with the other and other places within the state.

Route No. 16. Beginning at a point on Route No. 5 southwesterly of Mankato and thence extending westerly to a point on Route No. 15 at Madelia and thence extending in a southerly direction along said Route No. 15 to a point on said route southerly of Madelia and thence extending in a westerly direction to a point on Route No. 4 northerly of Windom and thence extending in a southerly direction along said Route No. 4 to a point on said route at Windom and thence extending in a westerly direction to a point at Fulda and thence extending in a southerly direction to a point on Route No. 9 at Worthington, affording Mankato, Madelia, St. James, Windom, Fulda, Worthington and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 17. Beginning at a point on Route No. 16 at Fulda and thence extending in a northerly direction to a point on Route No. 12 at Granite Falls, affording Fulda, Slayton, Garvin, Marshall, Granite Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 18. Beginning at a point on Route No. 3 at Elk River and thence extending in a northerly direction to a point on Route No. 2 easterly of Brainerd, affording Elk River, Princeton, Milaca, Onamia and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 19. Beginning at a point on Route No. 2 at Brainerd and thence extending in a northwesterly direction to a point on Route No. 8 at Cass Lake, affording Brainerd, Pine River, Walker, Cass Lake and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 20. Beginning at a point on the boundary line between the states of Minnesota and Iowa near Canton and thence extending in a northwesterly direction to a point on Route No. 9 at or near Preston and thence extending in a northwesterly direction along said Route No. 9 to a point on said route at Fountain and thence extending in a northwesterly direction to a point on Route No. 3 in the town of Douglas, Dakota county (T. 113, R. 17 W.) affording Canton, Harmony, Preston, Fountain, Chatfield, Oronoco, Pine Island, Zumbrota, Cannon Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 21. Beginning at a point on Route No. 20 at Zumbrota and thence extending in a westerly direction to a point on Route No. 5 at St. Peter, affording Zumbrota, Kenyon, Faribault, Le Sueur Center, Cleveland, St. Peter and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 22. Beginning at a point on Route No. 5 at St. Peter and thence extending in a northwesterly direction to a point on Route No. 4 at Paynesville, affording St. Peter, Gaylord, Glencoe, Hutchinson, Litchfield, Paynesville and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 23. Beginning at a point on Route No. 4 at Paynesville and thence extending in a northeasterly direction through the village of Richmond, Coldspring, Rockville and Waite Park to a point on Route No. 3 westerly of St. Cloud, and thence extending in a northeasterly direction to a point on Route No. 5 southerly of Mora, and thence extending in a northerly direction along said Route No. 5 to a point on said route at Mora, and thence extending in an easterly direction to a point on Route No. 1 southerly of Hinckley, affording Paynesville, St. Cloud, Foley, Milaca, Ogilvie, Mora and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 24. Beginning at a point on Route No. 10 at Litchfield and thence extending in a northeasterly direction to a point on Route No. 3 at St. Cloud, affording Litchfield, St. Cloud and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 25. Beginning at a point on Route No. 5 at or near Belle Plaine and thence extending in a northerly direction to a point on Route No. 3 at Big Lake, affording Belle Plaine, Norwood, Watertown, Montrose, Buffalo, Monticello, Big Lake and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 26. Beginning at a point on Route No. 10 at Benson and thence extending in a westerly direction to a point on Route No. 6 near Ortonville, affording Benson, Ortonville and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 27. Beginning at a point on Route No. 3 at St. Cloud and thence extending in a northerly direction to a point on Route No. 2 at Brainerd, affording St. Cloud, Sauk Rapids, Royalton, Little Falls, Brainerd and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 28. Beginning at a point on Route No. 27 at Little Falls and thence extending in a southwesterly direction to a point on the boundary line between the states of Minnesota and South Dakota at Browns Valley, affording Little Falls, Sauk Centre, Glenwood, Starbuck, Morris, Graceville, Browns Valley and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 29. Beginning at a point on Route No. 28 at Glenwood and thence extending in a northerly direction to a point on Route No. 2 westerly of Wadena affording Glenwood, Alexandria, Parkers Prairie, Deer Creek and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 30. Beginning at a point on Route No. 3 at Fergus Falls, and thence extending in a northerly direction to a point on Route No. 8 at Erskine, affording Fergus Falls, Pelican Rapids, Detroit, Mahnomen, Erskine and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 31. Beginning at a point on Route No. 6 at Ada, and thence extending in an easterly direction to a point on Route No. 30 near Mahnomen, affording Ada, Mahnomen and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 32. Beginning at a point on Route No. 8 easterly of Crookston and thence extending in a northerly direction to a point on Route No. 11 at Greenbush, affording Red Lake Falls, Thief River Falls, Middle River, Greenbush and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 33. Beginning at a point on Route No. 32 at Thief River Falls and thence extending in a northwesterly direction to a point on Route No. 6 at Warren, affording Thief River Falls, Warren and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 34. Beginning at a point on Route No. 2 at Detroit and thence extending in a northeasterly direction to a point on Route No. 8 westerly of Grand Rapids, affording Detroit, Park Rapids, Walker, Remer, Grand Rapids and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 35. Beginning at a point on Route No. 18 near Mille Lacs Lake and thence extending in a northerly direction to a point at Grand Rapids and thence extending in a northeasterly direction to a point at Ely, affording Aitkin, Grand Rapids, Hibbing, Chisholm, Buhl, Mountain Iron, Virginia, Gilbert, McKinley, Biwabik, Aurora, Tower, and Ely and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 36. Beginning at a point on Route No. 3 at Fergus Falls and thence extending in an easterly direction to a point on Route No. 29 easterly of Henning, affording Fergus Falls, Henning and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 37. Beginning at a point on Route No. 27 at Little Falls and thence extending in a northwesterly direction to a point on Route No. 2 at Motley, affording Little Falls, Motley and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 38. Beginning at a point on Route No. 12 at Montevideo and thence extending in a northerly direction to a point on Route No. 28 at Starbuck, affording Montevideo, Benson, Starbuck and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 39. Beginning at a point on Route No. 7 at Mankato and thence extending in a southeasterly direction to a point on Route No. 9 westerly of Albert Lea, affording Mankato, Mapleton, Minnesota Lake, Wells and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 40. Beginning at a point on the boundary line between the states of Minnesota and Iowa at Lyle and thence extending in a northwesterly direction to a point on Route No. 7 at Owatonna, affording Lyle, Austin, Blooming Prairie, Owatonna and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 41. Beginning at a point on Route No. 40 at or near Blooming Prairie and thence extending in an easterly direction to a point on Route No. 56, hereinafter described, near Hayfield, affording Blooming Prairie, Hayfield and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 42. Beginning at a point on Route No. 7 easterly of Rochester and thence extending (1) in a northeasterly direction to a point on Route No. 3 at Kellogg, affording Rochester, Elgin, Plainview, Kellogg and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state and (2) in a southerly direction to a point on Route No. 391.

Route No. 43. Beginning at a point on Route No. 9 at Rushford and thence extending in a northeasterly direction to a point on Route No. 3 at Winona, affording Rushford, Winona and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 44. Beginning at a point on Route No. 9 at Hokah and thence extending in a southwesterly direction to a point on Route No. 20 near Canton, affording Hokah, Caledonia, Canton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 45. Beginning at a point on the west bank of the St. Croix River at Stillwater and thence extending in a southwesterly direction to a point on the easterly limits of the city of St. Paul, affording Stillwater, Lake Elmo, St. Paul and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 46. Beginning at a point on the west bank of the St. Croix River at Taylors Falls and thence extending in a southwesterly direction to a point on Route No. 1 near Wyoming, affording Taylors Falls, Center City, Wyoming and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 47. Beginning at a point on Route No. 17 at Slayton and thence extending in a westerly direction to a point on Route No. 6 at Pipestone, affording Slayton, Pipestone and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 48. Beginning at a point on Route No. 17 westerly of Granite Falls and thence extending in a westerly direction to a point on Route No. 6 at Canby, affording Granite Falls, Clarkfield, Canby and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 49. Beginning at a point on Route No. 12 easterly of Montevideo and thence extending in a northeasterly direction to a point on Route No. 4 southerly of Willmar, affording Montevideo, Clara City, Willmar and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 50. Beginning at a point on Route No. 20 at Cannon Falls and thence extending in a northwesterly direction to a point on the southerly limits of the city of Minneapolis, affording Cannon Falls, Farmington, Minneapolis and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 51. Beginning at a point on Route No. 5 at Shakopee and thence extending in a northerly direction to a point on Route No. 12 northerly of Shakopee, affording a connection between said Route No. 5 and said Route No. 12.

