

STATE OF MINNESOTA

EIGHTY-SECOND SESSION — 2002

 SIXTY-FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 11, 2002

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

Prayer was offered by Pastor Charles Stewart, Swedlanda Lutheran Church, Hector, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Dibble, Dorman and Erhardt were excused.

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

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

H. F. No. 2574, A bill for an act relating to energy; extending the date by which a cogeneration facility at an ethanol plant must generate electricity using closed-loop biomass in order for the commissioner of agriculture to make cash payments to producers of ethanol or wet alcohol, but for no longer than ten years; providing incentives for use of renewable biodiesel fuel and crop residue biomass; making clarifying changes; amending Minnesota Statutes 2000, section 41A.09, subdivisions 3a, 5a; Minnesota Statutes 2001 Supplement, sections 216B.169, subdivision 1; 216B.1691, subdivision 1; 216B.2411; 216C.41, subdivisions 1, 2, 3, 4.

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

The report was adopted.

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

H. F. No. 2589, A bill for an act relating to highways; providing for the use of corn-based de-icing solutions for snow and ice control on state trunk highways; proposing coding for new law in Minnesota Statutes, chapter 161.

Reported the same back with the following amendments:

Page 1, delete lines 8 to 11

Page 1, line 12, delete "Subd. 2." and insert "Subdivision 1."

Page 1, line 18, delete "3." and insert "2."

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

The report was adopted.

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

H. F. No. 2596, A bill for an act relating to family law; providing for custody of children by de facto custodians and third parties; making related technical changes; amending Minnesota Statutes 2000, section 518.156, subdivision 1; Minnesota Statutes 2001 Supplement, section 260C.201, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 518; proposing coding for new law as Minnesota Statutes, chapter 257C; repealing Minnesota Statutes 2000, section 518.158.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [257C.01] [DEFINITIONS.]

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

Subd. 2. [DE FACTO CUSTODIAN.] (a) "De facto custodian" means an individual who has been the primary caretaker for a child who has, within the 24 months immediately preceding the filing of the petition, resided with the individual without a parent present and with a lack of demonstrated consistent participation by a parent for a period of:

- (1) six months or more if the child is under three years of age; or
- (2) one year or more if the child is three years of age or older.

(b) For purposes of the definition in this subdivision, any period of time after a legal proceeding has been commenced and filed must not be included in determining whether the child has resided with the individual for the required minimum period.

(c) For purposes of the definition in this subdivision, "lack of demonstrated consistent participation" by a parent means refusal or neglect to comply with the duties imposed upon the parent by the parent-child relationship, including, but not limited to, providing the child necessary food, clothing, shelter, health care, and education; creating a nurturing and consistent relationship; and other care and control necessary for the child's physical, mental, or emotional health and development.

(d) "De facto custodian" does not include an individual who has a child placed in the individual's care:

- (1) through a custody consent decree under section 257.0215;
- (2) through a court order or voluntary placement agreement under chapter 260C; or
- (3) for adoption under chapter 259.

(e) A standby custody designation under chapter 257B is not a designation of de facto custody unless that intent is indicated within the standby custody designation.

Subd. 3. [INTERESTED THIRD PARTY.] (a) "Interested third party" means an individual who is not a de facto custodian but who can prove that at least one of the factors in section 257C.03, subdivision 7, paragraph (a), is met.

(b) "Interested third party" does not include an individual who has a child placed in the individual's care:

- (1) through a custody consent decree under section 257.0215;
- (2) through a court order or voluntary placement under chapter 260C; or
- (3) for adoption under chapter 259.

Sec. 2. [257C.02] [APPLICATION OF OTHER LAW; CONSTRUCTION.]

(a) Chapters 256, 257, and 518 and section 525.551 apply to third-party and de facto custody proceedings unless otherwise specified in this chapter. De facto or third-party child custody proceedings concerning an Indian child are child custody proceedings governed by the Indian Child Welfare Act, United States Code, title 25, sections 1901 to 1963; the Minnesota Indian Family Preservation Act, sections 260.751 to 260.835; and this chapter when not inconsistent with the Indian Child Welfare Act or the Minnesota Indian Family Preservation Act.

(b) Nothing in this chapter relieves a parent of a duty to support the parent's child. A preexisting child support order is not suspended or terminated when a third party takes custody of a child unless otherwise provided by court order. A de facto or third-party custodian has a cause of action against a parent for child support under section 256.87, subdivision 5, and the public authority has a cause of action against a parent for child support under section 256.87, subdivision 1.

(c) Nothing in this chapter prohibits the establishment of parentage under chapter 257.

Sec. 3. [257C.03] [PROCEDURE.]

Subdivision 1. [COMMENCEMENT OF PROCEEDINGS.] (a) In a court of this state with jurisdiction to decide child custody matters, a de facto or third-party child custody proceeding may be brought by an individual other than a parent by filing a petition seeking custody in the county where:

(1) the child is permanently a resident, the child is found, or an earlier order for custody of the child has been entered; or

(2) the court has jurisdiction over the matter under chapter 518D.

(b) The proceeding is commenced by personal service of the summons and petition.

(c) An individual other than a parent who seeks visitation under this section must qualify under section 257.022 and must comply with this subdivision to commence the proceeding.

Subd. 2. [REQUISITES OF PETITION OR MOTION.] (a) A petition for custody filed under this section must state and allege:

(1) the name and address of the petitioner and any prior or other name used by the petitioner;

(2) the name and, if known, the address and social security number of the respondent mother and father or guardian and any prior or other name used by the respondent and known to the petitioner;

(3) the name and date of birth of each child for whom custody is sought;

(4) the relationship of the petitioner to each child for whom custody is sought;

(5) the petitioner or petitioners' basis for jurisdiction under section 257C.01, subdivision 2 or 3;

(6) the current legal and physical custodial status of each child for whom custody is sought and a list of all prior orders of custody, if known to the petitioner;

(7) whether any party is a member of the armed services;

(8) the length of time each child has resided with the petitioner and has resided in the state of Minnesota;

(9) whether a separate proceeding for dissolution, legal separation, or custody is pending in a court in this state or elsewhere;

(10) whether a permanent or temporary standby custody designation has been executed or filed in a court in this state or elsewhere;

(11) whether a permanent or temporary standby custody designee differs in identity from the de facto custodian and reasons why the proposed de facto custodian should have custodial priority over a designated standby custodian;

(12) whether parenting time should be granted to the respondents;

(13) any temporary or permanent child support, attorney fees, costs, and disbursements;

(14) whether an order of protection under chapter 518B or a similar law of another state that governs the parties or a party and a minor child of the parties is in effect and, if so, the district court or similar jurisdiction in which it was entered; and

(15) that it is in the best interests of the child under section 257C.04 that the petitioner have custody of the child.

(b) The petition must be verified by the petitioner or petitioners and its allegations established by competent evidence.

Subd. 3. [WRITTEN NOTICE.] (a) Written notice of a hearing on a petition to establish de facto or third-party custody of a child must be given to:

(1) the parent of the child, if:

(i) the person's name appears on the child's birth certificate as a parent;

(ii) the person has substantially supported the child;

(iii) the person either was married to the person designated on the birth certificate as the natural mother within the 325 days before the child's birth or married that person within the ten days after the child's birth;

(iv) the person is openly living with the child or the person designated on the birth certificate as the natural mother of the child, or both;

(v) the person has been adjudicated the child's parent;

(vi) the person has filed a paternity action within 30 days after the child's birth and the action is still pending; or

(vii) the person and the mother of the child signed a declaration of parentage under section 257.34 before August 1, 1995, which has not been revoked, or a recognition of parentage under section 257.75 which has not been revoked or vacated;

(2) the guardian or legal custodian, if any, of the child; and

(3) the child's tribe pursuant to section 260.761, subdivision 3, if the child is an Indian child.

(b) Notice under this section need not be given to a person listed in this subdivision whose parental rights have been terminated.

(c) Written notice of a hearing on a petition to establish de facto or third-party custody of a child must be given to the public authority if either parent receives public assistance, the petitioner receives public assistance on behalf of the child, or either parent receives child support enforcement services from the public authority or applies for public assistance or child support enforcement services from the public authority after a petition under this section is filed. Notice to the public authority must include a copy of the petition.

Subd. 4. [APPROVAL WITHOUT HEARING.] (a) Approval of an order under this section without a hearing is permitted if both parents consent by stipulation or agreement that it is in the best interests of the child to be in the custody of the de facto custodian or interested third party.

(b) If either parent receives public assistance, the petitioner receives public assistance on behalf of the child, or either parent receives child support enforcement services from the public authority, the petitioner must notify the public authority of the stipulation or agreement under this subdivision.

Subd. 5. [EMERGENCY OR TEMPORARY HEARINGS.] (a) The court must be guided by the factors in sections 518.131, concerning temporary orders and restraining orders; 518.551, concerning child support; 518.17 to 518.175, concerning custody and parenting time; and 518.14, concerning costs and attorney fees, in making temporary orders and restraining orders.

(b) The court may grant ex parte relief only if requested by a motion with a properly executed supporting affidavit. The affidavit must outline specific supporting facts as to why the case needs to be expedited.

(c) The court shall grant ex parte or temporary relief if the petitioner and situation fit the factors outlined for de facto custodian or third-party custodian under subdivisions 6 and 7 and section 257C.01, subdivisions 2 and 3.

(d) If the court orders temporary custody under this subdivision, the de facto custodian or interested third party shall seek temporary or permanent custody of the child pursuant to a petition under this chapter and the other standards of this chapter apply.

Subd. 6. [DE FACTO CUSTODIAN; BURDEN OF PROOF; FACTORS.] (a) To establish that an individual is a de facto custodian, the individual must:

(1) show by clear and convincing evidence that the individual satisfies the provisions of section 257C.01, subdivision 2; and

(2) prove by a preponderance of the evidence that it is in the best interests of the child to be in the custody of the de facto custodian.

(b) The following factors must be considered by the court in determining a parent's lack of demonstrated consistent participation for purposes of section 257C.01, subdivision 2:

(1) the intent of the parent or parents in placing the child with the de facto custodian;

(2) the amount of involvement the parent had with the child during the parent's absence;

(3) the facts and circumstances of the parent's absence;

(4) the parent's refusal to comply with conditions for retaining custody set forth in previous court orders;

(5) whether the parent now seeking custody was previously prevented from doing so as a result of domestic violence; and

(6) whether a sibling of the child is already in the petitioner's care.

(c) In determining the best interests of the child, the court must apply the standards in section 257C.04.

Subd. 7. [INTERESTED THIRD PARTY; BURDEN OF PROOF; FACTORS.] (a) To establish that an individual is an interested third party, the individual must:

(1) show by clear and convincing evidence that one of the following factors exist:

(i) the parent has abandoned, neglected, or otherwise exhibited disregard for the child's well-being to the extent that the child will be harmed by living with the parent;

(ii) placement of the child with the individual takes priority over preserving the day-to-day parent-child relationship because of the presence of physical or emotional danger to the child, or both; or

(iii) other grave and weighty reasons; and

(2) prove by a preponderance of the evidence that it is in the best interests of the child to be in the custody of the interested third party.

(b) The following factors must be considered by the court in determining an interested third party's petition:

(1) the amount of involvement the interested third party had with the child during the parent's absence or during the child's lifetime;

(2) the amount of involvement the parent had with the child during the parent's absence;

(3) the presence or involvement of other interested third parties;

(4) the facts and circumstances of the parent's absence;

(5) the parent's refusal to comply with conditions for retaining custody set forth in previous court orders;

(6) whether the parent now seeking custody was previously prevented from doing so as a result of domestic violence;

(7) whether a sibling of the child is already in the care of the interested third party; and

(8) the existence of a standby custody designation under chapter 257B.

(c) In determining the best interests of the child, the court must apply the standards in section 257C.04.

Subd. 8. [DISMISSAL OF PETITION.] (a) The court must dismiss a petition for custody if the court finds that:

(1) the petitioner is not a de facto custodian as defined in section 257C.01, subdivision 2;

(2) the petitioner does not establish at least one of the factors in subdivision 7, paragraph (a); or

(3) placement of the child with the petitioner is not in the best interests of the child.

(b) If the court finds that a party cannot establish factors for visitation under section 257.022, the court must dismiss a petition for visitation.

Sec. 4. [257C.04] [BEST INTERESTS OF A CHILD.]

Subdivision 1. [CUSTODY FACTORS.] (a) If two or more parties seek custody of a child, the court must consider and evaluate all relevant factors in determining the best interests of the child, including the following factors:

(1) the wishes of the party or parties as to custody;

(2) the reasonable preference of the child, if the court deems the child to be of sufficient age to express preference;

(3) the child's primary caretaker;

(4) the intimacy of the relationship between each party and the child;

(5) the interaction and interrelationship of the child with a party or parties, siblings, and any other person who may significantly affect the child's best interests;

(6) the child's adjustment to home, school, and community;

(7) the length of time the child has lived in a stable, satisfactory environment and the desirability of maintaining continuity;

(8) the permanence, as a family unit, of the existing or proposed custodial home;

(9) the mental and physical health of all individuals involved; except that a disability, as defined in section 363.01, subdivision 13, of a proposed custodian or the child shall not be determinative of the custody of the child, unless the proposed custodial arrangement is not in the best interests of the child;

(10) the capacity and disposition of the parties to give the child love, affection, and guidance, and to continue educating and raising the child in the child's culture and religion or creed, if any;

(11) the child's cultural background; and

(12) the effect on the child of the actions of an abuser, if related to domestic abuse, as defined in section 518B.01, subdivision 2, that has occurred between the parents or the parties.

(b) The court may not use one factor in paragraph (a) to the exclusion of all others. The court must make detailed findings on each of the factors and explain how the factors led to its conclusions and to the determination of the best interests of the child.

(c) The court must not give preference to a party over the de facto custodian or interested third party solely because the party is a parent of the child.

(d) The court must not prefer a parent over the de facto custodian or third-party custodian solely on the basis of the gender of the parent, de facto custodian, or third-party custodian.

(e) The fact that the parents of the child are not or were never married to each other must not be determinative of the custody of the child.

(f) The court must consider evidence of a violation of section 609.507 in determining the best interests of the child.

(g) The court must not consider conduct of a proposed custodian that does not affect the custodian's relationship to the child.

(h) Section 518.619 applies to actions under this section.

Subd. 2. [FACTORS WHEN JOINT CUSTODY IS SOUGHT.] (a) In addition to the factors listed in subdivision 1, if either joint legal or joint physical custody is contemplated or sought, the court must consider the following relevant factors:

(1) the ability of the parties to cooperate in the rearing of the child;

(2) methods for resolving disputes regarding any major decision concerning the life of the child and the parties' willingness to use those methods;

(3) whether it would be detrimental to the child if one party were to have sole authority over the child's upbringing; and

(4) whether domestic abuse, as defined in section 518B.01, subdivision 2, has occurred between the parties.

(b) If the court awards joint legal or physical custody over the objection of a party, the court must make detailed findings on each of the factors in this subdivision and explain how the factors led to its determination that joint custody would be in the best interests of the child.

Sec. 5. [257C.05] [DE FACTO AND THIRD-PARTY CUSTODY ORDERS.]

Subdivision 1. [CUSTODY ORDER.] In a child custody proceeding under this chapter, the court must make any additional order it considers just and proper concerning:

- (1) the legal custody of a minor child, whether sole or joint;
- (2) the child's physical custody and residence;
- (3) the quality and duration of parenting time and whether it is supervised or unsupervised;
- (4) child support as determined under section 518.551; and
- (5) other matters reasonably affecting the best interests of the child.

Subd. 2. [ATTACHMENTS TO CUSTODY ORDER.] All de facto and interested third party custody orders must include Form 3: Appendix A under the Appendix of Forms in the Family Court Procedure in General Rules of Practice. The court may also notify the parties of the availability and uses of mediation.

Sec. 6. [257C.06] [MODIFICATION.]

The procedures in section 518.18 for modification of a custody order also govern modification of an order under this chapter.

Sec. 7. Minnesota Statutes 2001 Supplement, section 260C.201, subdivision 11, is amended to read:

Subd. 11. [REVIEW OF COURT ORDERED PLACEMENTS; PERMANENT PLACEMENT DETERMINATION.] (a) Except for cases where the child is in placement due solely to the child's developmental disability or emotional disturbance, and where custody has not been transferred to the responsible social services agency, and the court finds compelling reasons under section 260C.007, subdivision 8, the court shall conduct a hearing to determine the permanent status of a child not later than 12 months after the child is placed out of the home of the parent.

For purposes of this subdivision, the date of the child's placement out of the home of the parent is the earlier of the first court-ordered placement or 60 days after the date on which the child has been voluntarily placed out of the home.

For purposes of this subdivision, 12 months is calculated as follows:

(1) during the pendency of a petition alleging that a child is in need of protection or services, all time periods when a child is placed out of the home of the parent are cumulated;

(2) if a child has been placed out of the home of the parent within the previous five years under one or more previous petitions, the lengths of all prior time periods when the child was placed out of the home within the previous five years are cumulated. If a child under this clause has been out of the home for 12 months or more, the court, if it is in the best interests of the child and for compelling reasons, may extend the total time the child may continue out of the home under the current petition up to an additional six months before making a permanency determination.

(b) Unless the responsible social services agency recommends return of the child to the custodial parent or parents, not later than 30 days prior to this hearing, the responsible social services agency shall file pleadings in juvenile court to establish the basis for the juvenile court to order permanent placement of the child according to paragraph (d). Notice of the hearing and copies of the pleadings must be provided pursuant to section 260C.152.

If a termination of parental rights petition is filed before the date required for the permanency planning determination and there is a trial under section 260C.163 scheduled on that petition within 90 days of the filing of the petition, no hearing need be conducted under this subdivision.

(c) At the conclusion of the hearing, the court shall order the child returned to the care of the parent or guardian from whom the child was removed or order a permanent placement in the child's best interests. The "best interests of the child" means all relevant factors to be considered and evaluated. Transfer of permanent legal and physical custody, termination of parental rights, or guardianship and legal custody to the commissioner through a consent to adopt are preferred permanency options for a child who cannot return home.

(d) If the child is not returned to the home, the court must order one of the following dispositions:

(1) permanent legal and physical custody to a relative in the best interests of the child according to the following conditions:

(i) an order for transfer of permanent legal and physical custody to a relative shall only be made after the court has reviewed the suitability of the prospective legal and physical custodian;

(ii) in transferring permanent legal and physical custody to a relative, the juvenile court shall follow the standards ~~and procedures~~ applicable under this chapter ~~and chapter 260, chapters 260 and 518;~~ and the procedures set out in the juvenile court rules;

~~(iii)~~ an order establishing permanent legal and physical custody under this subdivision must be filed with the family court;

~~(iv)~~ (iii) a transfer of legal and physical custody includes responsibility for the protection, education, care, and control of the child and decision making on behalf of the child;

~~(v)~~ (iv) the social services agency may ~~petition on behalf of the proposed custodian~~ bring a petition or motion naming a fit and willing relative as a proposed permanent legal and physical custodian. The commissioner of human services shall annually prepare for counties information that must be given to proposed custodians about their legal rights and obligations as custodians together with information on financial and medical benefits for which the child is eligible; and

~~(vi)~~ (v) the juvenile court may maintain jurisdiction over the responsible social services agency, the parents or guardian of the child, the child, and the permanent legal and physical custodian for purposes of ensuring appropriate services are delivered to the child and permanent legal custodian or for the purpose of ensuring conditions ordered by the court related to the care and custody of the child are met;

(2) termination of parental rights according to the following conditions:

(i) unless the social services agency has already filed a petition for termination of parental rights under section 260C.307, the court may order such a petition filed and all the requirements of sections 260C.301 to 260C.328 remain applicable; and

(ii) an adoption completed subsequent to a determination under this subdivision may include an agreement for communication or contact under section 259.58;

(3) long-term foster care according to the following conditions:

(i) the court may order a child into long-term foster care only if it finds compelling reasons that neither an award of permanent legal and physical custody to a relative, nor termination of parental rights is in the child's best interests; and

(ii) further, the court may only order long-term foster care for the child under this section if it finds the following:

(A) the child has reached age 12 and reasonable efforts by the responsible social services agency have failed to locate an adoptive family for the child; or

(B) the child is a sibling of a child described in subitem (A) and the siblings have a significant positive relationship and are ordered into the same long-term foster care home;

(4) foster care for a specified period of time according to the following conditions:

(i) foster care for a specified period of time may be ordered only if:

(A) the sole basis for an adjudication that the child is in need of protection or services is the child's behavior;

(B) the court finds that foster care for a specified period of time is in the best interests of the child; and

(C) the court finds compelling reasons that neither an award of permanent legal and physical custody to a relative, nor termination of parental rights is in the child's best interests;

(ii) the order does not specify that the child continue in foster care for any period exceeding one year; or

(5) guardianship and legal custody to the commissioner of human services under the following procedures and conditions:

(i) there is an identified prospective adoptive home that has agreed to adopt the child and the court accepts the parent's voluntary consent to adopt under section 259.24;

(ii) if the court accepts a consent to adopt in lieu of ordering one of the other enumerated permanency dispositions, the court must review the matter at least every 90 days. The review will address the reasonable efforts of the agency to achieve a finalized adoption;

(iii) a consent to adopt under this clause vests all legal authority regarding the child, including guardianship and legal custody of the child, with the commissioner of human services as if the child were a state ward after termination of parental rights;

(iv) the court must forward a copy of the consent to adopt, together with a certified copy of the order transferring guardianship and legal custody to the commissioner, to the commissioner; and

(v) if an adoption is not finalized by the identified prospective adoptive parent within 12 months of the execution of the consent to adopt under this clause, the commissioner of human services or the commissioner's delegate shall pursue adoptive placement in another home unless the commissioner certifies that the failure to finalize is not due to either an action or a failure to act by the prospective adoptive parent.

(e) In ordering a permanent placement of a child, the court must be governed by the best interests of the child, including a review of the relationship between the child and relatives and the child and other important persons with whom the child has resided or had significant contact.

(f) Once a permanent placement determination has been made and permanent placement has been established, further court reviews are necessary if:

(1) the placement is long-term foster care or foster care for a specified period of time;

(2) the court orders further hearings because it has retained jurisdiction of a transfer of permanent legal and physical custody matter;

- (3) an adoption has not yet been finalized; or
- (4) there is a disruption of the permanent or long-term placement.

(g) Court reviews of an order for long-term foster care, whether under this section or section 260C.317, subdivision 3, paragraph (d), or foster care for a specified period of time must be conducted at least yearly and must review the child's out-of-home placement plan and the reasonable efforts of the agency to:

- (1) identify a specific long-term foster home for the child or a specific foster home for the time the child is specified to be out of the care of the parent, if one has not already been identified;
- (2) support continued placement of the child in the identified home, if one has been identified;
- (3) ensure appropriate services are provided to the child during the period of long-term foster care or foster care for a specified period of time;
- (4) plan for the child's independence upon the child's leaving long-term foster care living as required under section 260C.212, subdivision 1; and
- (5) where placement is for a specified period of time, a plan for the safe return of the child to the care of the parent.

(h) An order under this subdivision must include the following detailed findings:

- (1) how the child's best interests are served by the order;
- (2) the nature and extent of the responsible social service agency's reasonable efforts, or, in the case of an Indian child, active efforts to reunify the child with the parent or parents;
- (3) the parent's or parents' efforts and ability to use services to correct the conditions which led to the out-of-home placement; and
- (4) whether the conditions which led to the out-of-home placement have been corrected so that the child can return home.

