

## STATE OF MINNESOTA

## EIGHTY-SECOND SESSION — 2002

## SEVENTIETH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, FEBRUARY 20, 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 Tracy Weaver, Lake Community Church, Alexandria, 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	Dibble	Hilstrom	Larson	Osthoff	Stanek
Abrams	Dorman	Hilty	Leighton	Otremba	Stang
Anderson, B.	Dorn	Holberg	Lenczewski	Paulsen	Swapinski
Anderson, I.	Eastlund	Holsten	Leppik	Pawlenty	Swenson
Bakk	Entenza	Howes	Lieder	Paymar	Sykora
Bernardy	Erhardt	Huntley	Lindner	Pelowski	Thompson
Biernat	Erickson	Jacobson	Lipman	Penas	Tingelstad
Bishop	Evans	Jaros	Mahoney	Peterson	Tuma
Blaine	Finseth	Jennings	Mares	Pugh	Vandever
Boudreau	Folliard	Johnson, J.	Marko	Rhodes	Wagenius
Bradley	Fuller	Johnson, R.	Marquart	Rifenberg	Walker
Buesgens	Gerlach	Johnson, S.	McGuire	Rukavina	Walz
Carlson	Gleason	Juhnke	Milbert	Ruth	Wasiluk
Cassell	Goodno	Kahn	Molnau	Schumacher	Westerberg
Clark, J.	Goodwin	Kalis	Mulder	Seagren	Westrom
Clark, K.	Gray	Kelliher	Mullery	Seifert	Wilkin
Daggett	Greiling	Kielkucki	Murphy	Sertich	Winter
Davids	Gunther	Knoblach	Ness	Skoe	Wolf
Davnie	Haas	Koskinen	Nornes	Skoglund	Workman
Dawkins	Hackbarth	Krinkie	Olson	Slawik	Spk. Sviggum
Dehler	Harder	Kubly	Opatz	Smith	
Dempsey	Hausman	Kuisle	Osskopp	Solberg	

A quorum was present.

Mariani, McElroy and Ozment were excused.

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

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

H. F. No. 2232, A bill for an act relating to school buses; authorizing the commissioner of public safety to cancel the school bus driver's endorsement of a person who has been convicted of a gross misdemeanor or of multiple violations that show evidence of a risk to public safety; proposing coding for new law in Minnesota Statutes, chapter 171.

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

The report was adopted.

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

H. F. No. 2437, A bill for an act relating to education; providing for gender separated wrestling teams; amending Minnesota Statutes 2000, section 121A.04, subdivision 3; repealing Minnesota Rules, part 3535.3200, subpart 4.

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

The report was adopted.

Finseth from the Committee on Agriculture 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 Jobs and Economic Development Finance.

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 2593, A bill for an act relating to elections; city elections; providing for the election of certain council members elected by ward after reapportionment; amending Minnesota Statutes 2000, section 205.84, subdivisions 1 and 2.

Reported the same back with the following amendments:

Page 1, line 13, reinstate the stricken language and after "but" insert ", except as otherwise provided by paragraph (b)."

Page 1, lines 14 and 15, reinstate the stricken language

Page 1, delete line 23

Page 1, delete line 24, and insert "2 or the year ending in 3," a municipal general election must be held in one of those years."

Pages 1 and 2, delete section 2

Page 2, line 17, delete "Sections 1 and 2 are" and insert "Section 1 is"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "subdivisions 1 and 2" and insert "subdivision 1"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2629, A bill for an act relating to professions; allowing retired individuals licensed by the board of architecture, engineering, land surveying, landscape architecture, geoscience, and interior design to use a retired professional designation; amending Minnesota Statutes 2000, section 326.02, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

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

H. F. No. 2664, A bill for an act relating to health; modifying requirements for supplemental nursing services agencies; amending Minnesota Statutes 2001 Supplement, sections 144A.70, subdivision 6; 144A.71, subdivision 2; 144A.72, subdivision 1.

Reported the same back with the following amendments:

Page 2, line 31, strike everything after "(4)"

Page 2, strike lines 32 to 35

Page 2, line 36, strike "(5)"

Page 3, line 7, strike "(6)" and insert "(5)" and delete "a" and insert "an employee dishonesty bond in the amount of \$10,000;"

Page 3, delete lines 8 to 11

Page 3, line 12, delete "(7)" and insert "(6)"

Page 3, line 16, delete "(8)" and insert "(7)"

Page 3, line 23, delete "and"

Page 3, line 24, delete "(9)" and insert "(8)"

Page 3, line 28, before the period, insert "; and

(9) the supplemental nursing services agency shall document that each temporary employee provided to health care facilities is an employee of the agency and is not an independent contractor"

Page 3, after line 28, insert:

"Sec. 4. Minnesota Statutes 2001 Supplement, section 144A.72, is amended by adding a subdivision to read:

Subd. 3. [REVOCATION.] Notwithstanding subdivision 2, the registration of a supplemental nursing services agency that knowingly supplies to a health care facility a person with an illegally or fraudulently obtained or issued diploma, registration, license, certificate, or background study shall be revoked by the commissioner. The commissioner shall notify the supplemental nursing services agency 15 days in advance of the date of revocation.

Sec. 5. Minnesota Statutes 2001 Supplement, section 144A.72, is amended by adding a subdivision to read:

Subd. 4. [HEARING.] (a) No supplemental nursing services agency's registration may be revoked without a hearing held as a contested case in accordance with chapter 14. The hearing must commence within 60 days after the proceedings are initiated.

(b) If a controlling person has been notified by the commissioner of health that the supplemental nursing services agency will not receive an initial registration or that a renewal of the registration has been denied, the controlling person or a legal representative on behalf of the supplemental nursing services agency may request and receive a hearing on the denial. This hearing shall be held as a contested case in accordance with chapter 14.

Sec. 6. Minnesota Statutes 2001 Supplement, section 144A.72, is amended by adding a subdivision to read:

Subd. 5. [PERIOD OF INELIGIBILITY.] (a) The controlling person of a supplemental nursing services agency whose registration has not been renewed or has been revoked because of noncompliance with the provisions of sections 144A.70 to 144A.74 shall not be eligible to apply for nor will be granted a registration for five years following the effective date of the nonrenewal or revocation.

(b) The commissioner shall not issue or renew a registration to a supplemental nursing services agency if a controlling person includes any individual or entity who was a controlling person of a supplemental nursing services agency whose registration was not renewed or was revoked as described in paragraph (a) for five years following the effective date of nonrenewal or revocation.

Sec. 7. Minnesota Statutes 2001 Supplement, section 144A.74, is amended to read:

144A.74 [MAXIMUM CHARGES.]

A supplemental nursing services agency must not bill or receive payments from a nursing home licensed under this chapter at a rate higher than 150 percent of the sum of the weighted average wage rate, plus a factor determined by the commissioner to incorporate payroll taxes as defined in Minnesota Rules, part 9549.0020, subpart 33, for the applicable employee classification for the geographic group to which the nursing home is assigned under Minnesota Rules, part 9549.0052. The weighted average wage rates must be determined by the commissioner of human services and reported to the commissioner of health on an annual basis. Wages are defined as hourly rate of pay and shift differential, including weekend shift differential and overtime. Facilities shall provide information necessary to

determine weighted average wage rates to the commissioner of human services in a format requested by the commissioner. The maximum rate must include all charges for administrative fees, contract fees, or other special charges in addition to the hourly rates for the temporary nursing pool personnel supplied to a nursing home.

**[EFFECTIVE DATE.] This section is effective 14 days after final enactment.**"

Amend the title as follows:

Page 1, line 6, before the period, insert ", by adding subdivisions; 144A.74"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2751, A bill for an act relating to financial institutions; providing for the organization, operation, and regulation of credit unions; proposing coding for new law as Minnesota Statutes, chapter 52A; repealing Minnesota Statutes 2000, sections 52.01; 52.02; 52.03; 52.04, subdivisions 2a, 3; 52.05; 52.06; 52.062; 52.063; 52.064; 52.07; 52.08; 52.09; 52.10; 52.11; 52.12; 52.13; 52.131; 52.137; 52.14; 52.141; 52.15; 52.16; 52.165; 52.17; 52.18; 52.19; 52.191; 52.20; 52.201; 52.202; 52.203; 52.21; 52.211; 52.212; 52.24; Minnesota Statutes 2001 Supplement, section 52.04, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [52.001] [DEFINITIONS.]

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

Subd. 2. [BOARD.] "Board" means the board of directors of a credit union.

Subd. 3. [COMMISSIONER.] "Commissioner" means the commissioner of the department of commerce.

Subd. 4. [CREDIT UNION.] "Credit union" means a cooperative, not-for-profit financial institution formed and operating under this chapter.

Subd. 5. [COMMUNITY.] "Community" means an identifiable neighborhood, community, rural district, or other geographically well-defined area in which individuals have common interests or interact. "Well-defined" means the proposed area has specific geographic boundaries, including a school district, city, township, county, or clearly identifiable neighborhood, but does not include the state as a whole.

Subd. 6. [DIRECTOR.] "Director" means a member of the board.

Subd. 7. [FEDERAL CREDIT UNION.] "Federal credit union" means a credit union organized and operating under the laws of the United States.

Subd. 8. [INSOLVENT.] "Insolvent" means the condition that results when the cash value of assets realizable in a reasonable period of time is less than the liabilities that must be met within that time.

Subd. 9. [MEMBER.] "Member" means a person whose application for membership has been approved as meeting the membership criteria of the credit union, who has paid any required entrance or membership fee, and who has paid for one or more shares.

Subd. 10. [ORGANIZATION.] "Organization" means any corporation, association, partnership, limited liability company, cooperative, trust, or other legal entity.

Subd. 11. [OUT-OF-STATE CREDIT UNION.] "Out-of-state credit union" means a credit union organized under the laws of another state or United States territory or possession.

Subd. 12. [SMALL GROUP.] "Small group" means a group that has less than 3,000 potential members that has made a written request to a credit union for credit union services.

Subd. 13. [UNSAFE OR UNSOUND PRACTICE.] "Unsafe or unsound practice" means any action or lack of action that is contrary to generally accepted standards of prudent operation and that poses an abnormal risk of loss to the credit union or its members.

Sec. 2. Minnesota Statutes 2000, section 52.02, subdivision 2, is amended to read:

Subd. 2. [BYLAW AMENDMENTS BY DIRECTORS.] The bylaws themselves, or the members may, pursuant to subdivision 1, may provide for the bylaws to be amended by the board of directors. If the bylaws permit amendment by the directors, any amendments shall be approved by a two-thirds vote of the total number of directors authorized. The board of directors shall not adopt, amend, or repeal a bylaw fixing a quorum for meetings of members, prescribing procedures for removing directors or filling vacancies in the board, or fixing the number of directors or their classifications, qualifications, or terms of office, but may adopt or amend a bylaw to increase the number of directors. If three percent or more of all members propose a resolution for action by the members to adopt, amend, or repeal bylaws adopted, amended, or repealed by the board and the resolution sets forth the provisions proposed for adoption, amendment, or repeal, the resolution shall be submitted to the members for a vote as provided in subdivision 1.