Route No. 52. Beginning at a point on Route No. 5 south of the city of Minneapolis and thence extending in a northeasterly direction to a point on the westerly limits of the United States Military reservation at Fort Snelling, affording St. Paul and adjacent communities a reasonable communication with said Route No. 5.

Route No. 53. Beginning at a point on Route No. 3 at Hastings and thence extending in a northwesterly direction to a point on the southerly limits of the city of South St. Paul, affording Hastings, South St. Paul and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 54. Beginning at a point on Route No. 3 at Elbow Lake and thence extending in a southwesterly direction to a point on Route No. 10 at Herman, affording Elbow Lake, Herman and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 55. Beginning at a point on Route No. 2 northwesterly of Carlton and thence extending in a northerly direction to a point in Cloquet, affording Carlton, Cloquet and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 56. Beginning at a point on Route No. 9 easterly of Austin and thence extending in a northerly direction to a point on Route No. 21 at or near Kenyon, affording Brownsdale, Hayfield, Dodge Center, West Concord, Kenyon and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 57. Beginning at a point in Mantorville and extending in a southerly direction to a point on Route No. 7 southerly of Mantorville, affording Mantorville a reasonable means of communication with said Route No. 7.

Route No. 58. Beginning at a point on Route No. 20 at Zumbrota and thence extending in a northeasterly direction to a point on Route No. 3 at Red Wing, affording Zumbrota, Red Wing and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 59. Beginning at a point on the boundary line between the states of Minnesota and Iowa southerly of Spring Valley and thence extending in a northerly direction to a point on No. 3 at Lake City, affording Spring Valley, Stewartville, Rochester, Zumbrota Falls, Lake City and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 60. Beginning at a point on Route No. 1 at Faribault and thence extending in a southwesterly direction to a point on Route No. 7 at or near Madison Lake, affording Faribault, Morristown, Waterville, Madison Lake and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 61. Beginning at a point on Route No. 8 at Deer River and thence extending in a northerly direction to a point on Route No. 4 at or near Big Falls, affording Deer River, Big Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 62. Beginning at a point on Route No. 3 at Anoka and thence extending in a southeasterly direction to a point on the northerly limits of the city of St. Paul, affording Anoka, St. Paul and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 63. Beginning at a point on Route No. 1 southerly of Forest Lake and thence extending in a southwesterly direction to a point on the northerly and easterly limits of the city of Minneapolis, affording a reasonable means of communication between Route No. 1 and Minneapolis.

Route No. 64. Beginning at a point on Route No. 30 northerly of Fergus Falls and thence extending in a northerly and westerly direction to a point on Route No. 6 southerly of Moorhead, affording Fergus Falls, Rothsay, Barnesville, Moorhead and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 65. Beginning at a point on Route No. 8 at Bagley, and thence extending in a northerly and westerly direction to a point on Route No. 32 southerly of Red Lake Falls, affording Bagley, Clearbrook, Gonvick, Gully, Brooks, Terrebonne and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 66. Beginning at a point on Route No. 12 at Montevideo and thence extending in a northwesterly direction to a point on Route No. 26 northerly of Appleton affording Montevideo, Appleton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 67. Beginning at a point on Route No. 14 southerly of Echo and thence extending in a northerly and westerly direction to a point on Route No. 17 at or near Granite Falls, affording Echo, Granite Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 68. Beginning at a point on Route No. 14 at Marshall and thence extending in a northwesterly direction to a point on Route No. 6 near Canby, affording Marshall, Minneota, Canby and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 69. Beginning at a point on Route No. 25 at Buffalo and thence extending in a northwesterly direction to a point on Route No. 22 southeasterly of Paynesville, affording Buffalo, Maple Lake, Annandale, Eden Valley, Paynesville and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 70. Beginning at a point on Route No. 7 westerly of New Ulm and thence extending in a northerly direction to a point on Route No. 12 at or near the village of Hector, affording Fort Ridgely, Fairfax, Hector and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

[EFFECTIVE DATE.] This section is effective when the transfer of jurisdiction of approximately 3.5 miles of county state-aid highway 7 from marked U.S. highway 14 to interstate highway I-90 is agreed to by the commissioner of transportation and Olmsted county and a copy of the agreement, signed by the commissioner and the chair of the Olmsted county board, has been filed in the office of the commissioner.

Sec. 2. Minnesota Statutes 2000, section 161.115, subdivision 36, is amended to read:

Subd. 36. [ROUTE NO. 105.] Beginning at a ~~point on the southerly limits of Washington avenue~~ in the city of Minneapolis, thence extending in a northeasterly direction through Minneapolis to a point at the beginning of Route No. 5 on the northerly limits of the city of Minneapolis.

[EFFECTIVE DATE.] This section is effective when the transfer of jurisdiction of a portion of legislative route No. 105, from 10th street south to Washington avenue south in Minneapolis, is agreed to by the commissioner of transportation and the city of Minneapolis and a copy of the agreement, signed by the commissioner and the mayor of the city of Minneapolis, has been filed in the office of the commissioner.

Sec. 3. Minnesota Statutes 2000, section 161.115, subdivision 48, is amended to read:

Subd. 48. [ROUTE NO. 117.] Beginning at a point on Route No. 100 as herein established easterly of New Prague, thence extending in a northeasterly direction ~~and crossing the Mississippi River easterly of the city of South St. Paul,~~ thence extending in a northerly direction to a point on Route No. ~~1~~ at or near White Bear 393.

[EFFECTIVE DATE.] This section is effective when the transfer of jurisdiction of a portion of legislative route No. 117, marked as trunk highway 120, is agreed to by the commissioner of transportation and the counties of Ramsey and Washington and a copy of the agreement, signed by the commissioner and the chair of the Ramsey county board and the chair of the Washington county board, has been filed in the office of the commissioner.

Sec. 4. Minnesota Statutes 2000, section 161.115, is amended by adding a subdivision to read:

Subd. 268. [ROUTE NO. 337.] From a point on Route No. 2 in the city of Brainerd thence extending southwesterly to its intersection with new, marked trunk highway 371 as signed on the day following final enactment of this subdivision.

Sec. 5. Minnesota Statutes 2000, section 161.24, subdivision 4, is amended to read:

Subd. 4. [ACCESS TO ISOLATED PROPERTY.] When the establishment, construction, or reconstruction of a trunk highway closes off any other highway or street, including a city ~~streets street,~~ private road, or entrance at the boundary of ~~such the trunk highway,~~ the commissioner may, in mitigation of damages; or in the interest of safety and convenient public travel, construct a road either within ~~the limits of the trunk highway,~~ or ~~without~~ outside the limits of the trunk highway, connecting the ~~closed-off closed-off~~ highway, street, private road, or entrance with another public highway. In determining whether to build the road within or ~~without~~ outside the limits of the trunk highway, the commissioner may take into consideration economy to the state and local traffic needs. The commissioner, in mitigation of damages, may connect the ~~closed-off closed-off~~ private road with the remaining portion of the private road or with another private road. All lands necessary ~~therefor~~ for connecting a highway, street, private road, or entrance to another public highway or for connecting a closed-off private road to the remaining portion of a private road or to another private road, may be acquired by purchase, gift, or condemnation. Notwithstanding section 161.23, 161.43, 161.431, or 161.44, the commissioner may convey and quitclaim a fee

title or easement held or owned by the state in land used to construct a road to connect the closed-off highway, street, entrance, or private road with another public highway or to reconnect the private road to the property served by the road.

Sec. 6. Minnesota Statutes 2000, section 169.14, subdivision 5d, is amended to read:

Subd. 5d. [SPEED ZONING IN WORK ZONE; SURCHARGE.] (a) The commissioner, on trunk highways and temporary trunk highways, and local authorities, on streets and highways under their jurisdiction, may authorize the use of reduced maximum speed limits in highway work zones. The commissioner or local authority is not required to conduct an engineering and traffic investigation before authorizing a reduced speed limit in a highway work zone.