(i) An order for permanent legal and physical custody of a child may be modified under sections 518.18 and 518.185. The social services agency is a party to the proceeding and must receive notice. A parent may only seek modification of an order for long-term foster care upon motion and a showing by the parent of a substantial change in the parent's circumstances such that the parent could provide appropriate care for the child and that removal of the child from the child's permanent placement and the return to the parent's care would be in the best interest of the child.

(j) The court shall issue an order required under this section within 15 days of the close of the proceedings. The court may extend issuing the order an additional 15 days when necessary in the interests of justice and the best interests of the child.

Sec. 8. Minnesota Statutes 2000, section 518.156, subdivision 1, is amended to read:

Subdivision 1. [PROCEDURE.] In a court of this state which has jurisdiction to decide child custody matters, a child custody proceeding is commenced:

~~(a)~~ by a parent;

- (1) by filing a petition for dissolution or legal separation; or

(2) where a decree of dissolution or legal separation has been entered or where none is sought, or when paternity has been recognized under section 257.75, by filing a petition or motion seeking custody or parenting time with the child in the county where the child is permanently resident or where the child is found or where an earlier order for custody of the child has been entered; ~~or~~

~~(b) by a person other than a parent, where a decree of dissolution or legal separation has been entered or where none is sought by filing a petition or motion seeking custody or visitation of the child in the county where the child is permanently resident or where the child is found or where an earlier order for custody of the child has been entered. A person seeking visitation pursuant to this paragraph must qualify under one of the provisions of section 257.022.~~

Sec. 9. [REPEALER.]

Minnesota Statutes 2000, section 518.158, is repealed.

Sec. 10. [INSTRUCTION TO THE REVISOR.]

(a) The revisor shall renumber Minnesota Statutes, section 257.0215, as section 257C.07 and correct all references to that section in Minnesota Statutes and Minnesota Rules.

(b) The revisor shall renumber Minnesota Statutes, section 257.022, as section 257C.08 and correct all references to that section in Minnesota Statutes and Minnesota Rules."

Delete the title and insert:

"A bill for an act relating to family law; providing for custody of children by de facto custodians and third parties; making related technical changes; amending Minnesota Statutes 2000, section 518.156, subdivision 1; Minnesota Statutes 2001 Supplement, section 260C.201, subdivision 11; proposing coding for new law as Minnesota Statutes, chapter 257C; repealing Minnesota Statutes 2000, section 518.158."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2632, A bill for an act relating to highways; requiring the commissioner of transportation to allow use of freeway and expressway shoulders by all 15-person buses where such use is permitted for transit buses; proposing coding for new law in Minnesota Statutes, chapter 169.

Reported the same back with the following amendments:

Page 1, delete line 13 and insert "a bus with a sitting capacity of 40 passengers operated by a motor carrier of passengers, as defined in section 221.011, subdivision 48, while operating in intrastate commerce."

Amend the title as follows:

Page 1, line 4, delete "all 15-person" and insert "certain" and after "buses" insert "operated by intrastate motor carriers of passengers"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2643, A bill for an act relating to motor vehicles; authorizing sale of unauthorized, impounded vehicles within 15 days of notice unless owner declares intent to reclaim; amending Minnesota Statutes 2000, sections 168B.051, subdivision 1a; 168B.07, subdivision 1; repealing Minnesota Statutes 2000, sections 168B.051, subdivision 2; 168B.06, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 14, reinstate the stricken "impounded by" and after the stricken "St. Paul" insert "a local unit of government in the metropolitan area as defined in section 473.121, subdivision 2."

Page 1, lines 25 and 26, reinstate the stricken language

Pages 1 and 2, delete sections 2 and 3 and insert:

"Sec. 2. Minnesota Statutes 2000, section 168B.051, subdivision 2, is amended to read:

Subd. 2. [SALE AFTER 45 DAYS.] An impounded vehicle is eligible for disposal or sale under section 168B.08, 45 days after notice to the owner, if the vehicle is determined to be an unauthorized vehicle that was not impounded by ~~the city of Minneapolis or the city of St. Paul~~ a local unit of government in the metropolitan area as defined in section 473.121, subdivision 2."

Amend the title as follows:

Page 1, line 6, delete everything after "1a" and insert ", 2."

Page 1, delete lines 7 and 8

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2646, A bill for an act relating to human services; establishing a prescription drug discount program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

Reported the same back with the following amendments:

Page 5, delete lines 15 to 20

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

The report was adopted.

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

H. F. No. 2657, A bill for an act relating to property; changing certain probate and power of appointment provisions; amending Minnesota Statutes 2000, sections 501A.01; 524.2-804; 525.313; Minnesota Statutes 2001 Supplement, section 524.3-1201.

Reported the same back with the following amendments:

Page 9, delete lines 9 and 10 and insert:

"(i) No clearance for medical assistance claims is required under this section and section 525.312 in an action for a decree of descent proceeding in which all of the following apply to the decedent whose property is the subject of the proceeding:

(1) the decedent's estate was previously probated in this state;

(2) the previous probate was not a special administration of summary proceeding; and

(3) the decedent's property which is the subject of the petition for a decree of descent was omitted from the previous probate."

Page 9, delete line 12 and insert:

"Section 4 applies to proceedings for a decree of descent commenced after July 31, 2002."

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. 2660, A bill for an act relating to education; modifying the sexually transmitted diseases program to include promoting marriage; amending Minnesota Statutes 2000, section 121A.23, subdivision 1.

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

The report was adopted.

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

H. F. No. 2662, A bill for an act relating to crime prevention; adopting a new compact for interstate adult offender supervision and repealing the existing compact; creating an advisory council on interstate adult offender supervision; requiring the appointment of a compact administrator; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 243; repealing Minnesota Statutes 2000, sections 243.16; 243.161.

Reported the same back with the following amendments:

Page 22, line 26, after "any" insert "state or local"

Page 22, line 33, after "where" insert "the first meeting of the interstate commission created under section 243.1605 has occurred and"

Page 22, after line 36, insert:

"Sec. 5. Minnesota Statutes 2000, section 243.161, is amended to read:

243.161 [RESIDING IN MINNESOTA WITHOUT PERMISSION UNDER INTERSTATE COMPACT; PENALTY.]

Subdivision 1. [VIOLATION OF COMPACT FOR PAROLEE AND PROBATION SUPERVISION.] Any person who is on parole or probation in another state who resides in this state in violation of section 243.16 may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Subd. 2. [VIOLATION OF COMPACT FOR ADULT OFFENDER SUPERVISION.] Any person who is on parole, probation, or other form of correctional supervision in another state who resides in this state in violation of the terms or rules of the interstate compact for adult offender supervision described in section 243.1605 may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both."

Page 23, line 8, delete "sections" and insert "section" and delete "and 243.161" and insert ";and sections 4; and 5, subdivision 1"

Page 23, line 11, delete "5" and insert "4 and 6"

Page 23, after line 13, insert:

"(b) Section 5 is effective August 1, 2002, and applies to crimes committed on or after that date."

Page 23, line 14, delete "(b)" and insert "(c)" and delete "6" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "providing penalties for persons residing in this state who are in violation of the interstate compact for adult offender supervision;"

Page 1, line 7, after the semicolon, insert "amending Minnesota Statutes 2000, section 243.161;"

Page 1, line 9, delete "sections" and insert "section" and delete "; 243.161"

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

The report was adopted.

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

H. F. No. 2704, A bill for an act relating to education; allowing for student advisory members on local school boards; evaluating the impact of student involvement with local school boards; amending Minnesota Statutes 2000, section 123B.09, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 16, delete "next" and insert "same"

Page 2, line 2, after the period, insert "Districts may incorporate students' experiences as advisory members in district curricula."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2731, A bill for an act relating to higher education; Minnesota college savings plan; making a technical correction; amending Minnesota Statutes 2001 Supplement, section 136G.03, subdivision 25.

Reported the same back with the following amendments:

Page 1, after line 15, insert:

"Sec. 2. Minnesota Statutes 2001 Supplement, section 136G.07, subdivision 1, is amended to read:

Subdivision 1. [STATE BOARD TO INVEST.] The state board of investment shall invest the money deposited in accounts in the plan ~~and all investments are directed by the board.~~ Except as permitted by the Internal Revenue Code, neither persons making contributions to an account nor beneficiaries may direct the investment of contributions to the plan or plan earnings.

Sec. 3. Minnesota Statutes 2001 Supplement, section 136G.09, subdivision 8, is amended to read:

Subd. 8. [MAXIMUM ACCOUNT BALANCE LIMIT.] (a) When a contribution is made, the total account balance of all accounts held for the same beneficiary, including matching grant accounts, must not exceed the maximum account balance limit as determined under this subdivision.

(b) The maximum account balance limit is reduced for withdrawals from any account for the same beneficiary that are qualified distributions, distributions due to the death or disability of the beneficiary, or distributions due to the beneficiary receiving a scholarship. Subsequent contributions must not be made to replenish an account if the contribution results in the total account balance of all accounts held for the beneficiary to exceed the reduced maximum account balance limit. Any subsequent contributions must be rejected. A subsequent contribution accepted in error must be returned to the account owner plus any earnings on the contribution less any applicable penalties.

(c) The maximum account balance limit is not reduced for a nonqualified distribution or a rollover distribution. When such distributions are taken, subsequent contributions may be made to replenish an account up to the maximum account balance limit.

(d) The office must establish a maximum account balance limit. ~~The maximum account balance limit is four times the cost of one year of qualified higher education expenses at the most expensive eligible educational institution in Minnesota.~~ The office must adjust the maximum account balance limit, as necessary, or on January 1 of each year. ~~Qualified higher education expenses for the academic year prior to January 1 of each year must be used in calculating the maximum account balance limit.~~ The maximum account balance limit must not exceed the amount permitted for the plan to qualify as a qualified state tuition program under section 529 of the Internal Revenue Code. For calendar years 2002 and 2003, the maximum account balance is \$235,000.

(e) If the total account balance of all accounts held for a single beneficiary reaches the maximum account balance limit prior to the end of that calendar year, the beneficiary may receive an applicable matching grant for that calendar year."

Amend the title as follows:

Page 1, line 4, delete "section" and insert "sections"

Page 1, line 5, before the period, insert "; 136G.07, subdivision 1; 136G.09, subdivision 8"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

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

H. F. No. 2742, A bill for an act relating to state government; regulating contested case procedures; amending Minnesota Statutes 2000, sections 14.57; 14.59; 14.61; 14.62, subdivision 1, by adding a subdivision; 14.63; repealing Minnesota Statutes 2000, section 14.62, subdivision 2.

Reported the same back with the following amendments:

Page 3, line 21, after the period, insert "Upon a showing of good cause, an agency may apply to the chief administrative law judge for a reasonable extension of the 90-day deadline."

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. 2746, A bill for an act relating to terrorism; data practices; enacting the Minnesota Anti-Terrorism Act of 2002; establishing crimes and setting penalties for crimes involving weapons of mass destruction, explosives, and hoaxes relating to such crimes; interception of communications; establishing hazardous materials driver's endorsement regulations; establishing a biological agents registry; authorizing rulemaking; providing for a civil penalty; providing criminal penalties; classifying certain data related to terrorism; prescribing penalties; authorizing the issuance of state bonds; appropriating money; amending Minnesota Statutes 2000, sections 13.37, subdivision 1; 13.381, by adding a subdivision; 13D.05, subdivision 3; 171.07, subdivision 4; 171.27; 473.898, subdivision 3; 609.035, subdivision 1; 609.505; 609.506, subdivisions 1, 3; 609.605, by adding a subdivision; 609.668, subdivision 6; 609.713, subdivisions 1, 2; 624.712, subdivision 5; 626A.01, subdivisions 3, 16; 626A.05, subdivision 2; 626A.06, subdivisions 11, 12; 626A.27; 626A.28; 631.40, by adding a subdivision; Minnesota Statutes 2001 Supplement, sections 403.11, subdivision 1; 473.901, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 135A; 144; 171; 609.

Reported the same back with the following amendments:

Pages 2 and 3, delete section 2

Page 3, delete line 36, and insert:

"(c) Meetings may be closed to receive security briefings and reports and to discuss issues related to security systems; emergency response procedures unrelated to medical treatment, vaccination, medical testing, health surveillance, isolation, or quarantine of individuals; and security deficiencies in public services, infrastructure, and facilities if disclosure of the information discussed would pose a clear danger to public safety. Financial issues related to security matters and all related financial decisions must be made at an open meeting. The proceedings of a closed meeting to discuss security information must be tape-recorded at the expense of the public body. The recording must be preserved for two years after the date of the closed meeting."

Page 4, delete lines 1 to 5

Page 4, line 6, before the second period, insert ", and will sunset on June 30, 2005"

Pages 4 and 5, delete section 5

Page 5, line 34, delete everything after "used"

Page 5, line 35, delete everything before the period

Page 6, line 13, after "REQUIRED" insert "; OTHER REPORT" and before "Any" insert "(a)"

Page 6, line 16, after "commissioner" insert "on a form prepared by the commissioner, within seven days after the individual or entity obtains a biological agent"

Page 6, line 22, after the semicolon, insert "and"

Page 6, line 24, delete "; and" and insert a period

Page 6, delete lines 25 and 26 and insert:

"(b) An individual or entity registered with the commissioner must report to the commissioner within 24 hours after an unauthorized individual or entity gains access or attempts to gain access to a biological agent possessed or maintained by the registered individual or entity. The initial report may be made orally but must be followed by a written report if requested by the commissioner."

Page 6, line 33, delete everything after "(1)"

Page 7, delete lines 17 to 36

Page 8, delete lines 1 to 5

Page 9, after line 3, insert:

"(e) The department shall not accept presentation of a permit, driver's license, or identification card from another United States state as proof of lawful short-term admission to the United States, permanent United States resident status, or United States citizenship.

(f) To demonstrate lawful short-term admission to the United States, permanent United States resident status, or United States citizenship, an applicant must attest to a Minnesota residence address on the application form and present either:

(1) a certified copy of a birth certificate issued by a United States government bureau of vital statistics or by a board of health of a United States jurisdiction;

(2) a certificate of naturalization issued by the United States Department of Justice;

(3) a document issued by the United States Department of Justice or United States Department of State indicating either lawful short-term admission to the United States or permanent United States resident status; or

(4) a Minnesota driving permit, driver's license, or identification card that is current or expired for not more than five years."

Page 11, line 4, after the period, insert "Rulemaking authority in this section and the rules adopted under that authority expire July 1, 2005."

Page 22, line 31, after "by" insert a colon

Page 22, line 32, delete "any person, including" and insert:

"(1) an individual for damages resulting from the violation; or

(2)"

Page 26, line 15, delete "terrorism."

Page 26, line 29, delete "609.714."

Page 27, line 3, before "The" insert "If permitted by United States Code, title 18, section 2518."

Page 27, line 6, strike "interpreted" and insert "intercepted"

Page 35, line 17, delete "6" and insert "4"

Page 36, line 1, delete "35" and insert "33"

Page 36, line 10, delete "36" and insert "34"

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 14 and 15, delete "13.37, subdivision 1;"

Page 1, line 26, delete "135A;"

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

The report was adopted.

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

H. F. No. 2763, A bill for an act relating to insurance; authorizing the reorganization of a mutual insurance holding company into a stock company; modifying accounting provisions for certain ceding transactions; modifying workers' compensation rating plan threshold calculations; amending Minnesota Statutes 2000, sections 60A.075; 60A.09, subdivision 5; Minnesota Statutes 2001 Supplement, section 79.56, subdivision 3.

Reported the same back with the following amendments:

Page 2, line 4, strike everything after "date"

Page 2, strike lines 5 and 6

Page 2, line 7, strike everything before the period

Page 3, line 35, delete "approved" and insert "approve"

Page 4, line 23, delete "(a)"

Page 4, line 25, delete the comma and insert "": (1)"

Page 4, line 27, strike the period and insert "": and"

Page 4, delete line 28

Page 4, line 29, delete everything before "a" and insert "(2)"

Page 4, line 30, delete "(1)" and insert "(i)"

Page 4, line 31, delete "(2)" and insert "(ii)"

Page 4, line 35, delete "(3)" and insert "(iii)"

Page 4, line 36, delete "(4)" and insert "(iv)"

Page 5, after line 13, insert:

"(c) The duties of the board of directors of a converting mutual company, in considering or acting upon a proposed plan of conversion or related transaction, shall be as set forth in section 302A.251 and, to the extent not inconsistent with that section, the converting mutual company's articles of incorporation and bylaws."

Page 8, line 29, strike everything after the period

Page 8, strike lines 30 to 32

Page 8, line 33, strike everything before "If"

Page 16, line 10, reinstate "~~shareholders~~" and delete "eligible members"

Page 21, delete lines 31 to 36

Page 22, delete lines 1 to 10

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2783, A bill for an act relating to insurance; no-fault auto; regulating residual liability coverage; amending Minnesota Statutes 2000, section 65B.49, subdivision 3.

Reported the same back with the following amendments:

Page 2, delete lines 31 and 32 and insert:

"Section 1 is effective the day following final enactment and applies to policies issued or renewed on or after that date."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

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

H. F. No. 2835, A bill for an act relating to education; authorizing the Minnesota commission on national and community service to create and delegate duties to a private, nonprofit corporation; amending Minnesota Statutes 2000, section 124D.385, subdivision 3, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 2840, A bill for an act relating to crimes; providing that certain license revocation hearings do not give rise to an estoppel on any issues in criminal prosecutions; providing for jurisdiction over persons found to have caused a delinquent act or charged by a juvenile petition; making it child endangerment to permit a child to be present when a person possesses certain chemical substances used to manufacture controlled substances; prescribing penalties for persons who escape from electronic monitoring; amending Minnesota Statutes 2000, sections 169A.53, subdivision 3; 260B.193, subdivision 5; 609.378, subdivision 1; 609.485, subdivisions 3, 4; 634.20.

Reported the same back with the following amendments:

Page 1, line 20, reinstate the stricken "any" and delete "the"

Page 3, delete lines 22 and 23 and insert "circumstances in any criminal prosecution."

Page 8, line 32, strike "PRIOR" and delete "AND SUBSEQUENT"

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

The report was adopted.

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

H. F. No. 2846, A bill for an act relating to public safety; establishing a biological agents registry; establishing hazardous materials driver's endorsement regulations; canceling hazardous materials endorsements for certain offenses; proposing coding for new law in Minnesota Statutes, chapters 144; 171.

Reported the same back with the following amendments:

Page 1, line 17, delete everything after "used"

Page 1, line 18, delete everything before the period

Page 2, line 6, after "REQUIRED" insert "; OTHER REPORT" and before "Any" insert "(a)"

Page 2, line 9, after "commissioner" insert "on a form prepared by the commissioner, within seven days after the individual or entity obtains a biological agent"

Page 2, line 15, after the semicolon, insert "and"

Page 2, line 17, delete "; and" and insert a period

Page 2, delete lines 18 and 19 and insert:

"(b) An individual or entity registered with the commissioner must report to the commissioner within 24 hours after an unauthorized individual or entity gains access or attempts to gain access to a biological agent possessed or maintained by the registered individual or entity. The initial report may be made orally but must be followed by a written report if requested by the commissioner."

Page 2, line 26, delete everything after "(1)"

Page 3, delete lines 10 to 34

Page 4, line 12, after the period, insert "Rulemaking authority in this section and the rules adopted under that authority expire July 1, 2005."

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

The report was adopted.

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

H. F. No. 2888, A bill for an act relating to waste management; modifying certain solid waste practices; amending Minnesota Statutes 2000, sections 115A.02; 115A.03, by adding a subdivision; 297H.13, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 12, delete "treating" and insert "recognizing that" and delete everything after "state" and insert "often has value"

Page 2, line 4, strike "are in" and insert "should be utilized in the design and implementation of the state's integrated waste management system in the following"

Page 2, line 9, after "materials" insert "that yields a compost product that meets the agency's class I compost standards"

Page 2, line 11, delete the new language and insert "or other processes or"

Page 2, line 26, delete the colon

Page 2, delete lines 27 to 34

Page 2, line 35, delete "(3)"

Page 3, after line 3, insert:

"Sec. 3. Minnesota Statutes 2000, section 115A.03, subdivision 25, is amended to read:

Subd. 25. [PROCESSING.] "Processing" means the treatment of waste after collection and before disposal. Processing includes but is not limited to reduction, storage, separation, exchange, resource recovery, or physical, chemical, or biological modification; ~~and transfer from one waste facility to another.~~"

Page 3, line 33, after "recommendations" insert "developed by the advisory committee under clause (1)"

Page 3, line 35, delete "LANDFILL" and insert "WASTE MANAGEMENT"

Page 4, line 3, delete everything after "haulers" and insert "with regard to the various waste management practices used to manage waste produced in the state."

Page 4, line 4, delete everything before "The"

Page 4, after line 5, insert:

"Sec. 7. [PERMITTING EMERGING TECHNOLOGIES.]

Subdivision 1. [REQUIREMENTS.] (a) The definitions contained in Minnesota Statutes, section 115A.03, apply to this section.

(b) The pollution control agency shall implement the changes to Minnesota Statutes, section 115A.02, paragraph (b), clause (4), made by section 1, by permitting projects in accordance with the requirements of this section. In deciding whether to issue a permit for a project utilizing a technology that incorporates processing and resource recovery in its initial design, the agency shall consider:

(1) whether the project significantly advances the waste management goals described in Minnesota Statutes, section 115A.02, paragraph (a); and

(2) the potential economic impact of the proposed project on publicly owned solid waste facilities in the state.

(c) The agency shall require the project to establish financial assurance mechanisms sufficient to shield the public from potential liability as a condition of permit issuance.

Subd. 2. [PROCESSING.] Notwithstanding any law to the contrary, the pollution control agency may determine that waste received at a facility permitted under this section is processed waste for the purposes of Minnesota Statutes, chapter 115A.

Subd. 3. [LIMITATION AND REPORT.] The pollution control agency may limit the number of permits issued under this section if it finds this limitation to be consistent with the public interest. The commissioner of the pollution control agency shall report to the legislature by January 1, 2007, on the performance of projects permitted under this section, and shall include any recommendations for legislative action."

Page 4, line 7, delete "4, and 5" and insert "5, and 6"

Page 4, line 8, delete "3" and insert "4"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the comma, insert "subdivision 25,"

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

The report was adopted.

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

H. F. No. 2904, A bill for an act relating to motor vehicles; requiring motor vehicle collision repair to include air bag repair or replacement; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 325E.

Reported the same back with the following amendments:

Page 1, line 22, delete "A" and insert "If a person has actual knowledge that a motor vehicle's air bag has deployed, the"

Page 1, line 23, delete "a" and insert "that" and delete "damaged or"

Page 1, line 24, delete "fully repaired or" and after "replaced" insert "with an air bag designed for the make, model, and year of the vehicle"

Page 2, line 1, delete everything after "that" and insert "is of a model year more than seven years prior to the year that the repair is performed."

Page 2, delete lines 2 to 8

Amend the title as follows:

Page 1, line 3, delete "repair or"

Page 1, line 4, after "replacement" insert "under certain conditions"

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 13.89, subdivision 2, is amended to read:

Subd. 2. [MENTAL ILLNESS OR EMOTIONAL IMPAIRMENT.] Data on an individual who has significant mental illness or emotional impairment and who is an inpatient or resident in a facility rendering care or treatment may be disseminated to the protection and advocacy system established in this state pursuant to Public Law Number 99-319 to protect the rights of persons who are mentally ill ~~individuals~~ if:

(1) the protection and advocacy system receives a complaint by or on behalf of the person or there is probable cause to believe that the person has been subjected to abuse or neglect, as defined in Public Law Number 99-319;

(2) the person is by reason of a mental or physical condition unable to authorize the system to have access to data; and

(3) the person does not have a legal guardian or the state is the legal guardian of the person.