Sec. 3. Minnesota Statutes 2000, section 52.02, subdivision 3, is amended to read:

Subd. 3. [APPROVAL.] Amendments to the certificate of organization or bylaws, other than the addition of a small group to the field of membership, must be approved by the commissioner of commerce before they become operative. The commissioner shall not unreasonably withhold approval if the amendments do not violate any provision of this chapter or other state law. In any event, the commissioner shall approve or disapprove the proposed amendment within 60 days of the date the proposed amendment is submitted to the commissioner by the credit union. In case of disapproval the credit union shall have the right to appeal to a court of competent jurisdiction within the time limits stated in section 52.01, clause (6). In case any amendment to the certificate of organization is adopted, the resolution, containing a full text of the amendment and verified by its president or treasurer and approved by the commissioner of commerce, shall be recorded in the office of the secretary of state. Upon addition of a small group to the field of membership, a credit union must provide timely written notice to the commissioner. The commissioner shall have 30 days from receipt of the notice to reject the addition of the small group; if the commissioner does not reject the addition within that period, it is deemed approved.

Sec. 4. Minnesota Statutes 2001 Supplement, section 52.04, subdivision 1, is amended to read:

Subdivision 1. A credit union has the following powers:

(1) to offer its members and other credit unions various classes of shares, share certificates, deposits, or deposit certificates;

(2) to receive the savings of its members either as payment on shares or as deposits, including the right to conduct Christmas clubs, vacation clubs, and other thrift organizations within its membership. Trust funds received by a real estate broker or the broker's salespersons in trust may be deposited in a credit union;

(3) to make loans to members for provident or productive purposes as provided in section 52.16;

(4) to make loans to a cooperative society or other organization having membership in the credit union;

(5) to deposit in state and national banks and trust companies authorized to receive deposits;

(6) to invest in any investment legal for savings banks or for trust funds in the state and, notwithstanding clause (3), to invest in and make loans of unsecured days funds (federal funds or similar unsecured loans) to financial institutions insured by an agency of the federal government and a member of the Federal Reserve System or required to maintain reserves at the Federal Reserve;

(7) to borrow money as hereinafter indicated;

(8) to adopt and use a common seal and alter the same at pleasure;

(9) to make payments on shares of and deposit with any other credit union chartered by this or any other state or operating under the provisions of the Federal Credit Union Act, in amounts not exceeding in the aggregate 25 percent of its unimpaired assets. However, payments on shares of and deposit with credit unions chartered by other states are restricted to credit unions insured by the National Credit Union Administration. The restrictions imposed by this clause do not apply to share accounts and deposit accounts of the Minnesota corporate credit union in United States central credit union or to share accounts and deposit accounts of credit unions in the Minnesota corporate credit union;

(10) to contract with any licensed insurance company or society to insure the lives of members to the extent of their share accounts, in whole or in part, and to pay all or a portion of the premium therefor;

(11) to indemnify each director, officer, or committee member, or former director, officer, or committee member against all expenses, including attorney's fees but excluding amounts paid pursuant to a judgment or settlement agreement, reasonably incurred in connection with or arising out of any action, suit, or proceeding to which that person is a party by reason of being or having been a director, officer, or committee member of the credit union, except with respect to matters as to which that person is finally adjudged in the action, suit, or proceeding to be liable for negligence or misconduct in the performance of duties. The indemnification is not exclusive of any other rights to which that person may be entitled under any bylaw, agreement, vote of members, or otherwise;

(12) upon written authorization from a member, retained at the credit union, to make payments to third parties by withdrawals from the member's share or deposit accounts or through proceeds of loans made to such member, or by permitting the credit union to make those payments from the member's funds prior to deposit; to permit draft withdrawals from member accounts, but a credit union proposing to permit draft withdrawals shall notify the commissioner of commerce, in the form prescribed, of its intent not less than 90 days prior to authorizing draft withdrawals. The board of directors of a credit union may restrict one class of shares to the extent that it may not be redeemed, withdrawn, or transferred except upon termination of membership in the credit union;

(13) to inform its members as to the availability of various group purchasing plans which are related to the promotion of thrift or the borrowing of money for provident and productive purposes by means of informational materials placed in the credit union's office, through its publications, or by direct mailings to members by the credit union;

(14) to facilitate its members' voluntary purchase of types of insurance incidental to promotion of thrift or the borrowing of money for provident and productive purposes including, but not limited to the following types of group or individual insurance: Fire, theft, automobile, life and temporary disability; to be the policy holder of a group insurance plan or a subgroup under a master policy plan and to disseminate information to its members concerning the insurance provided thereunder; to remit premiums to an insurer or the holder of a master policy on behalf of a credit union member, if the credit union obtains written authorization from the member for remittance by share or deposit withdrawals or through proceeds of loans made by the members, or by permitting the credit union to make the payments from the member's funds prior to deposit; and to accept from the insurer reimbursement for expenses incurred ~~or in the case of credit life, accident and health, and involuntary unemployment insurance within the meaning of chapter 62B~~ and commissions for the handling of the insurance. The amount reimbursed or the commissions received may constitute the general income of the credit union. The directors, officers, committee members and employees of a credit union shall not profit on any insurance sale facilitated through the credit unions;

(15) to contract with another credit union to furnish services which either could otherwise perform. Contracted services under this clause are subject to regulation and examination by the commissioner of commerce like other services;

(16) in furtherance of the twofold purpose of promoting thrift among its members and creating a source of credit for them at legitimate rates of interest for provident purposes, and not in limitation of the specific powers hereinbefore conferred, to have all the powers enumerated, authorized, and permitted by this chapter, and such other rights, privileges and powers incidental to, or necessary or convenient for, the accomplishment of the objectives and purposes of the credit union;

(17) to rent safe deposit boxes to its members if the credit union obtains adequate insurance or bonding coverage for losses which might result from the rental of safe deposit boxes;

(18) notwithstanding the provisions of section 52.05, to accept deposits of public funds in an amount secured by insurance or other means pursuant to chapter 118A or section 9.031 or other applicable law and to receive deposits of trust funds and offer related trust services provided that either the provider ~~or the~~ beneficial owner, or trustee of the funds is a member of the credit union accepting the deposit. Prior to offering trust-related services, a credit union must receive approval from the commissioner under sections 48.36 to 48.41;

(19) to accept and maintain treasury tax and loan accounts of the United States and to pledge collateral to secure the treasury tax or loan accounts, in accordance with the regulations of the Department of Treasury of the United States;

(20) to accept deposits pursuant to section 149A.97, subdivision 5, notwithstanding the provisions of section 52.05, if the deposits represent funding of prepaid funeral plans of members;

(21) to sell, in whole or in part, real estate secured loans provided that:

(a) the loan is secured by a first lien;

(b) the board of directors approves the sale;

(c) if the sale is partial, the agreement to sell a partial interest shall, at a minimum:

(i) identify the loan or loans covered by the agreement;

(ii) provide for the collection, processing, remittance of payments of principal and interest, taxes and insurance premiums and other charges or escrows, if any;

(iii) define the responsibilities of each party in the event the loan becomes subject to collection, loss or foreclosure;



(iv) provide that in the event of loss, each owner shall share in the loss in proportion to its interest in the loan or loans;

(v) provide for the distribution of payments of principal to each owner proportionate to its interest in the loan or loans;

(vi) provide for loan status reports;

(vii) state the terms and conditions under which the agreement may be terminated or modified; and

(d) the sale is without recourse or repurchase unless the agreement:

(i) requires repurchase of a loan because of any breach of warranty or misrepresentation;

(ii) allows the seller to repurchase at its discretion; or

(iii) allows substitution of one loan for another;

(22) in addition to the sale of loans secured by a first lien on real estate, to sell, pledge, discount, or otherwise dispose of, in whole or in part, to any source, a loan or group of loans, other than a self-replenishing line of credit; provided, that within a calendar year beginning January 1 the total dollar value of loans sold, other than loans secured by real estate or insured by a state or federal agency, shall not exceed 25 percent of the dollar amount of all loans and participating interests in loans held by the credit union at the beginning of the calendar year, unless otherwise authorized in writing by the commissioner;

(23) to designate the par value of the shares of the credit union by board resolution;

(24) to exercise by resolution the powers set forth in United States Code, title 12, section 1757. Before exercising each power, the board must submit a plan to the commissioner of commerce detailing implementation of the power to be used;

(25) to offer self-directed individual retirement accounts and Keogh accounts and act as custodian and trustee of these accounts if:

(1) all contributions of funds are initially made to a deposit, share or share certificate account in the credit union;

(2) any subsequent transfer of funds to other assets is solely at the direction of the member and the credit union exercises no investment discretion and provides no investment advice with respect to plan assets; and

(3) the member is clearly notified of the fact that National Credit Union Share Insurance Fund coverage is limited to funds held in deposit, share or share certificate accounts of National Credit Union Share Insurance Fund-insured credit unions;

(26) to impose reasonable charges for the services it provides to its members;

(27) to impose financing charges and reasonable late charges in the event of default on loans, and recover reasonable costs and expenses, including, but not limited to, actual collection costs and attorneys' fees incurred both before and after judgment, incurred in the collection of sums due, if provided for in the note or agreement signed by the borrower;

(28) to acquire, lease, hold, assign, pledge, sell, or otherwise dispose of interests in personal property and in real property;

(29) to acquire, lease, hold, assign, pledge, sell, or otherwise dispose of interests in a loan or groups of loans other than a self-replenishing line of credit; and

(30) to enter into lease agreements, lease contracts, and lease-purchase agreements with members, provided that a credit union must comply with section 48.152 in leasing personal property to members.

Sec. 5. Minnesota Statutes 2000, section 52.04, subdivision 3, is amended to read:

Subd. 3. ~~[COMPARABILITY WITH FEDERAL CREDIT UNIONS PARITY.]~~ The commissioner of commerce may authorize credit union activity in which credit unions subject to the jurisdiction of the federal government may be authorized to engage by federal legislation, ruling, or regulation. Notwithstanding any other provision of law, and in addition to all powers and activities, express, implied, or incidental, that a credit union has under the laws of this state, a credit union may exercise the powers and activities of a federal credit union, upon approval of the commissioner. The commissioner must approve or deny a request under this subdivision within 60 days after submission of the request by a credit union. The commissioner may not authorize state credit unions subject to this chapter to engage in credit union activity prohibited by the laws of this state.

Sec. 6. Minnesota Statutes 2000, section 52.05, subdivision 1, is amended to read:

Subdivision 1. ~~[REQUIREMENTS.]~~ Credit union membership consists of the incorporators and other persons as may be elected to membership and subscribe to at least one share as designated by the board of directors, pay the initial installment thereon and the entrance fee if any. In addition to a regularly qualified member, the spouse of a member, the blood or adoptive relatives of either of them and their spouses may be members. When an individual member of a credit union leaves the field of membership, the member, and all persons who became members by virtue of that individual's membership may continue as members. The surviving spouse of a regularly qualified member, and the blood or adoptive relatives of either of them and their spouses may become members. Organizations, incorporated or otherwise, composed for the most part of the same general group as the credit union membership may be members. Credit unions chartered by this or any other state, or any federal credit union may be members. Credit union organizations shall be limited to persons within one or more groups or any combination of groups, of both large and small membership, having a common bond of occupation, or association, or to residents within a well-defined neighborhood, community, or rural district.