(b) The minimum highway work zone speed limit is 20 miles per hour. The work zone speed limit must not reduce the established speed limit on the affected street or highway by more than 15 miles per hour, except that the highway work zone speed limit ~~shall~~ must not exceed 40 miles per hour. The commissioner or local authority shall post the limits of the work zone. Highway work zone speed limits are effective on erection of appropriate regulatory speed limit signs. The signs must be removed or covered when they are not required. A speed greater than the posted highway work zone speed limit is unlawful.

(c) Notwithstanding paragraph (b), on divided highways the commissioner or local authority may establish a highway work zone speed limit that does not exceed 55 miles per hour.

~~(d)~~ (d) For purposes of this subdivision, "highway work zone" means a segment of highway or street where a road authority or its agent is constructing, reconstructing, or maintaining the physical structure of the roadway, its shoulders, or features adjacent to the roadway, including underground and overhead utilities and highway appurtenances, when workers are present.

~~(e)~~ (e) Notwithstanding section 609.0331 or 609.101 or other law to the contrary, a person who violates a speed limit established under paragraph (b) or (c), or who violates any other provision of this section while in a highway work zone, is assessed an additional surcharge equal to the amount of the fine imposed for the speed violation, but not less than \$25.

Sec. 7. Minnesota Statutes 2000, section 169.825, subdivision 11, is amended to read:

Subd. 11. [GROSS WEIGHT SEASONAL INCREASES.] (a) The limitations provided in this section are increased:

(1) by ten percent ~~from January 1 to March 7~~ between the dates set by the commissioner based on a freezing index model each winter, statewide;

(2) by ten percent ~~from December 1 through December 31~~ between the dates set by the commissioner based on a freezing index model each winter, in the zone bounded as follows: beginning at Pigeon River in the northeast corner of Minnesota; thence in a southwesterly direction along the north shore of Lake Superior along trunk highway No. 61 to the junction with trunk highway No. 210; thence westerly along trunk highway No. 210 to the junction with trunk highway No. 10; thence northwesterly along trunk highway No. 10 to the Minnesota-North Dakota border; thence northerly along that border to the Minnesota-Canadian Border; thence easterly along said Border to Lake Superior; and

(3) by ten percent from the beginning of harvest to November 30 each year for the movement of sugar beets and potatoes within an area having a 75-mile radius from the field of harvest to the point of the first unloading. The commissioner shall not issue permits under this clause if to do so will result in a loss of federal highway funding to the state.

(b) The duration of a ten percent increase in load limits is subject to limitation by order of the commissioner, subject to implementation of springtime load restrictions, ~~or March 7.~~

(c) When the ten percent increase is in effect, a permit is required for a motor vehicle, trailer, or semitrailer combination that has a gross weight in excess of 80,000 pounds, an axle group weight in excess of that prescribed in subdivision 10, or a single axle weight in excess of 20,000 pounds and which travels on interstate routes.

(d) In cases where gross weights in an amount less than that set forth in this section are fixed, limited, or restricted on a highway or bridge by or under another section of this chapter, the lesser gross weight as fixed, limited, or restricted may not be exceeded and must control instead of the gross weights set forth in this section.

(e) Notwithstanding any other provision of this subdivision, no vehicle may exceed a total gross vehicle weight of 80,000 pounds on routes which have not been designated by the commissioner under section 169.832, subdivision 11.

(f) The commissioner may, after determining the ability of the highway structure and frost condition to support additional loads, grant a permit extending seasonal increases for vehicles using portions of routes falling within two miles of the southern boundary of the zone described under paragraph (a), clause (2).

Sec. 8. Minnesota Statutes 2000, section 174.02, subdivision 4, is amended to read:

Subd. 4. [APPEARANCES ON PUBLIC TRANSPORTATION MATTERS.] The commissioner may appear as a party on behalf of the public in any proceeding or matter before the ~~interstate commerce commission, the civil aeronautics surface transportation~~ board or any other agency or instrumentality of government ~~which that~~ regulates public services or rates relating to transportation or other matters related to the powers and responsibilities of the commissioner as prescribed by law. The commissioner shall appear as a party on behalf of the public in proceedings ~~before the transportation regulation board~~ as provided by law on matters ~~which that~~ directly relate to the powers and duties of the commissioner or ~~which~~ substantially affect the statewide transportation plan. ~~On all other transportation matters the commissioner may appear before the transportation regulation board.~~

Sec. 9. Minnesota Statutes 2000, section 174.02, subdivision 5, is amended to read:

Subd. 5. [COOPERATION.] To facilitate the development of a unified and coordinated intrastate and interstate transportation system:

(1) the commissioner shall maintain close liaison, coordination and cooperation with the private sectors of transportation, the upper great lakes seaway development commission corporation, and any multistate organization involved in transportation issues affecting the state;

(2) the commissioner shall participate in the planning, regulation and development of the port authorities of the state; ~~and~~

(3) the commissioner or the commissioner's designee ~~shall be~~ is a nonvoting, ~~ex officio~~ member of the metropolitan airports commission, as organized and established under sections 473.601 to 473.679;

(4) the commissioner shall cooperate with all federal agencies for the purpose of harmonizing state rules and federal regulations within the state to the extent and in the manner deemed advisable;

(5) the commissioner may conduct joint hearings with any federal agency within or outside the state and, to the extent allowed under federal law or regulation, may approve and establish freight rates and charges that depart from the distance principle required by any state law; and

(6) the commissioner may nominate members to any joint board as provided by federal acts.

Sec. 10. Minnesota Statutes 2000, section 174.10, subdivision 1, is amended to read:

Subdivision 1. [NOTICE OF CONTESTED CASE; FEE.] The commissioner in any contested case ~~before the transportation regulation board~~ that involves a motor carrier or common carrier by rail as a party shall give reasonable notice to representatives of associations or other interested groups or persons who have registered their

names with the board commissioner for that purpose, to all parties and to cities and municipalities ~~which that~~ the board commissioner deems to be interested in the proceeding. The commissioner may prescribe an annual fee ~~to be credited to the general fund, which fee shall be~~ as a charge to all registered groups or persons. The fee must be credited to the general fund. This charge is to cover the out-of-pocket costs involved in ~~giving such~~ providing the notice.

Sec. 11. Minnesota Statutes 2000, section 174.10, subdivision 3, is amended to read:

Subd. 3. [PROSECUTION.] In proceedings ~~which that~~ involve a ~~hearing before the transportation regulation board~~ motor carrier or common carrier by rail as a party, the matter ~~shall must be investigated and prosecuted before the board heard~~ by the commissioner ~~of transportation representing the interests of the people of this state as authorized by law.~~

Sec. 12. Minnesota Statutes 2000, section 174.10, subdivision 4, is amended to read:

Subd. 4. [~~WHEN BOARD LACKS~~ LACK OF JURISDICTION.] If, in any proceeding ~~before the transportation regulation board relating to or involving the reasonableness of rates, fares, charges, or classifications,~~ the board commissioner decides that ~~it the department~~ does not have jurisdiction because the traffic covered by the rates, fares, charges, or classifications is interstate commerce, the ~~transportation regulation board commissioner~~ shall issue an order dismissing the proceeding and stating the ground of the dismissal, ~~which order may be appealed from in like manner as other appealable orders.~~

Sec. 13. Minnesota Statutes 2000, section 174A.02, subdivision 1, is amended to read:

Subdivision 1. [~~COMMISSIONER'S POWERS GENERALLY.~~ COMMISSIONER'S POWERS GENERALLY.] ~~Some of the functions of the transportation regulation board shall be legislative and commissioner of transportation, related to motor carriers and common carriers by rail, are quasi-judicial in nature. It The commissioner may make such investigations and determinations, hold such hearings, prescribe such rules, and issue such orders with respect to the control and conduct of the carrier businesses coming within its the commissioner's jurisdiction as the legislature itself might make but only as it shall from time to time authorize~~ authorized by law.

