

STATE OF MINNESOTA

EIGHTY-SECOND SESSION — 2002

EIGHTY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 11, 2002

The House of Representatives convened at 12:30 p.m. and was called to order by Steve Sviggum, Speaker of the House.

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

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

The roll was called and the following members were present:

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

A quorum was present.

Pelowski was excused.

Larson was excused until 3:15 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Hilstrom 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 communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 7, 2002

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 2642, relating to mines; modifying a reporting requirement for the inspector of mines.

H. F. No. 3116, relating to natural resources; modifying certain responsibilities of the advisory committee and the legislative commission on Minnesota resources regarding the environmental and natural resources trust fund; modifying availability of funds for disbursement; providing a penalty for failure to comply with restrictions on certain state-funded acquisitions of land; requiring recipients of certain state funding for acquisitions of interests in land to record a notice of funding agreement regarding the interests.

H. F. No. 2624, relating to the city of Shakopee; increasing its public utilities commission from three to five members.

H. F. No. 3148, relating to health occupations; modifying registration requirements for speech-language pathologists and audiologists whose registrations have lapsed for more than three years.

H. F. No. 2992, relating to professions; modifying terms of temporary licensure for occupational therapists.

H. F. No. 3062, relating to the courts; repealing limitations on the term of service for judges in Hennepin and Ramsey county juvenile courts.

Sincerely,

JESSE VENTURA
Governor

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>
	2642	224	2:24 p.m. March 7	March 7
	3116	225	2:24 p.m. March 7	March 7
	2624	226	2:26 p.m. March 7	March 7
	3148	227	2:27 p.m. March 7	March 7
	2992	228	2:28 p.m. March 7	March 7
	3062	229	2:28 p.m. March 7	March 7

Sincerely,

MARY KIFFMEYER
Secretary of State

REPORTS OF STANDING COMMITTEES

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

H. F. No. 861, A bill for an act relating to crime; providing that a person who causes the death of a child under the age of 14 and with premeditation and intent shall be sentenced to life imprisonment without the possibility of release; amending Minnesota Statutes 2000, sections 609.106, subdivision 2; and 609.185.

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

The report was adopted.

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

H. F. No. 1543, A bill for an act relating to public safety; authorizing limited personal use of fireworks; requiring an affidavit of safety guidelines; providing for criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 624.

Reported the same back with the following amendments:

Page 3, line 19, delete everything after the second "the" and insert "general fund"

Page 3, line 20, delete everything before the period

Page 5, delete lines 9 to 35 and insert:

"Sec. 2. [APPROPRIATION.]

\$250,000 for fiscal year 2003 is appropriated from the general fund to the commissioner of public safety to administer section 1."

Page 6, line 1, delete "Section 1 is" and insert "Sections 1 and 2 are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the second semicolon, insert "appropriating money;"

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

Reported the same back with the following amendments:

Pages 1 to 5, delete sections 1 and 2

Page 5, line 27, delete "Provisional" and delete "PS121-99" and insert "D6751-02"

Page 7, line 13, after the period, insert "Amounts credited to a utility under this subdivision shall count toward, and be limited by, the requirement in subdivision 1, paragraph (a)."

Page 8, line 34, delete "Provisional" and delete "PS121-99" and insert "D6751-02"

Page 8, delete line 36

Page 9, delete lines 1 to 10

Page 9, line 27, after the semicolon, insert "or"

Page 9, line 29, delete "; or"

Page 9, delete line 30

Page 9, line 31, delete "biomass generation facility"

Page 10, line 14, after the semicolon, insert "or"

Page 10, line 16, delete "; or"

Page 10, delete lines 17 and 18

Page 10, line 19, delete "July 1, 2004"

Page 10, line 30, after the semicolon, insert "or"

Page 10, line 32, delete "; or"

Page 10, delete line 33

Page 10, line 34, delete "after June 30, 2014"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 2 to 10 and insert:

"relating to energy; providing incentives for use of renewable biodiesel fuel; making clarifying changes; amending"

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

The report was adopted.

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

H. F. No. 2613, A bill for an act relating to firearms; providing that a person who is convicted of a crime of violence is prohibited from possessing, receiving, shipping, or transporting a firearm for the remainder of the person's lifetime unless permitted by court order; establishing procedures for certain convicted felons to obtain court orders to possess firearms; amending Minnesota Statutes 2000, sections 242.31, subdivision 2a; 260B.245, subdivision 1; 609.165, subdivisions 1a, 1b, by adding a subdivision; 609A.03, subdivision 5a; 624.713, subdivisions 1, 3; 638.02, subdivision 2.

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

The report was adopted.

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

H. F. No. 2622, A bill for an act relating to terrorism; data practices; enacting the Minnesota Anti-Terrorism Act of 2002; establishing crimes and setting penalties for crimes involving weapons of mass destruction, explosives, and hoaxes relating to such crimes; interception of communications; establishing hazardous materials driver's endorsement regulations; establishing a biological agents registry; providing for a civil penalty; providing criminal penalties; providing for expedited management and disposal of waste in peacetime emergencies; authorizing closing public meetings to discuss certain security issues; authorizing embargoes limiting food and commodity movement; authorizing quarantine zones if disease is present; requiring certain trucks to have USDOT carrier numbers; requiring proof of residency for drivers' licenses; providing for expense reimbursement of bomb disposal units; upon commission of terrorist offenses providing for attachment of financial assets and seizure and forfeiture of property associated with those offenses; prohibiting trespass on utility property; prohibiting placing explosive or simulated explosive devices near utilities and transportation centers; prohibiting introducing organisms pathogenic to livestock, captive cervidae, or poultry; enhancing penalties and creating new crimes designed to deter and punish terroristic activities; updating the wiretapping law to help interception of terroristic communications; prescribing penalties; authorizing the issuance of state bonds; appropriating money; amending Minnesota Statutes 2000, sections 12.03, subdivision 4; 12.21, subdivisions 1, 2, 3; 12.22, subdivision 2; 12.31, subdivision 2; 12.32; 12.34, subdivision 1; 12.36; 13.381, by adding a subdivision; 13D.05, subdivision 3; 31.05, subdivision 1, by adding a subdivision; 171.07, subdivisions 1a, 4; 171.27; 221.0355, subdivisions 2, 3; 299A.49, subdivisions 2, 4; 299C.063, subdivision 2; 609.185; 609.505; 609.605, subdivision 4; 609.625, by adding a subdivision; 609.531, subdivision 1; 609.532, subdivision 3; 609.668, subdivision 6; 609.713, subdivision 1, by adding a subdivision; 624.712, subdivision 5; 626A.01, subdivisions 3, 16; 626A.05, subdivision 2; 626A.06, subdivisions 11, 12; 626A.27; 626A.28; Minnesota Statutes 2001 Supplement, sections 28A.085, subdivision 4; 35.0661, subdivision 2; 260B.171, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 18D; 144; 168; 171; 609.

Reported the same back with the following amendments:

Page 2, after line 4, insert:

"ARTICLE 1

POLICY"

Page 2, line 17, delete "injury" and insert "injure"

Page 6, line 14, delete "if needed."

Page 9, line 1, strike the first "and" and insert ", protecting" and after "environment" insert a comma and strike "by"

Page 10, line 12, after "systems." insert "to discuss"

Page 10, line 27, delete "and will expire on June 30, 2005"

Page 11, after line 4, insert:

"[EFFECTIVE DATE.] This section is effective the day following final enactment and applies to acts performed on or after that date."

Page 12, line 11, delete everything before the period and insert "food or consumer commodities necessitated by the person's criminal acts"

Page 12, line 31, delete "will" and insert "must"

Page 12, line 33, after "on" insert "the"

Page 14, line 23, delete "suspended" and insert "suspected"

Page 15, after line 11, insert:

"Sec. 19. [168.1297] [UNITED WE STAND LICENSE PLATES.]

Subdivision 1. [GENERAL REQUIREMENTS AND PROCEDURES.] (a) The registrar shall issue special United We Stand license plates to an applicant who:

(1) is an owner or joint owner of a passenger automobile, pickup truck, or van;

(2) pays a fee of \$25 to cover the costs of handling and manufacturing the plates;

(3) pays the registration tax required under section 168.013;

(4) pays the fees required under this chapter;

(5) contributes a minimum of \$25 annually to the anti-terrorism account established under subdivision 5; and

(6) complies with laws and rules governing registration and licensing of vehicles and drivers.

(b) Fees under paragraph (a), clauses (2) and (4), must be deposited in the highway user tax distribution fund.

(c) The United We Stand license application form must clearly indicate that the annual contribution specified under paragraph (a), clause (5), is a minimum contribution to receive the license plate and that the applicant may make an additional contribution to the account.

Subd. 2. [DESIGN.] After consultation with interested groups, including the administrators of the rewards for justice program, the commissioner shall select a suitable design for the special plates. The design must include the words "United We Stand."

Subd. 3. [NO REFUND.] Contributions under this section may not be refunded.

Subd. 4. [PLATE TRANSFERS.] Notwithstanding section 168.12, subdivision 1, on payment of a transfer fee of \$5, plates issued under this section may be transferred to another passenger automobile, pickup truck, or van owned or jointly owned by the person to whom the special plates were issued.

Subd. 5. [ANTI-TERRORISM ACCOUNT ESTABLISHED.] An anti-terrorism account in the special revenue fund is established in the state treasury, consisting of money contributed to the account under subdivision 1, paragraph (a), clause (5). Money in the fund is appropriated to the commissioner. The commissioner shall spend money in the fund for administrative, handling, and manufacturing start-up costs associated with the development and issuance of plates under this section until all start-up costs have been recovered, and thereafter, as follows:

(1) one-half of the money in the fund must be transmitted to the United States Department of State exclusively for allocation to the rewards for justice fund; and

(2) one-half must be distributed by the commissioner to local response units for training and equipment related to anti-terrorism initiatives identified in article 2."

Page 16, line 23, before "Minnesota" insert "a"

Page 17, line 11, delete everything after "Subd. 7."

Page 17, delete lines 12 to 21

Page 17, line 22, delete the paragraph coding and delete "Subd. 8."

Page 19, line 4, after "be" insert ": (1) of a distinguishing color; (2) plainly marked "nonrenewable"; and (3)"

Page 20, line 19, after "be" insert ": (1) of a distinguishing color; (2) plainly marked "nonrenewable"; and (3)"

Page 26, after line 16, insert:

"Sec. 32. [609.119] [ADDITIONAL COLLECTION OF BIOLOGICAL SPECIMENS FOR DNA TESTING.]

(a) From July 1, 2002, to June 30, 2003, the court shall order an offender to provide a biological specimen for the purpose of future DNA analysis as described in section 299C.155 when:

(1) the court sentences a person charged with committing or attempting to commit a felony offense not described in section 609.117, subdivision 1, and the person is convicted of that offense or of any felony offense arising out of the same set of circumstances; or

(2) the juvenile court adjudicates a person a delinquent child who is petitioned for committing or attempting to commit a felony offense not described in section 609.117, subdivision 1, and is adjudicated delinquent for that offense or any felony-level offense arising out of the same set of circumstances.

The biological specimen shall be maintained by the bureau of criminal apprehension as provided in section 299C.155.

(b) From July 1, 2002, to June 30, 2003, the commissioner of corrections or local corrections authority shall order a person to provide a biological specimen for the purpose of future DNA analysis as described in section 299C.155 before completion of the person's term of imprisonment when the person has not provided a biological specimen for the purpose of DNA analysis, and the person:

(1) was initially charged with committing or attempting to commit a felony offense not described in section 609.117, subdivision 1, and was convicted of that offense or of any felony offense arising out of the same set of circumstances; or

(2) is serving a term of imprisonment in this state under a reciprocal agreement although convicted in another state of committing or attempting to commit a felony offense not described in section 609.117, subdivision 1, or of any felony offense arising out of the same set of circumstances if the person was initially charged with committing or attempting to commit a felony offense not described in section 609.117, subdivision 1.

The commissioner of corrections or local corrections authority shall forward the sample to the bureau of criminal apprehension.

(c) From July 1, 2002, to June 30, 2003, when the state accepts an offender from another state under the interstate compact authorized by section 243.16, the acceptance is conditional on the offender providing a biological specimen for the purposes of future DNA analysis as described in section 299C.155, if the offender was initially charged with committing or attempting to commit a felony offense not described in section 609.117, subdivision 1, and was convicted of that offense or of any felony offense arising out of the same set of circumstances. The specimen must be provided under supervision of staff from the department of corrections or a Community Corrections Act county within 15 business days after the offender reports to the supervising agent. The cost of obtaining the biological specimen is the responsibility of the agency providing supervision."

Page 29, line 36, delete "prohibited" and insert "(prohibited"

Page 30, line 1, delete "devices" and insert "devices)" and delete "use" and insert "(use"

Page 30, line 2, delete "destruction" and insert "destruction)" and delete "terroristic threats" and insert "(terroristic threats)"

Page 32, line 31, delete everything after "tracks" and insert "extending beyond critical public service facilities, and the property located above buried power or telecommunications lines or property located below suspended power or telecommunications lines"

Page 32, line 32, delete everything before the period

Page 32, line 33, after "pipeline" insert ", including storage areas,"

Page 32, line 34, after "192" insert ", 193,"

Page 38, line 31, delete "ten-year"

Page 38, line 32, after "with" insert "the"

Page 38, line 34, delete the period and insert a colon

Page 39, line 3, delete "to suppress" and insert "suppresses"

Page 39, line 4, delete "tamper" and insert "tampers"

Page 39, line 35, delete everything after "of" and insert "a crime"

Page 39, line 36, delete "terrorism"

Page 46, line 4, after "(2)" insert a comma

Page 50, line 24, before the comma, insert "of a subscriber to or customers of such services"

Page 50, delete section 57 and insert:

"Sec. 59. [MONITORING FOREIGN STUDENTS; REPORT.]

The commissioner of public safety in consultation with the director of driver and vehicle services must submit a report to the legislature specifying the best method to facilitate data exchange with the United States Department of Immigration and Naturalization Services regarding the official legal status of individuals seeking Minnesota drivers' licenses or identification cards who present a student visa as an identification document during the license or identification card application process. This report is due to the chairs and ranking minority members of the house and senate committees having jurisdiction over criminal justice funding and policy by January 15, 2003.

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

[SUNSET.] Section 12 expires on June 30, 2005. Sections 50 through 52 and 54 through 57 expire on June 30, 2006."

Pages 51 to 53, delete sections 59 to 61 and insert:

"ARTICLE 2
APPROPRIATIONS

Section 1. PUBLIC SAFETY

Subdivision 1. General

\$21,902,000 is appropriated from the general fund to the commissioner of public safety for the fiscal year ending June 30, 2003.

Appropriations made in this section for a specific purpose, but not needed for that purpose, may be used for another anti-terrorism purpose identified in this section. Appropriations in this section are available until June 30, 2004.

As used in this article, "local response units" include local law enforcement, fire, and ambulance.

Subd. 2. Equipment

\$9,021,000 is for the purchase of terrorism response-related equipment. This amount is for grants to local response units for the purchase of personal protection equipment, chemical detection and measurement equipment, and decontamination equipment for first response units. Grant monies are to be distributed by the division of emergency management in accordance with the needs and capability assessment for the state of Minnesota prepared in response to the United States Department of Justice requirements. Of this appropriation, \$340,000 is for the purchase of personal protection and decontamination equipment to be maintained in two or more regional caches, to facilitate the emergency re-supply of local response units. This is a onetime appropriation.

Subd. 3. Training

\$11,500,000 is for terrorism response-related training. Of this amount, \$177,000 is for additional personnel in the department of public safety's division of emergency management to conduct terrorism preparedness and response-related training and exercises. Of this amount, \$55,000 is for the state's hazardous materials teams and chemical assessment teams for the training of their personnel. The remainder of the appropriation is for grants to local response units for approved certification and terrorism training. The division shall distribute the grants in accordance with criteria recommended by the terrorism preparedness advisory council or its successor. No portion of this money may be used to supplant current funding for training.

At least 20 percent of the funds allocated for training for local response units must be used to fund regional public safety training centers throughout Minnesota, the location of which shall be

determined by the commissioner of public safety. The funding should meet the recommendations from the Statewide Master Plan for Fire and Law Enforcement Training Facilities.

Subd. 4. Bomb Disposal Squads

\$500,000 in fiscal year 2003 is to reimburse bomb disposal units under Minnesota Statutes, section 299C.063. Of this amount, \$300,000 is for the purchase of equipment, \$120,000 is for response costs, and \$80,000 is for training costs. \$240,000 in fiscal year 2004 and in fiscal year 2005 is to reimburse bomb disposal units for their response equipment and training costs. Of this amount, \$40,000 is for equipment costs, \$120,000 is for response costs, and \$80,000 is for training costs. The department of public safety's division of emergency management shall distribute the funds in accordance with criteria recommended by the terrorism preparedness advisory council or its successor.

Subd. 5. Hazardous Materials Emergency Response Teams

\$240,000 is for the conversion of the Rochester, Moorhead, and Duluth chemical assessment teams to combination emergency response/chemical assessment teams.

Subd. 6. Chemical Assessment Teams

\$105,000 is to provide that up to five members per chemical assessment team are available for response.

Subd. 7. On-Scene Response Communication Package

\$36,000 is for the purchase of specialized radio units that permit secure communications among the various agencies that respond to emergencies.

Subd. 8. Domestic Preparedness Response Information Technology

\$144,000 is for the development, implementation, staffing, and maintenance of a statewide Internet-based database of all terrorism response-related resources, including a registry of volunteers. The database must employ secure information technology.

Subd. 9. Capitol Security

\$196,000 is to fund increased security for the capitol complex. The commissioner must use the funds to hire and pay two additional state troopers to patrol the capitol complex year-round and fund overtime for two state troopers to patrol the capitol complex while the legislature is in session. The commissioner may not use the funds for the governor's security detail.

Subd. 10. Additional Collection of Biological Specimens for DNA Testing

\$150,000 is for the increased costs associated with the additional collection of biological specimens for DNA testing.

Subd. 11. Study

\$10,000 is appropriated to study the feasibility and cost of requiring tagging of explosives and to study the issue of structural building collapse. The commissioner must present a report detailing the findings of the tagging of explosives study by December 15, 2002, and a report on the issue of structural building collapse by January 15, 2003. Both reports shall be presented to the chairs and ranking minority members of the house and senate committees having jurisdiction over criminal justice funding and policy. This is a onetime appropriation.

Subd. 12. Federal Funds

If federal funds become available to the state of Minnesota for terrorism preparedness and response and the funds are not directed for a specific purpose, the terrorism preparedness advisory council, or its successor, shall determine how the funds will be distributed. The council shall allocate at least 70 percent of available federal funds to local terrorism response and preparedness initiatives. Up to 30 percent shall be allocated to the state's terrorism response and preparedness needs.

Subd. 13. Reporting

By February 1, 2003, and February 1, 2004, the commissioner shall report to the chairs and ranking minority members of the house and senate committees having jurisdiction over criminal justice funding and policy on how the funds appropriated in this section were expended.

Sec. 2. DEPARTMENT OF HEALTH

\$98,000 is appropriated to the commissioner of health from the general fund to establish and operate the biological agents registry as provided in article 1, sections 11 and 18.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective July 1, 2002."

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 30 and 31, delete "authorizing the issuance of state bonds;" and insert "authorizing issuance of United We Stand license plates; establishing an anti-terrorism account in the special revenue fund; providing for additional collection of biological specimens for DNA testing of certain convicted felons and adjudicated delinquents; requiring a report on the best way to exchange data with the federal government with respect to foreign students;"

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

The report was adopted.

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

H. F. No. 2710, A bill for an act relating to trade practices; limiting unsolicited telephone calls to certain individuals; proposing coding for new law in Minnesota Statutes, chapter 325E.

Reported the same back with the following amendments:

Page 2, line 14, after "(3)" insert "or is described in section 170(c)(2), 170(c)(3), 170(c)(4), or 170(c)(5)"

Page 4, line 25, delete "\$15" and insert "\$125"

Page 4, line 26, after the period, insert "The fee shall be reduced to \$90 in fiscal year 2004, and then to \$75 in fiscal year 2005 and thereafter."

Page 4, line 30, delete "185" and insert "90"

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

The report was adopted.

Holsten from the Committee on Environment and Natural Resources Finance to which was referred:

H. F. No. 2920, 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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and 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.

Sec. 2. Minnesota Statutes 2000, section 89.36, subdivision 1, is amended to read:

Subdivision 1. [PRODUCTION AT STATE NURSERIES.] The commissioner of natural resources may produce tree planting stock for the purposes of sections 89.35 to 89.39 upon any lands under control of the commissioner which may be deemed suitable and available therefor so far as not inconsistent with other uses to which such lands may be dedicated by law. The commissioner may not produce more than 10,000,000 units of planting stock annually, after January 1, 2003.

Sec. 3. Minnesota Statutes 2000, section 90.151, subdivision 1, is amended to read:

Subdivision 1. [ISSUANCE; EXPIRATION.] (a) Following receipt of the down payment for state timber sold at public auction, the commissioner shall issue a numbered permit to the purchaser, in a form approved by the attorney general, by the terms of which the purchaser shall be authorized to enter upon the land, and to cut and remove the timber therein described, according to the provisions of this chapter. The permit shall be correctly dated and executed by the commissioner or agent and signed by the purchaser. If a permit is not signed by the purchaser within 60 days from the date of purchase, the permit cancels and the down payment for timber forfeits to the state.

(b) The permit shall expire no later than five years after the date of sale as the commissioner shall specify, and the timber shall be cut within the time specified therein. All cut timber, equipment, and buildings not removed from the land within 90 days after expiration of the permit shall become the property of the state.

(c) The commissioner may grant an additional period of time not to exceed 120 days for the removal of cut timber, equipment, and buildings upon receipt of such request by the permit holder for good and sufficient reasons. The commissioner may grant a second period of time not to exceed 120 days for the removal of cut timber, equipment, and buildings upon receipt of a request by the permit holder for hardship reasons only.

(d) No permit shall be issued to any person other than the purchaser in whose name the bid was made.

Sec. 4. Minnesota Statutes 2000, section 90.162, is amended to read:

90.162 [ALTERNATIVE TO BOND OR DEPOSIT REQUIREMENTS.]