Sec. 7. Minnesota Statutes 2000, section 52.05, subdivision 2, is amended to read:

Subd. 2. ~~[APPLICATION.]~~ Any two persons representing a group of 30 or less or any 15 persons representing a larger group may apply to the commissioner, advising the commissioner of the common bond of the group and its number of potential members, for a determination whether it is feasible for the group to form a credit union. Upon a determination that it is not feasible to organize because the number of potential members is too small, the applicants will be certified by the commissioner as eligible to petition for membership in an existing credit union capable of serving the group. If the credit union so petitioned resolves to accept the group into membership, it shall follow the bylaw amendment and approval procedure set forth in section 52.02.

The commissioner ~~shall~~ may adopt rules to implement this subdivision. If adopted, these rules must provide that:

(1) for the purpose of this subdivision, groups with a potential membership of less than ~~1,500~~ 3,000 will be considered too small to be feasible as a separate credit union, unless there are compelling reasons to the contrary, relevant to the objectives of this subdivision;

(2) groups with a potential membership in excess of ~~1,500~~ 3,000 will be considered in light of all circumstances relevant to the objectives of this subdivision; and

(3) all group applications, except for applications from groups made up of members of existing credit unions or groups made up of people who have a common employer which qualifies them for membership in an existing credit union, will be considered separately from any consideration of the membership provisions of existing credit unions; except that, groups made up of members of an existing credit union may be certified under this subdivision with the agreement of the credit union.

Sec. 8. Minnesota Statutes 2000, section 52.09, subdivision 3, is amended to read:

Subd. 3. [OFFICERS, BYLAWS; COMPENSATION.] The duties of the officers shall be as determined in the bylaws, except that the treasurer may be the general manager. No member of the board, the supervisory committee or an elected credit committee shall receive a salary as such, but may be reimbursed for necessary expenses incidental to serving in such capacity and may be compensated for time actually spent in official duties at an hourly rate as determined by the annual meeting of members. Provision of reasonable life, health, accident, and similar insurance protection shall not be considered compensation.

Sec. 9. Minnesota Statutes 2000, section 52.12, is amended to read:

52.12 [CAPITAL; ENTRANCE FEES; CREDIT UNION TO HAVE LIEN.]

The capital of a credit union includes shares, share certificates, any special class of shares, undivided earnings, reserves, member investment shares, nonmember subordinated debt, member paid-in capital, and any entrance or membership fees. The credit union shall have a lien on the shares and deposits of a member for any sum due to the credit union from the member, or for any loan endorsed by that member. In addition to any other statutory right of setoff or lien and subject to any contractual provision, if any party to an account is indebted to a credit union, the credit union has a right to setoff against any account in which the party has or had immediately before death a present right of withdrawal. A credit union may, at its discretion, charge an entrance or annual membership fee if authorized by the bylaws.

Sec. 10. Minnesota Statutes 2000, section 52.15, subdivision 1, is amended to read:

Subdivision 1. [~~40~~ FIFTY PERCENT OF UNIMPAIRED ASSETS.] A credit union may borrow from any source, or sources, sums not exceeding in the aggregate ~~40~~ 50 percent of its unimpaired assets. For the purposes of this subdivision, "unimpaired assets" mean total assets less borrowings, including all forms of indebtedness, accounts payable, and any amount by which reserves and undivided earnings will not be adequate to meet the reserve requirements caused by classified assets.

Sec. 11. Minnesota Statutes 2000, section 52.19, subdivision 2, is amended to read:

Subd. 2. The board of directors may adopt a procedure and policy for expulsion of members for cause and for nonparticipation in the affairs of the credit union. The nonparticipation policy must be based on:

(1) failure to purchase and maintain at least one credit union share or to pay entrance or membership fees, if any; or

(2) causing monetary loss to the credit union.

If adopted, written notice of the procedure and policy and their effective date shall be mailed not less than 30 days before their effective date to each member of the credit union at the member's address on the credit union records. Each new member shall be provided written notice of the procedure and policy before or upon applying for membership."

Delete the title and insert:

"A bill for an act relating to financial institutions; providing for the organization, operation, and regulation of credit unions; amending Minnesota Statutes 2000, sections 52.02, subdivisions 2, 3; 52.04, subdivision 3; 52.05, subdivisions 1, 2; 52.09, subdivision 3; 52.12; 52.15, subdivision 1; 52.19, subdivision 2; Minnesota Statutes 2001 Supplement, section 52.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 52."

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

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 2753, A bill for an act relating to Carlton county; permitting the appointment of the county recorder.

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

The report was adopted.

McElroy from the Committee on Jobs and Economic Development Finance to which was referred:

H. F. No. 2789, A bill for an act relating to baseball; providing for a contribution by the city of St. Paul to the construction of a major league baseball park; authorizing a liquor and food tax to be levied by the city of St. Paul; establishing a ticket tax at a new baseball park in St. Paul; authorizing the issuance of state bonds for the construction of a major league baseball park; appropriating money.

Reported the same back with the following amendments:

Page 1, line 19, delete "the state,"

Page 1, line 20, delete the comma

Page 2, line 4, delete ", in partnership with the state of Minnesota,"

Page 2, line 13, after the period, insert "All construction materials for the baseball park produced from or containing steel, so far as practicable, must use steel produced in the United States from taconite produced in Minnesota. The city of St. Paul shall establish appropriate compliance procedures."

Page 2, line 23, delete "state and city" and insert "city's"

With the recommendation that when so amended the bill be re-referred to the Committee on Capital Investment without further recommendation.

The report was adopted.

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

H. F. No. 2813, A bill for an act relating to human services; requiring child care providers to develop policies for reporting suspected child maltreatment; proposing coding for new law in Minnesota Statutes, chapter 245A.

Reported the same back with the following amendments:

Page 1, line 22, after the semicolon, insert "and"

Page 1, line 23, delete "; and" and insert a period

Page 1, delete lines 24 and 25 and insert:

"(c) By July 1, 2002, any new or renewed child care license must include a statement that informs parents who have concerns about their child's care that they may call the licensing agency. The commissioner shall print the telephone number for the licensing agency in bold and large font on the license issued to child care providers."

Amend the title accordingly.

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. 2824, A bill for an act relating to higher education; providing for collection of data on how many students are employed in this state after obtaining a degree; amending Minnesota Statutes 2000, section 13.322, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 135A.

Reported the same back with the following amendments:

Page 3, after line 20, insert:

"Sec. 3. Minnesota Statutes 2000, section 136A.08, is amended by adding a subdivision to read:

Subd. 2a. [DATA SHARING.] (a) Agreements negotiated under this section must include a data collection and student tracking procedure. All participating states and institutions must agree to share with other reciprocity states information that can be used to track the migration and employment of reciprocity students after graduation.

(b) Participating institutions must have a data collection process that includes matching social security numbers of reciprocity students for purposes of tracking the migration and employment of students who receive degrees through a tuition reciprocity program. The reciprocity application must request the use of student social security numbers for the purposes of this subdivision. Reciprocity students must be informed that social security numbers will only be used to evaluate the reciprocity program by sharing information with the administering agencies and the departments responsible for administration of taxes in each state. Social security numbers will not be used for any other purpose or reported to any other government entity.

(c) Each agency that administers the reciprocity program must provide annual summary data to other administering agencies that includes summary statistics on number of graduates by institution, degree granted and year of graduation, and number of reciprocity students employed in the state."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "requiring data collection in tuition reciprocity agreements;"

Page 1, line 5, delete "section" and insert "sections" and after the semicolon, insert "136A.08, by adding a subdivision;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2851, A bill for an act relating to railroads; prohibiting the metropolitan council from further activities relating to the Dan Patch commuter rail line; amending Minnesota Statutes 2000, section 473.399, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [DAN PATCH COMMUTER RAIL LINE; PROHIBITIONS.]

Subdivision 1. [DEFINITION.] For purposes of this section "Dan Patch commuter rail line" means the commuter rail line between Northfield and Minneapolis identified in the metropolitan council's transit 2020 master plan as the Dan Patch line.

Subd. 2. [METROPOLITAN COUNCIL; PROHIBITIONS.] The metropolitan council may not take any action or spend any federal, state, or local money for study, planning, preliminary engineering, final design, or construction for the Dan Patch commuter rail line. The council shall remove all references, other than references for historical purposes, to the Dan Patch commuter rail line from any future revisions to the council's transportation policy plan and the council's regional transit master plan.

Subd. 3. [COMMISSIONER OF TRANSPORTATION.] The commissioner of transportation may not take any action or expend any federal, state, or local money for study, planning, preliminary engineering, final design, or construction for the Dan Patch commuter rail line. The commissioner shall remove all references, other than references for historical purposes, to the Dan Patch commuter rail line from any future revisions to the state transportation plan and the commissioner's commuter rail system plan.

Subd. 4. [REGIONAL RAIL AUTHORITIES.] No county or regional rail authority may expend any federal, state, or local money for study, planning, preliminary engineering, final design, or construction for the Dan Patch commuter rail line.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 2002."

Delete the title and insert:

"A bill for an act relating to railroads; prohibiting and requiring certain actions relating to the Dan Patch commuter rail line by the metropolitan council, commissioner of transportation, and regional rail authorities."

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

The report was adopted.

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

H. F. No. 2922, A bill for an act relating to employment; prohibiting employers from requiring employees or job applicants to pay for certain expenses such as background checks, credit checks, testing, or orientation; proposing coding for new law in Minnesota Statutes, chapter 181.

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

The report was adopted.

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

H. F. No. 2939, A bill for an act relating to transportation; proposing an amendment to the Minnesota Constitution, article XI, section 5; article XIV, sections 5, 6, by adding a new section; removing constitutional limitations on issuing general obligation bonds for highways; establishing constitutional fund and dedicating proceeds of sales tax on vehicles to financing highways and public transit; increasing tax on motor fuels; authorizing bonding; appropriating money; amending Minnesota Statutes 2000, sections 296A.07, subdivision 3, by adding a subdivision; 296A.08, subdivision 2, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 297B.09, subdivision 1.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Transportation Finance without further recommendation.

The report was adopted.

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

H. F. No. 2953, A bill for an act relating to health; providing for the establishment of a volunteer health care provider program; specifying that health care providers providing volunteer services under the program are state employees for purposes of tort claims; requiring rules; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the following amendments:

Page 2, line 3, delete "; RULES"

Page 2, line 4, delete "voluntary" and insert "volunteer"

Page 2, line 5, delete "free"

Page 2, line 6, after "by" insert "volunteer"

Page 2, line 7, delete "The"

Page 2, delete lines 8 to 14

Page 2, line 16, delete "free"

Page 2, line 24, delete "and" and insert:

"(3) the services were provided without compensation to the provider; and"

Page 2, line 25, delete "(3)" and insert "(4)"

Amend the title as follows:

Page 1, line 6, delete "requiring rules;"

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. 2958, A bill for an act relating to taxation; providing an income tax checkoff to fund benefits for survivors of law enforcement officers and firefighters and providing for maintenance of peace officer and firefighter memorials; proposing coding for new law in Minnesota Statutes, chapter 290.