Sec. 14. Minnesota Statutes 2000, section 174A.02, subdivision 2, is amended to read:

Subd. 2. [SPECIFIC FUNCTIONS AND POWERS.] (a) To the extent allowed under federal law or regulation, the board commissioner shall further hold hearings and issue orders in cases brought ~~before it by either the commissioner on the commissioner's own motion~~ or by a third party in the following areas:

(a) (1) adequacy of services which that carriers are providing to the public, including the continuation, termination or modification of services and facilities;

~~(b) The~~ (2) reasonableness of tariffs of rates, fares, and charges, or a part or classification thereof of a tariff; and

(3) issuing permits.

~~(b) For purposes of paragraph (a), clause (2), the board commissioner may authorize common carriers by rail and motor carrier carriers for hire to file tariffs of rates, fares, and charges individually or by group. Carriers participating in group rate making have the free and unrestrained right to take independent action either before or after a determination arrived at through such that procedure.~~

~~(c) The issuing of franchises, permits, or certificates of convenience and necessity.~~

Sec. 15. Minnesota Statutes 2000, section 174A.02, subdivision 4, is amended to read:

Subd. 4. [HEARINGS; NOTICE.] With respect to those matters within ~~its the commissioner's jurisdiction,~~ the board commissioner shall receive, hear, and determine all petitions filed with ~~it the commissioner~~ in accordance with the procedures established by law and may hold hearings and make determinations upon ~~its the commissioner's own~~

motion to the same extent, and in every instance, in which ~~it~~ the commissioner may do so upon petition. Upon receiving petitions filed pursuant to sections 221.121, subdivision 1, 221.151, ~~221.296~~, and 221.55, the ~~board commissioner~~ shall give notice of the filing of the petition to representatives of associations or other interested groups or persons who have registered their names with the ~~board commissioner~~ for that purpose and to whomever the ~~board commissioner~~ deems to be interested in the petition. The ~~board commissioner~~ may grant or deny the request of the petition 30 days after notice of the filing has been fully given. If the ~~board commissioner~~ receives a written objection and notice of intent to appear at a hearing to object to the petition from any person within 20 days of the notice having been fully given, the request of the petition ~~shall~~ must be granted or denied only after a contested case hearing has been conducted on the petition, unless the objection is withdrawn ~~prior to~~ before the hearing. The ~~board commissioner~~ may elect to hold a contested case hearing if no objections to the petition are received. If a timely objection is not received, or if received and withdrawn, and the request of the petition is denied without hearing, the petitioner may request within 30 days of receiving the notice of denial, and ~~shall~~ must be granted, a contested case hearing on the petition.

Sec. 16. Minnesota Statutes 2000, section 174A.04, is amended to read:

174A.04 [HEARINGS AND APPEALS.]

Subdivision 1. [HEARINGS.] All hearings related to common carriers by rail or motor carriers and required to be conducted by the commissioner of transportation ~~regulation board~~ shall must be conducted pursuant to sections 14.001 to 14.69.

Subd. 2. [APPEALS.] An appeal from an order of the commissioner must be in accordance with chapter 14.

Sec. 17. Minnesota Statutes 2000, section 174A.06, is amended to read:

174A.06 [CONTINUATION OF RULES.]

(a) Orders and directives in force, issued, or promulgated under authority of chapters 174A, 216A, 218, 219, 221, and 222 remain and continue in force and effect until repealed, modified, or superseded by duly authorized orders or directives of the commissioner of transportation. To the extent allowed under federal law or regulation, rules adopted under authority of the following sections are transferred to the commissioner of transportation and continue in force and effect until repealed, modified, or superseded by duly authorized rules of the commissioner:

(1) section 218.041 except rules related to the form and manner of filing railroad rates, railroad accounting rules, and safety rules;

(2) section 219.40;

(3) rules relating to rates or tariffs, or the granting, limiting, or modifying of permits or certificates of convenience and necessity under section 221.031, subdivision 1;

(4) rules relating to the sale, assignment, pledge, or other transfer of a stock interest in a corporation holding authority to operate as a permit carrier as prescribed in section 221.151, subdivision 1, ~~or a local cartage carrier under section 221.296, subdivision 8;~~

(5) rules relating to rates, charges, and practices under section 221.161, subdivision 4; and

(6) rules relating to rates, tariffs, or the granting, limiting, or modifying of permits under sections 221.121; and 221.151, ~~and 221.296.~~

(b) The commissioner shall review the transferred rules, orders, and directives and, when appropriate, develop and adopt new rules, orders, or directives.

Sec. 18. Minnesota Statutes 2000, section 218.031, subdivision 2, is amended to read:

Subd. 2. [INFORMATION FURNISHED COMMISSIONER.] Every common carrier shall furnish to the commissioner:

~~(1) all schedules of rates, fares and charges, every part and classification thereof, together with minimum weights and rules with respect thereto, and any and all amendments, modifications or changes therein;~~

~~(2) all information duly required in blanks and forms furnished by the commissioner;~~

~~(3) a copy of all annual reports and valuation data furnished to the Interstate Commerce Commission not later than June 30th, covering the preceding calendar year, together with any additional information regarding valuation of its properties requested by the commissioner;~~

~~(4) a report of accidents, wrecks, and casualties occurring in this state in such a manner and form and at such the times as prescribed by the commissioner. All such reports administered by the department of public safety shall must be received and administered in accordance with the provisions of section 169.09, subdivision 13. All other reports shall be are open to public inspection but shall are not be admissible in evidence in any suit or action for damages growing out of such accident, wreck, or casualty;~~

~~(5) all tariff agreements or arrangements with other carriers;~~

~~(6) all joint schedules of rates, fares or classifications.~~

Sec. 19. Minnesota Statutes 2000, section 218.041, subdivision 4, is amended to read:

Subd. 4. [COMMISSIONER DUTIES UPON PETITION.] (a) The commissioner shall, upon petition:

~~(1) at all points of intersection and crossings of different railroads, or where two railroads are not more than one-half mile apart, and at all terminals, prescribe ample facilities by track connection, joint use of tracks, freight platforms and depots, warehouses, docks over which general merchandise is handled and forwarded, and other necessary appliances and conveniences for the transfer, forwarding and handling of general merchandise and parcel freight between such railroads and between such railroads and such docks, warehouses and vessels at such docks;~~

~~(2) determine the proportionate share of each company in the cost of providing connecting and transfer facilities in the event the companies fail to agree;~~

~~(3) direct construction, maintenance and operation at any points prescribed by law of all side tracks and reasonable facilities connecting any road with any grain warehouse or mill, dock, wharf, coal yard, quarry, brick or lime kiln, sand or gravel pit, crushed rock or concrete plant, or manufactory adjacent thereto, and prescribe the terms therefor;~~

~~(4) (1) prescribe reasonable rules for handling property, passenger, baggage, express and mail, partly over privately owned rights-of-way and partly over highways, so that reasonable and adequate accommodations and service may be afforded; and~~

~~(5) prescribe the extent to which any designated carrier, upon its petition, may be relieved from the operation of the principles established by section 218.021, subdivision 1, clauses (5), (6) and (7);~~

~~(6) (2) direct the repair, reconstruction, or replacement of any inadequate or unsafe trackage, structure or facility.~~

(b) Upon receipt of a petition for action pursuant to this subdivision the commissioner shall give notice to all persons known to it the commissioner to have an interest in the matter and publish notice of the petition in the State Register. The commissioner may grant the petition 30 days' after notice has been fully made. If the commissioner receives a written objection to the petition from any person within 20 days after the notice of filing has been fully

made, the exemption ~~shall~~ must be granted or denied only after a contested case hearing has been held on the matter. The commissioner may elect to hold a contested case hearing if no objections to the petition or application are received. If a timely objection is not received and the commissioner declines to act without a hearing, the petitioner may request within 30 days of receiving a notice of denial, and ~~shall~~ must be granted, a contested case hearing on the application.

