

## STATE OF MINNESOTA

## EIGHTY-SECOND SESSION — 2002

## SEVENTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 28, 2002

The House of Representatives convened at 3:00 p.m. and was called to order by Speaker pro tempore Paulsen.

Prayer was offered by Representative Mary Murphy, District 8A, Hermantown, 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	Leighton	Otremba	Stanek
Abrams	Dorman	Hilty	Lenczewski	Ozment	Stang
Anderson, B.	Dorn	Holberg	Leppik	Paulsen	Swapinski
Anderson, I.	Eastlund	Holsten	Lieder	Pawlenty	Swenson
Bakk	Entenza	Howes	Lindner	Paymar	Sykora
Bernardy	Erhardt	Huntley	Lipman	Pelowski	Thompson
Biernat	Erickson	Jacobson	Mahoney	Penas	Tingelstad
Bishop	Evans	Jaros	Mares	Peterson	Tuma
Blaine	Finseth	Jennings	Mariani	Pugh	Vandever
Boudreau	Folliard	Johnson, R.	Marko	Rhodes	Wagenius
Bradley	Fuller	Johnson, S.	Marquart	Rifenberg	Walker
Buesgens	Gerlach	Juhnke	McGuire	Rukavina	Walz
Carlson	Gleason	Kahn	Milbert	Ruth	Wasiluk
Cassell	Goodno	Kalis	Molnau	Schumacher	Westerberg
Clark, J.	Goodwin	Kelliher	Mulder	Seagren	Westrom
Clark, K.	Gray	Kielkucki	Mullery	Seifert	Wilkin
Daggett	Greiling	Knoblach	Murphy	Sertich	Winter
Davids	Gunther	Koskinen	Nornes	Skoe	Wolf
Davnie	Haas	Krinkie	Olson	Skoglund	Workman
Dawkins	Hackbarth	Kubly	Opatz	Slawik	Spk. Sviggum
Dehler	Harder	Kuisle	Osskopp	Smith	
Dempsey	Hausman	Larson	Osthoff	Solberg	

A quorum was present.

Johnson, J.; McElroy and Ness were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Johnson, S., moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

## PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable Don Samuelson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2002 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2002</i>	<i>Date Filed 2002</i>
58		221	2:26 p.m. February 27	February 27
2655		219	2:27 p.m. February 27	February 27
3207		Resolution No. 7	2:25 p.m. February 27	February 27

Sincerely,

MARY KIFFMEYER  
Secretary of State

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 643, A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV to provide for initiative and referendum; providing procedures for initiative and referendum; providing penalties; amending Minnesota Statutes 2000, sections 204C.33, subdivisions 1, 3; 204D.11, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 3B.

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

The report was adopted.

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

H. F. No. 1359, A bill for an act relating to natural resources; modifying disposition of lottery ticket in lieu tax; providing for certain land exchanges; permitting the sale of certain consolidated conservation land in Roseau county; amending Minnesota Statutes 2000, section 297A.94.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 97A.133, subdivision 3, is amended to read:

Subd. 3. [ALL-TERRAIN VEHICLE TRAVEL WITHIN DESIGNATED WILDLIFE MANAGEMENT AREAS.] (a) On lands acquired by the state under chapter 84A that are designated after January 1, 1986, as wildlife management areas, the commissioner shall, by January 15, ~~2003~~ 2004, identify ~~and~~ designate ~~corridor~~, and sign at least 90 miles of trails, not including public roads that are maintained and open to travel by other noncommercial vehicles, in corridors of disturbance that:

(1) the commissioner determines are appropriate to connect trails, forest roads established under section 89.71, subdivision 1, and public highways to provide reasonable travel for all-terrain vehicles; or

(2) are areas of historic all-terrain vehicle use, including trails that end within a wildlife management area. The existing west access road to the Moose River dike shall be a designated all-terrain vehicle trail and shall be included in meeting the required miles of trails specified in this subdivision.

The designated trails must be either within or contiguous to the wildlife management areas. The commissioner shall consult with wildlife management area users, including both motorized and nonmotorized trail users, in identifying and designating ~~corridor~~ trails under this paragraph. ~~Corridor~~ Trail establishment must be in compliance with other state and federal law. Local governments and other trail sponsors may propose the designation of ~~corridor~~ trails, including the designation as a grant-in-aid trail for the purposes of funding under section 84.927, subdivision 2.

(b) The following forest roads shall be open to travel by all-terrain vehicles when the roads are open to other noncommercial vehicles:

(1) the Rapid River forest road, beginning at the west boundary of the Red Lake wildlife management area at the southwest corner of Section 7, Township 156 North, Range 35 West, Beltrami county, thence in an easterly and northeasterly direction through the Red Lake wildlife management area to the east boundary of the Red Lake wildlife management area at the southwest corner of Section 7, Township 157 North, Range 33 West, Lake of the Woods county;

(2) the Blanchard forest road, beginning at the junction of the North Shore Road along the northern shore of Upper Red Lake and the Blanchard state forest road at the west section line of Section 30, Township 155 North, Range 31 West, Beltrami county, thence in a westerly direction to the west section line of Section 31, Township 155 North, Range 32 West; and

(3) the Moose River forest road, beginning at the junction of Dick's Parkway state forest road and the Moose River state forest road at the southwest corner of Section 31, Township 36 West, Range 158 North, thence in a westerly direction along the Moose River state forest road to the junction of Beltrami county road 706.

(c) The commissioner shall sign each road and trail designated under this subdivision indicating the motorized uses allowed.

(d) During the regular firearms deer season, on all wildlife management area lands within the area described in paragraph (e), a person licensed to take deer may operate an all-terrain vehicle:

- (1) before legal shooting hours;
- (2) after legal shooting hours; and
- (3) from 11:00 a.m. to 2:00 p.m.

(e) Paragraph (d) applies from where state highway No. 1 intersects the west boundary of the Red Lake Indian Reservation, then West to state highway No. 219, then North on state highway No. 219 to state highway No. 89, then North on state highway No. 89 to county highway No. 6, then East on county highway No. 6 to county highway No. 54 and county highway No. 1 (Beltrami/Marshall county line) then North along the Beltrami/Marshall county line to Roseau county line, then East on Beltrami/Roseau county line to Dick's Parkway, then South on Dick's Parkway to county road No. 704, Beltrami county, then South to county state-aid highway No. 44 to Fourtown, then South on state highway No. 89 to the North boundary of the Red Lake Indian Reservation, then West and South following the boundary of the Red Lake Indian Reservation to where it intersects state highway No. 1.

~~(f)~~ (f) For the purposes of this subdivision, "corridors of disturbance" means rights-of-way such as ditches, ditch banks, transmission lines, pipelines, permanent roads, winter roads, and recreational trails. The existence of a corridor of disturbance eligible for corridor designation may be demonstrated by physical evidence, document recorded in the office of the county recorder or other public official, aerial survey, or other evidence similar to the above. Cross-country motorized use of land shall not cause that land to be considered a corridor of disturbance.

Sec. 2. Minnesota Statutes 2001 Supplement, section 297A.94, is amended to read:

297A.94 [DEPOSIT OF REVENUES.]

(a) Except as provided in this section, the commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed by this chapter in the state treasury and credit them to the general fund.

(b) The commissioner shall deposit taxes in the Minnesota agricultural and economic account in the special revenue fund if:

(1) the taxes are derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project; and

(2) the purchase was made on or after the date on which a conditional commitment was made for a loan guaranty for the project under section 41A.04, subdivision 3.

The commissioner of finance shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account must be reduced by any refunds and by the costs incurred by the department of revenue to administer and enforce the assessment and collection of the taxes.

(c) The commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3, paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance to the general fund.

(d) The commissioner shall deposit the revenues, including interest and penalties, collected under section 297A.64, subdivision 5, in the state treasury and credit them to the general fund. By July 15 of each year the commissioner shall transfer to the highway user tax distribution fund an amount equal to the excess fees collected under section 297A.64, subdivision 5, for the previous calendar year.

(e) For fiscal year 2001, 97 percent; for fiscal ~~years year 2002 and 2003 and thereafter~~, 87 percent; ~~and for fiscal year 2004 and thereafter~~, 88.5 percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited by the commissioner in the state treasury as follows:

(1) 50 percent of the receipts must be deposited in the heritage enhancement account in the game and fish fund, and may be spent only on activities that improve, enhance, or protect fish and wildlife resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state;

(2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only for state parks and trails;

(3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only on metropolitan park and trail grants;

(4) three percent of the receipts must be deposited in the natural resources fund, and may be spent only on local trail grants; and

(5) two percent of the receipts must be deposited in the natural resources fund, and may be spent only for the Minnesota zoological garden, the Como park zoo and conservatory, and the Duluth zoo.

(f) The revenue dedicated under paragraph (e) may not be used as a substitute for traditional sources of funding for the purposes specified, but the dedicated revenue shall supplement traditional sources of funding for those purposes. Land acquired with money deposited in the game and fish fund under paragraph (e) must be open to public hunting and fishing during the open season, except that in aquatic management areas or on lands where angling easements have been acquired, fishing may be prohibited during certain times of the year and hunting may be prohibited. At least 87 percent of the money deposited in the game and fish fund for improvement, enhancement, or protection of fish and wildlife resources under paragraph (e) must be allocated for field operations.

Sec. 3. [ADDITIONS TO STATE WILDLIFE MANAGEMENT AREAS INCLUDED IN 1991 COMMISSIONER'S ORDERS.]

Subdivision 1. [97A.133] [Subd. 6.] [BEAR CREEK WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following areas are added to Bear Creek wildlife management area: the SE1/4-SE1/4 of Section 27; NE1/4 and E1/2-SE1/4 of Section 34; all in Township 161 North, Range 38 West.

Subd. 2. [97A.133] [Subd. 8.] [BORDER WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following areas are added to Border wildlife management area: Lot 2 of Section 27; Lot 1 of Section 28; Lot 5 of Section 29; S1/2-NE1/4 and E1/2-SE1/4 of Section 31; all in Township 164 North, Range 36 West.

Subd. 3. [97A.133] [Subd. 9.] [CARMALEE WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Carmalee wildlife management area: NW1/4 of Section 27; NE1/4, E1/2-NW1/4, NE1/4-SW1/4, S1/2-SW1/4, and SE1/4 of Section 28; W1/2-NE1/4, NW1/4, and S1/2 of Section 29; E1/2, E1/2-NW1/4, Lot 2, E1/2-SW1/4, Lot 3, and Lot 4 of Section 30; N1/2-NE1/4, E1/2-NW1/4, Lot 1, Lot 2, E1/2-SW1/4, Lot 3, Lot 4, and SE1/4 of Section 31; NE1/4 and SW1/4 of Section 32; N1/2 and E1/2-SE1/4 of Section 33; W1/2-NE1/4, NW1/4, W1/2-SW1/4, and N1/2-SE1/4 of Section 34; all in Township 155 North, Range 38 West.

Subd. 4. [97A.133] [Subd. 12.] [CEDARBEND WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following areas are added to Cedarbend wildlife management area: Lot 2, Lot 3, and S1/2-SE1/4 of Section 4; Lot 1, Lot 2, and SE1/4-SE1/4 of Section 8; NE1/4, Lot 1, and N1/2-SW1/4 of Section 9; NE1/4-NE1/4 and SW1/4-SW1/4 north of county ditch of Section 10; S1/2-SW1/4 and SE1/4-SE1/4 of Section 16; S1/2-SW1/4 and S1/2-SE1/4 of Section 17; NE1/4-NE1/4 and Lot 1 of Section 19; E1/2-NE1/4 and SE1/4 of Section 20; NW1/4-NE1/4, NW1/4, and N1/2-SW1/4 of Section 21; all in Township 162 North, Range 37 West.

Subd. 5. [97A.133] [Subd. 13.] [CLEAR RIVER WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following area is added to Clear River wildlife management area: the W1/2-SE1/4 of Section 4, Township 161 North, Range 36 West.

Subd. 6. [97A.133] [Subd. 14.] [EAST BRANCH WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following areas are added to East Branch wildlife management area: the NW1/4-NE1/4 of Section 21; SE1/4-NE1/4 of Section 28; all in Township 162 North, Range 36 West.

Subd. 7. [97A.133] [Subd. 15.] [EAST PARK WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to East Park wildlife management area: Lot 4 and SW1/4-NW1/4 of Section 2; Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, and W1/2-SW1/4 of Section 3; Lot 1, Lot 2, and Lot 3 of Section 4; W1/2-NE1/4 and E1/2-NW1/4 of Section 7; NW1/4-SW1/4 of Section 8; Lot 2 of Section 18; all in Township 158 North, Range 44 West.

Subd. 8. [97A.133] [Subd. 17.] [ELM LAKE WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following area is added to Elm Lake wildlife management area: NW1/4 of Section 26, Township 155 North, Range 42 West.

Subd. 9. [97A.133] [Subd. 18.] [ENSTROM WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following area is added to Enstrom wildlife management area: Lot 1 and Lot 2 of Section 6, Township 162 North, Range 38 West.

Subd. 10. [97A.133] [Subd. 19.] [ESPELIE WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Espelie wildlife management area:

(1) S1/2-NE1/4, Lot 3, Lot 4, SE1/4-NW1/4, NE1/4-SW1/4, and S1/2-SW1/4 of Section 5; Lot 1, Lot 2, SW1/4-NE1/4, NW1/4-SE1/4, and S1/2-SE1/4 of Section 6; N1/2-NE1/4, NE1/4-NW1/4, Lot 3, Lot 4, and SE1/4-SW1/4 of Section 7; E1/2, NE1/4-SW1/4, and S1/2-SW1/4 of Section 8; N1/2-NW1/4, SE1/4-NW1/4, N1/2-SW1/4, and SE1/4 of Section 9; W1/2 of Section 11; SE1/4 of Section 13; W1/2-NW1/4 of Section 14; S1/2-NE1/4, NW1/4-NW1/4, S1/2-NW1/4, SW1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 15; SE1/4 of Section 16; NE1/4, E1/2-NW1/4, NE1/4-SW1/4, Lot 3, and NW1/4-SE1/4 of Section 18; NW1/4-NW1/4 of Section 22; all in Township 155 North, Range 39 West; and

(2) SE1/4-SE1/4 of Section 31; W1/2-SW1/4 of Section 32; SE1/4-SW1/4 and SW1/4-SE1/4 of Section 33; all in Township 156 North, Range 39 West.

Subd. 11. [97A.133] [Subd. 20.] [FIREWEED WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Fireweed wildlife management area: all of Section 13; N1/2 and SE1/4 of Section 14; N1/2-NE1/4, SW1/4-NE1/4, N1/2-NW1/4, SE1/4-NW1/4, and NW1/4-SW1/4 of Section 15; NW1/4-NW1/4 except the 2 acres described in warranty deed recorded in Book 84, page 34, as document 110732, SW1/4, and N1/2-SE1/4 of Section 22; N1/2, S1/2-SW1/4, and SE1/4 of Section 24; all in Township 155 North, Range 37 West.

Subd. 12. [97A.133] [Subd. 23.] [GOLDEN VALLEY WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following area is added to Golden Valley wildlife management area: Lot 4 of Section 1, Township 159 North, Range 39 West.

