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

Prayer was offered by the Reverend Lonnie E. Titus, House Chaplain.

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

The roll was called and the following members were present:


Dorn  Entenza  Erhardt  Erickson  Finseth  Follard  Fuller  Gerlach  Gleason  Goodno  Gray  Greenfield  Greiling  Gunther  Haake  Haas  Hackbarth  Harder  Hasskamp  Hausman  Hilty  Holberg


A quorum was present.

Kubly, Milbert and Osthoff were excused.

Howes was excused until 9:35 a.m.  Seifert, J., was excused until 10:30 a.m.  Clark, K., was excused until 10:35 a.m.

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

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

S. F. No. 689, A bill for an act relating to health; regulating complementary and alternative health care practitioners; establishing civil penalties; amending Minnesota Statutes 1999 Supplement, sections 13.99, by adding a subdivision; 147.09; and 214.01, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 146A.

Reported the same back with the following amendments to the unofficial engrossment:

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

Page 2, delete lines 3 to 15

Page 4, delete lines 21 to 23 and insert:

"Subd. 2. [RULEMAKING.] The commissioner may adopt rules necessary to investigate complaints and enforce disciplinary actions as provided in subdivision 1. If the commissioner determines that rules are needed on any other topic related to this chapter, the commissioner must recommend to the legislature statutory language delegating rulemaking authority on these topics."

Page 6, line 10, delete the first "medically" and insert "mentally"

Page 14, line 6, delete "and the rules adopted under those sections"

Page 19, line 14, after the comma, insert "is subject to the jurisdiction of the commissioner under section 146A.01, subdivision 6, paragraph (a), clause (2)," and delete "if"

Page 26 after line 31, insert:

"Sec. 17. [REPORT.] The commissioner of health must report to the house of representatives and senate governmental operations committees by October 1, 2000, on any rules or changes in law needed to implement Minnesota Statutes, chapter 146A."

Page 26, line 32, delete "17" and insert "18"

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "requiring a report;"

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

The report was adopted.
Davids from the Committee on Commerce to which was referred:

S. F. No. 1048, A bill for an act relating to utilities; creating advisory selection process for public utility commissioners; regulating ex parte communications with commissioners; amending Minnesota Statutes 1998, sections 216A.03, subdivisions 1 and 1a; and 216A.037; proposing coding for new law in Minnesota Statutes, chapter 216A.

Reported the same back with the following amendments to the unofficial engrossment:

Page 1, line 9, reinstate the second semicolon and delete "AND"

Page 1, line 10, after "CONDUCT" insert ",;" and delete "; CONFIDENTIALITY RULES"

Page 4, delete lines 19 to 36

Page 5, delete lines 1 to 29

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

The report was adopted.

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

S. F. No. 3386, A bill for an act relating to higher education; creating a separate subdivision for the salary procedure for the chancellor of the Minnesota state colleges and universities; authorizing chancellors and presidents to receive additional compensation for early contract termination; amending Minnesota Statutes 1998, sections 15A.081, subdivision 7b, and by adding a subdivision; and 136F.40.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 15A.081, subdivision 7b, is amended to read:

Subd. 7b. [HIGHER EDUCATION OFFICERS SERVICES OFFICE DIRECTOR] The board of trustees of the Minnesota state colleges and universities and the higher education services council shall set the salary rates for, respectively, the chancellor of the Minnesota state colleges and universities and the director of the higher education services office. The board or the council shall submit the proposed salary change to the legislative coordinating commission for approval, modification, or rejection in the manner provided in section 3.855.

In deciding whether to recommend a salary increase, the governing board or council shall consider the performance of the chancellor or director, including the chancellor's or director's progress toward attaining affirmative action goals.

Sec. 2. Minnesota Statutes 1998, section 15A.081, is amended by adding a subdivision to read:

Subd. 7c. [MINNESOTA STATE COLLEGES AND UNIVERSITIES CHANCELLOR] The board of trustees of the Minnesota state colleges and universities shall establish a salary range for the position of chancellor of the Minnesota state colleges and universities. The board shall submit the proposed salary range to the legislative coordinating commission for approval, modification, or rejection in the manner provided in section 3.855. The board shall establish the salary for the chancellor within the approved salary range.

In deciding whether to approve a salary increase, the board shall consider the performance of the chancellor.
Sec. 3. Minnesota Statutes 1998, section 136F.40, is amended to read:

136F.40 [APPOINTMENT OF PERSONNEL.]

Subdivision 1. [APPOINTMENT PROCEDURE.] The board shall appoint all presidents, teachers, and other necessary employees and shall prescribe their duties consistent with chapter 43A. Salaries and benefits of employees must be determined according to chapters 43A and 179A and other applicable provisions.

Subd. 2. [COMPENSATION.] Notwithstanding any other provision to the contrary, when establishing compensation the board may provide, through a contract, a liquidated salary amount or other compensation if a contract with a chancellor or president is terminated by the board prior to its expiration.

Any benefits shall be excluded in computation of retirement, insurance, and other benefits available through or from the state. Any benefits or additional compensation must be as provided under the plan approved under section 43A.18, subdivision 3a.

Sec. 4. [STUDY OF EDUCATIONAL FOUNDATIONS.]

Prior to November 15, 2000, the board of trustees of the Minnesota state colleges and universities shall study and make recommendations on the use of educational foundation support for additional compensation and benefits for the position of chancellor and campus president. The study must include information about the use of foundation money for salary compensation at higher educational institutions in other states. The study shall be provided to the house higher education finance committee, the house ways and means committee, the senate higher education finance division, the senate education finance committee, and the legislative coordinating commission.

Delete the title and insert:

"A bill for an act relating to higher education; creating a separate subdivision for the salary procedure for the chancellor of the Minnesota state colleges and universities; authorizing chancellors and presidents to receive additional compensation from certain foundations; requiring a study; amending Minnesota Statutes 1998, sections 15A.081, subdivision 7b, and by adding a subdivision; and 136F.40."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF SENATE BILLS

S. F. No. 3386 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Lenczewski introduced:

H. F. No. 4154, A bill for an act relating to ethics in government; prohibiting certain gifts to legislators; amending Minnesota Statutes 1999 Supplement, section 10A.071, subdivisions 1 and 2.

