

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 1999

 EIGHTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 18, 1999

The House of Representatives convened at 11:30 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:

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

A quorum was present.

Davids; Larsen, P.; Mariani; Milbert; Munger; Osthoff and Stanek were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Hasskamp 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

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

H. F. No. 40, A bill for an act relating to health; allowing a nursing facility resident to request and consent to the use of a physical restraint; amending Minnesota Statutes 1998, section 144.651, by adding subdivisions.

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

The report was adopted.

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

H. F. No. 49, A bill for an act relating to public employees; making certain changes relating to health coverage for survivors of police officers and firefighters killed in the line of duty; amending Minnesota Statutes 1998, sections 299A.46; and 299A.465, subdivision 2.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 2, delete line 13

Page 2, line 14, delete "2" and insert "1"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "sections 299A.46;"

Page 1, line 6, delete "and" and insert "section"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 50, A bill for an act relating to the county of Goodhue; allowing a 1998 levy limit adjustment for certain payments in lieu of tax.

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

The report was adopted.

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

H. F. No. 73, A bill for an act relating to the year 2000 problem; providing immunity for certain activities; clarifying the mutual aid authority of local government units; requiring the department of health to collect and disseminate certain information; appropriating money; amending Minnesota Statutes 1998, section 12.331, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 604B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [604B.01] [DEFINITIONS.]

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

Subd. 2. [YEAR 2000 PROCESSING.] "Year 2000 processing" means the processing (including calculating, comparing, sequencing, displaying, or storing), transmitting, or receiving of date data from, into, and between the 20th and 21st centuries, and during the years 1999 and 2000, and leap year calculations.

Subd. 3. [YEAR 2000 STATEMENT.] "Year 2000 statement" means any communication before July 14, 2001, concerning year 2000 processing capabilities, concerning plans, objectives, or timetables for implementing or verifying year 2000 processing capabilities, or concerning test plans, test dates, test results, or operational problems or solutions related to year 2000 processing.

Sec. 2. [604B.02] [FALSE, MISLEADING, OR INACCURATE STATEMENTS.]

In a civil action, there is no liability for an allegedly false, inaccurate, or misleading year 2000 statement unless the claimant establishes, in addition to all other elements of the action, by clear and convincing evidence, that the year 2000 statement was material and that:

(1) to the extent the year 2000 statement was not a republication, the year 2000 statement was made:

(i) with actual knowledge that the statement was false, inaccurate, or misleading;

(ii) with intent to deceive or mislead; or

(iii) with reckless disregard as to accuracy of the statement; or

(2) to the extent the year 2000 statement was a republication, the year 2000 statement was made:

(i) with actual knowledge that the statement was false, inaccurate, or misleading;

(ii) with intent to deceive or mislead; or

(iii) without notice in the year 2000 statement that: (a) the maker of the statement has not verified the contents of the republication; or (b) the maker of the statement is not the source of the republication and the republication is based on information supplied by another person or entity identified in that year 2000 statement or republication.

Sec. 3. [604B.03] [EXCLUSIONS.]

Sections 1 and 2 do not apply to (1) contracts; (2) consumer warranties; (3) advertisements or offers to sell products or services; (4) actions brought by a government agency to enforce a law, rule, or ordinance; or (5) statements made by a person or entity in the course of the business of selling year 2000 remediation products or services.

Sec. 4. [EMERGENCIES.]

(a) The governor may declare an emergency under this section for purposes of Minnesota Statutes, sections 12.31, 12.36, and 12.37. The governor may declare an emergency under authority of this section only to the extent that actual or potential failure of computers or electronically controlled devices creates an actual or imminent serious threat to the health or safety of persons or an actual or imminent threat of catastrophic loss to property or the environment.

(b) A declaration for purposes of Minnesota Statutes, section 12.31, must be made according to procedures in that section.

(c) The governor may declare an emergency under this section for purposes of Minnesota Statutes, section 12.36 or 12.37, without declaring a peacetime emergency under Minnesota Statutes, section 12.31. A declaration for purposes of Minnesota Statutes, section 12.36 or 12.37, may specify that it applies to all or certain units of state or local government, must specify the time period for which it applies, and must be filed with the secretary of state.

(d) This section is in addition to and does not limit authority granted to the governor or local government officials by Minnesota Statutes, chapter 12, or other law.

(e) After April 1, 2000, the governor may not use this section as authority to declare an emergency.

(f) If an emergency is declared under authority of this section, a unit of state or local government may omit compliance with the procedures and law listed in Minnesota Statutes, sections 12.36, paragraph (a), clause (2), and 12.37, clause (2), only to the extent necessary to protect health and safety of persons or avoid catastrophic loss to property or the environment. A unit of state or local government must report to the year 2000 project office in the department of administration on omitting compliance with procedures and laws. The report must be filed within 30 days of the action that did not comply with the customary laws.

Sec. 5. [YEAR 2000 PROBLEM REPORTS.]

All electric utilities, as defined in Minnesota Statutes, section 216B.38, subdivision 5, and telephone companies, as defined in Minnesota Statutes, section 237.01, subdivisions 2 and 3, must file status reports on year 2000 problems with the public utilities commission and the department of public service, with a copy to the division of emergency management of the department of public safety, on June 1, September 1, and December 1, 1999. If a report indicates that all year 2000 problems have been remediated, an entity need not file a subsequent report unless there has been a change. The status report must include the entity's schedule for completing remediation, protocols used for testing and deadlines established for completion of testing, contingency plans related to the risk of loss of service, and a statement of the percentage of the year 2000 problem inventory remediated.

Sec. 6. [YEAR 2000 PROBLEM EXEMPTION FROM UNIFORM MUNICIPAL CONTRACTING LAW.]

Subdivision 1. [MUNICIPAL CONTRACTS.] Minnesota Statutes, section 471.345, does not apply to the purchase or rental of supplies, materials, and equipment nor to the construction, alteration, repair, and maintenance of real or personal property if the governing body of a municipality determines that there is an urgency due to the actual or potential failure or malfunction of public infrastructure or systems critical to the delivery of municipal services due to year 2000 problems with computers and electronically controlled devices.

Subd. 2. [SPECIAL PROCEDURE.] A contract exempted from Minnesota Statutes, section 471.345, by subdivision 1 may, at the discretion of the municipality, be made by direct negotiation by obtaining two or more quotations or in the open market. All quotations shall be kept on file for a period of at least one year after receipt.

Subd. 3. [APPLICABILITY OF OTHER LAWS.] This section supersedes any inconsistent law.

Subd. 4. [REPORTS.] A municipality must report to the year 2000 project office in the department of administration on each instance in which it omitted compliance with the uniform municipal contracting law under authority of this section.

Subd. 5. [EXPIRATION.] This section applies only to a contract entered into or goods or services purchased before April 1, 2000.

Sec. 7. [YEAR 2000 PROBLEM; LOCAL GOVERNMENT DEBT.]

Subdivision 1. [SCOPE.] For the purpose of this section, the terms defined in subdivisions 2 to 4 have the meanings given them.

Subd. 2. [YEAR 2000 PROBLEM.] "Year 2000 problem" means disruptions in electronic communications or the functioning of electronically controlled equipment resulting or reasonably anticipated to result from erroneous data that is or may be supplied by electronic devices in 1999 or on or after January 1, 2000.

Subd. 3. [POLITICAL SUBDIVISION.] "Political subdivision" means a home rule charter city, a statutory city, a school district, a county, a town, a joint powers board, or a local governmental entity authorized by general or special law or charter to own and operate electronically controlled equipment.

Subd. 4. [YEAR 2000 PROBLEM REMEDIATION.] "Year 2000 problem remediation" means planning for and taking remedial or preventive action to prepare for or correct a year 2000 problem that creates an actual or imminent serious threat: (1) to the health or safety of persons; or (2) of catastrophic loss to property or the environment.

Subd. 5. [AUTHORITY.] Any law or charter provision authorizing a political subdivision to borrow money and incur debt is deemed to include the authority to borrow money and incur that debt for year 2000 problem remediation.

Debt incurred for year 2000 problem remediation is not subject to debt limits and notwithstanding any contrary provision of law or charter provision, need not be approved by the voters of a political subdivision. A political subdivision not otherwise authorized to borrow money and incur debt may incur debt for year 2000 problem remediation in the same manner and subject to the same limitations as statutory cities.

Subd. 6. [APPROVAL.] The governing body of a political subdivision must specifically approve use of this section to incur debt.

Subd. 7. [SUNSET.] The authority to incur debt under this section expires April 1, 2000, provided that debt incurred under this section need not be repaid until December 31, 2005.

Subd. 8. [REPORTING.] A political subdivision must report to the commissioner of administration within 60 days after incurring debt that could not have been incurred but for authority of this section. The report must specify how the borrowed funds were used to prepare for or correct a year 2000 problem that created an actual or imminent serious threat: (1) to the health or safety of persons; or (2) of catastrophic loss to property or the environment.

Sec. 8. [DEPARTMENT OF HEALTH; YEAR 2000 ACTIVITY.]

Subdivision 1. [DEPARTMENT OF HEALTH SURVEY.] The department of health must, by July 30, 1999, survey all hospitals, nursing homes, nontransient noncommunity water systems, and municipal water supply systems for year 2000 problems and solutions related to their operations. The department, upon request, must disseminate information about those year 2000 problems and proposed solutions to hospitals, nursing homes, and water supply system operators in a prompt and reasonable manner.

Subd. 2. [STATUS REPORTS.] All hospitals, nursing homes, nontransient noncommunity water systems, and municipal water supply systems must file status reports on year 2000 computer problems with the department of health, with a copy to the division of emergency management of the department of public safety, on June 1, September 1, and December 1, 1999. If a report indicates that all year 2000 problems have been remediated, an entity need not file a subsequent report unless there has been a change. The status report must include the entity's schedule for completing remediation, protocols used for testing and deadlines established for completion of testing, contingency plans related to the risk of loss of service, and a statement of the percentage of the year 2000 problem inventory remediated.

Sec. 9. [STATUS REPORTS.]

The recipients of the status reports required by sections 5 and 8, subdivision 2, including the division of emergency management, shall consult with those required to file those reports concerning the form of the report.

Sec. 10. [YEAR 2000 APPROPRIATIONS CARRY-FORWARD.]

The appropriations in Laws 1997, chapter 202, article 1, section 12, subdivision 7, and Laws 1998, chapter 366, section 6, to the department of administration for modifications of state business systems to address year 2000 changes do not cancel and are available until expended.

Sec. 11. [YEAR 2000 LOAN FUND.]

(a) \$..... is appropriated from the budget reserve account in the general fund in fiscal year 1999 to the commissioner of finance to capitalize a fund, to be used to make loans to school districts; counties; joint powers boards; home rule charter and statutory cities; and towns to meet the costs they incur in addressing year 2000 problems.

(b) A loan may not be made until the year 2000 project office of the department of administration certifies to the commissioner of finance that:

(1) the proposed use of the loan is related only to remediation of a year 2000 problem;

(2) the unit of local government has insufficient resources available to address year 2000 problems; and

(3) the loan would be used to remediate problems that are likely to affect public health and safety or cause catastrophic loss to property or the environment.

(c) The local units of government that received the loans must repay them in five equal annual installments beginning one year after receipt of the loan. No interest is payable on the loan. Repayments must be deposited in the general fund.

(d) A unit of local government receiving a loan under this section must report to the year 2000 project office in the department of administration within 60 days of receiving the loan. The report must state how the loan was used in accordance with the criteria of paragraph (b).

(e) This appropriation cancels April 1, 2000.

Any canceled money must be deposited in the budget reserve account.

Sec. 12. [COMMISSIONER REVIEW.]

The commissioner of administration, through staff of the Y2K project office, is responsible for reviewing use of emergency authority and emergency funds under this act and shall review reports from state agencies and political subdivisions under sections 4, 5, 6, and 11. If the commissioner determines that funds obtained under section 11 were not used in a manner consistent with the requirements of section 11, paragraph (b), the political subdivision must pay interest on the loan at the rate of 12 percent, compounded annually from the time the loan was received.

Sec. 13. [YEAR 2000 CHANGES; DEPARTMENT OF ADMINISTRATION CONTINGENCY FUND APPROPRIATION.]

\$...... is appropriated from the budget reserve account in the general fund in fiscal year 2000 to the commissioner of administration for modification of state business systems to address year 2000 changes. The appropriation is placed in a contingent account and is available only upon approval of the governor, after consultation with the legislative advisory commission. This appropriation may be used only if the governor determines that: (1) the agency to receive the appropriation has insufficient resources available to address year 2000 problems; and (2) that the money would be used to remediate problems that are likely to affect public health and safety or cause catastrophic loss to property or the environment. This appropriation is not available until the commissioner has determined that all other money allocated for replacement or enhancement of existing technology for year 2000 compliance will be expended. This appropriation cancels April 1, 2000.

Sec. 14. [EFFECTIVE DATE.]

Sections 1 to 13 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to the year 2000 problem; providing certain immunities; providing additional circumstances in which an emergency can be declared; providing authority to local government units to address the year 2000 problem; requiring reports by certain utilities and health care and nursing home providers; requiring the department of health to collect and disseminate certain information; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 604B."

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

The report was adopted.

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

H. F. No. 74, A bill for an act relating to health; modifying the suggested health care directive form, amending Minnesota Statutes 1998, section 145C.16.

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

The report was adopted.

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

H. F. No. 97, A bill for an act relating to gambling; providing an exemption from the gambling tax; amending Minnesota Statutes 1998, section 297E.02, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 2, after the period, insert "Notwithstanding section 349.12, subdivision 25, an expenditure of net profits from such a raffle is a lawful purpose."

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

The report was adopted.

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

H. F. No. 183, A bill for an act relating to civil commitment; modifying provisions governing parental consent to chemical dependency treatment for minors; amending Minnesota Statutes 1998, section 253B.04, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 15, strike "voluntary"

Page 1, line 24, after "age" insert "who refuses to consent personally to admission"

Page 1, line 25, delete "voluntary"

Page 2, line 1, delete "as provided in this"

Page 2, delete lines 2 to 22 and insert "if it is determined by an independent examination that there is reasonable evidence that the proposed patient is chemically dependent and suitable for treatment. The person conducting the examination shall notify the proposed patient and the parent or legal guardian of this determination."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 208, A bill for an act relating to insurance; permitting reductions in certain insurance-related assessments; continuing state funding for the Minnesota comprehensive health association; repealing the sunset on current provisions specifying the relationship between medical assistance and the Minnesota comprehensive health association; appropriating money; amending Laws 1997, chapter 225, article 3, section 22; repealing Laws 1997, chapter 225, article 6, section 8.

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

The report was adopted.

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

H. F. No. 215, A bill for an act relating to health; establishing a comprehensive advanced life support training program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144E.

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

The report was adopted.