Subd. 13. [97A.133] [Subd. 26.] [GRYGLA WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Grygla wildlife management area: N1/2-SE1/4 of Section 14; NE1/4-SW1/4 and SE1/4 of Section 16; SE1/4-NE1/4 and N1/2-SE1/4 of Section 20; W1/2-NE1/4 and NW1/4-SE1/4 of Section 21; E1/2-NE1/4, W1/2, and NE1/4-SE1/4 of Section 22; W1/2-NW1/4 and SW1/4 of Section 23; SW1/4 of Section 24; SW1/4-NE1/4, NW1/4-NW1/4, S1/2-NW1/4, N1/2-SW1/4, and NW1/4-SE1/4 of Section 25; E1/2, E1/2-NW1/4, and SW1/4 of Section 26; SE1/4-NE1/4 and SW1/4-NW1/4 of Section 29; NE1/4-NE1/4, S1/2-NE1/4, NE1/4-SW1/4, and N1/2-SE1/4 of Section 30; SW1/4-NE1/4 of Section 31; N1/2-NE1/4 and N1/2-NW1/4 of Section 35; NW1/4-NW1/4, NE1/4-SE1/4, and S1/2-SE1/4 of Section 36; all in Township 157 North, Range 39 West.

Subd. 14. [97A.133] [Subd. 27.] [GUN DOG WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Gun Dog wildlife management area: the E1/2-SW1/4 and SE1/4-SE1/4 of Section 2; Lot 2, SW1/4-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, SW1/4, and W1/2-SE1/4 of Section 3; NE1/4 and NW1/4-SE1/4 of Section 10; N1/2-NE1/4, N1/2-NW1/4, SW1/4-NW1/4, SW1/4, and S1/2-SE1/4 of Section 11; S1/2-SW1/4 of Section 12; all in Township 155 North, Range 37 West.

Subd. 15. [97A.133] [Subd. 29.] [HAYES WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following area is added to Hayes wildlife management area: the SW1/4-NE1/4 and SE1/4-NE1/4 except the 6 acres described in warranty deed filed for record on November 26, 1946, in Book 199, page 329, of Section 31, Township 160 North, Range 38 West.

Subd. 16. [97A.133] [Subd. 30.] [HUNTLY WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Huntly wildlife management area: Lot 3, Lot 4, and SW1/4-NW1/4 of Section 4; Lot 1, Lot 2, S1/2-NE1/4, S1/2-NW1/4, and N1/2-SW1/4 of Section 5; S1/2-NE1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 7; N1/2-NW1/4 of Section 8; S1/2-SW1/4 of Section 9; E1/2, NE1/4-NW1/4, S1/2-NW1/4, and SW1/4 of Section 17; SE1/4-SE1/4 of Section 19; S1/2-NW1/4, SW1/4, and N1/2-SE1/4 of Section 20; SW1/4-NW1/4 and SW1/4 of Section 21; SW1/4-NE1/4, NW1/4-NW1/4, S1/2-NW1/4, SW1/4, and W1/2-SE1/4 of Section 27; NW1/4-NE1/4 and S1/2-NE1/4 of Section 28; E1/2, NW1/4, N1/2-SW1/4, and SE1/4-SW1/4 of Section 29; NE1/4-NE1/4 of Section 30; all of Section 33; all in Township 158 North, Range 43 West.

Subd. 17. [97A.133] [Subd. 34.] [LEE WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Lee wildlife management area: N1/2-NE1/4, SW1/4-NE1/4, NW1/4, SW1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 25; all of Section 26; S1/2 of Section 35; all of Section 36; all in Township 155 North, Range 38 West.

Subd. 18. [97A.133] [Subd. 38.] [MOOSE RIVER WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Moose River wildlife management area:

(1) Lot 1, Lot 2, Lot 3, Lot 4, and S1/2 of Section 4; Lot 1, Lot 2, Lot 3, Lot 4, and S1/2 of Section 5; Lot 1, Lot 2, Lot 3, Lot 4, NE1/4-SW1/4, Lot 5, Lot 6, SE1/4-SW1/4, and SE1/4 of Section 6; all of Section 9; all in Township 156 North, Range 37 West;

(2) all of Section 4; all of Section 5; all of Section 6; all of Section 7; all of Section 8; all of Section 9; all of Section 16; all of Section 17; all of Section 18; all of Section 19; N1/2 and SE1/4 of Section 20; all of Section 21; all of Section 28; all of Section 29; all of Section 30; all of Section 31; all of Section 32; all of Section 33; all in Township 157 North, Range 37 West;

(3) Lot 1, Lot 2, Lot 3, Lot 4, and S1/2 of Section 1; Lot 1, Lot 2, and SE1/4 of Section 2; all in Township 156 North, Range 38 West; and

(4) E1/2 of Section 24; all of Section 25; all of Section 36; all in Township 157 North, Range 38 West.

Subd. 19. [97A.133] [Subd. 39.] [MOYLAN WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Moylan wildlife area:

(1) Lot 5 of Section 6, Township 154 North, Range 40 West;

(2) S1/2-NW1/4, N1/2-SW1/4, and SE1/4 of Section 1; SE1/4-NE1/4, Lot 4, SW1/4-NW1/4, and NE1/4-SE1/4 of Section 2; Lot 1, Lot 2, S1/2-NE1/4, and Lot 3 of Section 3; NE1/4 of Section 9; W1/2-NW1/4 of Section 10; SE1/4-NW1/4 and NE1/4-SW1/4 of Section 11; E1/2-NE1/4 of Section 12; all in Township 155 North, Range 40 West; and

(3) S1/2-SW1/4 and SE1/4 of Section 34, Township 156 North, Range 40 West.

Subd. 20. [97A.133] [Subd. 40.] [NERESON WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following areas are added to Nereson wildlife management area: Lot 2, SW1/4-NE1/4, Lot 3, and SE1/4-NW1/4 of Section 4; Lot 10 and Lot 11 of Section 5; all in Township 159 North, Range 41 West.

Subd. 21. [97A.133] [Subd. 41.] [NEW MAINE WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following area is added to New Maine wildlife management area: the S1/2 of Section 36, Township 158 North, Range 44 West.

Subd. 22. [97A.133] [Subd. 42.] [PALMVILLE WILDLIFE MANAGEMENT AREA; MARSHALL AND ROSEAU COUNTIES.] The following areas are added to Palmville wildlife management area:

(1) Lot 5 and SE1/4-NW1/4 of Section 6, Township 158 North, Range 40 West;

(2) W1/2 and E1/2-SE1/4 of Section 17; NE1/4, NE1/4-NW1/4, and NE1/4-SE1/4 of Section 19; W1/2-NW1/4 and W1/2-SW1/4 of Section 20; N1/2-NE1/4, SE1/4-NE1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 21; Lot 2 and SE1/4-NW1/4 of Section 31; Lot 2 of Section 33; all in Township 159 North, Range 40 West;

(3) Lot 3 of Section 1; S1/2-NE1/4 of Section 2; all in Township 158 North, Range 41 West; and

(4) W1/2-SE1/4 of Section 9; E1/2-SW1/4 and N1/2-SE1/4 of Section 18; E1/2-NE1/4 of Section 19; NW1/4-SW1/4 of Section 20; N1/2-NW1/4 and SW1/4-NW1/4 of Section 21; NW1/4-NW1/4 of Section 23; SW1/4-SW1/4 of Section 26; NE1/4-NE1/4, S1/2-NE1/4, Lot 1, Lot 2, SE1/4-NW1/4, and Lot 3 of Section 31; N1/2, N1/2-SW1/4, Lot 1, Lot 2, and Lot 4 of Section 34; NW1/4-NE1/4, S1/2-NE1/4, NW1/4, N1/2-SW1/4, Lot 1, Lot 2, N1/2-SE1/4, Lot 3, and Lot 4 of Section 35; all in Township 159 North, Range 41 West.

Subd. 23. [97A.133] [Subd. 48.] [ROSVER WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following area is added to Rosver wildlife management area: the SE1/4-SW1/4 except the 2 acres described in warranty deed filed for record on October 30, 1923, in Book 161, page 143, Section 30, Township 163 North, Range 39 West.

Subd. 24. [97A.133] [Subd. 50.] [SAW-WHET WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Saw-Whet wildlife management area: the SW1/4-NW1/4 and NW1/4-SW1/4 of Section 4; S1/2-NE1/4 and SE1/4 of Section 5; SW1/4-NE1/4, SE1/4-NW1/4, E1/2-SW1/4, and S1/2-SE1/4 of Section 7; NE1/4-NE1/4, NW1/4-NE1/4 except the 2 acres described in deed recorded in Book 95, page 155, as document 137491, S1/2-NE1/4, NE1/4-SW1/4, and N1/2-SE1/4 of Section 8; all in Township 155 North, Range 37 West.

Subd. 25. [97A.133] [Subd. 51.] [SEM WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Sem wildlife management area:

(1) Lot 1, Lot 2, Lot 7, and Lot 8 of Section 1; Lot 1, Lot 2, Lot 7, Lot 8, S1/2-NE1/4, Lot 3, Lot 4, Lot 5, Lot 6, S1/2-NW1/4, and SE1/4 of Section 3; Lot 1 and Lot 8 of Section 4; W1/2-NE1/4 of Section 7; all in Township 154 North, Range 39 West; and

(2) SE1/4-SW1/4 of Section 24; E1/2 and SW1/4 of Section 25; E1/2-SW1/4 and S1/2-SE1/4 of Section 26; NW1/4-NW1/4 and S1/2-NW1/4 of Section 27; E1/2-SW1/4 of Section 29; N1/2-NE1/4 and S1/2-SE1/4 of Section 33; NE1/4, N1/2-NW1/4, SE1/4-NW1/4, and E1/2-SE1/4 of Section 34; NE1/4, NE1/4-NW1/4, S1/2-NW1/4, and E1/2-SW1/4 of Section 35; N1/2-NE1/4 of Section 36; all in Township 155 North, Range 39 West.

Subd. 26. [97A.133] [Subd. 52.] [SHARP WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following area is added to Sharp wildlife management area: the SW1/4 of Section 17, Township 155 North, Range 40 West.

Subd. 27. [97A.133] [Subd. 53.] [SKIME WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following areas are added to Skime wildlife management area: the SW1/4-SW1/4 of Section 10; NW1/4-NW1/4 of Section 14; NW1/4-NW1/4 of Section 15; E1/2-NE1/4 of Section 16; W1/2-NE1/4 of Section 20; E1/2-SW1/4 and W1/2-SE1/4 of Section 24; N1/2-NE1/4, SE1/4-NE1/4, E1/2-SW1/4, and SW1/4-SW1/4 except the west 495 feet thereof of Section 26; S1/2-NE1/4 of Section 28; South 10 acres of SE1/4-NW1/4 of Section 34; W1/2-NE1/4 and NW1/4 of Section 35; NW1/4 of Section 36; all in Township 159 North, Range 39 West.

Subd. 28. [97A.133] [Subd. 54.] [SNOWSHOE WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Snowshoe wildlife management area: the W1/2-SW1/4 of Section 28; E1/2-NE1/4 of Section 32; W1/2-NW1/4 of Section 33; all in Township 155 North, Range 42 West.

Subd. 29. [97A.133] [Subd. 55.] [SOUTH SHORE WILDLIFE MANAGEMENT AREA; LAKE OF THE WOODS AND ROSEAU COUNTIES.] The following areas are added to South Shore wildlife management area:

(1) Lot 1, Lot 2, and S1/2-NW1/4 of Section 5; Lot 2, S1/2-NE1/4, all that part of Lot 3, SE1/4-NW1/4, and NE1/4-SW1/4 except the land described in commissioner's order filed for record in Book 241 Miscellaneous, page 365, as document 141104, Lot 4, Lot 5, and Lot 6, of Section 6; all in Township 162 North, Range 35 West;

(2) Lot 1, Lot 2, SE1/4-NE1/4, Lot 4, Lot 5, and SE1/4-SW1/4 of Section 24; NE1/4-NW1/4, Lot 1, SW1/4-NW1/4, and NW1/4-SW1/4 of Section 25; Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, SE1/4-SW1/4, and SE1/4 of Section 26; NE1/4-SW1/4, S1/2-SW1/4, and N1/2-SE1/4 of Section 34; NW1/4-NE1/4, N1/2-NW1/4, and SW1/4-NW1/4 of Section 35; all in Township 163 North, Range 35 West; and

(3) Lot 1, Lot 2, SW1/4-NE1/4, and SE1/4-NW1/4 of Section 1, Township 162 North, Range 36 West.

Subd. 30. [97A.133] [Subd. 57.] [THIEFLAKE WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Thief Lake wildlife management area:

(1) Lot 1 of Section 1; S1/2-SW1/4 of Section 2; S1/2-SE1/4 of Section 3; S1/2-SE1/4 of Section 8; S1/2-SW1/4 of Section 9; N1/2-NE1/4, NW1/4-NW1/4, N1/2-SW1/4, and SW1/4-SW1/4 of Section 10; NE1/4 and N1/2-NW1/4 of Section 11; NE1/4 of Section 12; S1/2 of Section 13; NE1/4, NE1/4-NW1/4, and S1/2-NW1/4 of Section 14; NW1/4 of Section 15; N1/2 and W1/2-SW1/4 of Section 16; E1/2, N1/2-SW1/4, and SE1/4-SW1/4 of Section 17; NE1/4-NW1/4 and East 20 acres of Lot 1 of Section 19; NE1/4-SW1/4 and N1/2-SE1/4 of Section 21; NW1/4 of Section 22; SW1/4 of Section 23; all of Section 24; NW1/4-SE1/4 and S1/2-SE1/4 of Section 34; SE1/4-NE1/4 and SW1/4-SW1/4 of Section 35; W1/2 of Section 36; all in Township 158 North, Range 39 West;

(2) Lot 3, Lot 4, and S1/2-NW1/4 of Section 1, Township 158 North, Range 40 West;

(3) Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, and S1/2-NW1/4 of Section 5, Township 157 North, Range 42 West;

(4) Lot 3, Lot 4, S1/2-NW1/4, and NW1/4-SE1/4 of Section 1; N1/2-SE1/4 of Section 2; NE1/4-SE1/4 of Section 5; W1/2 of Section 11; N1/2-NW1/4, SW1/4-NW1/4, and NW1/4-SW1/4 of Section 14; E1/2-NW1/4 and NE1/4-SE1/4 of Section 15; NW1/4 of Section 17; SE1/4-SW1/4, NE1/4-SE1/4, and S1/2-SE1/4 of Section 20; S1/2-NW1/4, NW1/4-SW1/4, and SE1/4 of Section 21; W1/2 of Section 22; all that part of N1/2-SE1/4 except the 3.12 acres described in the final certificate recorded in Book Y of Miscellaneous Records on page 331 as document

179879, of Section 24; NW1/4-NW1/4 except the 2.89 acres described in the final certificate recorded as document 175751 on May 9, 1956, and SW1/4-NW1/4 of Section 27; all that part of E1/2-NE1/4 and SW1/4-NE1/4 except the 14.35 acres described in the final certificate recorded as document 175751 on May 9, 1956, NW1/4-NE1/4, NE1/4-NW1/4, N1/2-SW1/4, and NW1/4-SE1/4 of Section 28; N1/2-NE1/4, SW1/4-NE1/4, NE1/4-NW1/4, S1/2-NW1/4, SW1/4, and SW1/4-SE1/4 of Section 29; NW1/4-NE1/4, SE1/4-NW1/4, and NE1/4-SE1/4 of Section 30; Lot 2, SE1/4-SW1/4, and S1/2-SE1/4 of Section 31; SW1/4-SW1/4 of Section 32; all in Township 158 North, Range 42 West; and

(5) Lot 4, SW1/4-NW1/4, NE1/4-SE1/4, and S1/2-SE1/4 of Section 1; NW1/4 and N1/2-SE1/4 of Section 11; NE1/4-NE1/4 and S1/2-NE1/4 of Section 13; S1/2-NE1/4 and E1/2-SE1/4 of Section 23; NW1/4-NE1/4, S1/2-NE1/4, W1/2, and N1/2-SE1/4 of Section 25; N1/2-SW1/4, SW1/4-SW1/4 except the 11.00 acres described in the final certificate recorded in Book R of Miscellaneous Records on page 203 as document 146643, SE1/4-SW1/4, N1/2-SE1/4, SW1/4-SE1/4 except the 39.0 acres described in the final certificate recorded in Book 33 of Miscellaneous Records on page 337 as document 192934, and SE1/4-SE1/4 of Section 35; all in Township 158 North, Range 43 West.