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

H. F. No. 4155, A bill for an act relating to the legislature; modifying provisions for notice of legislative meetings; amending Minnesota Statutes 1998, section 3.055, subdivision 1.

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

Abeler, Nornes, Entenza and Westerberg introduced:

H. F. No. 4156, A bill for an act relating to education; requiring a study on increasing labor and fuel costs for pupil transportation.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2830, A bill for an act relating to crime prevention; enhancing the penalties for pimps of juvenile prostitutes; requiring a study by the commissioner of public safety and the executive director of the POST board on training peace officers to combat juvenile prostitution; amending Minnesota Statutes 1998, section 609.322, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2563, A bill for an act relating to liens; modifying mechanics' lien penalties; creating a civil cause of action; authorizing attorney fees; providing that proceeds are exempt from execution; imposing criminal penalties; amending Minnesota Statutes 1998, sections 514.02, subdivision 1, and by adding a subdivision; and 550.37, by adding a subdivision.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate
Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2671, A bill for an act relating to human services; mental retardation protection; requiring legislative recommendations.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 3020, A bill for an act relating to human services; modifying provisions in long-term care; amending Minnesota Statutes 1998, sections 256B.411, subdivision 2; and 256B.431, subdivisions 1, 3a, 10, 16, 18, 21, 22, and 25; Minnesota Statutes 1999 Supplement, sections 256B.0913, subdivision 5; 256B.431, subdivisions 17 and 26; and 256B.434, subdivisions 3 and 4; repealing Minnesota Statutes 1998, sections 256B.03, subdivision 2; 256B.431, subdivisions 2, 2a, 2f, 2h, 2m, 2p, 2q, 3, 3b, 3d, 3h, 3j, 4, 5, 7, 8, 9, 9a, 12, and 24; 256B.48, subdivision 9; 256B.50, subdivision 3; and 256B.74, subdivision 3.

The Senate has appointed as such committee:

Senators Fischbach, Berglin and Kiscaden.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 2677, A bill for an act relating to crime prevention; recodifying the driving while impaired crimes and related provisions; making numerous clarifying, technical, and substantive changes in the pursuit of simplification; amending Minnesota Statutes 1998, section 629.471; Minnesota Statutes 1999 Supplement, sections 260B.171, subdivision 7; 260B.225, subdivision 4; and 609.035, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 169A; repealing Minnesota Statutes 1998, sections 168.042; 169.01, subdivisions 61, 68, 82, 83, 86, 87, 88, and 89; 169.121, subdivisions 1, 1a, 1b, 1d, 2, 3b, 3c, 5, 5a, 5b, 6, 7, 8, 9, 10, 10a, 11, and 12; 169.1211; 169.1215; 169.1216; 169.1217, subdivisions 2, 3, 4, 5, 6, and 8; 169.1218; 169.1219; 169.122, subdivisions 1, 2, 3, and 4; 169.123, subdivisions 2, 2a, 2b, 2c, 3, 4, 5, 5a, 5b, 6, 7, 8, and 10; 169.124; 169.125; 169.126; 169.1261;
The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Johnson, D. H.; Knutson; Kelly, R. C.; Neuville and Murphy.

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

Fuller 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. 2677. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2456.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2456

A bill for an act relating to local government; authorizing Wright county to convey certain county ditches to the cities of St. Michael and Albertville.

April 11, 2000

The Honorable Allan H. Spear
President of the Senate

The Honorable Steve Svigum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2456, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

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

Senate Conferees:  MARK OURADA, BOB LESSARD AND DALLAS C. SAMS.

House Conferees:  BRUCE ANDERSON, TOM HACKBARTH AND STEVE SMITH.
Anderson, B., moved that the report of the Conference Committee on S. F. No. 2456 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2456. A bill for an act relating to local government; authorizing Wright county to convey certain county ditches to the cities of St. Michael and Albertville.

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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2785.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate
CONFERENCE COMMITTEE REPORT ON S. F. NO. 2785

A bill for an act relating to motor vehicles; exempting utility-owned vehicles from certain weight restrictions; amending Minnesota Statutes 1998, sections 169.825, by adding a subdivision; and 169.87, by adding a subdivision.

April 12, 2000

The Honorable Allan H. Spear
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2785, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 2785 be further amended as follows:

Page 2, delete section 3 and insert:

"Sec. 3. Minnesota Statutes 1998, section 169.87, is amended by adding a subdivision to read:

Subd. 6. [RECYCLING VEHICLES.] Weight restrictions imposed under subdivisions 1 and 2 do not apply to a two-axle vehicle that does not exceed 20,000 pounds per single axle and is used exclusively for recycling, while engaged in recycling in a political subdivision that mandates curbside recycling pickup.

Sec. 4. [EFFECTIVE DATE.]
Sections 1 to 3 are effective the day following final enactment and are repealed June 1, 2003."

Delete the title and insert:

"A bill for an act relating to motor vehicles; exempting certain utility-owned vehicles and recycling vehicles from certain weight restrictions; amending Minnesota Statutes 1998, sections 169.825, by adding a subdivision; and 169.87, by adding subdivisions."

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

Senate Conferees: STEVE L. MURPHY, DAVE JOHNSON AND DENNIS R. FREDERICKSON.

House Conferees: TOM WORKMAN, MARK BUESGENS AND AL JUHNKE.

Workman moved that the report of the Conference Committee on S. F. No. 2785 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

The Speaker called Paulsen to the Chair.

S. F. No. 2785, A bill for an act relating to motor vehicles; exempting utility-owned vehicles from certain weight restrictions; amending Minnesota Statutes 1998, sections 169.825, by adding a subdivision; and 169.87, by adding a subdivision.