Sec. 2. Minnesota Statutes 2000, section 148.263, subdivision 5, is amended to read:

Subd. 5. [COURTS.] The court administrator of district court or another court of competent jurisdiction shall report to the board any judgment or other determination of the court that adjudges or includes a finding that a nurse is a person who is mentally ill, mentally incompetent, chemically dependent, ~~a person~~ dangerous to the public, guilty of a felony or gross misdemeanor, guilty of a violation of federal or state narcotics laws or controlled substances act, guilty of operating a motor vehicle while under the influence of alcohol or a controlled substance, or guilty of an abuse or fraud under Medicare or Medicaid, appoints a guardian of the nurse under sections 525.54 to 525.61, or commits a nurse under chapter 253B.

Sec. 3. Minnesota Statutes 2000, section 148B.07, subdivision 6, is amended to read:

Subd. 6. [COURTS.] The court administrator of district court or any other court of competent jurisdiction shall report to the board any judgment or other determination of the court that adjudges or includes a finding that a licensee is a person who is mentally ill, mentally incompetent, guilty of a felony, guilty of a violation of federal or state narcotics laws or controlled substances act, or guilty of an abuse or fraud under Medicare or Medicaid; or that appoints a guardian of the licensee pursuant to sections 525.54 to 525.61 or commits a licensee pursuant to chapter 253B.

Sec. 4. Minnesota Statutes 2000, section 148B.283, subdivision 7, is amended to read:

Subd. 7. [COURTS.] The court administrator of district court or any other court of competent jurisdiction shall report to the board any judgment or other determination of the court that adjudges or includes a finding that an applicant or a licensee is a person who is mentally ill, mentally incompetent, guilty of a felony, guilty of a violation of federal or state narcotics laws or controlled substances act, or guilty of an abuse or fraud under Medicare or Medicaid; or that appoints a guardian of the applicant or licensee pursuant to sections 525.54 to 525.61 or commits an applicant or a licensee pursuant to chapter 253B.

Sec. 5. Minnesota Statutes 2000, section 148C.09, subdivision 1, is amended to read:

Subdivision 1. [GROUNDS.] The commissioner may refuse to grant a license to, or may suspend, revoke, or restrict the license of an individual if the commissioner determines that a licensee or applicant:

(1) is incompetent to engage in alcohol and drug counseling practice or is found to be engaged in alcohol and drug counseling practice in a manner harmful or dangerous to a client or the public;

(2) has violated the rules of the commissioner or the statutes the commissioner is empowered to enforce; or any law, rule order, stipulation and consent order, agreement, or settlement;

(3) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent misrepresentation;

(4) has knowingly made a false statement on the form required to be submitted to the commissioner for licensing or license renewal;

(5) has failed to obtain continuing education credits required by the commissioner;

(6) has failed to demonstrate the qualifications or satisfy the requirements for a license contained in this chapter or rules of the commissioner. The burden of proof shall be upon the applicant to demonstrate qualifications or satisfaction of requirements;

(7) has been convicted of a crime, including a finding or verdict of guilt, an admission of guilt, or a no contest plea, in any court in Minnesota or any other jurisdiction in the United States, reasonably related to the provision of alcohol and drug counseling services. Conviction, as used in this subdivision, includes conviction of an offense

which, if committed in this state, would be deemed a felony or gross misdemeanor without regard to its designation elsewhere, or a criminal proceeding where a finding or verdict of guilty is made or returned but the adjudication of guilt is either withheld or not entered;

(8) has been convicted of a crime against another person. For purposes of this chapter, a crime against another person means an offense listed in section 148B.68, subdivision 1, paragraph (b);

(9) has failed to comply with the self-reporting requirements of section 148C.095, subdivision 7;

(10) has engaged in sexual contact with a client, or a former client, as defined in section 148A.01, or has engaged in conduct that may be reasonably interpreted by a client as sexual, or has engaged in any verbal behavior that is seductive or sexually demeaning to the client, or has engaged in sexual exploitation of a client or former client;

(11) has engaged in false, fraudulent, deceptive, or misleading advertising;

(12) has engaged in conduct likely to deceive, defraud, or harm the public; or has demonstrated a willful or careless disregard for the health, welfare, or safety of a client; or any other practice that may create unnecessary danger to any client's life, health, or safety, in any of which cases, proof of actual injury need not be established;

(13) has been adjudicated as mentally incompetent, or as a person who has a psychopathic personality, or who is dangerous to self, or has been adjudicated as a person who is chemically dependent, mentally ill, mentally retarded, or mentally ill and dangerous to the public pursuant to chapter 253B;

(14) is unable to provide alcohol and drug counseling services with reasonable safety to clients;

(15) has habitually overindulged in the use of or the dependence on alcohol within the past two years;

(16) has engaged in the improper or unauthorized personal or other use of any legend drugs as defined in section 151.01, any chemicals as defined in section 151.01, or any controlled substance as defined in section 152.01 within the past two years;

(17) reveals a communication from, or relating to, a client except when required or permitted by law;

(18) fails to comply with a client's request for health records made under section 144.335, or to furnish a client record or report required by law;

(19) has engaged in fee splitting or promises to pay a portion of a fee to any other professional other than for services rendered by the other professional to the client;

(20) has engaged in abusive or fraudulent billing practices, including violations of the federal Medicare and Medicaid laws or state medical assistance laws;

(21) fails to make reports as required by section 148C.095, or cooperate with an investigation of the commissioner;

(22) obtains money, property, or services from a client, other than reasonable fees for services provided to the client, through the use of undue influence, harassment, duress, deception, or fraud;

(23) undertakes or continues a professional relationship with a client in which the objectivity of the alcohol and drug counselor may be impaired;

(24) engages in conduct that constitutes grounds for discipline as established by the commissioner in rule; or

(25) engages in bartering for services with a client.

Sec. 6. Minnesota Statutes 2000, section 149A.61, subdivision 5, is amended to read:

Subd. 5. [COURTS.] The court administrator of district court or any court of competent jurisdiction shall report to the commissioner any judgment or other determination of the court that adjudges or includes a finding that a licensee or intern is a person who is mentally ill, mentally incompetent, guilty of a felony or gross misdemeanor, guilty of violations of federal or state narcotics laws or controlled substances acts; appoints a guardian or conservator for the licensee or intern; or commits a licensee or intern.

Sec. 7. Minnesota Statutes 2000, section 153.19, subdivision 1, is amended to read:

Subdivision 1. [GROUNDS LISTED.] The board may refuse to grant a license or may impose disciplinary action as described in this section against any doctor of podiatric medicine. The following conduct is prohibited and is grounds for disciplinary action:

(1) failure to demonstrate the qualifications or satisfy the requirements for a license contained in this chapter or rules of the board; the burden of proof shall be upon the applicant to demonstrate the qualifications or satisfaction of the requirements;

(2) obtaining a license by fraud or cheating or attempting to subvert the licensing examination process;

(3) conviction, during the previous five years, of a felony reasonably related to the practice of podiatric medicine;

(4) revocation, suspension, restriction, limitation, or other disciplinary action against the person's podiatric medical license in another state or jurisdiction, failure to report to the board that charges regarding the person's license have been brought in another state or jurisdiction, or having been refused a license by any other state or jurisdiction;

(5) advertising that is false or misleading;

(6) violating a rule adopted by the board or an order of the board, a state, or federal law that relates to the practice of podiatric medicine, or in part regulates the practice of podiatric medicine, or a state or federal narcotics or controlled substance law;

(7) engaging in any unethical conduct; conduct likely to deceive, defraud, or harm the public, or demonstrating a willful or careless disregard for the health, welfare, or safety of a patient; or podiatric medical practice that is professionally incompetent, in that it may create unnecessary danger to any patient's life, health, or safety, in any of which cases, proof of actual injury need not be established;

(8) failure to supervise a preceptor or resident;

(9) aiding or abetting an unlicensed person in the practice of podiatric medicine, except that it is not a violation of this clause for a podiatrist to employ, supervise, or delegate functions to a qualified person who may or may not be required to obtain a license or registration to provide health services if that person is practicing within the scope of that person's license or registration or delegated authority;

(10) adjudication as mentally incompetent, or a person who is mentally ill, or as a chemically dependent person, a person dangerous to the public, a sexually dangerous person, or a person who has a sexual psychopathic personality by a court of competent jurisdiction, within or without this state;

(11) engaging in unprofessional conduct that includes any departure from or the failure to conform to the minimal standards of acceptable and prevailing podiatric medical practice, but actual injury to a patient need not be established;

(12) inability to practice podiatric medicine with reasonable skill and safety to patients by reason of illness or chemical dependency or as a result of any mental or physical condition, including deterioration through the aging process or loss of motor skills;

(13) revealing a privileged communication from or relating to a patient except when otherwise required or permitted by law;

(14) improper management of medical records, including failure to maintain adequate medical records, to comply with a patient's request made under section 144.335 or to furnish a medical record or report required by law;

(15) accepting, paying, or promising to pay a part of a fee in exchange for patient referrals;

(16) engaging in abusive or fraudulent billing practices, including violations of the federal Medicare and Medicaid laws or state medical assistance laws;

(17) becoming addicted or habituated to a drug or intoxicant;

(18) prescribing a drug for other than medically accepted therapeutic or experimental or investigative purposes authorized by a state or federal agency;

(19) engaging in sexual conduct with a patient or conduct that may reasonably be interpreted by the patient as sexual, or in verbal behavior which is seductive or sexually demeaning to a patient;

(20) failure to make reports as required by section 153.24 or to cooperate with an investigation of the board as required by section 153.20;

(21) knowingly providing false or misleading information that is directly related to the care of that patient unless done for an accepted therapeutic purpose such as the administration of a placebo.

Sec. 8. Minnesota Statutes 2000, section 153.24, subdivision 5, is amended to read:

Subd. 5. [COURTS.] The court administrators of the district courts or any other court of competent jurisdiction shall report to the board any judgment or other determination of the court that adjudges or includes a finding that a podiatrist is a person who is mentally ill, mentally incompetent, guilty of a felony, or guilty of a violation of federal or state narcotics laws or controlled substances act, guilty of an abuse or fraud under Medicare or Medicaid, appoints a guardian of the podiatrist under sections 525.54 to 525.61 or commits a podiatrist under chapter 253B.

Sec. 9. Minnesota Statutes 2000, section 156.081, subdivision 2, is amended to read:

Subd. 2. [CAUSES.] The board may revoke, suspend, or impose limitations upon a license for any of the following causes:

(1) the employment of fraud, misrepresentation or deception in obtaining such license;

(2) being convicted of a felony or gross misdemeanor, including a finding or verdict of guilt, whether or not the adjudication of guilt is withheld or not entered, an admission of guilt, or a no contest plea, as evidenced by a certified copy of the conviction;

(3) being unable to practice with reasonable skill and safety by reason of illness, use of alcohol, drugs, chemicals, or any other materials, or as a result of any mental or physical condition;

(4) existence of a professional connection with or the lending of one's name to any illegal practitioner of veterinary medicine;

(5) having been the subject of revocation, suspension, or surrender of a veterinary license in resolution of a complaint or other adverse action related to licensure in another jurisdiction or country;

(6) violating a state or federal narcotics or controlled substance law irrespective of any proceedings under section 152.18 or federal law;

(7) fraudulently conducting or reporting results of physical examinations or biological tests used to detect and prevent the dissemination of animal diseases, transportation of diseased animals, or distribution of contaminated, infected, or inedible animal products, or failing to report, as required by law, any contagious or infectious disease;

(8) engaging in false, fraudulent, deceptive, or misleading advertising;

(9) conviction on a charge of cruelty to animals;

(10) failure, after written notification by the board, to keep one's premises and all equipment therein in a clean and sanitary condition, according to reasonable standards adopted by the board;

(11) fraud, deception, or incompetence in the practice of veterinary medicine, including any departure from or failure to conform to the minimum standards of acceptable and prevailing practice without actual injury having to be established;

(12) engaging in unprofessional conduct as defined in rules adopted by the board or engaging in conduct which violates any statute or rule promulgated by the board or any board order;

(13) being adjudicated by a court of competent jurisdiction, within or without this state, as a person who is incapacitated, mentally incompetent or mentally ill, chemically dependent, mentally ill and dangerous to the public, or a psychopathic personality;

(14) revealing a privileged communication from or relating to a client except when otherwise required or permitted by law;

(15) obtaining money, property, or services from a client through the use of undue influence, harassment, duress, deception, or fraud or through the improper use of the regulated individual's position as a professional;

(16) practicing outside the scope of practice authorized by the board's practice act; or

(17) making a false statement or misrepresentation to the board.

Sec. 10. Minnesota Statutes 2000, section 156.122, is amended to read:

156.122 [COURTS TO REPORT.]

The court administrator shall report to the board a judgment or finding by a court that a person regulated by the board:

(1) is a person who is mentally ill, chemically dependent, mentally ill and dangerous to the public, or is a sexual psychopathic personality or sexually dangerous person under chapter 253B or other applicable law;

(2) is guilty of a felony or gross misdemeanor; violation of a law involving the use, possession, or sale of a controlled substance; or operating a motor vehicle under the influence of alcohol or a controlled substance; or

(3) is in need of a guardian of the person under sections 525.54 to 525.61.

Sec. 11. Minnesota Statutes 2001 Supplement, section 241.69, subdivision 2, is amended to read:

Subd. 2. [EXAMINATION.] When any person confined in an adult correctional institution under the control of the commissioner of corrections is alleged to be a person who is mentally ill ~~person~~, the director of psychological services, or warden or other person in charge of the institution shall cause the person to be examined by a licensed physician especially qualified in the diagnosis of mental illness, or, if none is available, by any licensed physician or licensed mental health professional available to the institution.

Sec. 12. Minnesota Statutes 2001 Supplement, section 241.69, subdivision 3, is amended to read:

Subd. 3. [TRANSFER.] If the licensed mental health professional finds the person to be a person who is mentally ill and in need of short-term care, the examining health care professional may recommend transfer by the commissioner of corrections to the mental health unit established pursuant to subdivision 1.

Sec. 13. Minnesota Statutes 2001 Supplement, section 241.69, subdivision 4, is amended to read:

Subd. 4. [COMMITMENT.] If the examining health care professional or licensed mental health professional finds the person to be a person who is mentally ill and in need of ~~long-term~~ long-term care in a hospital, or if an inmate transferred pursuant to subdivision 3 refuses to voluntarily participate in the treatment program at the mental health unit, the director of psychological services of the institution or the mental health professional shall initiate proceedings for judicial commitment as provided in section 253B.07. Upon the recommendation of the licensed mental health professional and upon completion of the hearing and consideration of the record, the court may commit the person to the mental health unit established in subdivision 1 or to another hospital. A person confined in a state correctional institution for adults who has been adjudicated to be a person who is mentally ill and in need of treatment may be committed to the commissioner of corrections and placed in the mental health unit established in subdivision 1.

Sec. 14. Minnesota Statutes 2001 Supplement, section 241.69, subdivision 5, is amended to read:

Subd. 5. [DISCHARGE.] The director of psychological services of the mental health unit established under this section may, subject to the provisions of chapter 253B, provisionally discharge any inmate patient admitted as a person who is mentally ill without discharging the commitment and order the inmate patient's release into the general population of the institution from which admitted, subject to return to the facility for further treatment.

When the director of psychological services of the facility certifies that a patient is no longer in need of institutional care for mental illness the director of psychological services shall discharge the patient to the institution from which committed, and the discharge shall also discharge the mental illness commitment.

A copy of the certification that the inmate is no longer in need of care for mental illness shall be transmitted to the commissioner of corrections. The commissioner of corrections shall give serious consideration to the aforementioned certification for purposes of their supervision over the inmate upon the inmate's release.

Sec. 15. Minnesota Statutes 2000, section 245.462, subdivision 20, is amended to read:

Subd. 20. [MENTAL ILLNESS.] (a) "Mental illness" means an organic disorder of the brain or a clinically significant disorder of thought, mood, perception, orientation, memory, or behavior that is listed in the clinical manual of the International Classification of Diseases (ICD-9-CM), current edition, code range 290.0 to 302.99 or 306.0 to 316.0 or the corresponding code in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-MD), current edition, Axes I, II, or III, and that seriously limits a person's capacity to function in primary aspects of daily living such as personal relations, living arrangements, work, and recreation.

(b) An "adult with acute mental illness" means an adult who has a mental illness that is serious enough to require prompt intervention.

(c) For purposes of case management and community support services, a "person with serious and persistent mental illness" means an adult who has a mental illness and meets at least one of the following criteria:

(1) the adult has undergone two or more episodes of inpatient care for a mental illness within the preceding 24 months;

(2) the adult has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding 12 months;

(3) the adult:

(i) has a diagnosis of schizophrenia, bipolar disorder, major depression, or borderline personality disorder;

(ii) indicates a significant impairment in functioning; and

(iii) has a written opinion from a mental health professional, in the last three years, stating that the adult is reasonably likely to have future episodes requiring inpatient or residential treatment, of a frequency described in clause (1) or (2), unless ongoing case management or community support services are provided;

(4) the adult has, in the last three years, been committed by a court as a person who is mentally ill ~~person~~ under chapter 253B, or the adult's commitment has been stayed or continued; or

(5) the adult (i) was eligible under clauses (1) to (4), but the specified time period has expired or the adult was eligible as a child under section 245.4871, subdivision 6; and (ii) has a written opinion from a mental health professional, in the last three years, stating that the adult is reasonably likely to have future episodes requiring inpatient or residential treatment, of a frequency described in clause (1) or (2), unless ongoing case management or community support services are provided.

Sec. 16. Minnesota Statutes 2000, section 253.015, subdivision 2, is amended to read:

Subd. 2. [PLAN FOR NEEDED REGIONAL TREATMENT CENTER SERVICES.] (a) By January 30, 1990, the commissioner shall develop and submit to the legislature a plan to implement a program for persons in southeastern Minnesota who are mentally ill.

(b) By January 1, 1990, the commissioner shall develop a plan to establish a comprehensive brain injury treatment program at the Faribault regional center site to meet the needs of people with brain injuries in Minnesota. The program shall provide postacute, community integration and family support services for people with brain injuries which have resulted in behavior, cognitive, emotional, communicative and mobility impairments or deficits. The plan shall include development of a brain injury residential unit, a functional evaluation outpatient clinic and an adaptive equipment center within the outpatient clinic. Health care services already available at the regional center or from the Faribault community must be utilized, and the plan shall include provisions and cost estimates for capital improvements, staff retraining, and program start-up costs.

(c) By January 1, 1990, the commissioner shall develop a plan to establish 35 auxiliary beds at Brainerd regional treatment center for the Minnesota security hospital. The commissioner shall develop secure beds for ~~mentally ill~~ persons who are mentally ill as authorized in the worksheets of the house appropriations and senate finance committees. The commissioner shall finance the purchase or construction of these beds with the Minnesota housing finance agency. The commissioner shall make payments through the department of administration to the Minnesota housing finance agency in repayment of mortgage loans granted for the purposes of this section.

Sec. 17. Minnesota Statutes 2000, section 253.21, is amended to read:

253.21 [COMMITMENT; PROCEEDINGS; RESTORATION OF MENTAL HEALTH.]

When any person confined in the Minnesota correctional facility-Stillwater or the Minnesota correctional facility-St. Cloud is alleged to be mentally ill, the chief executive officer or other person in charge shall forthwith notify the commissioner of human services, who shall cause the prisoner to be examined by the court exercising probate jurisdiction of the county where the prisoner is confined, as in the case of other ~~mentally ill~~ persons who are mentally ill. In case the prisoner is found to be mentally ill, the prisoner shall be transferred by the order of the court to the Minnesota Security Hospital or to a state hospital for people who are mentally ill ~~people~~ in the discretion of the court, there to be kept and maintained as in the case of other ~~mentally ill~~ persons who are mentally ill. If, in the judgment of the chief executive officer, the prisoner's mental health is restored before the period of commitment to the penal institution has expired, the prisoner shall be removed by the commissioner, upon the certificate of the chief executive officer, to the institution whence the prisoner came to complete the sentence.

Sec. 18. Minnesota Statutes 2001 Supplement, section 253B.02, subdivision 13, is amended to read:

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

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

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

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

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

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

(1) epilepsy;

(2) mental retardation;

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

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

Sec. 19. Minnesota Statutes 2000, section 253B.02, subdivision 17, is amended to read:

Subd. 17. [PERSON WHO IS MENTALLY ILL AND DANGEROUS TO THE PUBLIC.] A "person who is mentally ill and dangerous to the public" is a person (a) who is mentally ill; and (b) who as a result of that mental illness presents a clear danger to the safety of others as demonstrated by the facts that (i) the person has engaged in an overt act causing or attempting to cause serious physical harm to another and (ii) there is a substantial likelihood that the person will engage in acts capable of inflicting serious physical harm on another. A person committed as a sexual psychopathic personality or sexually dangerous person as defined in subdivisions 18a and 18b is subject to the provisions of this chapter that apply to persons who are mentally ill and dangerous to the public.

Sec. 20. Minnesota Statutes 2000, section 253B.02, subdivision 18, is amended to read:

Subd. 18. [REGIONAL TREATMENT CENTER.] "Regional treatment center" means any state-operated facility for persons who are mentally ill, mentally retarded, or chemically dependent ~~persons which is~~ under the direct administrative authority of the commissioner.

Sec. 21. Minnesota Statutes 2000, section 253B.02, subdivision 19, is amended to read:

Subd. 19. [TREATMENT FACILITY.] "Treatment facility" means a hospital, community mental health center, or other treatment provider qualified to provide care and treatment for persons who are mentally ill, mentally retarded, or chemically dependent ~~persons~~.

Sec. 22. Minnesota Statutes 2000, section 253B.06, subdivision 1, is amended to read:

Subdivision 1. [PERSONS WHO ARE MENTALLY ILL AND MENTALLY RETARDED PERSONS.] Every patient hospitalized as mentally ill or mentally retarded pursuant to section 253B.04 or 253B.05 must be examined by a physician as soon as possible but no more than 48 hours following admission. The physician shall be knowledgeable and trained in the diagnosis of the alleged disability related to the need for admission as a person who is mentally ill or mentally retarded ~~person~~.

Sec. 23. Minnesota Statutes 2001 Supplement, section 253B.09, subdivision 1, is amended to read:

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

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

(c) If the court finds a proposed patient to be a person who is mentally ill ~~person~~ under section 253B.02, subdivision 13, paragraph (a), clause (2) or (4), the court shall commit to a community-based program that meets the proposed patient's needs.

Sec. 24. Minnesota Statutes 2000, section 253B.12, subdivision 1, is amended to read:

Subdivision 1. [REPORTS.] (a) If a patient who was committed as a person who is mentally ill, mentally retarded, or chemically dependent is discharged from commitment within the first 60 days after the date of the initial commitment order, the head of the treatment facility shall file a written report with the committing court describing the patient's need for further treatment. A copy of the report must be provided to the county attorney, the patient, and the patient's counsel.