In lieu of the bond or cash deposit equal to the value of all timber covered by the permit required by section 90.161 or 90.173, a purchaser of state timber may, at the time of the bid approval and upon payment by the purchaser to the commissioner of 15 percent of the appraised value under section 90.14, elect in writing on a form prescribed by the attorney general to prepay give good and valid surety to the state of Minnesota equal to the purchase price for any designated cutting block identified on the permit before the date the purchaser enters upon the land to begin harvesting the timber on the designated cutting block.

Sec. 5. Minnesota Statutes 2000, section 97A.421, subdivision 4, is amended to read:

Subd. 4. [ISSUANCE AFTER INTOXICATION OR NARCOTICS CONVICTION.] A person convicted of a violation under section 97B.065, relating to hunting while intoxicated or using narcotics, may not obtain a license to hunt with a firearm or by archery or hunt with a firearm or by archery under a lifetime license, issued under section 97A.473 or 97A.474, for five years after conviction.

Sec. 6. [97A.434] [PRAIRIE CHICKEN LICENSES.]

Subdivision 1. [NUMBER OF LICENSES TO BE ISSUED.] If the commissioner establishes an open season for prairie chickens under section 97B.711, the commissioner shall also determine, by rule, the number of licenses to be issued.

Subd. 2. [ELIGIBILITY.] Eligibility for a prairie chicken license shall be determined by this section and by rule adopted by the commissioner. A person is eligible for a prairie chicken license only if the person:

(1) is a resident; and

(2) was born before January 1, 1980, or possesses a firearms safety certificate.

Subd. 3. [APPLICATION FOR LICENSE.] An application for a prairie chicken license must be made in a manner provided by the commissioner and accompanied by a \$3 application fee. The \$3 application fee is appropriated as prescribed in Minnesota Statutes, section 84.027, subdivision 15, paragraph (d), to pay for costs associated with conducting the prairie chicken license drawing. A person may not make more than one application for each season. If a person makes more than one application, the person is ineligible for a license for that season after determination by the commissioner, without a hearing.

Subd. 4. [SEPARATE SELECTION OF ELIGIBLE LICENSEES.] (a) The commissioner may conduct a separate selection for up to 20 percent of the prairie chicken licenses to be issued for any area. Only persons who are owners or tenants of at least 40 acres of prairie or grassland in the area, and their family members, are eligible applicants for prairie chicken licenses for the separate selection. The qualifying prairie or grassland may be noncontiguous. Persons who are unsuccessful in a separate selection must be included in the selection for the remaining licenses. Persons who obtain a license in a separate selection must allow public prairie chicken hunting on their land during that prairie chicken season.

(b) The commissioner may by rule establish criteria for determining eligible family members under this subdivision.

Sec. 7. Minnesota Statutes 2000, section 97A.473, subdivision 1, is amended to read:

Subdivision 1. [RESIDENT LIFETIME LICENSES AUTHORIZED.] (a) The commissioner may issue a lifetime angling license, a lifetime small game hunting license, a lifetime ~~firearms~~ firearm or archery deer hunting license, or a lifetime sporting license to a person who is a resident of the state for at least one year or who is under age 21 and the child of a person who is a resident of the state for at least one year. The license fees paid for a lifetime license are nonrefundable.

(b) The commissioner may require the holder of a lifetime license issued under this section to notify the department each year that the license is used, by:

(1) telephone or Internet notification, as specified by the commissioner;

(2) the purchase of stamps for the license; or

(3) registration and tag issuance, in the case of the resident lifetime deer license.

Sec. 8. Minnesota Statutes 2000, section 97A.473, subdivision 4, is amended to read:

Subd. 4. [LIFETIME ~~FIREARM~~ DEER HUNTING LICENSE; FEE.] (a) A resident lifetime ~~firearm~~ deer hunting license authorizes a person to take deer with firearms or by archery in the state. The license authorizes those activities authorized by the annual resident firearm deer hunting license or the annual resident archery deer hunting license. The licensee must register and receive tags each year that the license is used. The tags shall be issued at no charge to the licensee.

(b) The fees for a resident lifetime firearm or archery deer hunting license are:

- (1) age 3 and under, \$337;
- (2) age 4 to age 15, \$450;
- (3) age 16 to age 50, \$573; and
- (4) age 51 and over, \$383.

Sec. 9. Minnesota Statutes 2000, section 97A.4742, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT; PURPOSE.] The lifetime fish and wildlife trust fund is established as a fund in the state treasury. All money received from the issuance of lifetime angling, small game hunting, ~~firearm~~ deer hunting, and sporting licenses and earnings on the fund shall be credited to the lifetime fish and wildlife trust fund.

Sec. 10. Minnesota Statutes 2000, section 97A.475, subdivision 2, is amended to read:

Subd. 2. [RESIDENT HUNTING.] Fees for the following licenses, to be issued to residents only, are:

- (1) for persons under age 65 to take small game, \$12;
- (2) for persons age 65 or over, \$6;
- (3) to take turkey, \$18;
- (4) to take deer with firearms, \$25;
- (5) to take deer by archery, \$25;
- (6) to take moose, for a party of not more than six persons, \$310;
- (7) to take bear, \$38;
- (8) to take elk, for a party of not more than two persons, \$250;
- (9) to take antlered deer in more than one zone, \$50;
- (10) to take Canada geese during a special season, \$4; ~~and~~
- (11) to take ~~an antlered buck~~ two deer throughout the state in any open deer season, except as restricted under section 97B.305, \$66; and

(12) to take prairie chickens, \$20.

Sec. 11. Minnesota Statutes 2000, section 97A.475, subdivision 41, is amended to read:

Subd. 41. [TURTLE ~~SELLERS~~ LICENSES.] (a) The fee for a turtle seller's license to sell turtles and to take, transport, ~~purchase~~ buy, and possess turtles for sale is \$70.

(b) The fee for a recreational turtle license to take, transport, and possess turtles for personal use is \$25.

(c) The fee for a turtle seller's apprentice license is \$25.

Sec. 12. [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 that cannot be sold under federal law, 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. 13. 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. 14. Minnesota Statutes 2000, section 97B.031, subdivision 1, is amended to read:

Subdivision 1. [FIREARMS AND AMMUNITION THAT MAY BE USED TO TAKE BIG GAME.] (a) A person may take big game with a firearm only if:

- (1) the rifle, shotgun, and handgun used is a caliber of at least .23 inches;
- (2) the firearm is loaded only with single projectile ammunition;
- (3) a projectile used is a caliber of at least .23 inches and has a soft point or is an expanding bullet type;

- (4) the ammunition has a case length of at least 1.285 inches;
 - (5) the muzzle-loader used is incapable of being loaded at the breech;
 - (6) the smooth-bore muzzle-loader used is a caliber of at least .45 inches; and
 - (7) the rifled muzzle-loader used is a caliber of at least .40 inches.
- (b) A person may not take big game with a .30 caliber M-1 carbine cartridge.

(c) Notwithstanding paragraph (a), clause (4), a person may take big game with a ten millimeter cartridge that is at least 0.95 inches in length ~~and may take big game with~~, a .45 Winchester Magnum cartridge, or a .50 A. E. Action Express handgun cartridge.

Sec. 15. 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.

Sec. 16. Minnesota Statutes 2000, section 97B.601, subdivision 4, is amended to read:

Subd. 4. [EXCEPTION TO LICENSE REQUIREMENTS.] (a) A resident under age 16 may take small game without a small game license, and a resident under age 13 may trap without a trapping license, as provided in section 97A.451, subdivision 3.

(b) A person may take small game without a small game license on land occupied by the person as a principal residence.

(c) An owner or occupant may take certain small game causing damage without a small game or trapping license as provided in section 97B.655.

(d) A person may use dogs to pursue and tree raccoons under section 97B.621, subdivision 2, during the closed season without a license.

(e) A person may take a turkey or a prairie chicken without a small game license.

Sec. 17. [97B.716] [PRAIRIE CHICKENS.]

Subdivision 1. [LICENSE REQUIRED.] A person may not take a prairie chicken without a prairie chicken license.

Subd. 2. [TAGGING AND REGISTRATION.] The commissioner may by rule prescribe requirements for the tagging and registration of prairie chickens.

Subd. 3. [LIMITED NUMBER OF PRAIRIE CHICKEN HUNTERS.] The commissioner may establish a method, including a drawing, to impartially select persons eligible to take prairie chickens in an area. Preference must be given to persons who have previously applied in the general selection but have not been selected.

Sec. 18. 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.

Sec. 19. Minnesota Statutes 2000, section 97C.081, is amended by adding a subdivision to read:

Subd. 8a. [ADDITIONAL CONTEST PERMITS.] (a) The commissioner may allow up to ten additional permits annually for fishing contests throughout the state on lakes 10,000 acres in size or over. No lake may be permitted for more than two additional contests annually.

(b) Permitted fishing contests under this subdivision must demonstrate to the commissioner economic benefits to the local area, and promote public awareness of fishing and state resources.

Sec. 20. Minnesota Statutes 2000, section 97C.605, is amended to read:

97C.605 [TURTLES.]

Subdivision 1. [RESIDENT ANGLING LICENSE REQUIRED.] In addition to any other license required in this section, a person may not take, possess, or transport turtles without ~~an~~ a resident angling license, except as provided in subdivision ~~2~~ 2c.

Subd. 2. [TURTLE SELLER'S LICENSE.] (a) A person may not take, possess, buy, or transport, ~~or purchase~~ turtles for sale; sell turtles; or take turtles for sale using commercial equipment without a turtle seller's license, except as provided in ~~this~~ subdivision 2c.

(b) Except for renewals, no new turtle seller's licenses may be issued after June 1, 2002.

Subd. 2a. [RECREATIONAL TURTLE LICENSE.] A person who does not possess a turtle seller's license must obtain a recreational turtle license to take turtles for personal use with commercial equipment.

Subd. 2b. [TURTLE SELLER'S APPRENTICE LICENSE.] (a) A person with a turtle seller's license may list one person as an apprentice on the license. A person acting as an apprentice for a turtle seller licensee must have an apprentice license and may assist the turtle licensee in all licensed activities.

(b) The turtle seller licensee or turtle seller's apprentice licensee must be present at all turtle operations conducted under the turtle seller's license. Turtle operations include going to and from turtle harvest locations; setting, lifting, and removing commercial turtle equipment; taking turtles out of equipment; and transporting turtles from harvest locations. A person holding a turtle seller's license may tend the commercial turtle equipment of the person's spouse, without the spouse being present, provided the spouse holds a separate license under section 97A.475, subdivision 41, paragraph (a).

(c) A turtle seller's apprentice license is transferable by the turtle seller licensee by making application to the commissioner. A person listed as an apprentice by a turtle seller licensee must not be listed as an apprentice by another turtle seller licensee nor may an apprentice possess a turtle seller's license or a recreational turtle license.

Subd. 2c. [LICENSE EXEMPTIONS.] A person does not need a turtle seller's license or an angling license:

(1) when buying turtles for resale at a retail outlet;

(2) when buying a turtle at a retail outlet; or

(3) if the person is a nonresident buying a turtle from a licensed turtle seller for export out of state. Shipping documents provided by the turtle seller must accompany each shipment exported out of state by a nonresident. Shipping documents must include: name, address, city, state, and zip code of the buyer; number of each species of turtle; and name and license number of the turtle seller.

Subd. 3. [TAKING; METHODS PROHIBITED.] ~~(a) Except as allowed in paragraph (b);~~ A person may take turtles in any manner, except by the use of:

(1) explosives, drugs, poisons, lime, and other harmful substances;

(2) traps, except as provided by rules adopted under subdivision 6; ~~or~~

(3) nets other than anglers' fish landing nets;

~~(b) A person with a turtle seller's license may take turtles with a floating turtle trap that:~~

~~(1) has one or more openings above the water surface that measure at least ten inches by four inches; and~~

~~(2) has a mesh size of not less than one-half inch, bar measure.~~

~~The commissioner may prescribe additional regulations for taking turtles for sale; or~~

(4) commercial equipment, except as provided by rules adopted under subdivision 6.

Subd. 4. [ARTIFICIAL LIGHTS.] The commissioner may issue permits to take turtles with the use of artificial lights in designated waters.

Subd. 5. [INTERFERENCE WITH COMMERCIAL OR RECREATIONAL TURTLE OPERATIONS.] A person may not:

(1) knowingly place or maintain an obstruction that will hinder, prevent, or interfere with a licensed turtle operation;

(2) remove turtles, other wild animals, or fish from a floating or submerged trap licensed under the game and fish laws; or

(3) knowingly damage, disturb, or interfere with a licensed turtle operation.

Subd. 6. [RULES.] The commissioner may adopt rules for taking turtles. The commissioner may prescribe seasons, limits, closed areas, and other restrictions and requirements the commissioner deems necessary for the conservation of turtles.

Sec. 21. Minnesota Statutes 2000, section 97C.611, is amended to read:

97C.611 [SNAPPING TURTLES; LIMITS.]

A person may not possess more than three snapping turtles of the species *Chelydra serpentina* without a turtle seller's license. A person may not take snapping turtles of a size less than ten inches wide including curvature, measured from side to side across the shell at midpoint only take snapping turtles of a size defined by rules adopted under section 97C.605, subdivision 6.

Sec. 22. 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. 23. [REPEALER.]

Minnesota Statutes 2000, sections 90.50; 97C.003; and 97C.605, subdivision 4, are repealed.

Sec. 24. [EFFECTIVE DATE.]

Sections 6, 10, 16, 17, and 18 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to natural resources; modifying certain definitions; modifying planting stock restrictions; 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; modifying requirements for taking turtles; modifying lifetime deer hunting license provisions; modifying big game ammunition provisions; modifying provisions for fishing contest permits; eliminating certain experimental trout stream restrictions; appropriating money; amending Minnesota Statutes 2000, sections 17.47, subdivision 7; 89.36, subdivision 1; 90.151, subdivision 1; 90.162; 97A.421, subdivision 4; 97A.473, subdivisions 1, 4; 97A.4742, subdivision 1; 97A.475, subdivisions 2, 41; 97B.025; 97B.031, subdivision 1; 97B.301, subdivision 7; 97B.601, subdivision 4; 97C.025; 97C.081, by adding a subdivision; 97C.605; 97C.611; Minnesota Statutes 2001 Supplement, sections 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.

The report was adopted.

Holsten from the Committee on Environment and Natural Resources Finance to which was referred:

H. F. No. 2970, A bill for an act relating to natural resources; appropriating money for maintenance, monitoring, and enforcement related to recreational motor vehicle use.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 84.025, is amended by adding a subdivision to read:

Subd. 10. [RECREATIONAL VEHICLES AND BOATS USED FOR PUBLIC PURPOSES.] All snowmobiles and outboard motors that are purchased by the commissioner of natural resources must be of the four-stroke engine model. All all-terrain vehicles purchased by the commissioner must be manufactured in the state of Minnesota.

Sec. 2. [APPROPRIATION.]

\$1,215,000 in fiscal year 2003 is appropriated from the natural resources fund to the commissioner of natural resources for maintaining lands and trails administered by the commissioner and open to recreational motor vehicle use and for monitoring and enforcement activities on those lands and trails and environmental review on planned recreational motor vehicle trails. Of this amount, \$700,000 is from the all-terrain vehicle account, \$460,000 is from the off-road vehicle account, and \$55,000 is from the off-highway motorcycle account. Notwithstanding Laws 2002, chapter 220, article 10, section 38, the commissioner may hire employees paid by this appropriation.

Sec. 3. [PUBLIC USE OF RECREATIONAL AREAS; RULES.]

(a) The commissioner of natural resources shall amend the permanent rules relating to public use of recreational areas, Minnesota Rules, parts 6100.0100 to 6100.2400, according to this section and pursuant to Minnesota Statutes, section 14.388.

(b) Minnesota Rules, part 6100.1950, subpart 1, item A, shall be amended to read: "A. Motor vehicles may operate on forest lands classified as managed only on forest roads and forest trails that are not posted and designated closed, subject to the limitations and exceptions in this part."

(c) Minnesota Rules, part 6100.1950, subpart 7, item D, shall be amended to read: "D. On forest lands classified as managed or limited, persons lawfully engaged in hunting big game or constructing hunting stands during October, November, and December, or trapping during open seasons, may use ATV's off forest trails in a manner consistent with this subpart. This exception does not apply in the Richard J. Dorer memorial hardwood forest."

Delete the title and insert:

"A bill for an act relating to natural resources; imposing requirements on certain purchases of the commissioner of natural resources; requiring certain rule amendments; appropriating money for maintenance, monitoring, environmental review, and enforcement related to recreational motor vehicle use; amending Minnesota Statutes 2000, section 84.025, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

Holsten from the Committee on Environment and Natural Resources Finance to which was referred:

H. F. No. 2973, A bill for an act relating to natural resources; providing for maintenance of leased property; permitting aquatic plant grants; making certain state park permit exemptions; providing for federal law compliance; modifying certain appropriations; appropriating money; amending Minnesota Statutes 2000, sections 84.153; 84.975, by adding a subdivision; 85.054, by adding a subdivision; 97A.055, by adding a subdivision; Laws 2001, First Special Session chapter 2, section 5, subdivisions 2, 5, 6, 7, 8, 11; proposing coding for new law in Minnesota Statutes, chapter 97A.

Reported the same back with the following amendments:

Page 5, delete lines 35 to 42 and insert:

"(8) ~~\$600,000~~ \$200,000 the second year is for operating costs, including fisheries management, of the Red River state recreation area;

(9) \$200,000 the first year and ~~\$200,000~~ \$100,000 the second year are for operating costs of the Big Bog state recreation area; ~~and~~"

Page 5, line 43, reinstate the stricken "(10)"

Page 5, delete lines 47 and 48 and insert:

"(11) \$1,495,000 the second year is for"

Page 5, line 51, delete "(9)" and insert "(11)"

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. 3048, A bill for an act relating to crimes; providing criminal penalties for persons who promote, advocate, and take responsibility for criminal acts under certain circumstances; providing for civil liability against persons who destroy field crops and organisms grown for research purposes; amending Minnesota Statutes 2001 Supplement, section 609.495, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 604.

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

The report was adopted.

Holsten from the Committee on Environment and Natural Resources Finance to which was referred:

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

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

The report was adopted.

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

H. F. No. 3168, A bill for an act relating to corrections; clarifying mandatory sentences for driving while impaired offenders; enhancing offender accountability by requiring offender co-payment of certain sex offender treatment fees; requiring an independent, contracted, board-certified forensic pathologist to sign the record of death on department incarcerated deaths; amending Minnesota Statutes 2000, section 241.67, by adding a subdivision; Minnesota Statutes 2001 Supplement, sections 169A.276, subdivision 1; 390.23.

Reported the same back with the following amendments:

Page 3, after line 15, insert:

"Sec. 4. Minnesota Statutes 2000, section 473.407, subdivision 1, is amended to read:

Subdivision 1. [AUTHORIZATION.] The council may appoint peace officers, as defined in section 626.84, subdivision 1, paragraph (c), and establish a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (h), known as the metropolitan transit police, to police its transit property and routes, to carry out investigations, and to make arrests under sections 629.30 and 629.34. The jurisdiction of the law enforcement agency is limited to offenses relating to council transit property, equipment, employees, and passengers.

Sec. 5. Minnesota Statutes 2000, section 473.407, subdivision 2, is amended to read:

Subd. 2. [~~LIMITATIONS ARRESTS AND SUBSEQUENT INVESTIGATIONS.~~] The initial processing of a person arrested by the transit police for an offense within the agency's jurisdiction is the responsibility of the transit police unless otherwise directed by the law enforcement agency with primary jurisdiction. A subsequent investigation is the responsibility of the law enforcement agency of the jurisdiction in which the crime was committed unless the law enforcement agency authorizes the transit police to assume the subsequent investigation. ~~The transit police are not authorized to apply for a search warrant as prescribed in section 626.05. At the request of the primary jurisdiction, the transit police may assist in a subsequent investigation being carried out by the primary jurisdiction. Persons arrested for violations which the transit police determine are not within the agency's jurisdiction must be referred to the appropriate local law enforcement agency for further investigation or disposition.~~

Sec. 6. Minnesota Statutes 2000, section 473.407, subdivision 3, is amended to read:

Subd. 3. [~~POLICIES POLICY FOR NOTICE OF INVESTIGATIONS.~~] ~~Before the council begins to operate its law enforcement agency within a city or county with an existing law enforcement agency, the transit police shall develop, in conjunction with the law enforcement agencies, written policies that describe how the issues of joint jurisdiction will be resolved. The policies must also address the operation of emergency vehicles by transit police responding to transit emergencies. These policies must be filed with the board of peace officer standards and training by August 1, 1993. Revisions of any of these policies must be filed with the board within ten days of the effective date of the revision. The transit police must develop a policy for notifying the law enforcement agency with primary jurisdiction when it has initiated surveillance or investigation of any person within the jurisdiction of that agency. The council shall train all of its peace officers regarding the application of these policies this policy.~~

Sec. 7. Minnesota Statutes 2000, section 626.05, subdivision 2, is amended to read:

Subd. 2. [PEACE OFFICER.] The term "peace officer," as used in sections 626.04 to 626.17, means a person who is licensed as a peace officer in accordance with section 626.84, subdivision 1, and who serves as a sheriff, deputy sheriff, police officer, constable, conservation officer, agent of the bureau of criminal apprehension, agent of the division of alcohol and gambling enforcement, University of Minnesota peace officer, metropolitan transit police officer, or state patrol trooper as authorized by section 299D.03.

Sec. 8. Minnesota Statutes 2001 Supplement, section 626.11, is amended to read:

626.11 [ISSUANCE OF WARRANT.]

If the judge is satisfied of the existence of the grounds of the application, or that there is probable cause to believe their existence, the judge must issue a signed search warrant, naming the judge's judicial office, to a peace officer having jurisdiction in the area where the place to be searched is located, to an agent of the bureau of criminal apprehension, to an officer of the metropolitan transit police, or to an agent of the division of alcohol and gambling enforcement who is a licensed peace officer as defined in section 626.84, subdivision 1, paragraph (c). The warrant shall direct the officer or agent to search the person or place named for the property or things specified, and to retain the property or things in the officer's or agent's custody subject to order of the court issuing the warrant.