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 94 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Abeler  Dorman  Hilty  Molnau  Pugh  Tingelstad  
Abrams  Dorn  Holberg  Mulder  Reuter  Tomassoni  
Anderson, B.  Entenza  Holsten  Murphy  Rhodes  Tuma  
Anderson, I.  Erhardt  Howes  Ness  Rifenberg  Van Dellen  
Biermat  Erickson  Huntley  Nornes  Rostberg  Vandeveer  
Bishop  Finseth  Jennings  Olson  Schumacher  Wenzel  
Boudreau  Fuller  Juhne  Opatz  Seagren  Westerberg  
Bradley  Gerlach  Kiellucki  Orfield  Seifert, M.  Westfall  
Broecker  Gleason  Knoblach  Oskopp  Smith  Westrom  
Buesgens  Goodno  Kuisle  Otremba  Solberg  Wilkin  
Cassell  Gunther  Larsen, P.  Ozment  Stanek  Winter  
Clark, J.  Haake  Leighton  Paulsen  Stang  Wolf  
Daggett  Haas  Leppik  Pawlenty  Storm  Workman  
Davids  Hackbarth  Lindner  Paymar  Swapinski  Spk. Sviggum  
Dehler  Harder  Mares  Pelowski  Swenson  
Dempsey  Hasskamp  McElroy  Peterson  Sykora  

Those who voted in the negative were:

Bakk  Carlson  Carruthers  Chaudhary  Dawkins  Folliard  
Gray  Greenfield  Greiling  Hausman  Jaros  Johnson  
Kahn  Kalis  Kelliher  Koskinen  Larson, D.  Lenczewski  
Kahn  Lieder  Mahoney  Marko  McGuire  McMullin  
Lieders  Mullery  Rest  Rukavina  Skoe  Trimble  
Mullery  Rest  Rukavina  Skoe  Trimble  

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2946.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2946

A bill for an act relating to motor fuels; limiting the use of certain oxygenates in gasoline sold in Minnesota; amending Minnesota Statutes 1998, section 239.761, subdivision 6; Minnesota Statutes 1999 Supplement, section 239.791, subdivision 1.
The Honorable Allan H. Spear
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2946, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 2946 be further amended as follows:

Page 1, line 14, delete “one-half” and insert “one-third”

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

Senate Conferees: JIM VICKERMAN, KENRIC J. SCHEEVEL AND BOB LESSARD.

House Conferees: DAN DORMAN, MARK WILLIAM HOLSTEN AND MARGARET ANDERSON KELLIHER.

Dorman moved that the report of the Conference Committee on S. F. No. 2946 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2946, A bill for an act relating to motor fuels; limiting the use of certain oxygenates in gasoline sold in Minnesota; amending Minnesota Statutes 1998, section 239.761, subdivision 6; Minnesota Statutes 1999 Supplement, section 239.791, 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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Dehler  Hackbarth  Krinkie  Murphy  Rostberg
Abrams  Dempsey  Harder  Kuisle  Ness  Rukavina
Anderson, B.  Dorman  Hasskamp  Larsen, P.  Nornes  Schumacher
Anderson, I.  Dorn  Hausman  Larson, D.  Olson  Seagren
Bakk  Entenza  Hilty  Leighton  Opatz  Seifert, M.
Biernat  Erhardt  Holberg  Lenczewski  Orfield  Skoe
Bishop  Erickson  Holsten  Leppik  Osskopp  Skoglund
Boudreau  Finseth  Howes  Lieder  Otremba  Smith
Bradley  Folliard  Huntley  Lindner  Ozment  Solberg
Broecker  Fuller  Jaros  Luther  Paulsen  Stanek
Buesgens  Gerlach  Jennings  Mahoney  Pawlenty  Stang
Carlson  Gleason  Johnson  Mares  Paymar  Storm
Carruthers  Goodno  Juhnke  Marko  Pelowski  Swapinski
Cassell  Gray  Kahn  McCollum  Peterson  Swenson
Chaudhary  Greenfield  Kalis  McElroy  Pugh  Sykora
Clark, J.  Greiling  Kelliher  McGuire  Rest  Tingelstad
Daggett  Gunther  Kielucki  Molnau  Reuter  Tomassoni
Davids  Haake  Knoblach  Mulder  Rhodes  Trimble
Dawkins  Haas  Koskinen  Mullery  Rifenberg  Tuma
The bill was repassed, as amended by Conference, and its title agreed to.

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. 3839, A bill for an act relating to health; modifying provisions for speech-language pathologists, audiologists, unlicensed mental health practitioners, alcohol and drug counselors, and hearing instrument dispensers; requiring a study; extending a board; amending Minnesota Statutes 1998, sections 148.512, subdivision 5; 148.515, subdivision 3; 148.517, by adding a subdivision; 148.518, subdivision 2; 148.5193, subdivisions 1, 2, 4, 6, and by adding a subdivision; 148.5196, subdivision 3; 148B.60, subdivision 3; 148B.68, subdivision 1; 148B.69, by adding a subdivision; 148B.71, subdivision 1; 148C.01, subdivisions 2, 7, 9, 10, and by adding a subdivision; 148C.03, subdivision 1; 148C.04, by adding subdivisions; 148C.06, subdivisions 1 and 2; 148C.09, subdivisions 1 and 1a; 148C.10, by adding a subdivision; 148C.11, subdivision 1; 153A.13, subdivision 9, and by adding subdivisions; 153A.14, subdivisions 1, 2a, 2h, 4, 4a, and by adding subdivisions; and 153A.15, subdivision 1; Laws 99, chapter 223, article 2, section 81, as amended; repealing Minnesota Statutes 1998, sections 148.5193, subdivisions 3 and 5; and 148C.04, subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Goodno moved that the House refuse to concur in the Senate amendments to H. F. No. 3839, 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 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. 2591, A bill for an act relating to local government; changing economic development authority of certain nonmetro counties; creating the Koochiching county economic development commission; authorizing Yellow Medicine county to establish an economic development commission; amending Minnesota Statutes 1998, section 298.17; proposing coding for new law in Minnesota Statutes, chapter 469.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, I., moved that the House refuse to concur in the Senate amendments to H. F. No. 2591, 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.
The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2451

A bill for an act relating to telecommunications; modifying telephone company property depreciation provisions; amending Minnesota Statutes 1998, section 237.22; repealing Minnesota Statutes 1998, section 237.773, subdivision 5; Minnesota Rules, parts 7810.7000; 7810.7100; 7810.7200; 7810.7300; 7810.7400; 7810.7500; 7810.7600; 7810.7700; 7810.7800; 7810.7900; and 7810.8000.