Reported the same back with the following amendments:

Page 1, line 14, delete everything after "officer" and insert ", firefighter, and ambulance personnel memorial and"

Page 1, line 19, delete everything after "officer" and insert ", firefighter, and ambulance personnel memorial and survivor account."

Page 1, line 21, delete everything after "the"

Page 1, delete line 22 and insert "account. The"

Page 1, line 23, delete "and survivor"

Page 1, line 24, delete everything after "officer" and insert ", firefighter, and ambulance personnel"

Page 1, line 26, delete "and" and insert a comma

Page 2, line 1, after the first comma, insert "and ambulance personnel,"

Page 2, line 2, delete the second "and" and insert a comma

Page 2, line 3, after "firefighters" insert ", and ambulance personnel"

Page 2, line 5, delete everything after "expenditures"

Page 2, line 6, delete everything before "shall"

Page 2, line 8, delete everything before "account"

Page 2, line 9, delete "and" and insert a comma

Page 2, line 10, after "firefighter" insert ", and ambulance personnel"

Page 2, line 11, delete everything after "officers" and insert ", firefighters, and ambulance personnel killed in the line of"

Page 2, line 25, delete "2002" and insert "2003"

Amend the title as follows:

Page 1, delete line 4 and insert "officers, firefighters, and ambulance personnel and providing for"

Page 1, line 5, delete "and" and insert a comma and after "firefighter" insert ", and ambulance personnel"

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

The report was adopted.



Wolf from the Committee on Regulated Industries to which was referred:

H. F. No. 2972, A bill for an act relating to energy; making technical corrections to the 2001 omnibus energy bill; amending Minnesota Statutes 2001 Supplement, section 216B.2425, subdivision 3; Laws 2001, chapter 212, article 1, section 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 116C.63, subdivision 4, is amended to read:

Subd. 4. When private real property that is an agricultural or nonagricultural homestead, nonhomestead agricultural land, rental residential property, and both commercial and noncommercial seasonal residential recreational property, as those terms are defined in section 273.13 is proposed to be acquired for the construction of a site or route for a high-voltage transmission line with a capacity of 200 kilovolts or more by eminent domain proceedings, the fee owner, or when applicable, the fee owner with the written consent of the contract for deed vendee, or the contract for deed vendee with the written consent of the fee owner, shall have the option to require the utility to condemn a fee interest in any amount of contiguous, commercially viable land which the owner or vendee wholly owns or has contracted to own in undivided fee and elects in writing to transfer to the utility within 60 days after receipt of the notice of the objects of the petition filed pursuant to section 117.055. Commercial viability shall be determined without regard to the presence of the utility route or site. The owner or, when applicable, the contract vendee shall have only one such option and may not expand or otherwise modify an election without the consent of the utility. The required acquisition of land pursuant to this subdivision shall be considered an acquisition for a public purpose and for use in the utility's business, for purposes of chapter 117 and section 500.24, respectively; provided that a utility shall divest itself completely of all such lands used for farming or capable of being used for farming not later than the time it can receive the market value paid at the time of acquisition of lands less any diminution in value by reason of the presence of the utility route or site. Upon the owner's election made under this subdivision, the easement interest over and adjacent to the lands designated by the owner to be acquired in fee, sought in the condemnation petition for a high-voltage right-of-way for a high-voltage transmission line right-of-way with a capacity of 200 kilovolts or more shall automatically be converted into a fee taking.

Sec. 2. Minnesota Statutes 2001 Supplement, section 216B.2425, subdivision 3, is amended to read:

Subd. 3. [COMMISSION APPROVAL.] By June 1 of each even-numbered year, the commission shall adopt a state transmission project list and shall certify, certify as modified, or deny certification of the projects proposed under subdivision 2. The commission may only certify a project that is a high-voltage transmission line as defined in section 216B.2421, subdivision 2, that the commission finds is:

- (1) necessary to maintain or enhance the reliability of electric service to Minnesota consumers;
- (2) needed, applying the criteria in section ~~216B.241~~ 216B.243, subdivision 3; and
- (3) in the public interest, taking into account electric energy system needs and economic, environmental, and social interests affected by the project.

Sec. 3. Minnesota Statutes 2001 Supplement, section 216B.2425, subdivision 6, is amended to read:

Subd. 6. [EXCLUSION.] This section does not apply to any transmission line proposal application that has been approved by, or was pending before, at least one local unit of government, the environmental quality board, or the public utilities commission on August 1, 2001.

Sec. 4. Minnesota Statutes 2001 Supplement, section 216B.243, subdivision 8, is amended to read:

Subd. 8. [EXEMPTIONS.] This section does not apply to:

(1) cogeneration or small power production facilities as defined in the Federal Power Act, United States Code, title 16, section 796, paragraph (17), subparagraph (A), and paragraph (18), subparagraph (A), and having a combined capacity at a single site of less than 80,000 kilowatts or to plants or facilities for the production of ethanol or fuel alcohol nor in any case where the commission shall determine after being advised by the attorney general that its application has been preempted by federal law;

(2) a high-voltage transmission line proposed primarily to distribute electricity to serve the demand of a single customer at a single location, unless the applicant opts to request that the commission determine need under this section or section 216B.2425;

(3) the upgrade to a higher voltage of an existing transmission line that serves the demand of a single customer that primarily uses existing rights-of-way, unless the applicant opts to request that the commission determine need under this section or section 216B.2425;

(4) a transmission line with a capacity between 100 kilovolts and 200 kilovolts for which an application has been approved by, or was pending before, at least one local unit of government, the environmental quality board, or the public utilities commission on August 1, 2001;

(5) a high-voltage transmission line of one mile or less required to connect a new or upgraded substation to an existing, new or upgraded high-voltage transmission line;

(6) conversion of the fuel source of an existing electric generating plant to using natural gas; or

~~(7)~~ (7) modification of an existing electric generating plant to increase efficiency, as long as the capacity of the plant is not increased more than ten percent or more than 100 megawatts, whichever is greater.

Sec. 5. Minnesota Statutes 2001 Supplement, section 216C.052, subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATIVE ISSUES.] (a) The commissioner may select the administrator who shall serve for a four-year term. The administrator may not have been a party or a participant in a commission energy proceeding, or have been employed by such a party or participant, for at least one year prior to selection by the commissioner. The commissioner shall oversee and direct the work of the administrator, annually review the expenses of the administrator, and annually approve the budget of the administrator. The administrator may hire staff and may contract for technical expertise in performing duties when existing state resources are required for other state responsibilities or when special expertise is required. The salary of the administrator is governed by section 15A.0815, subdivision 2.

(b) Costs relating to a specific proceeding, analysis, or project are not general administrative costs. For purposes of this section, "energy utility" means public utilities, generation and transmission cooperative electric associations, and municipal power agencies providing natural gas or electric service in the state.

(c) The department of commerce shall pay:

(1) the general administrative costs of the administrator, not to exceed \$1,500,000 in a fiscal year, and shall assess energy utilities for reimbursement for those administrative costs. These costs must be consistent with the budget approved by the commissioner under paragraph (a). The department shall apportion the costs among all energy utilities in proportion to their respective gross operating revenues from sales of gas or electric service within the state during the last calendar year, and shall then render a bill to each utility on a regular basis; and

(2) costs relating to a specific proceeding analysis or project and shall render a bill for reimbursement to the specific energy utility or utilities participating in the proceeding, analysis, or project directly, either at the conclusion of a particular proceeding, analysis, or project, or from time to time during the course of the proceeding, analysis, or project.

(d) For purposes of administrative efficiency, the department shall assess energy utilities and issue bills in accordance with the billing and assessment procedures provided in section 216B.62, to the extent that these procedures do not conflict with this subdivision. The amount of the bills rendered by the department under paragraph (c) must be paid by the energy utility into an account in the special revenue fund in the state treasury within 30 days from the date of billing and is appropriated to the commissioner for the purposes provided in this section. The commission shall approve or approve as modified a rate schedule providing for the automatic adjustment of charges to recover amounts paid by utilities under this section. All amounts assessed under this section are in addition to amounts appropriated to the commission and the department by other law.

**[EFFECTIVE DATE.]** This section is effective the day following final enactment.

Sec. 6. Minnesota Statutes 2001 Supplement, section 216C.41, subdivision 5, is amended to read:

Subd. 5. [AMOUNT OF PAYMENT.] (a) An incentive payment is based on the number of kilowatt hours of electricity generated. The amount of the payment is:

- (1) for a facility described under subdivision 2, paragraph (a), clause (4), 1.0 cents per kilowatt hour; and
- (2) for all other facilities, 1.5 cents per kilowatt hour.

For electricity generated by qualified wind energy conversion facilities, the incentive payment under this section is limited to no more than 100 megawatts of nameplate capacity. During any period in which qualifying claims for incentive payments exceed 100 megawatts of nameplate capacity, the payments must be made to producers in the order in which the production capacity was brought into production.

(b) Beginning For wind energy conversion systems installed and contracted for after January 1, 2002, the total size of a wind energy conversion system under this section must be determined according to this paragraph. Unless the systems are interconnected with different distribution systems, the nameplate capacity of one wind energy conversion system must be combined with the nameplate capacity of any other wind energy conversion system that is:

- (1) located within five miles of the wind energy conversion system;
- (2) constructed within the same calendar year as the wind energy conversion system; and
- (3) under common ownership.

In the case of a dispute, the commissioner of commerce shall determine the total size of the system, and shall draw all reasonable inferences in favor of combining the systems.

(c) In making a determination under paragraph (b), the commissioner of commerce may determine that two wind energy conversion systems are under common ownership when the underlying ownership structure contains similar persons or entities, even if the ownership shares differ between the two systems. Wind energy conversion systems are not under common ownership solely because the same person or entity provided equity financing for the systems.

Sec. 7. Minnesota Statutes 2001 Supplement, section 272.02, subdivision 22, is amended to read:

Subd. 22. [WIND ENERGY CONVERSION SYSTEMS.] (a) Small scale wind energy conversion systems installed after January 1, 1991, and used as an electric power source are exempt.

"Small scale wind energy conversion systems" are wind energy conversion systems, as defined in section 216C.06, subdivision 12, including the foundation or support pad, which (i) are used as an electric power source; (ii) are located within one county and owned by the same owner; and (iii) produce two megawatts or less of electricity as measured by nameplate ratings.

(b) Medium scale wind energy conversion systems installed after January 1, 1991, are treated as follows: (i) the foundation and support pad are taxable; (ii) the associated supporting and protective structures are exempt for the first five assessment years after they have been constructed, and thereafter, 30 percent of the market value of the associated supporting and protective structures are taxable; and (iii) the turbines, blades, transformers, and its related equipment, are exempt. "Medium scale wind energy conversion systems" are wind energy conversion systems as defined in section 216C.06, subdivision 12, including the foundation or support pad, which: (i) are used as an electric power source; (ii) are located within one county and owned by the same owner; and (iii) produce more than two but equal to or less than 12 megawatts of energy as measured by nameplate ratings.

(c) Large scale wind energy conversion systems installed after January 1, 1991, are treated as follows: 25 percent of the market value of all property is taxable, including (i) the foundation and support pad; (ii) the associated supporting and protective structures; and (iii) the turbines, blades, transformers, and its related equipment. "Large scale wind energy conversion systems" are wind energy conversion systems as defined in section 216C.06, subdivision 12, including the foundation or support pad, which (i) are used as an electric power source; and (ii) produce more than 12 megawatts of energy as measured by nameplate ratings.