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

H. F. No. 296, A bill for an act relating to traffic regulations; expanding disability parking privilege to certain pregnant women; amending Minnesota Statutes 1998, section 169.345, subdivision 2.

Reported the same back with the following amendments:

Page 2, delete lines 9 to 11 and insert:

"(10) has a specific medical condition related to pregnancy and whose physician or chiropractor certifies that walking would aggravate that condition to the extent that it could endanger the life or health of the person or fetus."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 377, A bill for an act relating to health; requiring reporting on notification that is required before an abortion is performed on a minor or certain other women; providing civil penalties; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the following amendments:

Page 1, line 15, delete "526.551" and insert "525.551"

Page 1, line 26, delete "526.551" and insert "525.551"

Page 2, line 4, after "minors" insert a comma

Page 2, line 5, after "applicable" insert ", itemized by each of the limitations identified in paragraphs (a), (b), and (c) of that subdivision"

Page 3, line 8, delete everything after the period and insert "If a physician required to report under this section has not submitted a report, or has submitted only an incomplete report, more than one year following the due date, the commissioner of health shall bring an action in a court of competent jurisdiction for an order directing the physician to submit a complete report within a period stated by court order or be subject to sanctions. If the commissioner brings such an action for an order directing a physician to submit a complete report, the court may assess"

Page 3, delete lines 9 to 15

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

The report was adopted.

Abrams from the Committee on Taxes to which was referred:

H. F. No. 379, A bill for an act relating to mortgage registry and deed taxes; making technical and clarifying changes; defining terms; amending Minnesota Statutes 1998, sections 270.101, subdivision 1; 287.01; 287.04; 287.05; 287.08; 287.10; 287.11; 287.12; 287.13, subdivision 1; 287.21, subdivision 1; 287.22; 287.23; 287.24; 287.241; 287.29, subdivision 1; 287.30; 287.31; and 287.33; proposing coding for new law in Minnesota Statutes, chapter 287; repealing Minnesota Statutes 1998, sections 287.06; 287.07; 287.09; 287.21, subdivisions 2 and 4; 287.34; 287.35; and 287.36.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 287.01, is amended to read:

287.01 [DEFINITIONS; MORTGAGE REGISTRY TAX.]

Subdivision 1. [WORDS, TERMS, AND PHRASES.] Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of sections 287.01 to ~~287.12~~ 287.13, ~~shall be given~~ have the meanings ~~subjoined to~~ given them in this section.

Subd. 2. [~~REAL PROPERTY, REAL ESTATE, AND LAND~~ AMENDMENT.] "Real property," "real estate," and "land," in addition to the meaning thereof contained in chapter 500, include all property a conveyance whereof may be recorded or registered by a county recorder under existing law. "Amendment" means generally a document that alters an existing mortgage without securing a new debt, or increasing the amount of an existing debt; and, that does not, in the case of a multistate mortgage described in section 287.05, subdivision 1, paragraph (b), result in an increased percentage of the real property encumbered by the mortgage being located in this state. Specifically, a document is considered an amendment to the extent it merely does any one or any combination of the following: (i) extends the time for payment of the unpaid portion of the original debt; (ii) changes the rate of interest applicable to the unpaid portion of the original debt; (iii) adds additional real property as security for the unpaid portion of the original debt; (iv) releases some but not all of the real property serving as security for the unpaid portion of the debt; (v) replaces all the real property serving as security for the unpaid portion of the debt with other real property regardless of value; (vi) replaces a party previously bound by the mortgage with a new party who becomes bound by the same amended mortgage; or (vii) reduces the amount of the debt secured by real property located in this state, or in the case of a multistate mortgage described in section 287.05, subdivision 1, paragraph (b), reduces the percentage of real property encumbered by the mortgage that is located in this state.

Subd. 3. [MORTGAGE DEBT.] "Mortgage" means any instrument, including a decree of marriage dissolution or an instrument made pursuant to it, creating or evidencing a lien of any kind on property, given or taken as security for a debt, notwithstanding such debt may also be secured in part by a lien upon personalty. "Debt" means the principal amount of an obligation to pay money or to perform or refrain from performing an act that is secured in whole or in part by a mortgage of an interest in real property.

Subd. 4. [DECREE OF MARRIAGE DISSOLUTION.] "Decree of marriage dissolution" includes a summary real estate disposition judgment or an instrument made pursuant to under it.

Subd. 5. [EXTENSION.] "Extension" means any document that alters an existing mortgage by extending the time for repayment without increasing the amount of debt secured by real property that is located in this state.

Subd. 6. [MORTGAGE.] "Mortgage" means any instrument, including a decree of marriage dissolution or an instrument made under it, creating or evidencing a lien of any kind on real property, given by an owner of real property as security for a debt, notwithstanding that the debt may also be secured in part by a lien upon personalty.

Subd. 7. [MULTISTATE MORTGAGE.] "Multistate mortgage" means a mortgage that encumbers real property located both in and outside of this state.

Subd. 8. [PERSON.] "Person" includes any individual, partner, officer, director, firm, partnership, joint venture, limited liability company, association, cooperative, social club, fraternal organization, municipal or private corporation, whether organized for profit or not, estate, trusts, business trusts, receiver, trustee, syndicate, the United States, a state, any political subdivision of a state, or any group or combination acting as a unit, and the plural as well as the singular. The term includes any agent of any individual or organization enumerated in this subdivision.

Subd. 9. [REAL PROPERTY, REAL ESTATE, AND LAND.] "Real property," "real estate," and "land" have the meaning contained in chapter 500, and include all interests in real property that can be conveyed by a document which may be recorded.

Subd. 10. [RECORD, RECORDED, AND RECORDING.] "Record," "recorded," and "recording" each mean that a document has been delivered to and filed in the office of the county recorder or registrar of titles, whichever office maintains the records for the real property described in the document.

Sec. 2. [287.035] [IMPOSITION OF TAX.]

A tax of 23 cents is imposed upon each \$100, or fraction thereof, of the debt or portion of a debt that is secured by any recorded mortgage of real property located in this state. The person liable for the tax is the mortgagee. The tax is not imposed on the lawful interest amounts that may accrue with respect to a debt.

Sec. 3. Minnesota Statutes 1998, section 287.04, is amended to read:

287.04 [EXEMPTIONS.]

Subdivision 1. [GENERALLY.] The tax imposed by section 287.035 does not apply to:

(a) A decree of marriage dissolution or an instrument made pursuant to it ~~or a~~.

(b) A mortgage given to correct a misdescription of the mortgaged property, ~~or to include~~.

(c) A mortgage or other instrument that adds additional security for the same indebtedness or debt for which a mortgage registration registry tax has been paid, ~~are not subject to the tax imposed by this chapter except as provided in section 287.05, subdivision 2, paragraph (b).~~

(d) A contract for the conveyance of any interest in real property, including a contract for deed.

(e) A mortgage secured by real property subject to the minerals production tax of sections 298.24 to 298.28.

Subd. 2. [MORTGAGES ON PUBLIC PROPERTY.] No tax is imposed upon (f) The principal amount of bonds or other obligations issued by the St. Paul port authority under its common revenue bond fund if each of the following conditions are met.

(~~a~~) (1) The bonds or other obligations are secured by a mortgage on property, title to which is held by the political subdivision.

(~~b~~) (2) The mortgage is recorded ~~or registered~~ after the date of enactment May 19, 1993.

(~~c~~) (3) The bonds or other obligations are either (i) outstanding on the date of enactment May 19, 1993, or (ii) issued in exchange for or to otherwise refund bonds or other obligations the original series of which were issued before the date of enactment May 19, 1993.

(g) Mortgages taken in good faith by persons or corporations whose property is expressly exempted from taxation by section 272.02, subdivision 1, clauses (1) to (7), or mortgagees that are fraternal benefit societies subject to section 64B.24.

(h) A mortgage amendment or extension, as defined in section 287.01.

Sec. 4. Minnesota Statutes 1998, section 287.05, is amended to read:

287.05 [DETERMINATION OF TAX ON RECORDATION OR REGISTRATION; SUPPLEMENTAL MORTGAGES; REVERSE MORTGAGES IN SPECIAL SITUATIONS.]

Subdivision 1. [TAX IMPOSED REAL PROPERTY OUTSIDE MINNESOTA.] A tax of 23 cents is imposed upon each \$100, or fraction thereof, of the principal debt or obligation which is or may be secured by any mortgage of real property situated within the state executed, delivered, and recorded or registered; provided, however, that the

tax shall be imposed but once upon any mortgage and extension thereof. If the mortgage describes real estate situated outside of this state, the tax shall be imposed upon that proportion of the whole debt secured thereby as the value of the real estate therein described situated in this state bears to the value of the whole of the real estate described therein. The tax imposed by this section shall not apply to a contract for the conveyance of any interest in real estate (a) When a multistate mortgage is intended to secure only a portion of a debt amount recited or referred to in the mortgage, the mortgage may contain the following statement, or its equivalent, on the first page: "Enforcement of this mortgage in Minnesota is limited to a debt amount of \$..... under chapter 287 of Minnesota Statutes." In such case, the tax shall be imposed based only on the amount of debt so stated to be secured by real property located in this state; and, the effect of the mortgage, or any amendment or extension, as evidence in any court in this state, or as notice for any purpose in this state, shall be limited to the amount contained in the statement and for which the tax has been paid.

(b) All multistate mortgages not taxed under paragraph (a) shall be taxed under sections 287.01 to 287.13 as if the real property identified in the mortgage secures payment of that portion of the maximum debt amount referred to, or incorporated by reference, in the mortgage that is equal to a fraction the numerator of which is the value of the real property described in the mortgage that is located in this state and the denominator of which is the value of all the real property described in the mortgage.

Subd. 1a. [REAL PROPERTY IN THIS STATE SECURES PORTION OF DEBT.] (a) When the real property identified in a mortgage is located entirely in this state and is intended to secure only a portion of a debt amount recited or referred to in the mortgage, the mortgage may contain the following statement, or its equivalent, on the first page: "Enforcement of this mortgage is limited to a debt amount of \$..... under chapter 287 of Minnesota Statutes." In such case, the tax shall be imposed based only on the amount of debt so stated to be secured by real property; and, the effect of the mortgage, or any amendment or extension, as evidence in any court in this state, or as notice for any purpose in this state, shall be limited to the amount contained in the statement and for which the tax has been paid.

(b) All mortgages that are not multistate mortgages and that are not taxed under paragraph (a) shall be taxed under sections 287.01 to 287.13 as if the real property identified in the mortgage secures payment of the maximum debt amount referred to, or incorporated by reference, in the mortgage.

Subd. 2. [SUPPLEMENTAL MORTGAGES.] Except for an amendment or a revision to a reverse mortgage as described under subdivision 6, any supplemental document that alters an existing mortgage, not including revisions to a reverse mortgage as described under subdivision 6, securing a portion or all of the same indebtedness, whether or not additional security is included; by providing for an increase in the amount of debt secured by real property located in this state, or, in the case of a multistate mortgage described in subdivision 1, paragraph (b), an increase in the percentage of Minnesota real estate as compared to the total real estate that is encumbered by the mortgage shall be taxed in the following manner:

(a) Any additional indebtedness shall be taxed on the ratio that the value of the real estate therein described in this state bears to the value of the whole of the real estate described therein: based upon the increase in the amount of the debt determined to be secured by real property located in this state under either subdivision 1 or 1a.

(b) If there is no additional indebtedness but the percentage of the Minnesota real estate as compared to the total real estate secured by the previous mortgage is increased, the tax shall be recomputed and paid on the remaining indebtedness multiplied by the difference between that percentage of Minnesota real estate included in the supplemental mortgage and that percentage included in any previous mortgage:

(c) In the event of both an increase in the indebtedness and a change in the Minnesota percentage of real estate given as security, the tax shall be recomputed on the portion representing new indebtedness in the manner provided in (a) and in the event of an increase in the percentage of Minnesota property included as security, the tax shall be computed on the remaining portion of the indebtedness as provided in (b):

Subd. 3. [REVOLVING LINES OF CREDIT.] When a mortgage, including a reverse mortgage, secures a revolving line of credit under which advances, payments, and readvances may be made from time to time, the tax imposed under ~~subdivision 1~~ section 287.035 must be paid on the maximum amount of the line of credit ~~which that~~ which may be secured at any one time, as expressed in the mortgage, regardless of the time or amount of advances, payments, or readvances.

Subd. 4. [ADVANCES BY MORTGAGEE.] No tax under ~~subdivision 1~~ section 287.035 shall be paid on the indeterminate amount ~~which that~~ which may be advanced by the mortgagee in protection of the mortgaged premises or the mortgage, including taxes, assessments, charges, claims, fines, impositions, and insurance premiums; the amounts due upon prior or superior mortgages and other prior or superior liens, encumbrances, and interests; and legal expenses and attorneys' fees.

Subd. 5. [INDETERMINATE AMOUNTS.] When a mortgage secures an indeterminate amount other than those described in subdivision 3, 4, or 6, no tax shall be paid at the time the mortgage is recorded ~~or registered~~, but the tax must be paid at the time of recording ~~or filing~~ an affidavit or other document stating the amount and time of the actual advance.

Subd. 6. [REVERSE MORTGAGES.] If real property secures a reverse mortgage, the principal debt or obligation to which mortgage registry tax applies is the expected total disbursements or cash equivalent to be made under the terms of the loan. Interest accruing on the disbursements made is not subject to mortgage registry tax. In the case of periodic payments made for an indefinite length of time, the expected total disbursements must equal the product of the periodic payment amounts and the number of payments and, if applicable, the amount of cash distribution or its equivalent. The number of payments must be based upon the life expectancy assumption used in determining the payment amount. In the case of reverse mortgages made as part of the Housing and Community Development Act of 1987, section 255 of the National Housing Act, and administered by the Department of Housing and Urban Development (HUD), mortgage registry tax must not be assessed on Federal Housing Administration mortgage insurance premiums, monthly lender service fees, or payments to be distributed to the borrower by HUD.

Subd. 7. [MORTGAGES TO SECURE OBLIGATIONS TO BE ISSUED.] If a mortgage is made to a mortgagee in trust to secure the payment of bonds or other obligations yet to be issued, a statement may be incorporated in the mortgage stating the amount of the obligations already issued or yet to be issued, and the tax to be paid on filing the mortgage for recording must be computed upon the amount so stated. The statement must be binding and conclusive upon all persons claiming through or under the mortgage, and no such obligation issued in excess of the aggregate so fixed is valid for any purpose unless the additional tax is paid and received by the proper county treasurer.

Subd. 8. [AMENDMENTS.] An amendment may contain the following statement, or its equivalent, on its first page: "This is a mortgage amendment, as defined in Minnesota Statutes, section 287.01, subdivision 2, and as such it does not secure a new or an increased amount of debt." In such cases, the document will be treated as a mortgage amendment, as defined in section 287.01, subdivision 2, for all purposes and does not serve to secure a new or an increased amount of debt.