Subd. 31. [97A.133] [Subd. 58.] [VALLEY WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Valley wildlife management area: the NE1/4, E1/2-NW1/4, E1/2-SW1/4, Lot 3, Lot 4, and N1/2-SE1/4 of Section 18; SE1/4-NE1/4 of Section 19; E1/2-NW1/4 and N1/2-SW1/4 of Section 20; all in Township 156 North, Range 39 West.

Subd. 32. [97A.133] [Subd. 61.] [WANNASKA WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following area is added to Wannaska wildlife management area: the NW1/4-NE1/4 and NE1/4-NW1/4 of Section 8, Township 159 North, Range 39 West.

Subd. 33. [97A.133] [Subd. 62.] [WAPITI WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Wapiti wildlife management area:

(1) N1/2 and E1/2-SE1/4 of Section 1; N1/2-NE1/4, SW1/4-NE1/4, NW1/4, and SW1/4-SE1/4 of Section 2; W1/2 and S1/2-SE1/4 of Section 3; NE1/4, E1/2-NW1/4, and SW1/4 of Section 4; N1/2-NE1/4 and S1/2-SW1/4 of Section 5; W1/2-NE1/4, E1/2-NW1/4, Lot 1, and Lot 2 of Section 6; E1/2, E1/2-NW1/4, and E1/2-SW1/4 of Section 7; all of Section 8; N1/2, N1/2-SW1/4, and SE1/4 of Section 9; N1/2, N1/2-SW1/4, SE1/4-SW1/4, and SE1/4 of Section 10; W1/2 of Section 11; E1/2-NE1/4 and E1/2-SE1/4 of Section 12; S1/2-NE1/4, W1/2, and SE1/4 of Section 13; SW1/4 of Section 14; N1/2, N1/2-SW1/4, SE1/4-SW1/4, and SE1/4 of Section 15; SW1/4-NE1/4, SE1/4-NW1/4, and NW1/4-SW1/4 of Section 16; N1/2-NE1/4, SW1/4-NE1/4, NW1/4, N1/2-SW1/4, and N1/2-SE1/4 of Section 17; NE1/4, E1/2-NW1/4, Lot 1, NE1/4-SW1/4, and N1/2-SE1/4 of Section 18; NE1/4 of Section 20; E1/2, N1/2-NW1/4, SE1/4-NW1/4, and E1/2-SW1/4 of Section 21; all of Section 22; SE1/4-NE1/4, N1/2-NW1/4, SW1/4-NW1/4, and S1/2 of Section 23; W1/2 of Section 24; all of Section 26; all of Section 27; E1/2, NE1/4-NW1/4, S1/2-NW1/4, and NE1/4-SW1/4 of Section 28; Lot 3 and Lot 4 of Section 30; NE1/4, E1/2-NW1/4, Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, N1/2-SE1/4, Lot 6, and Lot 7 of Section 31; N1/2-NE1/4, SE1/4-NE1/4, N1/2-NW1/4, SW1/4-NW1/4, NW1/4-SW1/4, and Lot 4 of Section 32; N1/2, N1/2-SW1/4, N1/2-SE1/4, Lot 2, and Lot 1 of Section 33; N1/2, N1/2-SW1/4, Lot 4, Lot 3, and N1/2-SE1/4 of Section 34; N1/2, N1/2-SE1/4, Lot 2, and Lot 1 of Section 35; all of Township 157 North, Range 38 West; and

(2) all of Section 1; all of Section 2; Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, and SE1/4-SE1/4 of Section 3; Lot 1, Lot 2, S1/2-NE1/4, and SW1/4-SW1/4 of Section 4; S1/2 of Section 5; E1/2-SW1/4, Lot 6, Lot 7, and SE1/4 of Section 6; E1/2, E1/2-NW1/4, E1/2-SW1/4, Lot 3, and Lot 4 of Section 7; all of Section 8; N1/2 and SW1/4 of Section 9; all of Section 10; NW1/4 and S1/2 of Section 11; N1/2, E1/2-SW1/4, and SE1/4 of Section 12; NE1/4, E1/2-NW1/4, and S1/2 of Section 13; all of Section 14; all of Section 15; all of Section 16; all of Section 17; E1/2, E1/2-NW1/4, and NE1/4-SW1/4 of Section 18; E1/2, Lot 4, and SE1/4-SW1/4 of Section 19; all of Section 20; N1/2 and SW1/4 of Section 21; all of Section 22; N1/2 and SE1/4 of Section 23; all of Section 24; all of Section 25; N1/2, SW1/4, and N1/2-SE1/4 of Section 26; all of Section 27; N1/2 of Section 28; N1/2, E1/2-SW1/4, and SE1/4 of Section 29; E1/2 and E1/2-NW1/4 of Section 30; Lot 1, Lot 2, Lot 3, Lot 4, and SE1/4 of Section 31; E1/2 of Section 33; all of Section 34; all of Section 35; E1/2, E1/2-NW1/4, and E1/2-SW1/4 of Section 36; all in Township 158 North, Range 38 West.

Subd. 34. [97A.133] [Subd. 63.] [WILLOW RUN WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Willow Run wildlife management area: the SE1/4 of Section 6; SW1/4-NE1/4, NE1/4-NW1/4, E1/2-SW1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 7; S1/2-NW1/4 and S1/2 of Section 16; W1/2 of W1/2-NE1/4-NW1/4, W1/2-NW1/4, all that part of the SE1/4-NW1/4 and NE1/4-SW1/4 except that part described in deed recorded December 17, 1985, as document 292832, NW1/4-SW1/4, S1/2-SW1/4, and SE1/4 of Section 17; E1/2, E1/2-SW1/4, Lot 3, and Lot 4 of Section 18; E1/2, E1/2-NW1/4, Lot 1, and Lot 2 of Section 19; N1/2, SW1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 20; all of Section 21; all in Township 155 North, Range 38 West.

Subd. 35. [97A.133] [Subd. 65.] [WOLF TRAIL MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Wolf Trail wildlife management area:

(1) N1/2-NE1/4, S1/2-NW1/4, and S1/2 of Section 16; all of Section 17; N1/2-NE1/4, NE1/4-NW1/4, Lot 1, E1/2-SW1/4, Lot 3, Lot 4, and SE1/4 of Section 18; NE1/4, E1/2-NW1/4, Lot 1, Lot 2, E1/2-SW1/4, Lot 3, Lot 4, and N1/2-SE1/4 of Section 19; E1/2-NE1/4, W1/2-NW1/4, N1/2-SW1/4, and N1/2-SE1/4 of Section 20; N1/2-NE1/4, SW1/4-NE1/4, NW1/4, N1/2-SW1/4, and N1/2-SE1/4 of Section 21; all in Township 155 North, Range 37 West; and

(2) NW1/4-NE1/4, S1/2-NE1/4, N1/2-NW1/4, SE1/4-NW1/4, NE1/4-SW1/4, S1/2-SW1/4, and SE1/4 of Section 11; SW1/4-NE1/4, SE1/4-NW1/4, NE1/4-SW1/4, S1/2-SW1/4, NW1/4-SE1/4, and S1/2-SE1/4 of Section 12; all of Section 13; all of Section 14; S1/2 of Section 15; all of Section 22; all of Section 23; all of Section 24; all in Township 155 North, Range 38 West.

#### Sec. 4. [EXCHANGE PARCELS.]

Subdivision 1. [LAND EXCHANGE.] If a land exchange is offered to the state that, after evaluation by the department of natural resources, is determined to meet the state's natural resource goals and meet all other land exchange requirements under existing law, the parcels in subdivisions 2 and 3 shall be exchanged.

Subd. 2. [MARSHALL COUNTY.] Grygla wildlife management area: SE1/4-NE1/4 of Section 29, Township 157 North, Range 39 West, and SW1/4-NE1/4 of Section 31, Township 157 North, Range 39 West.

Subd. 3. [ROSEAU COUNTY.] (a) Cedarbend wildlife management area: NE1/4-NE1/4, and that part of SW1/4-SW1/4 north of county ditch of Section 10, Township 162 North, Range 37 West.

(b) East Branch wildlife management area: NW1/4-NE1/4 of Section 21, Township 162 North, Range 36 West; and SE1/4-NE1/4 of Section 28, Township 162 North, Range 36 West.

#### Sec. 5. [PUBLIC OR PRIVATE CONVEYANCE OF CONSOLIDATED CONSERVATION LAND; ROSEAU COUNTY.]

(a) Notwithstanding the classification and public sale provisions of Minnesota Statutes, chapters 84A and 282, or other law to the contrary, Roseau county may sell, either by public sale or private sale, the consolidated conservation land that is described in paragraph (d) under the remaining provisions of Minnesota Statutes, chapters 84A and 282.

(b) The land described in paragraph (d) may be sold without the public hearing required under Minnesota Statutes, section 97A.135, subdivision 2a, with the wildlife management area designation deemed vacated upon the sale of the land.

(c) The conveyance must be in a form approved by the attorney general and for not less than the appraised value of the land. Proceeds shall be disposed of according to Minnesota Statutes, chapter 84A.

(d) The land that may be sold is located in Roseau county and is described as: the south ten acres of the SE1/4-NW1/4 of Section 34, Township 159 North, Range 39 West.

Sec. 6. [ALL-TERRAIN VEHICLE VIOLATIONS ON LANDS DESIGNATED.]

Until January 15, 2004, on lands designated as wildlife management areas under this act, the commissioner may issue citations for all-terrain vehicle use violations only as provided by the following:

(1) a person observed unloading an all-terrain vehicle with an apparent intent to enter the wildlife management area shall be verbally warned by the officer;

(2) a person observed improperly operating an all-terrain vehicle in the wildlife management area shall be stopped, issued a written warning, and directed to leave or escorted out of the wildlife management area if this is the person's first offense;

(3) a person who has received prior warnings, either written or verbal, from an enforcement officer directly relating to all-terrain vehicle operation in wildlife management areas and who is observed illegally operating an all-terrain vehicle in the wildlife management area may be issued a citation; and

(4) a person who is operating an all-terrain vehicle in a wildlife management area and who is intentionally creating serious damage to the wildlife management area, or who is involved in some other violations of law, will be issued appropriate citations or arrested.

Sec. 7. [WILDLIFE MANAGEMENT AREA ACCESS WORKING GROUPS; BELTRAMI, MARSHALL, AND ROSEAU COUNTIES; COMMISSIONER'S REPORT.]

(a) The commissioner of natural resources shall establish an eight-member wildlife management area access working group for each county with land designated under this act to identify trails for designation under Minnesota Statutes, section 97A.133, subdivision 3, paragraph (a). Each working group shall consist of two county board representatives chosen by the county board, two staff members from the department of natural resources who are assigned to the region and chosen by the commissioner, two representatives of local all-terrain vehicle users chosen by the county board, and two representatives of nonmotorized wildlife management area users chosen by the commissioner. A working group may consider and forward recommendations to the commissioner on other access issues on wildlife management areas designated under Minnesota Statutes, section 97A.133, subdivision 3, paragraph (a). Each working group must:

(1) meet as necessary to identify potential all-terrain vehicle trail routes on wildlife management areas within the county;

(2) vote on recommendations for proposed trail designations; and

(3) report to the commissioner on the vote for each trail proposed.

(b) By January 15 in 2003 and 2004, the commissioner shall report to the senate and house policy and finance committees with jurisdiction over natural resources on the progress in identifying and designating trails under Minnesota Statutes, section 97A.133, subdivision 3. The report shall include a status report on:

(1) progress toward meeting the required trail mileage in Minnesota Statutes, section 97A.133, subdivision 3, paragraph (a); and

(2) an update of the activities of each of the working groups established in paragraph (a), including a description of all trail proposals that either passed by a majority vote of the group or failed on a tie vote.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective January 1, 2003, and for the purposes of the payments in lieu of taxes under Minnesota Statutes, sections 477A.11 to 477A.145, the land status changes are effective for payments made in calendar year 2003 and thereafter."

Delete the title and insert:

"A bill for an act relating to natural resources; modifying provisions for all-terrain vehicle use on certain wildlife management area lands; modifying disposition of lottery ticket in lieu of sales tax receipts; adding to state wildlife management areas; providing for certain land exchanges; permitting the sale of certain consolidated conservation land in Roseau county; providing for enforcement on certain designated land; creating certain wildlife management area working groups; amending Minnesota Statutes 2000, section 97A.133, subdivision 3; Minnesota Statutes 2001 Supplement, section 297A.94."

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

The report was adopted.

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

H. F. No. 2625, A bill for an act relating to health; requiring legislative approval before the commissioner of health adopts new or amended rules governing the Minnesota Clean Indoor Air Act; amending Minnesota Statutes 2000, section 144.417, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 10, before "The" insert "(a)"

Page 1, line 13, after the period, insert:

"(b)"

Page 1, line 15, after the period, insert "This paragraph does not apply to a rule or severable portion of a rule governing smoking in office buildings, factories, warehouses, or similar places of work, or in health care facilities. This paragraph does not apply to a rule changing the definition of "restaurant" to make it the same as the definition in section 157.15, subdivision 12."

Amend the title as follows:

Page 1, line 3, after "adopts" insert "certain"

With the recommendation that when so amended the bill pass.

The report was adopted.

Stanek from the Committee on Judiciary Finance to which was referred:

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

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

The report was adopted.

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

H. F. No. 2684, A bill for an act relating to natural resources; making technical changes and clarifications; modifying certain requirements for nonresident youth small game hunting; modifying requirements for firearms safety certificate; modifying prohibitions of hunting while under the influence; providing for taking unprotected birds; making certain stamp exemptions; modifying responsibilities for protecting groundwater; modifying water assessment and analysis requirement; eliminating certain report requirements; amending Minnesota Statutes 2000, sections 86B.311, subdivision 5; 97A.015, subdivisions 16, 17; 97A.085, subdivision 7; 97A.451, subdivision 3a; 97B.020; 97B.065, subdivision 1; 97B.651; 97B.655, subdivision 1; 97B.715, subdivision 1; 97B.801; 97C.031; 97C.317; 103A.204; 103A.43; 169A.03, subdivision 3; Minnesota Statutes 2001 Supplement, section 97C.305, subdivision 2; Laws 1989, chapter 335, article 1, section 21, subdivision 8.