(d) For wind energy conversion systems installed and contracted for after January 1, 2002, the total size of a wind energy conversion system under this subdivision shall be determined according to this paragraph. Unless the systems are interconnected with different distribution systems, the nameplate capacity of one wind energy conversion system shall be combined with the nameplate capacity of any other wind energy conversion system that is:

- (1) located within five miles of the wind energy conversion system;
- (2) constructed within the same calendar year as the wind energy conversion system; and
- (3) under common ownership.

In the case of a dispute, the commissioner of commerce shall determine the total size of the system, and shall draw all reasonable inferences in favor of combining the systems.

(e) In making a determination under paragraph (d), the commissioner of commerce may determine that two wind energy conversion systems are under common ownership when the underlying ownership structure contains similar persons or entities, even if the ownership shares differ between the two systems. Wind energy conversion systems are not under common ownership solely because the same person or entity provided equity financing for the systems.

Sec. 8. Laws 1999, chapter 125, section 4, is amended to read:

Sec. 4. [SUNSETS.]

Sections 1 to 3 expire as of June 30, ~~2002~~ 2005.

Sec. 9. Laws 2001, chapter 212, article 1, section 3, is amended to read:

Sec. 3. [BENCHMARKS FOR EXISTING PUBLIC BUILDINGS.]

The department of administration shall maintain information on energy usage in all public buildings for the purpose of establishing energy efficiency benchmarks and energy conservation goals. The department shall report preliminary energy conservation goals to the chairs of the senate telecommunications, energy and utilities committee and the house regulated industries committee by January 15, 2002. The department shall develop, in coordination

with the department of commerce, a comprehensive plan by January 15, ~~2003~~ 2004, to maximize electrical and thermal energy efficiency in existing public buildings through conservation measures having a simple payback within ten to 15 years. The plan must detail the steps necessary to implement the conservation measures and include the projected costs of these measures. The owner or operator of a public building subject to this section shall provide information to the department of administration necessary to accomplish the purposes of this section.

Sec. 10. [INSTRUCTION TO REVISOR.]

The revisor of statutes shall remove codification of Laws 2001, chapter 212, article 8, section 14. Laws 2001, chapter 212, article 8, section 14, shall remain part of Laws 2001 as uncodified law.

Sec. 11. [EFFECTIVE DATE.]

Sections 1, 6, 7, and 8 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to energy; decreasing regulatory requirements for small power lines; modifying provision for selecting reliability administrator; requiring department of administration to coordinate with department of commerce to develop comprehensive energy plan for public buildings by 2004; extending expiration by three years of certain procedural powers of public utilities commission; making technical corrections; amending Minnesota Statutes 2000, section 116C.63, subdivision 4; Minnesota Statutes 2001 Supplement, sections 216B.2425, subdivisions 3, 6; 216B.243, subdivision 8; 216C.052, subdivision 2; 216C.41, subdivision 5; 272.02, subdivision 22; Laws 1999, chapter 125, section 4; Laws 2001, chapter 212, article 1, section 3."

With the recommendation that when so amended the bill pass.

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 2995, A bill for an act relating to municipalities; providing for a bidding exception for certain water tank service contracts; amending Minnesota Statutes 2000, section 471.345, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, after line 12, insert:

"Sec. 2. [AH-GWAH-CHING.]

The commissioner of human services or administration, whichever is appropriate, may enter into an agreement with the city of Walker providing for the city to take over the maintenance and operation of the water tower owned by the state of Minnesota and located at Ah-Gwah-Ching in Cass county."

Page 2, line 14, delete "Section 1 is" and insert "Sections 1 and 2 are" and delete "March" and insert "August"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "authorizing an agreement for the city of Walker to maintain and operate the state's water tower at Ah-Gwah-Ching;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3048, A bill for an act relating to crimes; providing criminal penalties for persons who promote, advocate, and take responsibility for criminal acts under certain circumstances; amending Minnesota Statutes 2001 Supplement, section 609.495, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 12, delete "promotes, advocates, and"

Page 1, line 13, delete everything after "intent"

Page 1, line 14, delete "of others or"

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

The report was adopted.

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

H. F. No. 3057, A bill for an act relating to education; permitting the Minnesota state high school league to enter into corporate partnerships and similar agreements; amending Minnesota Statutes 2000, section 128C.01, subdivision 5.

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.

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

H. F. No. 3069, A bill for an act relating to education; requiring school districts to submit timely information about teacher contract settlements; proposing coding for new law in Minnesota Statutes, chapter 123B.

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

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 3074, A bill for an act relating to Steele county; permitting the appointment of the county recorder.

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

The report was adopted.

Sykora from the Committee on Family and Early Childhood Education Finance to which was referred:

H. F. No. 3086, A bill for an act relating to child care; modifying child care assistance; amending Minnesota Statutes 2000, sections 119B.09, subdivision 1; 119B.12, subdivision 2; Minnesota Statutes 2001 Supplement, sections 119B.13, subdivision 6; 256.98, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 119B.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 2000, section 119B.02, subdivision 4, is amended to read:

Subd. 4. [UNIVERSAL APPLICATION FORM.] The commissioner must develop and make available to all counties a universal application form for child care assistance under this chapter. The application must provide notice of eligibility requirements for assistance and penalties for wrongfully obtaining assistance. All current child care assistance recipients must complete the universal application at the time of redetermination. All new child care assistance applicants must complete the universal application.

[EFFECTIVE DATE.] This section is effective the day following final enactment."

Page 3, line 4, delete "(a)"

Page 3, delete lines 19 to 25

Pages 3 to 5, delete section 5 and insert:

"Sec. 6. [CHILD CARE FRAUD PREVENTION TASK FORCE.]

Subdivision 1. [ESTABLISHMENT.] A nine-member child care fraud prevention task force is established to make recommendations to the legislature on reducing fraud in the child care assistance programs under Minnesota Statutes, chapter 119B. Members do not receive per diem or reimbursement for expenses. At a minimum, the task force must hold two meetings. All other matters of the task force's operation, except expiration of the task force under subdivision 4, are governed by Minnesota Statutes, section 15.069.

Subd. 2. [MEMBERSHIP.] The commissioner shall appoint nine members to the task force. Two members are appointed from the department of children, families, and learning. Two members are appointed from a list of candidates provided to the commissioner by the Minnesota fraud investigators association. Three members are appointed from a list of candidates provided to the commissioner by the Minnesota child care association. Two members are appointed from a list of candidates provided to the commissioner by the family day care association. The commissioner shall appoint three members of the task force from rural areas, two members from suburban areas, and two members from urban areas. Members of the legislature may sit on the task force as ex-officio members.

Subd. 3. [DUTIES.] The task force must:

(1) review the incidence and type of child care assistance fraud cases;

(2) review child care assistance law under Minnesota Statutes, chapter 119B, and child care assistance rules under Minnesota Rules, chapter 3400; and

(3) submit a report and make recommendations to the 2003 legislature and the commissioner regarding changes to the child care assistance laws or rules that would reduce or prevent child care assistance fraud.

Subd. 4. [EXPIRATION.] The child care fraud prevention task force expires on December 1, 2002."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "sections" insert "119B.02, subdivision 4;"

Page 1, line 5, delete "sections" and insert "section"

Page 1, line 6, delete "256.98, subdivision 8;"

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.

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

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.

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.

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

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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 13.383, subdivision 13, is amended to read:

Subd. 13. [DENTISTS, DENTAL HYGIENISTS, AND DENTAL ASSISTANTS.] (a) [REQUIRED EXAMINATIONS; MEDICAL RECORDS.] Data obtained by the board of dentistry when requiring a mental or physical examination of a dentist, dental hygienist, or dental assistant or when accessing the medical records of a dentist, dental hygienist, or dental assistant are classified under sections 150A.08, subdivisions 5 and 6, and 150A.081.

(b) [PATIENT RECORDS.] Patient records of a patient cared for by a dentist, dental hygienist, or dental assistant who is under review by the board of dentistry are classified under section 150A.081.

(c) [INVESTIGATIVE DATA.] Reports submitted to the board of dentistry containing information about violations are classified under section 150A.14.



Sec. 2. [150A.13] [REPORTING OBLIGATIONS.]

Subdivision 1. [PERMISSION TO REPORT.] A person who has knowledge of any conduct by a registrant or a licensee that may constitute grounds for disciplinary action under this chapter or the rules of the board may report the violation to the board.

Subd. 2. [INSTITUTIONS.] A hospital, clinic, prepaid dental plan, or other health care institution or organization located in this state shall report to the board any action taken by the agency, institution, or organization or any of its administrators or dental or other committees to revoke, suspend, restrict, or condition a registrant's or licensee's privilege to practice or treat patients or clients in the institution, or as part of the organization, any denial of privileges, or any other disciplinary action for conduct that might constitute grounds for disciplinary action by the board under this chapter. The institution or organization shall also report the resignation of any registrants or licensees prior to the conclusion of any disciplinary action proceeding for conduct that might constitute grounds for disciplinary action under this chapter, or prior to the commencement of formal charges but after the registrant or licensee had knowledge that formal charges were contemplated or in preparation.

Subd. 3. [DENTAL SOCIETIES.] A state or local dental society or professional dental association shall report to the board any termination, revocation, or suspension of membership or any other disciplinary action taken against a registrant or licensee. If the society or association has received a complaint which might be grounds for discipline under this chapter against a registrant or licensee on which it has not taken any disciplinary action, the society or association shall report the complaint and the reason why it has not taken action on it or shall direct the complainant to the board. This subdivision does not apply to a society or association when it performs peer review functions as an agent of an outside entity, organization, or system.

Subd. 4. [LICENSED PROFESSIONALS.] (a) A licensed or registered health professional shall report to the board personal knowledge of any conduct by any person that the licensed or registered health professional reasonably believes constitutes grounds for disciplinary action under this chapter.

(b) Notwithstanding paragraph (a), a licensed health professional shall report to the board knowledge of any actions which institutions must report under subdivision 2.

Subd. 5. [INSURERS AND OTHER ENTITIES MAKING LIABILITY PAYMENTS.] (a) Four times each year as prescribed by the board, each insurer authorized to sell insurance described in section 60A.06, subdivision 1, clause (13), and providing professional liability insurance to registrants or licensees, shall submit to the board a report concerning the registrants and licensees against whom malpractice settlements or awards have been made to the plaintiff. The report must contain at least the following information:

- (1) the total number of malpractice settlements or awards made;
- (2) the date the malpractice settlements or awards were made;
- (3) the allegations contained in the claim or complaint leading to the settlements or awards made;
- (4) the dollar amount of each malpractice settlement or award;
- (5) the regular address of the practice of the registrant or licensee against whom an award was made or with whom a settlement was made; and
- (6) the name of the registrant or licensee against whom an award was made or with whom a settlement was made.