April 12, 2000

The Honorable Steve Svigum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

We, the undersigned conferees for H. F. No. 2451, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 2451 be further amended as follows:

Page 1, after line 9, insert:

"Section 1.  Minnesota Statutes 1998, section 216C.051, subdivision 9, is amended to read:
Subd. 9.  [EXPIRATION.] This section is repealed June 30, 2000 March 15, 2001."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "extending expiration date of legislative electric energy task force;"

Page 1, line 4, delete "section" and insert "sections 216C.051, subdivision 9; and"

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

House Conferees:  GREGORY M. DAVIDS,  KEN WOLF AND LOREN JENNINGS.

Senate Conferees: STEVEN G. NOVAK AND MARK OURADA.

Davids moved that the report of the Conference Committee on H. F. No. 2451 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2451, A bill for an act relating to telecommunications; modifying telephone company property depreciation provisions; amending Minnesota Statutes 1998, section 237.22; repealing Minnesota Statutes 1998, section 237.773, subdivision 5; Minnesota Rules, parts 7810.7000; 7810.7100; 7810.7200; 7810.7300; 7810.7400; 7810.7500; 7810.7600; 7810.7700; 7810.7800; 7810.7900; and 7810.8000.

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 122 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeler
Abrams
Anderson, B.
Anderson, I.
Bakk
Biernat
Bishop
Boudreau
Bradley
Broecker
Carlson
Carruthers
Cassell
Chaudhary
Clark, J.
Daggett
Davids
Dawkins
Dehler
Dempsey
Dorman
Dorn
Entenza
Erhardt
Erickson
Finseth
Foilard
Fuller
Gleason
Goodno
Gray
Greenfield
Greiling
Gunther
Haake
Haas
Hackbarth
Harder
Hasskamp
Hilty
Holberg
Holsten
Howes
Huntley
Jennings
Johnson
Juhnke
Kalis
Kelliher
Knoblauch
Koskinen
Kuisle
Larsen, P.
Leighton
Lenczewski
Lepper
Lieder
Lindner
Luther
Mahoney
Mares
Marko
McCollum
McElroy
McGuire
Molnau
Mulder
Narr
Nornes
Olson
Opatz
Orfield
Osskopp
Otrema
Ozment
Paulsen
Pawlenty
Paymar
Pelowski
Peterson
Pugh
Rest
Rhodes
Rifenberg
Rostberg
Rukavina
Schumacher
Seagren
Seifert, M.
Skeoe
Skoglund
Skon
Smith
Solberg
Stanek
Stang
Storm
Swapinski
Swenson
Sykora
Tingelstad
Tomassoni
Trimble
Tuma
Van Dellen
Vandeveer
Wagenius
Wejman
Wenzel
Westerberg
Westfall
Westrom
Winter
Workman
Spk. Sviggum

Those who voted in the negative were:

Buesgens
Gerlach
Kahn
Krinkie
Reuter

The bill was repassed, as amended by Conference, and its title agreed to.

CALENDAR FOR THE DAY

H. F. No. 3491 was reported to the House.

Davids moved that H. F. No. 3491 be returned to the General Register. The motion prevailed.

S. F. No. 2830 was reported to the House.

Biernat, Skoglund, Stanek and Broecker moved to amend S. F. No. 2830 as follows:

Page 1, after line 8, insert:

"Section. 1. Minnesota Statutes 1998, section 609.2231, subdivision 1, is amended to read:

Subdivision 1. [PEACE OFFICERS.] Whoever physically assaults a peace officer licensed under section 626.845, subdivision 1, when that officer is effecting a lawful arrest or executing any other duty imposed by law and inflicts demonstrable bodily harm on peace officer, is guilty of a felony and may be sentenced to imprisonment for not
more than one year or to payment of a fine of not more than $3,000, or both. If the assault inflicts demonstrable bodily harm, the person is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than $4,000 to $6,000, or both."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Biernat et al amendment and the roll was called. There were 119 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abeler  Dorn  Holsten  Luther  Paulsen  Swenson
Abrams  Entenza  Howes  Mahoney  Pawlenty  Sykora
Anderson, B.  Erhardt  Huntley  Mares  Pelowski  Tingelstad
Biernat  Erickson  Jennings  Mariani  Peterson  Trimble
Bishop  Finseth  Johnson  Marko  Pugh  Tuma
Boudreau  Foliard  Juhne  McCollum  Rest  Tunheim
Bradley  Fuller  Kahn  McElroy  Reuter  Van Dellen
Broecker  Gerlach  Kalis  McGuire  Rhodes  Vanderver
Buesgens  Gleason  Kelliher  Molnau  Rifenberg  Wagenius
Carlson  Goodno  Kielkucki  Mulder  Rostberg  Wejcman
Carruthers  Greenfield  Knoblach  Mullery  Schumacher  Wenzel
Cassell  Greiling  Koskeni  Murphy  Seagren  Westberg
Chaudhary  Gunther  Kuisle  Ness  Seifert, M.  Westfall
Clark, J.  Haake  Larsen, P.  Nornes  Skoe  Westrom
Daggett  Haas  Larson, D.  Olson  Skoglund  Wilkin
Dawkins  Hackbarth  Leighton  Opatz  Smith  Winter
Dehler  Hasskamp  Leppik  Osskopp  Stang  Workman
Dempsey  Hilty  Lieder  Otremba  Storm  Spk. Sviggum
Dorman  Holberg  Lindner  Ozment  Swapinski

Those who voted in the negative were:

Anderson, I.  Gray  Krinkie  Tomassoni
Bakk  Jaros  Krinkie  Rukavina

The motion prevailed and the amendment was adopted.