Sec. 20. Minnesota Statutes 2000, section 218.041, subdivision 5, is amended to read:

Subd. 5. [INVESTIGATIVE AND ENFORCEMENT DUTIES.] The commissioner shall:

(1) investigate and determine whether any common carriers are granting rebates or, in any other particular, failing to comply with laws or with orders, rules, or directives of the commissioner; and

~~(2) appear and press before the Interstate Commerce Commission any petition, whether filed by a resident of the state or otherwise, charging any common carrier doing business in this state with any violation of the Interstate Commerce Act of the United States, whenever the department deems the matter to be one of public interest;~~

~~(3) institute and prosecute all actions and proceedings in the appropriate courts for the enforcement of the provisions of this chapter; the orders, rules, and directives of the commissioner issued thereunder under this chapter; and any violations thereof.~~

Sec. 21. Minnesota Statutes 2000, section 218.041, subdivision 6, is amended to read:

Subd. 6. [INVESTIGATIVE, ADMINISTRATIVE, AND RULEMAKING POWERS.] In the exercise of powers granted in this chapter, the commissioner may:

(1) subpoena books, papers, or accounts kept by any regulated business within or without the state, or compel production of verified copies;

(2) prepare all forms or blanks for the purpose of obtaining information ~~which that~~ that the commissioner may deem necessary or useful for the proper exercise of the authority and duties of the commissioner in connection with regulated businesses, and prescribe the time and manner within which the blanks and forms ~~shall~~ must be completed and filed;

(3) inspect, at all reasonable times, and copy the books, records, memoranda, correspondence, or other documents and records of any business under the commissioner's jurisdiction; and

(4) examine, under oath, any officer, agent, or employee of a business under the commissioner's jurisdiction concerning ~~its business and affairs, and~~

~~(5) prescribe rules, duly promulgated in accordance with chapter 14, relating to rates, care in handling and other livestock transportation matters any matter within the commissioner's jurisdiction.~~

Sec. 22. Minnesota Statutes 2000, section 219.074, subdivision 2, is amended to read:

Subd. 2. [CROSSING VACATION PROGRAM.] On or before July 1, 1992, and on or before July 1 of each of the next four years, and as necessary afterward, the commissioner shall develop a list of grade crossings proposed to be vacated. The list must be developed by applying the standards set forth in the rules adopted under section 219.073. Grade crossings that are part of an abandonment, closing, or removal ~~under section 219.741~~ may not be included in the list. The commissioner shall notify the public officials having the necessary authority and the railway companies operating the railroads of the proposed vacations. Either affected party may request a hearing. If requested, the commissioner shall hold a contested case hearing applying in the commissioner's determination the rules developed under section 219.073. If after the hearing the commissioner determines that the vacation is

consistent with the standards adopted under section 219.073, the commissioner may order the crossing vacated. If a request for a hearing on a particular crossing is not received within 30 days of the publication in the State Register, the commissioner shall order the crossing vacated.

Sec. 23. Minnesota Statutes 2000, section 219.402, is amended to read:

219.402 [ADEQUATE CROSSING PROTECTION.]

Crossing warning devices or improvements installed or maintained under this chapter as approved by the commissioner or any predecessor, whether by order or otherwise, are adequate and appropriate warning for the crossing.

Sec. 24. Minnesota Statutes 2000, section 222.632, is amended to read:

222.632 [RIGHT OF FIRST REFUSAL.]

A railroad interest that is in bankruptcy proceedings may not sell or offer for sale an interest in real property that is within the right-of-way, a railroad interest that is abandoning a railroad line may not sell or offer for sale an interest in real property within the right-of-way to be abandoned, and a nonrailroad lessor may not sell or offer for sale an interest in real property within the right-of-way with respect to which it is a nonrailroad lessor, unless it first extends a written offer to sell that interest at a fair market value price to each person who is a leaseholder with respect to the property. Leaseholders must respond to the offer within 60 days of receipt of the notice and the railroad interest must negotiate in good faith with an interested leaseholder for a period of 90 days following the leaseholder's response. ~~After the 90-day negotiation period, either party may file a notice of dispute with the commissioner of transportation under section 222.633.~~ The property may not be sold to a party other than the leaseholder during the response and negotiation periods ~~or while a dispute is pending before the commissioner.~~ This section does not apply to a sale of an entire operating railroad line by one operating railroad to another for the purpose of operating a railroad.

Sec. 25. [TRANSFERRING CARRIER REGULATORY RESPONSIBILITIES.]

(a) Responsibilities, as defined in Minnesota Statutes, section 15.039, subdivision 1, held by the transportation regulation board including, but not limited to, responsibilities relating to administration, regulation, recordkeeping, operating authority, permitting, rate making, rulemaking, and enforcement of transportation laws, rules, and regulations relating to motor carriers and common carriers by rail under Minnesota Statutes, chapters 218, 219, 221, and 222, are transferred to the commissioner of the Minnesota department of transportation under Minnesota Statutes, section 15.039.

(b) The legislative and quasi-judicial functions and powers conferred on the board under Minnesota Statutes, chapter 174A, are also transferred to the commissioner.

(c) The position of transportation regulation board member and the transportation regulation board as previously constituted are abolished.

Sec. 26. [TRUNK HIGHWAYS DISCONTINUED; REPEALER, CONTINGENT EFFECTIVE DATE.]

(a) Minnesota Statutes 2000, section 161.115, subdivision 164, is repealed on the date the transfer of jurisdiction of legislative route No. 233 is agreed to by the commissioner of transportation and the county of Crow Wing and a copy of the agreement, signed by the commissioner and the chair of the Crow Wing county board, has been filed in the office of the commissioner.

(b) Minnesota Statutes 2000, section 161.115, subdivision 175, is repealed on the date the transfer of jurisdiction of legislative route No. 244 is agreed to by the commissioner of transportation and the counties of Ramsey and Washington and a copy of each agreement, signed by the commissioner and the chair of the Ramsey county board and the chair of the Washington county board, as applicable, has been filed in the office of the commissioner.

(c) Minnesota Statutes 2000, section 161.115, subdivision 236, is repealed on the date the transfer of jurisdiction of legislative route No. 305 is agreed to by the commissioner of transportation and the city of Brainerd and a copy of the agreement, signed by the commissioner and the mayor of the city of Brainerd, has been filed in the office of the commissioner.

(d) Minnesota Statutes 2000, section 161.115, subdivision 253, is repealed on the date the transfer of jurisdiction of legislative route No. 322 is agreed to by the commissioner of transportation and the city of Brainerd and a copy of the agreement, signed by the commissioner and the mayor of the city of Brainerd, has been filed in the office of the commissioner.

Sec. 27. [INSTRUCTIONS TO REVISOR.]

(a) Except when used in the phrases to be changed by the revisor under paragraph (b), the revisor of statutes is directed to change the word "board" or "board's," or similar term or phrase, when it refers to the transportation regulation board, to the term "commissioner," "commissioner's," or "commissioner of transportation," as appropriate, where it appears in:

(1) Minnesota Statutes, sections 174A.02, subdivision 3; 221.025; 221.101; 221.121, subdivisions 1, 2, 3, 4, 5, 6, and 6a; 221.122, subdivisions 1 and 3; 221.123; 221.151; 221.161, subdivisions 2, 3, and 4; 221.165; 221.171, subdivision 1; 221.185, subdivisions 2 and 3a; 221.221, subdivision 2; 221.291, subdivision 5; 221.293; 221.296, subdivisions 3, 4, and 8; and 221.55; and

(2) Minnesota Rules, chapters 7800; 8900; 8910; and 8920.

(b) The revisor of statutes is directed to change the phrases "board or commissioner," "commissioner or board," "board or the commissioner," "commissioner or the board," "commissioner and the board," "commissioner and board," "board and the commissioner," "board and commissioner," "department and board," "board or department," and "board and the department," when the word "board" refers to the transportation regulation board, to the term "commissioner," or "commissioner of transportation," as appropriate, where it appears in:

(1) Minnesota Statutes, sections 221.011, subdivision 15; 221.031, subdivision 5; 221.121, subdivisions 1 and 5; 221.122, subdivision 1; 221.151, subdivision 2; 221.221, subdivisions 1 and 3; 221.261; 221.271; 221.291, subdivisions 1 and 3; 221.293; 221.295; 221.296, subdivisions 3 and 4; and 221.68; and

(2) Minnesota Rules, chapter 8850.

(c) Except when amended accordingly in this act, the revisor of statutes is directed to change the words "transportation regulation board" to "commissioner of transportation" wherever they appear in Minnesota Statutes and Minnesota Rules.

(d) In Minnesota Statutes, the revisor of statutes shall renumber sections 174A.02 as 174.64; 174A.04 as 174.65; and 174A.06 as 174.66.