Sec. 9. Minnesota Statutes 2001 Supplement, section 626.13, is amended to read:

626.13 [SERVICE; PERSONS MAKING.]

A search warrant may in all cases be served anywhere within the issuing judge's jurisdiction by any of the officers mentioned in its directions, but by no other person, except in aid of the officer on the officer's requiring it, the officer being present and acting in its execution. If the warrant is to be served by an agent of the bureau of criminal apprehension, an agent of the division of alcohol and gambling enforcement, a state patrol trooper, a metropolitan transit police officer, or a conservation officer, the agent, state patrol trooper, police officer, or conservation officer shall notify the chief of police of an organized full-time police department of the municipality or, if there is no such local chief of police, the sheriff or a deputy sheriff of the county in which service is to be made prior to execution.

Sec. 10. [APPLICATION.]

Sections 4 to 6 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 11. [EFFECTIVE DATE.]

Sections 4 to 9 are effective the day following final enactment."

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "authorizing the metropolitan transit police to carry out criminal investigations and be issued search warrants; requiring transit police to notify law enforcement agencies with primary jurisdiction of investigations under certain circumstances;"

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

Page 1, line 10, after the semicolon, insert "473.407, subdivisions 1, 2, 3; 626.05, subdivision 2;"

Page 1, line 11, before the period, insert "; 626.11; 626.13"

With the recommendation that when so amended the bill pass.

The report was adopted.

Holsten from the Committee on Environment and Natural Resources Finance to which was referred:

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

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

The report was adopted.

Molnau from the Committee on Transportation Finance to which was referred:

H. F. No. 3364, A bill for an act relating to highways; authorizing issuance of \$1,000,000 in state bonds for a grant program for replacement of official traffic control signs on town roads; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [161.042] [MAJOR PROJECT ACCOUNT.]

(a) A major project account is created in the trunk highway fund, consisting of money credited to the account under section 296A.07, subdivision 3a, and 296A.08, subdivision 2a, and other money credited to the account by law. Money in the account is appropriated to the commissioner of transportation for the construction, including acquisition of real property therefor, of trunk highway projects that:

(1) have been identified by the commissioner as projects to (i) remove a significant highway bottleneck within the metropolitan area, (ii) improve a trunk highway in an at-risk interregional corridor located primarily or entirely outside the seven-county metropolitan area, (iii) provide a trunk highway-related advantage to transit, or (iv) make highway safety and capacity improvements including but not limited to addition of lanes on trunk highway corridors with known safety problems; and

(2) in the case of projects described in clause (1), items (i), (ii), and (iii), have a construction cost, in the year that construction is expected to begin, that exceeds 25 percent of the estimated annual construction program of the department of transportation division or construction district in which the project is located.

(b) In fiscal year 2003, the commissioner shall spend money from the account as follows:

(1) one-third must be spent for improvements to trunk highways in at-risk interregional corridors located primarily or entirely outside the seven-county metropolitan area;

(2) one-third must be spent for removal of significant highway bottlenecks within the metropolitan area; and

(3) one-third must be spent for trunk highway safety and capacity improvement projects including but not limited to the addition of lanes on trunk highway corridors with known safety problems. In spending the amount under this clause, the commissioner shall select from projects submitted by local units of government. All necessary additional right-of-way, engineering costs, and local cost share for these projects are the responsibility of local units of government.

(c) In fiscal year 2004 and subsequent years:

(1) 47.5 percent must be spent for trunk highways in at-risk interregional corridors located primarily or entirely outside the seven-county metropolitan area;

(2) 47.5 percent must be spent for removal of significant highway bottlenecks within the metropolitan area; and

(3) five percent must be spent for trunk highway-related advantages to transit.

(d) Notwithstanding any other provision of this section, money made available to the commissioner under paragraph (b), clause (3), in fiscal year 2003 may be spent in fiscal years 2003, 2004, and 2005.

Sec. 2. Minnesota Statutes 2000, section 296A.07, is amended by adding a subdivision to read:

Subd. 3a. [ADDITIONAL TAX.] (a) A tax is imposed on gasoline in addition to the taxes imposed under subdivision 3. Proceeds from the additional tax deposited in the trunk highway fund must be credited to the major project account.

(b) On April 1 of each year, the commissioner of revenue shall determine the amount of additional tax on gasoline needed in the next fiscal year to provide an amount of revenue to the major project account in the trunk highway fund that, when combined with revenue from the additional tax on special fuel under section 296A.08, subdivision 2a, will be equal to payments to be made from the major project account in the trunk highway fund for principal and

interest on bonds issued under section 10 due in that fiscal year. The additional tax determined under this subdivision must be added to the taxes imposed under subdivision 3. The additional tax is effective on June 1 of each year and applies to all gasoline in distributor storage on that date.

Sec. 3. Minnesota Statutes 2001 Supplement, section 296A.07, subdivision 4, is amended to read:

Subd. 4. [EXEMPTIONS.] The provisions of ~~subdivision~~ subdivisions 1 and 3a do not apply to gasoline purchased by:

(1) a transit system or transit provider receiving financial assistance or reimbursement under section 174.24, 256B.0625, subdivision 17, or 473.384; or

(2) an ambulance service licensed under chapter 144E.

Sec. 4. Minnesota Statutes 2000, section 296A.08, subdivision 2, is amended to read:

Subd. 2. [RATE OF TAX.] The special fuel excise tax is imposed at the following rates:

(1) Liquefied petroleum gas or propane is taxed at the rate of 15 cents per gallon.

(2) Liquefied natural gas is taxed at the rate of 12 cents per gallon.

(3) Compressed natural gas is taxed at the rate of \$1.739 per thousand cubic feet; or 20 cents per gasoline equivalent, as defined by the National Conference on Weights and Measures, which is 5.66 pounds of natural gas.

(4) All other special fuel is taxed at the same rate as the gasoline excise tax as specified in section 296A.07, ~~subdivision 2~~ subdivisions 3 and 3a. The tax is payable in the form and manner prescribed by the commissioner.

Sec. 5. Minnesota Statutes 2000, section 296A.08, is amended by adding a subdivision to read:

Subd. 2a. [ADDITIONAL TAX.] (a) A tax is imposed on special fuel in addition to the taxes imposed under subdivision 2. Proceeds from the additional tax deposited in the trunk highway fund must be credited to the major project account.

(b) On April 1 of each year, the commissioner of revenue shall determine the amount of additional tax on special fuel needed in the next fiscal year to provide an amount of revenue to the major project account in the trunk highway fund that, when combined with revenue from the additional tax on gasoline under section 296A.07, subdivision 3a, will be equal to payments to be made from the major project account in the trunk highway fund for principal and interest on bonds issued under section 10 due that fiscal year. The additional tax determined under this subdivision must be added to the taxes imposed under subdivision 2. The additional tax is effective on June 1 of each year.

Sec. 6. Minnesota Statutes 2001 Supplement, section 296A.08, subdivision 3, is amended to read:

Subd. 3. [EXEMPTIONS.] The provisions of subdivisions 1 ~~and~~, 2, and 2a do not apply to special fuel or alternative fuels purchased by:

(1) a transit system or transit provider receiving financial assistance or reimbursement under section 174.24, 256B.0625, subdivision 17, or 473.384; or

(2) an ambulance service licensed under chapter 144E.

Sec. 7. Minnesota Statutes 2000, section 296A.08, subdivision 4, is amended to read:

Subd. 4. [TAX IMPOSED ON USE.] If it is determined by the commissioner from an examination of any records pertaining to the operation of any licensed motor vehicle which uses special fuel, that the special fuel tax on the special fuel used in this state has not been paid to this state, or to any other state if purchased in such other state, there is hereby imposed an excise tax at the same rate per gallon as the gasoline tax, including the additional tax under section 296A.07, subdivision 3a, on all such special fuel. All assessments of tax made under this subdivision shall be paid by the user to the commissioner upon demand. For purposes of this subdivision, "special fuel" means any fuel other than gasoline used in a licensed motor vehicle in this state.

Sec. 8. Minnesota Statutes 2000, section 296A.08, subdivision 6, is amended to read:

Subd. 6. [LIABILITY FOR FAILURE TO KEEP ADEQUATE RECORDS.] If adequate records are not kept, or if the sales are not adequately accounted for, then all sales of combustible gases and liquid petroleum products, except gasoline, are deemed to be sales of special fuel. In such cases, there is imposed an excise tax of the same rate per gallon as the gasoline excise tax, including the additional tax under section 296A.07, subdivision 3a, on all such products, and the vendor is liable for the tax.

Sec. 9. Laws 2002, chapter 220, article 10, section 37, is amended to read:

Sec. 37. [MORATORIUM ON CONSULTANT CONTRACTS.]

(a) An entity in the executive branch of state government, including the Minnesota state colleges and universities, may not enter into a new contract or renew an existing contract for professional or technical services after the effective date of this section and before July 1, 2003. This section does not apply to a contract:

(1) that relates to a threat to public health, welfare, or safety that threatens the functioning of government, the protection of property, or the health or safety of people; ~~or~~

(2) that is paid for entirely with federal funds received before the effective date of this section; or

(3) that is paid entirely with funds from the trunk highway fund, county state-aid highway fund, or municipal state-aid street fund.

(b) An entity in the executive branch may apply for a waiver of the moratorium by sending a letter with reasons for the request to the commissioner of administration for executive branch entities. Upon a finding that a consultant contract is necessary, the commissioner may grant a waiver. The decision of the commissioner is final and not subject to appeal. A monthly report of all waivers granted must be filed by the entity granting the waiver. The report must be published on the entity's Web site, and copies must be provided to the chairs of the house ways and means and senate finance committees and to the legislative reference library.

Sec. 10. [BOND SALE AUTHORIZATION.]

The commissioner of finance shall sell and issue bonds of the state in an amount up to \$1,250,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota Constitution, article XIV, section 11, at the times and in the amounts requested by the commissioner of transportation. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to the major project account in the trunk highway fund. Issuance of the bonds is subject to the following maximum limits:

(1) in fiscal year 2003, not more than \$150,000,000 in bonds may be issued;

(2) in fiscal year 2004, not more than \$50,000,000 in bonds may be issued;

(3) in fiscal year 2005, not more than \$150,000,000 in bonds may be issued;

(4) in each of fiscal years 2006 and 2007, not more than \$200,000,000 in bonds may be issued; and

(5) in each of fiscal years 2008 to 2012, not more than \$100,000,000 in bonds may be issued."

Delete the title and insert:

"A bill for an act relating to transportation; providing for increase in motor fuel taxes; establishing major highway project account; authorizing bonding; exempting certain contracts from moratorium on state contracts for professional or technical services; appropriating money; amending Minnesota Statutes 2000, sections 296A.07, by adding a subdivision; 296A.08, subdivisions 2, 4, 6, by adding a subdivision; Minnesota Statutes 2001 Supplement, sections 296A.07, subdivision 4; 296A.08, subdivision 3; Laws 2002, chapter 220, article 10, section 37; proposing coding for new law in Minnesota Statutes, chapter 161."

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

The report was adopted.

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

H. F. No. 3386, A bill for an act relating to crimes; requiring presumptive executed sentences for persons convicted of certain criminal sexual conduct offenses in the second degree; amending Minnesota Statutes 2000, section 609.343, subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 21, insert:

"Sec. 2. Minnesota Statutes 2000, section 609.35, is amended to read:

609.35 [COSTS OF MEDICAL EXAMINATION.]

~~No~~ Costs incurred by a county, city, or private hospital or other emergency medical facility or by a private physician for the examination of a complainant of criminal sexual conduct when the examination is performed for the purpose of gathering evidence for possible prosecution, shall be ~~charged directly or indirectly to the complainant paid by the county in which the alleged offense was committed.~~ ~~The~~ Reasonable costs of the examination ~~shall be paid by the county in which the alleged offense was committed~~ include, but are not limited to, full cost of the rape kit examination, associated tests relating to the complainant's sexually transmitted disease status and pregnancy status prior to the assault. Nothing in this section shall be construed to limit the duties, responsibilities, or liabilities of any insurer, whether public or private."

Page 1, line 22, delete "2" and insert "3"

Page 1, line 23, delete "Section 1 is" and insert "Sections 1 and 2 are"

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "clarifying payment of costs for criminal sexual conduct medical examinations;"

Page 1, line 6, after "2" insert "; 609.35"

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

The report was adopted.

Holsten from the Committee on Environment and Natural Resources Finance to which was referred:

H. F. No. 3432, A bill for an act relating to the environment; amending provisions of the Dry Cleaner Environmental Response and Reimbursement Law; amending Minnesota Statutes 2000, sections 115B.48, subdivision 5; 115B.49, subdivision 4; 115B.51.

Reported the same back with the following amendments:

Pages 2 and 3, delete section 3

Page 3, line 5, delete "Sections 1 and 3 are" and insert "Section 1 is"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "; 115B.51"

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. 3613, A bill for an act relating to crimes; requiring a ten-year conditional release period when a person has a previous sex offense conviction regardless of the state in which it occurred; making it a ten-year felony when a person commits certain prohibited acts when the act is committed with sexual or aggressive intent; defining aggravated harassing conduct to include acts of criminal sexual conduct as predicate offenses for a pattern of harassing conduct; prescribing penalties; amending Minnesota Statutes 2000, sections 609.109, subdivision 7; 609.749, subdivision 3; Minnesota Statutes 2001 Supplement, section 609.749, subdivisions 4, 5.

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

The report was adopted.

Knoblach from the Committee on Capital Investment to which was referred:

H. F. No. 3618, A bill for an act relating to capital improvements; providing for grants to greater Minnesota public regional parks organizations; authorizing issuance of bonds; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CAPITAL IMPROVEMENT APPROPRIATIONS.]

The sums in the column under "APPROPRIATIONS" are appropriated from the bond proceeds fund, or another named fund, to the state agencies or officials indicated, to be spent for public purposes. Appropriations of bond proceeds must be spent as authorized by the Minnesota Constitution, article XI, section 5, paragraph (a), to acquire and better public land and buildings and other public improvements of a capital nature, or as authorized by article XI, section 5, paragraphs (b) to (j), or article XIV. Unless otherwise specified, the appropriations in this act are available until the project is completed or abandoned. Appropriations for asset preservation are available until June 30, 2004.

SUMMARY

UNIVERSITY OF MINNESOTA	\$131,282,000
MINNESOTA STATE COLLEGES AND UNIVERSITIES	195,908,000
PERPICH CENTER FOR ARTS EDUCATION	643,000
CHILDREN, FAMILIES, AND LEARNING	1,500,000
MINNESOTA STATE ACADEMIES	1,500,000
NATURAL RESOURCES	90,236,100
POLLUTION CONTROL AGENCY	10,000,000
OFFICE OF ENVIRONMENTAL ASSISTANCE	1,150,000
BOARD OF WATER AND SOIL RESOURCES	8,500,000
AGRICULTURE	15,000,000
ZOOLOGICAL GARDENS	3,000,000
ADMINISTRATION	77,207,000
AMATEUR SPORTS COMMISSION	4,500,000
MILITARY AFFAIRS	4,857,000
TRANSPORTATION	144,500,000
METROPOLITAN COUNCIL	4,600,000
COMMERCE	6,000,000
HUMAN SERVICES	16,158,000
VETERANS HOMES BOARD	11,250,000
CORRECTIONS	31,970,000

APPROPRIATIONS

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TRADE AND ECONOMIC DEVELOPMENT	59,085,000
IRON RANGE RESOURCES AND REHABILITATION	600,000
HOUSING FINANCE AGENCY	21,500,000
MINNESOTA HISTORICAL SOCIETY	3,200,000
BOND SALE EXPENSES	740,000
CANCELLATIONS	(5,769,000)
TOTAL	\$839,117,100
Bond Proceeds Fund (General Fund Debt Service)	692,711,000
Bond Proceeds Fund (User Financed Debt Service)	96,881,000
General Fund	2,248,100
General Fund Cancellations	(4,519,000)
Bond Proceeds Cancellations	(1,250,000)
Trunk Highway Fund	5,046,000
State Transportation Fund Bond Proceeds Account	48,000,000

APPROPRIATIONS

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Sec. 2. UNIVERSITY OF MINNESOTA

Subdivision 1. To the board of regents of the University of Minnesota for the purposes specified in this section 131,282,000

Subd. 2. Higher Education Asset Preservation and Replacement 40,000,000

To be spent in accordance with Minnesota Statutes, section 135A.046.

The unspent portion of an appropriation, but not to exceed ten percent of the appropriation, for a project in this section that is complete, is available for higher education asset preservation and replacement under this subdivision, at the same campus as the project for which the original appropriation was made and the debt service requirement under subdivision 8 is reduced

APPROPRIATIONS

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accordingly. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Subd. 3. Twin Cities - Minneapolis

(a) Jones Hall 8,000,000

To renovate Jones Hall on the Minneapolis campus.

(b) Nicholson Hall 24,000,000

To design, renovate, furnish, and equip Nicholson Hall, including complete renovation of the original building and demolition of the 1925 wing and 1946 auditorium.

(c) Mineral Resources Research Center 18,400,000

To design, renovate, furnish, and equip the Mineral Resources Research Center for use by the college of education and human development.

Subd. 4. Twin Cities - St. Paul

(a) Plant Growth Facilities - Phase 2 3,400,000

To construct a containment greenhouse and demolish the northwest greenhouses on the St. Paul campus.

(b) Veterinary Diagnostic Laboratory 1,580,000

To renovate and upgrade the veterinary diagnostic laboratory to provide additional laboratory space for a veterinary molecular diagnostic laboratory.

Subd. 5. Duluth

Laboratory Science Building 25,500,000

To design, construct, furnish, and equip a new laboratory science building to meet the needs of the chemistry and biology programs.

This appropriation is not available until the commissioner of finance has determined that at least \$7,500,000 has been committed from nonstate sources.

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Subd. 6. Morris

9,070,000

Of this amount, \$8,000,000 is to design, renovate, furnish, and equip the social science building to correct building code deficiencies, remodel the interior, install new windows, upgrade the building's mechanical and electrical systems, replace the roof, and construct an addition over the existing auditorium wing to create space for faculty offices.

Of this amount, \$1,000,000 is to install fire protection systems in three student housing facilities.

Of this amount, \$70,000 is for the construction of an environmentally friendly, swine farrowing demonstration facility, subject to the requirements of Minnesota Statutes, section 16A.695.

Subd. 7. Research and Outreach Centers

1,332,000

To acquire land for and design, construct, furnish, and equip facilities at research and outreach centers. Projects funded by this appropriation include:

(1) construction of research laboratory and office space at the Northwest ROC at Crookston; and

(2) construction of an addition to the aspen/larch genetics laboratory at the North Central ROC at Grand Rapids and acquisition of land for the development of two test planting sites to conduct research on fast growing trees.

Subd. 8. Debt Service

(a) The board of regents shall pay the debt service on one-third of the principal amount of state bonds sold to finance projects authorized by this section, except for higher education asset preservation and replacement. After each sale of general obligation bonds, the commissioner of finance shall notify the board of regents of the amounts assessed for each year for the life of the bonds.

(b) The commissioner shall reduce the board's assessment each year by one-third of the net income from investment of general obligation bond proceeds in proportion to the amount of principal and interest otherwise required to be paid by the board. The board shall pay its resulting net assessment to the commissioner of finance by December 1 each year. If the board fails to make a payment when due, the commissioner of finance shall reduce allotments for appropriations from the general fund otherwise

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available to the board and apply the amount of the reduction to cover the missed debt service payment. The commissioner of finance shall credit the payments received from the board to the bond debt service account in the state bond fund each December 1 before money is transferred from the general fund under Minnesota Statutes, section 16A.641, subdivision 10.

Subd. 9. Contingencies

The board of regents must combine into one account the portion of each appropriation in this section that is attributable to the amount budgeted for contingencies. The board of regents must release funds from this account to a project when, in the judgment of the board of regents, the project incurs exceptional but necessary costs. Upon substantial completion or abandonment of all projects authorized in this section, any amount remaining under the contingency account is available for HEAPR, under subdivision 2. The board of regents must report by February 1 each even-numbered year to the chairs of the house and senate committees with jurisdiction over capital investments, and higher education finance, and to the chairs of the house ways and means committee and the senate finance committee how the money in the contingency account has been allocated or spent.

Subd. 10. 717 Delaware Street

If the property at 717 Delaware Street is declared surplus by the state and the board of regents determines to acquire it, the board must pay the state fair market value for the property.

Sec. 3. MINNESOTA STATE COLLEGES AND UNIVERSITIES

Subdivision 1. To the board of trustees of the Minnesota state colleges and universities for the purposes specified in this section 195,908,000

Subd. 2. Higher Education Asset Preservation and Replacement 60,000,000

This appropriation is for the purposes specified in Minnesota Statutes, section 135A.046, including safety and statutory compliance, envelope integrity, mechanical systems, and space restoration on campuses of the following institutions, in the discretion of the board of trustees: Alexandria Technical College; Anoka-Hennepin Technical College; Anoka-Ramsey Community College; Bemidji State University; Central Lakes College; Century College; Dakota County Technical College; Fergus Falls Community College; Fond du Lac Tribal and Community College; Hennepin Technical College; Hibbing Community College;

APPROPRIATIONS

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Inver Hills Community College; Lake Superior College; Metropolitan State University; Minneapolis Community and Technical College; Minnesota State University, Mankato; Minnesota State University Moorhead; Minnesota State College-Southeast Technical; Minnesota West Community and Technical College; Normandale Community College; North Hennepin Community College; Northeast Higher Education District; Northland Community and Technical College; Northwest Technical College; Pine Technical College; Ridgewater College; Riverland Community College; Rochester Community and Technical College; South Central Technical College; Southwest State University; St. Cloud State University; St. Cloud Technical College; St. Paul Technical College; and Winona State University.

This appropriation is also for replacement and renovation of facilities destroyed and damaged by a fire on January 2, 2002, at Southwest State University. The amount available is to supplement, as necessary, the negotiated insurance settlement.

The unspent portion of an appropriation, but not to exceed ten percent of the appropriation, for a project in this section that is complete, is available for higher education asset preservation and replacement under this subdivision, at the same campus as the project for which the original appropriation was made and the debt service requirement under subdivision 25 is reduced accordingly. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Subd. 3. Alexandria Technical College 9,150,000

To construct, furnish, and equip a smart classroom and computer laboratory building, including an auditorium, connected to the college's office education building.