Reported the same back with the following amendments:

Pages 7 to 9, delete sections 15 and 16

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "modifying"

Page 1, delete line 9

Page 1, line 10, delete everything before "eliminating"

Page 1, lines 16 and 17, delete "103A.204; 103A.43;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2748, A bill for an act relating to education; allowing independent school district No. 801, Browns Valley, to begin the school year as early as August 27 to accommodate Browns Valley high school students enrolled in school in Sisseton, South Dakota and Sisseton, South Dakota elementary students enrolled in school in Browns Valley; making this authorization applicable to the 2001-2002 school year and later.

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

The report was adopted.

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

H. F. No. 2805, A bill for an act relating to child care; modifying the at-home infant child care program; amending Minnesota Statutes 2000, section 119B.061, subdivision 1; Minnesota Statutes 2001 Supplement, section 119B.061, subdivision 4.

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

The report was adopted.

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

H. F. No. 2873, A bill for an act relating to county government; providing for client-directed support programs; amending Minnesota Statutes 2000, section 375.18, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 12, delete "guardians of developmentally disabled county" and insert "responsible parties for county human services and public health"

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. 2886, A bill for an act relating to elections; providing additional identification procedures; amending Minnesota Statutes 2000, section 201.061, subdivision 3.

Reported the same back with the following amendments:

Page 2, after line 20, insert:

"Sec. 2. Minnesota Statutes 2000, section 201.171, is amended to read:

201.171 [POSTING VOTING HISTORY; FAILURE TO VOTE; REGISTRATION REMOVED.]

Within six weeks after every election, the county auditor shall post the voting history for every person who voted in the election. After the close of the calendar year, the secretary of state shall determine if any registrants have not voted during the preceding four years and shall change the status of those registrants to "inactive" in the statewide

registration system. The secretary of state shall also prepare a report to the county auditor containing the names of all registrants whose status was changed to "inactive." Registrants whose status was changed to "inactive" must register in the manner specified by section 201.054 before voting in any primary, special primary, general, school district, or special election, as required by section 201.018.

Although not counted in an election, a late absentee ballot must be considered a vote for the purpose of continuing registration."

Page 2, line 21, delete "2" and insert "3"

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "changing certain registration procedures;"

Page 1, line 4, delete "section" and insert "sections" and before the period, insert "; 201.171"

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. 2906, A bill for an act relating to Hennepin county; removing certain limitations on the county board's ability to lease real property; removing limitations on the county board's authority to construct off-street parking facilities; amending Minnesota Statutes 2000, sections 383B.159; 383B.20, subdivision 1; repealing Minnesota Statutes 2000, section 383B.20, subdivision 4.

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

The report was adopted.

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

H. F. No. 2920, A bill for an act relating to natural resources; modifying timber permit and lease provisions; creating a prairie chicken hunting license; modifying requirements for taking turtles; modifying requirements for a firearms safety certificate; providing for enforcement authority and restoration requirements related to gathering or destroying aquatic plants; eliminating certain experimental trout stream restrictions; providing criminal penalties; appropriating money; amending Minnesota Statutes 2000, sections 90.151, subdivision 1; 90.162; 97A.475, subdivisions 2, 41; 97B.020; 97B.601, subdivision 4; 97C.605; 97C.611; 103G.615, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 97A; 97B; repealing Minnesota Statutes 2000, sections 90.50; 97C.003; 97C.605, subdivision 4.

Reported the same back with the following amendments:

Page 1, after line 18, insert:

"Section 1. Minnesota Statutes 2000, section 17.47, subdivision 7, is amended to read:

Subd. 7. [PRIVATE AQUATIC LIFE.] "Private aquatic life" means fish, shellfish, mollusks, crustaceans, turtles, and any other aquatic animals cultured within an aquatic farm. Private aquatic life is the property of the aquatic farmer."

Page 4, line 10, strike "an antlered buck" and insert "two deer"

Page 4, delete section 6 and insert:

"Sec. 7. [97A.510] [GAME FOR CONSUMPTION AT FUNDRAISING EVENTS.]

(a) Nonprofit organizations may charge a fee for admission to fundraising events when lawfully taken and possessed game, excluding migratory game birds, donated to the organization is served for consumption on the premises where the fundraising event is held.

(b) Game donated to the nonprofit organization must be marked as provided in section 97A.505, subdivision 4. Game donated to a nonprofit organization and stored by the organization is considered to be in the possession of the person making the donation and is subject to inspection as provided in section 97A.215, subdivision 1. As provided in section 97A.505, subdivision 5, a license is not required for the nonprofit organization to possess or transport the donated game.

(c) The nonprofit organization must keep records of the game donated to the organization and the records must be available for inspection for two years from the date of the fundraising event. The records must show:

(1) the names and addresses of persons donating the game;

(2) the license number or possession permit number under which the game was lawfully taken or possessed; and

(3) the date, location, and purpose of the fundraising event that utilized the donation.

Sec. 8. Minnesota Statutes 2000, section 97B.025, is amended to read:

97B.025 [HUNTER AND TRAPPER EDUCATION.]

(a) The commissioner may establish education courses for hunters and trappers. The commissioner shall collect a fee from each person attending a course. The commissioner shall establish a fee that neither significantly over recovers nor under recovers costs, including overhead costs, involved in providing the services. The fee is not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The fees shall be deposited in the game and fish fund and the amount thereof is appropriated annually to the enforcement division of the department of natural resources for the administration of the program. In addition to the fee established by the commissioner, instructors may charge each person up to the established fee amount for class materials and expenses. School districts may cooperate with the commissioner and volunteer instructors to provide space for the classroom portion of the training.

(b) The commissioner shall enter into an agreement with a statewide nonprofit trappers association to conduct a trapper education program. At a minimum, the program must include at least six hours of classroom and in the field training. The program must include a review of state trapping laws and regulations, trapping ethics, the setting and tending of traps and snares, tagging and registration requirements, and the preparation of pelts. The association shall be responsible for all costs of conducting the education program, and shall not charge any fee for attending the course.

Sec. 9. Minnesota Statutes 2000, section 97B.031, subdivision 4, is amended to read:

Subd. 4. [SILENCERS PROHIBITED.] A person may not own or possess a silencer for a firearm or a firearm equipped to have a silencer attached. This subdivision does not apply to the possession and use of a silencer by a person who:

(1) is hired by a local government solely to shoot deer according to an approved deer management control plan; and

(2) has a valid federal permit to possess and use a silencer.

Sec. 10. Minnesota Statutes 2000, section 97B.301, subdivision 7, is amended to read:

Subd. 7. [ALL SEASON ~~BUCK DEER~~ LICENSE.] A resident may obtain an all season ~~buck deer~~ license to take one buck by firearm or archery and one doe by firearm or archery during any season statewide. A person obtaining an all season ~~buck deer~~ license does not qualify for hunting under subdivision 3 or 4. The commissioner shall issue one tag for a buck and one tag for a doe when issuing a license under this subdivision."

Page 5, after line 34, insert:

"Sec. 13. Minnesota Statutes 2000, section 97C.025, is amended to read:

97C.025 [FISHING AND MOTORBOATS PROHIBITED IN CERTAIN AREAS.]

(a) The commissioner may prohibit ~~fishing~~ or restrict the taking of fish or the operation of motorboats by posting waters that:

(1) are designated as spawning beds or fish preserves; ~~or~~

(2) are being used by the commissioner for fisheries research or management activities; or

(3) are licensed by the commissioner as a private fish hatchery or aquatic farm under section 97C.211, subdivision 1, or 17.4984, subdivision 1.

An area may be posted under this paragraph if necessary to prevent excessive depletion of fish or interference with fisheries research or management activities or private fish hatchery or aquatic farm operations. The commissioner will consider the following criteria in determining if waters licensed under a private fish hatchery or aquatic farm should be posted under this paragraph:

(i) the waters contain game fish brood stock that are vital to the private fish hatchery or aquatic farm operation;

(ii) game fish are present in the licensed waters only as a result of aquaculture activities by the licensee; and

(iii) no public access to the waters existed when the waters were first licensed.

A private fish hatchery or aquatic farm licensee may not take fish or authorize others to take fish in licensed waters that are posted under this paragraph, except as provided in section 17.4983, subdivision 3, and except that if waters are posted to allow the taking of fish under special restrictions, licensees and others who can legally access the waters may take fish under those special restrictions.

(b) Except as provided in ~~paragraph~~ paragraphs (a) and (c), a person may not take fish or operate a motorboat if prohibited by posting under paragraph (a).

(c) An owner of riparian land adjacent to an area posted under paragraph (a) may operate a motorboat through the area by the shortest direct route at a speed of not more than five miles per hour."

Pages 8 to 10, delete sections 11 to 14 and insert:

"Sec. 16. Minnesota Statutes 2001 Supplement, section 282.04, subdivision 1, is amended to read:

Subdivision 1. [TIMBER SALES; LAND LEASES AND USES.] (a) The county auditor may sell timber upon any tract that may be approved by the natural resources commissioner. Such sale of timber shall be made for cash at not less than the appraised value determined by the county board to the highest bidder after not less than one week's published notice in an official paper within the county. Any timber offered at such public sale and not sold

may thereafter be sold at private sale by the county auditor at not less than the appraised value thereof, until such time as the county board may withdraw such timber from sale. The appraised value of the timber and the forestry practices to be followed in the cutting of said timber shall be approved by the commissioner of natural resources.

(b) Payment of the full sale price of all timber sold on tax-forfeited lands shall be made in cash at the time of the timber sale, except in the case of oral or sealed bid auction sales, the down payment shall be no less than 15 percent of the appraised value, and the balance shall be paid prior to entry. In the case of auction sales that are partitioned and sold as a single sale with predetermined cutting blocks, the down payment shall be no less than 15 percent of the appraised price of the entire timber sale which may be held until the satisfactory completion of the sale or applied in whole or in part to the final cutting block. The value of each separate block must be paid in full before any cutting may begin in that block. With the permission of the county administrator the purchaser may enter unpaid blocks and cut necessary timber incidental to developing logging roads as may be needed to log other blocks provided that no timber may be removed from an unpaid block until separately scaled and paid for.

(c) The county board may require final settlement on the basis of a scale of cut products. Any parcels of land from which timber is to be sold by scale of cut products shall be so designated in the published notice of sale above mentioned, in which case the notice shall contain a description of such parcels, a statement of the estimated quantity of each species of timber thereon and the appraised price of each specie of timber for 1,000 feet, per cord or per piece, as the case may be. In such cases any bids offered over and above the appraised prices shall be by percentage, the percent bid to be added to the appraised price of each of the different species of timber advertised on the land. The purchaser of timber from such parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the notice of sale as estimated to be standing on the land, and in addition shall pay at the same rate for any additional amounts which the final scale shows to have been cut or was available for cutting on the land at the time of sale under the terms of such sale. Where the final scale of cut products shows that less timber was cut or was available for cutting under terms of such sale than was originally paid for, the excess payment shall be refunded from the forfeited tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board as in case of other claims against the county. No timber, except hardwood pulpwood, may be removed from such parcels of land or other designated landings until scaled by a person or persons designated by the county board and approved by the commissioner of natural resources. Landings other than the parcel of land from which timber is cut may be designated for scaling by the county board by written agreement with the purchaser of the timber. The county board may, by written agreement with the purchaser and with a consumer designated by the purchaser when the timber is sold by the county auditor, and with the approval of the commissioner of natural resources, accept the consumer's scale of cut products delivered at the consumer's landing. No timber shall be removed until fully paid for in cash. Small amounts of timber not exceeding \$3,000 in appraised valuation may be sold for not less than the full appraised value at private sale to individual persons without first publishing notice of sale or calling for bids, provided that in case of such sale involving a total appraised value of more than \$200 the sale shall be made subject to final settlement on the basis of a scale of cut products in the manner above provided and not more than two such sales, directly or indirectly to any individual shall be in effect at one time.

(d) As directed by the county board, the county auditor may lease tax-forfeited land to individuals, corporations or organized subdivisions of the state at public or private vendue, and at such prices and under such terms as the county board may prescribe, for use as cottage and camp sites and for agricultural purposes and for the purpose of taking and removing of hay, stumpage, sand, gravel, clay, rock, marl, and black dirt therefrom, and for garden sites and other temporary uses provided that no leases shall be for a period to exceed ten years; provided, further that any leases involving a consideration of more than \$12,000 per year, except to an organized subdivision of the state shall first be offered at public sale in the manner provided herein for sale of timber. Upon the sale of any such leased land, it shall remain subject to the lease for not to exceed one year from the beginning of the term of the lease. Any rent paid by the lessee for the portion of the term cut off by such cancellation shall be refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and allowed by the county board as in case of other claims against the county.

(e) As directed by the county board, the county auditor may lease tax-forfeited land to individuals, corporations, or organized subdivisions of the state at public or private vendue, at such prices and under such terms as the county board may prescribe, for the purpose of taking and removing for use for road construction and other purposes

tax-forfeited stockpiled iron-bearing material. The county auditor must determine that the material is needed and suitable for use in the construction or maintenance of a road, tailings basin, settling basin, dike, dam, bank fill, or other works on public or private property, and that the use would be in the best interests of the public. No lease shall exceed ten years. The use of a stockpile for these purposes must first be approved by the commissioner of natural resources. The request shall be deemed approved unless the requesting county is notified to the contrary by the commissioner of natural resources within six months after receipt of a request for approval for use of a stockpile. Once use of a stockpile has been approved, the county may continue to lease it for these purposes until approval is withdrawn by the commissioner of natural resources.

(f) The county auditor, with the approval of the county board is authorized to grant permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores, tailings, or waste products from mines or ore milling plants, upon such conditions and for such consideration and for such period of time, not exceeding 15 years, as the county board may determine; said permits, licenses, or leases to be subject to approval by the commissioner of natural resources.

(g) Any person who removes any timber from tax-forfeited land before said timber has been scaled and fully paid for as provided in this subdivision is guilty of a misdemeanor.

(h) The county auditor may, with the approval of the county board, and without first offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of peat from tax-forfeited lands upon such terms and conditions as the county board may prescribe. Any lease for the removal of peat from tax-forfeited lands must first be reviewed and approved by the commissioner of natural resources if the lease covers 320 or more acres. No lease for the removal of peat shall be made by the county auditor pursuant to this section without first holding a public hearing on the auditor's intention to lease. One printed notice in a legal newspaper in the county at least ten days before the hearing, and posted notice in the courthouse at least 20 days before the hearing shall be given of the hearing.

(i) Notwithstanding any provision of paragraph (c) to the contrary, the St. Louis county auditor may, at the discretion of the county board, sell timber to the party who bids the highest price for all the several kinds of timber, as provided for sales by the commissioner of natural resources under section 90.14. Bids offered over and above the appraised price need not be applied proportionately to the appraised price of each of the different species of timber.

Sec. 17. Minnesota Statutes 2000, section 609.66, subdivision 1a, is amended to read:

Subd. 1a. [FELONY CRIMES; SILENCERS PROHIBITED; RECKLESS DISCHARGE.] (a) Whoever does any of the following is guilty of a felony and may be sentenced as provided in paragraph (b):

(1) sells or has in possession any device designed to silence or muffle the discharge of a firearm, except as authorized under section 97B.031, subdivision 4;

(2) intentionally discharges a firearm under circumstances that endanger the safety of another; or

(3) recklessly discharges a firearm within a municipality.