Sec. 5. Minnesota Statutes 1998, section 287.08, is amended to read:

287.08 [TAX, HOW PAYABLE; RECEIPTS.]

(a) The tax imposed by sections 287.01 to 287.12 ~~shall~~ must be paid to the treasurer of ~~the any county in this state~~ the any county in this state in which the ~~mortgaged land real property~~ mortgaged land real property or some part thereof is ~~situated located~~ situated located at or before the time of filing the mortgage for record ~~or registration~~. The treasurer shall endorse receipt on the mortgage, ~~countersigned by the county auditor, who shall charge the amount to the treasurer and such the receipt shall be recorded with the mortgage, and such receipt of the record thereof shall be~~ is conclusive proof that the tax has been paid ~~to in~~ in the amount therein stated and ~~authorize~~ authorizes any county recorder or registrar of titles to record the mortgage. Its form, in substance, shall be "registration tax hereon of dollars paid." If the ~~mortgages be mortgage is~~ mortgage is exempt from taxation the endorsement shall, in substance, be "exempt from registration tax;" to In either case the receipt must be signed in either case by the treasurer as such, and in case of payment to be countersigned by the auditor. In case the treasurer ~~shall be~~ is unable to determine whether a claim of exemption should be allowed, the tax ~~shall~~ must be paid as in the case of a taxable mortgage.

(b) Upon written application of the taxpayer, the county treasurer may refund in whole or in part any tax ~~which that~~ has been erroneously paid, or a person having paid a mortgage registry tax amount may seek a refund of ~~such the~~ tax, or other appropriate relief, by bringing an action in tax court in the county in which the tax was paid, within 60 days of the payment. The action is commenced by the serving of a petition for relief on the county treasurer, and by filing a copy with the court. The county attorney shall defend the action. The county treasurer shall notify the treasurer of each county that has or would receive a portion of the tax as paid.

(c) If the county treasurer determines a refund should be paid, or if a refund is ordered by the court, the county treasurer of each county that actually received a portion of the tax shall immediately pay a proportionate share of three percent of the refund using any available county funds. The county treasurer of each county ~~which that~~ received, or would have received, a portion of the tax shall also pay their county's proportionate share of the remaining 97 percent of the court-ordered refund on or before the ~~tenth~~ 20th day of the following month using solely the mortgage registry tax funds that would be paid to the commissioner of revenue on that date under section 287.12. If the funds on hand under this procedure are insufficient to fully fund 97 percent of the court-ordered refund, the county treasurer of the county in which the action was brought shall file a claim with the commissioner of revenue under section 16A.48 for the remaining portion of 97 percent of the refund, and shall pay over the remaining portion upon receipt of a warrant from the state issued pursuant to the claim.

(d) When any ~~such~~ mortgage covers real property situate located in more than one county in this state the ~~whole of such total tax shall must~~ be paid to the treasurer of the county where the mortgage is first presented for ~~record or registration recording~~, and the payment ~~shall must~~ be received ~~and countersigned~~ as ~~above~~ provided in paragraph (a). If the principal debt or obligation secured by such a multiple county mortgage exceeds \$1,000,000, the nonstate portion of the tax shall must be divided and paid over by the county treasurer receiving ~~the same it~~, on or before the ~~tenth~~ 20th day of each month after receipt ~~thereof~~, to the county or counties entitled ~~thereto~~ in the ratio ~~which that~~ the market value of the real property covered by the mortgage in each county bears to the market value of all the real property in this state described in the mortgage. In making ~~such~~ the division and payment the county treasurer shall send ~~therewith~~ a statement giving the description of the real property described in the mortgage and the market value of the part ~~thereof situate located~~ in each county. For ~~the this~~ purpose ~~aforsaid~~, the treasurer of any county may require the treasurer of any other county to certify to the former the market valuation of any tract of ~~land real property~~ in any ~~such~~ mortgage.

Sec. 6. Minnesota Statutes 1998, section 287.10, is amended to read:

287.10 [PREPAYMENT OF TAX; EVIDENCE; NOTICE.]

A mortgage or ~~papers documents~~ relating to its foreclosure, assignment, or satisfaction, must not be recorded ~~or registered~~ unless the tax has been paid. ~~A~~ Except as provided in section 582.25, a document or any record of the mortgage may not be received in evidence in any court, and is not valid notice, unless the tax has been paid. If the tax is paid, an error in computation or ascertainment of the amount does not affect the validity of the mortgage or the record or foreclosure. This section does not apply to a mortgage that is exempt from taxation the tax imposed under section ~~287.04 or 287.05, subdivision 1~~ 287.035.

Sec. 7. Minnesota Statutes 1998, section 287.11, is amended to read:

287.11 [MORTGAGES RECORDED OR REGISTERED PRIOR TO PASSAGE OF SECTIONS 287.01 TO 287.12.]

All mortgages of real estate property recorded ~~or registered~~ prior to the passage of sections 287.01 to 287.12 ~~shall be~~ are taxable as ~~provided by law~~ under the provisions of law relating thereto existing prior to the enactment ~~hereof~~ of sections 287.01 to 287.12; provided, that the holder of any such mortgage may pay to the treasurer of the proper county, ~~or the state treasurer, or both~~, the tax ~~therein prescribed~~ based upon the amount of the debt secured by ~~such the~~ mortgage at the time of ~~such the~~ payment as stated by the affidavit of the owner of ~~such the~~ mortgage, ~~to~~. The affidavit may be filed with the county treasurer, ~~and have in which case~~ the treasurer's receipt, ~~countersigned by the auditor, must be endorsed thereon on it~~. The county recorder or secretary of state, ~~as the case may be, or registrar of titles~~ on presentation of ~~such the~~ receipt, shall note on the margin of the mortgage make a record of the date and amount of such the payment. Thereafter ~~such the~~ mortgage debt lien shall not be otherwise taxable.

Sec. 8. Minnesota Statutes 1998, section 287.12, is amended to read:

287.12 [TAXES, HOW APPORTIONED.]

(a) All taxes paid to the county treasurer under the provisions of sections 287.01 to 287.12 ~~shall~~ must be apportioned, 97 percent to the general fund of the state, and three percent to the county revenue fund.

(b) On or before the ~~tenth~~ 20th day of each month the county treasurer shall determine and pay to the commissioner of revenue for deposit in the state treasury and credit to the general fund the state's portion of the receipts from the mortgage ~~registration~~ registry tax during the preceding month subject to the electronic funds transfer requirements of section 270.771. The county treasurer shall provide any related reports requested by the commissioner of revenue.

Sec. 9. Minnesota Statutes 1998, section 287.13, subdivision 1, is amended to read:

Subdivision 1. [FAILURE TO PAY FULL AMOUNT.] Any person liable for the tax imposed by section ~~287.05~~ 287.035 who fails to pay the full amount of mortgage registry tax imposed under ~~sections 287.01 to 287.12~~ this chapter, unless ~~such~~ the failure is shown to be due to reasonable cause, is liable for a civil penalty of \$250 or 100 percent of the tax for each such failure, whichever is less.

Sec. 10. [287.20] [DEFINITIONS; DEED TAX.]

Subdivision 1. [WORDS, TERMS, AND PHRASES.] Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of sections 287.21 to 287.31, have the meanings given to them in this section.

Subd. 2. [CONSIDERATION.] (a) "Consideration" means generally the total monetary value that is given in return for a conveyance of real property in this state and includes all lump-sum payments, all prior or future installment payments that are required under the agreement between the parties, and the fair market value of any property taken, or to be taken, in exchange.

(b) Consideration does not include the reasonable and lawful amounts of interest paid for the privilege of paying the purchase price in installments and the fair market value of any items of intangible personal property that are conveyed by the taxable instrument.

(c) Consideration does not include the amount paid for the personal property located on the real property being conveyed and transferred as a part of the total consideration; except that the amount paid for the personal property located on the real property being conveyed must be included if the real property being conveyed is a one-, two-, or three-unit residential structure.

(d) When a conveyance of real property is made pursuant to a contract for deed, the consideration is the price for the real property reflected in the contract; except that, subject to the limitations under section 287.221, when the conveyance is made by a person engaged in the business of land sales or construction of buildings and other improvements, or by an affiliated person, then the consideration is the amount paid for the land and the improvements. By January 1, 2001, the commissioner shall adopt rules that define the phrases "engaged in the business of land sales or construction of buildings and other improvements" and "affiliated person" as those phrases are used in this paragraph.

(e) "Total consideration" has the same meaning as consideration.

(f) "Consideration, exclusive of the value of any lien or encumbrance remaining at the time of sale" or "net consideration" means the amount of consideration as reduced by the amount outstanding under any lien that attached to the real property prior to the time of sale and that is not released or satisfied as a result of the sale.

Subd. 3. [CONSOLIDATION OR MERGER.] "Consolidation" or "merger" means the combination of all of the assets of two or more corporations, limited liability companies, or partnerships, or any combination of these entities, whether or not title to the assets is taken by a newly created entity or by a preexisting entity that survives the consolidation or merger in an altered form.

Subd. 4. [DOCUMENTARY STAMPS.] "Documentary stamps" means all stamps issued by the county for use in payment of the taxes imposed by sections 287.21 to 287.37.

Subd. 5. [LIEN.] "Lien" means any legal claim, other than an easement, created by contract, statute, or law on the real property of another as security for a debt or obligation. For purposes of the deed tax, the term "encumbrance" is synonymous with the term "lien" and an easement is not a lien.

Subd. 6. [PERSON.] "Person" includes any individual, partner, officer, director, firm, partnership, joint venture, limited liability company, association, cooperative, social club, fraternal organization, municipal or private corporation, whether organized for profit or not, estate, trusts, business trusts, receiver, trustee, syndicate, the United States, a state, any political subdivision of a state, or any group or combination acting as a unit, and the plural as well as the singular. The term includes directors and officers of corporations, governors and managers of a limited liability company, or members of partnerships who, either individually or jointly with others, have control, supervision, or responsibility of making or authorizing payment of the tax imposed by section 287.21. The term includes any agent of any individual or organization enumerated in this subdivision.

Subd. 7. [REAL PROPERTY, REAL ESTATE, AND LAND.] "Real property," "real estate," and "land" mean any fee simple estate, and any estate for life, as defined in chapter 500, and the purchaser's interest under a contract for the conveyance of such an estate.

Subd. 8. [RECORD, RECORDED, AND RECORDING.] "Record," "recorded," and "recording" each mean that a document has been delivered to and filed in the office of the county recorder or registrar of titles, whichever office maintains the records for the real property described in the document.

Subd. 9. [REORGANIZATION.] "Reorganization" means the transfer of substantially all of the assets of a corporation, a limited liability company, or a partnership not in the usual or regular course of business.

Sec. 11. Minnesota Statutes 1998, section 287.21, subdivision 1, is amended to read:

Subdivision 1. [DETERMINATION OF TAX.] ~~There (a) A tax is hereby imposed on each deed, or instrument, or writing by which any lands, tenements, or other realty~~ real property in this state ~~shall be~~ is granted, assigned, transferred, or otherwise conveyed, a tax determined in the following manner. The tax applies against the net consideration.

(b) The tax is determined in the following manner: (1) when transfers are made by instruments pursuant to mergers, consolidations, sales, or transfers of substantially all of the assets of corporations the entities as defined in section 287.20, subdivision 9, pursuant to plans of reorganization or, the tax is \$1.65; (2) when there is no consideration or when the consideration, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, is \$500 or less, the tax ~~shall be~~ is \$1.65; or (3) when the consideration, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds \$500, the tax ~~shall be~~ is \$1.65 plus \$1.65 for each additional \$500 or fraction of that amount.

The tax applies against the total consideration, including the fair market value consideration for any personal property located on the real property conveyed by the deed and transferred as part of the total consideration, but excluding the value of any lien or encumbrance remaining on the property at the time of sale.

(c) The tax is due at the time a taxable deed or instrument is presented for recording.

Sec. 12. Minnesota Statutes 1998, section 287.22, is amended to read:

287.22 [~~EXCEPTIONS~~ EXEMPTIONS.]

The tax imposed by section 287.21 ~~shall~~ does not apply to:

A. ~~Any~~ An executory contract for the sale of ~~land~~ real property under which the ~~vendee~~ purchaser is entitled to or does take possession ~~thereof of the real property,~~ or any assignment or cancellation ~~thereof of the contract.~~

B. ~~Any~~ A mortgage or ~~any an~~ amendment, assignment, extension, partial release, or satisfaction ~~thereof of a mortgage.~~

C. ~~Any~~ A will.

D. ~~Any~~ A plat.

E. ~~Any~~ A lease, amendment of lease, assignment of lease, or memorandum of lease.

F. ~~Any~~ A deed, instrument, or writing in which the United States or any agency or instrumentality thereof is the grantor, assignor, transferor, conveyor, grantee, or assignee.

G. ~~Deeds~~ A deed for a cemetery lot or lots.

H. ~~Deeds~~ A deed of distribution by a personal ~~representatives~~ representative.

I. ~~Deeds~~ A deed to or from ~~coowners~~ a co-owner partitioning their undivided interests interest in the same piece of real property.

J. ~~Any~~ A deed or other instrument of conveyance issued pursuant to a permanent school fund land exchange under section 92.121 and related laws.

K. A referee's or sheriff's certificate of sale in a mortgage or lien foreclosure sale.

L. A referee's ~~or,~~ sheriff's, or certificate holder's certificate of redemption from a mortgage or lien foreclosure sale issued to the redeeming mortgagor or lienee.

M. ~~Any~~ A deed, instrument, or writing which grants, creates, modifies, or ~~cancels~~ terminates an easement.

N. A decree of marriage dissolution, as defined in section 287.01, subdivision 4, or ~~any~~ a deed or other instrument between the parties to the dissolution made pursuant to the terms of the decree.

Sec. 13. [287.2205] [TAX-FORFEITED LAND.]

Before a state deed for tax-forfeited land may be issued, the deed tax must be paid by the purchaser of tax-forfeited land whether the purchase is the result of a public auction or private sale or a repurchase of tax-forfeited land. State agencies and local units of government that acquire tax-forfeited land by purchase or any other means are subject to this section.

Sec. 14. Minnesota Statutes 1998, section 287.23, is amended to read:

287.23 [REAL PROPERTY OUTSIDE COUNTY OR STATE.]

Subdivision 1. [REAL PROPERTY OUTSIDE COUNTY.] If any taxable deed or instrument describes any real property located in more than one county in this state, the total tax must be paid to the treasurer of the county where the document is first presented for recording, and the payment must be receipted as provided in section 287.08. If

the net consideration exceeds \$700,000, the nonstate portion of the tax must be divided and paid over by the county treasurer receiving it, on or before the 20th day of each month after receipt, to the county or counties entitled in the ratio which the market value of the real property covered by the document in each county bears to the market value of all the real property in this state described in the document. In making the division and payment the county treasurer shall send a statement to the other involved counties giving the description of the real property described in the document and the market value of the part located in each county. The treasurer of any county may require the treasurer of any other county to certify to the former the market valuation of any parcel of real property for this purpose.