Subd. 4. Bemidji State University 1,500,000

\$1,000,000 is to design the colocation of the emerging technologies and health care programs of Bemidji state university and Northwest technical college.

\$500,000 is to design the renovation and expansion of the John Glass field house.

Subd. 5. Century Community and Technical College 2,500,000

To purchase the transition wing of intermediate school district No. 916 and design renovation of space for expansion of the computer center, offices, and smart classrooms.

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Subd. 6. Dakota Technical College	500,000
To design the renovation of the west side of the main campus facility to create an information technology and telecommunications center of excellence and an integrated library and library information technology center.	
Subd. 7. Fergus Falls Community College	260,000
To design, construct, furnish, and equip an expansion of the existing maintenance shop.	
Subd. 8. Hennepin Technical College	2,000,000
To design, renovate, furnish, and equip existing space at the Brooklyn Park campus and realign the driveway at Brooklyn Park.	
Subd. 9. Lake Superior Community and Technical College	700,000
To design a student center addition to house a consolidated system of student services, smart classrooms, and open laboratories.	
Subd. 10. Metropolitan State University	17,442,000
To construct, furnish, and equip a library and information access center.	
This appropriation is not available until the commissioner of finance has determined that at least \$2,504,000 has been committed from nonstate sources.	
Subd. 11. Minneapolis Community and Technical College	12,625,000
To design, renovate, furnish, and equip the Helland Center and former technical college building and to provide space to colocate Metropolitan State University classrooms, offices, and student service areas. \$3,625,000 of this appropriation is contingent on Metropolitan State University not extending or renewing its lease at 730 Hennepin Avenue for its Minneapolis campus.	
Subd. 12. Minnesota State University - Moorhead	18,955,000
To construct, furnish, and equip a new science laboratory and auditorium addition to Hagen Hall.	
Subd. 13. Normandale Community College	9,900,000
To design, renovate, furnish, and equip the vacated science laboratories.	

APPROPRIATIONS

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Subd. 14. Northeast Higher Education District - Virginia	5,496,000
To design, renovate, and equip science laboratories, a learning resource center, a student commons, and classrooms, including technology equipped classrooms, and construct new loading dock and driveway.	
Subd. 15. Northwest Technical College - Moorhead Campus	400,000
To design the renovation of existing facilities and design new facilities for an allied health and applied technology laboratory and support facilities.	
Subd. 16. Ridgewater Community and Technical College	2,880,000
To design, renovate, furnish, and equip existing chemistry, physics, and biology laboratories and convert a classroom into a geology laboratory on the Willmar campus.	
To design, renovate, furnish, and equip interior space to convert obsolete applied laboratory space on the Hutchinson campus into chemistry, physics, and biology laboratories.	
Subd. 17. South Central Technical College	300,000
To design renovation of teaching laboratories at the North Mankato campus and design asset preservation at the Faribault campus.	
Subd. 18. Southwest State University	9,200,000
To renovate and reconfigure, furnish, and equip the library and construct a new entrance.	
Subd. 19. St. Cloud State University	10,000,000
To design the renovation of Centennial Hall and to renovate, furnish, and equip the renovation of Centennial Hall and its conversion from library to classroom use and to design the code correction and renovation of Riverview Hall. This appropriation may also be used for design of the renovation of Brown Hall and Eastman Hall.	
Subd. 20. St. Cloud Technical College	700,000
To design the construction of a multistory building connected to the existing facility and the renovation of part of "G" wing.	

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Subd. 21. St. Paul Technical College

The Pipefitters Local 455/JATC may donate money for or build a building for academic purposes of the pipe trades at a site approved by the board of trustees of the Minnesota state colleges and universities on the campus of the St. Paul technical college. If the donor builds the building, before the beginning of construction the board must approve the design and the donor must agree to donate the building to the state. Title to the building passes to the state immediately upon donation.

Subd. 22. Winona State University

29,000,000

To design, construct, furnish, and equip a new science building to serve programs in biology, chemistry, geoscience, physics, nursing, health sciences, engineering, and K-12 science teacher preparation.

Subd. 23. Science Lab Renovations

1,900,000

To design, renovate, furnish, and equip science laboratories at the campuses of Southeast technical college at Winona and Red Wing, Minnesota West at Canby and Worthington, Minneapolis community and technical college, and South Central technical college at Faribault.

Subd. 24. Land Acquisition

500,000

To acquire real property for Bemidji State University.

Subd. 25. Debt Service

(a) The board shall pay the debt service on one-third of the principal amount of state bonds sold to finance projects authorized by this section, except for higher education asset preservation and replacement in subdivision 2. After each sale of general obligation bonds, the commissioner of finance shall notify the board of the amounts assessed for each year for the life of the bonds.

(b) The commissioner shall reduce the board's assessment each year by one-third of the net income from investment of general obligation bond proceeds in proportion to the amount of principal and interest otherwise required to be paid by the board. The board shall pay its resulting net assessment to the commissioner of finance by December 1 each year. If the board fails to make a payment when due, the commissioner of finance shall reduce allotments for appropriations from the general fund otherwise available to the board and apply the amount of the reduction to

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cover the missed debt service payment. The commissioner of finance shall credit the payments received from the board to the bond debt service account in the state bond fund each December 1 before money is transferred from the general fund under Minnesota Statutes, section 16A.641, subdivision 10.

Subd. 26. Contingencies

The board of trustees must combine into one account the portion of each appropriation in this section that is attributable to the amount budgeted for contingencies. The board of trustees must release funds from this account to a project when, in the judgment of the board of trustees, the project incurs exceptional but necessary costs. Upon substantial completion or abandonment of all projects authorized in this section, any amount remaining in the contingency account is available for HEAPR, under subdivision 2. The board of trustees must report by February 1 each even-numbered year to the chairs of the house and senate committees with jurisdiction over capital investments, and higher education finance, and to the chairs of the house ways and means committee and the senate finance committee how the money in the contingency account has been allocated or spent.

Sec. 4. PERPICH CENTER FOR ARTS EDUCATION

Subdivision 1. To the commissioner of administration for the purposes specified in this section	643,000
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Subd. 2. Asset Preservation	643,000
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For asset preservation capital improvements on the campus, including east wing climate control improvements, ceiling replacements, centerwide asbestos removal, flooring replacements, and water pipe replacement.

Sec. 5. CHILDREN, FAMILIES, AND LEARNING

Subdivision 1. To the commissioner of children, families, and learning for the purposes specified in this section	1,500,000
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Subd. 2. Southwest Integration Magnet Schools	1,000,000
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For a grant in accordance with the metropolitan magnet school grant program under Minnesota Statutes, section 124D.88, to the West Metro Education Program joint powers board to acquire land, prepare a site, predesign, and design a new building for the Southwest Integration Magnet School in St. Louis Park, to serve a population of approximately 500 kindergarten through grade 8 students.

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Subd. 3. Early Childhood Learning and Child Protection Facilities 500,000

For grants to construct or rehabilitate facilities for programs under Minnesota Statutes, section 119A.45.

Sec. 6. MINNESOTA STATE ACADEMIES

Subdivision 1. To the commissioner of administration for the purposes specified in this section 1,500,000

Subd. 2. Asset Preservation 1,500,000

For asset preservation capital improvements on both campuses of the Minnesota state academies for the deaf and the blind.

\$690,000 of this appropriation is for demolition of the West Cottage.

Sec. 7. NATURAL RESOURCES

Subdivision 1. To the commissioner of natural resources for the purposes specified in this section 90,236,100

Subd. 2. Statewide Asset Preservation 2,900,000

For asset preservation improvements and betterments at department of natural resources buildings statewide, including removal of life safety hazards and structural defects; elimination or containment of hazardous materials; code compliance improvements; accessibility improvements; replacement or renovation of roofs, windows, tuckpointing, and structural members; and improvements necessary to preserve the interior and exterior of buildings and other infrastructure. The commissioner shall determine project priorities as appropriate based upon need.

The unspent portion of an appropriation, but not to exceed ten percent of the appropriation, for a project in this section that is complete, is available for asset preservation. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Subd. 3. ADA Compliance 500,000

For improvements and betterments of a capital nature to remove barriers and make department of natural resources buildings, programs, and services accessible to individuals with disabilities, in compliance with state and federal ADA guidelines.

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Subd. 4. State Park Initiative

27,988,000

For building, utility, and natural resource projects within the Minnesota state park system according to the management plan required in Minnesota Statutes, chapter 86A, as follows:

(1) to design, renovate, construct, furnish, and equip state park buildings; and

(2) to design, renovate, furnish, and equip capital facilities at state parks, state recreation areas, and forest recreation areas, including, but not limited to, roads, trails, bridges, campgrounds, and utility systems.

\$2,988,000 is for development of the Red River state recreation area, including construction of a visitors center.

Subd. 5. Metro Regional Park Acquisition and Betterment

10,850,000

\$8,000,000 is for a grant to the metropolitan council. The commissioner shall pay the amount on a reimbursement basis to the metropolitan council upon receipt of a certified copy of a council resolution requesting payment. The appropriation must be used to pay the cost of rehabilitation, acquisition, and development by the council and local government units of regional recreational open-space lands in accordance with the council's policy plan as provided in Minnesota Statutes, section 473.315. This appropriation must not be used for research, planning, administration, or tax equivalency payments. This appropriation may be used for the purchase of homes only if the purchases are included in the work program required by law and they are expressly approved by the legislative commission on Minnesota resources.

\$2,700,000 is for a grant to the metropolitan council to complete restoration of the Como Park conservatory. The project must include restoration of the fern room and construction of a bonsai collection space, an orchid growing and display house, and a children's activity zone, as well as corridors and connections to the education resource building.

\$150,000 is from the general fund and is for a grant to the New Brighton area historical society to renovate its caboose and history center in Long Lake regional park. This appropriation is not available until the commissioner of finance has determined that an equal amount has been committed from nonstate sources.

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Subd. 6. Regional Parks: Greater Minnesota

10,850,000

For grants to public regional parks organizations located outside the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2, to acquire land, design, and construct and redevelop regional parks and trails, open space, and recreational facilities. The improvements must be of a capital nature. Each \$3 of state grants must be matched by \$2 of nonstate funds.

Subd. 7. Forest Road and Bridge Projects

1,200,000

For reconstruction, resurfacing, replacement, or construction of other improvements of a capital nature to state forest roads and bridges throughout the state under Minnesota Statutes, section 89.002. The commissioner shall determine project priorities as appropriate based on need.

Subd. 8. Reforestation

2,500,000

For improvements authorized under the Minnesota Constitution, article XI, section 5, clause (f). To increase reforestation activities to meet the reforestation requirements of Minnesota Statutes, section 89.002, subdivision 2, including planting, seeding, site preparation, purchasing tree seeds and seedlings, improving forest stands, and protecting plantations.

Subd. 9. State Trail Acquisition and Development

2,875,000

To acquire, develop, and renovate state trails as specified in Minnesota Statutes, section 85.015.

\$725,000 is for the Gitchi-Gami trail.

\$450,000 is for the Shooting Star trail.

\$300,000 is for the Luce Line trail.

\$300,000 is for the Douglas trail.

\$500,000 is for the Casey Jones trail.

\$600,000 is for the Blazing Star trail.

Subd. 10. Trail Connections

1,000,000

For matching grants to local units of government to acquire and better public land and improvements needed for trails that connect communities, trails, and parks and thereby increase the effective length of trail experiences under Minnesota Statutes, section 85.019, subdivision 4c.

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Of this amount, \$365,000 is for the Lake Koronis trail and \$300,000 is for the New Ulm trail connecting Flandreau state park with the city of New Ulm.

The commissioner shall determine project priorities as appropriate based on need.

Subd. 11. Well Sealing 600,000

To identify and seal inactive wells on state-owned land under Minnesota Statutes, section 103I.311.

Subd. 12. Lewis and Clark Rural Water System 180,000

This appropriation is from the general fund.

For a grant to the Lewis and Clark joint powers board to acquire land for, and to predesign, design, construct, furnish, and equip, a rural water system to serve southwestern Minnesota. This appropriation is available when matched by \$8 of federal money and \$1 of local money for each \$1 of state money.

Subd. 13. Red Rock Rural Water System 125,000

For a grant to the Red Rock rural water system to acquire land, predesign, design, construct, and equip the southwest Minnesota regional water supply project. This appropriation is not available until an equal amount of nonstate money has been committed to the project.

Subd. 14. Dam Improvements 950,000

To renovate or remove publicly owned dams.

Of this amount, up to \$250,000 is for a grant to Blue Earth county for renovation of the Rapidan dam. This grant is not available until an equal amount is committed to the project from nonstate sources.

The commissioner shall determine other project priorities as appropriate based on need as provided in Minnesota Statutes, sections 103G.511 and 103G.515.

Subd. 15. Flood Hazard Mitigation Grants 21,800,000

For the state share of flood hazard mitigation grants for publicly owned capital improvements to prevent or alleviate flood damage under Minnesota Statutes, section 103F.161, for projects, in order of priority, in East Grand Forks, Warren, Agassiz, Montevideo,

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St. Louis Park, Two Rivers, Granite Falls, Hay Creek, St. Anthony, Minneapolis, and St. Paul. To the extent that the cost of a project in Warren, East Grand Forks, Montevideo, Breckenridge, Granite Falls, Oakport, or Crookston exceeds two percent of the median household income in the municipality multiplied by the number of households in the municipality, this appropriation is also for the local share of the project listed in this subdivision. For any project that is not ready to proceed, the commissioner may allocate that project's funds to the next project on the agency's priority list.

Subd. 16. Stream Protection and Restoration 500,000

For the design and implementation of stream restoration projects that employ natural channel design principles.

Subd. 17. Water Access Acquisition and Development 2,000,000

For construction of a fishing pier at Blue Mound state park and other public water access acquisition, construction, and renovation to capital projects on lakes and rivers, including water access through the provision of fishing piers and shoreline access under Minnesota Statutes, section 86A.05, subdivision 9.

Subd. 18. Fish Hatchery Improvements 300,000

For improvements of a capital nature to design, construct, renovate, furnish, and equip fish culture facilities under Minnesota Statutes, section 97A.045, subdivision 1.

Subd. 19. Fisheries Acquisition and Improvement 500,000

To acquire aquatic management areas and to make public improvements and betterments of a capital nature to fish habitat under Minnesota Statutes, section 86A.05, subdivision 14.

Subd. 20. Scientific and Natural Area Acquisition and Improvement 500,000

To acquire land for scientific and natural areas and for development, protection, or improvements of a capital nature to scientific and natural areas throughout the state under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5.

Subd. 21. Natural and Scenic Area Land Acquisition Grants 500,000

For matching grants to local units of government to acquire and better local natural and scenic areas under Minnesota Statutes, section 85.019, subdivision 4a. The commissioner shall determine project priorities as appropriate based on project significance and need.

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Subd. 22. RIM Consolidated Wildlife and Critical Habitat Match 500,000

To acquire land and interests in land for wildlife management area purposes under Minnesota Statutes, section 97A.145; for improvements of a capital nature to develop, protect, or improve wildlife management areas and other state lands throughout the state under Minnesota Statutes, section 86A.05, subdivision 8; and to provide state match for the critical habitat private sector matching account under Minnesota Statutes, section 84.943, for the acquisition or improvement of critical fish, wildlife, and native plant habitats.

Subd. 23. Seminary Fen 1,118,100

This appropriation is from the general fund.

To acquire and restore the Seminary fen in the Assumption creek watershed in Carver county. The commissioner shall manage the Seminary fen in accordance with Minnesota Statutes, chapter 86A.

Subd. 24. Work Program

The commissioner must submit a work program and semiannual progress reports in the form determined by the legislative commission on Minnesota resources and request its recommendation before spending any money appropriated by subdivisions ... to ... The commission's recommendation is advisory only. Failure to respond to a request within 60 days after receipt is a positive recommendation. Work programs involving land acquisition must include a land acquisition plan.

Sec. 8. POLLUTION CONTROL AGENCY

Subdivision 1. To the pollution control agency for the purposes specified in this section 10,000,000

Subd. 2. Closed Landfill Cleanup Program 10,000,000

For the pollution control agency to design and construct remedial systems and acquire land at landfills throughout the state in accordance with the closed landfill program under Minnesota Statutes, section 115B.39.

Sec. 9. OFFICE OF ENVIRONMENTAL ASSISTANCE

Subdivision 1. To the office of environmental assistance for the purposes specified in this section 1,150,000

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Subd. 2. Fergus Falls 1,150,000

For a grant to the city of Fergus Falls to design, construct, furnish, and equip the city's municipal solid waste combustor with new air pollution control equipment to meet federal and state environmental guidelines. This grant is in addition to any other state grants previously awarded for this project, including the 1997 grant to the city of Fergus Falls by the office of environmental assistance. This appropriation is not available until the commissioner has determined that at least \$1,150,000 has been committed from nonstate sources.

Sec. 10. BOARD OF WATER AND SOIL RESOURCES

Subdivision 1. To the board of water and soil resources for the purposes specified in this section 8,500,000

Subd. 2. RIM (Reinvest in Minnesota) 500,000

To acquire conservation easements from landowners on marginal lands to protect soil and water quality and to support fish and wildlife habitat as provided in Minnesota Statutes, section 103F.515.

Subd. 3. Wetland Replacement Due to Public Road Projects 5,200,000

To acquire land for wetlands or restore wetlands to be used to replace wetlands drained or filled as a result of the repair, maintenance, or rehabilitation of existing public roads as required by Minnesota Statutes, section 103G.222, subdivision 1, paragraph (l).

The purchase price paid for acquisition of land, fee, or perpetual easement must be the amount deemed reasonable by the board. The board may enter into agreements with the federal government, other state agencies, political subdivisions, and nonprofit organizations or fee owners to acquire land and restore and create wetlands and to acquire existing wetland banking credits with money provided by this appropriation. Acquisition of or the conveyance of land may be in the name of the political subdivision.

Subd. 4. Lazarus Creek 1,500,000

For a grant to Area II Minnesota River Basin Projects, Inc. for construction of the LQP-25/Lazarus Creek floodwater retention project. The grant may not exceed 75 percent of the project's cost. The remaining share must be provided by Area II Minnesota River Basin Projects, Inc.

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Subd. 5. Stillwater - Brown's Creek	1,300,000
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For a grant to the city of Stillwater to provide environmental protection capital improvements for Brown's Creek.

Sec. 11. AGRICULTURE

Subdivision 1. To the commissioner of administration or another named agency for the purposes specified in this section	15,000,000
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Subd. 2. Rural Finance Authority Loan Participation	15,000,000
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For purposes as set forth in the Minnesota Constitution, article XI, section 5, clause (h). To the rural finance authority to purchase participation interests in or to make direct agricultural loans to farmers under Minnesota Statutes, chapter 41B. This appropriation is for the beginning farmer program under Minnesota Statutes, section 41B.039, the loan restructuring program under Minnesota Statutes, section 41B.04, the seller-sponsored program under Minnesota Statutes, section 41B.042, the agricultural improvement loan program under Minnesota Statutes, section 41B.043, and the livestock expansion loan program under Minnesota Statutes, section 41B.045. All debt service on bond proceeds used to finance this appropriation must be repaid by the rural finance authority under Minnesota Statutes, section 16A.643. Loan participations must be priced to provide full interest and principal coverage and a reserve for potential losses.

Priority for loans must be given first to basic beginning farmer loans; second, to seller-sponsored loans; and third, to agricultural improvement loans.

Sec. 12. MINNESOTA ZOOLOGICAL GARDENS

Subdivision 1. To the Minnesota Zoological Gardens for the purposes specified in this section	3,000,000
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Subd. 2. Asset Preservation	3,000,000
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For capital asset preservation improvements and betterments.

Sec. 13. ADMINISTRATION

Subdivision 1. To the commissioner of administration for the purposes specified in this section	77,207,000
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Subd. 2. Capital Asset Preservation and Replacement (CAPRA) 17,000,000

To be spent in accordance with Minnesota Statutes, section 16A.632.

The unspent portion of an appropriation, but not to exceed ten percent of the appropriation, for a project in this section that is complete, is available for capital asset preservation and replacement. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Subd. 3. Electrical Utility Infrastructure - Phase 6 3,231,000

To complete the upgrade of the high-voltage primary electrical distribution system in the capitol complex, replace the emergency generator in the Capitol, and upgrade the non-high-voltage electrical system in the Capitol building.

Subd. 4. Renovate Governor's Residence 430,000

To design, renovate, furnish, and equip the Governor's residence in St. Paul.

Subd. 5. Health and Agriculture Laboratories 50,000,000

To design, construct, furnish, and equip a joint laboratory facility in St. Paul for the departments of health and agriculture.

Subd. 6. World War II Memorial 1,500,000

To complete the design and to construct the World War II veterans memorial authorized by Laws 2000, chapter 492, article 1, section 12, subdivision 7.

Subd. 7. Department of Transportation Building Exterior 5,046,000

To renovate the exterior of the department of transportation building at 395 John Ireland Boulevard in St. Paul.

This appropriation is from the trunk highway fund.

Sec. 14. AMATEUR SPORTS COMMISSION

Subdivision 1. To the amateur sports commission for the purposes specified in this section 4,500,000

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Subd. 2. Sports Conference Center	4,250,000
To construct, furnish, and equip a sports conference center on the campus of the National Sports Center and for related capital development costs.	
Subd. 3. Mount Itasca Biathlon Training Facility	250,000
To complete construction of the Mount Itasca biathlon training project. This appropriation is not available until an equal amount has been committed to the project from nonstate sources.	
Sec. 15. MILITARY AFFAIRS	
Subdivision 1. To the adjutant general for the purposes specified in this section	4,857,000
Subd. 2. Asset Preservation	2,500,000
For asset preservation improvements and betterments of a capital nature at military affairs facilities statewide.	
Subd. 3. ADA Improvements	857,000
For improvements and betterments of a capital nature to remove barriers and make department of military affairs buildings, programs, and services accessible to individuals with disabilities, in compliance with state and federal ADA guidelines.	
Subd. 4. Facility Life Safety Improvements	1,000,000
For life/safety improvements and betterments of a capital nature at military affairs facilities statewide.	
Subd. 5. Camp Ripley Antiterrorism Facility	500,000
For predesign of a joint military/law enforcement antiterrorism training facility at Camp Ripley.	
Sec. 16. TRANSPORTATION	
Subdivision 1. To the commissioner of transportation for the purposes specified in this section	144,500,000
Subd. 2. Local Bridge Replacement and Rehabilitation	48,000,000
This appropriation is from the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, to match federal money and to replace or rehabilitate local deficient bridges.	