(b) If a patient who was committed as a person who is mentally ill, mentally retarded, or chemically dependent remains in treatment more than 60 days after the date of the commitment, then at least 60 days, but not more than 90 days, after the date of the order, the head of the facility that has custody of the patient shall file a written report with the committing court and provide a copy to the county attorney, the patient, and the patient's counsel. The report must set forth in detailed narrative form at least the following:

(1) the diagnosis of the patient with the supporting data;

- (2) the anticipated discharge date;
 - (3) an individualized treatment plan;
 - (4) a detailed description of the discharge planning process with suggested after care plan;
 - (5) whether the patient is in need of further care and treatment, the treatment facility which is needed, and evidence to support the response;
 - (6) whether the patient satisfies the statutory requirement for continued commitment to a treatment facility, with documentation to support the opinion; and
 - (7) whether the administration of neuroleptic medication is clinically indicated, whether the patient is able to give informed consent to that medication, and the basis for these opinions.
- (c) Prior to the termination of the initial commitment order or final discharge of the patient, the head of the treatment facility that has custody or care of the patient shall file a written report with the committing court with a copy to the county attorney, the patient, and the patient's counsel that sets forth the information required in paragraph (b).
- (d) If the patient has been provisionally discharged from a treatment facility, the report shall be filed by the designated agency, which may submit the discharge report as part of its report.
- (e) If no written report is filed within the required time, or if a report describes the patient as not in need of further institutional care and treatment, the proceedings must be terminated by the committing court and the patient discharged from the treatment facility.

Sec. 25. Minnesota Statutes 2000, section 253B.141, subdivision 2, is amended to read:

Subd. 2. [APPREHENSION; RETURN TO FACILITY.] (a) Upon receiving the report of absence from the head of the treatment facility or the committing court, a patient may be apprehended and held by a peace officer in any jurisdiction pending return to the facility from which the patient is absent without authorization. A patient may also be returned to any facility operated by the commissioner. A person who is mentally ill and dangerous ~~person~~, a sexual psychopathic personality patient, or a sexually dangerous person committed under section 253B.18 and detained under this subdivision may be held in a jail or lockup only if:

- (1) there is no other feasible place of detention for the patient;
- (2) the detention is for less than 24 hours; and
- (3) there are protections in place, including segregation of the patient, to ensure the safety of the patient.

(b) If a patient is detained under this subdivision, the head of the treatment facility from which the patient is absent shall arrange to pick up the patient within 24 hours of the time detention was begun and shall be responsible for securing transportation for the patient to the facility. The expense of detaining and transporting a patient shall be the responsibility of the treatment facility from which the patient is absent. The expense of detaining and transporting a patient to a treatment facility operated by the department of human services shall be paid by the commissioner unless paid by the patient or persons on behalf of the patient.

Sec. 26. Minnesota Statutes 2000, section 253B.15, subdivision 1, is amended to read:

Subdivision 1. [PROVISIONAL DISCHARGE.] The head of the treatment facility may provisionally discharge any patient without discharging the commitment, unless the patient was found by the committing court to be a person who is mentally ill and dangerous to the public.

Each patient released on provisional discharge shall have a written aftercare plan developed which specifies the services and treatment to be provided as part of the aftercare plan, the financial resources available to pay for the services specified, the expected period of provisional discharge, the precise goals for the granting of a final discharge, and conditions or restrictions on the patient during the period of the provisional discharge. The aftercare plan shall be provided to the patient, the patient's attorney, and the designated agency.

The aftercare plan shall be reviewed on a quarterly basis by the patient, designated agency and other appropriate persons. The aftercare plan shall contain the grounds upon which a provisional discharge may be revoked. The provisional discharge shall terminate on the date specified in the plan unless specific action is taken to revoke or extend it.

Sec. 27. Minnesota Statutes 2000, section 253B.16, subdivision 1, is amended to read:

Subdivision 1. [DATE.] The head of a treatment facility shall discharge any patient admitted as a person who is mentally ill, chemically dependent, or a person with mental retardation admitted under Minnesota Rules of Criminal Procedure, rules 20.01 and 20.02, to the secure bed component of the Minnesota extended treatment options when the head of the facility certifies that the person is no longer in need of care and treatment or at the conclusion of any period of time specified in the commitment order, whichever occurs first. The head of a treatment facility shall discharge any person admitted as mentally retarded, except those admitted under Minnesota Rules of Criminal Procedure, rules 20.01 and 20.02, to the secure bed component of the Minnesota extended treatment options, when that person's screening team has determined, under section 256B.092, subdivision 8, that the person's needs can be met by services provided in the community and a plan has been developed in consultation with the interdisciplinary team to place the person in the available community services.

Sec. 28. Minnesota Statutes 2000, section 253B.17, subdivision 1, is amended to read:

Subdivision 1. [PETITION.] Any patient, except one committed as a person who is mentally ill and dangerous to the public or as a sexually dangerous person or person with a sexual psychopathic personality as provided in section 253B.18, subdivision 3, or any interested person may petition the committing court or the court to which venue has been transferred for an order that the patient is not in need of continued care and treatment or for an order that an individual is no longer a person who is mentally ill, mentally retarded, or chemically dependent, or for any other relief. A patient committed as a person who is mentally ill or mentally ill and dangerous may petition the committing court or the court to which venue has been transferred for a hearing concerning the administration of neuroleptic medication.

Sec. 29. Minnesota Statutes 2000, section 253B.18, subdivision 1, is amended to read:

Subdivision 1. [PROCEDURE.] (a) Upon the filing of a petition alleging that a proposed patient is a person who is mentally ill and dangerous to the public, the court shall hear the petition as provided in sections 253B.07 and 253B.08. If the court finds by clear and convincing evidence that the proposed patient is a person who is mentally ill and dangerous to the public, it shall commit the person to a secure treatment facility or to a treatment facility willing to accept the patient under commitment. The court shall commit the patient to a secure treatment facility unless the patient establishes by clear and convincing evidence that a less restrictive treatment program is available that is consistent with the patient's treatment needs and the requirements of public safety. In any case where the petition was filed immediately following the acquittal of the proposed patient for a crime against the person pursuant to a verdict of not guilty by reason of mental illness, the verdict constitutes evidence that the proposed patient is a person who is mentally ill and dangerous within the meaning of this section. The proposed patient has the burden of going forward in the presentation of evidence. The standard of proof remains as required by this chapter. Upon commitment, admission procedures shall be carried out pursuant to section 253B.10.

(b) Once a patient is admitted to a treatment facility pursuant to a commitment under this subdivision, treatment must begin regardless of whether a review hearing will be held under subdivision 2.

Sec. 30. Minnesota Statutes 2000, section 253B.18, subdivision 2, is amended to read:

Subd. 2. [REVIEW; HEARING.] (a) A written treatment report shall be filed by the treatment facility with the committing court within 60 days after commitment. If the person is in the custody of the commissioner of corrections when the initial commitment is ordered under subdivision 1, the written treatment report must be filed within 60 days after the person is admitted to a secure treatment facility. The court shall hold a hearing to make a final determination as to whether the person should remain committed as a person who is mentally ill and dangerous to the public. The hearing shall be held within the earlier of 14 days of the court's receipt of the written treatment report, or within 90 days of the date of initial commitment or admission, unless otherwise agreed by the parties.

(b) The court may, with agreement of the county attorney and attorney for the patient:

(1) waive the review hearing under this subdivision and immediately order an indeterminate commitment under subdivision 3; or

(2) continue the review hearing for up to one year.

(c) If the court finds that the patient should be committed as a person who is mentally ill, but not as a person who is mentally ill and dangerous to the public, the court may commit the person as a person who is mentally ill person and the person shall be deemed not to have been found to be dangerous to the public for the purposes of subdivisions 4a to 15. Failure of the treatment facility to provide the required report at the end of the 60-day period shall not result in automatic discharge of the patient.

Sec. 31. Minnesota Statutes 2000, section 253B.18, subdivision 3, is amended to read:

Subd. 3. [INDETERMINATE COMMITMENT.] If the court finds at the final determination hearing held pursuant to subdivision 2 that the patient continues to be a person who is mentally ill and dangerous, then the court shall order commitment of the proposed patient for an indeterminate period of time. After a final determination that a patient is a person who is mentally ill and dangerous to the public, the patient shall be transferred, provisionally discharged or discharged, only as provided in this section.

Sec. 32. Minnesota Statutes 2000, section 253B.18, subdivision 4a, is amended to read:

Subd. 4a. [RELEASE ON PASS; NOTIFICATION.] A patient who has been committed as a person who is mentally ill and dangerous and who is confined at a secure treatment facility shall not be released on a pass unless the pass is part of a pass plan that has been approved by the medical director of the secure treatment facility. The pass plan must have a specific therapeutic purpose consistent with the treatment plan, must be established for a specific period of time, and must have specific levels of liberty delineated. The county case manager must be invited to participate in the development of the pass plan. At least ten days prior to a determination on the plan, the medical director shall notify the designated agency, the committing court, the county attorney of the county of commitment, an interested person, the local law enforcement agency in the location where the pass is to occur, the petitioner, and the petitioner's counsel of the plan, the nature of the passes proposed, and their right to object to the plan. If any notified person objects prior to the proposed date of implementation, the person shall have an opportunity to appear, personally or in writing, before the medical director, within ten days of the objection, to present grounds for opposing the plan. The pass plan shall not be implemented until the objecting person has been furnished that opportunity. Nothing in this subdivision shall be construed to give a patient an affirmative right to a pass plan.

Sec. 33. Minnesota Statutes 2000, section 253B.18, subdivision 4b, is amended to read:

Subd. 4b. [PASS-ELIGIBLE STATUS; NOTIFICATION.] The following patients committed to a secure treatment facility shall not be placed on pass-eligible status unless that status has been approved by the medical director of the secure treatment facility:

(a) a patient who has been committed as a person who is mentally ill and dangerous and who:

(1) was found incompetent to proceed to trial for a felony or was found not guilty by reason of mental illness of a felony immediately prior to the filing of the commitment petition;

(2) was convicted of a felony immediately prior to or during commitment as a person who is mentally ill and dangerous; or

(3) is subject to a commitment to the commissioner of corrections; and

(b) a patient who has been committed as a psychopathic personality, a sexually psychopathic personality, or a sexually dangerous person.

At least ten days prior to a determination on the status, the medical director shall notify the committing court, the county attorney of the county of commitment, the designated agency, an interested person, the petitioner, and the petitioner's counsel of the proposed status, and their right to request review by the special review board. If within ten days of receiving notice any notified person requests review by filing a notice of objection with the commissioner and the head of the treatment facility, a hearing shall be held before the special review board. The proposed status shall not be implemented unless it receives a favorable recommendation by a majority of the board and approval by the commissioner. The order of the commissioner is appealable as provided in section 253B.19.

Nothing in this subdivision shall be construed to give a patient an affirmative right to seek pass-eligible status from the special review board.

Sec. 34. Minnesota Statutes 2000, section 253B.18, subdivision 6, is amended to read:

Subd. 6. [TRANSFER.] A patient who is mentally ill and dangerous ~~patients~~ shall not be transferred out of a secure treatment facility unless it appears to the satisfaction of the commissioner, after a hearing and favorable recommendation by a majority of the special review board, that the transfer is appropriate. Transfer may be to other regional centers under the commissioner's control. In those instances where a commitment also exists to the department of corrections, transfer may be to a facility designated by the commissioner of corrections.

The following factors must be considered in determining whether a transfer is appropriate:

- (i) the person's clinical progress and present treatment needs;
- (ii) the need for security to accomplish continuing treatment;
- (iii) the need for continued institutionalization;
- (iv) which facility can best meet the person's needs; and
- (v) whether transfer can be accomplished with a reasonable degree of safety for the public.

Sec. 35. Minnesota Statutes 2000, section 253B.18, subdivision 7, is amended to read:

Subd. 7. [PROVISIONAL DISCHARGE.] A patient who is mentally ill and dangerous ~~patients~~ shall not be provisionally discharged unless it appears to the satisfaction of the commissioner, after a hearing and a favorable recommendation by a majority of the special review board, that the patient is capable of making an acceptable adjustment to open society.

The following factors are to be considered in determining whether a provisional discharge shall be recommended: (a) whether the patient's course of hospitalization and present mental status indicate there is no longer a need for treatment and supervision in the patient's current treatment setting; and (b) whether the conditions of the provisional discharge plan will provide a reasonable degree of protection to the public and will enable the patient to adjust successfully to the community.

Sec. 36. Minnesota Statutes 2000, section 253B.18, subdivision 15, is amended to read:

Subd. 15. [DISCHARGE.] A patient who is mentally ill and dangerous ~~patient~~ shall not be discharged unless it appears to the satisfaction of the commissioner, after a hearing and a favorable recommendation by a majority of the special review board, that the patient is capable of making an acceptable adjustment to open society, is no longer dangerous to the public, and is no longer in need of inpatient treatment and supervision.

In determining whether a discharge shall be recommended, the special review board and commissioner shall consider whether specific conditions exist to provide a reasonable degree of protection to the public and to assist the patient in adjusting to the community. If the desired conditions do not exist, the discharge shall not be granted.

Sec. 37. Minnesota Statutes 2000, section 253B.185, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] Except as otherwise provided in this section, the provisions of this chapter pertaining to persons who are mentally ill and dangerous to the public apply with like force and effect to persons who are alleged or found to be sexually dangerous persons or persons with a sexual psychopathic personality. Before commitment proceedings are instituted, the facts shall first be submitted to the county attorney, who, if satisfied that good cause exists, will prepare the petition. The county attorney may request a prepetition screening report. The petition is to be executed by a person having knowledge of the facts and filed with the committing court of the county in which the patient has a settlement or is present. If the patient is in the custody of the commissioner of corrections, the petition may be filed in the county where the conviction for which the person is incarcerated was entered. Upon the filing of a petition alleging that a proposed patient is a sexually dangerous person or is a person with a sexual psychopathic personality, the court shall hear the petition as provided in section 253B.18. In commitments under this section, the court shall commit the patient to a secure treatment facility unless the patient establishes by clear and convincing evidence that a less restrictive treatment program is available that is consistent with the patient's treatment needs and the requirements of public safety.

Sec. 38. Minnesota Statutes 2000, section 253B.19, subdivision 2, is amended to read:

Subd. 2. [PETITION; HEARING.] The committed person or the county attorney of the county from which a patient was committed as a person who is mentally ill and dangerous to the public, or as a sexual psychopathic personality or as a sexually dangerous person may petition the appeal panel for a rehearing and reconsideration of a decision by the commissioner. The petition shall be filed with the supreme court within 30 days after the decision of the commissioner is signed. The supreme court shall refer the petition to the chief judge of the appeal panel. The chief judge shall notify the patient, the county attorney of the county of commitment, the designated agency, the commissioner, the head of the treatment facility, any interested person, and other persons the chief judge designates, of the time and place of the hearing on the petition. The notice shall be given at least 14 days prior to the date of the hearing. The hearing shall be within 45 days of the filing of the petition unless an extension is granted for good cause. Any person may oppose the petition. The appeal panel may appoint examiners and may adjourn the hearing from time to time. It shall hear and receive all relevant testimony and evidence and make a record of all proceedings. The patient, patient's counsel, and the county attorney of the committing county may be present and present and cross-examine all witnesses. The petitioning party bears the burden of going forward with the evidence. The party opposing discharge bears the burden of proof by clear and convincing evidence that the respondent is in need of commitment.

Sec. 39. Minnesota Statutes 2000, section 253B.212, subdivision 2, is amended to read:

Subd. 2. [EFFECT GIVEN TO TRIBAL COMMITMENT ORDER.] When, under an agreement entered into pursuant to subdivision 1, the Indian Health Service applies to a regional center for admission of a person committed to the jurisdiction of the health service by the tribal court as a person who is mentally ill, mentally retarded, or chemically dependent, the commissioner may treat the patient with the consent of the Indian Health Service.

A person admitted to a regional center pursuant to this section has all the rights accorded by section 253B.03. In addition, treatment reports, prepared in accordance with the requirements of section 253B.12, subdivision 1, shall be filed with the Indian Health Service within 60 days of commencement of the patient's stay at the facility. A subsequent treatment report shall be filed with the Indian Health Service within six months of the patient's admission to the facility or prior to discharge, whichever comes first. Provisional discharge or transfer of the patient may be authorized by the head of the treatment facility only with the consent of the Indian Health Service. Discharge from the facility to the Indian Health Service may be authorized by the head of the treatment facility after notice to and consultation with the Indian Health Service.

Sec. 40. Minnesota Statutes 2000, section 256E.03, subdivision 2, is amended to read:

Subd. 2. (a) "Community social services" means services provided or arranged for by county boards to fulfill the responsibilities prescribed in section 256E.08, subdivision 1, to the following groups of persons:

(1) families with children under age 18, who are experiencing child dependency, neglect or abuse, and also pregnant adolescents, adolescent parents under the age of 18 and their children, and other adolescents;

(2) persons, including adolescents, who are under the guardianship of the commissioner of human services as dependent and neglected wards;

(3) adults who are in need of protection and vulnerable as defined in section 626.5572;

(4) persons age 60 and over who are experiencing difficulty living independently and are unable to provide for their own needs;

(5) emotionally disturbed children and adolescents, persons who are chronically and acutely mentally ill ~~persons~~ and who are unable to provide for their own needs or to independently engage in ordinary community activities;

(6) persons with mental retardation as defined in section 252A.02, subdivision 2, or with related conditions as defined in section 252.27, subdivision 1a, who are unable to provide for their own needs or to independently engage in ordinary community activities;

(7) drug dependent and intoxicated persons, including adolescents, as defined in section 254A.02, subdivisions 5 and 7, and persons, including adolescents, at risk of harm to self or others due to the ingestion of alcohol or other drugs;

(8) parents whose income is at or below 70 percent of the state median income and who are in need of child care services in order to secure or retain employment or to obtain the training or education necessary to secure employment;

(9) children and adolescents involved in or at risk of involvement with criminal activity; and

(10) other groups of persons who, in the judgment of the county board, are in need of social services.

(b) Except as provided in section 256E.08, subdivision 5, community social services do not include public assistance programs known as the Minnesota family investment program, Minnesota supplemental aid, medical assistance, general assistance, general assistance medical care, or community health services authorized by sections 145A.09 to 145A.13.

Sec. 41. Minnesota Statutes 2000, section 299F.77, is amended to read:

299F.77 [ISSUANCE TO CERTAIN PERSONS PROHIBITED.]

The following persons shall not be entitled to receive an explosives license or permit:

(1) a person under the age of 18 years;

(2) a person who has been convicted in this state or elsewhere of a crime of violence, as defined in section 299F.72, subdivision 1b, unless ten years have elapsed since the person's civil rights have been restored or the sentence has expired, whichever occurs first, and during that time the person has not been convicted of any other crime of violence. For purposes of this section, crime of violence includes crimes in other states or jurisdictions that would have been crimes of violence if they had been committed in this state;

(3) a person who is or has ever been confined or committed in Minnesota or elsewhere as a "person who is mentally ill," "mentally retarded," or "mentally ill and dangerous to the public" ~~person~~, as defined in section 253B.02, to a treatment facility, unless the person possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that the person is no longer suffering from this disability;

(4) a person who has been convicted in Minnesota or elsewhere for the unlawful use, possession, or sale of a controlled substance other than conviction for possession of a small amount of marijuana, as defined in section 152.01, subdivision 16, or who is or has ever been hospitalized or committed for treatment for the habitual use of a controlled substance or marijuana, as defined in sections 152.01 and 152.02, unless the person possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that the person has not abused a controlled substance or marijuana during the previous two years; and

(5) a person who has been confined or committed to a treatment facility in Minnesota or elsewhere as "chemically dependent," as defined in section 253B.02, unless the person has completed treatment.

Sec. 42. Minnesota Statutes 2000, section 376.01, is amended to read:

376.01 [ACQUISITION OF LAND.]

A county board may acquire land in the county for hospital purposes for patients, other than ~~the~~ for persons who are mentally ill.

Sec. 43. Minnesota Statutes 2000, section 376.02, is amended to read:

376.02 [BUILDINGS.]

A county board may purchase or construct suitable buildings for hospital purposes for patients, other than ~~the~~ for persons who are mentally ill, on any land acquired under section 376.01, and may improve, equip, and maintain these buildings for hospital purposes. The county board may pay for these buildings out of any fund in the county treasury not otherwise appropriated or issue warrants or bonds of the county for payment. The county board may fix the time and terms of payment of these warrants or bonds and the amount of interest to be paid.

Sec. 44. Minnesota Statutes 2000, section 462A.02, subdivision 9, is amended to read:

Subd. 9. [SPECIAL NEEDS RESIDENTIAL CARE.] It is further declared that the health, welfare, and personal interests of ~~the persons who are~~ mentally ill, mentally retarded, physically handicapped, and drug dependent citizens of Minnesota ~~and~~ who are ~~and who or~~ may be in need of residential care are better served through the development of a comprehensive, community-based system of treatment and care which requires the availability of adequate financing for the construction, renovation, or rehabilitation of residential care facilities as well as sufficient funds for their operational start-up costs.

Sec. 45. Minnesota Statutes 2000, section 462A.03, subdivision 19, is amended to read:

Subd. 19. [RESIDENTIAL CARE FACILITY.] "Residential care facility" means a living unit established primarily for the accommodation and treatment of persons who are mentally ill, mentally retarded, physically handicapped, and drug dependent ~~persons.~~

Sec. 46. Minnesota Statutes 2000, section 609.06, subdivision 1, is amended to read:

Subdivision 1. [WHEN AUTHORIZED.] Except as otherwise provided in subdivision 2, reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes them to exist:

- (1) when used by a public officer or one assisting a public officer under the public officer's direction:
 - (a) in effecting a lawful arrest; or
 - (b) in the execution of legal process; or
 - (c) in enforcing an order of the court; or
 - (d) in executing any other duty imposed upon the public officer by law; or
- (2) when used by a person not a public officer in arresting another in the cases and in the manner provided by law and delivering the other to an officer competent to receive the other into custody; or
- (3) when used by any person in resisting or aiding another to resist an offense against the person; or
- (4) when used by any person in lawful possession of real or personal property, or by another assisting the person in lawful possession, in resisting a trespass upon or other unlawful interference with such property; or
- (5) when used by any person to prevent the escape, or to retake following the escape, of a person lawfully held on a charge or conviction of a crime; or
- (6) when used by a parent, guardian, teacher, or other lawful custodian of a child or pupil, in the exercise of lawful authority, to restrain or correct such child or pupil; or
- (7) when used by a school employee or school bus driver, in the exercise of lawful authority, to restrain a child or pupil, or to prevent bodily harm or death to another; or
- (8) when used by a common carrier in expelling a passenger who refuses to obey a lawful requirement for the conduct of passengers and reasonable care is exercised with regard to the passenger's personal safety; or
- (9) when used to restrain a person who is mentally ill or mentally defective ~~person~~ from self-injury or injury to another or when used by one with authority to do so to compel compliance with reasonable requirements for the person's control, conduct, or treatment; or
- (10) when used by a public or private institution providing custody or treatment against one lawfully committed to it to compel compliance with reasonable requirements for the control, conduct, or treatment of the committed person.