S. F. No. 2830, A bill for an act relating to crime; providing that a person may be charged with escape from custody when they escape after lawful arrest but prior to the commencement of trial proceedings; amending Minnesota Statutes 1998, section 609.485, subdivision 2; Minnesota Statutes 1999 Supplement, section 609.485, 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 119 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abeler    Dorman    Holberg    Lindner    Ozment    Swapinski
Abrams    Dom       Holsten    Luther     Paulsen   Swenson
Anderson, B. Entenza    Howes      Mahoney    Pawlenty  Sykora
Bakk      Erhardt    Huntley    Mares      Pelowski  Tinglestad
Biermat   Erickson  Jennings   Marko      Pugh       Tuma
Bishop    Finseth    Johnson    McElroy    Rhodes    Van Dellen
Boudreau  Foliard    Juhnke     McCollum   Rest       Tunheim
Bradley   Fuller     Kahn       McErlay    Rhodes    Wagenius
Broecker  Gerlach    Kalis      McGuire    Rifenberg Vandeveer
Buesgens  Gleason    Kellliher  Molnau     Rostberg  Wagenius
Carlson   Goodno     Kielkucki  Mulder     Schumacher Weisman
Carruthers Greenfield Knoblach   Mullery    Seagren    Wenzel
Cassell   Greiling   Koskinnen  Murphy    Seifert, M. Westerberg
Chaudhary Gunther    Kuisle     Ness       Skoe       Westfall
Clark, J. Haake     Larsen, P. Nornes    Skoglund Wilkin
Daggett   Haas       Larson, D. Olson     Smith       Winter
Davids    Hackbartth Leighton   Opatz      Solberg    Wolf
Dawkins   Harder     Lenczewski Orfield   Stukk     Workman
Dehler    Hasskamp   Leppik      Osskopp    Stang     Spk. Sviggum
Dempsey   Hilty      Lieder     Otrempa    Storm

Those who voted in the negative were:

Anderson, I. Jaros     Reuter     Tomassoni
Gray       Krinke     Rukavina   Westrom

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

S. F. No. 3139 was reported to the House.

Mullery moved to amend S. F. No. 3139 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2968, the first engrossment:

"Section 1. Minnesota Statutes 1998, section 198.03, subdivision 1, is amended to read:

Subdivision 1. [DISCRETIONARY ADMISSION.] Any person otherwise eligible for admission to the Minnesota veterans homes, except that the person has means of support, may, at the discretion of the board, be admitted to one of the Minnesota veterans homes upon entering into and complying with the terms of a contract made by the person with the board, providing for reasonable compensation to be paid by such person to the state of Minnesota for care, support, and maintenance in the home. Any earnings derived by the person from participating in a work therapy program while the person is a resident of the home may not be considered a means of support. Refunds or rebates of state sales taxes may not be considered a means of support."
Sec. 2. [198.37] [TRANSITIONAL HOUSING.]

The board may establish programs to assist homeless or disabled veterans on the campuses of the veterans homes. The board may use federal grant money for the Hastings veterans home to purchase a single-family dwelling, make necessary repairs and improvements with the help of the department of administration, and operate the program. Continuation of these programs will be contingent on the availability of federal funds.

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective for tax refunds or rebates paid after June 30, 1999."

Delete the title and insert:

"A bill for an act relating to veterans homes; providing sales tax rebates are not income for the support test for residents; providing for programs to assist homeless or disabled veterans; amending Minnesota Statutes 1998, section 198.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 198."

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Mullery and Dempsey moved to amend S. F. No. 3139, as amended, as follows:

Page 2, line 1, delete "a" and delete "dwelling" and insert "dwellings"

The motion prevailed and the amendment was adopted.

S. F. No. 3139, A bill for an act relating to veterans homes; providing sales tax rebates are not income for the support test for residents; amending Minnesota Statutes 1998, section 198.03, subdivision 1.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Carruthers  Entenza  Greiling  Howes  Koskinen
Abrams  Cassell  Erhardt  Gunther  Huntley  Krinke
Anderson, B.  Chaudhary  Erickson  Haake  Jaros  Kuisle
Anderson, I.  Clark, J.  Finseth  Haas  Jennings  Larsen, P.
Bakk  Daggett  Folliard  Hackbarth  Johnson  Larson, D.
Bishop  Davids  Fuller  Harder  Juhne  Leighton
Boudreau  Dawkins  Gerlach  Hasskamp  Kahn  Leczewski
Bradley  Dehler  Gleason  Hauser  Kalis  Leppik
Broecker  Dempsey  Goodno  Hilty  Kelliber  Lieder
Buesgens  Dorman  Gray  Holberg  Kielkucki  Lindner
Carlson  Dorn  Greenfield  Holsten  Knoblach  Luther
The bill was passed, as amended, and its title agreed to.

H. F. No. 2757 was reported to the House.

Jennings moved to amend H. F. No. 2757, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 216B.2424, subdivision 3, is amended to read:

Subd. 3. [FUEL EXEMPTION.] Over the duration of the contract of a biomass power facility selected to satisfy the mandate in subdivision 5, fuel sources that are not biomass may be used to satisfy up to 25 percent of the fuel requirements of a biomass power facility selected to satisfy the biomass power mandate in subdivision 5, except that agricultural wastes and agricultural processing wastes, such as oat hulls, may be used to satisfy more than 25 percent of the fuel requirements of a power facility selected to satisfy the biomass power mandate in subdivision 5 if the wastes are co-fired with the fuel authorized for the facility. A biomass power facility selected to satisfy the mandate in subdivision 5 also may use fuel sources that are not biomass during any period when biomass fuel sources are not reasonably available to the facility due to any circumstances constituting an act of God. Fuel sources that are not biomass used during such a period of biomass fuel source unavailability shall not be counted toward the 25 percent exemption provided in this subdivision. For purposes of this subdivision, "act of God" means any natural disaster or other natural phenomenon of an exceptional, inevitable, or irresistible character, including, but not limited to, flood, fire, drought, earthquake, and crop failure resulting from climatic conditions, infestation, or disease.