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Political subdivisions may use grants made under this section to construct or reconstruct bridges, including:

- (1) matching federal-aid grants to construct or reconstruct key bridges;
- (2) paying the costs of preliminary engineering and environmental studies authorized under Minnesota Statutes, section 174.50, subdivision 6a;
- (3) paying the costs to abandon an existing bridge that is deficient and in need of replacement, but where no replacement will be made; and
- (4) paying the costs to construct a road or street to facilitate the abandonment of an existing bridge determined by the commissioner to be deficient, if the commissioner determines that construction of the road or street is more cost efficient than the replacement of the existing bridge.

Subd. 3. Local Road Ten-ton Upgrades

5,000,000

For grants to counties for construction and reconstruction projects on county state-aid highways or any other county highways on which gross axle weights are restricted, either seasonally or year-round, to less than 20,000 pounds, for the purpose of improving them to permit gross axle weights of 20,000 pounds year-round. Applications for grants must be made by resolution of the county board. The commissioner shall by order prescribe a process for grant applications, application evaluation, and awarding of grants under this subdivision. The application evaluation process must provide that applications are evaluated on the basis of, among other things, (1) commercial vehicle traffic volume on the highway, (2) the importance of the highway to the state and regional highway system, and (3) the contribution of the improvement project to economic development in the county and region. Grants under this subdivision may not be used to pay more than 80 percent of the cost of a project.

Subd. 4. Local Road Improvement Program

26,000,000

Of this appropriation:

- (1) \$15,000,000 is for deposit in the trunk highway corridor projects account in the local road improvement fund under Minnesota Statutes, section 174.52, subdivision 2.
- (2) \$11,000,000 is for deposit in the local road account for routes of regional significance in the local road improvement fund under Minnesota Statutes, section 174.52, subdivision 4.

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Subd. 5. Town Road Sign Replacement 1,000,000

For grants to political subdivisions to pay the local share of costs of town road sign replacement under the federal highway administration's hazard elimination program. Grants under this subdivision may only be used for the purchase of signs that conform to the commissioner of transportation's uniform manual of traffic control devices, including applicable reflective sheeting requirements, and that have a useful life of at least 20 years.

Subd. 6. Port Development Assistance 2,000,000

For grants under Minnesota Statutes, sections 457A.01 to 457A.06. Any improvements made with the proceeds of these grants must be publicly owned.

Subd. 7. Rail Service Improvement 2,000,000

For freight rail improvements through the rail service improvement program under Minnesota Statutes, sections 222.46 to 222.63.

Subd. 8. Freight Access Improvements 2,000,000

For grants to political subdivisions to implement freight investment projects contained in the department of transportation's December 2001 freight investment plan. A grant for an individual project is not available until the commissioner has determined that an equal amount has been committed from any combination of municipal state-aid street funds and nonstate sources. The state share may be allocated to any one or more of the project elements, with the nonstate money used to complete any elements not completed with state money. No grant under this subdivision may be used for projects under the port development assistance program or the rail service improvement program.

Subd. 9. Northstar Corridor Rail Project 30,000,000

For a commuter rail system from St. Cloud to Minneapolis. This appropriation must be spent for purposes as set forth in the Minnesota Constitution, article XI, section 5, clause (a), to acquire and better public lands and buildings and other improvements of a capital nature, and for purposes as set forth in the Minnesota Constitution, article XI, section 5, clause (i), to improve and rehabilitate railroad rights-of-way and other rail facilities whether public or private. This appropriation is not available until the commissioner of finance has determined that an equal amount has been committed from nonstate sources. After the commissioner of finance has determined that an equal amount has been

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committed to the project from nonstate sources, the commissioner of transportation may spend money only on design and land acquisition until the commissioner of finance has determined that: (1) the commissioner of transportation has entered into an agreement with BNSF railroad governing the track capacity projects and operating terms required to provide commuter rail service; and (2) there are and will be sufficient funds for the reasonably expected capital and operating costs for commuter rail service without reducing the scope of the project or service. The commissioner of finance must report to the chairs of the house and senate committees with jurisdiction over capital investment and transportation finance, and the chairs of the house committee on ways and means and the senate committee on finance on the determinations made.

Subd. 10. Greater Minnesota Transit Facilities 2,000,000

For capital assistance for greater Minnesota transit systems to be used for transit capital facilities. Money from this appropriation may be used to pay up to 80 percent of the nonfederal share of these facilities.

Subd. 11. Radio Communications Statewide System 26,000,000

To design and construct the statewide public safety radio communications system infrastructure, coordinating it with other state and local units of government, and extending it to all of the southeast district of the state patrol, and to Stearns, Sherburne, Benton, and Wright counties in the eastern portion of the central district of the state patrol subject to the requirements of Minnesota Statutes, section 16A.695.

Subd. 12. DM&E Working Group 500,000

This appropriation is from the general fund and is for the purposes of section 56.

Sec. 17. METROPOLITAN COUNCIL

Subdivision 1. To the metropolitan council for the purposes specified in this section 4,600,000

Subd. 2. Northwest Busway 4,000,000

To design and construct a busway in the northwest metropolitan area between downtown Minneapolis and Rogers. This appropriation is contingent on \$2,400,000 from Hennepin county and \$1,000,000 from the metropolitan council for the project. Total funding from all sources may be used for roadway design, reconstruction, acquisition of land and right-of-way, construction of transit stations and park and rides.

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Subd. 3. Snelling Bus Garage	100,000
For predesign of a replacement bus garage for metro transit buses at the current Snelling Avenue garage site in St. Paul. The council may not (1) construct a bus garage at this location of more than one story, and (2) lease any part of the land on which the bus garage will be located for mixed-use development.	
Subd. 4. Park-and-Ride Facilities	500,000
For land acquisition and construction of park-and-ride facilities in the seven-county metropolitan area outside the transit taxing district defined in Minnesota Statutes, section 473.446, subdivision 2.	
Sec. 18. COMMERCE	6,000,000
To the commissioner of finance for the energy conservation investment loan program under Minnesota Statutes, section 216C.37.	
Sec. 19. HUMAN SERVICES	
Subdivision 1. To the commissioner of administration for the purposes specified in this section	16,158,000
Subd. 2. Systemwide Roof Renovation and Replacement	2,789,000
For renovation and replacement of roofs at department of human services facilities statewide.	
Subd. 3. Systemwide Asset Preservation	4,000,000
For asset preservation improvements and betterments of a capital nature at state regional treatment centers.	
The unspent portion of an appropriation, but not to exceed ten percent of the appropriation, for a project in this section that is complete, is available for asset preservation. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.	
Subd. 4. Systemwide - Building and Structure Demolition	2,750,000
To demolish and dispose of hazardous materials from obsolete buildings at state regional treatment centers.	

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Subd. 5. Fergus Falls Regional Treatment Center	3,000,000
To design, renovate, construct, furnish, and equip facilities for the psychiatric treatment program and to vacate the Kirkbride complex.	
Subd. 6. St. Peter Regional Treatment Center	3,619,000
To design and replace the high-pressure steam boilers and convert the system to a low-pressure steam system at the St. Peter regional treatment center.	
Sec. 20. VETERANS HOMES BOARD	
Subdivision 1. To the commissioner of administration for the purposes specified in this section	11,250,000
Subd. 2. Asset Preservation	2,000,000
For asset preservation improvements and betterments of a capital nature at veterans homes statewide.	
Subd. 3. Hastings Veterans Home - Phase 3	8,553,000
For design and renovation of the utility infrastructure systems and related improvements at the campus of the Hastings veterans home.	
Subd. 4. Silver Bay Veterans Home	697,000
To replace the roof.	
Sec. 21. CORRECTIONS	
Subdivision 1. To the commissioner of administration for the purposes specified in this section	31,970,000
Subd. 2. Asset Preservation	23,100,000
For improvements and betterments of a capital nature at Minnesota correctional facilities statewide, including, but not limited to, completing the perimeter wall and security improvements at MCF-Stillwater.	
The unspent portion of an appropriation, but not to exceed ten percent of the appropriation, for a project in this section that is complete, is available for asset preservation. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.	

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Subd. 3. Minnesota Correctional Facility - Lino Lakes 4,160,000

To design, construct, furnish, and equip a new 416-bed unit to house offenders.

This appropriation is not available until the commissioner has determined that at least \$10,179,000 has been committed from federal sources.

Subd. 4. Minnesota Correctional Facility - Shakopee 3,070,000

To design, construct, renovate, furnish, and equip the Independent Living Center (ILC) into a 48-bed general population living unit; increase space in the kitchen, serving, and eating areas; increase space in the visitation area; and modify the staff control station in the segregation unit to provide adequate space for updated technical equipment and more room for staff.

Subd. 5. Minnesota Correctional Facility - Stillwater 90,000

To predesign a new 150-bed segregation unit on the facility grounds.

Subd. 6. Bayport Storm Sewer 1,550,000

For a grant to the city of Bayport for the Middle St. Croix River Watershed Management organization to complete construction of the sewer system extending from Minnesota department of natural resources pond 82-310P (the prison pond) in Bayport through the Stillwater prison grounds to the St. Croix river.

Sec. 22. TRADE AND ECONOMIC DEVELOPMENT

Subdivision 1. To the commissioner of trade and economic development or other named agency for the purposes specified in this section 59,085,000

Subd. 2. Redevelopment Account 22,000,000

For transfer to the redevelopment account in Minnesota Statutes, section 116J.561.

Of this amount, \$4,000,000 is for grants to projects located outside of the seven-county metropolitan area.

Of this amount, \$1,000,000 is for a grant to the city of Little Falls for environmental cleanup of the Hennepin paper company property in Little Falls, contingent on at least an equal amount from nonstate sources.

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Of this amount, \$6,000,000 is for grants to cities with populations of less than 5,000, for capital expenditures for publicly owned infrastructure related to economic development and the creation of good quality jobs in these cities. The commissioner shall award grants according to a competitive grant process, and shall create criteria for the award of grants.

Of this amount, \$8,000,000 is for a grant to the city of St. Paul to acquire land and to complete contamination remediation on Phalen Boulevard between I-35E and Johnson Parkway.

Of this amount, \$3,000,000 is for a grant to the city of Minneapolis for public infrastructure improvements in the South East Minneapolis industrial redevelopment empowerment zone project. This appropriation is not available until the commissioner has determined that an equal amount has been committed from nonstate sources.

Subd. 3. State Match for Federal Grants

16,000,000

To the public facilities authority to match federal grants for eligible projects in the water pollution control revolving fund under Minnesota Statutes, section 446A.07, and the drinking water revolving loan fund under Minnesota Statutes, section 446A.081.

Subd. 4. Wastewater Infrastructure Funding Program

16,035,000

\$300,000 of this appropriation is from the general fund to administer the wastewater infrastructure program.

To the public facilities authority for grants to eligible municipalities under the wastewater infrastructure program established in Minnesota Statutes, section 446A.072.

To the greatest practical extent, the authority should use the grants for projects on the 2002 project priority list in priority order to qualified applicants that submit plans and specifications to the pollution control agency or receive a funding commitment from USDA rural development before December 1, 2003. Municipalities listed on the 2002 project priority list eligible for this funding, in priority order, include, but are not limited to: Revere, Nerstrand, Delhi, Evan, Warroad, Avon, Lake Township, Lewisville, Chandler, Dovray, Ormsby, Chester Heights (Olmsted county), Garvin, Garrison-Kathio-Mille Lacs sanitary district, and Dassel.

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State funds appropriated for the Garrison-Kathio-West Mille Lacs sanitary district project must be made available for the project only after the Garrison-Kathio-West Mille Lacs sanitary sewer district has entered into an agreement with ML Wastewater Management, Inc. and the Mille Lacs Band of Ojibwe, or amended the Sewer Services Agreement in existence on the effective date of this act, to provide:

(1) that state law applies to the interpretation of all agreements, disputes, arbitration, or litigation relating to the sanitary district and its agreements;

(2) that arbitration and litigation of disputes is under procedures authorized in Minnesota law and that the Minnesota state court has jurisdiction over any dispute involving the sanitary district or arising out of the agreement; and

(3) the Mille Lacs Band of Ojibwe irrevocably waives adjudicatory and regulatory jurisdiction over the sanitary district and all residents of the district who are not members of the Mille Lacs Band of Ojibwe in matters arising out of the agreement between the district, ML Wastewater Management, Inc., and the Mille Lacs Band of Ojibwe.

Notwithstanding rules adopted under Minnesota Statutes, section 116.812, when ranking wastewater projects on the project priority list the agency shall provide an additional 350 points to municipalities whose projects will correct a situation where the agency has imposed a moratorium on new sewer connections.

Due to concern that Minnesota Rules, part 7077.0115, for ranking wastewater projects on the project priority list does not adequately consider the age and condition of existing wastewater treatment systems, the need to expand existing systems to accommodate growth, and the economic hardship municipalities face when a moratorium is imposed on new sewer connections, the pollution control agency shall prepare rule amendments that take these factors into account when ranking projects. The agency shall report on its recommended rule amendments to the chairs of the house environment and natural resources finance committee, the house jobs and economic development finance committee, the house capital investment committee, the senate environment and agricultural finance division, the senate jobs, housing and community development division, and the senate capital investment committee by February 1, 2003.

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Subd. 5. Itasca County - Judy Garland/Children's Discovery Museum 300,000

For a grant to Itasca county to design, construct, furnish, and equip the Judy Garland/Children's Discovery Museum in Grand Rapids that will include a display of Judy Garland memorabilia. The county may enter into a lease or management agreement for the center, subject to Minnesota Statutes, section 16A.695.

Subd. 6. St. Cloud - Civic Center Expansion 3,250,000

For a grant to the city of St. Cloud for asset preservation, land acquisition, and to construct the expansion of the St. Cloud civic center.

This appropriation is not available until the commissioner has determined that an equal amount has been committed from nonstate sources.

Subd. 7. St. Paul - Roy Wilkins Auditorium 500,000

For a grant to the city of St. Paul for asset preservation of the Roy Wilkins Center.

This appropriation is not available until the commissioner has determined that an equal amount has been committed from nonstate sources.

Subd. 8. Hastings Hydroelectric Plant 1,000,000

For a grant to the city of Hastings to pay or reimburse costs not covered by federal disaster programs under the Presidential Declaration of Major Disaster number 1370 for capital improvements on the hydroelectric plant necessitated by that disaster and to pay principal costs on the city's general obligation bonds issued to finance the hydroelectric plant.

Sec. 23. IRON RANGE RESOURCES AND REHABILITATION BOARD 600,000

To design, construct, furnish, and equip Mesabi station as the central guest services facility for the Mesabi trail.

Sec. 24. HOUSING FINANCE AGENCY

Subdivision 1. To the commissioner of the housing finance agency for the purposes of this section 21,500,000

Subd. 2. Homeless Veterans 19,500,000

For loans and grants for publicly owned transitional and permanent housing under Minnesota Statutes, section 462A.202, subdivisions 2 and 3a. Notwithstanding Minnesota Statutes,

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section 462A.202, subdivision 3a, the loans or grants must be used for the development, construction, acquisition, or rehabilitation of transitional or permanent housing to serve veterans and single adults who are homeless or at risk of becoming homeless. The loans or grants must be used for two housing projects that:

(1) are located on property owned by the United States Department of Veterans Affairs that is leased by the Department of Veterans Affairs to the owners of the housing projects;

(2) provide or coordinate health and social services needed by the residents; and

(3) are a collaborative partnership between community agencies, local units of government, and the federal government.

Subd. 3. Transitional Housing Loans 2,000,000

For loans and grants for publicly owned transitional housing under Minnesota Statutes, section 462A.202.

Sec. 25. MINNESOTA HISTORICAL SOCIETY

Subdivision 1. To the Minnesota Historical Society for the purposes specified in this section 3,200,000

Subd. 2. Historic Site Asset Preservation 2,500,000

(a) For capital improvements and betterments at state historic sites, buildings, landscaping at historic buildings, exhibits, markers, and monuments. The society shall determine project priorities as appropriate based on need.

(b) Of this amount, \$1,000,000 is for asset preservation of the William G. LeDuc house. This appropriation is available only if the historical society enters into an agreement with the city of Hastings, or another public entity, providing for transfer of ownership of the property to the city or the other public entity when the asset preservation work is completed, and providing that the city or other public entity will provide for additional renovation and operation of the site. If an agreement for the transfer of ownership of the Le Duc house site is not entered into by December 31, 2002, this amount is available for asset preservation under paragraph (a) and is available until spent, notwithstanding section 1. The city or other public entity may enter into an agreement with a nonprofit organization for the operation of the site subject to Minnesota Statutes, section 16A.695.

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Subd. 3. County and Local Preservation Grants 500,000

To be allocated to county and local jurisdictions as matching money for historic preservation projects of a capital nature. Grant recipients must be public entities and must match state funds on at least an equal basis. The facilities must be publicly owned.

Subd. 4. Fort Belmont 200,000

For a grant to Jackson county to design, construct, furnish, and equip a new site for historic Fort Belmont.

Sec. 26. BOND SALE EXPENSES 740,000

To the commissioner of finance for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8. This appropriation is from the bond proceeds fund.

Sec. 27. [BOND SALE AUTHORIZATION.]

Subdivision 1. [BOND PROCEEDS FUND.] To provide the money appropriated in this act from the bond proceeds fund, the commissioner of finance shall sell and issue bonds of the state in an amount up to \$789,592,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 2. [TRANSPORTATION FUND.] To provide the money appropriated in this act from the state transportation fund, the commissioner of finance shall sell and issue bonds of the state in an amount up to \$48,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the state transportation fund.

Sec. 28. [CANCELLATIONS.]

Subdivision 1. The unobligated balance of the appropriation in Laws 1998, chapter 404, section 7, subdivision 28, for the Sand Dunes state forest center, estimated to be \$113,000, is canceled to the general fund.

Subd. 2. \$100,000 of the appropriation in Laws 1998, chapter 404, section 7, subdivision 30, for the Hartley nature center is canceled to the general fund.

Subd. 3. \$2,125,000 of the appropriation in Laws 1998, chapter 404, section 17, subdivision 3, paragraph (c), item (1), for a major investment study, engineering, and transitway implementation in the Riverview corridor, is canceled to the general fund.

Subd. 4. \$500,000 of the appropriation in Laws 1998, chapter 404, section 23, subdivision 27, for a production facility associated with an educational and training facility, is canceled to the general fund.

Subd. 5. The \$400,000 appropriation in Laws 1998, chapter 404, section 25, subdivision 9, for a treaty site history center, is canceled to the general fund.

Subd. 6. \$1,250,000 of the appropriation in Laws 1999, chapter 240, article 2, section 12, subdivision 14, for the Minnesota African-American performing arts center, is canceled. The bond sale authorization in Laws 1999, chapter 240, article 2, section 16, subdivision 1, is reduced by \$1,250,000.

Subd. 7. The following amounts totaling \$1,118,100 are canceled to the general fund:

- (1) \$31,400 for state park building rehabilitation in Laws 1998, chapter 404, section 7, subdivision 3;
- (2) \$14,700 for asset preservation in Laws 1998, chapter 404, section 7, subdivision 3;
- (3) \$38,300 for state park betterment in Laws 1998, chapter 404, section 7, subdivision 5;
- (4) \$405,700 for RIM critical habitat in Laws 1998, chapter 404, section 7, subdivision 14;
- (5) \$58,000 for RIM fish hatchery rehabilitation in Laws 1998, chapter 404, section 7, subdivision 15;
- (6) \$333,400 for RIM wildlife habitat improvements in Laws 1998, chapter 404, section 7, subdivision 16;
- (7) \$92,600 for metro greenways and natural areas in Laws 1998, chapter 404, section 7, subdivision 19;
- (8) \$99,600 for accelerated wildlife habitat management and \$4,900 for brushland and forest habitat renewal in Laws 1998, chapter 404, section 7, subdivision 20;
- (9) \$34,500 for state trail acquisition in Laws 1998, chapter 404, section 7, subdivision 22; and
- (10) \$9,900 for local initiative grants in Laws 1998, chapter 404, section 7, subdivision 26.

Sec. 29. Minnesota Statutes 2000, section 13.462, subdivision 2, is amended to read:

Subd. 2. [PUBLIC DATA.] The names and addresses of applicants for and recipients of benefits, aid, or assistance through programs administered by any political subdivision, state agency, or statewide system that are intended to assist with the purchase of rehabilitation, or other purposes related to housing or other real property are classified as public data on individuals. If an applicant or recipient is a corporation, the names and addresses of the officers of the corporation are public data on individuals. If an applicant or recipient is a partnership, the names and addresses of the partners are public data on individuals. The amount or value of benefits, aid, or assistance received is public data.

Sec. 30. Minnesota Statutes 2000, section 16A.11, subdivision 6, is amended to read:

Subd. 6. [BUILDING MAINTENANCE AND CAPITAL BETTERMENT.] The detailed operating budget and capital budget must include amounts necessary to maintain and better state buildings. The commissioner of finance, in consultation with the commissioner of administration, the board of trustees of the Minnesota state colleges and universities, and the regents of the University of Minnesota, shall establish budget guidelines for building maintenance and betterment appropriations. Unless otherwise provided by the commissioner of finance, the combined amount to be budgeted each year for building maintenance and betterment in the operating budget and capital budget is ~~two~~ one percent of the replacement cost of the building, adjusted up or down depending on the age and condition of the building.

Sec. 31. Minnesota Statutes 2000, section 16A.501, is amended to read:

16A.501 [REPORT ON EXPENDITURE OF BOND PROCEEDS.]

The commissioner of finance must report annually to the legislature on the degree to which entities receiving appropriations ~~of bond proceeds for capital projects in previous omnibus capital improvement acts~~ have encumbered or expended that money. The report must be submitted to the chairs of the house of representatives ways and means committee and the senate finance committee by February 1 of each year.