Subd. 2. [REAL PROPERTY OUTSIDE STATE.] If any deed, or instrument, or writing shall describe describes any real estate situate property located outside of this state, the tax imposed by section 287.21 shall must be measured upon such proportion of the consideration, (exclusive of the value of any lien or encumbrance remaining thereon at the time of sale), as the value of the real estate therein property described situate in this state bears to the value of the whole of the real estate property described therein in the deed or instrument.

Sec. 15. Minnesota Statutes 1998, section 287.24, is amended to read:

287.24 [PERSONS LIABLE.]

Subdivision 1. [GENERALLY.] Any person who grants, assigns, transfers, or conveys any land, tenement, or realty real property by a deed, writing, or instrument subject to the tax imposed by section 287.21 shall be liable for such tax but no public official shall be liable for a tax with respect to any instrument executed by the official in connection with official duties.

Subd. 2. [OTHER RESPONSIBLE PERSONS.] If an underpayment is assessable by the commissioner of revenue against a grantor pursuant to section 287.37, and the grantor is a business entity no longer in existence, any person who, either individually or jointly with others, had control over, supervision of, or responsibility for making the statement of tax due or exemption from tax that was submitted to the county treasurer under section 287.241, subdivision 1, can be assessed and held liable by the commissioner for the underpayment.

Sec. 16. Minnesota Statutes 1998, section 287.241, is amended to read:

287.241 [STATEMENT OF TAX DUE OR EXEMPTION; RECORDING OR REGISTERING OF DOCUMENTS.]

Subdivision 1. [STATEMENT OF TAX DUE OR EXEMPTION.] No deed, or instrument, or writing, taxable under the provisions of section 287.21, shall be recorded or registered by the county recorder or the registrar of titles unless it shall contain contains the statement of the grantor or grantee, or any successor in interest, setting forth the amount of tax due under this chapter or that it is exempt from tax. The county recorder or registrar of titles shall record or register any such document deed or instrument when the statement sets forth that the transfer is tax exempt, and shall refuse to record or register any such document on which or when documentary stamps in the amount stated thereon have not been affixed or the treasurer's receipt appear for the amount of deed tax recited in the statement. The validity or effectiveness of an a deed or instrument as between the parties thereto, and as to any person who would otherwise be bound thereby, shall is not be affected by the failure to comply herewith, nor with this section. If an a deed or instrument is accepted for recording or filing contrary to the provisions hereof this section, shall the failure to comply herewith does not destroy or impair the record thereof of the deed or instrument as notice.

Subd. 2. [NOTICE OF CERTIFICATE OF VALUE.] No deed or instrument providing for the transfer of title to real estate as property that is subject to the tax as provided in section 287.21, and no executory contract for the sale of land, shall be recorded in the office of the county recorder or the registrar of titles unless such deed or instrument shall be is accompanied by a notice from the county auditor that a certificate of value was filed in the auditor's office as provided in section 272.115.

Sec. 17. Minnesota Statutes 1998, section 287.29, subdivision 1, is amended to read:

Subdivision 1. [APPOINTMENT AND PAYMENT OF TAX PROCEEDS.] (a) The proceeds of the taxes levied and collected under sections 287.21 to 287.36 must be apportioned, 97 percent to the general fund of the state, and three percent to the county revenue fund.

(b) On or before the tenth 20th day of each month, the county treasurer shall determine and pay to the commissioner of revenue for deposit in the state treasury and credit to the general fund the state's portion of the receipts for deed tax from the sale of documentary stamps during the preceding month subject to the electronic transfer requirements of section 270.771. The county treasurer shall provide any related reports requested by the commissioner of revenue.

Sec. 18. Minnesota Statutes 1998, section 287.30, is amended to read:

287.30 [COUNTY TREASURER; DUTIES.]

The care of documentary stamps entrusted to county treasurers and the duties imposed upon county treasurers by sections 287.21 to 287.33 shall be this chapter are within the duties of such office and shall be are within the coverage of any official bond delivered to the state, conditioned that any such officer shall faithfully execute the duties of office. The county board may by resolution require the county auditor to perform any duty imposed on the county treasurer under this chapter.

Sec. 19. Minnesota Statutes 1998, section 287.31, is amended to read:

287.31 [VIOLATIONS; CIVIL PENALTIES.]

Subdivision 1. [FAILURE TO ~~COMPLY~~ PAY FULL AMOUNT.] Any person liable for the tax imposed by section 287.21 who fails to ~~comply with the provisions of section 287.25~~ pay the full amount of deed tax imposed under this chapter, unless such the failure is shown to be due to reasonable cause, shall be is liable to a civil penalty of \$250, or 100 percent of the tax, for each such failure, whichever is less.

Subd. 2. [WILLFUL EVASION.] Any person who willfully attempts in any manner to evade or defeat any such tax or the payment thereof, ~~shall is~~, in addition to other penalties provided by law, ~~be~~ liable to a penalty of 50 percent of the total amount of the underpayment of the tax.

Sec. 20. [287.325] [VIOLATIONS; CRIMINAL PENALTIES.]

Any person who in any manner intentionally attempts to evade a tax imposed by this chapter, or who intentionally aids or abets in the evasion or attempted evasion of such tax is guilty of a gross misdemeanor.

Sec. 21. Minnesota Statutes 1998, section 287.33, is amended to read:

287.33 [EXPENSES OF ADMINISTRATION.]

Expenses of administration of ~~sections 287.21 to 287.34~~ this chapter to be paid out of county funds include fees and expenses incurred by the county attorney in connection with ~~sections 287.21 to 287.34~~ this chapter and all other costs and expenses.

Sec. 22. [287.38] [LIMITATIONS ON TIME FOR ASSESSMENT OF TAX.]

Subdivision 1. [GENERAL RULE.] Except as otherwise provided in this section, the amount of taxes assessable under this chapter must be assessed within 3-1/2 years after the date the document is recorded.

Subd. 2. [OMISSION IN EXCESS OF 25 PERCENT.] Additional taxes may be assessed within 6-1/2 years after the document was recorded, if the taxpayer underpays the tax due on the filing of that document by more than 25 percent or the document was erroneously treated as exempt.

Subd. 3. [FRAUD.] Notwithstanding the limitations under subdivision 1, additional taxes may be assessed at any time if a document is presented for recording with a fraudulent intent to underpay the taxes imposed by this chapter.

Sec. 23. [287.385] [INTEREST.]

Subdivision 1. [INTEREST RATE.] If an interest assessment is required under this section, interest is computed at the rate specified in section 270.75.

Subd. 2. [LATE PAYMENT.] If a tax is not paid within the time specified by law for payment, the unpaid tax bears interest from the date the tax should have been paid until the date the tax is paid.

Subd. 3. [EXTENSIONS.] If an extension of time for payment has been granted, interest must be paid from the date the payment should have been made if no extension had been granted, until the date the tax is paid.

Subd. 4. [ADDITIONAL ASSESSMENTS.] If a taxpayer is liable for additional taxes because of a redetermination by the commissioner of revenue, or for any other reason, the additional taxes bear interest from the time the tax should have been paid, without regard to any extension allowed, until the date the tax is paid.

Subd. 5. [REFUNDS.] (a) Interest must be paid at the rate specified in section 270.75 on an overpayment that is refunded or credited to a taxpayer more than 30 days after a refund request is made. Interest does not apply to the 30-day period.

(b) In the case of an erroneous refund, interest accrues from the date the refund was paid unless the erroneous refund results from a mistake of the department of revenue or the county, then no interest or penalty is imposed unless the deficiency assessment is not satisfied within 60 days of the order.

Subd. 6. [INTEREST ON JUDGMENTS.] Notwithstanding section 549.09, if judgment is entered in favor of the commissioner of revenue or a county with regard to any tax under this chapter, the judgment bears interest at the rate specified in section 270.75 from the date the judgment is entered until the date of payment.

Subd. 7. [INTEREST ON PENALTIES.] A penalty imposed under this chapter bears interest from the date payment was required to be paid, including any extensions, to the date of payment of the penalty.

Sec. 24. [287.39] [ADMINISTRATIVE REVIEW.]

Subdivision 1. [TAXPAYER RIGHT TO RECONSIDERATION.] Under this section, a taxpayer may obtain reconsideration by the commissioner of revenue of: (1) an order of the commissioner assessing tax; (2) a denial by the commissioner of a request for abatement of penalty; or (3) a denial by the commissioner of a claim for refund of money paid to the commissioner as a result of an assessment or order issued by the commissioner under this chapter, by filing an administrative appeal as provided in subdivision 4. A taxpayer cannot obtain reconsideration if the action taken by the commissioner of revenue is the outcome of an administrative appeal.

Subd. 2. [APPEAL BY TAXPAYER.] A taxpayer who wishes to seek administrative review shall follow the procedure in subdivision 4.

Subd. 3. [NOTICE DATE.] For purposes of this section, "notice date" means the date of the order adjusting the tax or order denying a request for abatement or, in the case of a denied refund, the date of the notice of denial.

Subd. 4. [TIME AND CONTENT FOR ADMINISTRATIVE APPEAL.] Within 60 days after the notice date, the taxpayer shall file a written appeal with the commissioner of revenue. The appeal need not be in any particular form, but must contain the following information:

(1) name and address of the taxpayer;

(2) if a corporation, the state of incorporation of the taxpayer, and the principal place of business of the corporation;

(3) the Minnesota identification number or social security number of the taxpayer;

(4) the type of tax involved;

(5) the date;

(6) the tax periods involved and the amount of tax involved for each period;

(7) the findings in the notice that the taxpayer disputes;

(8) a summary statement that the taxpayer relies on for each exception; and

(9) the taxpayer's signature or the signature of the taxpayer's duly authorized agent.

Subd. 5. [EXTENSIONS.] If requested in writing and within the time allowed for filing an administrative appeal, the commissioner may extend the time for filing an appeal for a period of not more than 30 days from the expiration of the 60 days from the notice date.

Subd. 6. [DETERMINATION OF APPEAL.] On the basis of applicable law and available information, the commissioner shall determine the validity, if any, in whole or part of the appeal and notify the taxpayer of the decision. This notice must be in writing and contain the basis for the determination.

Subd. 7. [AGREEMENT DETERMINING TAX LIABILITY.] If the commissioner determines that it is in the best interests of the state, the commissioner may settle taxes, penalties, or interest that the commissioner has under consideration by virtue of an appeal filed under this section. An agreement must be in writing and signed by the commissioner and the taxpayer or the taxpayer's representative authorized by the taxpayer to enter into an agreement. The agreement is final and conclusive and, except upon a showing of fraud or malfeasance, or misrepresentation of a material fact, the case shall not be reopened as to the matters agreed upon.

Subd. 8. [APPEAL OF AN ADMINISTRATIVE DETERMINATION.] Following the determination of an appeal and notwithstanding any period of limitations for making assessments or other determinations to the contrary, the commissioner shall issue an order reflecting that disposition. If the statute of limitations for making assessments or other determinations would have expired before the issuance of this order, except for this section, the order is limited to issues or matters contained in the appealed determination. The order is appealable to the Minnesota tax court under section 271.06.

Subd. 9. [APPEAL WHERE NO DETERMINATION.] If the commissioner does not make a determination within six months of the filing of an administrative appeal, the taxpayer may elect to appeal to tax court.

Subd. 10. [EXEMPTION FROM ADMINISTRATIVE PROCEDURE ACT.] This section is not subject to chapter 14.

Sec. 25. [REPEALER.]

Minnesota Statutes 1998, sections 287.06; 287.07; 287.09; 287.21, subdivisions 2 and 4; 287.34; 287.35; and 287.36, are repealed.

Sec. 26. [EFFECTIVE DATE.]

Sections 1 to 25 are effective for documents recorded or registered after June 30, 1999."

Delete the title and insert:

"A bill for an act relating to mortgage registry and deed taxes; making technical and clarifying changes; defining terms; amending Minnesota Statutes 1998, sections 287.01; 287.04; 287.05; 287.08; 287.10; 287.11; 287.12; 287.13, subdivision 1; 287.21, subdivision 1; 287.22; 287.23; 287.24; 287.241; 287.29, subdivision 1; 287.30; 287.31; and 287.33; proposing coding for new law in Minnesota Statutes, chapter 287; repealing Minnesota Statutes 1998, sections 287.06; 287.07; 287.09; 287.21, subdivisions 2 and 4; 287.34; 287.35; and 287.36."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 382, A bill for an act relating to real property; making changes in provisions about certificates of title and the Common Interest Ownership Act; making miscellaneous changes to alter real property provisions; amending Minnesota Statutes 1998, sections 40A.10, subdivisions 1 and 3; 40A.11, subdivision 4; 47.20, subdivision 2; 51A.02, subdivision 29; 60C.09, subdivision 1; 83.20, subdivisions 11 and 14; 83.26, subdivision 2; 103F.612, subdivisions 2 and 4; 103F.613, subdivision 3; 103I.235, subdivision 1; 238.22, subdivision 3; 273.124, subdivision 2; 297H.01, subdivision 8; 327C.095, subdivision 5; 357.18, subdivision 1; 359.02; 389.09; 428A.11, subdivisions 4 and 6; 462C.02, subdivisions 4 and 5; 462C.05, subdivision 1; 473H.02, subdivision 6; 473H.05, subdivision 1; 473H.06, subdivisions 1 and 2; 473H.08, subdivision 4; 500.20, subdivision 2a; 505.08, subdivision 3; 507.421; 508.14; 508.24, subdivision 2; 508.25; 508.35; 508.36; 508.38; 508.40; 508.421, subdivision 2; 508.47, subdivision 4; 508.49; 508.51, subdivision 1; 508.52; 508.55; 508.56; 508.57; 508.58; 508.59; 508.61, subdivisions 2 and 3; 508.67; 508.68; 508.71, subdivisions 2, 4, 5, 6, and by adding a subdivision; 508.76; 508.82, subdivision 1; 508A.10; 508A.11, subdivision 3; 508A.22, subdivisions 2 and 3; 508A.25; 508A.35; 508A.38; 508A.40; 508A.421, subdivision 2; 508A.47, subdivision 4; 508A.49; 508A.51, subdivision 1; 508A.52; 508A.55; 508A.56; 508A.57; 508A.58; 508A.59; 508A.61, subdivisions 2 and 3; 508A.71, subdivisions 2, 3, 5, 6, and by adding a subdivision; 508A.72; 508A.76; 508A.82, subdivision 1; 508A.85, subdivisions 3 and 4; 515B.1-102; 515B.1-103; 515B.1-116; 515B.2-101; 515B.2-104; 515B.2-105; 515B.2-108; 515B.2-109; 515B.2-110; 515B.2-118; 515B.2-119; 515B.2-121; 515B.2-122; 515B.3-103; 515B.3-105; 515B.3-106; 515B.3-110; 515B.3-113; 515B.3-115; 515B.3-116; 515B.3-121; 515B.4-101; 515B.4-102; 515B.4-106; 515B.4-107; 515B.4-108; 515B.4-111; 515B.4-115; 524.2-201; 559.21, subdivision 2a; and 582.32, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 386; and 515B; repealing Minnesota Statutes 1998, sections 473H.02, subdivision 11; 473H.05, subdivision 3; 508.405; 508.421, subdivision 1; 508.44; 508.45; 508.51, subdivision 2; 508.835; 508A.421, subdivision 1; 508A.44; 508A.45; 508A.51, subdivision 2; and 508A.835.