(b) A person convicted under paragraph (a) may be sentenced as follows:

(1) if the act was a violation of paragraph (a), clause (2), or if the act was a violation of paragraph (a), clause (1) or (3), and was committed in a public housing zone, as defined in section 152.01, subdivision 19, a school zone, as defined in section 152.01, subdivision 14a, or a park zone, as defined in section 152.01, subdivision 12a, to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both; or

(2) otherwise, to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both."

Page 10, line 20, delete "3, 4, 7, and 8" and insert "4, 5, 11, and 12"

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to natural resources; modifying certain definitions; modifying timber sale, permit, and lease provisions; modifying certain restrictions on fishing and motorboat operations; creating a prairie chicken hunting license; allowing fundraisers to serve game; modifying trapper education provisions; modifying the all season buck license; allowing the use of a silencer under certain circumstances; modifying requirements for taking turtles; eliminating certain experimental trout stream restrictions; appropriating money; amending Minnesota Statutes 2000, sections 17.47, subdivision 7; 90.151, subdivision 1; 90.162; 97A.475, subdivisions 2, 41; 97B.025; 97B.031, subdivision 4; 97B.301, subdivision 7; 97B.601, subdivision 4; 97C.025; 97C.605; 97C.611; 609.66, subdivision 1a; Minnesota Statutes 2001 Supplement, section 282.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 97A; 97B; repealing Minnesota Statutes 2000, sections 90.50; 97C.003; 97C.605, subdivision 4."

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

The report was adopted.

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

H. F. No. 3029, A bill for an act relating to energy codes; changing certain requirements; amending Minnesota Statutes 2000, section 16B.617.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 16B.617, is amended to read:

16B.617 [ENERGY CODE RULES REMAIN IN EFFECT.]

(a) Notwithstanding Laws 1999, chapter 135, section 9, Minnesota Rules, chapter 7670, does not expire on April 15, 2000, but remains in effect for residential buildings not covered by Minnesota Rules, chapter 7676. The provisions of Minnesota Rules, chapter 7670, that apply to category 1 buildings govern new, detached single one- and two-family R-3 occupancy residential buildings. All new, detached single one- and two-family R-3 occupancy buildings subject to Minnesota Rules, chapter 7670, submitting an application for a building permit after April 14, 2000, must meet the requirements for category 1 buildings, as set out in Minnesota Rules, chapter 7670. ~~All new detached single one- and two-family R-3 occupancy buildings having fuel burning equipment using nonsolid fuels for space heating, service water heating, or hearth products must install direct vent, power vent, or sealed combustion equipment. All new detached single one- and two-family R-3 occupancy buildings must have a mechanical ventilation system which replaces, by direct or indirect means, air from habitable rooms with outdoor air. If any single exhaust device over 300 cubic feet per minute is installed, sealed combustion space heating equipment or an alternative make-up air source must be used.~~

(b) As an alternative to compliance with paragraph (a), compliance with Minnesota Rules, chapters 7672 and 7674, is optional for a contractor or owner.

(c) The department of administration, building codes and standards division (BCSD), shall issue a report to the legislature by December 1, 2001, addressing the cost benefit, as well as air quality, building durability, moisture, enforcement, enforceability, and liability regarding implementation of Minnesota Rules, chapters 7670, 7672, and 7674. The report must include a feasibility study of establishing new criteria for category 2 detached single one- and two-family R-3 occupancy buildings that are energy efficient, enforceable, and provide sufficient nonmechanical ventilation or permeability for a home to maintain good air quality, building durability, and adequate release of moisture.

(d) This section expires when the commissioner of administration adopts a new energy code in accordance with section 2.

Sec. 2. [ENERGY CODE.]

Notwithstanding Minnesota Statutes, section 16B.617, the commissioner of administration, in consultation with the construction codes advisory council, shall explore and review the availability and appropriateness of any model energy codes related to the construction of single one- and two-family residential buildings. In consultation with the council, the commissioner shall take steps to adopt the chosen code with all necessary and appropriate amendments.

The commissioner may not adopt all or part of a model energy code relating to the construction of residential buildings without research and analysis that addresses, at a minimum, air quality, building durability, moisture, enforcement, enforceability cost benefit, and liability. The research and analysis must be completed in cooperation with practitioners in residential construction and building science and an affirmative recommendation by the construction code advisory council.

Sec. 3. [EFFECTIVE DATE.]

Notwithstanding any contrary provision of Minnesota Statutes, section 16B.617, paragraph (a), the commissioner of administration may adopt appropriate provisions addressing combustion air and make-up air in residential construction as part of the mechanical code. Section 1 is effective when rules containing these provisions are adopted. Section 2 is effective the day following final enactment."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring the commissioner of administration to take certain actions;"

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. 3031, A bill for an act relating to public health; establishing the Minnesota Emergency Health Powers Act; modifying provisions for declaring national security and peacetime emergencies; requiring reporting of certain health conditions; authorizing special powers for the control of property and protection of people; amending Minnesota Statutes 2000, sections 12.03, by adding subdivisions; 12.09, subdivisions 1, 2; 12.21, subdivision 3; 12.31, subdivision 2; 12.32; 12.34, subdivision 1; 12.42; 13.3805, subdivision 1; 13.82, by adding subdivisions; 144.99, subdivision 1; 145A.07, subdivision 1; Minnesota Statutes 2001 Supplement, section 12.31, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 12; 145.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [TITLE.]

Sections 1 to 17 may be cited as the "Minnesota Emergency Health Powers Act."

Sec. 2. Minnesota Statutes 2000, section 12.03, is amended by adding a subdivision to read:

Subd. 1c. [BIOLOGICAL AGENT.] "Biological agent" means a microorganism, virus, infectious substance, bioengineered component of such a microorganism, or other biological material that could cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

Sec. 3. Minnesota Statutes 2000, section 12.03, is amended by adding a subdivision to read:

Subd. 1d. [BIOTERRORISM.] "Bioterrorism" means the intentional use or threatened use of a biological agent to harm or endanger members of the public.

Sec. 4. Minnesota Statutes 2000, section 12.03, is amended by adding a subdivision to read:

Subd. 1e. [COMMUNICABLE DISEASE.] "Communicable disease" means an infectious disease that can be transmitted from person to person, animal to person, or insect to person.

Sec. 5. Minnesota Statutes 2000, section 12.03, is amended by adding a subdivision to read:

Subd. 5d. [INFECTIOUS DISEASE.] "Infectious disease" means a disease caused by a living organism or virus. An infectious disease may or may not be transmissible from person to person, animal to person, or insect to person.

Sec. 6. [12.215] [DELEGATION OF GOVERNOR'S AUTHORITY TO DESIGNEE.]

The governor may delegate to a designee any powers and duties granted to the governor under sections 12.21, 12.22, 12.23, 12.27, 12.301, 12.33, 12.34, 12.36, and 12.381.

Sec. 7. Minnesota Statutes 2001 Supplement, section 12.31, subdivision 1, is amended to read:

Subdivision 1. [DECLARATION OF NATIONAL SECURITY EMERGENCY.] When information from the President of the United States, the Federal Emergency Management Agency, the Department of Defense, or the National Warning System indicates the imminence of a national security emergency within the United States, which means the several states, the District of Columbia, and the Commonwealth of Puerto Rico, or the occurrence within the state of Minnesota of a major disaster or bioterrorism incident from enemy sabotage or other hostile action, the governor may, by proclamation, declare that a national security emergency exists in all or any part of the state. If the legislature is then in regular session or, if it is not, if the governor concurrently with the proclamation declaring the emergency issues a call convening immediately both houses of the legislature, the governor may exercise for a period not to exceed 30 days the powers and duties conferred and imposed by sections 12.31 to 12.37 and 12.381. The lapse of these emergency powers does not, as regards any act occurring or committed within the 30-day period, deprive any person, political subdivision, municipal corporation, or body politic of any right to compensation or reimbursement that it may have under this chapter.

Sec. 8. Minnesota Statutes 2000, section 12.31, subdivision 2, is amended to read:

Subd. 2. [DECLARATION OF PEACETIME EMERGENCY.] (a) The governor may declare a peacetime emergency. A peacetime declaration of emergency may be declared only when an act of nature, a technological failure or malfunction, a terrorist incident, a bioterrorism incident, an industrial accident, a hazardous materials accident, or a civil disturbance endangers life and property and local government resources are inadequate to handle

the situation. It A peacetime emergency must not be continued for more than five days unless extended by resolution of the executive council up to 30 days. An order, or proclamation declaring, continuing, or terminating an emergency must be given prompt and general publicity and filed with the secretary of state.

(b) This paragraph applies to a peacetime emergency declared as a result of a bioterrorism incident. If the legislature is sitting in session at the time of the emergency declaration, the governor may exercise the powers and duties conferred by this chapter for the period allowed under paragraph (a). If the legislature is not sitting in session when a peacetime emergency is declared or renewed, the governor may exercise the powers and duties conferred by this chapter for the period allowed under paragraph (a) only if the governor issues a call convening both houses of the legislature at the same time the governor declares or renews the peacetime emergency.

Sec. 9. Minnesota Statutes 2000, section 12.32, is amended to read:

#### 12.32 [GOVERNOR'S ORDERS AND RULES, EFFECT.]

Orders and rules promulgated by the governor or a designee under authority of section 12.21, subdivision 3, clause (1), when approved by the executive council and filed in the office of the secretary of state, have, during a national security, peacetime, or energy supply emergency, the full force and effect of law. Rules and ordinances of any agency or political subdivision of the state inconsistent with the provisions of this chapter or with any order or rule having the force and effect of law issued under the authority of this chapter, is suspended during the period of time and to the extent that the emergency exists.

Sec. 10. [12.375] [DECLARATION DUE TO BIOTERRORISM.]

Subdivision 1. [CONSULTATION REQUIRED.] Before declaring a national security or peacetime emergency due to a bioterrorism incident, the governor shall consult with the commissioner of health and additional public health experts and other experts as needed. If the bioterrorism incident occurs on Indian lands, the governor shall consult with tribal authorities before making such a declaration. Nothing in this section shall be construed to limit the governor's authority to act without such consultation when the situation calls for prompt and timely action.

Subd. 2. [EFFECT OF DECLARATION.] A declaration of a national security or peacetime emergency due to a bioterrorism incident invokes the necessary portions of the state emergency operations plan developed pursuant to section 12.21, subdivision 3, relating to response and recovery aspects and may authorize aid and assistance under the plan.

Sec. 11. [12.376] [TERMINATION OF DECLARATION; BIOTERRORISM INCIDENT.]

Subdivision 1. [AUTOMATIC TERMINATION; RENEWAL.] Notwithstanding any other provision of this chapter, a national security or peacetime emergency declared due to a bioterrorism incident is terminated automatically 30 days after its original declaration unless the emergency is renewed by the governor as provided by section 12.31, subdivision 2, paragraph (b). Any renewal is terminated automatically after 30 days unless again renewed by the governor.

Subd. 2. [TERMINATION BY LEGISLATURE.] By a majority vote of each house of the legislature, the legislature may terminate a national security or peacetime emergency declared due to a bioterrorism incident at any time from the date of original declaration. A termination by the legislature under this subdivision overrides any renewal by the governor under subdivision 1.

## Sec. 12. [12.381] [SAFE DISPOSITION OF DEAD HUMAN BODIES.]

Subdivision 1. [POWERS FOR SAFE DISPOSITION.] Notwithstanding chapter 149A, in connection with deaths related to a bioterrorism incident, the governor may:

(1) direct measures to provide for the safe disposition of dead human bodies as may be reasonable and necessary for emergency response. Measures may include, but are not limited to, transportation, preparation, temporary mass burial and other interment, disinterment, and cremation of dead human bodies. Insofar as the emergency circumstances allow, the governor shall respect the religious rites, cultural customs, family wishes, and predeath directives of a decedent concerning final disposition. The governor may limit visitations or funeral ceremonies based on public health risks;

(2) consult with coroners and medical examiners, take possession or control of any dead human body, and order an autopsy of the body; and

(3) request any business or facility authorized to embalm, bury, cremate, inter, disinter, transport, or otherwise provide for disposition of a dead human body under the laws of this state to accept any dead human body or provide the use of its business or facility if the actions are reasonable and necessary for emergency response and are within the safety precaution capabilities of the business or facility.

Subd. 2. [IDENTIFICATION OF BODIES.] A person in charge of the body of a person believed to be infected with a communicable disease caused by a bioterrorism incident shall maintain a written record of the body and all available information to identify the decedent, the circumstances of death, and disposition of the body. If a body cannot be identified, a qualified person shall, prior to disposition and to the extent possible, take fingerprints and one or more photographs of the remains and collect a DNA specimen from the body. All information gathered under this subdivision, other than data required for a death certificate under Minnesota Rules, part 4601.2550, shall be death investigation data and shall be classified as nonpublic data according to section 13.02, subdivision 9. Data gathered under this subdivision shall be promptly forwarded to the commissioner of health. The commissioner may only disclose death investigation data to the extent necessary to assist relatives in identifying decedents or for public health or public safety investigations.

Sec. 13. Minnesota Statutes 2000, section 12.46, is amended to read:

## 12.46 [LIMITATION OF POWERS.]

Nothing in this chapter authorizes the governor, a designee of the governor, or the director:

(1) by subpoena or otherwise to require any person to appear before any person or to produce any records for inspection by any person, or to examine any person under oath; and

(2) to remove summarily from office any person, other than a person appointed under this chapter, except as now provided by law or as herein specifically authorized.

Sec. 14. Minnesota Statutes 2000, section 13.3806, is amended by adding a subdivision to read:

Subd. 21. [DEATH INVESTIGATION DATA.] Data gathered by the commissioner of health to identify the body of a person believed to be infected with a communicable disease caused by a bioterrorism incident, the circumstances of death, and disposition of the body are classified under, and may be released according to, section 12.381, subdivision 2.

Sec. 15. [144.1206] [ISOLATION AND QUARANTINE OF PERSONS.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, the following definitions apply:

(1) "isolation" means separation, during the period of communicability, of an infected person in a place and under conditions so as to prevent direct or indirect transmission of an infectious agent to others; and

(2) "quarantine" means restriction, during a period of communicability, of activities or travel of an otherwise healthy person who likely has been exposed to a communicable disease to prevent disease transmission during the period of communicability in the event the person is infected.

Subd. 2. [GENERAL REQUIREMENTS.] (a) The commissioner of health and any person acting under the commissioner's authority shall comply with paragraphs (b) to (h) when isolating or quarantining individuals or groups of individuals.

(b) Isolation and quarantine must be by the least restrictive means necessary to prevent the spread of a communicable or potentially communicable disease to others and may include, but are not limited to, confinement to private homes or other private or public premises.

(c) Isolated individuals must be confined separately from quarantined individuals.

(d) The health status of isolated and quarantined individuals must be monitored regularly to determine if they require continued isolation or quarantine.

(e) If a quarantined individual subsequently becomes infectious or is reasonably believed to have become infectious with a communicable or potentially communicable disease, the individual must be isolated.