Sec. 32. Minnesota Statutes 2000, section 16A.86, subdivision 3, is amended to read:

Subd. 3. [EVALUATION.] (a) The commissioner shall evaluate all requests from political subdivisions for state assistance based on the following criteria:

(1) the political subdivision has provided for local, private, and user financing for the project to the maximum extent possible;

(2) the project helps fulfill an important state mission;

(3) the project is of regional or statewide significance;

(4) the project will not require new or any additional state operating subsidies;

(5) the project will not expand the state's role in a new policy area;

(6) state funding for the project will not create significant inequities among local jurisdictions;

(7) the project will not compete with other facilities in such a manner that they lose a significant number of users to the new project; ~~and~~

(8) the governing bodies of those political subdivisions primarily benefiting from the project have passed resolutions in support of the project and have established priorities for all projects within their jurisdictions for which bonding appropriations are requested when submitting multiple requests; and

(9) if a predesign that meets the requirements of section 16B.335 has been completed and is available at the time the project request is submitted to the commissioner of finance, the applicant has submitted the project predesign to the commissioner of administration.

(b) The commissioner's evaluation of each request, including whether it meets each of the criteria in paragraph (a), must be submitted to the legislature along with the governor's recommendations under section 16A.11, subdivision 1, whether or not the governor recommends that the request be funded.

Sec. 33. [16B.245] [INVENTORY OF STATE-OWNED LAND.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, "state-owned land" means land, with or without improvements upon it, for which the state owns fee title. It does not include:

(1) land held in trust by the state for political subdivisions of the state;

(2) permanent school trust fund lands;

(3) university trust fund lands;

(4) mineral interests; or

(5) trunk highway right-of-way.

Subd. 2. [INVENTORY.] The commissioner of administration must inventory all state-owned land and determine the number of acres owned by the state as of December 31, 2002. Thereafter the commissioner must maintain an inventory of state-owned land and for each parcel, identify the state agency responsible for the parcel, its location, size, and use, and any restrictions on transfer of ownership. Each state agency must cooperate and provide to the commissioner of administration information on state-owned lands under the agency's management.

Sec. 34. Minnesota Statutes 2000, section 16B.335, subdivision 3, is amended to read:

Subd. 3. [PREDESIGN REQUIREMENT.] The definitions in paragraphs (a) and (b) apply to this section.

(a) "Predesign" means the stage in the development of a project during which the purpose, scope, cost, and schedule of the complete project are defined and instructions to design professionals are produced.

(b) "Design" means the stage in the development of a project during which schematic, design development, and contract documents are produced.

(c) A recipient to whom an appropriation is made for a project subject to review under subdivision 1 or notice under subdivision 2 shall prepare a predesign package and submit it to the commissioner for review and recommendation before proceeding with design activities. The commissioner must complete the review and recommendation within ten working days after receiving it. Failure to review and recommend within the ten days is considered a positive recommendation. The predesign package must be sufficient to define the purpose, scope, cost, and schedule of the project and must demonstrate that the project has been analyzed according to appropriate space needs standards. The predesign must include product specifications as outlined in state contracts approved through the department of administration.

Sec. 35. Minnesota Statutes 2000, section 119A.45, is amended to read:

119A.45 [EARLY CHILDHOOD LEARNING AND CHILD PROTECTION FACILITIES.]

The commissioner may make grants to state agencies and political subdivisions to construct or rehabilitate facilities for early childhood programs, with priority to centers in counties or municipalities with the highest percentage of children living in poverty. The commissioner may also make grants to state agencies and political subdivisions to construct or rehabilitate facilities for crisis nurseries or parenting time centers. The facilities must be owned by the state or a political subdivision, but may be leased under section 16A.695 to organizations that operate the programs. The commissioner must prescribe the terms and conditions of the leases. A grant for an individual facility must not exceed \$200,000 for each program that is housed in the facility, up to a maximum of \$500,000 for a facility that houses three programs or more. Programs include Head Start, early childhood and family education programs, and other early childhood ~~intervention~~ programs. The commissioner must give priority to grants that involve collaboration among sponsors of programs under this section ~~and may give priority to projects that collaborate with child care providers, including all-day and school-age child care programs, special needs care, sick child care, nontraditional hour care, and programs that include services to refugee and immigrant families.~~ The commissioner may give priority to grants for programs that will increase their child care workers' wages as a result of the grant. ~~At least 25 percent of the amounts appropriated for these grants up to \$50,000 must utilize youthbuild under sections 268.361 to 268.366 or other youth employment and training programs for the labor portion of the construction.~~ Eligible programs must consult with appropriate labor organizations to deliver education and training. State appropriations must be matched on a 50 percent basis with nonstate funds. The matching requirement must apply programwide and not to individual grants.

Sec. 36. [174.52] [LOCAL ROAD IMPROVEMENT FUND.]

Subdivision 1. [FUND CREATED.] A local road improvement fund is created in the state treasury. The fund consists of money transferred to the fund through appropriation, gift, or grant.

Subd. 2. [TRUNK HIGHWAY CORRIDOR PROJECTS ACCOUNT.] A trunk highway corridor projects account is established in the local road improvement fund. Money in the account is annually appropriated to the commissioner of transportation for expenditure as specified in this section. Money in the account must be used as grants or loans to statutory or home rule charter cities, towns, and counties to assist in paying the local share of trunk highway projects that have local costs that are directly or partially related to the trunk highway improvement and that are not funded or are only partially funded with other state and federal funds. The commissioner shall determine the amount of the local share of costs eligible for assistance from the account.

Subd. 3. [ADVISORY COMMITTEE.] The commissioner shall establish an advisory committee consisting of five members including:

(1) one county commissioner;

(2) one county engineer;

(3) one city engineer;

(4) one city council member or city administrator representing a city with a population over 5,000; and

(5) one city council member or city administrator representing a city with a population under 5,000. The advisory committee shall provide recommendations to the commissioner regarding expenditures from the trunk highway corridor projects account.

Subd. 4. [LOCAL ROAD ACCOUNT FOR ROUTES OF REGIONAL SIGNIFICANCE.] A local road account for routes of regional significance is established in the local road improvement fund. Money in the account is annually appropriated to the commissioner of transportation for expenditure as specified in this section. Money in the account must be used as grants or loans to statutory or home rule charter cities, towns, and counties to assist in paying the costs of constructing or reconstructing city streets, county highways, or town roads with statewide or regional significance that has not been fully funded through other state, federal, or local funding sources.

Subd. 5. [GRANT PROCEDURES AND CRITERIA.] The commissioner shall establish procedures for statutory or home rule charter cities, towns, and counties to apply for grants or loans from the fund and criteria to be used to select projects for funding. The commissioner shall establish these procedures and criteria in consultation with representatives appointed by the association of Minnesota counties, league of Minnesota cities, and Minnesota township officers association. The criteria for determining project priority and the amount of a grant or loan must be based upon consideration of:

(1) the availability of other state, federal, and local funds;

(2) the regional significance of the route;

(3) effectiveness of the proposed project in eliminating a transportation system deficiency;

(4) the number of persons who will be positively impacted by the project;

(5) the project's contribution to other local, regional, or state economic development or redevelopment efforts; and

(6) ability of the local unit of government to adequately provide for the safe operation and maintenance of the facility upon project completion.

Subd. 6. [ADMINISTRATIVE COSTS.] A sum of 0.25 percent of the total amount in the fund, other than amounts deposited in the fund from the proceeds from the sale of state bonds, is available to be used for administrative costs incurred by the department in carrying out the provisions of this section.

Sec. 37. Minnesota Statutes 2000, section 446A.072, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT OF PROGRAM.] The authority will establish a wastewater infrastructure funding program to provide supplemental assistance to municipalities ~~applying for receiving funding under~~ through the water pollution control revolving loan program or the United States Department of Agriculture Rural Economic and Community Development's (USDA/RECD) Water and Waste Disposal Loans and Grants program for the design and planning, improvements to, and construction of municipal wastewater treatment systems. The purpose of the program is to assist municipalities demonstrating financial need in building cost-efficient projects to address existing

environmental or public health problems. To implement the program, the authority shall establish a wastewater infrastructure fund to provide grants and loans for the purposes authorized under title VI of the Federal Water Pollution Control Act. The fund shall be credited with all investment income from the fund and all repayments of loans, grants, and penalties.

[EFFECTIVE DATE.] This section is effective for funds appropriated after January 1, 2002.

Sec. 38. Minnesota Statutes 2000, section 446A.072, subdivision 3, is amended to read:

Subd. 3. [PROGRAM ADMINISTRATION.] ~~(a) The authority shall provide supplemental assistance, as provided in subdivision 2, 5a to municipalities demonstrating financial need, as provided in subdivision 4, whose projects have been certified to the authority by the commissioner of the agency. The authority shall reserve supplemental assistance for projects in order of their priority ranking established by the agency.:~~

(1) whose projects are listed on the agency's project priority list;

(2) that demonstrate their projects are a cost-effective solution to an existing environmental or public health problem; and

(3) whose projects are approved by the USDA/RECD or certified by the commissioner of the agency.

(b) For a municipality receiving grant funding from the USDA/RECD, applications must be made to the USDA/RECD with additional information submitted to the authority as required by the authority. Eligible project costs and affordability criteria shall be determined by the USDA/RECD.

(c) For a municipality not receiving grant funding from the USDA/RECD, application must be made to the authority on forms prescribed by the authority for the water pollution control revolving fund program with additional information as required by the authority. In accordance with section 116.182, the agency shall:

(1) calculate the essential project component percentage which must be multiplied by the total project cost to determine the eligible project cost; and

(2) review and certify approved projects to the authority.

(d) At the time funds are appropriated under this section, the authority shall reserve supplemental assistance for projects in order of their rankings on the agency's project priority list and in an amount based on their most recent cost estimates submitted to the authority or the as-bid costs, whichever is less.

[EFFECTIVE DATE.] This section is effective for funds appropriated after January 1, 2002.

Sec. 39. Minnesota Statutes 2000, section 446A.072, is amended by adding a subdivision to read:

Subd. 5a. [TYPE AND AMOUNT OF ASSISTANCE.] (a) For a municipality receiving grant funding from the USDA/RECD, the authority shall provide assistance in the form of a grant of up to one-half of the eligible grant amount determined by USDA/RECD. A municipality may not receive a grant under this paragraph for more than \$4,000,000 or \$15,000 per existing connection, whichever is less, unless specifically approved by law. In the case of a sanitary district or other multijurisdictional project for which the USDA/RECD is unable to fully fund up to one-half of the eligible grant amount, the authority may provide up to an additional \$1,000,000 for each additional municipality participating up to a maximum of \$8,000,000 or \$15,000 per existing connection, whichever is less, but not to exceed the maximum grant level determined by the USDA/RECD as needed to keep the project affordable.

(b) For a municipality not receiving grant funding from the USDA/RECD, the authority shall provide assistance in the form of a loan for the eligible project costs that exceed five percent of the market value of properties in the project service area. A municipality may not receive a loan under this paragraph for more than \$4,000,000 or

\$15,000 per existing connection, whichever is less, unless specifically approved by law. In the case of a sanitary district or other multijurisdictional project, the authority may provide a loan under this paragraph for up to an additional \$1,000,000 for each additional municipality participating up to a maximum of \$8,000,000 or \$15,000 per existing connection, whichever is less, unless specifically approved by law. A loan under this paragraph must bear no interest, must be repaid as provided in subdivision 7, and must only be provided in conjunction with a loan from the water pollution control revolving fund under section 446A.07.

(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.

[EFFECTIVE DATE.] This section is effective for funds appropriated after January 1, 2002.

Sec. 40. Minnesota Statutes 2000, section 446A.072, is amended by adding a subdivision to read:

Subd. 5b. [SPECIAL ASSESSMENT DEFERRAL.] A municipality receiving a loan under subdivision 5a that levies special assessments to repay the loan under subdivision 5a or section 446A.07 may defer payment of such assessments under the provisions of sections 435.193 to 435.195.

[EFFECTIVE DATE.] This section is effective for funds appropriated after January 1, 2002.

Sec. 41. Minnesota Statutes 2000, section 446A.072, subdivision 6, is amended to read:

Subd. 6. [DISBURSEMENTS.] Disbursements made of grants or loans awarded under this section by the authority to recipients must be made for eligible project costs as incurred by the recipients, and must be made by the authority in accordance with the project financing agreement and applicable state and federal laws and rules governing the payments.

[EFFECTIVE DATE.] This section is effective for funds appropriated after January 1, 2002.

Sec. 42. Minnesota Statutes 2000, section 446A.072, subdivision 7, is amended to read:

Subd. 7. [LOAN REPAYMENTS.] All loan repayments received by the authority under subdivision 2 must be used to provide additional assistance under this section. A municipality receiving a loan under this section shall repay the loan in semiannual payment amounts determined by the authority. The payment amount must be based on the average payments on the municipality's water pollution control revolving fund loan or, if greater, the minimum amount required to fully repay the loan by the maturity date. Payments must begin within one year of the date of the municipality's final payment on the water pollution control revolving fund loan. The maturity date of the loan must be no later than 20 years from the date of the first payment.

[EFFECTIVE DATE.] This section is effective for funds appropriated after January 1, 2002.

Sec. 43. Minnesota Statutes 2000, section 446A.072, subdivision 8, is amended to read:

Subd. 8. [ELIGIBILITY.] A municipality is eligible for assistance under this section only after grant funding from other sources has been applied for, obtained, rejected, or the authority has determined that the potential funding is unlikely.

[EFFECTIVE DATE.] This section is effective for funds appropriated after January 1, 2002.

Sec. 44. Minnesota Statutes 2000, section 446A.072, subdivision 9, is amended to read:

Subd. 9. [LOAN LIMITATION.] Supplemental assistance may not be used to reduce the sewer service charges of a significant wastewater contributor, or a single user that has caused the need for the project or whose current or projected flow and load exceed one-half of the current wastewater treatment plant's capacity, ~~unless the applicant can demonstrate to the authority that the significant wastewater contributor cannot pay its fair share. Funding will not be provided for projects that are not qualified for assistance or that would violate the state's constitution or laws regarding the use of funds appropriated for the program.~~

[EFFECTIVE DATE.] This section is effective for funds appropriated after January 1, 2002.

Sec. 45. Minnesota Statutes 2000, section 446A.072, subdivision 11, is amended to read:

Subd. 11. [REPORT ON NEEDS.] ~~By October 15~~ February 1 of each ~~odd-numbered~~ even-numbered year, the authority, in conjunction with the pollution control agency, shall prepare a report to the finance division of the senate environment and natural resources committee and the house environment and natural resources finance committee on wastewater funding assistance needs of municipalities under this section.

[EFFECTIVE DATE.] This section is effective for funds appropriated after January 1, 2002.

Sec. 46. Minnesota Statutes 2000, section 446A.072, subdivision 12, is amended to read:

Subd. 12. [SYSTEM REPLACEMENT FUND.] ~~Each recipient of assistance municipality receiving a loan under this section shall establish a system replacement fund setting aside and shall annually deposit a minimum of \$10 \$10 \$50 per 1,000 gallons of flow for major rehabilitation, expansion, or replacement of the treatment plant system at the end of its useful life. Money must remain in the account, for the life of the loan associated with the supplemental assistance under this section, unless use of the fund is approved in writing by the authority for major rehabilitation, expansion, or replacement of the treatment plant. Failure to maintain the fund will cancel the loan forgiveness provided under subdivision 2 system. By March 1 each year during the life of the loan, each municipality shall submit a report to the authority regarding the amount deposited and the fund balance for the prior calendar year. Failure to comply with the requirements of this subdivision shall result in the authority assessing a penalty fee to the municipality equal to one percent of the outstanding loan balance for each year of noncompliance. Failure to make the required deposit or pay the penalty fee as required constitutes a default on the loan.~~

[EFFECTIVE DATE.] This section is effective for funds appropriated after January 1, 2002.

Sec. 47. Minnesota Statutes 2000, section 466A.072, is amended by adding a subdivision to read:

Subd. 14. [CONSISTENCY WITH LAND USE PLANS.] A municipality applying for a project in an unsewered area shall include in its application to the authority a certification from the county in which the project is located that:

- (1) the project is consistent with the county comprehensive land use plan, if the county has adopted such a plan;
- (2) the project is consistent with the county water plan, if the county has adopted such a plan; and
- (3) the county has adopted specific land use ordinances or controls so as to meet or exceed the requirements of Minnesota Rules, part 7080.0305.

[EFFECTIVE DATE.] This section is effective for funds appropriated after January 1, 2002.

Sec. 48. Laws 1998, chapter 404, section 18, subdivision 4, is amended to read:

Subd. 4. People, Inc. North Side Community Support Program 375,000

For a grant to ~~Hennepin county~~ Minneapolis Community Development Agency to purchase, remodel, and complete accessibility upgrades to an existing building or to acquire land or construct a building to be used by the People, Inc. North Side Community Support Program which may provide office space for state employees.

The grant is available when matched by at least \$175,000 from nonstate sources. This appropriation is from the general fund.

Sec. 49. Laws 2000, chapter 492, article 1, section 12, subdivision 7, is amended to read:

Subd. 7. World War II Veterans Memorial 150,000

This appropriation is from the general fund.

For design, architectural drawings, and the start of construction for a World War II veterans memorial on the state capitol mall. The design is subject to approval by the capitol area architectural and planning board. The commissioner of veterans affairs shall convene an advisory group, including members of veterans organizations to review and make recommendations about the design of the memorial. ~~The appropriation must be matched by an equal amount from nonstate sources. The commissioner may accept donations from nonstate sources for purposes stated in this subdivision.~~

Sec. 50. Laws 2000, chapter 492, article 1, section 15, subdivision 4, is amended to read:

Subd. 4. Minnesota Military Museum at Camp Ripley 125,000

To upgrade the electrical and lighting, and heating, ventilation, and air conditioning systems in the main building of the Minnesota military museum, to design ~~and~~ construct, furnish and equip, including permanent display cases, an addition to the museum, and to insulate a heating system in building I-40. The adjutant general may enter into a lease or management agreement for the museum, subject to Minnesota Statutes, section 16A.695.

Sec. 51. Laws 2000, chapter 492, article 1, section 22, subdivision 3, as amended by Laws 2000, chapter 499, section 15, which amendment was reenacted in Laws 2001, First Special Session chapter 12, section 15, is amended to read:

Subd. 3. Wastewater Infrastructure Funding Program 18,319,000

~~\$6,309,000~~ \$4,309,000 of this appropriation is from the general fund of which \$319,000 is to administer the wastewater infrastructure fund program.

To the public facilities authority for grants to eligible municipalities under the wastewater infrastructure program established in Minnesota Statutes, section 446A.072.

To the greatest extent practical, the authority should use the grants for projects on the 2000 intended use plan in priority order to qualified applicants that submit plans and specifications to the pollution control agency or receive a funding commitment from USDA rural development before December 1, 2001. In determining whether the penalty factor under Minnesota Rules, part 7077.0196, should be applied to a project, the pollution control agency shall, beginning with the 2001 Intended Use Plan and Project Priority list, first assess the impact of the new or expanded discharge compared to the impact of the preexisting conditions and to the impact of alternative discharge locations. If the agency determines that the new or expanded discharge is to a less environmentally sensitive area or that it is the preferable location for the discharge compared to the alternatives, the agency shall not apply the penalty factor to the project. The pollution control agency shall include as a factor in prioritizing projects whether a project is a multijurisdictional project connecting areas with failing onsite treatment systems with an existing or regional wastewater treatment system.

The authority shall set aside up to \$400,000 for the Innovative Technology Grants Program to provide 50 percent reimbursement for the cost of equipment and installation into an existing municipal wastewater treatment system. The project must be approved by the pollution control agency and demonstrate the application of existing technology that has not been used before in the treatment of municipal wastewater, but has the potential to improve the treatment of wastewater or make the treatment process more cost effective.

Beginning with the 2001 intended use plan, the pollution control agency shall include whether a community has a moratorium on development as a factor in prioritizing projects. The agency shall adopt rules implementing the provisions of this paragraph under Minnesota Statutes, section 14.389.

Sec. 52. Laws 2000, chapter 492, article 1, section 22, subdivision 4, is amended to read:

Subd. 4. Clean Water Partnership 2,000,000

For deposit in the water pollution control fund under Minnesota Statutes, section 446A.07, for the clean water partnership loan program under Minnesota Statutes, section 103F.725. This appropriation is from the general fund.

Sec. 53. Laws 2000, chapter 492, article 1, section 27, is amended to read:

Sec. 27. [CANCELLATIONS AND TRANSFERS.]

(a) The \$734,000 appropriation in Laws 1994, chapter 643, section 18, for the design of the labor interpretive center is canceled. The bond sale authorization in Laws 1994, chapter 643, section 31, subdivision 1, is reduced by \$734,000.

(b) The \$1,100,000 appropriation in Laws 1994, chapter 643, section 19, subdivision 9, as amended by Laws 1995, chapter 224, section 124, and Laws 1997, chapter 183, article 3, section 30, for the American Indian history center at Bemidji state university is canceled. The bond sale authorization in Laws 1994, chapter 643, section 31, subdivision 1, is reduced by \$1,100,000.

(c) \$130,000 of the appropriation in Laws 1994, chapter 643, section 23, for dam improvements is canceled. The bond sale authorization in Laws 1994, chapter 643, section 31, subdivision 1, is reduced by \$130,000.

(d) \$383,000 of the appropriation in Laws 1996, chapter 463, section 13, subdivision 9, for a support services facility near the corner of Mississippi Street and University Avenue is canceled. The bond sale authorization in Laws 1996, chapter 463, section 27, subdivision 1, is reduced by \$383,000.

(e) The unobligated balance of the appropriation in Laws 1996, chapter 463, section 15, subdivision 4, for an armory facility and ramp near the corner of Rice Street and University Avenue, estimated to be \$197,000, is canceled to the general fund.

(f) \$1,355,000 of the appropriation in Laws 1996, chapter 463, section 16, subdivision 5, for the Brainerd bed expansion project is canceled. The bond sale authorization in Laws 1996, chapter 463, section 27, subdivision 1, is reduced by \$1,355,000.

(g) The \$500,000 appropriation in Laws 1996, chapter 463, section 22, subdivision 7, for the Battle Point historic site is canceled. The bond sale authorization in Laws 1996, chapter 463, section 27, subdivision 1, is reduced by \$500,000.