(b) A dental clinic, hospital, political subdivision, or other entity which makes professional liability insurance payments on behalf of registrants or licensees shall submit to the board a report concerning malpractice settlements or awards paid on behalf of registrants or licensees, and any settlements or awards paid by a clinic, hospital, political subdivision, or other entity on its own behalf because of care rendered by registrants or licensees. This requirement excludes forgiveness of bills. The report shall be made to the board within 30 days of payment of all or part of any settlement or award.

(c) The insurance company or other entity making professional liability insurance payments shall, in addition to the information in paragraph (b), report to the board any information it possesses that tends to substantiate a charge, including the factual data underlying a settlement, that a registrant or licensee may have engaged in conduct violating this chapter or rules of the board.

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 registrant or licensee 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 registrant or licensee pursuant to sections 525.54 to 525.61, or commits a registrant or licensee pursuant to chapter 253B.

Subd. 7. [SELF-REPORTING.] A registrant or licensee shall report to the board any personal action that would require that a report be filed by any person, health care facility, business, or organization pursuant to subdivisions 2 to 6.

Subd. 8. [DEADLINES; FORMS.] Reports required by subdivisions 2 to 7 must be submitted not later than 30 days after the occurrence of the reportable event or transaction. The board may provide forms for the submission of reports required by this section, may require that reports be submitted on the forms provided, and may adopt rules necessary to assure prompt and accurate reporting.

Subd. 9. [SUBPOENAS.] The board may issue subpoenas for the production of any reports required by subdivisions 2 to 7 or any related documents.

### Sec. 3. [150A.14] [IMMUNITY.]

Subdivision 1. [REPORTING IMMUNITY.] A person, health care facility, business, or organization is immune from civil liability or criminal prosecution for submitting a report in good faith to the board under section 150A.13, or for cooperating with an investigation of a report or with staff of the board. Reports are confidential data on individuals under section 13.02, subdivision 3, and are privileged communications.

Subd. 2. [PROGRAM IMMUNITY.] Members of the board, persons employed by the board, and board consultants are immune from civil liability and criminal prosecution for any actions, transactions, or publications in the execution of, or relating to, their duties under section 150A.13."

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

The report was adopted.

Finseth from the Committee on Agriculture Policy to which was referred:

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.

Reported the same back with the following amendments:

Page 1, after line 20, insert:

"Sec. 2. Minnesota Statutes 2000, section 116D.04, subdivision 2a, is amended to read:

Subd. 2a. Where there is potential for significant environmental effects resulting from any major governmental action, the action shall be preceded by a detailed environmental impact statement prepared by the responsible governmental unit. The environmental impact statement shall be an analytical rather than an

encyclopedic document which describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated. The environmental impact statement shall also analyze those economic, employment and sociological effects that cannot be avoided should the action be implemented. To ensure its use in the decision making process, the environmental impact statement shall be prepared as early as practical in the formulation of an action.

(a) The board shall by rule establish categories of actions for which environmental impact statements and for which environmental assessment worksheets shall be prepared as well as categories of actions for which no environmental review is required under this section.

(b) The responsible governmental unit shall promptly publish notice of the completion of an environmental assessment worksheet in a manner to be determined by the board and shall provide copies of the environmental assessment worksheet to the board and its member agencies. Comments on the need for an environmental impact statement may be submitted to the responsible governmental unit during a 30 day period following publication of the notice that an environmental assessment worksheet has been completed. The responsible governmental unit's decision on the need for an environmental impact statement shall be based on the environmental assessment worksheet and the comments received during the comment period, and shall be made within 15 days after the close of the comment period. The board's chair may extend the 15 day period by not more than 15 additional days upon the request of the responsible governmental unit.

(c) An environmental assessment worksheet shall also be prepared for a proposed action whenever material evidence accompanying a petition by not less than 25 individuals residing or owning property within five miles of the site or within the county of the proposed action if the proposed action involves animal agriculture, submitted before the proposed project has received final approval by the appropriate governmental units, demonstrates that, because of the nature or location of a proposed action, there may be potential for significant environmental effects. Petitions requesting the preparation of an environmental assessment worksheet shall be submitted to the board. The chair of the board shall determine the appropriate responsible governmental unit and forward the petition to it. A decision on the need for an environmental assessment worksheet shall be made by the responsible governmental unit within 15 days after the petition is received by the responsible governmental unit. The board's chair may extend the 15 day period by not more than 15 additional days upon request of the responsible governmental unit.

(d) The board may, prior to final approval of a proposed project, require preparation of an environmental assessment worksheet by a responsible governmental unit selected by the board for any action where environmental review under this section has not been specifically provided for by rule or otherwise initiated.

(e) An early and open process shall be utilized to limit the scope of the environmental impact statement to a discussion of those impacts, which, because of the nature or location of the project, have the potential for significant environmental effects. The same process shall be utilized to determine the form, content and level of detail of the statement as well as the alternatives which are appropriate for consideration in the statement. In addition, the permits which will be required for the proposed action shall be identified during the scoping process. Further, the process shall identify those permits for which information will be developed concurrently with the environmental impact statement. The board shall provide in its rules for the expeditious completion of the scoping process. The determinations reached in the process shall be incorporated into the order requiring the preparation of an environmental impact statement.

(f) Whenever practical, information needed by a governmental unit for making final decisions on permits or other actions required for a proposed project shall be developed in conjunction with the preparation of an environmental impact statement.

(g) An environmental impact statement shall be prepared and its adequacy determined within 280 days after notice of its preparation unless the time is extended by consent of the parties or by the governor for good cause. The responsible governmental unit shall determine the adequacy of an environmental impact statement, unless within 60 days after notice is published that an environmental impact statement will be prepared, the board

chooses to determine the adequacy of an environmental impact statement. If an environmental impact statement is found to be inadequate, the responsible governmental unit shall have 60 days to prepare an adequate environmental impact statement."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "changing a requirement;" and after "amending" insert "Minnesota Statutes 2000, section 116D.04, subdivision 2a;"

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 1, line 13, strike "or facility"

Page 1, line 17, delete "or facility"

Page 2, line 21, after "laws" insert ", to the extent the individual will be subject to the laws of the receiving state"

Page 3, line 22, after the period, insert "A peace or health officer who is acting under the authority of the sending state may transport an individual to a receiving agency that provides services pursuant to a contract under this section, and may transport the individual back to the sending state under the laws of the sending state."

Page 3, line 26, after the period, insert "Such treatment or care may address other conditions that may be cooccurring with the mental illness."

Page 3, line 28, delete "Persons" and insert "Individuals"

Page 3, line 33, delete "persons" and insert "individuals"

Page 3, line 34, delete "or facility"

Page 4, line 5, delete "person" and insert "individual"

Page 4, line 9, delete "escapes from" and insert "leaves" and after "agency" insert "without permission"

Page 4, line 10, delete "at the time of escape"

Page 4, line 12, delete "recapture" and insert "return"

Page 4, line 13, before the period, insert "to the receiving agency"

Page 4, line 14, delete "escape" and insert "absence"

Page 4, line 16, delete "pursuit, retaking, and prosecution of escaped persons" and insert "return of these individuals"

Page 4, line 18, delete "if" and insert "of" and delete "escaped"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 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.

Reported the same back with the following amendments:

Page 1, line 13, after "buildings" insert "and any other covered improvements"

Page 1, line 22, delete "a penalty of" and insert "penalties available under chapter 45."

Page 1, delete lines 23 to 25

Page 2, delete lines 1 to 5

Amend the title as follows:

Page 1, line 3, delete "regulating"

Page 1, line 4, delete everything before "amending"

With the recommendation that when so amended the bill pass.

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 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.

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

The report was adopted.

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

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.

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 2000, section 245.462, subdivision 4, is amended to read:

Subd. 4. [CASE MANAGEMENT SERVICE PROVIDER.] (a) "Case management service provider" means a case manager or case manager associate employed by the county or other entity authorized by the county board to provide case management services specified in section 245.4711.

(b) A case manager must:

(1) be skilled in the process of identifying and assessing a wide range of client needs;

(2) be knowledgeable about local community resources and how to use those resources for the benefit of the client;

(3) have a bachelor's degree in one of the behavioral sciences or related fields including, but not limited to, social work, psychology, or nursing from an accredited college or university or meet the requirements of paragraph (c); and

(4) meet the supervision and continuing education requirements described in paragraphs (d), (e), and (f), as applicable.

(c) Case managers without a bachelor's degree must meet one of the requirements in clauses (1) to (3):

(1) have three or four years of experience as a case manager associate as defined in this section;

(2) be a registered nurse without a bachelor's degree and have a combination of specialized training in psychiatry and work experience consisting of community interaction and involvement or community discharge planning in a mental health setting totaling three years; or

(3) be a person who qualified as a case manager under the 1998 department of human service waiver provision and meet the continuing education and mentoring requirements in this section.

(d) A case manager with at least 2,000 hours of supervised experience in the delivery of services to adults with mental illness must receive regular ongoing supervision and clinical supervision totaling 38 hours per year of which at least one hour per month must be clinical supervision regarding individual service delivery with a case management supervisor. The remaining 26 hours of supervision may be provided by a case manager with two years of experience. Group supervision may not constitute more than one-half of the required supervision hours. Clinical supervision must be documented in the client record.

(e) A case manager without 2,000 hours of supervised experience in the delivery of services to adults with mental illness must:

(1) receive clinical supervision regarding individual service delivery from a mental health professional at least one hour per week until the requirement of 2,000 hours of experience is met; and

(2) complete 40 hours of training approved by the commissioner in case management skills and the characteristics and needs of adults with serious and persistent mental illness.

(f) A case manager who is not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in mental illness and mental health services ~~annually~~ every two years.

(g) A case manager associate (CMA) must:

(1) work under the direction of a case manager or case management supervisor;

(2) be at least 21 years of age;

(3) have at least a high school diploma or its equivalent; and

(4) meet one of the following criteria:

(i) have an associate of arts degree in one of the behavioral sciences or human services;

(ii) be a registered nurse without a bachelor's degree;

(iii) within the previous ten years, have three years of life experience with serious and persistent mental illness as defined in section 245.462, subdivision 20; or as a child had severe emotional disturbance as defined in section 245.4871, subdivision 6; or have three years life experience as a primary caregiver to an adult with serious and persistent mental illness within the previous ten years;

(iv) have 6,000 hours work experience as a nondegreed state hospital technician; or

(v) be a mental health practitioner as defined in section 245.462, subdivision 17, clause (2).

Individuals meeting one of the criteria in items (i) to (iv), may qualify as a case manager after four years of supervised work experience as a case manager associate. Individuals meeting the criteria in item (v), may qualify as a case manager after three years of supervised experience as a case manager associate.

(h) A case management associate must meet the following supervision, mentoring, and continuing education requirements:

(1) have 40 hours of preservice training described under paragraph (e), clause (2);

(2) receive at least 40 hours of continuing education in mental illness and mental health services annually; and

(3) receive at least five hours of mentoring per week from a case management mentor.

A "case management mentor" means a qualified, practicing case manager or case management supervisor who teaches or advises and provides intensive training and clinical supervision to one or more case manager associates. Mentoring may occur while providing direct services to consumers in the office or in the field and may be provided to individuals or groups of case manager associates. At least two mentoring hours per week must be individual and face-to-face.

(i) A case management supervisor must meet the criteria for mental health professionals, as specified in section 245.462, subdivision 18.