Sec. 2. Minnesota Statutes 1998, section 216B.2424, subdivision 5, is amended to read:

Subd. 5. [MANDATE.] (a) A public utility, as defined in section 216B.02, subdivision 4, that operates a nuclear-powered electric generating plant within this state must construct and operate (1) by December 31, 1998, 50 megawatts of electric energy installed capacity generated by farm-grown closed-loop biomass scheduled to be operational by December 31, 2001; and (2) by December 31, 1998, an additional 75 megawatts of installed capacity so generated scheduled to be operational by December 31, 2002. Of the 125 megawatts of biomass electricity installed capacity required under this subdivision, no more than 50 megawatts of this capacity may be provided by a facility that uses poultry litter as its primary fuel source and any such facility: (i) need not use biomass that complies with the definition in subdivision 1; (ii) must enter into a contract with the public utility for such capacity, that has an average purchase price per megawatt hour over the life of the contract that is equal to or less than the average purchase price per megawatt hour over the life of the contract in contracts approved by the public utilities commission before April 1, 2000, to satisfy the mandate of this section, and file that contract with the public utilities commission prior to September 1, 2000; and (iii) such capacity must be scheduled to be operational by December 31, 2002. Of the total 125 megawatts of biomass electric energy installed capacity required under this section, no more than 75 megawatts may be provided by a single project. Of the 75 megawatts of biomass electric energy installed capacity required under clause (2), no more than 25 megawatts

...
of this capacity may be provided by a St. Paul district heating and cooling system cogeneration facility utilizing waste wood as a primary fuel source. The St. Paul district heating and cooling system cogeneration facility need not use biomass that complies with the definition in subdivision 1. The public utility must accept and consider on an equal basis with other proposals a proposal to satisfy the requirements of this section that includes a project that exceeds the megawatt capacity requirements of either clause (1) or (2) and that proposes to sell the excess capacity to the public utility or to other purchasers.

(b) If a public utility files a contract with the commission for electric energy installed capacity that uses poultry litter as its primary fuel source, the commission must do a preliminary review of the contract to determine if it meets the purchase price criteria provided in paragraph (a), clause (ii), of this subdivision. The commission shall perform its review and advise the parties of its determination within 30 days of filing of such a contract by a public utility. A public utility may submit by September 1, 2000, a revised contract to address the commission's preliminary determination.

(c) The commission shall finally approve, modify, or disapprove no later than July 1, 2001 all contracts submitted by a public utility as of September 1, 2000 to meet the mandate set forth in this subdivision.

(d) If a public utility subject to this section exercises an option to increase the generating capacity of a project in a contract approved by the commission prior to the effective date of this act to satisfy the mandate in this subdivision, the public utility must notify the commission by September 1, 2000, that it has exercised the option and include in the notice the amount of additional megawatts to be generated under the option exercised. Any review by the commission of the project after exercise of such an option shall be based on the same criteria used to review the existing contract.

Sec. 3. Minnesota Statutes 1998, section 216B.2424, is amended by adding a subdivision to read:

Subd. 6. [REMAINING MEGAWATT COMPLIANCE PROCESS.] (a) If there remain megawatts of biomass power generating capacity to fulfill the mandate in subdivision 5 after the commission has taken final action on all contracts filed by September 1, 2000, by a public utility, this subdivision governs final compliance with the biomass energy mandate in subdivision 5 subject to the requirements of subdivision 7.

(b) To the extent not inconsistent with this subdivision, the provisions of subdivisions 2, 3, 4, and 5 apply to proposals subject to this subdivision.

(c) A public utility must submit proposals to the commission to complete the biomass mandate. The commission shall require a public utility subject to this section to issue a request for competitive proposals for projects for electric generation utilizing biomass as defined in paragraph (f) of this subdivision to provide the remaining megawatts of the mandate. The commission shall set an expedited schedule for submission of proposals to the utility, selection by the utility of proposals or projects, negotiation of contracts, and review by the commission of the contracts or projects submitted by the utility to the commission.

(d) Notwithstanding the provisions of subdivisions 1 to 5 but subject to the provisions of subdivision 7, a new or existing facility proposed under this subdivision that is fueled either by biomass or by co-firing biomass with non-biomass may satisfy the mandate in this section. Such a facility need not use biomass that complies with the definition in subdivision 1 if it uses biomass as defined in paragraph (f) of this subdivision. Generating capacity produced by co-firing of biomass that is operational as of the effective date of this act does not meet the requirements of the mandate, except that additional co-firing capacity added at an existing facility after the effective date of this act may be used to satisfy this mandate. Only the number of megawatts of capacity at a facility which co-fires biomass that are directly attributable to the biomass and that become operational after the effective date of this act count toward meeting the biomass mandate in this section.

(e) Nothing in this subdivision precludes a facility proposed and approved under this subdivision from using fuel sources that are not biomass in compliance with subdivision 3.
(f) Notwithstanding the provisions of subdivision 1, for proposals subject to this subdivision, "biomass" includes farm-grown closed-loop biomass, agricultural wastes, including animal, poultry, and plant wastes, and waste wood, including chipped wood, bark, brush, residue wood, and sawdust.

(g) Nothing in this subdivision affects in any way contracts entered into as of the effective date of this act to satisfy the mandate in subdivision 5.

(h) Nothing in this subdivision requires a public utility to retrofit its own power plants for the purpose of co-firing biomass fuel, nor is a utility prohibited from retrofitting its own power plants for the purpose of co-firing biomass fuel to meet the requirements of this subdivision.

Sec. 4. Minnesota Statutes 1998, section 216B.2424, is amended by adding a subdivision to read:

Subd. 7. [EFFECT ON EXISTING PROJECTS.] The commission may not approve a project proposed after the effective date of this act which would have an adverse impact on the ability of a project approved before the effective date of this act to obtain an adequate supply of the fuel source designated for the project.