(f) Isolated and quarantined individuals must be immediately released when they pose no known risk of transmitting a communicable or potentially communicable disease to others.

(g) The needs of persons isolated and quarantined shall be addressed in a systematic and competent fashion, including, but not limited to, providing adequate food, clothing, shelter, means of communication between those in isolation or quarantine and those outside these settings, medication, and competent medical care.

(h) Premises used for isolation and quarantine shall be maintained in a safe and hygienic manner and be designed to minimize the likelihood of further transmission of infection or other harms to persons isolated and quarantined.

Sec. 16. [STUDY OF EMERGENCY HEALTH POWERS ISSUES.]

(a) The commissioner of health shall study and submit recommendations to the legislature on additional legislative changes needed to Minnesota Statutes, chapter 12 or 145, or other relevant statutes to strengthen the state's capacity to deal with a bioterrorism incident. The report and recommendations must be submitted to the legislature by January 15, 2003. The report and recommendations must address at least the following:

(1) provisions for immunity for health care providers and others acting under the direction of the governor or a designee during an emergency declared due to a bioterrorism incident;

(2) emergency measures concerning dangerous facilities and materials, the control of health care supplies and facilities, and limiting public gatherings and transportation;

(3) measures to detect and prevent the spread of disease, including requirements for medical examinations, testing, vaccination, treatment, isolation and quarantine, and collecting laboratory specimens and samples;

(4) due process protections to apply to persons under isolation or quarantine; and

(5) enforcement methods to ensure compliance with emergency measures and measures to detect and prevent the spread of disease.

(b) In developing this report and recommendations, the commissioner shall consult with representatives of local government, tribal government, emergency managers, health care provider organizations, emergency medical services personnel, and legal advocacy and civil liberties groups.

Sec. 17. [SUNSET.]

Sections 1 to 15 expire July 1, 2005.

Sec. 18. [EFFECTIVE DATE.]

Sections 1 to 17 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to public health; establishing the Minnesota Emergency Health Powers Act; modifying provisions for declaring national security and peacetime emergencies; providing for declaration and termination of emergencies due to bioterrorism; granting certain emergency powers; providing for the isolation and quarantine of persons; requiring a study; amending Minnesota Statutes 2000, sections 12.03, by adding subdivisions; 12.31, subdivision 2; 12.32; 12.46; 13.3806, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 12.31, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 12; 144."

With the recommendation that when so amended the bill be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy without further recommendation.

The report was adopted.

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

H. F. No. 3046, A bill for an act relating to lawful gambling; providing limits on rent paid for premises used for lawful gambling; prohibiting organizations conducting lawful gambling from employing certain persons in the sale of pull-tabs; amending Minnesota Statutes 2000, sections 349.168, by adding a subdivision; 349.18, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 14, after "employ" insert ", other than" and after "pull-tabs" insert a comma

Page 1, line 27, to page 2, line 10, reinstate the stricken language and after the period, insert "The amount that may be paid for rent under this subdivision is inclusive of any services provided or contracted for by the lessor, including but not limited to trash removal, janitorial and cleaning services, snow removal, lawn services, electricity, heat, security, storage, and other utilities or services."

Page 3, delete lines 8 to 20

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3078, A bill for an act relating to commerce; regulating conduct of real estate industry licensees; modifying disclosures; regulating investigations by the commissioner of commerce; amending Minnesota Statutes 2000, sections 82.19, subdivision 9; 82.197, subdivision 3; 82.23, subdivision 1; 82.27, by adding subdivisions; Minnesota Statutes 2001 Supplement, sections 82.197, subdivisions 1, 4, 6; 82.22, subdivision 13.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 82.19, subdivision 9, is amended to read:

Subd. 9. [EXCLUSIVE AGENCY AGREEMENTS.] (a) Except as provided in paragraph ~~(b)~~ (c), a licensee shall not negotiate the sale, exchange, lease, or listing of any real property directly with the owner or lessor knowing that the owner or lessor has executed a written contract granting exclusive listing contract or exclusive contract for nonagency services representation or assistance in connection with the property ~~with to~~ another real estate broker, buyer, or lessee, nor shall a licensee negotiate the purchase, lease, or exchange of real property knowing that the buyer or lessee has executed a written contract granting exclusive buyer representation contract or exclusive contract for nonagency services representation or assistance for the purchase, lease, or exchange of the real property with another real estate broker.

(b) Licensees shall not induce any party to a contract of sale, purchase, lease, or option, or to an exclusive listing agreement or buyer's agreement, or facilitator services agreement, to breach the contract, option, or agreement.

(c) A licensee may discuss the terms upon which a listing or buyer representation contract or a contract for ~~nonagency facilitator~~ services may be entered into after expiration of any existing exclusive contract when the inquiry or discussion is initiated by the owner, lessor, buyer, or lessee. The licensee must inquire of the owner, lessor, buyer, or lessee whether such an exclusive contract exists.

Sec. 2. Minnesota Statutes 2001 Supplement, section 82.197, subdivision 1, is amended to read:

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

Sec. 3. Minnesota Statutes 2001 Supplement, section 82.197, subdivision 4, is amended to read:

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

#### **AGENCY RELATIONSHIPS IN REAL ESTATE TRANSACTIONS**

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



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

V.

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

\*\*\*\*\*

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

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

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

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

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

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

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

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

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

Sec. 4. Minnesota Statutes 2001 Supplement, section 82.197, subdivision 6, is amended to read:

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

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

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

(2) was the site of ~~an~~ a suicide, accidental death, natural death, or perceived paranormal activity; or

(3) is located in a neighborhood containing any adult family home, community-based residential facility, or nursing home.

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

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

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

Sec. 5. Minnesota Statutes 2000, section 82.23, subdivision 1, is amended to read:

Subdivision 1. [RETENTION.] A licensed real estate broker shall retain for three years copies of all listings, buyer representation and facilitator services contracts, deposit receipts, purchase money contracts, canceled checks, trust account records, and such other documents as may reasonably be related to carrying on a real estate brokerage business. The retention period shall run from the date of the closing of the transaction, or from the date of the ~~listing document~~ document if the transaction document is not consummated. The following documents need not be retained:

(1) agency disclosure forms provided to prospective buyers or sellers, where no contractual relationship is subsequently created and no services are provided by the licensee; and

(2) facilitator services contracts or buyer representation contracts entered into with prospective buyers, where the prospective buyer abandons the contractual relationship before any services have been provided by the licensee.

Sec. 6. Minnesota Statutes 2000, section 82.27, is amended by adding a subdivision to read:

Subd. 2c. [MONETARY SETTLEMENTS.] The commissioner shall not coerce or attempt to coerce a licensee to enter into any monetary settlement with a consumer in connection with any complaint investigation. The commissioner may consider the totality of the circumstances, including any efforts by the licensee to mitigate any losses by a consumer, in determining the appropriateness or severity of administrative sanction."

Delete the title and insert:

"A bill for an act relating to commerce; regulating the conduct of real estate industry licensees; modifying disclosures; regulating records retention requirements; amending Minnesota Statutes 2000, sections 82.19, subdivision 9; 82.23, subdivision 1; 82.27, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 82.197, subdivisions 1, 4, 6."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3109, A bill for an act relating to economic development; modifying the wastewater infrastructure funding program; amending Minnesota Statutes 2000, section 446A.072, subdivisions 1, 3, 6, 7, 8, 9, 11, 12, by adding subdivisions; repealing Minnesota Statutes 2000, section 446A.072, subdivisions 2, 4, 5, 10, 13.

Reported the same back with the following amendments:

Page 3, line 22, delete "ten" and insert "five"

Page 3, after line 35, insert:

"(c) Notwithstanding the limits in paragraphs (a) and (b), for a municipality receiving supplemental assistance under this section after January 1, 2002, the authority shall provide assistance up to \$25,000 per existing connection if the authority determines that the municipality's construction and installation costs are significantly increased due to geological conditions and more stringent discharge limits."

Page 6, after line 21, insert:

"Sec. 13. [EFFECTIVE DATE.]

This act is effective for funds appropriated after January 1, 2002."

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 15, delete "16C.28" and insert "16C.29"

Page 1, line 17, delete "16C.28" and insert "16C.29"

Page 1, line 22, delete "contracts" and insert "or repairs"

Page 1, after line 22, insert:

"Subd. 2. [REQUIREMENT CONTRACTS.] Standard requirement price contracts for building and construction must be established by competitive bids as provided in subdivision 1. The standard requirement price contracts may contain escalation clauses and may provide for a negotiated price increase or decrease based upon a demonstrable industrywide or regional increase or decrease in the vendor's costs or for the addition of similar products or replacement items not significant to the total value of existing contracts. The term of these contracts may not exceed five years including all extensions."

Page 1, line 23, delete "2" and insert "3"

Page 2, line 14, delete "3" and insert "4"

Page 2, line 20, delete "4" and insert "5"

Page 2, line 26, delete "5" and insert "6"

Page 3, line 13, delete "and may purchase"

Page 3, delete line 14

Page 3, line 15, delete everything before the period

Page 4, after line 26, insert:

"Sec. 5. [16C.29] [CONTRACT MANAGEMENT AND REVIEW.]

The commissioner must develop procedures to audit agency personnel to whom the commissioner has delegated contracting authority, in order to ensure compliance with laws and guidelines governing issuance of contracts, including laws and guidelines governing conflicts of interest."

Page 4, line 27, delete "5" and insert "6"

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. 3166, A bill for an act relating to human services; making changes to certain licensing provisions and continuing care programs; planning for a pilot program to provide deaf-blind services and requiring a feasibility assessment of medical assistance programs covering expansion of deaf-blind services; amending Minnesota Statutes 2000, sections 13.41, subdivision 1; 13.46, subdivision 3; 245A.02, by adding subdivisions; 245A.035, subdivision 3; 245A.04, by adding a subdivision; 256.9657, subdivision 1; 256B.0625, by adding a subdivision; 256B.0915, subdivisions 4, 6, by adding a subdivision; 256B.431, subdivisions 14, 30; 256B.5012, subdivision 2; 261.063; 626.557, subdivision 3a; Minnesota Statutes 2001 Supplement, sections 13.46, subdivisions 1, 4; 144A.071, subdivision 1a; 144A.36, subdivision 1; 245A.03, subdivision 2; 245A.04, subdivisions 3, 3a, 3b; 245A.07, subdivisions 2a, 3; 245A.144; 245A.16, subdivision 1; 256.045, subdivisions 3b, 4; 256B.0913, subdivisions 4, 5, 8, 10, 12, 14; 256B.0915, subdivision 5; 256B.431, subdivisions 2e, 33; 256B.437, subdivision 3; 256B.438,

subdivision 1; 256B.76; 626.556, subdivision 10i; 626.557, subdivision 9d; proposing coding for new law in Minnesota Statutes, chapters 245A; 604A; repealing Minnesota Statutes 2001 Supplement, section 256B.0621, subdivision 1.

Reported the same back with the following amendments:

Page 32, line 14, after the semicolon, insert "or"

Page 32, line 19, delete the paragraph coding and delete "(4)"

Page 81, after line 22, insert:

"Sec. 19. Minnesota Statutes 2001 Supplement, section 256B.437, subdivision 6, is amended to read:

Subd. 6. [PLANNED CLOSURE RATE ADJUSTMENT.] (a) The commissioner of human services shall calculate the amount of the planned closure rate adjustment available under subdivision 3, paragraph (b), for up to 5,140 beds according to clauses (1) to (4):

(1) the amount available is the net reduction of nursing facility beds multiplied by \$2,080;

(2) the total number of beds in the nursing facility or facilities receiving the planned closure rate adjustment must be identified;

(3) capacity days are determined by multiplying the number determined under clause (2) by 365; and

(4) the planned closure rate adjustment is the amount available in clause (1), divided by capacity days determined under clause (3).

(b) A planned closure rate adjustment under this section is effective on the first day of the month following completion of closure of the facility designated for closure in the application and becomes part of the nursing facility's total operating payment rate.

(c) Applicants may use the planned closure rate adjustment to allow for a property payment for a new nursing facility or an addition to an existing nursing facility or as an operating payment rate adjustment. Applications approved under this subdivision are exempt from other requirements for moratorium exceptions under section 144A.073, subdivisions 2 and 3.

(d) Upon the request of a closing facility, the commissioner must allow the facility a closure rate adjustment as provided under section 144A.161, subdivision 10.

(e) If the per bed dollar amount specified in paragraph (a), clause (1) is increased, the commissioner shall recalculate planned closure rate adjustments for facilities that delicense beds under this section on or after July 1, 2001, to reflect the increase in the per bed dollar amount. The recalculated planned closure rate adjustment shall be effective from the date the per bed dollar amount is increased."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 22, delete "subdivision 3" and insert "subdivisions 3, 6"

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. 3169, A bill for an act relating to housing; specifying certain discretionary municipal subdivision authority; providing for housing fiscal impact notes; amending Minnesota Statutes 2000, section 462.358, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462.

Reported the same back with the following amendments:

Page 1, line 17, delete "(3)" and insert "(4)"

Page 1, line 23, delete "and"

Page 1, lines 24 and 25, delete "land trusts."

Page 1, line 26, delete the period and insert "": and

(4) establishing a land trust agreement to maintain the long-term affordability of the affordable units."

Page 2, line 2, before the period, insert "except where public financing or subsidy requires longer terms"

Page 2, line 12, before the period, insert "in a municipality that has adopted the State Building Code and is located in a county with a population of 30,000 or more"

Page 2, lines 13 and 14, delete "the potential for a" and insert "an increased"

Page 2, line 16, delete "must" and insert "may"

Page 2, line 19, delete "shall" and insert "may"

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

The report was adopted.

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

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

sections 168.012, subdivision 1; 169.79, subdivisions 3, 8, by adding a subdivision; 171.07, subdivision 1; 221.221, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 168D; repealing Minnesota Statutes 2000, sections 171.30, subdivision 3; 296A.27; 296A.28.

Reported the same back with the following amendments:

Page 2, after line 26, insert:

"Sec. 2. Minnesota Statutes 2000, section 168.011, subdivision 34, is amended to read:

Subd. 34. [FLEET.] "Fleet" means a combination of ~~100~~ 50 or more vehicles and trailers owned by a person solely for the use of that person or employees of the person and registered in this state under section 168.127. It does not include vehicles licensed under section 168.187."

Page 9, line 20, delete everything after "168.187."

Page 9, line 25, strike "nor" and insert "and, except for recreational equipment, not"

Page 9, line 30, delete everything after "168.187."

Page 9, line 35, before "not" insert ", except for recreational equipment."