Reported the same back with the following amendments:

Page 13, line 29, strike "likewise" and insert "also"

Page 13, line 30, strike "such" and insert "the"

Page 14, line 5, strike "The court shall adopt"

Page 14, strike lines 6 to 8

Page 19, line 36, delete "title (other)" and insert "title, other"

Page 20, line 2, delete "attorney-in-fact)" and insert "attorney-in-fact,"

Page 34, line 25, strike "to-wit,"

Page 36, line 21, strike "it" and insert "them"

Page 36, line 24, strike everything after the period

Page 36, strike lines 25 and 26

Page 55, line 34, delete the second "and"

Page 55, line 35, delete "section" and after the comma, insert "and 515B.4-108"

Page 75, after line 31, insert:

"Sec. 10. Minnesota Statutes 1998, section 515B.2-113, is amended to read:

515B.2-113 [ALTERATIONS OF UNITS.]

~~Subject to the provisions of the declaration and applicable law:~~

(a) ~~Subject to the provisions of the declaration and applicable law,~~ a unit owner may, at the unit owner's expense, make any improvements or alterations to the unit, provided: (i) that they do not impair the structural integrity or mechanical systems, affect the common elements, or impair the support of any portion of the common interest community ~~provided;~~ (i); (ii) that prior arrangements are made with the association to ensure that other unit owners are not disturbed; (ii); (iii) that the common elements are not damaged;; and (iii) (iv) that the common elements and other units are protected against mechanics' liens.

(b) Subject to the provisions of applicable law, a unit owner of a unit in residential use may, at the unit owner's expense, make improvements or alterations to the unit as necessary for the full enjoyment of the unit by any person residing in the unit who has a handicap or disability, as provided in the Fair Housing Amendments Act, United States Code, title 42, section 3601, et seq., and the Minnesota Human Rights Act, chapter 363, and any amendments to those acts.

(c) The declaration, bylaws, rules, and regulations, or agreements with the association may not prohibit the improvements or alterations referred to in subsection (b), but may reasonably regulate the type, style, and quality of the improvements or alterations, as they relate to health, safety, and architectural standards. In addition, improvements or alterations made pursuant to subsection (b) must satisfy the requirements of subsection (a)(i), (ii), (iii), and (iv).

(d) Notwithstanding any contrary provision of section 515B.1-102, subsection (b) applies to all common interest communities subject to chapter 515, 515A, or this chapter. The unit owner's rights under this section may not be waived.

(e) Subsection (b) does not apply to restrictions on improvements or alterations imposed by statute, rule, or ordinance.

(f) Subject to the provisions of the declaration and applicable law, a unit owner may, at the unit owner's expense, after acquiring title to an adjoining unit or an adjoining part of an adjoining unit, with the prior written approval of the association and first mortgagees of the affected units, remove or alter any intervening partition or create apertures therein, even if the partition is part of the common elements, if those acts do not impair the structural

integrity or mechanical systems or lessen the support of any portion of the common interest community. The adjoining unit owners shall have the exclusive license to use the space occupied by the removed partition, but the use shall not create an easement or vested right. Removal of partitions or creation of apertures under this paragraph is not an alteration of boundaries. The association may require that the owner or owners of units affected replace or restore any removed partition, that the unit owner comply with subsection (a)(i), (ii) and (iii), and that the unit owner pay all fees and costs incurred by the association in connection with the alteration."

Page 90, delete lines 21 to 36

Page 91, delete lines 1 to 4 and insert:

"(i) If so provided in the master declaration, a master association may levy assessments for common expenses of the master association against the property subject to the master declaration, and have and foreclose liens securing the assessments. The liens shall have the same priority against secured parties, shall include the same fees and charges, and may be foreclosed in the same manner, as assessment liens under section 515B.3-116. The master association's lien shall have priority as against the lien of an association or property owner's association subject to the master association, regardless of when the lien arose or was perfected.

(1) Master association common expenses shall be allocated among the members of the master association in a fair and equitable manner. If the members are associations or property owners' associations, then the master assessments may be allocated among and levied directly against the units or other parcels owned by the members of the association or property owner's association. If so provided in the master declaration, master assessments levied against a member association or property owner's association are allocated among and levied against the units or other parcels owned by the members of the association or property owner's association. If applicable and appropriate, the formulas and principles described in section 515B.2-108, subsections (b), (c), (d), and (e), shall be used in making the allocations. The assessment formulas and procedures described in the declarations of any common interest communities or any instruments governing other real estate subject to the master association shall not conflict with the formulas and procedures described in the master declaration."

Page 120, lines 22 and 28, strike "15" and insert "ten"

Page 125, lines 19, 21, and 22, strike "15" and insert "ten"

Page 125, line 26, delete "15-day" and insert "ten-day"

Page 129, lines 4 and 7, strike "15" and insert "ten"

Page 129, line 9, delete "15-day" and insert "ten-day"

Pages 140 to 143, delete section 6

Page 160, after line 32, insert:

"Sec. 2. Minnesota Statutes 1998, section 386.31, is amended to read:

386.31 [CONSECUTIVE NUMBERING.]

Each county recorder shall endorse plainly upon each instrument received for record or filing as soon as received a number consecutive, to the extent practicable, to the number affixed to the instrument next previously received and enter such number as a part of the entry relating to such instrument in all the indexes kept in the office and on the margin of the record of the instrument, and such number shall be prima facie evidence of priority of registration.

If more than one instrument shall be received at the same time, by mail or other like enclosure, the recorder shall affix such number in the order directed by the sender; if no direction be given, then in the order in which the instruments actually come to the recorder's hand in opening the enclosures."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, delete "83.26, subdivision 2;"

Page 1, line 14, after "359.02;" insert "386.31;"

Page 1, line 35, after "515B.2-110;" insert "515B.2-113;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 386, A bill for an act relating to education; amending the process by which state board of teaching members are confirmed; amending Minnesota Statutes 1998, section 122A.07, subdivision 1.

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

The report was adopted.

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

H. F. No. 414, A bill for an act relating to agriculture; extending the program for control of pseudorabies in swine; appropriating money.

Reported the same back with the following amendments:

Page 1, line 9, delete everything after "vaccines" and insert a period

Page 1, delete line 10

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 465, A bill for an act relating to public safety; establishing the board of firefighter training and education; establishing a firefighter training reimbursement program; authorizing rulemaking; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 299N.

Reported the same back with the following amendments:

Page 2, line 35, delete "Minnesota" and after "of" insert "Minnesota"

Page 3, lines 6 and 7, delete "The governor shall appoint" and insert "and annually elect"

Page 3, line 19, after "to" insert "the house of representatives and senate governmental operations and veterans affairs committees,"

Page 3, line 25, delete "carry out its duties" and insert "establish qualifications under clause (3)"

Page 4, after line 21, insert:

"Sec. 6. [REPEALER.]

Sections 1 to 3 are repealed effective December 31, 2006."

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

The report was adopted.

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

H. F. No. 475, A bill for an act relating to local government; providing for reimbursement to officers and employees for costs and legal fees to defend criminal charges in certain cases; amending Minnesota Statutes 1998, section 465.76.

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

The report was adopted.

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

H. F. No. 486, A bill for an act relating to motor fuels; allowing bulk delivery of nonoxygenated gasoline for certain purchasers; amending Minnesota Statutes 1998, section 239.791, subdivision 1, and by adding subdivisions.

Reported the same back with the following amendments:

Page 1, after line 17, insert:

"Sec. 2. Minnesota Statutes 1998, section 239.791, subdivision 12, is amended to read:

Subd. 12. [EXEMPTION FOR COLLECTOR VEHICLE AND OFF-ROAD USE.] (a) ~~Except during a carbon monoxide control period in a carbon monoxide control area,~~ A person responsible for the product may offer for sale, sell, or dispense at a retail gasoline station for use in collector vehicles or vehicles eligible to be licensed as collector vehicles, off-road vehicles, motorcycles, boats, snowmobiles, or small engines, gasoline that is not oxygenated in accordance with subdivision 1 if the person meets the conditions in paragraphs (b) to (d). If the nonoxygenated gasoline is for use in a small engine, it must be dispensed into a can with a capacity of six or fewer gallons.

(b) The nonoxygenated gasoline must be unleaded premium grade as defined in section 239.751, subdivision 4.

(c) No more than one storage tank on the premises of the retail gasoline station may be used for storage of the nonoxygenated gasoline offered for sale, sold, or dispensed by the station.

(d) The pump stands must be posted with a permanent notice stating: "NONOXYGENATED GASOLINE. FOR USE IN COLLECTOR VEHICLES OR VEHICLES ELIGIBLE TO BE LICENSED AS COLLECTOR VEHICLES, OFF-ROAD VEHICLES, MOTORCYCLES, BOATS, SNOWMOBILES, OR SMALL ENGINES ONLY.""

Page 1, delete line 21

Page 1, line 22, delete "monoxide control area,"

Page 2, line 20, delete "3" and insert "4"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "allowing" insert "sale or"

Page 1, line 5, delete "subdivision" and insert "subdivisions" and after the comma, insert "12,"

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

The report was adopted.

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

H. F. No. 564, A bill for an act relating to water; requiring new landscape irrigation systems to have rain checks; proposing coding for new law in Minnesota Statutes, chapter 103G.

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

The report was adopted.

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

H. F. No. 682, A bill for an act relating to veterans; expanding coverage of veterans preference termination rights to state employees; amending Minnesota Statutes 1998, section 197.46.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 40, 49, 74, 183, 296, 379, 382, 386, 414 and 475 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Anderson, B., and Leighton introduced:

H. F. No. 798, A bill for an act relating to occupational safety; permitting injured employees a civil remedy if an employer violated safety laws; amending Minnesota Statutes 1998, section 176.031.

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

Tingelstad, McCollum and Greiling introduced:

H. F. No. 799, A bill for an act relating to education; increasing the annual operating capital funds; reducing the debt service threshold rate; increasing the debt service equalizing factor; consolidating facilities levies; reducing the alternative bonding and levy program square footage requirement; providing for a sunset of the disabled access levy; providing authority for school districts to lease new school buildings; appropriating money; amending Minnesota Statutes 1998, sections 123B.53; 123B.58, subdivisions 3 and 4; 123B.59; 123B.63, subdivisions 3 and 4; 126C.10, subdivision 13; and 126C.40, subdivisions 1, 2, 3, and 6; repealing Minnesota Statutes 1998, sections 123A.44; 123A.441; 123A.442; 123A.443; 123A.444; 123A.445; 123A.446; 123B.57, subdivisions 4, 5, and 7; 123B.58; 123B.63, subdivisions 1 and 2; 123B.64; 123B.66; 123B.67; 123B.68; and 123B.69.

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

Olson; Davids; Anderson, I.; Tomassoni and Osskopp introduced:

H. F. No. 800, A bill for an act relating to health; prohibiting certain discriminatory charges by health care providers and health plan companies; proposing coding for new law in Minnesota Statutes, chapters 62J; and 62Q.

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

Knoblach, Skoglund, Smith, Leighton and Pawlenty introduced:

H. F. No. 801, A bill for an act relating to state government; providing that the Minnesota Partnership for Action Against Tobacco is not a state agency; requiring a report.

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

Bradley, Otremba, Boudreau, Dorn and Tingelstad introduced:

H. F. No. 802, A bill for an act relating to human services; making permanent the expansion of unlicensed child care providers; amending Minnesota Statutes 1998, section 245A.03, subdivision 2.

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

Reuter; Boudreau; Pawlenty; Larsen, P.; Wenzel; Pelowski; Rifenberg; Vandever; Davids and Kielkucki introduced:

H. F. No. 803, A bill for an act relating to gambling; increasing the minimum age to gamble; amending Minnesota Statutes 1998, sections 240.25, subdivision 8; 349.2127, subdivision 8; and 349A.12, subdivisions 1, 2, and 5.

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

Erickson introduced:

H. F. No. 804, A bill for an act relating to education; extending the effective date for certain teacher licensure rules; amending Minnesota Statutes 1998, section 122A.09, subdivision 4.

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

Leighton, Smith, Davids and Larsen, P., introduced:

H. F. No. 805, A bill for an act relating to municipalities; making certain changes to municipal liability; amending Minnesota Statutes 1998, sections 466.01, subdivision 1; 466.03, subdivision 6e, and by adding a subdivision; 604A.20; 604A.21, subdivisions 2, 3, 4, 5, 6, and by adding a subdivision; 604A.22; and 604A.25.

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

Ness, Lindner, Bakk, Reuter and Kalis introduced:

H. F. No. 806, A bill for an act relating to the state lottery; prohibiting advertising in connection with the lottery; amending Minnesota Statutes 1998, sections 349A.02, subdivisions 2 and 3; and 349A.10, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 349A; repealing Minnesota Statutes 1998, sections 349A.02, subdivision 5; and 349A.09.

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

Howes, Mulder, Goodno, Otremba and Huntley introduced:

H. F. No. 807, A bill for an act relating to health; expanding the use of the rural hospital planning and transition grant program; expanding medical assistance coverage to include telemedicine conferences; changing the hospital outpatient fee medical assistance payment for designated critical access hospitals to a cost base; establishing uniform billing standards for health care providers; appropriating money; amending Minnesota Statutes 1998, sections 144.147; 256B.0625, by adding a subdivision; 256B.75; and 256D.03, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62J; repealing Minnesota Statutes 1998, sections 144.1475; and 144.148.

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

Ness introduced:

H. F. No. 808, A bill for an act relating to agriculture; the board of animal health; making paratuberculosis (Johne's disease) diagnosis nonpublic data; changing the name of the executive secretary of the board of animal health to the executive director; repealing limitations on the sale of cattle; amending Minnesota Statutes 1998,

sections 35.02, subdivision 1; 35.04; 35.08; 35.09, subdivisions 2 and 2a; 35.67; 35.68; 35.82, subdivisions 1b, 2, and 3; 35.92, subdivision 5; and 35.93, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 1998, sections 35.245; and 35.96, subdivision 4.