(h) \$10,000,000 of the appropriation in Laws 1997, Second Special Session chapter 2, section 2, for public safety disaster assistance funds is canceled. The bond sale authorization in Laws 1997, Second Special Session chapter 2, section 12, is reduced by \$10,000,000.

(i) \$5,800,000 of the appropriation in Laws 1998, chapter 404, section 13, subdivision 5, for the Minnesota labor interpretive center is canceled to the general fund.

(j) \$1,893,000 of the appropriation in Laws 1998, chapter 404, section 5, subdivision 5, for the Southwest Metropolitan Integration Magnet School in Edina is canceled to the general fund.

(k) The \$800,000 appropriation in Laws 1998, chapter 404, section 15, subdivision 5, for a tennis facility in the city of St. Paul is canceled to the general fund.

(l) The \$1,700,000 appropriation in Laws ~~1998~~ 1999, chapter ~~404~~ 240, article 2, section ~~22~~ 11, for the Battle Point cultural education center is canceled. The bond sale authorization in Laws ~~1998~~ 1999, chapter ~~404~~ 240, article 2, section ~~27~~ 16, subdivision 1, is reduced by \$1,700,000.

(m) The balance of the appropriation in Laws ~~1998~~ 1999, chapter ~~404~~ 240, article 2, section ~~23~~ 12, subdivision ~~11~~ 5, for the St. Cloud community events center is transferred to the board of trustees of the Minnesota state colleges and universities to construct a new athletic facility on the south side of the existing St. Cloud State University campus. The balance of the bond sale authorization in Laws ~~1998~~ 1999, chapter ~~404~~ 240, article 2, section ~~27~~ 16, subdivision 1, attributable to the events center project is to provide the money for the athletic facility project.

(n) \$1,000,000 of the appropriation in Laws ~~1998~~ 1999, chapter ~~404~~ 240, article 2, section ~~23~~ 12, subdivision ~~24~~ 14, for the Minnesota African-American Performing Arts Center is canceled. The bond sale authorization in Laws ~~1998~~ 1999, chapter ~~404~~ 240, article 2, section ~~27~~ 16, subdivision 1, is reduced by \$1,000,000.

(o) The \$4,000,000 appropriation in Laws 1999, chapter 240, article 1, section 3, for the Southwest Metropolitan Integration Magnet School in Edina is canceled. The bond sale authorization in Laws 1999, chapter 240, article 1, section 13, is reduced by \$4,000,000.

(p) \$321,000 of the unobligated balance of the appropriation in Laws 1999, chapter 250, article 1, section 12, subdivision 5, to demolish the capitol square building and restructure the site as a temporary parking lot is canceled to the general fund.

[EFFECTIVE DATE.] This section is effective retroactively to May 16, 2000.

Sec. 54. Laws 2001, First Special Session chapter 12, section 10, is amended to read:

Sec. 10. BOND SALE SCHEDULE

The commissioner of finance shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 2003, no more than ~~\$629,739,000~~ \$612,840,000 will need to be transferred from the general fund to the state bond fund to pay principal and interest due and to become due on outstanding state general obligation bonds. During the biennium, before each sale of state general obligation bonds, the commissioner of finance shall calculate the amount of debt service payments needed on bonds previously issued and shall estimate the amount of debt service payments that will be needed on the bonds scheduled to be sold. The commissioner shall adjust the amount of bonds scheduled to be sold so as to remain within the limit set by this section. The amount needed to make the debt service payments is appropriated from the general fund as provided in Minnesota Statutes, section 16A.641.

Sec. 55. [LEASE OF MINNEAPOLIS PARK AND RECREATION BOARD LAND.]

The Minneapolis park and recreation board may solicit bids for and may lease that portion of property known as the Fuji Ya restaurant that was acquired but not used to construct the Great River Road project for the purpose of operating a commercial food or entertainment facility that is compatible and consistent with a location adjacent to the Mississippi River. If the park board leases the property for such purpose, notwithstanding the provisions of Minnesota Statutes, section 16A.695, and relevant orders of the commissioner of finance, the park board shall reimburse the state \$158,284.04, the amount of the grant the state made for the entire project and shall not be required to sell the property or make any other payment to another governmental unit. Any funds received under this section shall be deposited in the appropriate fund by the commissioner of finance.

Sec. 56. [DM&E; WORKING GROUP.]

Subdivision 1. [MEMBERSHIP.] The commissioner of transportation or the commissioner's designee shall convene a multiagency working group on DM&E rail project mitigation, consisting of the commissioners of public safety, the pollution control agency, trade and economic development, and transportation; and director of Minnesota planning; or their designees. The director of Minnesota planning or the director's designee shall serve as chair of the working group.

Subd. 2. [TASKS.] The working group shall:

(1) evaluate the economic effects of the DM&E rail expansion project in southern Minnesota on each local unit of government impacted by the project, including costs related to noise mitigation costs, right-of-way acquisition, and rail-highway grade crossing protection and upgrade;

(2) determine the availability of federal assistance and other resources available to such local units of government for mitigation costs, including the timing of the assistance and resources;

(3) involve local units of government in issues discussed by the working group; and

(4) determine what direct and indirect costs are likely to accrue to private property owners as a result of the project including, but not limited to, costs for mitigation, right-of-way acquisitions, and crossing safety.

Subd. 3. [REPORTS.] The working group shall present an interim report to the legislature by January 15, 2003, and a final report to the legislature no later than January 15, 2004.

Sec. 57. [EXEMPTION FROM MORATORIUM.]

Notwithstanding Laws 2002, chapter 220, article 10, section 37, projects authorized in this act, Laws 2001, First Special Session chapter 12, Laws 2000, chapter 492, and Laws 1999, chapter 240, are exempt from any moratorium on professional or technical contracts, as defined in Minnesota Statutes, section 16C.08, subdivision 1.

Sec. 58. [REPEALER.]

Minnesota Statutes 2000, section 446A.072, subdivisions 2, 4, 5, 10, and 13, are repealed.

Sec. 59. [EFFECTIVE DATE.]

Except as otherwise provided in this act, this act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature with certain conditions; requiring certain studies and reports; authorizing sale of state bonds; canceling earlier appropriations and reducing bond authorizations; making technical corrections; making changes to statutes related to administration of the state's capital improvement program; requiring an inventory of state-owned land; providing a certain exemption from any moratorium on state professional or technical contracts; authorizing a lease of certain Minneapolis park and recreation board land; modifying the wastewater infrastructure program; establishing a local road improvement account; establishing a multiagency working group on mitigation of effects of DM&E rail project in southern Minnesota; appropriating money; amending Minnesota Statutes 2000, sections 13.462, subdivision 2; 16A.11, subdivision 6; 16A.501; 16A.86, subdivision 3; 16B.335, subdivision 3; 119A.45; 446A.072, subdivisions 1, 3, 6, 7, 8, 9, 11, 12, by adding subdivisions; Laws 1998, chapter 404, section 18, subdivision 4; Laws 2000, chapter 492, article 1, section 12, subdivision 7; Laws 2000, chapter 492, article 1, section 15, subdivision 4; Laws 2000, chapter 492, article 1, section 22, subdivisions 3, as amended, 4; Laws 2000, chapter 492, article 1, section 27; Laws 2001, First Special Session chapter 12, section 10; proposing coding for new law in Minnesota Statutes, chapters 16B; 174; repealing Minnesota Statutes 2000, section 446A.072, subdivisions 2, 4, 5, 10, 13."

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 861, 1543, 2613, 2920, 2970, 2973, 3048, 3128, 3168, 3209 and 3432 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Leighton introduced:

H. F. No. 3682, A bill for an act relating to appropriations; appropriating money to the city of Adams to investigate possible contamination.

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

Bradley and Huntley introduced:

H. F. No. 3683, A bill for an act relating to health; modifying provisions for access to health records; amending Minnesota Statutes 2000, section 144.335, subdivision 3a.

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

Pawlenty moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

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

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.

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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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.

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.

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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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.

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.

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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 2998, 3100, 2752, 3073, 2612, 1555, 3034, 2580, 2568 and 2572.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 2949, 3231, 3257, 2419, 2578, 2953, 1030, 3108, 1372 and 3184.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 3115, 3015, 3147, 2638, 3117, 2680, 2533, 3080, 3331 and 3145.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 3167, 3124, 2960, 3084, 2768, 3101, 2769, 2448, 2795 and 2963.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 3126, 1072, 2540, 3258, 3174, 2875 and 2422.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 3322, 2890, 3315, 2433, 3204, 2458, 2970, 3026 and 2403.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2998, A bill for an act relating to occupations and professions; waiving the written case presentation and oral examination component of the licensing requirements for certain alcohol and drug counselors; amending Minnesota Statutes 2001 Supplement, section 148C.11, subdivision 3.

The bill was read for the first time.

Hilty moved that S. F. No. 2998 and H. F. No. 3249, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3100, A bill for an act relating to human services; establishing approved tribal health professionals as medical assistance providers; reimbursement for certain health services; American Indian contracting provisions; requiring an evaluation of managed care regional rate differences; authorizing new rate regions; amending Minnesota Statutes 2000, sections 254B.09, subdivision 2; 256B.02, subdivision 7; 256B.32; Minnesota Statutes 2001 Supplement, sections 256B.0644; 256B.69, subdivision 5b; 256B.75; proposing coding for new law in Minnesota Statutes, chapter 256B.

The bill was read for the first time.

Boudreau moved that S. F. No. 3100 and H. F. No. 3276, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2752, A bill for an act relating to Hennepin county; providing for design-build contracts; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 383B.

The bill was read for the first time.

Lenczewski moved that S. F. No. 2752 and H. F. No. 3435, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3073, A bill for an act relating to domestic abuse; clarifying the standard for a misdemeanor violation of an order for protection or no contact order; amending Minnesota Statutes 2000, section 518B.01, subdivision 22; Minnesota Statutes 2001 Supplement, section 518B.01, subdivision 14.

The bill was read for the first time.

Holberg moved that S. F. No. 3073 and H. F. No. 3579, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2612, A bill for an act relating to traffic regulations; authorizing private vehicle escorting funeral procession to use flashing red lights; amending Minnesota Statutes 2000, sections 169.04; 169.64, subdivision 3.

The bill was read for the first time.

Knoblach moved that S. F. No. 2612 and H. F. No. 3076, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1555, A bill for an act relating to agriculture; providing a preemption of local regulation of fertilizers and plant foods used in agricultural production; regulating the use on turf of certain fertilizers containing phosphorus; providing for enforcement; prohibiting fertilizer applications to an impervious surface; amending Minnesota Statutes 2000, sections 18C.005, by adding a subdivision; 18C.211, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 18C.

The bill was read for the first time.

Leppik moved that S. F. No. 1555 and H. F. No. 1524, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3034, A bill for an act relating to Hennepin county; authorizing certain contracting with a public or private cooperative purchasing organization subject to a condition; amending Minnesota Statutes 2000, section 383B.217, subdivision 7.

The bill was read for the first time.

Abrams moved that S. F. No. 3034 and H. F. No. 3224, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2580, A bill for an act relating to crimes; providing that certain license revocation hearings do not give rise to an estoppel on any issues in criminal prosecutions; providing for jurisdiction over persons found to have caused a delinquent act or charged by a juvenile petition; making it child endangerment to permit a child to be present when a person possesses certain chemical substances used to manufacture controlled substances; prescribing penalties for persons who escape from electronic monitoring; amending Minnesota Statutes 2000, sections 169A.53, subdivision 3; 260B.193, subdivision 5; 609.378, subdivision 1; 609.485, subdivisions 3, 4; 634.20.

The bill was read for the first time.

Clark, J., moved that S. F. No. 2580 and H. F. No. 2840, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2568, 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.

The bill was read for the first time.

Abrams moved that S. F. No. 2568 and H. F. No. 2906, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2572, A bill for an act relating to local government; authorizing the establishment of a specific nonprofit corporation in development region nine for certain specified purposes.

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

S. F. No. 2949, A bill for an act relating to government data; background checks; expanding what is considered to be public criminal history data; modifying procedures for certain background checks; authorizing criminal history checks for certain liquor license applicants; clarifying use of data collected on employees of certain license holders; amending Minnesota Statutes 2000, sections 13.87, subdivision 1; 171.321, subdivision 3; 299C.68, subdivision 5; 326.336, subdivision 1; 340A.301, subdivision 2; 340A.402.

The bill was read for the first time.

Holberg moved that S. F. No. 2949 and H. F. No. 3034, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3231, A bill for an act relating to data privacy; providing that nondesignated addresses on license applications are not public data; amending Minnesota Statutes 2000, section 13.41, subdivision 5.

The bill was read for the first time.

Marquart moved that S. F. No. 3231 and H. F. No. 3041, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3257, 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.

The bill was read for the first time.

Howes moved that S. F. No. 3257 and H. F. No. 3509, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2419, A bill for an act relating to human services; defining portable wading pools; clarifying the use of portable wading pools at family day care settings; amending Minnesota Statutes 2000, sections 144.1222, by adding a subdivision; 245A.14, by adding a subdivision.

The bill was read for the first time.

Mulder moved that S. F. No. 2419 and H. F. No. 2600, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2578, 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.

The bill was read for the first time.

Wilkin moved that S. F. No. 2578 and H. F. No. 2873, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2953, A bill for an act relating to insurance; prohibiting issuing or requiring excess insurance on property; regulating real estate appraisals; amending Minnesota Statutes 2000, section 65A.09.

The bill was read for the first time.

Ruth moved that S. F. No. 2953 and H. F. No. 3222, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1030, A bill for an act relating to government data; providing for a National Crime Prevention and Privacy Compact; providing for an electronic information sharing system between the federal government and the state to access criminal history data; proposing coding for new law in Minnesota Statutes, chapter 299C.

The bill was read for the first time.

Stanek moved that S. F. No. 1030 and H. F. No. 1934, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3108, A bill for an act relating to human services; amending data and licensing definitions; amending Minnesota Statutes 2000, sections 13.41, subdivision 1; 13.46, subdivision 3; Minnesota Statutes 2001 Supplement, sections 13.46, subdivisions 1, 4; 245A.04, subdivision 3.

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

S. F. No. 1372, A bill for an act relating to data practices; modifying provisions governing child maltreatment data; amending Minnesota Statutes 2000, sections 13.82, subdivision 8; 13.871, subdivision 6; 626.556, subdivision 11c, by adding subdivisions; Minnesota Statutes 2001 Supplement, sections 626.5551, subdivision 2; 626.556, subdivisions 7, 10, 10e; repealing Minnesota Statutes 2000, section 626.556, subdivisions 10k, 11.

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

S. F. No. 3184, A bill for an act relating to traffic regulations; modifying provisions governing road inspections, first hauls, and weight allowances for commercial motor vehicles; requiring study of load restrictions and increases; making technical and clarifying changes; amending Minnesota Statutes 2000, sections 168.011, subdivision 17; 168.013, subdivision 3; 169.771, subdivisions 2, 3; 169.85, subdivisions 1, 2; 169.851, subdivision 3; 169.86, subdivision 5.

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

S. F. No. 3115, A bill for an act relating to state government; regulating state energy savings contracts; amending Minnesota Statutes 2000, section 16C.14.

The bill was read for the first time.

Johnson, J., moved that S. F. No. 3115 and H. F. No. 3238, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3015, A bill for an act relating to commerce; establishing a division of insurance fraud prevention within the department of commerce to investigate and prosecute insurance fraud; appropriating money; prescribing a criminal penalty for the employment of runners, cappers, or steerers; amending Minnesota Statutes 2000, sections 60A.951, subdivisions 1, 2, by adding subdivisions; 60A.952, subdivisions 1, 2, by adding subdivisions; 60A.953; proposing coding for new law in Minnesota Statutes, chapters 45; 60A; 609; repealing Minnesota Statutes 2000, section 175.16, subdivision 2.

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

S. F. No. 3147, 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.

The bill was read for the first time.

Biernat moved that S. F. No. 3147 and H. F. No. 3531, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2638, A bill for an act relating to crimes; providing that whoever employs runners to procure clients under certain circumstances involving motor vehicle insurance is guilty of a felony; proposing coding for new law in Minnesota Statutes, chapter 609.

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

S. F. No. 3117, A bill for an act relating to the metropolitan council; providing for the transfer or disposal of interceptor facilities; proposing coding for new law in Minnesota Statutes, chapter 473.

The bill was read for the first time.

Dibble moved that S. F. No. 3117 and H. F. No. 3061, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2680, A bill for an act relating to energy codes; adding a member to the construction codes advisory council; changing certain requirements; providing for adoption of a new energy code; amending Minnesota Statutes 2000, sections 16B.617; 16B.70, subdivision 1; Minnesota Statutes 2001 Supplement, section 16B.76, subdivision 1.

The bill was read for the first time.

Boudreau moved that S. F. No. 2680 and H. F. No. 3029, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2533, A bill for an act relating to corrections; authorizing counties to collect room, board, and other related correctional expenses for offenders who have been convicted of a crime and confined in a county jail, workhouse, or correctional farm in certain instances; amending Minnesota Statutes 2000, section 641.12, subdivision 3.

The bill was read for the first time.

Penas moved that S. F. No. 2533 and H. F. No. 2841, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3080, 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.

The bill was read for the first time.

Mulder moved that S. F. No. 3080 and H. F. No. 3462, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3331, A bill for an act relating to health; removing the cost of obtaining health records when applying for a disability benefits program; amending Minnesota Statutes 2000, section 144.335, subdivision 5.

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

S. F. No. 3145, A bill for an act relating to the military; revising the Minnesota code of military justice; amending Minnesota Statutes 2000, sections 192A.015; 192A.02, subdivision 3, by adding a subdivision; 192A.025; 192A.045, subdivisions 2, 3; 192A.05; 192A.055; 192A.07; 192A.08, subdivision 1; 192A.085, subdivisions 1, 3, 5, 7; 192A.09; 192A.095; 192A.10; 192A.105; 192A.11, subdivisions 1, 3; 192A.115; 192A.13; 192A.135; 192A.14; 192A.15, subdivisions 3, 5; 192A.155; 192A.16; 192A.205; 192A.235, subdivision 3; 192A.25, subdivision 3; 192A.28; 192A.31, subdivision 1; 192A.384; 192A.385; 192A.39; 192A.415; 192A.43, subdivisions 1, 2; 192A.46; 192A.47; 192A.48; 192A.485; 192A.50; 192A.51; 192A.525; 192A.54; 192A.55; 192A.555; 192A.56; 192A.57; 192A.585; 192A.59; 192A.60; 192A.605; 192A.61, subdivision 3; 192A.612; 192A.615, subdivisions 1, 2; 192A.62; 192A.635; 192A.64, subdivisions 1, 2; 192A.645; 192A.65; 192A.66; 192A.665; proposing coding for new law in Minnesota Statutes, chapter 192A; repealing Minnesota Statutes 2000, sections 192A.045, subdivision 1; 192A.06; 192A.075; 192A.145; 192A.165; 192A.17; 192A.175; 192A.18; 192A.185; 192A.19; 192A.195; 192A.21; 192A.215; 192A.22; 192A.225; 192A.23; 192A.235, subdivision 2; 192A.245; 192A.265; 192A.27; 192A.275; 192A.285; 192A.29; 192A.295; 192A.305; 192A.31, subdivision 2; 192A.315; 192A.32; 192A.325; 192A.33; 192A.335; 192A.34; 192A.345; 192A.35; 192A.355; 192A.36; 192A.365; 192A.37; 192A.375; 192A.38; 192A.43, subdivision 3; 192A.505; 192A.52; 192A.53; 192A.58; 192A.611; 192A.655.

The bill was read for the first time.

Eastlund moved that S. F. No. 3145 and H. F. No. 3221, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3167, A bill for an act relating to corrections; providing access to data for purposes of the commissioner's preliminary determination whether a petition of civil commitment as a sexual psychopathic personality or sexually dangerous person is appropriate; amending Minnesota Statutes 2000, section 244.05, subdivision 7.

The bill was read for the first time.

Holberg moved that S. F. No. 3167 and H. F. No. 3263, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3124, A bill for an act relating to health; modifying resident reimbursement classifications; clarifying minimum nursing staff requirements; amending Minnesota Statutes 2000, section 144A.04, subdivision 7; Minnesota Statutes 2001 Supplement, section 144.0724, subdivisions 3, 5, 7, 9.

The bill was read for the first time.

Nornes moved that S. F. No. 3124 and H. F. No. 3291, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2960, A bill for an act relating to employment; requiring that employers allow unpaid leave for employees to perform volunteer firefighter duties; proposing coding for new law in Minnesota Statutes, chapter 181.

The bill was read for the first time.

Hackbarth moved that S. F. No. 2960 and H. F. No. 2525, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3084, 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.

The bill was read for the first time.

Ozment moved that S. F. No. 3084 and H. F. No. 3506, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2768, A bill for an act relating to human services; changing provisions in the medical assistance demonstration project; adding requirements for the prepaid medical assistance and prepaid general assistance medical programs; amending Minnesota Statutes 2000, section 256B.69, subdivision 2.

The bill was read for the first time.

Solberg moved that S. F. No. 2768 and H. F. No. 2678, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3101, A bill for an act relating to transportation; providing certain conditions and exceptions for a new class I rest area on state highway No. 371 between Brainerd and Little Falls.

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

S. F. No. 2769, A bill for an act relating to counties; Itasca, St. Louis, and Koochiching; increasing or establishing the per capita spending limit for promotion of tourist, agricultural, and industrial development; providing for distribution of proceeds from forfeited land sales; making a technical correction by restoring legal text inadvertently made into a headnote in 1975; amending Laws 1965, chapter 326, section 1, subdivision 5, as amended; Laws 1967, chapter 170, section 1, subdivision 5, as amended.

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

S. F. No. 2448, A bill for an act relating to government data practices; providing for disclosure by the department of public safety of personal data related to operation of a motor vehicle; amending Minnesota Statutes 2000, section 168.346.

The bill was read for the first time.

Smith moved that S. F. No. 2448 and H. F. No. 2649, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2795, A bill for an act relating to human rights; adding sanctions that may be imposed; creating standing to seek sanctions; amending Minnesota Statutes 2001 Supplement, section 363.06, subdivision 4.

The bill was read for the first time.