Page 17, line 13, delete everything after "to" and insert "a nonprofit charitable organization that qualifies for tax exemption under section 501(c)(3) of the Internal Revenue Code"

Page 17, line 14, delete "corporations"

Page 17, line 15, delete "acquire" and insert "acquires"

Page 17, line 16, delete "use" and insert "who uses"

Page 17, line 21, delete "not-for-profit" and insert "organization"

Page 20, delete lines 27 to 33

Page 24, line 34, delete the new language

Page 24, line 35, delete everything before the period

Page 25, line 24, delete "calendar"

Page 41, line 21, delete "shall" and insert "may"

Page 42, after line 11, insert:

"Sec. 28. Minnesota Statutes 2000, section 168A.29, subdivision 1, is amended to read:

Subdivision 1. [AMOUNTS.] (a) The department ~~shall~~ must be paid the ~~following fees~~ fee specified for the following activities:

(1) for filing an application for and the issuance of ~~an original~~ a certificate of title, the sum of ~~\$2~~ \$11. The individual components of the fee must be disclosed on the title application forms as "\$3.50 Public Safety Vehicle fee; \$4.18 Title Application fee; \$3.32 Waste Tire fee.";

(2) for each security interest when first noted upon a certificate of title, including the concurrent notation of any assignment thereof and its subsequent release or satisfaction, the sum of \$2, except that no fee is due ~~for if~~ a security interest ~~is~~ filed by a public authority under section 168A.05, subdivision 8, or if a lien is concurrently noted with the filing of an application under clause (1);

(3) for the transfer of the interest of an owner and the issuance of a new certificate of title, the sum of \$2;

~~(4)~~ for each assignment of a security interest when first noted on a certificate of title, unless noted concurrently with the security interest, the sum of \$1;

~~(5)~~ (4) for issuing a duplicate certificate of title, the sum of \$4.

(b) ~~After June 30, 1994, in addition to each From the proceeds of the fees fee required under paragraph (a), clauses clause (1) and (3), the department shall be paid credit \$3.50. The additional fee collected under this paragraph must be deposited in the special revenue fund and credited to the public safety motor vehicle account established in section 299A.70 and the motor vehicle registrar shall credit \$3.32 on each title application to the motor vehicle transfer account in the environmental fund."~~

Page 47, after line 32, insert:

"Sec. 41. Minnesota Statutes 2000, section 169.26, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENTS.] (a) Except as provided in section 169.28, subdivision 1, when any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this paragraph, the driver shall stop the vehicle not less than ten feet from the nearest railroad track and shall not proceed until safe to do so. These requirements apply when:

(1) a clearly visible electric or mechanical signal device warns of the immediate approach of a railroad train; or

(2) an approaching railroad train is plainly visible and is in hazardous proximity.

(b) The fact that a moving train approaching a railroad grade crossing is visible from the crossing is prima facie evidence that it is not safe to proceed.

(c) The driver of a vehicle shall stop and remain stopped and not traverse the grade crossing when a human flagger signals the approach or passage of a train or when a crossing gate is lowered warning of the immediate approach or passage of a railroad train. No person may drive a vehicle past a flagger at a railroad crossing until the flagger signals that the way is clear to proceed or drive a vehicle past a lowered crossing gate.

Sec. 42. Minnesota Statutes 2000, section 169.28, subdivision 1, is amended to read:

Subdivision 1. [STOP REQUIRED.] (a) The driver of any motor vehicle carrying passengers for hire, or of any school bus whether carrying passengers or not, or of any Head Start bus whether carrying passengers or not, or of any vehicle ~~carrying explosive substances or flammable liquids, or liquid gas under pressure as a cargo or part of a cargo that is required to stop at railroad grade crossings under Code of Federal Regulations, title 49, section 392.10, before crossing at grade any track or tracks of a railroad, shall stop the vehicle not less than ten 15 feet nor more than 50 feet~~ from the nearest rail of the railroad and while so stopped shall listen and look in both directions along the track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until safe to do so. The driver must not shift gears while crossing the railroad tracks.

(b) A school bus or Head Start bus shall not be flagged across railroad grade crossings except at those railroad grade crossings that the local school administrative officer may designate.

Sec. 43. Minnesota Statutes 2001 Supplement, section 169.781, subdivision 2, is amended to read:

Subd. 2. [INSPECTION REQUIRED.] It is unlawful for a person to operate or permit the operation of:

(1) a commercial motor vehicle registered in Minnesota; or

(2) special mobile equipment as defined in section 168.011, subdivision 22, and which is self-propelled, if it is mounted on a commercial motor vehicle chassis, ~~including, but not limited to, a mobile crane, a water well-drilling rig, and a concrete-placement pumper,~~

unless the vehicle displays a valid safety inspection decal issued by an inspector certified by the commissioner, or the vehicle carries (1) proof that the vehicle complies with federal motor vehicle inspection requirements for vehicles in interstate commerce, and (2) a certificate of compliance with federal requirements issued by the commissioner under subdivision 9."

Page 52, after line 1, insert:

"Sec. 50. Minnesota Statutes 2000, section 171.04, is amended by adding a subdivision to read:

Subd. 3. [PROOF OF COMPLIANCE WITH SELECTIVE SERVICE ACT.] Before issuing or renewing a driver's license, instruction permit, or Minnesota identification card to a male who is between the ages of 18 and 26 years, the department shall take all necessary steps to determine if the person (1) is required by the Military Selective Service Act, United States Code, title 50 appendix, sections 451 through 471A, to register with the United States selective service system, and (2) if so required, whether the person has so registered. If not so registered, the department shall submit to the United States selective service system in electronic form the person's name, date of birth, and residence address. An application for issuance or renewal of a driver's license, instruction permit, or Minnesota identification card by a male who is between the ages of 18 and 26 and not registered with the United States selective service system at the time of application constitutes consent to such submission. All forms prepared by the department for applications for issuance or renewal of a driver's license, instruction permit, or Minnesota identification card must contain a statement summarizing the provisions of this subdivision."

Page 53, line 2, after the first comma, insert "adult" and after "or" insert "adult"

Page 53, line 5, delete "spouse," and insert "adult spouse, adult" and after "or" insert "adult"

Page 54, line 2, after the first comma, insert "adult" and after "or" insert "adult"

Page 54, line 5, delete "spouse," and insert "adult spouse, adult" and after "or" insert "adult"

Page 54, line 24, after the period, insert "All first-time applications and change of status applications must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public. All applications requiring evidence of legal presence in the United States must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public."

Page 58, delete line 1

Page 59, line 15, delete "or"

Page 59, line 16, delete "(iii)"

Page 61, after line 20, insert:

"Sec. 59. [INTENT.]

Nothing in section 7, subdivision 1a, paragraphs (a) and (c) through (i), and related repeals elsewhere in that section, is intended to increase or decrease the scope or extent of any category of licensing authorized under Minnesota Statutes, section 168.27."

Page 61, line 22, delete "section" and insert "sections 115A.908, subdivision 2; and" and delete ", is" and insert "; and Minnesota Statutes 2001 Supplement, section 115A.908, subdivision 1, are"

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "setting vehicle title fees;"

Page 1, line 7, after the semicolon, insert "modifying certain traffic regulations; requiring certain young males to be registered with selective service system upon applying for driver's license, instruction permit, or identification card; requiring proof of legal presence in this country to obtain driver's license, permit, or identification card;"

Page 1, line 17, delete "subdivision 4" and insert "subdivisions 4, 34"

Page 1, line 26, after "1;" insert "168A.29, subdivision 1;"

Page 1, line 29, after "1;" insert "169.26, subdivision 1; 169.28, subdivision 1;"

Page 1, line 30, after "1" insert ", by adding a subdivision"

Page 1, line 34, after "1;" insert "169.781, subdivision 2;"

Page 1, line 38, after "sections" insert "115A.908, subdivision 2;"

Page 1, line 39, after "296A.28" insert "Minnesota Statutes 2001 Supplement, section 115A.908, subdivision 1"

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.

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

H. F. No. 3342, A bill for an act relating to manufactured homes; prohibiting discrimination; proposing coding for new law in Minnesota Statutes, chapter 327C.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [327C.121] [TERMINATION; AGE OF HOME.]

A park owner is prohibited from recovering possession because of the age of the resident's home. This prohibition shall not be construed to prohibit the park owner from enforcing reasonable rules solely to ensure compliance with health, safety, maintenance, or building codes of the governmental jurisdictions in which the home is located, or terminating the lease of a resident who fails to so comply.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to housing; manufactured homes; prohibiting certain action based on age of resident's home; proposing coding for new law in Minnesota Statutes, chapter 327C."

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

The report was adopted.

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

H. F. No. 3435, A bill for an act relating to Hennepin county; providing for design-build contracts; proposing coding for new law in Minnesota Statutes, chapter 383B.

Reported the same back with the following amendments:

Page 1, line 19, delete "two" and insert "three"

Page 1, line 20, delete "professionally licensed"

Page 1, line 21, delete "under chapter 326 and are" and after "employees" insert ", a minimum of two members must be professionally licensed under chapter 326, and at least one must be or must have been a commercial contractor"

Page 2, delete lines 33 to 36 and insert:

"Subd. 3. [RESTRICTION.] (a) The authority granted in sections 383B.158 to 383B.1586 shall be to evaluate the effectiveness of the design-build process for county projects. The county shall select a sufficient variety of projects to appropriately evaluate the process under varying circumstances, provided that no more than five projects may be undertaken under this section."

Page 5, line 33, before "specifications" insert "minimum"

Page 6, line 15, delete the semicolon and insert a comma

Page 6, line 20, delete the second "construction" and insert "construction-related"

Page 6, line 21, after "costs" insert ", and all other costs of any kind"

Page 8, after line 9, insert:

"Sec. 8. [REPORT TO LEGISLATURE.]

Hennepin county must report to the legislature after the completion of up to five projects, but no later than June 1, 2007, on its evaluation of the effectiveness of the design-build process as applied to the varying circumstances of the projects."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring a report;"

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. 3462, A bill for an act relating to auditing; modifying certain provisions relating to preneed funeral trust accounts; amending Minnesota Statutes 2000, section 149A.97, subdivision 5.

Reported the same back with the following amendments:

Page 2, line 14, after the period, insert "The depositor may arrange for the banking institution, savings or building and loan association, or credit union to issue such reports."

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. 3506, A bill for an act relating to auditing; modifying certain state and local auditing procedures and reporting practices; amending Minnesota Statutes 2000, sections 115A.929; 609.5315, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 366; repealing Minnesota Statutes 2000, section 6.77.

Reported the same back with the following amendments:

Page 2, delete section 2

Page 2, after line 35, insert:

"Sec. 4. [EFFECTIVE DATE.]

Section 1 is effective August 1, 2003."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, line 6, delete everything before "repealing"

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.

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

H. F. No. 3509, A bill for an act relating to municipalities; housing and redevelopment authority officers; adding an exception to conflict of interest provisions; amending Minnesota Statutes 2000, section 471.88, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 9, delete "HDA" and insert "HRA"

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. 3519, A bill for an act relating to the environment; modifying the application of recyclable material container requirements for public entities; amending Minnesota Statutes 2000, section 115A.151.

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

The report was adopted.

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

H. F. No. 3531, A bill for an act relating to state employment; modifying the statewide affirmative action program; amending Minnesota Statutes 2000, sections 43A.02, subdivision 6a, by adding subdivisions; 43A.19, subdivision 1; 43A.191.

Reported the same back with the following amendments:

Page 3, line 36, delete "exist" and insert "exists"

Page 4, line 12, delete "how many" and insert "the number of"

Page 4, line 13, delete "are"

Page 4, line 16, delete "are" and insert "is"

Page 4, line 30, delete "focuses on" and insert "addresses"

Page 7, line 31, delete the first "and" and insert "or for the next 12 months for the Minnesota state colleges and universities system. The plan must also include"

Page 8, line 30, delete "relationship between the" and insert "statewide"

Page 8, line 31, delete "creates a two-part" and insert "form the statewide"

Page 8, line 32, after "action" insert "and equal employment opportunity"

Page 10, line 32, delete "will" and insert "must"

Page 10, line 36, before the period, insert "Procedures"

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. 3556, A bill for an act relating to general legislation; creating a task force to study the design of the state flag.

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

The report was adopted.

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

H. F. No. 3587, A bill for an act relating to real property; providing for the electronic recording and authentication of certain documents as part of a pilot project; delaying the expiration date of the electronic real estate filing task force; amending Minnesota Statutes 2000, section 507.093; Minnesota Statutes 2001 Supplement, section 507.24, subdivision 2; Laws 2000, chapter 391, section 1, subdivision 2.

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.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 643, 2625, 2662, 2684, 2748, 2873, 2886, 2906, 3029, 3046, 3078, 3133, 3166, 3435, 3462, 3509, 3519, 3531 and 3556 were read for the second time.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Buesgens introduced:

H. F. No. 3652, A bill for an act relating to taxation; exempting certain property of a small biomass electrical generating facility from property taxes; amending Minnesota Statutes 2000, section 272.02, by adding a subdivision.

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

Westerberg introduced:

H. F. No. 3653, A bill for an act relating to drivers' licenses; authorizing nicknames on drivers' licenses; amending Minnesota Statutes 2000, section 171.06, subdivision 3; Minnesota Statutes 2001 Supplement, section 171.07, subdivision 1.

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

Anderson, B.; Marquart; Johnson, J.; Wilkin; Eastlund; Kielkucki and Olson introduced:

H. F. No. 3654, A bill for an act relating to education; providing that school districts need not comply with mandates unless revenue to comply is identified; proposing coding for new law in Minnesota Statutes, chapter 123B.

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

Dempsey and Jennings introduced:

H. F. No. 3655, A resolution Urging Congress to ensure replacement of Indian trust land in the event of a nuclear incident at Prairie Island.

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

Sertich and Bakk introduced:

H. F. No. 3656, A bill for an act relating to education; authorizing independent school district No. 696, Ely, to waive the open enrollment deadline date.

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

Mulder introduced:

H. F. No. 3657, A bill for an act relating to economic development; providing for a planning grant to the city of Lake Benton for a visitor center and railroad depot; appropriating money.

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

Goodno introduced:

H. F. No. 3658, A bill for an act relating to stadiums; providing for the financing of a football stadium and a parking ramp; altering the membership of the metropolitan sports facilities commission and imposing requirements on the commission; imposing taxes and fees; appropriating money; amending Minnesota Statutes 2000, sections 272.02, by adding a subdivision; 297A.71, by adding a subdivision; 349A.10, subdivision 5; 473.551, by adding subdivisions; 473.553, subdivisions 2, 3, 5; 473.595, subdivisions 1, 3, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 295; 473; repealing Minnesota Statutes 2000, section 473.553, subdivision 14.

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

Gray introduced:

H. F. No. 3659, A bill for an act relating to baseball, Hennepin county, the metropolitan sports facilities commission, and the city of Minneapolis; authorizing the county to finance construction of an open air roof-ready baseball park; authorizing the county to levy and collect certain taxes; authorizing the county to issue bonds and expend certain funds, including taxes, to finance the acquisition and betterment of a baseball park and related facilities; authorizing a transfer of certain revenues related to the ballpark to the county; amending Minnesota Statutes 2000, sections 297A.68, by adding a subdivision; 297A.71, by adding a subdivision; 473.553, subdivision 2.

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

Larson; Osthoff; Gray; Otremba; Davids; Johnson, R.; Folliard; Leighton; Entenza; Kelliher; McGuire; Hausman; Marko; Murphy; Lenczewski; Opatz; Greiling; Walker; Bernardy and Evans introduced:

H. F. No. 3660, A bill for an act relating to insurance; requiring that health coverage include limited coverage for scalp hair prostheses for cancer patients; amending Minnesota Statutes 2000, section 62A.28, subdivision 2.

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

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

House Concurrent Resolution No. 5, A house concurrent resolution relating to adjournment for more than three days.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the repassage by the Senate of the following House File, notwithstanding the veto by the Governor.