(j) An immigrant who does not have the qualifications specified in this subdivision may provide case management services to adult immigrants with serious and persistent mental illness who are members of the same ethnic group as the case manager if the person:

(1) is currently enrolled in and is actively pursuing credits toward the completion of a bachelor's degree in one of the behavioral sciences or a related field including, but not limited to, social work, psychology, or nursing from an accredited college or university;

(2) completes 40 hours of training as specified in this subdivision; and

(3) receives clinical supervision at least once a week until the requirements of this subdivision are met.

Sec. 2. Minnesota Statutes 2000, section 245.4871, subdivision 4, is amended to read:

Subd. 4. [CASE MANAGEMENT SERVICE PROVIDER.] (a) "Case management service provider" means a case manager or case manager associate employed by the county or other entity authorized by the county board to provide case management services specified in subdivision 3 for the child with severe emotional disturbance and the child's family.

(b) A case manager must:

(1) have experience and training in working with children;

(2) have at least a bachelor's degree in one of the behavioral sciences or a related field including, but not limited to, social work, psychology, or nursing from an accredited college or university or meet the requirements of paragraph (d);

(3) have experience and training in identifying and assessing a wide range of children's needs;

(4) be knowledgeable about local community resources and how to use those resources for the benefit of children and their families; and

(5) meet the supervision and continuing education requirements of paragraphs (e), (f), and (g), as applicable.

(c) A case manager may be a member of any professional discipline that is part of the local system of care for children established by the county board.

(d) A case manager without a bachelor's degree must meet one of the requirements in clauses (1) to (3):

(1) have three or four years of experience as a case manager associate;

(2) be a registered nurse without a bachelor's degree who has a combination of specialized training in psychiatry and work experience consisting of community interaction and involvement or community discharge planning in a mental health setting totaling three years; or

(3) be a person who qualified as a case manager under the 1998 department of human services waiver provision and meets the continuing education, supervision, and mentoring requirements in this section.

(e) A case manager with at least 2,000 hours of supervised experience in the delivery of mental health services to children must receive regular ongoing supervision and clinical supervision totaling 38 hours per year, of which at least one hour per month must be clinical supervision regarding individual service delivery with a case management supervisor. The other 26 hours of supervision may be provided by a case manager with two years of experience. Group supervision may not constitute more than one-half of the required supervision hours.

(f) A case manager without 2,000 hours of supervised experience in the delivery of mental health services to children with emotional disturbance must:



(1) begin 40 hours of training approved by the commissioner of human services in case management skills and in the characteristics and needs of children with severe emotional disturbance before beginning to provide case management services; and

(2) receive clinical supervision regarding individual service delivery from a mental health professional at least one hour each week until the requirement of 2,000 hours of experience is met.

(g) A case manager who is not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in severe emotional disturbance and mental health services ~~annually~~ every two years.

(h) Clinical supervision must be documented in the child's record. When the case manager is not a mental health professional, the county board must provide or contract for needed clinical supervision.

(i) The county board must ensure that the case manager has the freedom to access and coordinate the services within the local system of care that are needed by the child.

(j) A case manager associate (CMA) must:

(1) work under the direction of a case manager or case management supervisor;

(2) be at least 21 years of age;

(3) have at least a high school diploma or its equivalent; and

(4) meet one of the following criteria:

(i) have an associate of arts degree in one of the behavioral sciences or human services;

(ii) be a registered nurse without a bachelor's degree;

(iii) have three years of life experience as a primary caregiver to a child with serious emotional disturbance as defined in section 245.4871, subdivision 6, within the previous ten years;

(iv) have 6,000 hours work experience as a nondegreed state hospital technician; or

(v) be a mental health practitioner as defined in subdivision 26, clause (2).

Individuals meeting one of the criteria in items (i) to (iv) may qualify as a case manager after four years of supervised work experience as a case manager associate. Individuals meeting the criteria in item (v) may qualify as a case manager after three years of supervised experience as a case manager associate.

(k) Case manager associates must meet the following supervision, mentoring, and continuing education requirements;

(1) have 40 hours of preservice training described under paragraph (f), clause (1);

(2) receive at least 40 hours of continuing education in severe emotional disturbance and mental health service annually; and

(3) receive at least five hours of mentoring per week from a case management mentor. A "case management mentor" means a qualified, practicing case manager or case management supervisor who teaches or advises and provides intensive training and clinical supervision to one or more case manager associates. Mentoring may occur while providing direct services to consumers in the office or in the field and may be provided to individuals or groups of case manager associates. At least two mentoring hours per week must be individual and face-to-face.

(l) A case management supervisor must meet the criteria for a mental health professional as specified in section 245.4871, subdivision 27.

(m) An immigrant who does not have the qualifications specified in this subdivision may provide case management services to child immigrants with severe emotional disturbance of the same ethnic group as the immigrant if the person:

(1) is currently enrolled in and is actively pursuing credits toward the completion of a bachelor's degree in one of the behavioral sciences or related fields at an accredited college or university;

(2) completes 40 hours of training as specified in this subdivision; and

(3) receives clinical supervision at least once a week until the requirements of obtaining a bachelor's degree and 2,000 hours of supervised experience are met."

Page 4, line 31, after the semicolon, insert "and"

Page 4, lines 32 and 33, strike the existing language and delete the new language

Page 4, line 34, delete the new language and reinstate the stricken language

Page 5, after line 13, insert:

"Sec. 4. Minnesota Statutes 2001 Supplement, section 256B.0911, subdivision 4b, is amended to read:

Subd. 4b. [EXEMPTIONS AND EMERGENCY ADMISSIONS.] (a) Exemptions from the federal screening requirements outlined in subdivision 4a, paragraphs (b) and (c), are limited to:

(1) a person who, having entered an acute care facility from a certified nursing facility, is returning to a certified nursing facility; ~~and~~

(2) a person transferring from one certified nursing facility in Minnesota to another certified nursing facility in Minnesota; and

(3) a person, 21 years of age or older, who is admitted to a nursing facility from a hospital after receiving acute inpatient care at the hospital and whose admission to the nursing facility meets the criteria outlined in the Code of Federal Regulations, part 483.106, (b)(2).

(b) Persons who are exempt from preadmission screening for purposes of level of care determination include:

(1) persons described in paragraph (a);

(2) an individual who has a contractual right to have nursing facility care paid for indefinitely by the veterans' administration;

(3) an individual enrolled in a demonstration project under section 256B.69, subdivision 8, at the time of application to a nursing facility;

(4) an individual currently being served under the alternative care program or under a home and community-based services waiver authorized under section 1915(c) of the federal Social Security Act; and

(5) individuals admitted to a certified nursing facility for a short-term stay, which is expected to be 14 days or less in duration based upon a physician's certification, and who have been assessed and approved for nursing facility admission within the previous six months. This exemption applies only if the consultation team member determines at the time of the initial assessment of the six-month period that it is appropriate to use the nursing facility for short-term stays and that there is an adequate plan of care for return to the home or community-based setting. If a stay exceeds 14 days, the individual must be referred no later than the first county working day following the 14th resident day for a screening, which must be completed within five working days of the referral. The payment limitations in subdivision 7 apply to an individual found at screening to not meet the level of care criteria for admission to a certified nursing facility.

(c) Persons admitted to a Medicaid-certified nursing facility from the community on an emergency basis as described in paragraph (d) or from an acute care facility on a nonworking day must be screened the first working day after admission.

(d) Emergency admission to a nursing facility prior to screening is permitted when all of the following conditions are met:

(1) a person is admitted from the community to a certified nursing or certified boarding care facility during county nonworking hours;

(2) a physician has determined that delaying admission until preadmission screening is completed would adversely affect the person's health and safety;

(3) there is a recent precipitating event that precludes the client from living safely in the community, such as sustaining an injury, sudden onset of acute illness, or a caregiver's inability to continue to provide care;

(4) the attending physician has authorized the emergency placement and has documented the reason that the emergency placement is recommended; and

(5) the county is contacted on the first working day following the emergency admission.

Transfer of a patient from an acute care hospital to a nursing facility is not considered an emergency except for a person who has received hospital services in the following situations: hospital admission for observation, care in an emergency room without hospital admission, or following hospital 24-hour bed care.

**[EFFECTIVE DATE.]** This section is effective the day following final enactment.

Sec. 5. Minnesota Statutes 2001 Supplement, section 256B.0911, subdivision 4d, is amended to read:

Subd. 4d. [PREADMISSION SCREENING OF INDIVIDUALS UNDER 65 YEARS OF AGE.] (a) It is the policy of the state of Minnesota to ensure that individuals with disabilities or chronic illness are served in the most integrated setting appropriate to their needs and have the necessary information to make informed choices about home and community-based service options.

(b) Individuals under 65 years of age who are admitted to a nursing facility from a hospital must be screened prior to admission as outlined in subdivisions 4a through 4c.

(c) Individuals under 65 years of age who are admitted to nursing facilities with only a telephone screening must receive a face-to-face assessment from the long-term care consultation team member of the county in which the facility is located or from the recipient's county case manager within 20 working days of admission.

(d) Individuals under 65 years of age who are admitted to a nursing facility without preadmission screening according to the exemption described in subdivision 4b, paragraph (a), clause (3), and who remain in the facility longer than 30 days must receive a face-to-face assessment within 40 days of admission.

(e) At the face-to-face assessment, the long-term care consultation team member or county case manager must perform the activities required under subdivision 3b.

(f) For individuals under 21 years of age, a screening interview which recommends nursing facility admission must be face-to-face and approved by the commissioner before the individual is admitted to the nursing facility.

(g) In the event that an individual under 65 years of age is admitted to a nursing facility on an emergency basis, the county must be notified of the admission on the next working day, and a face-to-face assessment as described in paragraph (c) must be conducted within 20 working days of admission.

(h) At the face-to-face assessment, the long-term care consultation team member or the case manager must present information about home and community-based options so the individual can make informed choices. If the individual chooses home and community-based services, the long-term care consultation team member or case manager must complete a written relocation plan within 20 working days of the visit. The plan shall describe the services needed to move out of the facility and a time line for the move which is designed to ensure a smooth transition to the individual's home and community.

(i) An individual under 65 years of age residing in a nursing facility shall receive a face-to-face assessment at least every 12 months to review the person's service choices and available alternatives unless the individual indicates, in writing, that annual visits are not desired. In this case, the individual must receive a face-to-face assessment at least once every 36 months for the same purposes.

(j) Notwithstanding the provisions of subdivision 6, the commissioner may pay county agencies directly for face-to-face assessments for individuals under 65 years of age who are being considered for placement or residing in a nursing facility.

**[EFFECTIVE DATE.]** This section is effective the day following final enactment."

Page 17, after line 10, insert:

"Sec. 8. Minnesota Statutes 2001 Supplement, section 256B.0924, subdivision 6, is amended to read:

Subd. 6. [PAYMENT FOR TARGETED CASE MANAGEMENT.] (a) Medical assistance and MinnesotaCare payment for targeted case management shall be made on a monthly basis. In order to receive payment for an eligible adult, the provider must document at least one contact per month and not more than two consecutive months without a face-to-face contact with the adult or the adult's legal representative, family, primary caregiver, or other relevant persons identified as necessary to the development or implementation of the goals of the personal service plan.