(e) In Minnesota Rules, chapters 7800 and 8830, the revisor of statutes shall change the term "commission" to "commissioner of transportation" or "commissioner," as appropriate.

(f) The revisor of statutes shall change the description of the route identified in section 1 in the next publication of Minnesota Statutes unless the commissioner of transportation informs the revisor that the conditions required to modify the route were not satisfied.

(g) The revisor of statutes shall change the description of each route identified in sections 2 and 3 in the next publication of Minnesota Statutes unless the commissioner of transportation informs the revisor that the conditions required to modify a particular route were not satisfied.

(h) The revisor of statutes shall delete each route identified in section 26 in the next publication of Minnesota Statutes unless the commissioner of transportation informs the revisor that the conditions required to transfer the routes were not satisfied.

(i) The revisor of statutes shall make other changes in chapter titles; section, subdivision, part, and subpart headnotes; and in other terminology necessary as a result of the enactment of this act.

Sec. 28. [REPEALER.]

Minnesota Statutes 2000, sections 174A.01; 174A.02, subdivision 5; 174A.03; 174A.05; 219.558; 219.559; 219.56; 219.681; 219.69; 219.691; 219.692; 219.695; 219.70; 219.71; 219.741; 219.743; 219.751; 219.755; 219.85; 219.88; 219.97, subdivisions 6, 7, and 10; and 222.633, are repealed."

Delete the title and insert:

"A bill for an act relating to transportation; repealing or modifying legislative route descriptions of certain highways; allowing commissioner of transportation to convey interest in certain land to property owners; modifying provisions for speed limits in highway work zones; modifying seasonal highway weight limitations; transferring responsibilities from transportation regulation board to commissioner of transportation; making technical and clarifying changes; repealing obsolete or invalid provisions; amending Minnesota Statutes 2000, sections 161.114; 161.115, subdivisions 36, 48, and by adding a subdivision; 161.24, subdivision 4; 169.14, subdivision 5d; 169.825, subdivision 11; 174.02, subdivisions 4 and 5; 174.10, subdivisions 1, 3, and 4; 174A.02, subdivisions 1, 2, and 4; 174A.04; 174A.06; 218.031, subdivision 2; 218.041, subdivisions 4, 5, and 6; 219.074, subdivision 2; 219.402; and 222.632; repealing Minnesota Statutes 2000, sections 174A.01; 174A.02, subdivision 5; 174A.03; 174A.05; 219.558; 219.559; 219.56; 219.681; 219.69; 219.691; 219.692; 219.695; 219.70; 219.71; 219.741; 219.743; 219.751; 219.755; 219.85; 219.88; 219.97, subdivisions 6, 7, and 10; and 222.633."

The motion prevailed and the amendment was adopted.

Workman moved to amend S. F. No. 1769, as amended, as follows:

Page 20, after line 30, insert:

"Sec. 8. Minnesota Statutes 2000, section 169.87, is amended by adding a subdivision to read:

Subd. 7. [READY-MIX VEHICLES; ROUTING OVER SEASONALLY-RESTRICTED HIGHWAYS.] (a) Not less than four weeks after a road authority has imposed seasonal load restrictions on one or more highways under its jurisdiction under subdivisions 1 or 2, the operator of a vehicle used exclusively to transport ready-mix may contact the road authority to inform the road authority of the origin and destination of a single trip to be made by the vehicle and request the road authority to provide the operator with a routing for that trip on which the vehicle will be allowed to travel. A road authority receiving such a request must in a timely manner provide the vehicle operator with a routing on which the vehicle will be allowed to travel notwithstanding seasonal load restrictions.

(b) Paragraph (a) does not allow the operation of any vehicle with a gross weight per single axle of more than seven tons on any highway on which seasonal load restrictions have been imposed.

[EFFECTIVE DATE] This section is effective June 1, 2001, and expires June 1, 2003."

Renumber the sections in sequence and 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 Workman amendment and the roll was called. There were 29 yeas and 104 nays as follows:

Those who voted in the affirmative were:

Bakk	Finseth	Holsten	Lipman	Opatz	Stang
Clark, J.	Fuller	Howes	Mares	Osskopp	Walz
Davids	Gunther	Jennings	Milbert	Paulsen	Workman
Dehler	Haas	Leighton	Mulder	Rhodes	Spk. Sviggum
Erhardt	Hackbarth	Lindner	Ness	Rukavina	

Those who voted in the negative were:

Abeler	Dorman	Huntley	Lieder	Pelowski	Sykora
Abrams	Dorn	Jacobson	Luther	Penas	Thompson
Anderson, B.	Eastlund	Jaros	Mahoney	Peterson	Tingelstad
Anderson, I.	Entenza	Johnson, J.	Mariani	Pugh	Tuma
Bernardy	Erickson	Johnson, R.	Marko	Rifenberg	Vandever
Biernat	Evans	Johnson, S.	Marquart	Ruth	Wagenius
Bishop	Folliard	Juhnke	McElroy	Schumacher	Walker
Boudreau	Gerlach	Kahn	McGuire	Seagren	Wasiluk
Bradley	Gleason	Kelliher	Molnau	Seifert	Wenzel
Buesgens	Goodno	Kielkucki	Mullery	Sertich	Westerberg
Carlson	Goodwin	Knoblach	Murphy	Skoe	Westrom
Cassell	Gray	Koskinen	Nornes	Skoglund	Wilkin
Clark, K.	Greiling	Krinkie	Olson	Slawik	Winter
Daggett	Harder	Kubly	Osthoff	Smith	Wolf
Davnie	Hausman	Kuisle	Otremba	Solberg	
Dawkins	Hilstrom	Larson	Ozment	Stanek	
Dempsey	Hilty	Lenczewski	Pawlenty	Swapinski	
Dibble	Holberg	Leppik	Paymar	Swenson	

The motion did not prevail and the amendment was not adopted.

Jennings and Workman moved to amend S. F. No. 1769, as amended, as follows:

Page 1, after line 26, insert:

"Section 1. Minnesota Statutes 2000, section 160.292, subdivision 10, is amended to read:

Subd. 10. [SPECIFIC SERVICE.] "Specific service" means restaurants; rural agricultural or tourist-oriented businesses; places of worship; gasoline service stations and other retail motor fuel businesses; and motels, resorts, or recreational camping areas that provide sleeping accommodations for the traveling public. "Tourist-oriented business" means a business, service, or activity that receives the major portion of its income or visitors during the normal business season from motorists not residing in the immediate area of the business or activity.

"Tourist-oriented business" includes, but is not limited to: (1) a greenhouse or nursery, (2) a bait and tackle shop, (3) a marina, and (4) a gift or antique shop. "Rural agricultural business" includes but is not limited to: (1) a grain-handling facility; (2) a business providing care and well-being to animals; and (3) the sale of feed or seed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Rukavina moved to amend S. F. No. 1769, as amended, as follows:

Page 18, after line 15, insert:

"Sec. 6. [161.366] [TRANSPORTATION CONSTRUCTION CONTRACT; TACONITE RELIEF AREA.]

The commissioner of transportation, as a condition of awarding a transportation construction contract in the taconite tax relief area, may require the contractor to hire a certain percentage of workers for that contract whose principal place of residence is in the taconite tax relief area. Taconite tax relief area means the tax relief area defined in section 273.134."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 1769, A bill for an act relating to transportation; allowing commissioner of transportation to convey interest in certain land to property owners; modifying provisions for speed limits in highway work zones; modifying seasonal highway weight limitations; transferring responsibilities from transportation regulation board to commissioner of transportation; transferring, discontinuing, or changing description of portions of certain trunk highways; making technical and clarifying changes; repealing obsolete or invalid provisions; amending Minnesota Statutes 2000, sections 161.114; 161.115, subdivisions 36, 48, and by adding a subdivision; 161.24, subdivision 4; 161.442; 169.14, subdivision 5d; 169.825, subdivision 11; 174.02, subdivisions 4 and 5; 174.10, subdivisions 1, 3, and 4; 174A.02, subdivisions 1, 2, and 4; 174A.04; 174A.06; 218.031, subdivision 2; 218.041, subdivisions 4, 5, and 6; 219.074, subdivision 2; 219.384, subdivision 2; and 219.402; repealing Minnesota Statutes 2000, sections 174A.01; 174A.02, subdivision 5; 174A.03; 174A.05; 219.558; 219.559; 219.56; 219.681; 219.69; 219.691; 219.692; 219.695; 219.70; 219.71; 219.741; 219.743; 219.751; 219.755; 219.85; 219.97; 222.631; 222.632; and 222.633.