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

Skoglund and Kelliher introduced:

H. F. No. 809, A bill for an act relating to taxation; providing a sales tax exemption for certain tree and stump removal and trimming services; amending Minnesota Statutes 1998, sections 297A.15, subdivision 6; and 297A.25, by adding a subdivision.

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

Marko, Holsten, Bakk, Ozment and McCollum introduced:

H. F. No. 810, A bill for an act relating to game and fish; modifying requirements for transporting archery bows; amending Minnesota Statutes 1998, section 97B.051.

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

Wolf, Molnau, Ozment, Workman and Lieder introduced:

H. F. No. 811, A bill for an act relating to highways; appropriating money for preliminary engineering and environmental studies relating to Scott county state-aid highway No. 27.

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

Wolf, Davids, Jennings, Ozment and Gunther introduced:

H. F. No. 812, A bill for an act relating to electric utilities; revising the house chairs appointed to the legislative electric energy task force; amending Minnesota Statutes 1998, section 216C.051, subdivision 2.

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

Hausman, McGuire, Goodno, Wenzel and Greiling introduced:

H. F. No. 813, A bill for an act proposing an amendment to the Minnesota Constitution to provide for a unicameral legislature; changing article IV; article V, sections 3 and 5; article VIII, section 1; article IX, sections 1 and 2; and article XI, section 5; providing by law for a unicameral legislature of 135 members; amending Minnesota Statutes 1998, sections 2.021; and 2.031, subdivision 1.

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

Kalis, Mares, Smith, Murphy and Wenzel introduced:

H. F. No. 814, A bill for an act relating to retirement; teachers retirement association and first class city teacher retirement fund associations; authorizing the purchase of service credit for certain prior military service; amending Minnesota Statutes 1998, sections 354.53, subdivision 1; and 354A.093; proposing coding for new law in Minnesota Statutes, chapters 354; and 354A.

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

Erhardt, McElroy, Carruthers, Jennings and Sykora introduced:

H. F. No. 815, A bill for an act relating to taxation; providing for the filing of sales tax returns and remittance of tax by material suppliers; amending Minnesota Statutes 1998, sections 289A.18, subdivision 4; and 289A.20, subdivision 4.

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

Peterson, Ozment, Finseth, Kubly and Holsten introduced:

H. F. No. 816, A bill for an act relating to agriculture; changing the composition of the feedlot and manure management advisory committee; amending Minnesota Statutes 1998, section 17.136.

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

Wagenius; Sykora; Seifert, J.; Boudreau and Skoglund introduced:

H. F. No. 817, A bill for an act relating to child custody; expanding provisions for relative ex parte temporary custody; amending Minnesota Statutes 1998, section 518.158, subdivisions 1 and 2.

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

Nornes and Dorn introduced:

H. F. No. 818, A bill for an act relating to human services; establishing a residential mental health grant program for facility upgrades; appropriating money.

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

Ness and Nornes introduced:

H. F. No. 819, A bill for an act relating to education; modifying requirements for certain English as a second language programs; amending Minnesota Statutes 1998, sections 124D.52, by adding a subdivision; and 124D.53, subdivision 2.

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

Seagren, Greiling, Tomassoni and Paulsen introduced:

H. F. No. 820, A bill for an act relating to education; providing for expanded charter school law; providing referendum revenue for charter schools; providing integration revenue for charter schools; increasing the building lease aid; eliminating the real estate taxes paid by charter schools on leased facilities; establishing a payment schedule for charter school start-up cost funding; appropriating money; amending Minnesota Statutes 1998, sections 124D.10, subdivisions 3, 4, 5, 6, 11, and by adding a subdivision; 124D.11, subdivisions 4, 8, and by adding a subdivision; 124D.86, subdivision 3; and 272.02, subdivision 8.

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

Reuter, Westerberg, Dawkins, Carruthers and Jaros introduced:

H. F. No. 821, A bill for an act relating to human rights; prohibiting business discrimination on the basis of national origin; amending Minnesota Statutes 1998, section 363.03, subdivision 8a.

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

Wagenius, Tingelstad, Ozment, Leppik, Johnson and Greiling introduced:

H. F. No. 822, A bill for an act relating to education; providing for school children's health and safety; requiring notice to parents and employees where a school district has no insurance against events resulting from pesticide use, where a school plans to use certain pesticides, or where a school does not have an integrated pest management plan; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 18B; and 123B.

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

Ness, Cassell, Dehler, Schumacher and Mares introduced:

H. F. No. 823, A bill for an act relating to education; authorizing the establishment of reserve accounts for transportation; amending Minnesota Statutes 1998, section 126C.10, by adding a subdivision.

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

Biernat, Seagren, Johnson, Mares and Entenza introduced:

H. F. No. 824, A bill for an act relating to education; providing for continuing flexibility in the allocation of compensatory revenue; amending Minnesota Statutes 1998, section 126C.15, subdivision 2.

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

Kielkucki introduced:

H. F. No. 825, A bill for an act relating to education; requiring knowledge in personal and family financial management and investment for graduation; amending Minnesota Statutes 1998, section 120B.02.

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

Johnson; Larson, D.; Gleason; Anderson, I., and Koskinen introduced:

H. F. No. 826, A bill for an act relating to education; providing for a report on the number of instructional days in a school year; appropriating money.

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

Rest, Carlson and Leppik introduced:

H. F. No. 827, A bill for an act relating to education; creating a virtual school district; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126C.

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

Carlson, Biernat, Greiling, Mares and Sykora introduced:

H. F. No. 828, A bill for an act relating to education; modifying the school enrichment partnership program; appropriating money; amending Minnesota Statutes 1998, section 124D.90.

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

Mahoney, Greiling and Hausman introduced:

H. F. No. 829, A bill for an act relating to Ramsey county; authorizing certain supplementary service rates for a certain facility in Ramsey county.

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

Lieder; Hausman; Molnau; Juhnke; Larson, D.; Skoe; Kalis; Kubly; Anderson, I.; Peterson; Luther; Tunheim and Schumacher introduced:

H. F. No. 830, A bill for an act proposing an amendment to the Minnesota Constitution, article XIV, by adding a section; dedicating portion of sales tax on motor vehicles to roads and public transit; reducing rate of registration tax on passenger automobiles; changing depreciation schedule for computing registration tax on passenger automobiles; allocating revenues from motor vehicle sales tax; amending Minnesota Statutes 1998, sections 168.013, subdivision 1a; and 297B.09, subdivision 1.

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

Solberg, Pugh, Marko and Kuisle introduced:

H. F. No. 831, A bill for an act relating to motor vehicles; establishing surface transportation fund; reducing rate of vehicle registration tax; dedicating portion of motor vehicle excise tax revenues to transportation; proposing constitutional amendment to dedicate minimum of 50 percent of motor vehicle excise tax receipts to transportation; appropriating money; amending Minnesota Statutes 1998, sections 168.013, subdivision 1a; and 297B.09, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Anderson, B.; Dehler; Van Dellen and Vandevveer introduced:

H. F. No. 832, A bill for an act relating to taxation; imposing flat registration tax on personal-use passenger automobiles; providing for distribution of proceeds of sales tax on motor vehicles to highway user tax distribution fund; making technical changes; amending Minnesota Statutes 1998, sections 168.013, subdivision 1a, and by adding a subdivision; and 297B.09.

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

Mullery and Skoglund introduced:

H. F. No. 833, A bill for an act relating to criminal procedure; permitting limited rebuttal and surrebuttal closing arguments in criminal cases; amending Minnesota Statutes 1998, section 631.07.

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

Boudreau, Bradley, Greenfield and Huntley introduced:

H. F. No. 834, A bill for an act relating to human services; creating adult mental illness crisis housing; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 245; repealing Minnesota Statutes 1998, section 462A.208.

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

Bakk, Rukavina and Kielkucki introduced:

H. F. No. 835, A bill for an act relating to taxes; sales and use taxes; exempting the purchases of materials and supplies used in renovating a municipal building in Babbitt; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

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

Goodno, Leighton and Smith introduced:

H. F. No. 836, A bill for an act relating to business organizations; regulating business corporations; defining terms; modifying the authority to grant restricted stock; regulating take-over offers; providing for name changes in certain circumstances; regulating mergers and exchanges; making clarifying and technical changes; removing ambiguities; regulating limited liability companies; eliminating unnecessary provisions; correcting terminology; regulating member control agreements and dissolutions; providing for the duration of certain companies; making conforming changes required by the enactment of the revised Uniform Partnership Act; amending Minnesota Statutes 1998, sections 302A.011, subdivisions 7 and 56; 302A.111, subdivision 5; 302A.181, subdivision 1; 302A.223, subdivision 3; 302A.402, subdivision 3; 302A.405, subdivision 1; 302A.417, subdivision 7; 302A.457, subdivisions 1 and 2; 302A.471, subdivision 1; 302A.613, subdivision 1; 302A.621, subdivisions 1 and 6; 302A.675, subdivision 2; 319B.02, subdivisions 10, 12, 21, and 22; 319B.04, subdivisions 2 and 3; 319B.08, subdivision 1; 319B.10, subdivision 2; 319B.11, subdivisions 3, 4, and 8; 322A.02; 322A.87; 322A.88; 322B.03, subdivisions 12, 30, 44, and 45; 322B.115, subdivisions 1, 2, and 3; 322B.155; 322B.20, subdivisions 1 and 2; 322B.30, subdivision 2; 322B.306; 322B.31, subdivision 3; 322B.313, subdivisions 2, 3, and 7; 322B.323, subdivision 2; 322B.326; 322B.33, subdivisions 1 and 4; 322B.333, subdivisions 1 and 3; 322B.336, subdivisions 1 and 3; 322B.34, subdivisions 2 and 3; 322B.343, subdivisions 1 and 2; 322B.346; 322B.35, subdivision 1; 322B.353; 322B.356, subdivisions 1, 2, and 3; 322B.363, subdivisions 2 and 3; 322B.366, subdivision 1; 322B.37; 322B.383,

subdivision 1; 322B.386, subdivisions 1, 2, 4, and 5; 322B.40, subdivisions 1, 5, and 6; 322B.41, subdivisions 3 and 4; 322B.42, subdivision 5; 322B.43, subdivisions 1 and 3; 322B.50; 322B.51; 322B.52; 322B.54, subdivision 1; 322B.56, subdivision 1; 322B.603; 322B.606, subdivision 1; 322B.61; 322B.613; 322B.616; 322B.623; 322B.626; 322B.63, subdivision 1; 322B.636, subdivisions 1 and 3; 322B.64; 322B.643, subdivisions 1, 3, and 4; 322B.646; 322B.65; 322B.653; 322B.656, subdivision 1; 322B.66, subdivision 2; 322B.663, subdivision 4; 322B.666, subdivision 1; 322B.673, subdivisions 1 and 2; 322B.676; 322B.686, subdivision 3; 322B.689; 322B.699, subdivision 4; 322B.72, subdivisions 1 and 2; 322B.80, subdivision 1; 322B.813, subdivision 3; 322B.816, subdivision 4; 322B.833, subdivisions 2, 5, and 6; 322B.843, subdivision 2; 322B.873, subdivisions 1 and 4; 323A.10-01; and 323A.11-02; repealing Minnesota Statutes 1998, sections 322B.03, subdivisions 4, 5, 9, and 16; 322B.363, subdivision 8; 322B.366, subdivision 2; 322B.816, subdivision 3; and 322B.873, subdivisions 2 and 3.

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

Davids introduced:

H. F. No. 837, A bill for an act relating to insurance; regulating insurers, agents, and coverages; modifying reporting requirements; regulating the rehabilitation and liquidation of insurers; modifying certain notice and disclosure provisions; modifying certain definitions; making technical changes; amending Minnesota Statutes 1998, sections 60A.02, by adding a subdivision; 60A.052, subdivision 2, and by adding a subdivision; 60A.06, subdivisions 1 and 2; 60A.092, subdivisions 6 and 11; 60A.10, subdivision 1; 60A.111, subdivision 1; 60A.13, subdivision 1; 60A.19, subdivision 1; 60B.04, by adding a subdivision; 60B.21, subdivision 2; 60B.25; 60B.26, subdivision 1; 60B.39, subdivision 2; 60B.44, subdivisions 4, 6, and by adding subdivisions; 60D.20, subdivision 2; 60K.02, subdivision 1; 60K.03, subdivisions 2 and 3; 60K.19, subdivisions 7 and 8; 61A.60, subdivision 1; 61B.19, subdivision 3; 62A.04, subdivision 3; 62A.135, subdivision 5; 62A.50, subdivision 3; 62A.61; 62A.65, subdivision 5; 62B.04, subdivision 2; 62E.02, subdivision 1; 62E.05, subdivision 1; 62E.09; 62E.13, subdivisions 6 and 8; 62E.14, subdivision 2; 62E.15, subdivision 2; 62L.02, subdivision 24; 62L.05, subdivision 5; 62L.14, subdivision 7; 62M.01, subdivision 2; 62M.02, subdivision 7, and by adding subdivisions; 62M.15; 62S.01, subdivision 14; 62S.05, subdivision 2; 65A.01, subdivisions 1, 3, and by adding a subdivision; 65A.27, subdivision 4; 65A.29, subdivision 4; 65B.02, subdivision 2; 65B.44, subdivision 1; 65B.48, subdivision 5; 72A.125, subdivision 3; 72A.20, subdivision 29; 72B.04, subdivision 10; 79A.01, subdivision 10, and by adding a subdivision; 79A.02, subdivisions 1 and 4; 79A.03, subdivisions 6, 7, 9, 10, and by adding a subdivision; 79A.21, subdivision 2; 79A.23, subdivisions 1 and 2; and 256B.0644; proposing coding for new law in Minnesota Statutes, chapter 60B; repealing Minnesota Statutes 1998, sections 60A.11, subdivision 24a; 60B.36; 60B.44, subdivision 3; 65A.29, subdivision 12; and 79A.04, subdivision 8; Minnesota Rules, part 2780.0500, item C.

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

Harder, Swenson, Winter, Finseth, Wenzel, Gunther and Ness introduced:

H. F. No. 838, A bill for an act relating to agriculture; providing for additional research on soybean diseases and genetics; appropriating money.

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

Pawlenty, Goodno and Stanek introduced:

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

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

Wenzel introduced:

H. F. No. 840, A bill for an act relating to the city of Garrison; authorizing local contribution for a tax increment financing district.

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

Opatz, Knoblach, Schumacher, Stang and Dehler introduced:

H. F. No. 841, A bill for an act relating to recreation; creating a parks and trails plan of regional significance in certain counties in central Minnesota.

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

Fuller; Howes; Anderson, I.; Tomassoni; Rukavina and Solberg introduced:

H. F. No. 842, A bill for an act relating to natural resources; modifying cross-country ski pass provisions; amending Minnesota Statutes 1998, sections 85.40, subdivision 5; 85.41, subdivisions 1, 4, and 5; 85.42; 85.44; and 85.45, subdivision 1.