Walker moved that S. F. No. 2795 and H. F. No. 3278, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2963, A bill for an act relating to state government; transferring duties of the state treasurer to the commissioner of finance; amending Minnesota Statutes 2000, sections 7.26; 16A.27, subdivision 5; 16A.626; 35.08; 49.24, subdivisions 13, 16; 84A.11; 84A.23, subdivision 4; 84A.33, subdivision 4; 84A.40; 85A.05, subdivision 2; 94.53; 115A.58, subdivision 2; 116.16, subdivision 4; 116.17, subdivision 2; 126C.72, subdivision 2; 127A.40; 161.05, subdivision 3; 161.07; 167.50, subdivision 2; 174.51, subdivision 2; 176.181, subdivision 2; 176.581; 190.11; 241.08, subdivision 1; 241.10; 241.13, subdivision 1; 244.19, subdivision 7; 246.15, subdivision 1; 246.18, subdivision 1; 246.21; 280.29; 293.06; 352.05; 352B.03, subdivision 2; 354.06, subdivision 3; 354.52, subdivision 5; 385.05; 475A.04; 475A.06, subdivision 2; 481.01; 490.123, subdivision 2; 525.161; 525.841; Minnesota Statutes 2001 Supplement, sections 35.09, subdivision 3; 122A.21; 276.11, subdivision 1; 299D.03, subdivision 5; repealing Minnesota Statutes 2000, section 7.21.

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

S. F. No. 3126, A bill for an act relating to human services; making technical changes in health care programs; amending Minnesota Statutes 2000, sections 13.05, subdivision 4; 245.4932, subdivision 3; 253B.045, subdivision 2; 256.01, subdivision 11; 256.023; 256.9685, subdivision 1; 256.9866; 256B.041, subdivision 5; 256B.0575; 256B.0625, subdivision 27; 256B.0629, subdivision 2; 256B.0915, subdivision 1c; 256B.0945, subdivision 4; 256B.19, subdivisions 1, 1d, 2b; 256B.37, subdivision 5a; 256B.692, subdivision 3; 256F.10, subdivision 9; 256F.13, subdivision 1; 256L.05, subdivision 3; 256L.07, subdivision 3; Minnesota Statutes 2001 Supplement, sections 245.474, subdivision 4; 256B.0623, subdivision 14; 256B.0625, subdivisions 13, 20; 256B.0915, subdivision 3; 256B.0924, subdivision 6; 256B.19, subdivision 1c; 256L.06, subdivision 3; Laws 2001, First Special Session chapter 9, article 2, section 76; repealing Minnesota Statutes 2000, sections 256.025; 256B.0635, subdivision 3; 256B.19, subdivision 1a; 256B.77, subdivision 24.

The bill was read for the first time.

Boudreau moved that S. F. No. 3126 and H. F. No. 3245, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1072, A bill for an act relating to state government; designating the photograph "Grace" as the state photograph; proposing coding for new law in Minnesota Statutes, chapter 1.

The bill was read for the first time.

Solberg moved that S. F. No. 1072 and H. F. No. 1097, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2540, A bill for an act relating to property; changing certain probate and power of appointment provisions; amending Minnesota Statutes 2000, sections 501A.01; 524.2-804; 525.313; Minnesota Statutes 2001 Supplement, section 524.3-1201.

The bill was read for the first time.

Dawkins moved that S. F. No. 2540 and H. F. No. 2657, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3258, A bill for an act relating to state lands; providing for a land exchange with city of Garfield.

The bill was read for the first time.

Cassell moved that S. F. No. 3258 and H. F. No. 3512, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3174, A bill for an act relating to commerce; creating a small business category under the Money Transmitter Act; modifying regulations; amending Minnesota Statutes 2001 Supplement, sections 53B.05, subdivision 1; 53B.08, subdivision 1.

The bill was read for the first time.

McElroy moved that S. F. No. 3174 and H. F. No. 3464, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2875, A bill for an act relating to the environment; establishing an environmental sustainability policy; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

S. F. No. 2422, A bill for an act relating to motor vehicles; regulating dealer transfers; clarifying calculation of base value; amending Minnesota Statutes 2000, sections 168.301, subdivision 3; 168A.11, subdivision 1; Minnesota Statutes 2001 Supplement, section 168.013, subdivision 1a.

The bill was read for the first time.

Stang moved that S. F. No. 2422 and H. F. No. 2726, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3322, A bill for an act relating to the metropolitan council; providing for the external use of existing service capacity; modifying the depreciation rate when assuming ownership of existing facilities; repealing obsolete rules; amending Minnesota Statutes 2000, sections 473.129, by adding a subdivision; 473.511, subdivision 4; repealing Minnesota Rules, parts 5900.0100; 5900.0200; 5900.0300; 5900.0400; 5900.0500; 5900.0600; 5900.0700; 5900.0800; 5900.0900; 5900.1000; 5900.1100; 5900.1200; 5900.1300; 5900.1400; 5900.1500; 5900.1600; 5900.1700; 5900.1800; 5900.1900; 5900.2000; 5900.2100; 5900.2200; 5900.2300; 5900.2400; 5900.2500; 5900.2600; 5900.2700; 5900.2800; 5900.2900; 5900.3000; 5900.3100; 5900.3200; 5900.3300; 5900.3400; 5900.3500; 5900.3600; 5900.3700; 5900.3800; 5900.3900; 5900.4000; 5900.4100; 5900.4200; 5900.4300; 5900.4400; 5900.4500; 5900.4600; 5900.4700; 5900.4800; 5900.4900; 5900.5000; 5900.5100; 5900.5200; 5900.5300; 5900.5400; 5900.5500; 5900.5600; 5900.5700; 5900.5800; 5900.5900; 5900.6000; 5900.6100; 5900.6200; 5900.6300; 5900.6400; 5900.6500; 5900.6800; 5900.6900; 5900.7000; 5900.7100; 5900.7200; 5900.7300; 5900.7400; 5900.7500.

The bill was read for the first time.

Buesgens moved that S. F. No. 3322 and H. F. No. 3030, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2890, A bill for an act relating to contracts; regulating public works contracts; proposing coding for new law in Minnesota Statutes, chapter 15.

The bill was read for the first time.

Clark, J., moved that S. F. No. 2890 and H. F. No. 3205, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3315, A bill for an act relating to insurance; making certain changes involving the joint underwriting association's procedures; amending Minnesota Statutes 2000, section 62F.04, by adding a subdivision; repealing Minnesota Statutes 2000, section 62F.04, subdivision 1a.

The bill was read for the first time.

Dauids moved that S. F. No. 3315 and H. F. No. 3492, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2433, A bill for an act relating to crimes; defining the crimes of sexual conduct in third and fourth degrees to include persons who sexually penetrate vulnerable adults under certain circumstances and who are agents of special transportation service providers; prescribing penalties; amending Minnesota Statutes 2000, sections 609.341, by adding a subdivision; 609.349; Minnesota Statutes 2001 Supplement, sections 609.344, subdivision 1; 609.345, subdivision 1.

The bill was read for the first time.

Tuma moved that S. F. No. 2433 and H. F. No. 3304, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3204, A bill for an act relating to human services; specifying that a county agency is not required to provide income support or cash assistance when specified state programs fail to do so; amending Minnesota Statutes 2000, section 261.063.

The bill was read for the first time.

Goodno moved that S. F. No. 3204 and H. F. No. 3258, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2458, A bill for an act relating to crimes; prohibiting presenting false information for purposes of certain background studies; prohibiting certain entities from employing individuals under certain circumstances; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

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

S. F. No. 2970, A bill for an act relating to motor vehicles; requiring motor vehicle collision repair to include air bag repair or replacement; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

S. F. No. 3026, A bill for an act relating to health; regulating the provision of interstate telemedicine services; amending Minnesota Statutes 2000, sections 147.081, subdivision 1; 147.091, subdivision 1; 147.141; proposing coding for new law in Minnesota Statutes, chapter 147.

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

S. F. No. 2403, A bill for an act relating to finance; authorizing the Minneapolis park and recreation board to lease certain property for the repayment of certain state bond expenditures.

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

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

Mariani was excused between the hours of 3:35 p.m. and 4:25 p.m.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. No. 1495.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1495

A bill for an act relating to agriculture; modifying provisions of the value-added agricultural product processing and marketing grant program; eliminating the late fee for the license to use the Minnesota grown label; clarifying the term "private contributions" for the Minnesota grown matching account; modifying provisions of the shared savings loan program and the sustainable agriculture demonstration grant program; modifying provisions of the agriculture best management practices loan program; regulating pesticide application in certain schools; modifying financing limitations for the administration of the state meat inspection program; authorizing the state agricultural society to establish a nonprofit corporation for charitable purposes; modifying provisions relating to the rural finance authority; extending the sunset date and providing for designation of replacement members of the Minnesota agriculture education leadership council; modifying the definition of "agricultural land" for the purpose of recreational trespass; extending the sunset of the dairy producers board, and conditionally voiding its repeal; providing for pesticide application on golf courses; changing certain membership provisions on the state agricultural society; defining biodiesel fuel and requiring it in diesel fuel oil; requiring reports on it; allowing natural gasoline as a petroleum component in E85 fuel; extending the sunset date for the farmer-lender mediation program; providing a temporary waiver of board of animal health rules for use of biological products on poultry; adding cultivated wild rice to the agricultural commodities promotion act provision; repealing obsolete agricultural statutes; amending Minnesota Statutes 2000, sections 17.101, subdivision 5; 17.102, subdivision 3; 17.109, subdivision 3; 17.115; 17.116; 17.117; 17.53, subdivisions 2, 8, 13; 17.63; 17.76, subdivision 2; 18B.01, by adding a subdivision; 31A.21, subdivision 2; 37.03, subdivision 1; 41B.025, subdivision 1; 41B.03, subdivision 2; 41B.043, subdivisions 1b, 2; 41B.046, subdivision 2; 41D.01, subdivisions 1, 3, 4; 97B.001, subdivision 1; 116O.09, subdivision 1a; 296A.01, subdivision 19; Laws 1986, chapter 398, article 1, section 18, as amended; proposing coding for new law in Minnesota Statutes, chapters 18B; 37; 239; repealing Minnesota Statutes 2000, sections 17.987; 24.001; 24.002; 24.12; 24.131; 24.135; 24.141; 24.145; 24.151; 24.155; 24.161; 24.171; 24.175; 24.18; 24.181; 33.09; 33.111.

March 8, 2002

The Honorable Don Samuelson
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1495, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 1495 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [239.77] [BIODIESEL CONTENT MANDATE.]

Subdivision 1. [BIODIESEL FUEL.] "Biodiesel fuel" means a renewable, biodegradable, mono alkyl ester combustible liquid fuel derived from agricultural plant oils or animal fats and that meets American Society For Testing and Materials Specification D6751-02 for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels.

Subd. 2. [MINIMUM CONTENT; EFFECTIVE DATE.] (a) Except as otherwise provided in this section, all diesel fuel sold or offered for sale in Minnesota for use in internal combustion engines must contain at least 2.0 percent biodiesel fuel oil by volume.

(b) The mandate in paragraph (a) is effective on and after the date that the conditions in clauses (1) and (2), or in clauses (1) and (3), have been met:

(1) thirty or more days have passed since the commissioner of agriculture publishes notice in the State Register that annual capacity in Minnesota for the production of biodiesel fuel oil exceeds 8,000,000 gallons;

(2) eighteen months have passed since the commissioner of agriculture publishes notice in the State Register that a federal action on taxes imposed, tax credits, or otherwise, creates a reduction in the price of two cents or more per gallon on taxable fuel that contains at least two percent biodiesel fuel oil and is sold in this state;

(3) the date June 30, 2005, has passed.

Subd. 3. [EXCEPTIONS.] (a) The minimum content requirement of subdivision 2 does not apply to fuel used in the following equipment:

(1) motors located at an electric generating plant regulated by the Nuclear Regulatory Commission;

(2) railroad locomotives; and

(3) off-road taconite and copper mining equipment and machinery.

(b) The exemption in paragraph (a), clause (1), expires 30 days after the Nuclear Regulatory Commission has approved the use of biodiesel fuel in motors at electric generating plants under its regulation.

Sec. 2. [239.771] [DISTRIBUTOR EXPENSE REIMBURSEMENT.]

Subdivision 1. [ELIGIBILITY.] A distributor that made capital expenditures necessary to adapt or add equipment to blend biodiesel fuel oil under the mandate in section 239.77 may be eligible for partial reimbursement for those expenditures if the mandate is repealed within eight years of the date the mandate is effective.

Subd. 2. [APPLICATION; ELIGIBILITY.] (a) A distributor may apply to the commissioner of agriculture for a reimbursement from money appropriated for this purpose on the following schedule: If the mandate is repealed within two years of its effective date, the commissioner shall reimburse up to 80 percent of expenditures. The total amount eligible to be reimbursed must decline by ten percent each year after the mandate is effective and must end at 20 percent in the eighth year.

(b) The commissioner must require detailed proof of expenditures made solely to comply with the mandate."

Delete the title and insert:

"A bill for an act relating to agriculture; providing for a biodiesel fuel mandate; proposing coding for new law in Minnesota Statutes, chapter 239."

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

Senate Conferees: STEVE MURPHY, STEVE DILLE AND TWYLA RING.

House Conferees: HOWARD SWENSON, TIM FINSETH AND AL JUHNKE.

Swenson moved that the report of the Conference Committee on S. F. No. 1495 be adopted and that the bill be repassed as amended by the Conference Committee.

The Speaker called Boudreau to the Chair.

Wilkin moved that the House refuse to adopt the Conference Committee report on S. F. No. 1495, and that the bill be returned to the Conference Committee.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Seifert and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Seifert moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

LAY ON THE TABLE

Peterson moved to lay the Wilkin motion on the table.

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

The question was taken on the Peterson motion and the roll was called.

Seifert moved that those not voting be excused from voting. The motion prevailed.

There were 81 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hausman	Kuisle	Otremba	Sykora
Bernardy	Dibble	Hilstrom	Leighton	Pawlenty	Tingelstad
Bishop	Dorman	Hilty	Leppik	Penas	Tuma
Blaine	Dorn	Howes	Lieder	Peterson	Wagenius
Boudreau	Entenza	Jaros	Mares	Rhodes	Walker
Bradley	Erickson	Jennings	Marquart	Rifenberg	Walz
Carlson	Evans	Johnson, R.	McElroy	Ruth	Wasiluk
Cassell	Finseth	Johnson, S.	McGuire	Schumacher	Westrom
Clark, J.	Gleason	Jordan	Molnau	Seifert	Winter
Clark, K.	Goodno	Juhnke	Mulder	Skoe	Wolf
Davids	Goodwin	Kahn	Mullery	Skoglund	Spk. Sviggum
Davnie	Gray	Kalis	Murphy	Stang	
Dawkins	Gunther	Kelliher	Ness	Swapinski	
Dehler	Harder	Kubly	Nornes	Swenson	

Those who voted in the negative were:

Abrams	Erhardt	Huntley	Lenczewski	Osskopp	Slawik
Anderson, B.	Fuller	Jacobson	Lindner	Osthoff	Smith
Anderson, I.	Gerlach	Johnson, J.	Lipman	Paulsen	Stanek
Bakk	Greiling	Kielkucki	Mahoney	Paymar	Thompson
Biernat	Haas	Knoblach	Marko	Pugh	Vandever
Buesgens	Hackbarth	Koskinen	Milbert	Rukavina	Westerberg
Daggett	Holberg	Krinkie	Olson	Seagren	Wilkin
Eastlund	Holsten	Larson	Opatz	Sertich	Workman

The motion prevailed and the Wilkin motion was laid on the table.

The question recurred on the Swenson motion that the report of the Conference Committee on S. F. No. 1495 be adopted and that the bill be repassed, as amended by the Conference Committee. The motion prevailed.

S. F. No. 1495, A bill for an act relating to agriculture; modifying provisions of the value-added agricultural product processing and marketing grant program; eliminating the late fee for the license to use the Minnesota grown label; clarifying the term "private contributions" for the Minnesota grown matching account; modifying provisions of the shared savings loan program and the sustainable agriculture demonstration grant program; modifying provisions of the agriculture best management practices loan program; regulating pesticide application in certain schools; modifying financing limitations for the administration of the state meat inspection program; authorizing the state agricultural society to establish a nonprofit corporation for charitable purposes; modifying provisions relating to the rural finance authority; extending the sunset date and providing for designation of replacement members of the Minnesota agriculture education leadership council; modifying the definition of "agricultural land" for the purpose of recreational trespass; extending the sunset of the dairy producers board, and conditionally voiding its repeal; providing for pesticide application on golf courses; changing certain membership provisions on the state agricultural society; defining biodiesel fuel and requiring it in diesel fuel oil; requiring reports on it; allowing natural gasoline as a petroleum component in E85 fuel; extending the sunset date for the farmer-lender mediation program; providing a temporary waiver of board of animal health rules for use of biological products on poultry; adding cultivated wild rice to the agricultural commodities promotion act provision; repealing obsolete agricultural statutes; amending Minnesota Statutes 2000, sections 17.101, subdivision 5; 17.102, subdivision 3; 17.109, subdivision 3; 17.115; 17.116; 17.117; 17.53, subdivisions 2, 8, 13; 17.63; 17.76, subdivision 2; 18B.01, by adding a subdivision; 31A.21, subdivision 2; 37.03, subdivision 1; 41B.025, subdivision 1; 41B.03, subdivision 2; 41B.043, subdivisions 1b, 2; 41B.046, subdivision 2; 41D.01, subdivisions 1, 3, 4; 97B.001, subdivision 1; 116O.09, subdivision 1a; 296A.01, subdivision 19; Laws 1986, chapter 398, article 1, section 18, as amended; proposing coding for new law in Minnesota Statutes, chapters 18B; 37; 239; repealing Minnesota Statutes 2000, sections 17.987; 24.001; 24.002; 24.12; 24.131; 24.135; 24.141; 24.145; 24.151; 24.155; 24.161; 24.171; 24.175; 24.18; 24.181; 33.09; 33.111.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called.

Pursuant to rule 2.05, Speaker pro tempore Boudreau excused Solberg from voting on the repassage of S. F. No. 1495, as amended by Conference.

There were 78 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Abeler	Dawkins	Goodwin	Kalis	Mulder	Ruth
Bernardy	Dehler	Gray	Kelliher	Mullery	Schumacher
Biernat	Dempsey	Gunther	Kielkucki	Ness	Seifert
Bishop	Dibble	Harder	Kubly	Nornes	Skoe
Blaine	Dorman	Hausman	Kuisle	Olson	Skoglund
Boudreau	Dorn	Hilstrom	Leighton	Opatz	Stang
Bradley	Eastlund	Hilty	Lieder	Osskopp	Swenson
Carlson	Entenza	Jaros	Lindner	Otremba	Tuma
Cassell	Erickson	Jennings	Mares	Pawlenty	Wagenius
Clark, J.	Evans	Johnson, R.	Mariani	Penas	Walker
Clark, K.	Finseth	Johnson, S.	Marquart	Peterson	Westrom
Davids	Gleason	Juhnke	McGuire	Rhodes	Winter
Davnie	Goodno	Kahn	Molnau	Rifenberg	Spk. Sviggum

Those who voted in the negative were:

Abrams	Buesgens	Gerlach	Holberg	Jacobson	Koskinen
Anderson, B.	Daggett	Greiling	Holsten	Johnson, J.	Krinkie
Anderson, I.	Erhardt	Haas	Howes	Jordan	Larson
Bakk	Fuller	Hackbarth	Huntley	Knoblach	Lenczewski

Leppik	Milbert	Paymar	Slawik	Thompson	Westerberg
Lipman	Murphy	Pugh	Smith	Tingelstad	Wilkin
Mahoney	Osthoff	Rukavina	Stanek	Vandever	Wolf
Marko	Ozment	Seagren	Swapinski	Walz	Workman
McElroy	Paulsen	Sertich	Sykora	Wasiluk	

The bill was repassed, as amended by Conference, 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 Monday, March 11, 2002:

H. F. No. 3078; S. F. No. 2834; H. F. Nos. 2882 and 3512; S. F. No. 3154; H. F. Nos. 3464, 2664, 2600, 1517, 3029, 3258, 1885, 3030, 3091, 3509, 2988 and 2935; and S. F. No. 2434.

CALENDAR FOR THE DAY

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

MOTIONS AND RESOLUTIONS

Kahn moved that the name of Murphy be added as an author on H. F. No. 2587. The motion prevailed.

Vandever moved that the name of Thompson be added as an author on H. F. No. 2968. The motion prevailed.

Murphy moved that her name be stricken as an author on H. F. No. 3080. The motion prevailed.

Abeler moved that the name of Slawik be added as an author on H. F. No. 3312. The motion prevailed.

Molnau moved that her name be stricken and the name of Kuisle be shown as chief author and the name of Lieder be added as second author on H. F. No. 3364. The motion prevailed.

Knoblach moved that the name of Osthoff be added as an author on H. F. No. 3618. The motion prevailed.

Greiling moved that the name of Slawik be added as an author on H. F. No. 3632. The motion prevailed.

Dawkins moved that the name of Lenczewski be added as an author on H. F. No. 3679. The motion prevailed.

Holsten moved that H. F. No. 766 be recalled from the Committee on Ways and Means and be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Mares moved that H. F. No. 2214 be recalled from the Committee on Local Government and Metropolitan Affairs and be re-referred to the Committee on Taxes. The motion prevailed.

Bradley moved that H. F. No. 3683 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

Molnau moved that S. F. No. 3278 be recalled from the Committee on State Government Finance and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Hilstrom moved that H. F. No. 861, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Holsten moved that H. F. No. 1543, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Tuma moved that H. F. No. 2613, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Ozment moved that H. F. No. 2920, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Hackbarth moved that H. F. No. 2970, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Holsten moved that H. F. No. 2973, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Workman moved that H. F. No. 3048, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Hackbarth moved that H. F. No. 3128, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Fuller moved that H. F. No. 3168, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Holsten moved that H. F. No. 3209, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Holsten moved that H. F. No. 3432, now on the General Register, be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Davids moved that H. F. No. 3497, now on the General Register, be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3196:

Mares, Blaine and Osthoff.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 9:00 p.m., Tuesday, March 12, 2002. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 p.m., Tuesday, March 12, 2002.

EDWARD A. BURDICK, Chief Clerk, House of Representatives