Sec. 47. Minnesota Statutes 2000, section 609.668, subdivision 2, is amended to read:

Subd. 2. [POSSESSION BY CERTAIN PERSONS PROHIBITED.] The following persons are prohibited from possessing or reporting an explosive device or incendiary device:

- (a) a person under the age of 18 years;

(b) a person who has been convicted in this state or elsewhere of a crime of violence unless ten years have elapsed since the person's civil rights have been restored or the sentence has expired, whichever occurs first, and during that time the person has not been convicted of any other crime of violence. For purposes of this section, crime of violence includes crimes in other states or jurisdictions that would have been crimes of violence if they had been committed in this state;

(c) a person who is or has ever been confined or committed in Minnesota or elsewhere as a "person who is mentally ill," "mentally retarded," or "mentally ill and dangerous to the public" ~~person,~~ as defined in section 253B.02, to a treatment facility, unless the person possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that the person is no longer suffering from this disability;

(d) a person who has been convicted in Minnesota or elsewhere for the unlawful use, possession, or sale of a controlled substance other than conviction for possession of a small amount of marijuana, as defined in section 152.01, subdivision 16, or who is or has ever been hospitalized or committed for treatment for the habitual use of a controlled substance or marijuana, as defined in sections 152.01 and 152.02, unless the person possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that the person has not abused a controlled substance or marijuana during the previous two years;

(e) a person who has been confined or committed to a treatment facility in Minnesota or elsewhere as "chemically dependent," as defined in section 253B.02, unless the person has completed treatment; and

(f) a peace officer who is informally admitted to a treatment facility under section 253B.04 for chemical dependency, unless the officer possesses a certificate from the head of the treatment facility discharging or provisionally discharging the officer from the treatment facility.

A person who in good faith issues a certificate to a person described in this subdivision to possess or use an incendiary or explosive device is not liable for damages resulting or arising from the actions or misconduct with an explosive or incendiary device committed by the individual who is the subject of the certificate.

Sec. 48. Minnesota Statutes 2000, section 624.713, subdivision 1, is amended to read:

Subdivision 1. [INELIGIBLE PERSONS.] The following persons shall not be entitled to possess a pistol or semiautomatic military-style assault weapon or, except for clause (a), any other firearm:

(a) a person under the age of 18 years except that a person under 18 may carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual presence or under the direct supervision of the person's parent or guardian, (ii) for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision, (iii) for the purpose of instruction, competition, or target practice on a firing range approved by the chief of police or county sheriff in whose jurisdiction the range is located and under direct supervision; or (iv) if the person has successfully completed a course designed to teach marksmanship and safety with a pistol or semiautomatic military-style assault weapon and approved by the commissioner of natural resources;

(b) except as otherwise provided in clause (i), a person who has been convicted of, or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, in this state or elsewhere, a crime of violence unless ten years have elapsed since the person has been restored to civil rights or the sentence or disposition has expired, whichever occurs first, and during that time the person has not been convicted of or adjudicated for any other crime of violence. For purposes of this section, crime of violence includes crimes in other states or jurisdictions which would have been crimes of violence as herein defined if they had been committed in this state;

(c) a person who is or has ever been confined in Minnesota or elsewhere as a "person who is mentally ill," "mentally retarded," or "mentally ill and dangerous to the public" ~~person,~~ as defined in section 253B.02, to a treatment facility, or who has ever been found incompetent to stand trial or not guilty by reason of mental illness, unless the person possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof that the person is no longer suffering from this disability;

(d) a person who has been convicted in Minnesota or elsewhere of a misdemeanor or gross misdemeanor violation of chapter 152, or a person who is or has ever been hospitalized or committed for treatment for the habitual use of a controlled substance or marijuana, as defined in sections 152.01 and 152.02, unless the person possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that the person has not abused a controlled substance or marijuana during the previous two years;

(e) a person who has been confined or committed to a treatment facility in Minnesota or elsewhere as "chemically dependent" as defined in section 253B.02, unless the person has completed treatment. Property rights may not be abated but access may be restricted by the courts;

(f) a peace officer who is informally admitted to a treatment facility pursuant to section 253B.04 for chemical dependency, unless the officer possesses a certificate from the head of the treatment facility discharging or provisionally discharging the officer from the treatment facility. Property rights may not be abated but access may be restricted by the courts;

(g) a person, including a person under the jurisdiction of the juvenile court, who has been charged with committing a crime of violence and has been placed in a pretrial diversion program by the court before disposition, until the person has completed the diversion program and the charge of committing the crime of violence has been dismissed;

(h) except as otherwise provided in clause (i), a person who has been convicted in another state of committing an offense similar to the offense described in section 609.224, subdivision 3, against a family or household member or section 609.2242, subdivision 3, unless three years have elapsed since the date of conviction and, during that time, the person has not been convicted of any other violation of section 609.224, subdivision 3, or 609.2242, subdivision 3, or a similar law of another state;

(i) a person who has been convicted in this state or elsewhere of assaulting a family or household member and who was found by the court to have used a firearm in any way during commission of the assault is prohibited from possessing any type of firearm for the period determined by the sentencing court; or

(j) a person who:

(1) has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;

(2) is a fugitive from justice as a result of having fled from any state to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding;

(3) is an unlawful user of any controlled substance as defined in chapter 152;

(4) has been judicially committed to a treatment facility in Minnesota or elsewhere as a "person who is mentally ill," "mentally retarded," or "mentally ill and dangerous to the public"~~person~~, as defined in section 253B.02;

(5) is an alien who is illegally or unlawfully in the United States;

(6) has been discharged from the armed forces of the United States under dishonorable conditions; or

(7) has renounced the person's citizenship having been a citizen of the United States.

A person who issues a certificate pursuant to this subdivision in good faith is not liable for damages resulting or arising from the actions or misconduct with a firearm committed by the individual who is the subject of the certificate.

The prohibition in this subdivision relating to the possession of firearms other than pistols and semiautomatic military-style assault weapons does not apply retroactively to persons who are prohibited from possessing a pistol or semiautomatic military-style assault weapon under this subdivision before August 1, 1994.

Sec. 49. Minnesota Statutes 2000, section 631.50, is amended to read:

631.50 [ALIEN INMATES OR MENTALLY ILL PERSONS; REQUIRING NOTICE TO UNITED STATES IMMIGRATION OFFICERS.]

When a person who is convicted of a felony or is found to be a person who is mentally ill is committed to the Minnesota correctional facility-Stillwater, the Minnesota correctional facility-St. Cloud, the county jail, or any other state or county institution which is supported, wholly or in part, by public funds, the chief executive officer, sheriff, or other officer in charge of the state or county institution shall at once inquire into the nationality of the person. If it appears that the person is an alien, the officer shall immediately notify the United States immigration officer in charge of the district in which the correctional facility, jail, or other institution is located, of (1) the date of and the reasons for the alien commitment, (2) the length of time for which committed, (3) the country of which the alien is a citizen, and (4) the date on which and the port at which the alien last entered the United States.

Sec. 50. [REVISORS INSTRUCTION.]

In the next publication of Minnesota Rules, the revisor shall change references to "mentally ill person" or similar terminology wherever it appears in rules so that it is consistent with the changes in this act."

Delete the title and insert:

"A bill for an act relating to human services; changing terminology in statute of references to mentally ill person; amending Minnesota Statutes 2000, sections 13.89, subdivision 2; 148.263, subdivision 5; 148B.07, subdivision 6; 148B.283, subdivision 7; 148C.09, subdivision 1; 149A.61, subdivision 5; 153.19, subdivision 1; 153.24, subdivision 5; 156.081, subdivision 2; 156.122; 245.462, subdivision 20; 253.015, subdivision 2; 253.21; 253B.02, subdivisions 17, 18, 19; 253B.06, subdivision 1; 253B.12, subdivision 1; 253B.141, subdivision 2; 253B.15, subdivision 1; 253B.16, subdivision 1; 253B.17, subdivision 1; 253B.18, subdivisions 1, 2, 3, 4a, 4b, 6, 7, 15; 253B.185, subdivision 1; 253B.19, subdivision 2; 253B.212, subdivision 2; 256E.03, subdivision 2; 299F.77; 376.01; 376.02; 462A.02, subdivision 9; 462A.03, subdivision 19; 609.06, subdivision 1; 609.668, subdivision 2; 624.713, subdivision 1; 631.50; Minnesota Statutes 2001 Supplement, sections 241.69, subdivisions 2, 3, 4, 5; 253B.02, subdivision 13; 253B.09, subdivision 1."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

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

S. F. No. 1297, A bill for an act relating to crimes; modifying requirements for reporting gunshot wounds; amending Minnesota Statutes 2000, sections 626.52, subdivision 2; and 626.53.

Reported the same back with the following amendments:

Page 1, line 11, after "and" insert "subsequently report to"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2596, 2632, 2643, 2657, 2660, 2704, 2731, 2742, 2763 and 2783 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 58 and 1297 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Evans, Greiling, Wagenius, Tingelstad and Johnson, S., introduced:

H. F. No. 3126, A bill for an act relating to education; requiring the commissioner to provide diesel fuel emissions information to local school districts; requiring local school districts to provide diesel fuel emissions information to parents; proposing coding for new law in Minnesota Statutes, chapters 121A; 123B.

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

Mares and Murphy introduced:

H. F. No. 3127, A bill for an act relating to retirement; authorizing the commissioner of administration to lease pension fund facilities to deferred compensation service providers; amending Minnesota Statutes 2000, section 356.89, subdivision 3.

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

Hackbarth, Mullery, Gray, Bakk and Ozment introduced:

H. F. No. 3128, A bill for an act relating to game and fish; modifying ammunition provisions for taking big game; amending Minnesota Statutes 2000, section 97B.031, subdivision 1.

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

Holsten introduced:

H. F. No. 3129, A bill for an act relating to environment; clarifying individual sewage treatment classification; abolishing the waste tire grant and loan program; amending Minnesota Statutes 2000, section 115.55, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 115A.912, subdivision 1; repealing Minnesota Statutes 2000, section 115A.913; Minnesota Rules, parts 9220.0130, subpart 2, item H; 9220.0170; 9220.0180; 9220.0800; 9220.0805; 9220.0810; 9220.0815; 9220.0820; 9220.0825; 9220.0830; 9220.0835; 9220.0900; 9220.0905; 9220.0910; 9220.0915; 9220.0920; 9220.0925; 9220.0930; 9220.0935.

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

Holberg; Sviggum; Otremba; Kubly; Blaine; Mulder; Seifert; Kalis; Eastlund; Gerlach; Kielkucki; Erickson; Tuma; Walz; Kuisle; Rifenberg; Penas; Pawlenty; Smith; Jacobson; Murphy; Juhnke; Marquart; Johnson, J.; Pelowski; Schumacher; Boudreau; Winter; Goodno; Molnau; Cassell; Clark, J.; Bradley; Ruth and Vandever introduced:

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

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

Lenczewski introduced:

H. F. No. 3131, A bill for an act relating to retirement; modifying the Hennepin county supplemental retirement plan to allow the county administrator to approve certain participant requests; amending Minnesota Statutes 2000, sections 383B.49; 383B.493.

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

Lenczewski introduced:

H. F. No. 3132, A bill for an act relating to the environment; providing for limitations in the use and sale of phosphorous lawn fertilizers; requiring rulemaking; appropriating money; amending Minnesota Statutes 2000, section 115.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 115.

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

Lipman introduced:

H. F. No. 3133, A bill for an act relating to state government; state procurement; codifying references relating to competitive bidding for building and construction contracts; amending Minnesota Statutes 2000, section 16C.25; proposing coding for new law in Minnesota Statutes, chapter 16C.

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. 3134, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Green lake floodgate project.

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

Clark, J., introduced:

H. F. No. 3135, A bill for an act relating to highways; transferring three state highways and vacating one state highway; repealing Minnesota Statutes 2000, section 161.115, subdivisions 122, 197, 204, 233.

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

Daggett, Tingelstad, Schumacher, Ozment and Dempsey introduced:

H. F. No. 3136, A bill for an act relating to natural resources; providing funding for the acquisition and improvement of local natural and scenic areas and regional parks; authorizing the sale of state bonds; appropriating money.

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

Kuisle introduced:

H. F. No. 3137, A bill for an act relating to transportation; providing for high-speed rail transportation under authority of commissioner of transportation; proposing coding for new law in Minnesota Statutes, chapter 174; repealing Laws 2001, First Special Session chapter 8, article 2, section 53.

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

Swenson and Tuma introduced:

H. F. No. 3138, A bill for an act relating to family law; establishing provisions for division of a family farm in a marriage dissolution; proposing coding for new law in Minnesota Statutes, chapter 518.

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

Dawkins introduced:

H. F. No. 3139, A bill for an act relating to human services; increasing the medical assistance spenddown standard for the aged, blind, and disabled; amending Minnesota 2001 Supplement, sections 256B.056, subdivision 5c; 256D.03, subdivision 3.

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

Murphy introduced:

H. F. No. 3140, A bill for an act relating to local government aids; increasing the city revenue base for certain cities; amending Minnesota Statutes 2001 Supplement, section 477A.011, subdivision 36.

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

Mullery, Walker, Gleason, Leppik and Kelliher introduced:

H. F. No. 3141, A bill for an act relating to taxation; exempting construction materials for a Minneapolis library and planetarium from the sales tax; amending Minnesota Statutes 2000, section 297A.71, by adding a subdivision.

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

Swenson introduced:

H. F. No. 3142, A bill for an act relating to agriculture; providing for uniformity of certain Minnesota food rules with certain federal standards; amending Minnesota Statutes 2000, sections 31.101, as amended; 31.102, subdivision 1; 31.103, subdivision 1; 31.104.

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

Sertich introduced:

H. F. No. 3143, A bill for an act relating to economic development; repealing obsolete provisions relating to the Minnesota export finance authority and a business migration report; modifying conference and service center use in the Minnesota world trade center; modifying the urban initiative program; coordinating funding for wastewater and drinking water funding; extending availability of funding for travel information centers; increasing bonding authority for the public facilities authority; reinstating a repealed law; amending Minnesota Statutes 2000, sections 48.24, subdivision 5; 116J.58, subdivision 1; 116J.9665, subdivisions 1, 4, 6; 116M.14, subdivision 4; 116M.18, subdivisions 2, 3, 4, 5, 8, by adding a subdivision; 446A.07, subdivisions 4, 11; 446A.12, subdivision 1; Laws 2001, First Special Session chapter 4, article 1, section 2, subdivision 5; repealing Minnesota Statutes 2000, sections 116J.9672; 116J.9673.

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

Mariani, Wagenius and Kahn introduced:

H. F. No. 3144, A bill for an act relating to the environment; establishing emissions limitations for emissions from electric generating facilities; authorizing the public utilities commission to order a public utility to evaluate emissions reductions options and to implement emissions reductions initiatives; amending Minnesota Statutes 2001 Supplement, section 216B.1692, subdivisions 2, 3, 6; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Anderson, B.; Johnson, J., and Olson introduced:

H. F. No. 3145, A bill for an act relating to transportation; establishing a trunk highway corridor-protection demonstration project; requiring the commissioner to report findings; appropriating money.

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

Stanek and Tuma introduced:

H. F. No. 3146, A bill for an act relating to gambling; providing for a specified scratch-off lottery game; appropriating proceeds for antiterrorism initiatives.

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

Clark, K.; Gray; Mariani; Mahoney; Walker; Greiling; Mullery and Howes introduced:

H. F. No. 3147, A bill for an act relating to youth employment; modifying the requirements for youth employment involvement in certain construction projects paid for with grant funds; amending Minnesota Statutes 2000, section 119A.45.

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

Rhodes introduced:

H. F. No. 3148, A bill for an act relating to health occupations; modifying registration requirements for speech-language pathologists and audiologists whose registrations have lapsed for more than three years; amending Minnesota Statutes 2000, section 148.518, subdivision 2.

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

Sertich, Bakk, Huntley, Solberg and Swapinski introduced:

H. F. No. 3149, A bill for an act relating to St. Louis county; repealing the St. Louis county civil service system and establishing a St. Louis county personnel administration system; proposing coding for new law in Minnesota Statutes, chapter 383C; repealing Minnesota Statutes 2000, sections 383C.03; 383C.031; 383C.032; 383C.033; 383C.034; 383C.035; 383C.036; 383C.037; 383C.038; 383C.039; 383C.04; 383C.041; 383C.042; 383C.043; 383C.044; 383C.045; 383C.046; 383C.047; 383C.048; 383C.049; 383C.05; 383C.051; 383C.052; 383C.053; 383C.055; 383C.056; 383C.059.

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

Seagren introduced:

H. F. No. 3150, A bill for an act relating to education; amending certain kindergarten through grade 12 provisions; amending Minnesota Statutes 2001 Supplement, section 126C.17, subdivision 1; repealing Laws 2001, First Special Session chapter 6, article 1, section 31.

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

Gunther; Sertich; McElroy; Clark, K., and Davids introduced:

H. F. No. 3151, A bill for an act relating to state government; reorganizing and restructuring certain departments; creating the department of workforce and economic development; eliminating the department of economic security and the department of trade and economic development; transferring duties; making technical changes; amending Minnesota Statutes 2000, sections 4.045; 14.03, subdivision 2; 14.3691, subdivision 2; 15.057; 16C.05, subdivision 3; 116J.011; 116J.035, subdivision 2; 116J.401; 116M.15, subdivision 1; 216C.10; 256J.08, subdivision 52; 268.001; Minnesota Statutes 2001 Supplement, sections 3C.12, subdivision 2; 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 43A.08, subdivision 1a; 116J.01, subdivision 5; 116L.04, subdivision 1a; 125A.023, subdivision 4; 125A.28; proposing coding for new law in Minnesota Statutes, chapter 116J; repealing Minnesota Statutes 2000, sections 268.0111, subdivisions 1, 2, 3a; 268.0121, subdivisions 1, 2; 268.0122, subdivisions 5, 6; 268.014; Minnesota Statutes 2001 Supplement, sections 268.0122, subdivisions 2, 3; 268.029.

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

Evans, Greiling, Abeler, Bernardy and Ness introduced:

H. F. No. 3152, A bill for an act relating to education finance; creating a levy to reimburse school districts for their unfunded special education costs; proposing coding for new law in Minnesota Statutes, chapter 125A.

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

Wasiluk, Greiling, Slawik, Howes and Ruth introduced:

H. F. No. 3153, A bill for an act relating to education; modifying reduction process to district referendum revenue allowance; amending Minnesota Statutes 2001 Supplement, section 126C.17, subdivision 1.

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

Holsten, Workman, Milbert, Buesgens and Rhodes introduced:

H. F. No. 3154, A bill for an act relating to gambling; state lottery; providing for gaming machines; establishing horse racing purse payments; amending Minnesota Statutes 2000, sections 299L.07, subdivision 2a; 349A.01, by adding subdivisions; 541.21; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 349A.

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

Fuller, Pawlenty, Pugh, Milbert and Walz introduced:

H. F. No. 3155, A bill for an act relating to capital improvements; appropriating money for capital improvements at Bemidji state university; authorizing the issuance of bonds.

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

Fuller, Skoe, Solberg, Pugh and Walz introduced:

H. F. No. 3156, A bill for an act relating to capital improvements; appropriating money to construct the Headwaters Regional Science Center in Bemidji; authorizing the sale of state bonds.

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

Ness and Finseth introduced:

H. F. No. 3157, A bill for an act relating to state government; appropriating and reducing money for environmental, natural resources, and agricultural purposes; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; amending Minnesota Statutes 2000, sections 41A.09, subdivision 3a; 84.0887, subdivision 8; Minnesota Statutes 2001 Supplement, sections 93.2235; 115A.545, subdivision 2; Laws 2000, chapter 488, article 3, section 7; Laws 2001, First Special Session chapter 2, sections 5, subdivisions 2, 4, 5, 6, 7, 8, 9, 10, 11; 6; 14, subdivision 5; repealing Minnesota Statutes 2000, sections 1.31; 17.110; 84.0887, subdivisions 3, 7; 84.98, subdivisions 1, 2, 3, 4, 6, 7, 8; 84.99; 84B.11; 103B.3369, subdivisions 7, 8; 103B.351; 103F.461; 103G.2373; Minnesota Statutes 2001 Supplement, sections

84.0887, subdivisions 1, 2, 4, 5, 6, 9; 84.98, subdivision 5; Minnesota Rules, parts 8405.0100; 8405.0110; 8405.0120; 8405.0130; 8405.0140; 8405.0150; 8405.0160; 8405.0170; 8405.0180; 8405.0190; 8405.0200; 8405.0210; 8405.0220; 8405.0230.

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

Gunther, Sertich and Davids introduced:

H. F. No. 3158, A bill for an act relating to economic development; creating the greater Minnesota redevelopment program; proposing coding for new law in Minnesota Statutes, chapter 116J; repealing Minnesota Statutes 2000, sections 116J.561; 116J.562; 116J.563; 116J.564; 116J.565; 116J.566; 116J.567.

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

Rifenberg, Pelowski and Kuisle introduced:

H. F. No. 3159, A bill for an act relating to taxation; eliminating the authority of the commissioner of revenue to terminate income tax reciprocity; amending Minnesota Statutes 2000, section 290.081.