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

Anderson, B.; Schumacher; Tingelstad; Olson and Hackbarth introduced:

H. F. No. 843, A bill for an act relating to state lands; authorizing conveyance of certain tax-forfeited land that borders public water in Sherburne county.

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

Boudreau; Schumacher; Storm; Molnau; Hasskamp; Hackbarth; Rostberg; Mulder; Tunheim; Westrom; Tingelstad; Haas; Howes; Kalis; Wenzel; Otremba; Nornes; Rifenberg; Finseth; Dehler; Stang; Osskopp; Davids; Anderson, I.; Skoe; Westfall; Gunther; Kielkucki; Swenson; Workman; Anderson, B.; Reuter; Ness; Clark, J., and Harder introduced:

H. F. No. 844, A bill for an act relating to firearms; providing that permits to carry a firearm must be issued to responsible, competent adults; amending Minnesota Statutes 1998, section 624.714, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 624; repealing Minnesota Statutes 1998, section 624.714, subdivisions 2, 3, 4, 5, 6, 7, 8, 10, and 12.

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

Mares, Kahn, Dorn, Smith and Wenzel introduced:

H. F. No. 845, A bill for an act relating to state government; making changes in certain retirement and related benefits affecting higher education faculty and certain other state employees; amending Minnesota Statutes 1998, sections 43A.27, subdivision 3; 136F.48; 354.445; 354.66, subdivisions 1b, 1c, and 3; 354B.24, subdivision 3; and 354B.25, subdivisions 2 and 3; proposing coding for new law in Minnesota Statutes, chapter 354B.

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

Koskinen; Anderson, B.; Ozment; Bakk and Anderson, I., introduced:

H. F. No. 846, A bill for an act relating to insurance; health; requiring coverage for eyeglasses and hearing aids; amending Minnesota Statutes 1998, sections 62E.06, subdivision 1; and 62L.05, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Sykora, Nornes, Abeler, McGuire and Bradley introduced:

H. F. No. 847, A bill for an act relating to families; establishing a statewide information and referral services system; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 119A.

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

Paymar, Murphy and Broecker introduced:

H. F. No. 848, A bill for an act relating to crime; providing that offenders sentenced to the Camp Ripley work program are eligible for credit for prior incarceration; amending Minnesota Statutes 1998, section 609.113, by adding a subdivision.

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

Haake; Paulsen; Mariani; Gleason; Larsen, P., and Rhodes introduced:

H. F. No. 849, A bill for an act relating to metropolitan government; defining minor use and intermediate use airports for certain purposes; establishing a reliever airport sound abatement council; amending Minnesota Statutes 1998, section 473.641, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Swenson; Osskopp; Mulder; Clark, J., and Hilty introduced:

H. F. No. 850, A bill for an act relating to regional development commissions; appropriating money for regional planning.

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

Entenza; Leppik; Erhardt; Koskinen; Folliard; Rhodes; Larson, D.; Gray; McGuire; Osthoff; Paymar; Greenfield; Kelliher; Clark, K.; Marko; Wejeman; Jennings; Luther; Hausman; Orfield; Rest; Greiling; Wagenius; Huntley; Dorn and McCollum introduced:

H. F. No. 851, A bill for an act relating to health; prohibiting intact dilatation and extraction abortions; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Anderson, I., and Solberg introduced:

H. F. No. 852, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Itasca county.

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

Rostberg; Rhodes; Ozment; Mares; Kahn; Hackbarth; McGuire; Winter; Larson, D.; Jennings; Dehler; Murphy; Kalis; Hilty; Johnson; Swenson; Fuller; Larsen, P.; Broecker; Rest; Davids; Smith; Chaudhary; Greiling; Gleason and Lenczewski introduced:

H. F. No. 853, A bill for an act relating to the state building code; requiring fire sprinklers in newly constructed state-owned buildings; clarifying the responsibility for plan review and inspection of fire suppression systems; requiring joint approval for state building and fire codes; clarifying the supervision of the state fire marshal; requiring joint approval of construction documents by building and fire officials; modifying supervisory control over local building officials; creating an appeals process for building code requirements; allowing local municipalities to adopt more restrictive sprinkler ordinances; amending Minnesota Statutes 1998, sections 16B.31, by adding a subdivision; 16B.61, subdivisions 1a, 2, and by adding subdivisions; 16B.65, subdivision 5, and by adding a subdivision; 16B.67; and 299F.011, subdivision 4.

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

Chaudhary; Seifert, J.; Wenzel and Rostberg introduced:

H. F. No. 854, A bill for an act relating to taxation; increasing the aid base for local government aid paid to certain cities; amending Minnesota Statutes 1998, section 477A.011, subdivision 36.

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

Ozment, Pawlenty and McElroy introduced:

H. F. No. 855, A bill for an act relating to education; increasing the maximum amount that may be levied for crime-related costs; modifying the use of crime-related costs levy proceeds; amending Minnesota Statutes 1998, section 126C.44.

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

Seifert, J.; Mares; Vandevveer; Larsen, P., and Marko introduced:

H. F. No. 856, A bill for an act relating to drivers' licenses; appropriating money for driver examination station in Washington county.

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

Greenfield, Rhodes and Wagenius introduced:

H. F. No. 857, A bill for an act relating to transportation; making seat belt violation a primary offense; amending Minnesota Statutes 1998, section 169.686, subdivision 1.

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

Workman; Sviggum; Marko; Kalis; Broecker; Rostberg; Gerlach; Swenson; Buesgens; Kuisle; Molnau; Rifenberg; Clark, J.; Holsten; Haas; Finseth; Hackbarth; Westerberg; Erickson; Smith; Dempsey; Murphy; Fuller and Rhodes introduced:

H. F. No. 858, A bill for an act relating to traffic regulations; prohibiting admission of use of protective headgear by motorcycle operators or passengers age 18 or older in litigation involving damages arising from use or operation of a motor vehicle; amending Minnesota Statutes 1998, section 169.974, by adding a subdivision; repealing Minnesota Statutes 1998, section 169.974, subdivision 6.

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

Seagren, Bishop, Johnson, Biernat, Mares, Entenza, Greiling, Abeler, Buesgens, Nornes, Schumacher, Erickson, Ness and Tomassoni introduced:

H. F. No. 859, A bill for an act relating to education; appropriating money for the Minnesota learning resource center.

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

Boudreau, Rostberg, Rhodes, Huntley and Rest introduced:

H. F. No. 860, A bill for an act relating to health occupation; expanding the number of dental hygienists on the board of dentistry; amending Minnesota Statutes 1998, section 150A.02, subdivision 1.

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

Rhodes, Sviggum and Pugh introduced:

H. F. No. 861, A bill for an act relating to ethics in government; clarifying and simplifying the law related to lobbyist registration, conflicts of interest, and campaign finance; eliminating invalid provisions; amending Minnesota Statutes 1998, sections 10A.01; 10A.02; 10A.03; 10A.04; 10A.05; 10A.06; 10A.065, subdivisions 1, 1a, and 3; 10A.08; 10A.09; 10A.10; 10A.11; 10A.12; 10A.13; 10A.14; 10A.15; 10A.16; 10A.17; 10A.18; 10A.19; 10A.20; 10A.22, subdivisions 6 and 7; 10A.23; 10A.24; 10A.241; 10A.242; 10A.25; 10A.255, subdivision 1; 10A.265; 10A.27; 10A.275, subdivision 1; 10A.28; 10A.29; 10A.30, subdivision 1; 10A.31; 10A.315; 10A.321; 10A.322; 10A.323; 10A.324, subdivisions 1 and 3; 10A.34; 200.02, by adding a subdivision; and 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 1998, sections 10A.065, subdivision 5; 10A.22, subdivisions 1, 4, and 5; 10A.255, subdivision 2; 10A.275, subdivisions 2 and 3; 10A.324, subdivisions 2 and 4; 10A.325; 10A.335; 10A.40; 10A.41; 10A.42; 10A.43; 10A.44; 10A.45; 10A.46; 10A.47; 10A.48; 10A.49; 10A.50; and 10A.51.

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

Holberg, Wolf, McElroy, Wilkin and Milbert introduced:

H. F. No. 862, A bill for an act relating to local government; authorizing county boards to establish by ordinance procedures for imposing civil penalties for ordinance violations and allowing a county to certify fines to its county auditor as a special tax against the land; proposing coding for new law in Minnesota Statutes, chapter 375.

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

Tingelstad, Wejcman and Smith introduced:

H. F. No. 863, A bill for an act relating to adoption; changing requirements and procedures for the putative fathers' adoption registry, communication or contact agreements, and postadoption reports; amending Minnesota Statutes 1998, sections 259.52, subdivisions 4, 7, 9, 10, and 11; 259.58; and 259.60, by adding a subdivision.

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

Howes and Fuller introduced:

H. F. No. 864, A bill for an act relating to peace officers; authorizing the Hubbard county sheriff to have additional part-time peace officer positions; amending Minnesota Statutes 1998, section 626.8463, subdivision 2.

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

Bakk, Howes, Holsten, Finseth and Anderson, I., introduced:

H. F. No. 865, A bill for an act relating to game and fish; creating a combined firearm and archery license to take antlered deer; authorizing taking of one antlered deer by each method; amending Minnesota Statutes 1998, sections 97A.475, subdivision 2; and 97B.301, subdivisions 1, 2, and by adding a subdivision.

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

Bakk, Holsten, Howes, Finseth and Anderson, I., introduced:

H. F. No. 866, A bill for an act relating to natural resources; exempting trappers from blaze orange requirements; amending Minnesota Statutes 1998, section 97B.071.

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

Hackbarth, Kubly, Gunther, Rhodes, Seagren and Storm introduced:

H. F. No. 867, A bill for an act relating to the housing finance agency; appropriating money for home ownership counseling services for persons with disabilities.

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

Hackbarth introduced:

H. F. No. 868, A bill for an act relating to crime prevention; amending the theft law to specifically apply to certain situations involving the rental of personal property or equipment; amending Minnesota Statutes 1998, section 609.52, subdivisions 1 and 2.

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

Mares, Dorn, Kahn, Smith and Wenzel introduced:

H. F. No. 869, A bill for an act relating to retirement; modifying the method of calculating deferred annuities for certain higher education faculty; proposing coding for new law in Minnesota Statutes, chapter 354B.

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

Haas; Jennings; Milbert; Boudreau; Holberg; Seifert, J.; Bradley; Erhardt; Sviggum; Schumacher and Hasskamp introduced:

H. F. No. 870, A bill for an act relating to insurance; providing an alternative benefit plan for small employers; authorizing a small employer alternative benefit plan pilot project; amending Minnesota Statutes 1998, section 62L.05, subdivision 5, and by adding a subdivision.

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

Sykora and Leppik introduced:

H. F. No. 871, A bill for an act relating to education; providing for charter school districts; proposing coding for new law in Minnesota Statutes, chapter 124D.

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

Holsten, Davids, Krinkie and Smith introduced:

H. F. No. 872, A bill for an act relating to contracts; regulating building and construction contracts; providing for the enforceability of certain agreements indemnifying against environmental liability; amending Minnesota Statutes 1998, section 337.02.

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

Mulder; Abeler; McGuire; Clark, K.; Rhodes; Mares; Mariani; Mahoney; Gray; Wagenius; Tingelstad and Chaudhary introduced:

H. F. No. 873, A bill for an act relating to lead hazard reduction; appropriating money for a lead hazard reduction project.

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

Trimble, Dawkins, Mahoney and Gunther introduced:

H. F. No. 874, A bill for an act relating to community development; providing for a community program of job counseling, job retention, and job mentoring; appropriating money.

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

Bakk, Rukavina, Ness, Tomassoni and Krinkie introduced:

H. F. No. 875, A bill for an act relating to state and local government contracts; providing that bid preferences may not be received by a small business for more than two years; amending Minnesota Statutes 1998, sections 16C.16, by adding a subdivision; 136F.581, subdivision 3; 136F.66; 383A.322; and 471.345, subdivision 8.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 185, 98 and 121.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 185, A bill for an act relating to education; eliminating three additional days of instruction; repealing Minnesota Statutes 1998, section 120A.41.

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

S. F. No. 98, A bill for an act relating to crime victims; granting prosecutors discretion not to disclose a victim's or witness's date of birth; amending Minnesota Statutes 1998, section 611A.035.

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

S. F. No. 121, A bill for an act relating to health; repealing the requirement that licensees of health-related boards receive continuing education in infection control; repealing Minnesota Statutes 1998, section 214.12, subdivision 2.

The bill was read for the first time.

Mulder moved that S. F. No. 121 and H. F. No. 171, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

H. F. No. 413, A bill for an act relating to professions; modifying certain licensing and registration requirements for physicians, acupuncturists, and athletic trainers; amending Minnesota Statutes 1998, sections 147.02, subdivision 1; 147.03, subdivision 1; 147.037, subdivision 1; 147B.02, subdivisions 4 and 9; 147B.05, subdivision 2; 148.7808, subdivisions 4 and 5; and 148.7815, subdivisions 1 and 2.

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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALENDAR FOR THE DAY

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

MOTIONS AND RESOLUTIONS

Kielkucki moved that the name of Buesgens be added as an author on H. F. No. 582. The motion prevailed.

Hackbarth moved that the names of Olson; Anderson, B., and Daggett be added as authors on H. F. No. 619. The motion prevailed.

Hackbarth moved that the names of Olson and Anderson, B., be added as authors on H. F. No. 650. The motion prevailed.

Workman moved that the name of Clark, J., be added as an author on H. F. No. 698. The motion prevailed.

Holsten moved that the names of Solberg; Gunther; Stang; Molnau; Anderson, I., and Howes be added as authors on H. F. No. 710. The motion prevailed.

Clark, K., moved that the name of Wejcman be added as an author on H. F. No. 711. The motion prevailed.

Clark, K., moved that the name of Wejcman be added as an author on H. F. No. 712. The motion prevailed.

Larsen, P., moved that the name of Mahoney be added as an author on H. F. No. 714. The motion prevailed.

Seifert, J., moved that the names of Westerberg and Luther be added as authors on H. F. No. 719. The motion prevailed.

Kielkucki moved that the name of Clark, J., be added as an author on H. F. No. 720. The motion prevailed.

McElroy moved that the name of Luther be added as an author on H. F. No. 723. The motion prevailed.

Gray moved that the name of Luther be added as an author on H. F. No. 740. The motion prevailed.

Wenzel moved that the name of Mulder be added as an author on H. F. No. 755. The motion prevailed.

Dorn moved that the name of Kubly be added as an author on H. F. No. 759. The motion prevailed.

Dorn moved that the names of Rifenberg, Davids and Kubly be added as authors on H. F. No. 760. The motion prevailed.

Smith moved that the names of Olson; Reuter; Vandever; Westerberg; Tingelstad; Anderson, B.; Fuller and Abeler be added as authors on H. F. No. 762. The motion prevailed.