Sec. 5. Minnesota Statutes 1998, section 216B.2424, is amended by adding a subdivision to read:

Subd. 8. [AGRICULTURAL BIOMASS REQUIREMENT.] Of the 125 megawatts mandated in subdivision 5, at least 75 megawatts of the generating capacity must be generated by facilities that use agricultural biomass as the principal fuel source. For purposes of this subdivision, agricultural biomass includes only farm-grown closed-loop biomass and agricultural waste, including animal, poultry, and plant wastes. For purposes of this subdivision, principal fuel source means a fuel source that satisfies at least 75 percent of the fuel requirements of an electric power generating facility. Nothing in this subdivision is intended to expand the fuel source requirements of subdivision 5.

Sec. 6. [EFFECTIVE DATE.]

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

Amend the title accordingly

A roll call was requested and properly seconded.

Jennings moved to amend the Jennings amendment to H. F. No. 2757, the first engrossment, as follows:

Page 1, line 11, delete everything after "that"

Page 1, line 12, delete "processing" and insert "crop"

Page 3, line 28, delete "is" and insert "it"

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Jennings amendment, as amended, and the roll was called. There were 115 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Abeler  Anderson, I.  Boudreau  Buesgens  Cassell  Clark, K.
Abrams  Bakk  Bradley  Carlson  Chaudhary  Daggett
Anderson, B.  Bishop  Broecker  Carruthers  Clark, J.  Davids
The motion prevailed and the amendment, as amended, was adopted.

Harder was excused for the remainder of today’s session.

The Speaker called Abrams to the Chair.

Kahn moved to amend H. F. No. 2757, the first engrossment, as amended, as follows:

Page 6, after line 1, insert:

"Sec. 6. Minnesota Statutes 1998, section 216B.2424, is amended by adding a subdivision to read:

Subd. 9. [EXPEDITED MANDATE COMPLIANCE.] (a) Notwithstanding anything to the contrary in subdivisions 1 to 5, this subdivision governs final compliance with the biomass energy mandate in subdivision 5. Not more than 50 megawatts of the original mandate are subject to this subdivision unless the commissioner of the department reports to the public utilities commission by July 1, 2000, that projects approved by the commission by February 1, 2000, cannot be built to provide a full 75 megawatts of the mandate. If the full 75 megawatts cannot be fulfilled, only those remaining after the approved projects are under an enforceable contract may be added to the 50 megawatts governed by this subdivision.

(b) By May 1, 2000, a public utility subject to this section, in consultation with the department, shall propose and the public utilities commission shall approve a request for competitive proposals, based on the utility’s most recent all resource request for proposals for projects for electric generation utilizing biomass fuels to meet the remaining megawatts of the mandate in this section. The utility shall accept proposals under the approved request until September 1, 2000, and shall develop, in consultation with the department, and file with the commission a list of acceptable projects as soon after September 1, 2000, as reasonably feasible. The utility shall negotiate contracts with the proposers of the projects and present the proposed contracts to the commission as soon as reasonably feasible, but not later than April 1, 2001. The commission shall approve, modify, or reject the contracts not later than December 31, 2001.

Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Biernat</th>
<th>Greenfield</th>
<th>Luther</th>
<th>Paymar</th>
<th>Wagenius</th>
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</thead>
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<tr>
<td>Folliard</td>
<td>Greiling</td>
<td>Mullery</td>
<td>Skoglund</td>
<td>Winter</td>
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<td>Gleason</td>
<td>Koskinen</td>
<td>Orfield</td>
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</table>
(c) For the purposes of this subdivision, "biomass fuel" includes farm-grown closed-loop biomass, agricultural wastes, including animal, poultry, plant wastes and wastes wood. Any of these materials may be used to complete the biomass mandate as long as they comprise at least 75 percent of the fuel source for a new electric generation plant or a minimum of three percent of the total output or at least five megawatts of energy if the materials are used as fuel at an existing electric generation plant. Only the number of megawatts produced by an existing plant that are directly attributable to the biomass fuel source count towards meeting the biomass mandate in this section. Biomass fuel that is in use as a fuel in an existing power plant on the effective date of this act cannot be used to complete the biomass mandate under this subdivision.

(d) Nothing in this subdivision affects in any way contracts entered into under subdivisions 1 to 5. No project approved under this subdivision may adversely affect any project that is the subject of a contract entered into under those subdivisions. Nothing in this subdivision requires the utility to retrofit its own power plants for the purposes of cofiring biomass fuel, nor is the utility prohibited from retrofitting its own power plants for the purpose of cofiring biomass fuel."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Kahn amendment and the roll was called. There were 31 yeas and 99 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Biernat</th>
<th>Dehler</th>
<th>Greiling</th>
<th>Koskinen</th>
<th>Mullery</th>
<th>Wejcman</th>
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<td>Carlson</td>
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<td>Carruthers</td>
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<td>Hausman</td>
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<td>Paymar</td>
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<td>Chaudhary</td>
<td>Gleason</td>
<td>Hilty</td>
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<td>Rest</td>
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<tr>
<td>Clark, K.</td>
<td>Gray</td>
<td>Kahn</td>
<td>McCollum</td>
<td>Skoglund</td>
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<tr>
<td>Dawkins</td>
<td>Greenfield</td>
<td>Kelliher</td>
<td>McGuire</td>
<td>Wagenius</td>
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</tbody>
</table>

Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Erhardt</th>
<th>Juhnke</th>
<th>Mulder</th>
<th>Rostberg</th>
<th>Trimble</th>
</tr>
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<tbody>
<tr>
<td>Abrams</td>
<td>Erickson</td>
<td>Kalis</td>
<td>Murphy</td>
<td>Rukavina</td>
<td>Tuma</td>
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<tr>
<td>Anderson, B.</td>
<td>Finseth</td>
<td>Kielucki</td>
<td>Ness</td>
<td>Schumacher</td>
<td>Tunheim</td>
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<tr>
<td>Anderson, I.</td>
<td>Fuller</td>
<td>Knoblach</td>
<td>Nornes</td>
<td>Seagren</td>
<td>Van Dellen</td>
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<tr>
<td>Bakk</td>
<td>Gerlach</td>
<td>Krinke</td>
<td>Olson</td>
<td>Seifert, J.</td>
<td>Vanderveer</td>
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<tr>
<td>Bishop</td>
<td>Goodno</td>
<td>Kusle</td>
<td>Opatz</td>
<td>Seifert, M.</td>
<td>Wenzel</td>
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<tr>
<td>Boudreau</td>
<td>Gunther</td>
<td>Larsen, P.</td>
<td>Oskopp</td>
<td>Skoe</td>
<td>Weterberg</td>
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<tr>
<td>Bradley</td>
<td>Haake</td>
<td>Larson, D.</td>
<td>Otrema</td>
<td>Smith</td>
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<td>Broecker</td>
<td>Haas</td>
<td>Lenczewski</td>
<td>Ozment</td>
<td>Solberg</td>
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<td>Buesgens</td>
<td>Hackbarth</td>
<td>Leppik</td>
<td>Paulsen</td>
<td>Stanek</td>
<td>Wilkin</td>
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<td>Cassell</td>
<td>Holberg</td>
<td>Lieder</td>
<td>Pawlenty</td>
<td>Stang</td>
<td>Winter</td>
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<tr>
<td>Clark, J.</td>
<td>Holsten</td>
<td>Lindner</td>
<td>Pelowski</td>
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<td>Daggett</td>
<td>Howes</td>
<td>Mahoney</td>
<td>Peterson</td>
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<td>Davids</td>
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<td>Pugh</td>
<td>Swenson</td>
<td>Spk. Sviggum</td>
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<td>Dempsey</td>
<td>Jaros</td>
<td>Marko</td>
<td>Reuter</td>
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<td>Dorman</td>
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<td>Dorn</td>
<td>Johnson</td>
<td>Molnau</td>
<td>Rifenberg</td>
<td>Tomassoni</td>
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</table>

The motion did not prevail and the amendment was not adopted.
H. F. No. 2757, A bill for an act relating to energy; regulating a state mandate requiring certain electric energy to be generated by using biomass as a fuel; amending Minnesota Statutes 1998, section 216B.2424, subdivisions 3, 5, and by adding subdivisions.

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 105 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Abeler
Abrams
Anderson, B.
Anderson, I.
Bakk
Bishop
Boudreau
Bradley
Broecker
Buesgens
Carlson
Carruthers
Cassell
Chaudhary
Clark, J.
Clayton
Cassell
Chaudhary
Clark, J.
Daggett
Davids
Dawkins
Dehler
Dempsey
Dornan
Johnson
Entenza
Erhardt
Erickson
Finseth
Fuller
Gerlach
Goodno
Gunther
Haake
Haas
Hackbarth
Holberg
Holsten
Howes
Huntley
Jaros
Jennings
Johnson
Juhnke
Kalas
Kielkucki
Knoblauch
Krinkie
Kuisle
Larsen, P.
Larson, D.
Leighton
Lenczewski
Leppek
Lieder
Lindner
Mahoney
Mares
Marko
McElroy
Molnau
Mulder
Murphy
Ness
Nornes
Olson
Opitz
Oskopp
Ozment
Paulsen
Pawlenty
Pelowski
Peterson
Pugh
Rest
Rhodes
Rifenberg
Rostberg
Rukavina
Schumacher
Seagren
Seifert, J.
Seifert, M.
Skoe
Smith
Solberg
Stanek
Stang
Storm
Swanson
Sykora

Those who voted in the negative were:

Biernat
Clark, K.
Folliard
Gleason
Gray
Greenfield
Greiling
Hasskamp
Hilty
Kahn
Kellihner
Koskenen
Luther
Mariani
McCullum
McGuiere
Mullery
Orfield
Otremba
Paymar
Skoglund
Wagenius
Wejcman
Winter

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

S. F. No. 2827 was reported to the House.

Holberg moved that S. F. No. 2827 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 3028 was reported to the House.

Boudreau moved to amend S. F. No. 3028 as follows:

Page 1, after line 14, insert:
"Sec. 2. Laws 1995, chapter 207, article 8, section 37, is amended to read:

Sec. 37. [256.0121] [SOUTHERN CITIES COMMUNITY HEALTH CLINIC.]

Subd. 1. [SERVICE PROVISION.] The commissioner of human services shall provide medically necessary psychiatric and dental services to developmentally disabled clients in the Faribault service area through the Southern Cities Community Health Clinic. For purposes of this requirement, the Faribault service area is expanded to also include geographic areas of the state within 100 miles of Faribault.

Subd. 2. [CONSULTATION REQUIRED.] The commissioner of human services shall consult with the Faribault community task force providers of psychiatric and dental services to developmentally disabled clients, family members of developmentally disabled clients, and the chairs of the house health and human services finance committee and the senate health and family security budget division, and the exclusive representatives before making any decisions about when considering policy changes related to:

(1) the future of the Southern Cities Community Health Clinic;
(2) the services currently provided by that clinic to developmentally disabled clients in the Faribault regional center catchment area; and
(3) changes in the model for providing those services.

Subd. 3. [GUARANTEE OF SERVICE AVAILABILITY; LEGISLATIVE APPROVAL.] The department of human services shall guarantee the provision of medically necessary psychiatric and dental services to developmentally disabled clients in the Faribault service area through the Southern Cities Community Health Clinic until or unless other appropriate arrangements have been made to provide those clients with those services and legislative approval has been obtained for these arrangements."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 3028. A bill for an act relating to vulnerable adults; specifying rights for reconsideration and review of determinations regarding maltreatment; amending Minnesota Statutes 1998, section 626.557, subdivisions 9c, 9d, and 12b; Minnesota Statutes 1999 Supplement, section 13.99, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:
The bill was passed, as amended, and its title agreed to.

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

MOTIONS AND RESOLUTIONS

Abeler moved that the names of Rifenberg and Dempsey be added as authors on H. F. No. 4153. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2591:


The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3839:

Goodno, Boudreau and Wejcman.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2677:

Fuller; Stanek; Broecker; Larson, D., and Carruthers.
ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 9:00 a.m., Tuesday, April 18, 2000. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 9:00 a.m., Tuesday, April 18, 2000.

EDWARD A. BURDICK, Chief Clerk, House of Representatives