(b) Payment for targeted case management provided by county staff under this subdivision shall be based on the monthly rate methodology under section 256B.094, subdivision 6, paragraph (b), calculated as one combined average rate together with adult mental health case management under section 256B.0625, subdivision 20, except for calendar year 2002. In calendar year 2002, the rate for case management under this section shall be the same as the rate for adult mental health case management in effect as of December 31, 2001. Billing and payment must identify the recipient's primary population group to allow tracking of revenues.

(c) Payment for targeted case management provided by county-contracted vendors shall be based on a monthly rate negotiated by the host county. The negotiated rate must not exceed the rate charged by the vendor for the same service to other payers. If the service is provided by a team of contracted vendors, the county may negotiate a team rate with a vendor who is a member of the team. The team shall determine how to distribute the rate among its members. No reimbursement received by contracted vendors shall be returned to the county, except to reimburse the county for advance funding provided by the county to the vendor.

(d) If the service is provided by a team that includes contracted vendors and county staff, the costs for county staff participation on the team shall be included in the rate for county-provided services. In this case, the contracted vendor and the county may each receive separate payment for services provided by each entity in the same month. In order to prevent duplication of services, the county must document, in the recipient's file, the need for team targeted case management and a description of the different roles of the team members.

(e) Notwithstanding section 256B.19, subdivision 1, the nonfederal share of costs for targeted case management shall be provided by the recipient's county of responsibility, as defined in sections 256G.01 to 256G.12, from sources other than federal funds or funds used to match other federal funds.

(f) The commissioner may suspend, reduce, or terminate reimbursement to a provider that does not meet the reporting or other requirements of this section. The county of responsibility, as defined in sections 256G.01 to 256G.12, is responsible for any federal disallowances. The county may share this responsibility with its contracted vendors.

(g) The commissioner shall set aside five percent of the federal funds received under this section for use in reimbursing the state for costs of developing and implementing this section.

(h) Notwithstanding section 256.025, subdivision 2, payments to counties for targeted case management expenditures under this section shall only be made from federal earnings from services provided under this section. Payments to contracted vendors shall include both the federal earnings and the county share.

(i) Notwithstanding section 256B.041, county payments for the cost of case management services provided by county staff shall not be made to the state treasurer. For the purposes of targeted case management services provided by county staff under this section, the centralized disbursement of payments to counties under section 256B.041 consists only of federal earnings from services provided under this section.

(j) If the recipient is a resident of a nursing facility, intermediate care facility, or hospital, and the recipient's institutional care is paid by medical assistance, payment for targeted case management services under this subdivision is limited to the last 180 days of the recipient's residency in that facility and may not exceed more than six months in a calendar year.

(k) Payment for targeted case management services under this subdivision shall not duplicate payments made under other program authorities for the same purpose.

(l) Any growth in targeted case management services and cost increases under this section shall be the responsibility of the counties."

Page 18, line 6, delete "section 252.292" and insert "sections 252.82, 252.292, and 256B.5011 to 256B.5015"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "amending" insert "Minnesota Statutes 2000, sections 245.462, subdivision 4; 245.4871, subdivision 4;"

Page 1, line 4, after the semicolon, insert "256B.0911, subdivisions 4b, 4d;"

Page 1, line 5, after "3;" insert "256B.0924, subdivision 6;"

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

The report was adopted.

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

H. F. No. 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.

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 1, line 21, after "shall" insert ", subject to section 168A.05, subdivision 1,"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 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.

Reported the same back with the following amendments:

Page 2, line 6, reinstate the stricken language

Page 2, line 7, reinstate the stricken language and before "director" insert "and the"

Page 7, line 6, delete "611A.345; 611A.35;"

Amend the title as follows:

Page 1, line 19, delete "611A.345; 611A.35;"

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.

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

H. F. No. 3309, A bill for an act relating to health; modifying provisions of licensed beds on layaway status; amending Minnesota Statutes 2000, section 144A.071, subdivision 4b.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

McElroy from the Committee on Jobs and Economic Development Finance to which was referred:

H. F. No. 3433, A bill for an act relating to baseball; providing for a contribution by the city of St. Paul to the construction of a major league baseball park; authorizing special metropolitan area and city taxes to be imposed to finance a baseball park in the city of St. Paul; providing sales tax exemptions; authorizing the issuance of state bonds for the construction of a major league baseball park; appropriating money; amending Minnesota Statutes 2000, sections 246.18, by adding a subdivision; 297A.67, by adding a subdivision; 297A.71, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16A; 473.

Reported the same back with the following amendments:

Page 1, line 23, delete "the state."

Page 1, line 24, delete the comma

Page 2, line 6, delete ", in partnership with the state of Minnesota."

Page 14, line 8, after the comma, insert "after approval by voters of the city."

Page 16, line 10, after the comma, insert "after approval by voters of the city."

Page 18, after line 11, insert:

"Sec. 19. [CONSTRUCTION MATERIALS.]

All construction materials for the baseball park produced from or containing steel, so far as practicable, must use steel produced in the United States from taconite produced in Minnesota. The city of St. Paul shall establish and impose appropriate compliance procedures."

Page 18, line 12, delete "19" and insert "20"

Page 18, line 17, delete "20" and insert "21"

Page 18, line 18, delete "19" and insert "20"

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes without further recommendation.

The report was adopted.

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

H. F. No. 3461, A bill for an act relating to transportation; prescribing limitation on establishing recreational vehicle trail or bikeway.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 2437, 2593, 2629, 2664, 2753, 2813, 2824, 2922, 2972, 2995, 3069, 3074, 3213, 3222, 3224, 3258, 3267, 3309 and 3461 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Gunther, Pelowski, Jennings, Ness and Mares introduced:

H. F. No. 3570, A bill for an act relating to telecommunications; creating a public telecommunication services fund; providing support for various public telecommunication networks; providing for an access fee; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Rhodes and Folliard introduced:

H. F. No. 3571, A bill for an act relating to housing; appropriating money for family homeless prevention and assistance.

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

Evans introduced:

H. F. No. 3572, A bill for an act relating to taxation; sales and use taxes; exempting materials, supplies, and equipment used in constructing a public safety building in the city of New Brighton; 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.

Greiling introduced:

H. F. No. 3573, A bill for an act relating to education finance; authorizing certain school districts to levy additional funds for integration revenue; amending Minnesota Statutes 2001 Supplement, section 124D.86, subdivision 3.

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

Marquart and Pawlenty introduced:

H. F. No. 3574, A bill for an act relating to taxation; property; requiring amounts for lake improvement districts be shown separately on the proposed notice and the property tax statement; amending Minnesota Statutes 2001 Supplement, sections 275.065, subdivision 3; 276.04, subdivision 2.

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



Bishop introduced:

H. F. No. 3575, A bill for an act relating to public employment; eliminating a requirement that collective bargaining agreements with state employees be approved by the legislature; amending Minnesota Statutes 2000, sections 3.855, subdivision 2; 43A.18, subdivision 1.

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

Holsten introduced:

H. F. No. 3576, A bill for an act relating to natural resources; modifying provisions relating to aquatic plant control permits; eliminating the maximum fee for an aquatic plant control permit; amending Minnesota Statutes 2000, section 103G.615, subdivisions 2, 3, by adding subdivisions.

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

Dawkins introduced:

H. F. No. 3577, A bill for an act relating to taxation; conforming certain tax provisions to changes in the Internal Revenue Code relating to victims of terrorism; amending Minnesota Statutes 2001 Supplement, section 290.01, subdivisions 19, 31.

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

Ozment introduced:

H. F. No. 3578, A bill for an act relating to firearms; modifying the prohibition relating to furnishing a firearm to a minor; amending Minnesota Statutes 2000, section 609.66, subdivisions 1, 1b.

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

Holberg introduced:

H. F. No. 3579, A bill for an act relating to domestic abuse; clarifying the standard for a misdemeanor violation of an order for protection or no contact order; amending Minnesota Statutes 2000, section 518B.01, subdivision 22; Minnesota Statutes 2001 Supplement, section 518B.01, subdivision 14.

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

Otremba introduced:

H. F. No. 3580, A bill for an act relating to motor vehicles; allowing optional methods for registration of trailer with gross weight under 3,000 pounds; amending Minnesota Statutes 2001 Supplement, section 168.013, subdivision 1d.

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

Otremba introduced:

H. F. No. 3581, A bill for an act relating to taxation; increasing the agricultural homestead market value credit; amending Minnesota Statutes 2001 Supplement, section 273.1384, subdivision 2.

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

Dawkins and Smith introduced:

H. F. No. 3582, A bill for an act relating to family law; providing appropriate child support guidelines; amending Minnesota Statutes 2000, section 518.64, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 518; repealing Minnesota Statutes 2001 Supplement, section 518.551, subdivision 5.

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

McElroy introduced:

H. F. No. 3583, A bill for an act relating to taxation; exempting certain utility attached machinery from property tax and from tax base sharing; exempting certain utility facilities from sales and use tax on construction materials, capital equipment, and other machinery; allowing political subdivisions to grant abatements; exempting certain wind energy conversion systems from property tax; amending Minnesota Statutes 2000, sections 272.02, by adding a subdivision; 297A.68, by adding a subdivision; 297A.71, by adding a subdivision; 469.1813, subdivision 8; Minnesota Statutes 2001 Supplement, sections 276A.01, subdivision 3; 469.1813, subdivision 6.

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

Holberg introduced:

H. F. No. 3584, A bill for an act relating to judgments; changing the formula for certain calculations; amending Minnesota Statutes 2000, section 549.09, subdivision 1.

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

## CONSENT CALENDAR

H. F. No. 2992, A bill for an act relating to professions; modifying terms of temporary licensure for occupational therapists; amending Minnesota Statutes 2000, section 148.6418, subdivision 5.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

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 third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

**MOTIONS AND RESOLUTIONS**

Bradley moved that the name of Slawik be added as an author on H. F. No. 2635. The motion prevailed.

Mulder moved that his name be stricken as an author on H. F. No. 2819. The motion prevailed.

Mulder moved that his name be stricken as an author on H. F. No. 3106. The motion prevailed.

Krinkie moved that the name of Mulder be added as an author on H. F. No. 3518. The motion prevailed.

Molnau moved that the name of Mulder be added as an author on H. F. No. 3534. The motion prevailed.

Holsten moved that H. F. No. 1359 be recalled from the Committee on Environment and Natural Resources Finance and be re-referred to the Committee on Environment and Natural Resources Policy. The motion prevailed.

Mulder moved that H. F. No. 3031 be recalled from the Committee on Civil Law and be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

Seagren moved that H. F. No. 3110 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

Molnau moved that H. F. No. 3206 be recalled from the Committee on Commerce, Jobs and Economic Development and be re-referred to the Committee on Civil Law. The motion prevailed.

Schumacher moved that H. F. No. 3419 be recalled from the Committee on Environment and Natural Resources Policy and be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

**ADJOURNMENT**

Pawlenty moved that when the House adjourns today it adjourn until 10:00 a.m., Thursday, February 21, 2002. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Thursday, February 21, 2002.

EDWARD A. BURDICK, Chief Clerk, House of Representatives