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 132 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Biernat	Bradley	Cassell	Daggett
Abrams	Bakk	Bishop	Buesgens	Clark, J.	Davids
Anderson, B.	Bernardy	Boudreau	Carlson	Clark, K.	Davnie

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

Those who voted in the negative were:

Holberg

The bill was passed, as amended, and its title agreed to.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1215:

Holberg, Smith and Swapinski.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1407:

Walker, Bradley and Wilkin.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 2513, A bill for an act relating to a baseball park; making legislative findings and stating the intent and purpose of the legislation; authorizing sale of state revenue bonds and a loan of their proceeds; authorizing a process for and selection of a local unit of government to provide a site for a baseball park; providing for financing, construction, and naming rights for the baseball park; requiring the use of steel produced in the United States from taconite produced in Minnesota; providing for repayment of the loan and for certain guarantees by certain parties;

providing for imposition of an admissions tax; imposing obligations on the major league baseball team and the commissioner of trade and economic development; requiring appointment of a special panel to make certain findings and determinations to the governor and the legislative commission on planning and fiscal policy; providing certain temporary tax exemptions; requiring a report; amending Minnesota Statutes 2000, sections 16A.67, subdivision 1; 272.02, by adding a subdivision; 297A.71, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116J.

Reported the same back with the following amendments:

Page 3, line 4, delete "\$140,000,000." and insert "the amount necessary to provide \$140,000,000 for the loan plus the amount necessary to establish the debt reserve and the costs of issuance of the bonds."

Page 4, line 25, before the period, insert ", costs of issuance, any ongoing costs related to the bonds issued, including but not limited to trustee expenses, bond counsel expenses, and any arbitrage, and any other costs incurred by the state related to the bonds"

Page 4, line 27, after "by" insert "major league baseball and by"

Page 6, line 15, delete "paragraph" and insert "paragraphs" and after "(b)" insert "and (c)" and delete everything after "before" and insert "the governor may authorize the commissioner to make the loan under section 116J.4291 and before the commissioner of finance may issue bonds under section 16A.67"

Page 6, line 16, delete "assistance"

Page 6, line 30, after "colleges" insert "and universities"

Page 7, after line 4, insert:

"(c) The major league baseball team must sign, as a condition of receiving any state assistance, a contract with the state under which the state would obtain from the team the rights to the control and use of the team name and logo in the event that the team relocates to another state. Under such a contract, the team must notify the state within 24 hours of signing an agreement to relocate, and at midnight immediately following notification all income from existing contracts for the use of the team name and/or logo and all team property with the team name and/or logo, other than personal property of team members and principals, will become the property of the state."

Page 7, line 5, before "CONSTRUCTION" insert "DESIGN AND"

Page 7, line 6, after "shall" insert "design and"

Page 7, line 7, after the period, insert "Before the design process is complete and construction begins, the local unit of government and the team must hold at least one public hearing on the proposed design."

Page 7, after line 29, insert:

"Sec. 8. [116J.4285] [SALE OF BASEBALL FRANCHISE.]

Subdivision 1. [APPLICATION.] As a condition of a loan being made under section 116J.426, the owner of the major league professional baseball team must agree that before the owner sells a majority ownership interest in the team, the owner will attempt for a reasonable time to comply with subdivision 2 or with subdivision 3.

Subd. 2. [COMMUNITY OWNERSHIP.] The owner of the team must work with the governor, the commissioner, and a community foundation or corporation on a plan to:

(1) transfer by gift to the foundation or corporation all ownership interests in the team;

(2) provide for sale of shares in the team by the foundation or corporation to the community, in a manner such that:

(i) one individual or entity who is the managing partner may own up to 25 percent of the voting stock;

(ii) no other individual or entity may own more than five percent of the voting stock; and

(iii) at least 50 percent of the voting stock must be dispersed so that no person owns more than one percent; and

(3) ensure that the franchise may not move from Minnesota without approval of 80 percent of the shares of voting stock.

Subd. 3. [LOCAL PRIVATE OWNERSHIP.] The owner of the team must attempt to reach an agreement on the sale of a majority interest in the team to one or more Minnesota buyers before attempting to sell the majority interest to others.

Subd. 4. [REPORT.] If the owner of the team attempts to sell a majority interest in the team, the commissioner must report to the legislature at the beginning of the next legislative session on efforts to work with the owner of the team to implement this section."

Page 8, line 4, after the period, insert "The terms of the loan contract must require that at least one public hearing on the proposed baseball park design will be held by the local unit of government and the team before construction begins."

Page 8, line 7, delete everything after the period

Page 8, delete lines 8 to 11

Page 8, line 32, before the first "revenues" insert "average" and delete the comma

Page 8, line 33, delete "on average,"

Page 9, line 6, delete "teams be"

Page 9, line 7, delete "allowed to move if they cannot succeed economically" and insert "major league baseball utilize strategic franchise locations to address competitive issues"

Page 9, line 29, delete "and capital investment"

Page 10, after line 29, insert:

"Sec. 14. [OLYMPIC BID; FACILITY CONSTRUCTION.]

The governor must evaluate: (1) the feasibility of Minnesota preparing a bid to host the 2012 summer Olympics; and (2) the possibility that hosting the 2012 summer Olympics may result in sources other than the state or a local governmental unit constructing facilities that could be used by Minnesota professional sports teams after completion of the Olympics.

If the governor determines that preparation of a bid to host the 2012 Olympics could be cost-beneficial to the state, the governor, in consultation with appropriate persons in the public and private sector, must take steps necessary to begin bid preparation.

Sec. 15. [EFFECTIVE DATE.]

Section 14 is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 20, delete "a report" and insert "reports"

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

The report was adopted.

CALENDAR FOR THE DAY, Continued

S. F. No. 960, which was temporarily laid over earlier today on the Calendar for the Day, was again reported to the House.

Rukavina moved to amend S. F. No. 960, the unofficial engrossment, as follows:

Delete everything after the enacting clause and restore the following language of S. F. No. 960, the first engrossment, which would return the bill to its original language as received from the Senate:

"Section 1. Minnesota Statutes 2000, section 298.22, subdivision 3, is amended to read:

Subd. 3. [COMMISSIONER MAY ACQUIRE PROPERTY.] Whenever the commissioner of iron range resources and rehabilitation has made determinations required by subdivision 1 and has determined that distress and unemployment exists or may exist in the future in any county by reason of the removal of the natural resources or a possible limited use thereof in the future and the decrease in employment resulting therefrom and deems that the acquirement of real estate or personal property is necessary and proper in the development of the remaining resources, the commissioner may acquire such property or interests therein by gift, purchase, or lease. The commissioner may purchase insurance to protect any property acquired from loss or damage by fire, or to protect the commissioner from any liability the commissioner may incur by reason of ownership of the property, or both. If after such property is acquired it is necessary in the judgment of the commissioner to acquire a right-of-way for access to projects operated on property acquired; by gift, purchase, or lease, said right-of-way may be acquired by condemnation in the manner provided by law. If the owner or operator of an iron mine or related production or beneficiation facilities discontinues the operation of the mine or facilities for any reason, the commissioner may acquire any or all of the mine lands and related facilities by gift, purchase, lease, or condemnation in the manner provided in chapter 117.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

The motion prevailed and the amendment was adopted.

S. F. No. 960, A bill for an act relating to iron range resources and rehabilitation; authorizing the commissioner to acquire certain discontinued mining property; amending Minnesota Statutes 2000, section 298.22, subdivision 3.

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 115 yeas and 18 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Gerlach	Kielkucki	Lindner	Olson	Rifenberg
Bakk	Haas	Knoblach	McElroy	Paulsen	Westerberg
Clark, J.	Holberg	Krinkie	Mulder	Pawlenty	Wolf

The bill was passed, as amended, and its title agreed to.

S. F. No. 494, A bill for an act relating to St. Louis county; repealing special purchasing laws for St. Louis county; repealing Minnesota Statutes 2000, sections 383C.33; 383C.331; 383C.332; 383C.333; 383C.334; 383C.335; 383C.336; 383C.337; 383C.338; and 383C.34.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

Pawlenty moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Abrams.