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

Mares introduced:

H. F. No. 3160, A bill for an act relating to retirement; local police and paid firefighter relief associations; clarifying the laws applicable to the remaining local police and paid firefighter pension plans; repealing obsolete local police and paid firefighter pension plan laws; amending Minnesota Statutes 2000, sections 69.77; 69.80; 353A.08, subdivision 6a; 423A.17; 423A.171; 424A.09; repealing Minnesota Statutes 2000, sections 69.25; 69.26; 69.27; 69.28; 69.29; 69.30; 69.32; 69.33; 69.361; 69.37; 69.38; 69.39; 69.40; 69.41; 69.42; 69.43; 69.44; 69.45; 69.46; 69.47; 69.48; 69.49; 69.50; 69.51; 69.52; 69.53; 69.62; 69.78; 297I.10, subdivision 2; 423.37; 423.371; 423.372; 423.373; 423.374; 423.375; 423.377; 423.378; 423.379; 423.38; 423.381; 423.382; 423.383; 423.384; 423.385; 423.386; 423.387; 423.388; 423.389; 423.39; 423.391; 423.392; 423.801; 423.802; 423.803; 423.804; 423.805; 423.806; 423.808; 423.809; 423.810; 423.812; 423.813; 423.814; 423.90; 423A.03; 424.01; 424.02; 424.03; 424.04; 424.05; 424.06; 424.08; 424.14; 424.15; 424.16; 424.165; 424.17; 424.18; 424.19; 424.20; 424.21; 424.22; 424.23; 424.24; 424.25; 424.27; 424.28; 424.29; Special Session Laws 1889, chapter 425; Special Session Laws 1891, chapter 11; Laws 1897, chapters 389; 390; Laws 1915, chapter 68; Laws 1917, chapter 196; Laws 1919, chapters 68; 515; Laws 1921, chapter 118; Laws 1923, chapter 54; Laws 1925, chapter 197; Laws 1931, chapter 48; Laws 1933, chapter 122; Laws 1935, chapters 92; 192; 208; 259; Laws 1937, chapters 132; 197; 253; Laws 1939, chapters 124; 304; Laws 1941, chapters 74; 182; 196; Laws 1943, chapters 170; 267; 397; 413; 432; Laws 1945, chapters 74; 182; 277; 300; Laws 1947, chapters 40; 43; 101; 274; 329; Laws 1949, chapters 87; 144; 153; 154; 164; 191; 235; 281; 378; Laws 1951, chapters 43; 45; 48; 144; 233; 243; 420; 435; 499; Laws 1953, chapters 37; 44; 91; 235; 253; 348; 391; 401; 406; Laws 1955, chapters 42; 49; 75; 151; 187; 188; 293; 294; 348; 375; 827; Laws 1957, chapters 10; 16; 36; 127; 144; 164; 256; 257; 455; 630; 793; Laws 1959, chapters 108; 131; 191; 207; 208; 211; 437; Laws 1961, chapters 186; 290; 295; 300; 343; 376; 399; 434; 435, section 2; 443; 620; 631; 747; Extra Session Laws 1961, chapters 28; 80; Laws 1963, chapters 36; 208; 221; 271; 443; 453; 454; 464; 619; 636; 643; 670; 715; Laws 1965, chapters 174; 179; 190; 418; 457; 458; 465; 498; 536; 540; 594; 604; 605; 636; 790; Laws 1967, chapters 644; 678; 702; 708; 730; 732; 736; 751; 775; 783; 798; 807; 816; 848; Laws 1969, chapters 138; 442; 443; 552; 576; 594; 614; 641; 668; 669; 670; 671; 672; 686; 694; 716; 849; 1087; Laws 1971, chapters 51; 178; 407; 549; 614; 807; 809; 810; Extra Session Laws 1971, chapter 41; Laws 1973, chapters 286; 287; 346; 359; 432; 433; 587; Laws 1974, chapters 251; 382; Laws 1975, chapters 120; 121; 127; 254, sections 1, 2, 3, 4, 5, 6; 368, section 54; 389; 408; 423; 424; 425; Laws 1976, chapters 36; 78; 85; 99; 247; Laws 1977, chapters 83; 164, sections 1, 3; 169; 270; 275; 374; 429, section 62; Laws 1978, chapters 563, sections 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29,

30; 579; 648; 690, sections 9 and 10; and 793, section 96; Laws 1979, chapters 131, section 3; 216, sections 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44; Laws 1980, chapters 341, sections 2, 3, 4, 5, 6, 9, 10; 600, sections 11, 12, 13, 14, 15, 16, 17, 18, 22; 607, article XV, section 23; Laws 1981, chapters 68, sections 31, 32, 33, 34, 35, 36, 37, 41, 42, 43; 224, sections 236, 237, 239, 240, 243, 244, 247, 248, 252, 253, 258, 259, 260, 261, 263, 264, 265, 266, 267, 268, 270, 272, 273; 297, sections 1, 2; Laws 1982, chapters 402; 443; 574, sections 3, 4, 5, 6, 8; 578, article 2, section 1, subdivision 8; 3, section 18; 610, sections 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20; Laws 1983, chapters 47; 74; 84, section 1; 291, sections 8, 9, 10, 11, 12, 13, 14, 15, 16, 17; Laws 1984, chapter 574, sections 18, 19, 20, 22, 23, 24, 25, 26, 33; Laws 1985, chapters 259, sections 5, 6, as amended; 261, sections 14, 15, 16, 18, 20, 32, 33, 34, 35, 36; Laws 1986, chapters 359, sections 22, 23, 24, 25; 458, sections 23, 24, 34; Laws 1987, chapter 372, article 2, sections 7, 8, 9, 10, 12; Laws 1988, chapter 709, articles 8, section 5; 9, section 5; Laws 1989, chapter 319, article 11, sections 2, 3, 4, 12; Laws 1990, chapter 589, article 1, section 7; Laws 1991, chapters 96; 269, article 2, sections 12, 13; Laws 1992, chapters 392, section 1; 393, section 1; 422; 431, section 1; 448; 455; 563, sections 3, 4, 5; 586, section 1; Laws 1993, chapters 72; 110; 112, section 2; 126; 202, article 1; Laws 1994, chapters 409; 410; 474; 490; 541, section 3; Laws 1995, chapter 262, article 10, section 4; Laws 1996, chapter 448, article 2, section 1; Laws 1997, chapter 241, article 2, sections 2, 3, 4, 5, 6, 9, 10, 11, 13, 14, 15, 20; Laws 1999, chapter 222, article 3, section 6.

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

Mares introduced:

H. F. No. 3161, A bill for an act relating to retirement; social security coverage for public employees; recodifying social security coverage provisions; amending Minnesota Statutes 2000, sections 355.01, subdivisions 1, 3, 6, 8, by adding subdivisions; 355.02; 355.03; 355.05; 355.07; 355.08; proposing coding for new law in Minnesota Statutes, chapter 355; repealing Minnesota Statutes 2000, sections 355.01, subdivisions 2, 4, 5, 9, 10; 355.11; 355.12; 355.13; 355.14; 355.15; 355.16; 355.17; 355.201; 355.202; 355.203; 355.204; 355.205; 355.206; 355.207; 355.208; 355.209; 355.21; 355.22; 355.23; 355.24; 355.25; 355.26; 355.27; 355.28; 355.281; 355.282; 355.283; 355.284; 355.285; 355.286; 355.287; 355.288; 355.29; 355.291; 355.292; 355.293; 355.294; 355.295; 355.296; 355.297; 355.298; 355.299; 355.30; 355.311; 355.391; 355.392; 355.393; 355.41; 355.42; 355.43; 355.44; 355.45; 355.46; 355.48; 355.49; 355.50; 355.51; 355.52; 355.54; 355.55; 355.56; 355.57; 355.58; 355.59; 355.60; 355.61; 355.621; 355.622; 355.623; 355.624; 355.625; 355.626; 355.627; 355.628; 355.71; 355.72; 355.73; 355.74; 355.75; 355.76; 355.77; 355.78; 355.79; 355.80; 355.81; 355.90.

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

Marquart introduced:

H. F. No. 3162, A bill for an act relating to motor fuels; changing technical specifications for petroleum products; amending Minnesota Statutes 2000, section 239.761.

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

Lipman and Dawkins introduced:

H. F. No. 3163, A bill for an act relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; reenacting certain legislation; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 2000, sections 13.04, subdivision 2; 13.461, subdivision 7; 13.4963, subdivision 2; 13.4967, subdivision 3; 13.741, subdivision 1; 13.7411, subdivision 5; 13D.05, subdivision 2; 15A.086; 16D.11, subdivision 6; 17A.04,

subdivision 1; 31.51, subdivision 3; 32.073; 41A.09, subdivision 8; 41B.045, subdivision 2; 41B.046, subdivision 5; 41B.047, subdivision 4; 48.24, subdivision 5; 115A.06, subdivision 5a; 115A.59; 115A.9157, subdivision 6; 115B.20, subdivisions 1, 2, 5; 115B.25, subdivision 2; 115B.26; 115B.28, as amended; 115B.29, subdivision 1; 115B.30, subdivision 3; 115B.31, subdivisions 1, 2, 4; 115B.32; 115B.33; 115B.34; 115B.35, subdivisions 2, 3, 4, 8, 9; 115B.36; 115B.37; 115C.08, subdivisions 4, 5; 116J.615; 116J.616; 119A.11, subdivision 3; 119A.20, subdivision 1; 119A.46, subdivision 6; 144E.43, subdivision 1; 148.71, subdivision 3; 219.98; 221.185, subdivision 5a; 222.631, subdivision 1; 260B.171, subdivision 5; 270.708, subdivision 1; 270B.15; 297B.035, subdivision 3; 297I.05, subdivision 12; 297I.30, subdivisions 1, 5; 299F.11, subdivision 2; 349.163, subdivision 6; 349A.10, subdivision 5; 352D.02, subdivision 1; 383C.19; 401.05, subdivision 3; 437.08; 437.09; 437.10; 458D.02, subdivisions 2, 3; 458D.23; 469.110, subdivision 2; 469.116, subdivision 7; 469.118, subdivisions 1, 2, 4; 469.119, subdivision 1; 469.122; 469.154, subdivision 5; 471.415, subdivision 2; 501B.61, as amended; 514.94; 524.2-301; 524.2-604; 524.2-609; 583.24, subdivision 4; 609.341, subdivision 17; Minnesota Statutes 2001 Supplement, sections 16A.151, by adding subdivisions; 17B.15, subdivision 1; 60K.31, subdivision 1; 60K.32; 60K.34, subdivision 1; 60K.39, subdivisions 5, 6; 60K.48; 60K.51, subdivision 6; 60K.52, subdivision 1; 61B.23, subdivision 15; 119A.22; 144.057, subdivision 4; 169.073; 214.01, subdivision 3; 216B.098, subdivision 2; 216B.2424, subdivision 5; 216B.2425, subdivision 3; 270.07, subdivision 3a; 275.28, subdivision 1; 275.70, subdivision 5; 290A.03, subdivision 13; 297A.668, subdivision 3; 336.9-334; 356.62; 376.08, subdivision 2; 501B.60, subdivision 3; 514.661, subdivision 5; 626.556, subdivision 11; Laws 1995, chapter 220, sections 141, 142, as amended; Laws 2000, chapter 399, article 1, section 139; Laws 2001, chapter 171, section 12; proposing coding for new law in Minnesota Statutes, chapter 89A; repealing Minnesota Statutes 2000, sections 89A.01; 89A.02; 89A.03; 89A.04; 89A.05; 89A.06; 89A.07; 89A.08; 89A.09; 89A.10; 89A.11; 115B.27; 115B.35, subdivisions 1, 5, 6; 116.19; 221.0315; 437.11; 462A.072; 557.11; Minnesota Statutes 2001 Supplement, sections 16A.1286, subdivisions 4, 5; Laws 1997, chapter 85, article 4, section 28; Laws 1999, chapter 159, section 79; Laws 1999, chapter 231, section 180; Laws 2001, chapter 161, section 4; Laws 2001, chapter 162, section 4; Laws 2001, First Special Session chapter 2, section 103; Laws 2001, First Special Session chapter 8, article 7, section 1; Minnesota Rules, parts 5300.0360; 7021.0001, subparts 2, 4; 7190.0002; 7190.0003; 7190.0004; 7190.0008, subparts 1, 2; 7190.0015, subparts 1, 2; 7190.0100, subpart 2; 7190.1000, subpart 1.

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

Seifert, Pelowski, Opatz, Fuller and Marquart introduced:

H. F. No. 3164, A bill for an act relating to retirement; providing early retirement incentives for certain teachers.

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

Murphy introduced:

H. F. No. 3165, A bill for an act relating to retirement; making administrative and technical changes in the teachers retirement association; modifying definitions; enhancing surviving spouse benefits in death prior to retirement situations; expanding eligibility for dependent child benefits; modifying qualified part-time teacher program for legislators who are teachers; amending Minnesota Statutes 2000, sections 354.05, subdivisions 8, 8a; 354.096, subdivision 1; 354.44, subdivision 4; 354.46, subdivisions 2, 2b, 5, by adding subdivisions; 354.48, subdivision 2; 354.52, subdivisions 4a, 6; 354.66, subdivision 2; 356.81; repealing Minnesota Statutes 2001 Supplement, section 354A.107.

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

Abeler introduced:

H. F. No. 3166, A bill for an act relating to human services; making technical changes to continuing care programs; amending Minnesota Statutes 2000, sections 256B.0915, subdivisions 4, 6, by adding a subdivision; 256B.431, subdivisions 14, 30; 256B.5012, subdivision 2; Minnesota Statutes 2001 Supplement, sections 256B.0913, subdivisions 4, 5, 8, 10, 12, 14; 256B.0915, subdivision 5; 256B.431, subdivisions 2e, 33; 256B.437, subdivision 3; 256B.76.

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

Pugh and Milbert introduced:

H. F. No. 3167, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Port Crosby Mississippi Riverfront development.

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

Fuller introduced:

H. F. No. 3168, A bill for an act relating to corrections; clarifying mandatory sentences for driving while impaired offenders; enhancing offender accountability by requiring offender co-payment of certain sex offender treatment fees; providing for staff of programs for intensive supervision; requiring an independent, contracted, board-certified forensic pathologist to sign the record of death on department incarcerated deaths; amending Minnesota Statutes 2000, sections 241.272, by adding a subdivision; 244.13, subdivision 2; Minnesota Statutes 2001 Supplement, sections 169A.276, subdivision 1; 390.23.

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

Vandevier, Gunther, Bernardy and Rhodes introduced:

H. F. No. 3169, A bill for an act relating to housing; specifying certain discretionary municipal subdivision authority; amending Minnesota Statutes 2000, section 462.358, by adding a subdivision.

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

McElroy, Greiling, Mares, Abeler and Dempsey introduced:

H. F. No. 3170, A bill for an act relating to education; expanding the use of the building lease levy; amending Minnesota Statutes 2001 Supplement, section 126C.40, subdivision 1.

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

Sykora, Greiling, Leppik, Abeler and Biernat introduced:

H. F. No. 3171, A bill for an act relating to education finance; requiring the commissioner of children, families, and learning to prepare a study on full-day kindergarten.

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

Sykora and Seagren introduced:

H. F. No. 3172, A bill for an act relating to education finance; increasing the referendum revenue cap by the rate of inflation; amending Minnesota Statutes 2001 Supplement, section 126C.17, subdivision 2.

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

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

H. F. No. 3173, A bill for an act relating to capital improvements; providing for a grant to the city of Madelia for capital improvements to the business incubator building; authorizing the issuance of state bonds; appropriating money.

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

Wasiluk, Mares, Workman, Murphy, Abrams and Rhodes introduced:

H. F. No. 3174, A bill for an act relating to gambling; modifying lawful purpose expenditures; amending Minnesota Statutes 2001 Supplement, section 349.12, subdivision 25.

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

Wasiluk introduced:

H. F. No. 3175, A bill for an act relating to higher education; requesting the University of Minnesota and Minnesota state colleges and universities to develop policy allowing students to rent instructional materials; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

Hilstrom, Skoglund and Johnson, S., introduced:

H. F. No. 3176, A bill for an act relating to crimes; providing that whoever employs runners to procure clients under certain circumstances involving motor vehicle insurance is guilty of a felony; 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.

Hilstrom, Haas, Mares, Osthoff and Milbert introduced:

H. F. No. 3177, A bill for an act relating to education; establishing single-member school board election districts equal in population as practicable; amending Minnesota Statutes 2000, section 205A.12, subdivisions 1, 2, 4, 5, 7; repealing Minnesota Statutes 2000, section 205A.12, subdivision 3.

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

Slawik, Davnie, Greiling, Folliard, Dorn, Goodwin, Bernardy and Paymar introduced:

H. F. No. 3178, A bill for an act relating to children; clarifying annual income for the at-home infant care program; amending Minnesota Statutes 2000, section 119B.061, subdivision 1; Minnesota Statutes 2001 Supplement, section 119B.061, subdivision 4.

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

Slawik, Davnie, Greiling, Folliard, Dorn, Goodwin, Paymar and Bernardy introduced:

H. F. No. 3179, A bill for an act relating to taxes; establishing a refundable child tax credit; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Koskinen, Huntley, Otremba, Walker and Folliard introduced:

H. F. No. 3180, A bill for an act relating to human services; changing the income eligibility for medical assistance; establishing a modified sliding scale for children in the MinnesotaCare program; amending Minnesota Statutes 2000, section 256L.15, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 256B.056, subdivision 4.

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

Nornes introduced:

H. F. No. 3181, A bill for an act relating to advisory committees; eliminating the commissioner of finance as a member of the children's mental health subcommittee to the state advisory council on mental health; amending Minnesota Statutes 2000, section 245.697, subdivision 2a.

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

Nornes, Marquart, Westrom and Cassell introduced:

H. F. No. 3182, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for a new wing at Minnesota veterans home-Fergus Falls.

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

Johnson, R.; Otremba; Swenson; Gunther and Juhnke introduced:

H. F. No. 3183, A bill for an act relating to agriculture; changing certain pesticide provisions; amending Minnesota Statutes 2000, section 18B.315, subdivision 3; Minnesota Statutes 2001 Supplement, section 18B.36, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 18D.

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

Mulder introduced:

H. F. No. 3184, A bill for an act relating to capital improvements; authorizing a facility grant; appropriating money.

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

Skoe and Anderson, I., introduced:

H. F. No. 3185, A bill for an act relating to capital improvements; appropriating money to construct an economic development facility on the Red Lake Indian reservation; canceling part of an appropriation; authorizing the sale of state bonds.

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

Skoe; Anderson, I.; Solberg; Kalis; Lieder; Murphy; Rukavina; Hilty and Otremba introduced:

H. F. No. 3186, A bill for an act relating to taxation; property; changing the class rates on certain property; changing the market value credit maximum and phase-out; amending Minnesota Statutes 2001 Supplement, sections 273.13, subdivisions 23, 24, 31; 273.1384, subdivision 1.

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

Paulsen and Stang introduced:

H. F. No. 3187, A bill for an act relating to liquor; authorizing Eden Prairie to issue up to five on-sale intoxicating liquor licenses in addition to the number authorized by law.

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

Harder introduced:

H. F. No. 3188, A bill for an act relating to education; authorizing a fund transfer for independent school district No. 836, Butterfield.

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

Workman introduced:

H. F. No. 3189, A bill for an act relating to motor vehicles; defining street-sweeping vehicles as special mobile equipment for vehicle registration purposes; amending Minnesota Statutes 2000, section 168.011, subdivision 22.

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

Stanek introduced:

H. F. No. 3190, A bill for an act relating to corrections; requiring the juvenile court to send data relating to juvenile petitions to the statewide supervision system; amending Minnesota Statutes 2000, sections 260B.171, subdivision 2; 299C.09; 299C.147, subdivisions 3, 4; Minnesota Statutes 2001 Supplement, section 299C.147, subdivision 2.

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

Abrams; Daggett; Lenczewski; Anderson, I., and Kuisle introduced:

H. F. No. 3191, A bill for an act relating to taxation; making policy and administrative changes to property taxes, liquor taxes, sales and use taxes, production taxes, gross revenues taxes, levy limits, property tax petitions, income tax returns, and tax increment financing; extending the expiration of program authorizing publication of delinquent taxpayers; providing a time limit for claims for offset of federal tax refunds; amending Minnesota Statutes 2000, sections 270.063, subdivision 4; 273.125, subdivision 4; 278.01, subdivision 1; 279.01, subdivision 3; 289A.19, subdivision 1; 295.53, subdivision 1; 295.57, by adding a subdivision; 297G.07, subdivision 1; 298.27; 298.28, subdivision 5; Minnesota Statutes 2001 Supplement, sections 270.691, subdivision 8; 275.71, subdivision 4; 295.60, subdivision 2, by adding a subdivision; 297A.61, subdivision 26; 298.28, subdivisions 6, 10; 469.1763, subdivision 6; repealing Minnesota Statutes 2000, section 278.01, subdivision 4.

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

Bakk introduced:

H. F. No. 3192, A bill for an act relating to Cook county; authorizing the county to expend the proceeds of a certain levy for road and bridge purposes.

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

McElroy introduced:

H. F. No. 3193, A bill for an act relating to professions; requiring reporting of practice act violations to the board of dentistry; providing complainant immunity; amending Minnesota Statutes 2000, section 13.383, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 150A.

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

McElroy, by request, introduced:

H. F. No. 3194, A bill for an act relating to state government; modifying appropriations and programs in the area of economic development and jobs; transferring funds; eliminating programs; amending Minnesota Statutes 2000, sections 116J.8731, subdivisions 5, 7; 155A.095; 214.04, subdivision 3; repealing Minnesota Statutes 2000, sections 116J.422; 116J.543; 116L.10; 155A.06; 268.30; 268.96.

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

Pawlenty, Ozment, McElroy, Daggett and Lenczewski introduced:

H. F. No. 3195, A bill for an act relating to taxation; creating a credit for land donated for conservation purposes; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Mares introduced:

H. F. No. 3196, A bill for an act relating to state government; department of administration; clarifying ethical provisions in state procurement law; authorizing the commissioner of administration to adopt rules relating to state archaeology; repealing obsolete technology authority; repealing statutory authority for the citizens council on Voyageurs National Park; amending Minnesota Statutes 2000, sections 16C.04, subdivisions 1, 2; 138.31, by adding a subdivision; 138.36, by adding a subdivision; 138.38; 138.39; 138.41, subdivision 1; repealing Minnesota Statutes 2000, sections 13.6401, subdivision 3; 16B.415; 84B.11.

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

Peterson, Winter, Juhnke, Kalis, Dorn and Kubly introduced:

H. F. No. 3197, A bill for an act relating to agricultural motor fuels; defining biodiesel fuel oil; providing incentives for the production of biodiesel fuel oil and ethanol from second-generation technology plants; amending Minnesota Statutes 2000, section 41A.09, subdivision 5a, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 41A; 239.

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

Peterson; Dorn; Kalis; Anderson, I.; Winter; Juhnke and Kubly introduced:

H. F. No. 3198, A bill for an act relating to child care; assistance; modifying certain employment eligibility; amending Minnesota Statutes 2000, section 119B.10, subdivision 1.

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

Kuisle introduced:

H. F. No. 3199, A bill for an act relating to transportation; establishing conditions for closing highway right-of-way to all-terrain vehicles; modifying motor carrier provisions to reduce certain regulatory obligations; modifying budget reduction of department of transportation construction district 1; making clarifying changes; amending Minnesota Statutes 2000, sections 84.928, by adding a subdivision; 221.0252, subdivision 3; 221.0314, by adding a subdivision; 221.221, subdivision 4; 221.605, subdivision 1; Minnesota Statutes 2001 Supplement, section 221.221, subdivision 2; Laws 2001, First Special Session chapter 8, article 1, section 8; repealing Minnesota Statutes 2000, section 221.0313.

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

Goodno introduced:

H. F. No. 3200, A bill for an act relating to health occupations; establishing guest licenses for dentists and dental hygienists; establishing guest registration for dental assistants; amending Minnesota Statutes 2000, section 150A.06, by adding a subdivision.

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

Peterson, Winter, Juhnke, Kalis, Dorn and Kubly introduced:

H. F. No. 3201, A bill for an act relating to motor fuels; defining biodiesel fuel oil; providing a fuel tax reduction for the use of biodiesel fuel blends; amending Minnesota Statutes 2000, section 296A.08, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 239.

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

Smith introduced:

H. F. No. 3202, A bill for an act relating to the city of Delano; increasing its public utilities commission from three to five members.

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

Kuisle introduced:

H. F. No. 3203, A bill for an act relating to public safety; modifying vehicle registration provisions; regulating certain motor vehicle dealer transactions; allowing certain transactions with department of public safety to be conducted electronically; modifying bicycle registration provisions; modifying, clarifying, and reorganizing motor carrier fuel tax provisions; modifying certain license plate display requirements; modifying commercial driver's license exemption for snowplow drivers; providing for a driver's license to be issued to legally emancipated minor; modifying commercial driver's license disqualification and violation provisions to conform to federal law; authorizing rules; making technical and clarifying changes; amending Minnesota Statutes 2000, sections 168.011, subdivision 4; 168.013, subdivision 3; 168.09, subdivisions 1, 3; 168.10, subdivision 1c; 168.187, subdivision 26; 168.27, as amended; 168.31, subdivision 4; 168.33, subdivision 6, by adding a subdivision; 168A.01, subdivisions 2, 24, by adding a subdivision; 168A.04, subdivision 5; 168A.05, subdivision 5a; 168A.09, subdivision 1; 168A.11, subdivision 2; 168A.12, subdivisions 1, 2; 168A.154; 168A.18; 168A.19, subdivision 2; 168A.20, subdivisions 2, 3, 4; 168A.24, subdivision 1; 168C.02, subdivisions 1, 5; 168C.03; 168C.04, subdivision 1; 168C.05; 168C.06; 168C.07; 168C.08; 168C.09; 168C.11; 168C.12; 168C.13, subdivision 1; 171.02, subdivisions 1, 5; 171.04, subdivision 1; 171.05, subdivision 2; 171.055, subdivision 1; 171.06, subdivisions 1, 3; 171.07, subdivision 3; 171.13, subdivision 2; 171.165; 296A.23, subdivision 7; Minnesota Statutes 2001 Supplement, sections 168.012, subdivision 1; 169.79, subdivisions 3, 8, by adding a subdivision; 171.07, subdivision 1; 221.221, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 168D; repealing Minnesota Statutes 2000, sections 171.30, subdivision 3; 296A.27; 296A.28.