Smith moved that the name of Clark, J., be added as an author on H. F. No. 764. The motion prevailed.

Abeler moved that the name of Mulder be added as an author on H. F. No. 770. The motion prevailed.

McElroy moved that the name of Pawlenty be added as an author on H. F. No. 772. The motion prevailed.

Finseth moved that the names of Mulder and Kubly be added as authors on H. F. No. 779. The motion prevailed.

Biernat moved that the name of Luther be added as an author on H. F. No. 782. The motion prevailed.

Kuise moved that the name of Clark, J., be added as an author on H. F. No. 790. The motion prevailed.

Wilkin moved that H. F. No. 5 be recalled from the Committee on Ways and Means and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Tunheim moved that H. F. No. 93 be recalled from the Committee on Education Policy and be re-referred to the Committee on Family and Early Childhood Education Finance. The motion prevailed.

Rostberg moved that H. F. No. 316 be recalled from the Committee on Transportation Finance and be re-referred to the Committee on Judiciary Finance. The motion prevailed.

Erickson moved that H. F. No. 585 be recalled from the Committee on Jobs and Economic Development Policy and be re-referred to the Committee on Capital Investment. The motion prevailed.

Knoblach moved that H. F. No. 741 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Civil Law. The motion prevailed.

Chaudhary moved that H. F. No. 514 be returned to its author. The motion prevailed.

MOTION TO FIX TIME TO RECONVENE

Pawlenty moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, February 22, 1999. The motion prevailed.

Pawlenty moved that the House recess subject to the call of the Chair to meet with the Senate in Joint Convention. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the Chamber.

JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Joint Convention to order.

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

The roll being called, the following Senators answered to their names: Anderson, Beckman and Belanger.

Senator Moe, R. D., moved that further proceedings of the roll call be suspended. The motion prevailed and a quorum was declared present.

REPORT FROM THE HOUSE COMMITTEE ON EDUCATION AND
SENATE COMMITTEE ON CHILDREN, FAMILIES AND LEARNING

February 17, 1999

To the Honorable Steve Sviggum, Speaker of the House of Representatives, as President of the Joint Convention of the Senate and House of Representatives meeting to elect four Regents to the University of Minnesota.

The House Committee on Education and the Senate Committee on Children, Families and Learning make the following report:

We have selected the following named persons as a slate of nominees for Regents of the University of Minnesota, to hold office for the term specified for each to begin upon election by the Joint Convention:

Dallas Bohnsack, Second Congressional District, Six Years
William E. Hogan II, Third Congressional District, Six Years
Anthony R. Baraga, Eighth Congressional District, Six Years
William R. Peterson, At-Large, Six Years.

We hereby submit the recommendation and the terms of said persons in nomination for the offices and terms hereby designated.

Respectfully submitted,

HARRY MARES, Chair
House Committee on Education
Co-Chair of the Joint Committee

LEROY STUMPF, Co-Chair
Senate Committee on Children, Families and Learning
Co-Chair of the Joint Committee

PAT PIPER, Co-Chair
Senate Committee on Children, Families and Learning
Co-Chair of the Joint Committee

LAWRENCE POGEMILLER, Co-Chair
Senate Committee on Children, Families and Learning
Co-Chair of the Joint Committee

Representative Mares and Senators Stumpf, Piper and Pogemiller moved that the report of the Joint Committee be adopted.

The motion prevailed and the report was adopted.

ELECTION OF BOARD OF REGENTS OF THE UNIVERSITY OF MINNESOTA

CONGRESSIONAL DISTRICT REGENTS

Pursuant to the Joint Rules of the Senate and House of Representatives the Joint Convention proceeded to elect Regents from the three Congressional Districts.

Dallas Bohnsack was nominated by the Joint Committee for the Second Congressional District Regent for a term of six years.

William E. Hogan II was nominated by the Joint Committee for the Third Congressional District Regent for a term of six years.

Anthony R. Baraga was nominated by the Joint Committee for the Eighth Congressional District Regent for a term of six years.

Julie Bleyhl was nominated by Representative Kahn for the Second Congressional District Regent for a term of six years.

There being no further nominations, the President declared nominations closed.

The Secretary called the roll.

SECOND CONGRESSIONAL DISTRICT REGENT

109 members voted for Dallas Bohnsack, Second Congressional District Regent, for a six year term as follows:

SENATE ROLL CALL

Belanger	Hottinger	Knutson	Limmer	Pariseau	Stevens
Berg	Johnson, D. E.	Krentz	Moe, R. D.	Piper	Stumpf
Day	Johnson, D. J.	Laidig	Murphy	Pogemiller	Terwilliger
Dille	Kelley, S. P.	Langseth	Neuville	Robling	Vickerman
Fischbach	Kelly, R. C.	Larson	Oliver	Runbeck	Wiener
Frederickson	Kiscaden	Lesewski	Olson	Scheevel	
Hanson	Kleis	Lessard	Ourada	Solon	

HOUSE OF REPRESENTATIVES ROLL CALL

Abeler	Dorman	Harder	McElroy	Rifenberg	Van Dellen
Anderson, B.	Erhardt	Holberg	Molnau	Rostberg	Vandever
Bishop	Erickson	Holsten	Mulder	Seagren	Westerberg
Boudreau	Finseth	Howes	Ness	Seifert, J.	Westfall
Bradley	Fuller	Huntley	Nornes	Seifert, M.	Westrom
Broecker	Gerlach	Kielkucki	Olson	Smith	Wilkin
Buesgens	Goodno	Knoblach	Osskopp	Stang	Wolf
Cassell	Greiling	Krinkie	Ozment	Storm	Workman
Clark, J.	Gunther	Kuisle	Paulsen	Swenson	Pres. Sviggum
Daggett	Haake	Leppik	Pawlenty	Sykora	
Dehler	Haas	Lindner	Reuter	Tingelstad	
Dempsey	Hackbarth	Mares	Rhodes	Tuma	

83 members voted for Julie Bleyhl, Second Congressional District Regent, for a six year term as follows:

SENATE ROLL CALL

Anderson	Flynn	Johnson, J. B.	Morse	Sams	Wiger
Beckman	Foley	Junge	Novak	Samuelson	
Berglin	Higgins	Lourey	Pappas	Scheid	
Betzold	Janezich	Marty	Price	Spear	
Cohen	Johnson, D. H.	Metzen	Ranum	Ten Eyck	

HOUSE OF REPRESENTATIVES ROLL CALL

Anderson, I.	Carlson	Clark, K.	Entenza	Gray	Hausman
Bakk	Carruthers	Dawkins	Folliard	Greenfield	Hilty
Biernat	Chaudhary	Dorn	Gleason	Hasskamp	Jaros

Jennings	Kubly	Marko	Otremba	Schumacher	Wagenius
Johnson	Larson, D.	McCollum	Paymar	Skoe	Wejcman
Juhnke	Leighton	McGuire	Pelowski	Skoglund	Wenzel
Kahn	Lenczewski	Mullery	Peterson	Solberg	Winter
Kalis	Lieder	Murphy	Pugh	Tomassoni	
Kelliher	Luther	Opatz	Rest	Trimble	
Koskinen	Mahoney	Orfield	Rukavina	Tunheim	

THIRD CONGRESSIONAL DISTRICT REGENT

192 members voted for William E. Hogan II, Third Congressional District Regent, for a six year term as follows:

SENATE ROLL CALL

Anderson	Foley	Kelley, S. P.	Limmer	Ourada	Scheevel
Beckman	Frederickson	Kelly, R. C.	Lourey	Pappas	Scheid
Belanger	Hanson	Kiscaden	Marty	Pariseau	Solon
Berg	Higgins	Kleis	Metzen	Piper	Spear
Berglin	Hottinger	Knutson	Moe, R. D.	Pogemiller	Stevens
Betzold	Janezich	Krentz	Morse	Price	Stumpf
Cohen	Johnson, D. E.	Laidig	Murphy	Ranum	Ten Eyck
Day	Johnson, D. H.	Langseth	Neuville	Robling	Terwilliger
Dille	Johnson, D. J.	Larson	Novak	Runbeck	Vickerman
Fischbach	Johnson, J. B.	Lesewski	Oliver	Sams	Wiener
Flynn	Junge	Lessard	Olson	Samuelson	Wiger

HOUSE OF REPRESENTATIVES ROLL CALL

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

EIGHTH CONGRESSIONAL DISTRICT REGENT

192 members voted for Anthony R. Baraga, Eighth Congressional District Regent, for a six year term as follows:

SENATE ROLL CALL

Anderson	Foley	Kelley, S. P.	Limmer	Ourada	Scheevel
Beckman	Frederickson	Kelly, R. C.	Lourey	Pappas	Scheid
Belanger	Hanson	Kiscaden	Marty	Pariseau	Solon
Berg	Higgins	Kleis	Metzen	Piper	Spear
Berglin	Hottinger	Knutson	Moe, R.D.	Pogemiller	Stevens
Betzold	Janezich	Krentz	Morse	Price	Stumpf
Cohen	Johnson, D. E.	Laidig	Murphy	Ranum	Ten Eyck
Day	Johnson, D. H.	Langseth	Neuville	Robling	Terwilliger
Dille	Johnson, D. J.	Larson	Novak	Runbeck	Vickerman
Fischbach	Johnson, J. B.	Lesewski	Oliver	Sams	Wiener
Flynn	Junge	Lessard	Olson	Samuelson	Wiger

HOUSE OF REPRESENTATIVES ROLL CALL

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

Dallas Bohnsack, having received a majority of the votes cast, was declared elected Second Congressional District Regent, for a term of six years.

William E. Hogan, having received a majority of the votes cast, was declared elected Third Congressional District Regent, for a term of six years.

Anthony R. Baraga, having received a majority of the votes cast, was declared elected Eighth Congressional District Regent, for a term of six years.

AT-LARGE REGENT

Pursuant to the Joint Rules of the Senate and House of Representatives the Joint Convention proceeded to elect an At-Large Regent.

William R. Peterson was nominated by the Joint Committee for a term of six years.

Julie Bleyhl was nominated by Representative Molnau for a term of six years.

POINT OF ORDER

Senator Moe, R. D., raised a point of order pursuant to Joint Rule 4.02 relating to the closing of nominations for the election of an At-Large Regent, for a term of six years. The President of the Joint Convention, Representative Steve Sviggum, ruled the point of order not well taken.

There being no further nominations, the President declared nominations for the At-Large Regent closed.

The Secretary called the roll.

150 members voted for William R. Peterson, At-Large Regent, for a six year term as follows:

SENATE ROLL CALL

Anderson	Foley	Kelly, R. C.	Marty	Piper	Spear
Beckman	Hanson	Kiscaden	Metzen	Pogemiller	Stumpf
Belanger	Higgins	Kleis	Moe, R. D.	Price	Ten Eyck
Berg	Hottinger	Knutson	Morse	Ranum	Terwilliger
Berglin	Janezich	Krentz	Murphy	Robertson	Vickerman
Betzold	Johnson, D. E.	Laidig	Neuville	Runbeck	Wiener
Cohen	Johnson, D. H.	Langseth	Novak	Sams	Wiger
Day	Johnson, D. J.	Larson	Olson	Samuelson	
Dille	Johnson, J. B.	Lessard	Ourada	Scheevel	
Fischbach	Junge	Limmer	Pappas	Scheid	
Flynn	Kelley, S. P.	Lourey	Pariseau	Solon	

HOUSE OF REPRESENTATIVES ROLL CALL

Anderson, I.	Entenza	Holsten	Lieder	Pawlenty	Tomassoni
Bakk	Finseth	Huntley	Luther	Paymar	Trimble
Biernat	Folliard	Jaros	Mahoney	Pelowski	Tuma
Bishop	Fuller	Jennings	Mares	Pugh	Tunheim
Boudreau	Gleason	Johnson	Marko	Rest	Van Dellen
Bradley	Goodno	Juhnke	McElroy	Rhodes	Wagenius
Broecker	Gray	Kahn	McGuire	Rukavina	Wejman
Carlson	Greenfield	Kalis	Mulder	Schumacher	Wenzel
Carruthers	Greiling	Kelliher	Mullery	Seagren	Westerberg
Chaudhary	Gunther	Koskinen	Murphy	Seifert, J.	Winter
Clark, K.	Haake	Kubly	Opatz	Skoe	Wolf
Daggett	Haas	Larson, D.	Orfield	Skoglund	Workman
Dawkins	Hackbarth	Leighton	Osskopp	Smith	Pres. Sviggum
Dempsey	Hasskamp	Lenczewski	Ozment	Solberg	
Dorn	Hilty	Leppik	Paulsen	Sykora	

42 members voted for Julie Bleyhl, At-Large Regent, for a six year term as follows:

SENATE ROLL CALL

Frederickson	Lesewski	Robling	Stevens
	Oliver		

HOUSE OF REPRESENTATIVES ROLL CALL

Abeler	Erhardt	Knoblach	Nornes	Seifert, M.	Westrom
Anderson, B.	Erickson	Krinkie	Olson	Stang	Wilkin
Buesgens	Gerlach	Kuisle	Otremba	Storm	
Cassell	Harder	Lindner	Peterson	Swenson	
Clark, J.	Holberg	McCollum	Reuter	Tingelstad	
Dehler	Howes	Molnau	Rifenberg	Vandever	
Dorman	Kielkucki	Ness	Rostberg	Westfall	

William R. Peterson, having received a majority of the votes cast, was declared elected At-Large Regent, for a term of six years.

DECLARATION OF ELECTION

Dallas Bohnsack, Second Congressional District Regent, six years; William E. Hogan II, Third Congressional

District Regent, six years; Anthony R. Baraga, Eighth Congressional District Regent, six years; and William R. Peterson, At-Large Regent, six years; each having received a majority of the votes cast at the Joint Convention were declared by the President of the Joint Convention to be elected to the Board of Regents of the University of Minnesota.

Senator Junge moved that the Joint Convention arise. The motion prevailed and the President declared the Joint Convention adjourned.

RECONVENED

The House reconvened and was called to order by the Speaker.

CERTIFICATION

February 18, 1999

To the Governor
State of Minnesota

To the Senate
State of Minnesota

To the House of Representatives
State of Minnesota

This is to certify that the House of Representatives and the Senate in Joint Convention on Thursday, February 18, 1999, have elected as members of the Board of Regents of the University of Minnesota the following members each to hold office for the term specified for each to begin upon election by the Joint Convention:

Dallas Bohnsack, Second Congressional District, Six Years

William E. Hogan II, Third Congressional District, Six Years

Anthony R. Baraga, Eighth Congressional District, Six Years

William R. Peterson, At-Large, Six Years

ALLAN H. SPEAR
President of the Senate

STEVE SVIGGUM
Speaker of the House of Representatives

ADJOURNMENT

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, February 22, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