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 following the remaining bills on the Calendar for the Day, for Wednesday, May 16, 2001:

S. F. Nos. 1263 and 1666; H. F. No. 70; S. F. Nos. 1369, 1680, 1472, 172 and 711; H. F. No. 1025; and S. F. Nos. 1721, 577, 1552 and 1614.

CALENDAR FOR THE DAY, Continued

S. F. No. 1666, A bill for an act relating to commerce; allowing licensing exemption for certain sales of horse trailers and temporary sales of recreational vehicles; amending Minnesota Statutes 2000, section 168.27, subdivision 10.

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

The bill was passed and its title agreed to.

H. F. No. 70 was reported to the House.

Seifert moved that H. F. No. 70 be returned to the General Register. The motion prevailed.

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.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 1472, A bill for an act relating to economic development; modifying the capital access program; amending Minnesota Statutes 2000, sections 116J.876, by adding a subdivision; 116J.8761; and 116J.8762, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 116J.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 172 was reported to the House.

Skoglund moved that S. F. No. 172 be temporarily laid over on the Calendar for the Day. The motion prevailed.

S. F. No. 711 was reported to the House and given its third reading.

MOTION FOR RECONSIDERATION

Skoglund moved that the action whereby S. F. No. 711 was given its third reading be now reconsidered. The motion prevailed.

Skoglund moved to amend S. F. No. 711 as follows:

Page 2, line 26, after "a" insert "petty"

The motion prevailed and the amendment was adopted.

S. F. No. 711, A bill for an act relating to crime prevention; modifying the school trespass law; amending Minnesota Statutes 2000, section 609.605, subdivision 4.

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 29 yeas and 102 nays as follows:

Those who voted in the affirmative were:

Abrams	Entenza	Huntley	Larson	Opatz	Swapinski
Biernat	Evans	Jaros	Lipman	Osthoff	Tuma
Clark, J.	Gleason	Kelliher	McGuire	Otremba	Wagenius
Davnie	Goodno	Knoblach	Mullery	Paymar	Winter
Dawkins	Hilstrom	Koskinen	Murphy	Skoglund	

Those who voted in the negative were:

Abeler	Dehler	Gunther	Juhnke	Mariani	Pelowski
Anderson, B.	Dempsey	Haas	Kahn	Marko	Penas
Anderson, I.	Dibble	Hackbarth	Kielkucki	Marquart	Peterson
Bakk	Dorman	Harder	Krinkie	McElroy	Pugh
Bernardy	Dorn	Hausman	Kubly	Milbert	Rhodes
Bishop	Eastlund	Hilty	Kuisle	Molnau	Rifenberg
Boudreau	Erhardt	Holberg	Leighton	Mulder	Rukavina
Bradley	Erickson	Holsten	Lenczewski	Ness	Ruth
Buesgens	Finseth	Howes	Leppik	Nornes	Schumacher
Carlson	Folliard	Jacobson	Lieder	Olson	Seagren
Cassell	Fuller	Jennings	Lindner	Osskopp	Seifert
Clark, K.	Gerlach	Johnson, J.	Luther	Ozment	Sertich
Daggett	Goodwin	Johnson, R.	Mahoney	Paulsen	Skoe
Davids	Greiling	Johnson, S.	Mares	Pawlenty	Slawik

Smith	Swenson	Tingelstad	Walz	Westerberg	Wolf
Solberg	Sykora	Vandev eer	Wasiluk	Westrom	Workman
Stang	Thompson	Walker	Wenzel	Wilkin	Spk. Sviggum

The bill, as amended, was not passed.

H. F. No. 1025 was reported to the House.

Entenza moved that H. F. No. 1025 be returned to the General Register. The motion prevailed.

S. F. No. 1721, A bill for an act relating to employment; regulating the use of protected genetic information in employment; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 181.

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 119 yeas and 14 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Cassell	Johnson, J.	Lindner	Seifert
Bishop	Dempsey	Kielkucki	Mulder	Wilkin
Buesgens	Erickson	Krinkie	Penas	

The bill was passed and its title agreed to.

S. F. No. 1552, A bill for an act relating to crimes; defining the level of negligence required for the crime of causing negligent fires; amending Minnesota Statutes 2000, section 609.576, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 172, which was temporarily laid over earlier today on the Calendar for the Day, was again reported to the House.

Skoglund and Tuma moved to amend S. F. No. 172 as follows:

Page 2, after line 14, insert:

"Sec. 2. Minnesota Statutes 2000, section 260B.235, subdivision 4, is amended to read:

Subd. 4. [DISPOSITIONS.] If the juvenile court finds that a child is a petty offender, the court may:

- (a) require the child to pay a fine of up to \$100;
- (b) require the child to participate in a community service project;
- (c) require the child to participate in a drug awareness program;

(d) ~~place the child on probation for up to six months;~~

~~(e) order the child to undergo a chemical dependency evaluation and if warranted by this evaluation, order participation by the child in an outpatient chemical dependency treatment program;~~

(e) place the child on probation for up to six months or, in the case of a juvenile alcohol or controlled substance offense, following a determination by the court that the juvenile is chemically dependent, the court may place the child on probation for a time determined by the court;

(f) order the child to make restitution to the victim; or

(g) perform any other activities or participate in any other outpatient treatment programs deemed appropriate by the court.

In all cases where the juvenile court finds that a child has purchased or attempted to purchase an alcoholic beverage in violation of section 340A.503, if the child has a driver's license or permit to drive, and if the child used a driver's license, permit, Minnesota identification card, or any type of false identification to purchase or attempt to purchase the alcoholic beverage, the court shall forward its finding in the case and the child's driver's license or permit to the commissioner of public safety. Upon receipt, the commissioner shall suspend the child's license or permit for a period of 90 days.

In all cases where the juvenile court finds that a child has purchased or attempted to purchase tobacco in violation of section 609.685, subdivision 3, if the child has a driver's license or permit to drive, and if the child used a driver's license, permit, Minnesota identification card, or any type of false identification to purchase or attempt to purchase tobacco, the court shall forward its finding in the case and the child's driver's license or permit to the commissioner of public safety. Upon receipt, the commissioner shall suspend the child's license or permit for a period of 90 days.

None of the dispositional alternatives described in clauses (a) to (f) shall be imposed by the court in a manner which would cause an undue hardship upon the child."

Page 2, line 16, delete "Section 1 is" and insert "Sections 1 and 2 are" and delete "applies" and insert "apply"

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 172, A bill for an act relating to crime prevention; limiting the number of offenses that are juvenile petty offenses; amending Minnesota Statutes 2000, section 260B.007, subdivision 16.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Biernat	Bradley	Cassell	Daggett
Abrams	Bakk	Bishop	Buesgens	Clark, J.	Davids
Anderson, B.	Bernardy	Boudreau	Carlson	Clark, K.	Davnie

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

The bill was passed, as amended, and its title agreed to.

Seifert moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 795, A bill for an act relating to natural resources; requiring the continuation of grant-in-aid snowmobile trail access when the commissioner of natural resources acquires land; permitting all-terrain vehicles to be operated on certain recreational land trails in Mille Lacs and Pine counties; amending Minnesota Statutes 2000, section 84.83, by adding a subdivision.

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

Joint Rule 2.03 and Senate Concurrent Resolution No. 5 have been waived for subsequent committee action on this bill.

The report was adopted.

SECOND READING OF SENATE BILLS

S. F. No. 795 was read for the second time.

MOTIONS AND RESOLUTIONS

Biernat moved that his name be stricken as an author on H. F. No. 404. The motion prevailed.

McElroy moved that the name of Gerlach be added as an author on H. F. No. 2534. The motion prevailed.

Haas moved that H. F. No. 94, now on the General Register, be re-referred to the Committee on Environment and Natural Resources Policy. The motion prevailed.

ADJOURNMENT

Seifert moved that when the House adjourns today it adjourn until 12:00 noon, Thursday, May 17, 2001. The motion prevailed.

Seifert moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 12:00 noon, Thursday, May 17, 2001.

EDWARD A. BURDICK, Chief Clerk, House of Representatives