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

Clark, J.; Lipman; Juhnke; Lieder and Workman introduced:

H. F. No. 3204, A bill for an act relating to contracts; regulating transportation public works contracts; proposing coding for new law in Minnesota Statutes, chapter 15.

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

Clark, J.; Workman; Lieder and Juhnke introduced:

H. F. No. 3205, A bill for an act relating to contracts; regulating public works contracts; proposing coding for new law in Minnesota Statutes, chapter 15.

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

McElroy introduced:

H. F. No. 3206, A bill for an act relating to occupational safety and health; eliminating certain responsibilities of the commissioner of health; increasing penalty limits for certain violations; amending Minnesota Statutes 2000, sections 182.65, subdivision 2; 182.656, subdivision 1; 182.666, subdivision 2.

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

Kubly, Kalis, Juhnke, Peterson and Winter introduced:

H. F. No. 3207, A bill for an act relating to the environment; making permanent the prohibition on certain feedlots; amending Laws 1998, chapter 401, section 52, as amended.

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

Schumacher, Finseth and Otremba introduced:

H. F. No. 3208, A bill for an act relating to highways; allowing certain seasonal, agriculture-related business signs to be placed in state highway right-of-way; proposing coding for new law in Minnesota Statutes, chapter 160.

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

Holsten introduced:

H. F. No. 3209, A bill for an act relating to the environment; modifying provisions relating to petrofund contractors and consultants; modifying application requirements for certain petrofund reimbursements; amending Minnesota Statutes 2000, sections 115C.02, subdivisions 5a, 5b; 115C.11.

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

Erickson introduced:

H. F. No. 3210, A bill for an act relating to game and fish; prohibiting the taking of white deer; amending Minnesota Statutes 2000, section 97B.311.

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

Erickson introduced:

H. F. No. 3211, A bill for an act relating to education; providing for the comparison of the third and fifth grade tests in the comprehensive assessment system; amending Minnesota Statutes 2001 Supplement, section 120B.30, subdivision 1.

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

Goodno introduced:

H. F. No. 3212, A bill for an act relating to appropriations; appropriating money for the Red river basin.

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

Goodno introduced:

H. F. No. 3213, A bill for an act relating to human services; correcting inconsistencies in mental health services coverage under provided health plans; amending Minnesota Statutes 2000, section 245.50, subdivisions 1, 2, 5.

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

Johnson, J., introduced:

H. F. No. 3214, A bill for an act relating to retirement; Plymouth volunteer firefighter's relief association; making various ancillary benefits subject to general law; amending Laws 1978, chapter 685, sections 1, as amended, 2, 3, 6; repealing Laws 1978, chapter 685, section 5.

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

Abeler introduced:

H. F. No. 3215, A bill for an act relating to human services; amending data and licensing definitions; clarifying exclusions from licensure, background study requirements, due process, training, and license delegations; amending fair hearing requirements; and clarifying a provision related to errors in the provision of therapeutic conduct to vulnerable adults; amending Minnesota Statutes 2000, sections 13.41, subdivision 1; 245A.02, by adding subdivisions; 626.557, subdivision 3a; Minnesota Statutes 2001 Supplement, sections 13.46, subdivisions 1, 4; 245A.03, subdivision 2; 245A.04, subdivisions 3, 3a, 3b, 3c; 245A.07, subdivisions 2a, 3; 245A.144; 245A.16, subdivision 1; 256.045, subdivisions 3b, 4; proposing coding for new law in Minnesota Statutes, chapter 245A.

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

Dehler introduced:

H. F. No. 3216, A bill for an act relating to education; permitting school board approval of additional operating revenue; amending Minnesota Statutes 2001 Supplement, section 126C.17, subdivision 1; 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.

Larson and Gleason introduced:

H. F. No. 3217, A bill for an act relating to lawful gambling; modifying lawful purpose expenditures; amending Minnesota Statutes 2001 Supplement, section 349.12, subdivision 25.

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

Molnau introduced:

H. F. No. 3218, A bill for an act relating to public administration; providing for design-build contracts and preselection construction contracts; amending Minnesota Statutes 2000, sections 16B.31, subdivision 1; 16B.33, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16C.

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

Seagren, Greiling, Mares, Erickson and Buesgens introduced:

H. F. No. 3219, A bill for an act relating to education; requiring money from certain federal education programs to be appropriated year by year; amending Minnesota Statutes 2000, section 4.07, subdivision 3.

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

Buesgens and Holberg introduced:

H. F. No. 3220, A bill for an act relating to land use planning; modifying housing requirements for local comprehensive plans in metropolitan areas; amending Minnesota Statutes 2000, section 473.859, subdivision 4; Minnesota Statutes 2001 Supplement, section 473.859, subdivision 2.

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

Eastlund introduced:

H. F. No. 3221, A bill for an act relating to the military; revising the Minnesota code of military justice; amending Minnesota Statutes 2000, sections 192A.015; 192A.02, subdivision 3, by adding a subdivision; 192A.025; 192A.045, subdivisions 2, 3; 192A.05; 192A.055; 192A.07; 192A.08, subdivision 1; 192A.085, subdivisions 1, 3, 5, 7; 192A.09; 192A.095; 192A.10; 192A.105; 192A.11, subdivisions 1, 3; 192A.115; 192A.13; 192A.135; 192A.14; 192A.15, subdivisions 3, 5; 192A.155; 192A.16; 192A.205; 192A.235, subdivision 3; 192A.25, subdivision 3; 192A.28; 192A.31, subdivision 1; 192A.384; 192A.385; 192A.39; 192A.415; 192A.43, subdivisions 1, 2; 192A.46; 192A.47; 192A.48; 192A.485; 192A.50; 192A.51; 192A.525; 192A.54; 192A.55; 192A.555; 192A.56; 192A.57; 192A.575; 192A.585; 192A.59; 192A.60; 192A.605; 192A.61, subdivision 3; 192A.612; 192A.615, subdivisions 1, 2; 192A.62; 192A.635; 192A.64, subdivisions 1, 2; 192A.645; 192A.65; 192A.66; 192A.665; proposing coding for new law in Minnesota Statutes, chapter 192A; repealing Minnesota Statutes 2000, sections 192A.045, subdivision 1; 192A.06; 192A.075; 192A.145; 192A.165; 192A.17; 192A.175; 192A.18; 192A.185; 192A.19; 192A.195; 192A.21; 192A.215; 192A.22; 192A.225; 192A.23; 192A.235, subdivision 2; 192A.245; 192A.265; 192A.27; 192A.275; 192A.285; 192A.29; 192A.295; 192A.305; 192A.31, subdivision 2; 192A.315; 192A.32; 192A.325; 192A.33; 192A.335; 192A.34; 192A.345; 192A.35; 192A.355; 192A.36; 192A.365; 192A.37; 192A.375; 192A.38; 192A.43, subdivision 3; 192A.505; 192A.52; 192A.53; 192A.58; 192A.611; 192A.655.

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

Ruth, Gunther, Blaine, Kalis, Lieder, Stang, Marquart, Leighton, Bradley and Davids introduced:

H. F. No. 3222, A bill for an act relating to insurance; prohibiting issuing or requiring excess insurance on property; regulating real estate appraisals; amending Minnesota Statutes 2000, section 65A.09.

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

Harder; Clark, J.; Mulder; Rifenberg and Seifert introduced:

H. F. No. 3223, A bill for an act relating to health services; requiring the commissioner of human services to develop a plan to certify out-of-state facilities that care for children with severe emotional disturbance.

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

Abrams, Smith, Stanek, Mullery and Johnson, J., introduced:

H. F. No. 3224, A bill for an act relating to Hennepin county; authorizing certain contracting with a public or private cooperative purchasing organization subject to a condition; amending Minnesota Statutes 2000, section 383B.217, subdivision 7.

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

Sertich introduced:

H. F. No. 3225, A bill for an act relating to capital improvements; appropriating money to the Iron Range resources and rehabilitation board for capital projects at Ironworld; authorizing issuance of bonds.

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

Workman introduced:

H. F. No. 3226, A bill for an act relating to traffic regulations; allowing motorcyclist to run red light under certain circumstances; amending Minnesota Statutes 2000, section 169.06, by adding a subdivision.

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

Workman introduced:

H. F. No. 3227, A bill for an act relating to crimes; requiring law enforcement agencies to return personal property seized under the forfeiture law if criminal charges are not filed within 30 days; proposing coding for new law in Minnesota Statutes, chapter 626.

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

Osthoff, Tingelstad, Ozment, Dempsey and Kelliher introduced:

H. F. No. 3228, A bill for an act relating to capital improvements; appropriating money for the metro greenways and natural areas program; authorizing the sale of state bonds.

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

Holsten, Pawlenty, Ozment, Tuma and Pugh introduced:

H. F. No. 3229, A bill for an act relating to taxation; providing tax credit for land donated for conservation purposes; providing for property tax classification of certain unimproved land bordering a lake; amending Minnesota Statutes 2001 Supplement, section 273.13, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Huntley, Koskinen, Walker, Greiling, Folliard and Evans introduced:

H. F. No. 3230, A bill for an act relating to human services; clarifying the period of eligibility for medical assistance for a child under the age of 19; amending Minnesota Statutes 2000, section 256B.056, subdivision 7.

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

Rhodes introduced:

H. F. No. 3231, A bill for an act relating to public safety; modifying DWI test provisions; permitting electronic forms; authorizing expedited rulemaking for commissioner of public safety to approve DWI testing devices; granting discretion to commissioner of public safety to administer and enforce various department duties; authorizing rules; making clarifying changes; amending Minnesota Statutes 2000, sections 169A.03, subdivision 11; 169A.45, subdivision 4; 169A.51, subdivision 5; 169A.75; 634.16; proposing coding for new law in Minnesota Statutes, chapter 299A.

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

Clark, J.; Kuisle; Lieder; Holberg and Molnau introduced:

H. F. No. 3232, A bill for an act relating to transit; appropriating money for greater Minnesota transit operating and capital assistance; authorizing issuance of state bonds.

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

Haas introduced:

H. F. No. 3233, A bill for an act relating to state government; authorizing chartered performance organizations within state agencies; proposing coding for new law as Minnesota Statutes, chapter 16F.

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

Clark, K.; Davids; Otremba; Bishop; Erhardt; Biernat; McGuire; Hausman; Larson; Folliard; Wagenius; Greiling; Rhodes; Mullery and Sykora introduced:

H. F. No. 3234, A bill for an act relating to health; requiring health insurance coverage for surveillance testing for ovarian cancer; amending Minnesota Statutes 2000, section 62A.30, subdivision 2, by adding a subdivision.

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

Murphy introduced:

H. F. No. 3235, A bill for an act relating to retirement; volunteer firefighter relief associations; creating a task force to study the advantages and disadvantages of the creation of a statewide lump sum volunteer firefighter retirement plan; appropriating money.

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

Jacobson introduced:

H. F. No. 3236, A bill for an act relating to human services; making changes to continuing care programs; amending Minnesota Statutes 2001 Supplement, sections 256B.0627, subdivision 10; 256B.0913, subdivision 5; 256B.0915, subdivision 3; 256B.0951, subdivisions 7, 8; 256B.437, subdivision 6.

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

Evans; Greiling; Tingelstad; Johnson, R., and Sertich introduced:

H. F. No. 3237, A bill for an act relating to education finance; authorizing funding for school building grants; modifying program criteria; authorizing the sale of state bonds; appropriating money; amending Minnesota Statutes 2000, sections 123B.67; 123B.68, subdivision 1; 123B.69, subdivisions 1, 2, 3.

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

Johnson, J.; Rhodes and Jennings introduced:

H. F. No. 3238, A bill for an act relating to state government; authorizing guaranteed energy savings contracts; proposing coding for new law in Minnesota Statutes, chapter 16C.

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

Otremba, Huntley, Walker, Koskinen, Folliard, Greiling and Evans introduced:

H. F. No. 3239, A bill for an act relating to human services; requiring quality standards for the provision of children's preventive care; amending Minnesota Statutes 2000, section 256B.69, by adding a subdivision.

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

Clark, J.; Westrom; Kuisle; Finseth; Harder; Skoe and Juhnke introduced:

H. F. No. 3240, A bill for an act relating to cooperatives; authorizing electronic voting; amending Minnesota Statutes 2000, section 308A.635, subdivisions 4, 6.

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

Westrom, Swenson, Penas, Nornes, Blaine, Skoe, Kuisle, Davids, Finseth, Harder, Juhnke, Marquart, Gunther and Ness introduced:

H. F. No. 3241, A bill for an act relating to agriculture; establishing a livestock development program; amending Minnesota Statutes 2000, section 17.101, by adding a subdivision.

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

Bernardy, Abeler and Evans introduced:

H. F. No. 3242, A bill for an act relating to education finance; authorizing school districts to levy for the operational costs of swimming pools; amending Minnesota Statutes 2001 Supplement, section 126C.455.

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

Bernardy introduced:

H. F. No. 3243, A bill for an act relating to taxation; providing that levies to pay health care insurance premiums are not subject to levy limits; amending Minnesota Statutes 2001 Supplement, section 275.70, subdivision 5.

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

Kahn; Hausman; Gleason; Biernat; Kuisle; Juhnke; Davnie; Leighton; Paymar; Clark, K.; Dibble; Gray; Hilty; Mares; McGuire; Finseth; Dehler; Gunther; Ness; Rukavina; Dawkins; Mariani; Pugh; Walker; Boudreau and Ruth introduced:

H. F. No. 3244, A resolution memorializing Congress to enact legislation to remove trade, financial, and travel restrictions relating to Cuba.

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

Boudreau introduced:

H. F. No. 3245, A bill for an act relating to human services; making technical changes in health care programs; amending Minnesota Statutes 2000, sections 13.05, subdivision 4; 245.4932, subdivision 3; 245.50, subdivisions 1, 2, 5; 253B.045, subdivision 2; 256.01, subdivision 11; 256.023; 256.9685, subdivision 1; 256.9866; 256B.041, subdivision 5; 256B.0575; 256B.0629, subdivision 2; 256B.0915, subdivision 1c; 256B.0945, subdivision 4; 256B.19, subdivisions 1, 1d, 2b; 256B.692, subdivision 3; 256F.10, subdivision 9; 256F.13, subdivision 1; 256L.05, subdivision 3; 256L.07, subdivision 3; Minnesota Statutes 2001 Supplement, sections 245.474, subdivision 4; 256B.0623, subdivision 14; 256B.0625, subdivision 20; 256B.0915, subdivision 3; 256B.0924, subdivision 6; 256L.06, subdivision 3; Laws 2001, First Special Session chapter 9, article 2, section 76; repealing Minnesota Statutes 2000, sections 256.025; 256B.0635, subdivision 3; 256B.19, subdivision 1a; 256B.77, subdivision 24.

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

Goodwin, Schumacher and Skoe introduced:

H. F. No. 3246, A bill for an act relating to state government; placing limitations on use of consultants; adding money saved to the general education basic formula allowance; appropriating money.

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

Johnson, J.; Erickson; Paulsen; Eastlund; Buesgens and Jacobson introduced:

H. F. No. 3247, A bill for an act relating to education; eliminating unneeded mandates affecting kindergarten through grade 12 public schools; amending Minnesota Statutes 2000, section 177.42, subdivision 2; repealing Minnesota Statutes 2000, sections 120A.40; 122A.51; 122A.61, subdivision 2; 126C.12; 126C.125; Minnesota Statutes 2001 Supplement, section 122A.61, subdivision 1.

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

Stang introduced:

H. F. No. 3248, A bill for an act relating to the minimum wage; defining "companionship services"; modifying the definition of "hours" for companionship services; amending Minnesota Statutes 2000, section 177.23, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 177.

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

Hilty and Murphy introduced:

H. F. No. 3249, A bill for an act relating to occupations and professions; waiving the written case presentation and oral examination component of the licensing requirements for certain alcohol and drug counselors; amending Minnesota Statutes 2001 Supplement, section 148C.11, subdivision 3.

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

Wagenius, Lenczewski, Kelliher and Erhardt introduced:

H. F. No. 3250, A bill for an act relating to taxation; exempting certain bakery and fruit products from sales and use taxes; amending Minnesota Statutes 2001 Supplement, section 297A.61, subdivisions 31, 33.

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

Otremba introduced:

H. F. No. 3251, A bill for an act relating to agriculture; changing certain powers concerning grain; clarifying a term; providing for interstate cooperation; amending Minnesota Statutes 2000, sections 17B.03, subdivision 1; 21.111, by adding a subdivision; 223.16, subdivision 5.

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

Harder, Mulder, Finseth, Westrom and Gunther introduced:

H. F. No. 3252, A bill for an act relating to energy; providing incentives for electricity generated from crop residue biomass; amending Minnesota Statutes 2000, section 41A.09, subdivisions 3a, 5a; Minnesota Statutes 2001 Supplement, sections 216C.41, subdivisions 1, 2, 3, 4.

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

Davids introduced:

H. F. No. 3253, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to acquire the Fillmore county farm.

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

Harder introduced:

H. F. No. 3254, A bill for an act relating to education; extending the disabled access levy for independent school district No. 2898, Westbrook-Walnut Grove.

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

Tingelstad introduced:

H. F. No. 3255, A bill for an act relating to retirement; modifying purchase payment amounts for military service credit purchases in the Minnesota state retirement system; amending Minnesota Statutes 2000, section 352.275, subdivision 1.

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

Mullery and Smith introduced:

H. F. No. 3256, A bill for an act relating to occupational safety and health; prohibiting the operation of cranes by individuals who do not possess crane operator certificates; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 182.

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

Davids introduced:

H. F. No. 3257, A bill for an act relating to financial institutions; regulating detached facilities, certain charges and fees, and mortgage prepayment penalties; amending Minnesota Statutes 2000, sections 47.20, subdivision 5; 47.204, subdivision 1; 47.21; 47.52; 47.54, subdivisions 1, 2; 47.59, subdivision 1; 52.05, subdivision 2; 52.06, subdivision 1; 58.04, subdivision 4; 334.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 58; 334; repealing Minnesota Statutes 2000, sections 52.17, subdivision 1; 334.021; Minnesota Rules, part 2675.6400.

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

Goodno introduced:

H. F. No. 3258, A bill for an act relating to human services; specifying that a county agency is not required to provide income support or cash assistance when specified state programs fail to do so; amending Minnesota Statutes 2000, section 261.063.

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

Opatz introduced:

H. F. No. 3259, A bill for an act relating to higher education; requiring data collection in tuition reciprocity agreements; amending Minnesota Statutes 2000, section 136A.08, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 13.322, subdivision 3.

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

Fuller introduced:

H. F. No. 3260, A bill for an act relating to natural resources; providing funding for construction of a portion of the Paul Bunyan state trail; authorizing the sale of state bonds; appropriating money.

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

Sertich introduced:

H. F. No. 3261, A bill for an act relating to economic development; appropriating money for a grant; authorizing the sale of bonds.

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

Fuller introduced:

H. F. No. 3262, A bill for an act relating to vehicle forfeiture; clarifying and modifying certain standards and procedures for vehicle forfeitures associated with driving while impaired; amending Minnesota Statutes 2000, section 169A.63, subdivisions 2, 6, 8, 9; Minnesota Statutes 2001 Supplement, sections 169A.60, subdivisions 1, 14; 169A.63, subdivisions 1, 7, 10, 11.

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

Holberg introduced:

H. F. No. 3263, A bill for an act relating to corrections; providing access to data for purposes of the commissioner's preliminary determination whether a petition of civil commitment as a sexual psychopathic personality or sexually dangerous person is appropriate; amending Minnesota Statutes 2000, section 244.05, subdivision 7.

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

Carlson, Mares and Greiling introduced:

H. F. No. 3264, A bill for an act relating to education; providing an early retirement incentive to school district employees.

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

Davnie, Holberg and Folliard introduced:

H. F. No. 3265, A bill for an act relating to eminent domain; increasing the limit for reimbursement of appraisal fees; amending Minnesota Statutes 2000, section 117.232, subdivision 1.

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

Cassell, Kelliher, Ozment, Osthoff and Hackbarth introduced:

H. F. No. 3266, A bill for an act relating to natural resources; providing funding for acquisition of native prairie bank easements; authorizing the sale of state bonds; appropriating money.

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

Workman introduced:

H. F. No. 3267, A bill for an act relating to motor vehicles; requiring same titling standard for motorcycle with new engine as similarly situated automobile; amending Minnesota Statutes 2000, section 168A.15, by adding a subdivision.

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

Workman introduced:

H. F. No. 3268, A bill for an act relating to crimes; imposing criminal penalties for failing to yield the right of way resulting in injury or death; 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.

Murphy, Sertich, Huntley and Swapinski introduced:

H. F. No. 3269, A bill for an act relating to real property; authorizing the sale of certain state-owned real property to St. Louis county.

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

Krinkie, Kielkucki, Erickson and Anderson, B., introduced:

H. F. No. 3270, A bill for an act relating to state government; abolishing the department of employee relations; transferring duties; repealing Minnesota Statutes 2000, sections 43A.03; 176.5401.

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

Solberg and Sertich introduced:

H. F. No. 3271, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for diverting the wastewater flow to the Nashwauk stabilization pond facility.

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

Mares introduced:

H. F. No. 3272, A bill for an act relating to retirement; retirement systems, generally; reorganizing and revising various general retirement provisions; instructing the revisor of statutes; amending Minnesota Statutes 2000, sections 69.29; 356.001; 356.20, subdivisions 1, 2, 3, 4, 4a; 356.215; 356.216; 356.217; 356.219; 356.22; 356.23; 356.24, subdivisions 1b, 1c, 2; 356.245; 356.25; 356.30; 356.302; 356.303; 356.32; 356.40; 356.41; 356.50; 356.55, as amended; 356.551; 356.611; 356.65, subdivision 2; 356.87; Minnesota Statutes 2001 Supplement, sections 356.24, subdivision 1; 356.555; 356.62; 356.65, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 356; proposing coding for new law as Minnesota Statutes, chapter 356B; repealing Minnesota Statutes 2000, sections 356.19; 356.305; 356.306; 356.31; 356.325; 356.35; 356.36; 356.37; 356.371, subdivisions 2, 3; 356.372; 356.38; 356.39; 356.45; 356.451; 356.452; 356.453; 356.454; 356.455; 356.615; 356.71; 356.80; 356.81; 356.86; 356.865; 356.88; 356.89; Minnesota Statutes 2001 Supplement, sections 356.371, subdivision 1; 356.866; Laws 1997, chapter 233, article 1, section 58.

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

Blaine, Otremba and Schumacher introduced:

H. F. No. 3273, A bill for an act relating to transportation; appropriating money to match funds for studying extension of North Star commuter rail corridor.

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

Blaine, Holsten, Otremba, Gunther and Stang introduced:

H. F. No. 3274, A bill for an act relating to military; providing certain protections to persons called or ordered to active service; proposing coding for new law in Minnesota Statutes, chapter 190.

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

Gerlach; Kelliher; Wasiluk; Vandever; Buesgens; Johnson, J.; Walz; Westerberg; Ruth; Ozment; Wilkin; Paulsen and Holberg introduced:

H. F. No. 3275, A bill for an act relating to the environment; encouraging citizen water quality monitoring; amending Minnesota Statutes 2000, section 115.061.

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

Boudreau introduced:

H. F. No. 3276, A bill for an act relating to human services; establishing approved tribal health professionals as medical assistance providers; reimbursement for certain health services; American Indian contracting provisions; amending Minnesota Statutes 2000, sections 254B.09, subdivision 2; 256B.02, subdivision 7; 256B.32; Minnesota Statutes 2001 Supplement, sections 256B.0644; 256B.75; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Dorman introduced:

H. F. No. 3277, A bill for an act relating to taxation; exempting construction materials and equipment used in or incorporated with the construction of certain food processing plants; amending Minnesota Statutes 2000, section 297A.71, by adding a subdivision.