H. F. No. 351, A bill for an act relating to the financing of state government; changing appropriations to reflect forecast changes; reducing appropriations for the fiscal years ending June 30, 2002 and 2003; canceling balances and appropriations and transferring balances to the general fund in order to avert a deficit; eliminating certain adjustments for inflation in future fiscal years; providing for family and early childhood education appropriation adjustments, kindergarten through grade 12 appropriation adjustments, kindergarten through grade 12 forecast adjustments, higher education, corrections, public safety and transportation and other agency appropriations, environment and natural resources, agricultural and rural development, state government appropriations, courts, economic development, cancellations, transfers, and adjustments, continuing care and long-term care, health care, miscellaneous health, health and human services appropriations; changing certain fees; appropriating money; amending Minnesota Statutes 2000, sections 13.871, subdivision 5; 15.0591, subdivision 2; 16A.103, subdivisions 1a, 1b; 16A.152, subdivision 1; 16A.40; 41A.09, subdivision 3a; 62J.692, subdivision 4; 82.34, subdivision 3; 85A.02, subdivision 17; 115A.554; 120A.34; 120B.13, subdivision 3; 124D.385, subdivision 2; 124D.86, subdivisions 4, 5; 135A.15, subdivision 1; 136F.68; 144.395, subdivision 1; 145.9266, subdivision 3; 168A.40, subdivision 4; 251.013; 252.282, subdivisions 1, 3, 4, 5; 256.9657, subdivision 1; 256.9753, subdivision 3; 256B.059, subdivisions 1, 3, 5; 256B.0595, subdivision 4; 256B.0916, subdivision 5; 256B.19, subdivisions 1, 1d; 256B.32; 256B.431, subdivision 23, by adding a subdivision; 256B.5013, subdivisions 2, 4, 5, 6; 256B.69, subdivision 5a, by adding subdivisions; 256L.07, subdivisions 1, 3; 256L.12, subdivision 9; 256L.15, subdivision 3; 260C.163, subdivision 3; 299F.011, by adding a subdivision; 299L.02, subdivision 7; 299L.07, subdivision 5; 357.021, subdivision 2; 357.022; 490.123, by adding a subdivision; 611.17; 611A.371, subdivision 1; 611A.373; 611A.72; 611A.73, subdivision 2, by adding a subdivision; 611A.74, subdivisions 2, 3, 4, 5, 6; Minnesota Statutes 2001 Supplement, sections 16A.152, subdivisions 1a, 2; 16A.88, subdivision 1; 16B.65, subdivisions 1, 5a; 17.117, subdivision 5a; 62J.692, subdivision 7; 62J.694, subdivision 2a; 93.2235, subdivision 1; 115A.545, subdivisions 1, 2; 123B.54; 126C.05, subdivision 15; 136A.121, subdivision 6; 136A.124, subdivisions 2, 4; 136G.03, subdivision 25; 136G.07, subdivision 1; 136G.09, subdivision 8; 171.29, subdivision 2; 242.192; 244.054, subdivision 2; 256.01, subdivision 2; 256.022, subdivision 1; 256.969, subdivision 3a; 256B.056, subdivision 3; 256B.0595, subdivisions 1, 2; 256B.0625, subdivision 13; 256B.437, subdivision 2; 256B.439, subdivisions 1, 4; 256B.5013, subdivision 1; 256B.69, subdivisions 5b, 5c; 256B.75; 256L.15, subdivision 1; 260B.007, subdivision 16; 260C.141, subdivision 3; 299A.75, subdivision 1; 611A.372; 611A.74, subdivision 1; Laws 1997, First Special Session chapter 4, article 3, section 25, subdivision 7; Laws 1998, chapter 404, section 23, subdivision 6; Laws 2000; chapter 489, article 1, section 36; Laws 2001, First Special Session chapter 3, article 1, section 17, subdivisions 3, 7, 8, 9, 11; Laws 2001, First Special Session chapter 3, article 1, section 18; Laws 2001, First Special Session chapter 3, article 1, section 19, subdivisions 3, 5; Laws 2001, First Special Session chapter 3, article 2, section 15, subdivision 3; Laws 2001, First Special Session chapter 3, article 3, section 9, subdivision 6; Laws 2001, First Special Session chapter 3, article 4, section 5, subdivisions 2, 4; Laws 2001, First Special Session chapter 4, article 1, section 4, subdivision 6; Laws 2001, First Special Session chapter 4, article 3, section 1; Laws 2001, First Special Session chapter 4, article 3, section 2, subdivision 1; Laws 2001, First Special Session chapter 4, article 3, section 3; Laws 2001, First Special Session chapter 5, article 2, section 29, subdivision 2; Laws 2001, First Special Session chapter 6, article 1, section 54, subdivisions 2, 4, 5, 6, 7; Laws 2001, First Special Session chapter 6, article 2, section 77, subdivisions 2, 4, 5, 7, 8, 11, 15, 18, 23, 25, as amended, 29; Laws 2001, First Special Session chapter 6, article 3, section 21, subdivisions 2, 3, 4, 5, 7, 11; Laws 2001, First Special Session chapter 6, article 4, section 27, subdivisions 2, 3, 5, 6; Laws 2001, First Special Session chapter 6, article 5, section 13, subdivisions 2, 5; Laws 2001, First Special Session chapter 6, article 7, section 13, as amended; Laws 2001, First Special Session chapter 6, article 7, section 14; Laws 2001, First Special Session chapter 8, article 4, section 10, subdivisions 1, 7; Laws 2001, First Special Session chapter 8, article 4, section 11; Laws 2001, First Special Session chapter 8, article 11, section 14; Laws 2001, First Special Session chapter 9, article 2, section 7, the effective date; Laws 2001, First Special Session chapter 9, article 5, section 35; proposing coding for new law in Minnesota Statutes, chapter 126C; repealing Minnesota Statutes 2000, sections 13.202, subdivision 8; 41B.047, subdivision 2; 103B.3369, subdivisions 7, 8; 103B.351; 103F.461; 103G.2373; 144.6905; 145.475; 256.9731; 256B.0916, subdivision 1; 256K.01; 256K.015; 256K.02; 256K.03, subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12; 256K.04; 256K.05; 256K.06;

256K.08; 256K.09; 465.795; 465.796; 465.797; 465.7971; 465.798; 465.799; 465.801; 465.802; 465.803; 465.83; 465.87; 465.88; 490.123, subdivision 1d; 611A.37, subdivisions 6, 7; 611A.375; 611A.74, subdivision 1a; Minnesota Statutes 2001 Supplement, sections 4.50; 16A.1523; 256K.03, subdivision 1; 256K.07; 256L.03, subdivision 5a; 469.1799, subdivisions 1, 3; Laws 1997, chapter 183, article 2, section 19; Laws 1999, chapter 152, as amended; Laws 2000, chapter 447, section 25; Laws 2001, First Special Session chapter 3, article 3, section 8; Laws 2001, First Special Session chapter 6, article 1, section 31; Laws 2001, First Special Session chapter 9, article 13, sections 22, 25, 26, 27, 28; Minnesota Rules, parts 8405.0100; 8405.0110; 8405.0120; 8405.0130; 8405.0140; 8405.0150; 8405.0160; 8405.0170; 8405.0180; 8405.0190; 8405.0200; 8405.0210; 8405.0220; 8405.0230.

The enrolled copy of H. F. No. 351 with all of the signatures of the officers of the Senate and the House together with the Governor's objections, is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONSENT CALENDAR

H. F. No. 2629 was reported to the House.

Seifert moved that H. F. No. 2629 be temporarily laid over on the Consent Calendar. The motion prevailed.

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.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Tingelstad	Wagenius	Wasiluk	Wilkin	Workman
Tuma	Walker	Westerberg	Winter	Spk. Sviggum
Vandev eer	Walz	Westrom	Wolf	

The bill was passed and its title agreed to.

Bakk was excused for the remainder of today's session.

H. F. No. 2899, A bill for an act relating to metropolitan government; making changes to the livable community provisions; amending Minnesota Statutes 2000, sections 473.253, subdivision 2; 473.254, subdivisions 1, 6; 473.255, subdivisions 1, 4.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Finseth

The bill was passed and its title agreed to.

H. F. No. 3274, A bill for an act relating to military; providing certain protections to persons called or ordered to active service; proposing coding for new law in Minnesota Statutes, chapter 190.

The bill was read for the 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 3344, A bill for an act relating to courts; authorizing a combined jurisdiction program in the second and fourth judicial districts; proposing coding for new law in Minnesota Statutes, chapter 484.

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 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Paymar

The bill was passed and its title agreed to.

H. F. No. 2629, which was temporarily laid over earlier today on the Consent Calendar, was again reported to the House.

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.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Daggett	Folliard	Holberg	Koskinen	Marquart
Abrams	Davids	Fuller	Holsten	Krinkie	McGuire
Anderson, B.	Davnie	Gerlach	Howes	Kubly	Milbert
Anderson, I.	Dawkins	Gleason	Huntley	Kuisle	Molnau
Bernardy	Dehler	Goodno	Jacobson	Larson	Mulder
Biernat	Dempsey	Goodwin	Jaros	Leighton	Mullery
Bishop	Dibble	Gray	Jennings	Lenczewski	Murphy
Blaine	Dorman	Greiling	Johnson, R.	Leppik	Nornes
Boudreau	Dorn	Gunther	Johnson, S.	Lieder	Olson
Bradley	Eastlund	Haas	Juhnke	Lindner	Opatz
Buesgens	Entenza	Hackbarth	Kahn	Lipman	Osskopp
Carlson	Erhardt	Harder	Kalis	Mahoney	Osthoff
Cassell	Erickson	Hausman	Kelliher	Mares	Otremba
Clark, J.	Evans	Hilstrom	Kielkucki	Mariani	Ozment
Clark, K.	Finseth	Hilty	Knoblach	Marko	Paulsen

Pawlenty	Rifenberg	Skoe	Swapinski	Wagenius	Winter
Paymar	Rukavina	Skoglund	Swenson	Walker	Wolf
Pelowski	Ruth	Slawik	Sykora	Walz	Workman
Penas	Schumacher	Smith	Thompson	Wasiluk	Spk. Sviggum
Peterson	Seagren	Solberg	Tingelstad	Westerberg	
Pugh	Seifert	Stanek	Tuma	Westrom	
Rhodes	Sertich	Stang	Vandever	Wilkin	

The bill was passed and its title agreed to.

The Speaker assumed the Chair.

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

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

The bill was passed and its title agreed to.

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

The bill was read for the 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

The Speaker called Paulsen to the Chair.

H. F. No. 3296, A bill for an act relating to state employment; shifting social security administrative duties from the department of employee relations to the public employees retirement association; classifying data on employee's dependents as private; amending Minnesota Statutes 2000, sections 13.43, subdivision 4; 355.01, subdivision 5.

The bill was read for the 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Thursday, February 28, 2002:

H. F. No. 2612; S. F. No. 1471; and H. F. Nos. 1620, 1189, 2742, 2637 and 2987.

#### CALENDAR FOR THE DAY

H. F. No. 2612, A bill for an act relating to occupations; revising circumstances in which the signature of a licensed architect, licensed engineer, licensed land surveyor, licensed landscape architect, licensed geoscientist, or certified interior designer is required; amending Minnesota Statutes 2000, section 326.12, subdivision 3.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 1471, A bill for an act relating to statutes; conforming the statutes to reflect the transfer of authority from the municipal board to the office of strategic and long-range planning; explicitly authorizing delegation by the director; amending Minnesota Statutes 2000, sections 414.01; 414.011, subdivision 7, and by adding a subdivision; 414.012; 414.02; 414.031; 414.0325; 414.033, subdivisions 3, 5, 6, 7, and 10; 414.0335; 414.035; 414.036; 414.041; 414.051; 414.06; 414.061; 414.063; 414.067, subdivisions 1 and 3; 414.07; 414.08; 414.09; 414.12, subdivisions 1 and 2; repealing Minnesota Statutes 2000, sections 414.01, subdivisions 2 and 6a; 414.011, subdivision 8; and 414.11.

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

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Clark, J.	Kielkucki	Olson	Wilkin
Buesgens	Gerlach	Krinkie	Vandever	

The bill was passed and its title agreed to.

H. F. No. 1620, A bill for an act relating to annexation; strengthening the effect of an orderly annexation agreement; amending Minnesota Statutes 2000, section 414.0325, by adding a subdivision.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1189, A bill for an act relating to annexation; providing for the election of municipal council members after certain annexations; amending Minnesota Statutes 2000, sections 414.031, subdivision 4a; and 414.09, subdivision 3.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Clark, J.	Erhardt	Haas	Johnson, R.	Leighton
Abrams	Clark, K.	Erickson	Hackbarth	Johnson, S.	Lenczewski
Anderson, B.	Daggett	Evans	Harder	Juhnke	Leppik
Anderson, I.	Davids	Finseth	Hausman	Kahn	Lieder
Bernardy	Davnie	Folliard	Hilstrom	Kalis	Lindner
Biernat	Dawkins	Fuller	Hilty	Kelliher	Lipman
Bishop	Dehler	Gerlach	Holberg	Kielkucki	Mahoney
Blaine	Dempsey	Gleason	Holsten	Knoblach	Mares
Boudreau	Dibble	Goodno	Howes	Koskinen	Mariani
Bradley	Dorman	Goodwin	Huntley	Krinkie	Marko
Buesgens	Dorn	Gray	Jacobson	Kubly	Marquart
Carlson	Eastlund	Greiling	Jaros	Kuisle	McGuire
Cassell	Entenza	Gunther	Jennings	Larson	Milbert

Molnau	Otremba	Rhodes	Skoglund	Thompson	Westrom
Mulder	Ozment	Rifenberg	Slawik	Tingelstad	Wilkin
Mullery	Paulsen	Rukavina	Smith	Tuma	Winter
Murphy	Pawlenty	Ruth	Solberg	Vandever	Wolf
Nornes	Paymar	Schumacher	Stanek	Wagenius	Workman
Olson	Pelowski	Seagren	Stang	Walker	Spk. Sviggum
Opatz	Penas	Seifert	Swapinski	Walz	
Osskopp	Peterson	Sertich	Swenson	Wasiluk	
Osthoff	Pugh	Skoe	Sykora	Westerberg	

The bill was passed and its title agreed to.

H. F. No. 2637, A bill for an act relating to towns; providing for temporary officeholders; amending Minnesota Statutes 2000, section 367.03, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Buesgens	Clark, J.	Gerlach	Westerberg
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The bill was passed and its title agreed to.

H. F. No. 2987, A bill for an act relating to Cook county; authorizing the county to convey the Mineral Center cemetery to the Grand Portage Reservation.

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 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Finseth

The bill was passed and its title agreed to.

### MOTIONS AND RESOLUTIONS

Howes moved that the name of Finseth be added as chief author on H. F. No. 1306. The motion prevailed.

Juhnke moved that the name of Vandever be added as an author on H. F. No. 2573. The motion prevailed.

Ness moved that the name of Westerberg be added as an author on H. F. No. 2801. The motion prevailed.

Seifert moved that H. F. No. 3532 be returned to its author. The motion prevailed.

## ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 3:00 p.m., Wednesday, March 6, 2002. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and Speaker pro tempore Paulsen declared the House stands adjourned until 3:00 p.m., Wednesday, March 6, 2002.

EDWARD A. BURDICK, Chief Clerk, House of Representatives