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

Walker introduced:

H. F. No. 3278, A bill for an act relating to human rights; adding sanctions that may be imposed; creating standing to seek sanctions; amending Minnesota Statutes 2001 Supplement, section 363.06, subdivision 4.

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

Dibble introduced:

H. F. No. 3279, A bill for an act relating to the metropolitan council; authorizing the use of energy forward pricing mechanisms; 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.

Kelliher; Ozment; Bakk; Tingelstad; Johnson, S.; Pugh and Wagenius introduced:

H. F. No. 3280, A bill for an act relating to capital improvements; appropriating money for the cleanup of underutilized property for use as publicly owned parks and natural areas; authorizing the sale of state bonds.

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

Abrams, Daggett, Kuisle, Lenczewski and McElroy introduced:

H. F. No. 3281, A bill for an act relating to taxation; correcting cross-references relating to franchise taxes; amending Minnesota Statutes 2001 Supplement, sections 290.0921, subdivisions 2, 6; 290.21, subdivision 4.

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

Jennings, Lipman, Howes, Ozment and Hilstrom introduced:

H. F. No. 3282, A bill for an act relating to local government; allowing a city to establish cartways; amending Minnesota Statutes 2000, section 415.01.

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

Mahoney, Kahn, Mares, Rhodes and Evans introduced:

H. F. No. 3283, A bill for an act relating to elections; authorizing the appointment of election judges who are not affiliated with a major political party; amending Minnesota Statutes 2000, section 204B.21, subdivision 2.

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

Goodno introduced:

H. F. No. 3284, A bill for an act relating to public health; appropriating money for terrorism preparedness.

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

Abrams, Pawlenty, Kuisle, Winter and Knoblach introduced:

H. F. No. 3285, A bill for an act relating to taxation; exempting certain delivery or distribution charges for printed materials from the sales and use tax; amending Minnesota Statutes 2000, section 297A.68, by adding a subdivision.

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

Leppik, Dehler and Tuma introduced:

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

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

Bakk introduced:

H. F. No. 3287, A bill for an act relating to state lands; authorizing public sale of school trust land bordering public water.

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

Abrams, Erhardt, Molnau, Milbert and McElroy introduced:

H. F. No. 3288, A bill for an act relating to metropolitan government; providing for the annual financing of metropolitan area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; amending Minnesota Statutes 2000, section 473.39, by adding a subdivision.

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

Wagenius; Dawkins; Walker; Clark, K., and Milbert introduced:

H. F. No. 3289, A bill for an act relating to taxation; exempting low-income housing owned by a qualified nonprofit agency from property taxation; exempting construction and rehabilitation of low-income housing owned by a qualified nonprofit agency from the sales tax; providing for payments in lieu of taxes; amending Minnesota Statutes 2000, section 272.02, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 297A.71, subdivision 23.

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

Abeler; Mulder; Clark, K.; Koskinen; Goodno; Jacobson; Otremba; Nornes; Haas; Slawik and Huntley introduced:

H. F. No. 3290, A resolution promoting colorectal cancer awareness in Minnesota.

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

Nornes introduced:

H. F. No. 3291, A bill for an act relating to health; modifying resident reimbursement classifications; amending Minnesota Statutes 2001 Supplement, section 144.0724, subdivisions 3, 5, 7, 9.

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

Winter introduced:

H. F. No. 3292, A bill for an act relating to consumer protection; regulating certain telephone sales calls; providing for the registration of telephone solicitors; providing telephone solicitation educational efforts; providing remedies; appropriating money; amending Minnesota Statutes 2000, section 13.712, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 325G.

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

Swenson; Clark, J.; Workman; Seifert and Molnau introduced:

H. F. No. 3293, A bill for an act relating to railroads; authorizing issuance of \$7,500,000 in state bonds for a grant to the Minnesota Valley regional rail authority for freight rail improvements to the Minnesota Valley regional rail line; appropriating money.

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

Seifert, Dorn, Pelowski, Opatz and Fuller introduced:

H. F. No. 3294, A bill for an act relating to retirement; extending the expiration date for certain prior service credit purchase authorizations; amending Minnesota Statutes 2001 Supplement, section 356.55, subdivision 7; Laws 1999, chapter 222, article 16, section 16.

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

Abeler, Greiling, Mares, Stanek and Sviggum introduced:

H. F. No. 3295, A bill for an act relating to education finance; broadening the health and safety program to include school safety costs; amending Minnesota Statutes 2000, section 123B.57, subdivisions 1, 2.

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

Thompson introduced:

H. F. No. 3296, A bill for an act relating to state employment; shifting social security administrative duties from the department of employee relations to the public employees retirement association; classifying data on employee's dependents as private; amending Minnesota Statutes 2000, sections 13.43, subdivision 4; 355.01, subdivision 5.

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

Rhodes, Erhardt, Goodwin and Greiling introduced:

H. F. No. 3297, A bill for an act relating to education finance; authorizing all school districts to participate in the alternative facilities program; amending Minnesota Statutes 2001 Supplement, section 123B.59, subdivision 1.

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

Swenson introduced:

H. F. No. 3298, A bill for an act relating to agriculture; changing provisions of the agricultural chemical response and reimbursement law; amending Minnesota Statutes 2000, sections 18E.02, by adding a subdivision; 18E.03, subdivision 4; 18E.04, subdivision 3, by adding a subdivision; 18E.06; Minnesota Statutes 2001 Supplement, sections 18E.04, subdivisions 2, 4.

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

Haas, Lenczewski and Greiling introduced:

H. F. No. 3299, A bill for an act relating to elections; prohibiting independent expenditures by political parties as a condition of receiving a public subsidy; amending Minnesota Statutes 2000, sections 10A.01, subdivisions 9, 18; 10A.25, subdivision 1, by adding a subdivision; 10A.28, subdivision 1; 10A.31, subdivisions 3, 5; 10A.322; Minnesota Statutes 2001 Supplement, section 290.06, subdivision 23.

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

Kielkucki introduced:

H. F. No. 3300, A bill for an act relating to taxation; exempting certain bakery products and certain food requiring cooking by the consumer to prevent food-borne illness from sales and use taxes; amending Minnesota Statutes 2001 Supplement, section 297A.61, subdivision 31.

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

Ness and Skoe introduced:

H. F. No. 3301, A bill for an act relating to telecommunications; enacting Minnesota Broadband Access Availability Act; appropriating money; amending Minnesota Statutes 2000, section 237.461, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 238A.

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

Stanek and Haas introduced:

H. F. No. 3302, A bill for an act relating to capital improvements; authorizing issuance of \$30,000,000 in state trunk highway bonds for completion of a segment of marked trunk highway No. 610 as a four-lane freeway; appropriating money.

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

Tuma and Stanek introduced:

H. F. No. 3303, A bill for an act relating to state government; reorganizing the Minnesota center for crime victim services as a division of the department of public safety; providing for its duties; transferring its powers and duties to the commissioner of public safety; transferring the powers and duties of the commissioner of corrections concerning victims services to the commissioner of public safety and the Minnesota center for crime victim services; authorizing the director of the Minnesota center for crime victim services to administer grants for crime victims; amending Minnesota Statutes 2000, sections 609.3241; 611A.01; 611A.07, subdivision 1; 611A.25, subdivision 1; 611A.31; 611A.361, subdivision 1; 611A.77, subdivision 1; 629.342, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 2000, sections 611A.21; 611A.22; 611A.221; 611A.33; 611A.345; 611A.35; 611A.41; 611A.43; 611A.78.

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

Tuma and Clark, J., introduced:

H. F. No. 3304, A bill for an act relating to crimes; defining the crime of criminal abuse of vulnerable adults to include subjecting those adults to involuntary servitude or cruel discipline; defining the crime of financial exploitation of vulnerable adults to include swindling or otherwise using artifices or tricks on those adults; defining the crimes of sexual conduct in third and fourth degrees to include persons who sexually penetrate vulnerable adults under certain circumstances and who are agents of special transportation service providers; prescribing penalties; amending Minnesota Statutes 2000, sections 388.051, subdivision 2; 609.232, subdivision 11; 609.2325, subdivision 1; 609.2335; 609.341, by adding a subdivision; Minnesota Statutes 2001 Supplement, sections 609.344, subdivision 1; 609.345, subdivision 1.

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

There being no objection, the order of business advanced to Motions and Resolutions for the purpose of considering House Resolution No. 26.

MOTIONS AND RESOLUTIONS

Pugh, Bishop and Solberg introduced:

House Resolution No. 26, A house resolution honoring the life of Representative Darlene Luther.

SUSPENSION OF RULES

Pugh moved that the rules be so far suspended that House Resolution No. 26 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 26

A house resolution honoring the life of Representative Darlene Luther.

Whereas, State Representative Darlene Luther was born in Cloquet, Minnesota in 1947, graduated from White Bear Lake High School in 1965, and received a degree in business administration from the University of St. Thomas; and

Whereas, in 1992 Representative Luther made Minnesota history when she and her husband, Bill, became the first husband-wife team to serve together in the legislature; and

Whereas, her passion as a legislator was for children and education, and she championed the causes of child care, student safety, and services to people with special physical and mental challenges; and

Whereas, she was a leader on health care issues and helped to pass the state's Senior Drug Program and its Safe Place for Newborns law, worked to repeal a state tax on medical services, and spearheaded a successful drive to secure state funds for a mobile learning center that travels the state providing information about organ, tissue, and eye donations; and

Whereas, by her dedication, energy, and tireless efforts on behalf of the ordinary citizen and those less fortunate, she won election to the House five times and earned the respect and trust of her colleagues and constituents; and

Whereas, State Representative Darlene Luther passed away on Wednesday, January 30, 2002, at her home in Brooklyn Park, Minnesota; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it holds in honored memory the life and work of Representative Darlene Luther. It extends its sincere condolences to her husband, Congressman Bill Luther, her children, Alex and Alicia, and all the people of District 47A and Brooklyn Park who knew her.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and transmit it to the family of Representative Darlene Luther.

Pugh moved that House Resolution No. 26 be now adopted. The motion prevailed and House Resolution No. 26 was adopted.

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

RECESS

During the recess State Senator Linda Scheid and United States Representative William P. Luther honored Darlene Luther, former House member from District 47A, who passed away on January 30, 2002.

RECONVENED

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

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

S. F. No. 2434.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 351, A bill for an act relating to the operation of state government; crime prevention and judiciary finance; appropriating money for the judicial branch, public defense, human rights, corrections, public safety, crime victims, and related purposes; establishing and expanding grant programs, task forces, and pilot projects; requiring reports and studies; transferring, modifying, and expanding responsibility for various governmental responsibilities; providing procedures and policies for integrated criminal justice information systems; adopting various provisions relating to corrections; imposing, clarifying, and expanding certain criminal and civil provisions and penalties; regulating dangerous dogs; providing for protection of public safety in bail determinations; making certain changes related to sex offenders and sex offender registration; providing for state funding of certain programs and personnel; abolishing the office of the ombudsman for corrections; eliminating the Camp Ripley weekend camp program; increasing certain fees and modifying the allocation of certain fees; establishing a theft prevention advisory board; establishing a felony-level penalty for driving while impaired; modifying certain policies and procedures relating to domestic violence; making technical changes to the driving while impaired laws; reforming and recodifying the law relating to marriage dissolution, child custody, child support, maintenance, and property division; clarifying certain medical support bonus incentive provisions; making style and form changes; amending Minnesota Statutes 2000, sections 2.724, subdivision 3; 8.16, subdivision 1; 13.87, by adding a subdivision; 15A.083, subdivision 4; 169A.03, subdivision 12, by adding subdivisions; 169A.20, subdivision 3; 169A.25; 169A.26; 169A.27; 169A.275, subdivisions 3, 5; 169A.277, subdivision 2; 169A.28, subdivision 2; 169A.283, subdivision 1; 169A.37, subdivision 1; 169A.40, subdivision 3; 169A.41, subdivision 2; 169A.51, subdivision 7; 169A.54, subdivision 6; 169A.60, subdivisions 1, 13, 14; 169A.63, subdivision 1; 171.09; 171.186, by adding a subdivision; 171.29, subdivision 2; 171.30, subdivision 1; 241.272, subdivision 6; 242.192; 243.166, subdivisions 1, 3, 4a, 6; 243.167, subdivision 1; 243.51, subdivisions 1, 3; 256.9791; 299A.75, subdivision 1, by adding subdivisions; 299C.10, subdivision 1; 299C.11; 299C.147, subdivision 2; 299C.65, subdivisions 1, 2; 299F.058, subdivision 2; 343.20, by adding subdivisions; 343.21, subdivisions 9, 10; 518.002; 518.003, subdivisions 1, 3; 518.005; 518.01; 518.02; 518.03; 518.04; 518.05; 518.055; 518.06; 518.07; 518.09; 518.10; 518.11; 518.12; 518.13; 518.131; 518.14, subdivision 1; 518.148; 518.155; 518.156; 518.157, subdivisions 1, 2, 3, 5, 6; 518.158, subdivisions 2, 4; 518.165; 518.166; 518.167, subdivisions 3, 4, 5; 518.168; 518.1705, subdivision 6; 518.175, subdivisions 1, 1a, 2, 3, 5, 6, 7, 8; 518.1751, subdivisions 1b, 2, 2a, 2b, 2c, 3; 518.176; 518.177; 518.178; 518.179, subdivision 1; 518.18; 518.24; 518.25; 518.54, subdivisions 1, 5, 6, 7, 8; 518.55; 518.552; 518.58; 518.581; 518.582; 518.612; 518.619; 518.62; 518.64, subdivisions 1, 2; 518.641; 518.642; 518.646; 518.65; 518B.01, subdivisions 2, 3, 6, 14; 609.02, by adding a subdivision; 609.035, subdivision 2; 609.117; 609.224, subdivisions 2, 4; 609.2242, subdivisions 2, 4; 609.343, subdivision 2; 609.487, subdivision 4; 609.495, subdivisions 1, 3; 609.521; 609.748, subdivisions 6, 8; 609.749, subdivisions 4, 5; 611.23; 611.272; 611A.201, subdivision 2; 611A.32, by adding a subdivision; 611A.74,

subdivisions 1, 1a; 617.247, subdivisions 3, 4; 626.55, subdivision 1; 629.471, subdivision 2; 629.72; Laws 1996, chapter 408, article 2, section 16; proposing coding for new law in Minnesota Statutes, chapters 8; 169A; 299A; 299C; 347; 518; 518B; 609; 626; proposing coding for new law as Minnesota Statutes, chapters 517A; 517B; 517C; repealing Minnesota Statutes 2000, sections 169A.275, subdivision 4; 241.41; 241.42; 241.43; 241.44; 241.441; 241.45; 243.166, subdivision 10; 518.111; 518.17; 518.171; 518.185; 518.255; 518.54, subdivisions 2, 4a, 13, 14; 518.551; 518.5513; 518.553; 518.57; 518.575; 518.585; 518.5851; 518.5852; 518.5853; 518.61; 518.6111; 518.614; 518.615; 518.616; 518.617; 518.618; 518.6195; 518.64, subdivisions 4, 4a, 5; 518.66; 609.2244, subdivision 4; 626.55, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Rhodes moved that the House concur in the Senate amendments to H. F. No. 351 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Pawlenty and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Marko was excused for the remainder of today's session.

Pugh moved that the House refuse to concur in the Senate amendments to H. F. No. 351, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses.

A roll call was requested and properly seconded.

Osthoff was excused for the remainder of today's session.

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

RECESS

RECONVENED

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

The question recurred on the Pugh motion that the House refuse to concur in the Senate amendments to H. F. No. 351 and that the Speaker appoint a Conference Committee of 5 members of the House and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses and the roll was called.

There were 61 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gleason	Johnson, S.	Mahoney	Peterson	Thompson
Bernardy	Goodwin	Juhnke	Mariani	Pugh	Wagenius
Biernat	Gray	Kahn	Marquart	Rifenberg	Walker
Carlson	Greiling	Kalis	McGuire	Rukavina	Wasiluk
Clark, K.	Hausman	Kelliher	Milbert	Schumacher	Winter
Davnie	Hilstrom	Koskinen	Mullery	Sertich	Wolf
Dawkins	Hilty	Kubly	Murphy	Skoe	
Dorn	Huntley	Larson	Opatz	Skoglund	
Entenza	Jaros	Leighton	Otremba	Slawik	
Evans	Jennings	Lenczewski	Paymar	Solberg	
Folliard	Johnson, R.	Lieder	Pelowski	Swapinski	

Those who voted in the negative were:

Abeler	Davids	Harder	Lipman	Penas	Vandever
Abrams	Dehler	Holberg	Mares	Rhodes	Walz
Anderson, B.	Dempsey	Holsten	McElroy	Ruth	Westerberg
Bakk	Eastlund	Howes	Molnau	Seagren	Westrom
Bishop	Erickson	Jacobson	Mulder	Seifert	Wilkin
Blaine	Finseth	Johnson, J.	Ness	Smith	Workman
Boudreau	Fuller	Kielkucki	Nornes	Stanek	Spk. Sviggum
Bradley	Gerlach	Knoblach	Olson	Stang	
Buesgens	Goodno	Krinkie	Osskopp	Swenson	
Cassell	Gunther	Kuisle	Ozment	Sykora	
Clark, J.	Haas	Leppik	Paulsen	Tingelstad	
Daggett	Hackbarth	Lindner	Pawlenty	Tuma	

The motion did not prevail.

The question recurred on the Rhodes motion that the House concur in the Senate amendments to H. F. No. 351 and that the bill be repassed as amended by the Senate and the roll was called.

There were 11 yeas and 117 nays as follows:

Those who voted in the affirmative were:

Abeler	Bakk	Davids	Goodno	Skoe	Spk. Sviggum
Anderson, I.	Bishop	Dehler	Rhodes	Tuma	

Those who voted in the negative were:

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

The motion did not prevail.

MOTION FOR RECONSIDERATION

Pawlenty moved that the vote whereby the Pugh motion to refuse to concur and appoint a conference committee did not prevail be now reconsidered. The motion prevailed.

Pawlenty moved that the House refuse to concur in the Senate amendments to H. F. No. 351, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses.

A roll call was requested and properly seconded.

The question was taken on the Pawlenty motion and the roll was called. There were 116 yeas and 12 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Bishop	Goodno	Krinkie	Olson	Skoe
Bakk	Dehler	Knoblach	McElroy	Rhodes	Tuma

The motion prevailed.

FIRST READING OF SENATE BILLS

S. F. No. 2434, A bill for an act relating to Polk county; providing a process for making certain offices appointive in Polk county.

The bill was read for the first time.

Lieder moved that S. F. No. 2434 and H. F. No. 2652, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

H. F. No. 2624, A bill for an act relating to the city of Shakopee; increasing its public utilities commission from three to five members.

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 123 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Gerlach	Krinkie	Mulder	Vandevveer
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The bill was passed and its title agreed to.

MOTIONS AND RESOLUTIONS

Osskopp moved that the name of Slawik be added as an author on H. F. No. 567. The motion prevailed.

McElroy moved that the name of Johnson, R., be added as an author on H. F. No. 2574. The motion prevailed.

Swapinski moved that the name of Leighton be added as an author on H. F. No. 2590. The motion prevailed.

Greiling moved that the names of Davids, Koskinen and Johnson, S., be added as authors on H. F. No. 2701. The motion prevailed.

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

Seifert moved that the name of Thompson be added as an author on H. F. No. 2742. The motion prevailed.

Goodwin moved that the name of Gleason be added as an author on H. F. No. 2745. The motion prevailed.

Haas moved that the name of Westerberg be added as an author on H. F. No. 2755. The motion prevailed.

Ozment moved that the names of Skoglund, Dibble and Mullery be added as authors on H. F. No. 2796. The motion prevailed.

Jennings moved that his name be stricken as an author on H. F. No. 2799. The motion prevailed.

Gerlach moved that the name of Abeler be added as an author on H. F. No. 2816. The motion prevailed.

Marko moved that the name of Gray be added as an author on H. F. No. 2852. The motion prevailed.

Howes moved that the name of Solberg be added as an author on H. F. No. 2886. The motion prevailed.

Folliard moved that the name of Bernardy be added as an author on H. F. No. 2912. The motion prevailed.

Solberg moved that the name of Paymar be added as an author on H. F. No. 2924. The motion prevailed.

Knoblach moved that the name of Erickson be added as an author on H. F. No. 2936. The motion prevailed.

Abrams moved that the name of Wilkin be added as an author on H. F. No. 2937. The motion prevailed.

Buesgens moved that the names of Erickson, Eastlund, Westerberg, Wilkin, Rifenberg and Harder be added as authors on H. F. No. 2938. The motion prevailed.

Blaine moved that the name of Westerberg be added as an author on H. F. No. 2942. The motion prevailed.

Blaine moved that the name of Rifenberg be added as an author on H. F. No. 2947. The motion prevailed.

Buesgens moved that the names of Erickson and Eastlund be added as authors on H. F. No. 2950. The motion prevailed.

Abeler moved that the name of Harder be added as an author on H. F. No. 2954. The motion prevailed.

Blaine moved that the name of Rifenberg be added as an author on H. F. No. 2960. The motion prevailed.

Vandever moved that the name of Westerberg be added as an author on H. F. No. 2968. The motion prevailed.

Olson moved that the name of Cassell be added as an author on H. F. No. 3010. The motion prevailed.

Koskinen moved that the names of Johnson, S., and Kelliher be added as authors on H. F. No. 3020. The motion prevailed.

Workman moved that the name of Erhardt be added as an author on H. F. No. 3037. The motion prevailed.

Gerlach moved that the names of Buesgens, Workman and Dempsey be added as authors on H. F. No. 3096. The motion prevailed.

Gunther moved that the name of Bakk be added as an author on H. F. No. 3109. The motion prevailed.

Koskinen moved that the names of Johnson, S., and Kelliher be added as authors on H. F. No. 3121. The motion prevailed.

Entenza moved that H. F. No. 1025 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

Davids moved that H. F. No. 2558 be recalled from the Committee on Commerce, Jobs and Economic Development and be re-referred to the Committee on State Government Finance. The motion prevailed.

Davids moved that H. F. No. 2563 be recalled from the Committee on Commerce, Jobs and Economic Development and be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Davids moved that H. F. No. 2607 be recalled from the Committee on Commerce, Jobs and Economic Development and be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Davids moved that H. F. No. 2636 be recalled from the Committee on Commerce, Jobs and Economic Development and be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Rhodes moved that H. F. No. 2861 be recalled from the Committee on Transportation Finance and be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

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

Seagren moved that H. F. No. 3033 be recalled from the Committee on Education Policy and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

Finseth moved that H. F. No. 3060 be recalled from the Committee on Agriculture Policy and be re-referred to the Committee on Agriculture and Rural Development Finance. The motion prevailed.

Abeler moved that H. F. No. 3092 be recalled from the Committee on Civil Law and be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

Clark, K., moved that H. F. No. 3234 be recalled from the Committee on Health and Human Services Policy and be re-referred to the Committee on Commerce, Jobs and Economic Development. The motion prevailed.

Abeler moved that H. F. No. 3290 be recalled from the Committee on Health and Human Services Policy and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Bishop introduced:

House Resolution No. 25, A house resolution relating to state government; rejecting certain labor agreements and compensation plans; ratifying a labor agreement.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 3:00 p.m., Wednesday, February 13, 2002. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Wednesday, February 13, 2002.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

