

## STATE OF MINNESOTA

## EIGHTY-SECOND SESSION — 2002

## EIGHTY-THIRD DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 13, 2002

The House of Representatives convened at 8:00 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Major Ed Wilson, The Salvation Army, St. Paul, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Gray; Johnson, S.; Schumacher and Stang were excused.

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

## REPORTS OF CHIEF CLERK

S. F. No. 222 and H. F. No. 94, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Haas moved that the rules be so far suspended that S. F. No. 222 be substituted for H. F. No. 94 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2463 and H. F. No. 2993, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Howes moved that the rules be so far suspended that S. F. No. 2463 be substituted for H. F. No. 2993 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2516 and H. F. No. 2894, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Skoe moved that the rules be so far suspended that S. F. No. 2516 be substituted for H. F. No. 2894 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2611 and H. F. No. 2662, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Stanek moved that the rules be so far suspended that S. F. No. 2611 be substituted for H. F. No. 2662 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2627 and H. F. No. 2603, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Paulsen moved that the rules be so far suspended that S. F. No. 2627 be substituted for H. F. No. 2603 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2678 and H. F. No. 2684, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Hackbarth moved that the rules be so far suspended that S. F. No. 2678 be substituted for H. F. No. 2684 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2739 and H. F. No. 3058, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Stang moved that the rules be so far suspended that S. F. No. 2739 be substituted for H. F. No. 3058 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2957 and H. F. No. 3193, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

McElroy moved that S. F. No. 2957 be substituted for H. F. No. 3193 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2988 and H. F. No. 3257, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Davids moved that the rules be so far suspended that S. F. No. 2988 be substituted for H. F. No. 3257 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3024 and H. F. No. 2989, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Haas moved that the rules be so far suspended that S. F. No. 3024 be substituted for H. F. No. 2989 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3133 and H. F. No. 2625, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Seifert moved that S. F. No. 3133 be substituted for H. F. No. 2625 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3136 and H. F. No. 3348, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Nornes moved that the rules be so far suspended that S. F. No. 3136 be substituted for H. F. No. 3348 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3168 and H. F. No. 2995, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Howes moved that the rules be so far suspended that S. F. No. 3168 be substituted for H. F. No. 2995 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3256 and H. F. No. 3406, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Schumacher moved that the rules be so far suspended that S. F. No. 3256 be substituted for H. F. No. 3406 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3286 and H. F. No. 3059, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Larson moved that the rules be so far suspended that S. F. No. 3286 be substituted for H. F. No. 3059 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3288 and H. F. No. 3537, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Rhodes moved that S. F. No. 3288 be substituted for H. F. No. 3537 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3293 and H. F. No. 3135, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Clark, J., moved that S. F. No. 3293 be substituted for H. F. No. 3135 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3345 and H. F. No. 3425, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Davids moved that the rules be so far suspended that S. F. No. 3345 be substituted for H. F. No. 3425 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3380 and H. F. No. 3455, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Leighton moved that the rules be so far suspended that S. F. No. 3380 be substituted for H. F. No. 3455 and that the House File be indefinitely postponed. The motion prevailed.

#### REPORTS OF STANDING COMMITTEES

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

H. F. No. 197, A bill for an act relating to appropriations; appropriating money for grants to noncommercial television stations; amending Laws 2000, chapter 479, article 1, section 3, subdivision 2.

Reported the same back with the following amendments:

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "reducing an earlier general fund appropriation; authorizing the sale of state bonds;"

Page 1, line 3, before the semicolon, insert "and to design and construct bus garages"

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

The report was adopted.

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

H. F. No. 766, A bill for an act relating to solid waste; transferring authority for the household hazardous waste program; providing funding for SCORE block grants; amending Minnesota Statutes 2000, sections 115A.552, subdivision 3; 115A.96, subdivisions 2, 3, 4, 5; Minnesota Statutes 2001 Supplement, section 115A.557, subdivision 2.

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

The report was adopted.

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

H. F. No. 2515, A bill for an act relating to human services; modifying disposition of tobacco endowment fund; modifying rulemaking authority; restricting use of family planning grant funds; requiring certain information be provided before abortions are performed; providing for guest registration of dentists and dental hygienists; modifying disposition of certain revenues; modifying certain provisions for medical assistance, MFIP, MinnesotaCare, and general assistance medical care; modifying certain reimbursement rate provisions; modifying certain managed care contract provisions; providing civil penalties; appropriating money; amending Minnesota

Statutes 2000, sections 144.395, subdivision 1; 144.417, subdivision 1; 150A.06, by adding a subdivision; 245.037; 246.18, subdivisions 5, 6; 246.57, subdivisions 1, 5, 6; 256B.431, by adding a subdivision; 256B.69, subdivision 5a, as amended; 256D.03, by adding a subdivision; 256D.05, subdivision 1; 256D.06, subdivision 2; 256J.48, subdivision 1; 256L.03, subdivisions 3, 5; 256L.05, subdivision 3c; Minnesota Statutes 2001 Supplement, sections 144.395, subdivision 2; 256B.056, subdivisions 1a, 4; 256B.057, subdivision 2; 256B.0635, subdivisions 1, 2; 256J.24, subdivision 10; 256J.425, subdivisions 3, 4, 5; 256J.52, subdivision 2; 256J.53, subdivision 1; 256L.17, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 2001 Supplement, section 256B.056, subdivisions 1c, 3c.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 1 and insert:

"Section 1. Minnesota Statutes 2000, section 144.395, subdivision 1, as amended by Laws 2002, chapter 220, article 13, section 6, is amended to read:

Subdivision 1. [CREATION.] (a) The tobacco use prevention and local public health endowment fund is created in the state treasury. The state board of investment shall invest the fund under section 11A.24. All earnings of the fund must be credited to the fund. The principal of the fund must be maintained inviolate, except that:

(1) the principal may be used to make expenditures from the fund for the purposes specified in this section when the market value of the fund falls below 105 percent of the cumulative total of the tobacco settlement payments received by the state and credited to the tobacco settlement fund under section 16A.87, subdivision 2; and

(2) on June 30, 2002, \$325,000,000 of the principal shall be transferred to the general fund.

For purposes of this section, "principal" means an amount equal to the cumulative total of the tobacco settlement payments received by the state and credited to the tobacco settlement fund under section 16A.87, subdivision 2.

(b) If the commissioner of finance determines that probable receipts to the general fund will not be sufficient to meet the need for expenditures from the general fund for a fiscal biennium, the commissioner may use cash reserves of the tobacco use prevention and local public health endowment fund to pay expenses of the general fund. If cash reserves are transferred to the general fund to meet cash flow needs, the cash flow transfers must be returned to the endowment fund as soon as sufficient cash balances are available in the general fund, but in any event before the end of the fiscal biennium. Any interest earned on cash flow transfers from the endowment fund accrues to the endowment fund and not to the general fund.

**[EFFECTIVE DATE.] This section is effective June 30, 2002.**"

Page 2, line 24, after the period, insert "In fiscal year 2003 only, fair market value means the value of the fund on the preceding July 1 minus \$325,000,000."

Page 2, line 36, delete "20.7" and insert "15.0"

Page 3, line 4, delete "39.6" and insert "42.5"

Page 3, line 10, delete "39.6" and insert "42.5"

Page 27, line 9, delete "period of eligibility" and insert "six-month limit" and after the period, insert "This paragraph does not apply to an assistance unit that is approved for placement in a licensed or registered setting according to chapter 256I or is a resident in a licensed or certified facility under section 256D.05, subdivision 1, paragraph (a), clause (3)."

Page 38, line 1, delete "first day of the month of" and insert "day of"

Page 39, line 35, delete "30,044,000" and insert "37,219,000" and delete "76,517,000" and insert "84,887,000"

Page 39, line 37, delete "47,032,000" and insert "47,207,000" and delete "(24,158,000)" and insert "(14,848,000)"

Page 39, line 39, delete "80,364,000" and insert "89,674,000"

Page 40, line 1, delete "20,311,000" and insert "10,061,000"

Page 40, line 8, delete "9,339,000" and insert "9,514,000" and delete "(44,567,000)" and insert "(35,257,000)"

Page 40, line 10, delete "80,364,000" and insert "89,674,000"

Page 40, line 16, delete "80,364,000" and insert "89,674,000"

Page 40, line 19, delete "7,437,000" and insert "7,612,000"

Page 40, line 25, delete "(32,193,000)" and insert "(22,883,000)"

Page 40, line 30, delete "69" and insert "76.7"

Page 40, line 35, delete "82,949,000" and insert "92,259,000"

Page 40, line 38, delete "114,229,000" and insert "133,110,000"

Page 40, line 39, delete "107,465,000" and insert "127,669,000"

Page 42, after line 9, insert:

"Federal TANF            -0-            4,700,000"

Page 42, line 17, before the comma, insert "in fiscal year 2003"

Page 43, line 9, delete "5,611,000" and insert "5,361,000"

Page 43, line 13, delete "6,392,000" and insert "6,558,000"

Page 43, line 16, delete "(781,000)" and insert "(1,197,000)"

Page 43, line 25, delete "781,000" and insert "1,197,000"

Page 43, delete lines 26 to 60

Page 44, line 9, delete "(1,100,000)" and insert "(928,000)"

Page 44, line 12, delete "(1,100,000)" and insert "(928,000)"

Page 44, line 14, delete "(1,100,000)" and insert "(928,000)"

Page 44, line 16, delete "(1,100,000)" and insert "(928,000)"

Page 44, line 28, after the headnote, insert "Of this appropriation" and delete "is"

Page 44, line 29, delete "appropriated" and delete "from"

Page 44, delete line 30

Page 44, line 31, delete "fund" and insert "is"

Adjust totals accordingly

Amend the title as follows:

Page 1, line 15, after the first "1" insert ", as amended"

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

The report was adopted.

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

H. F. No. 2902, A bill for an act relating to early childhood and family education; providing for children and family support, prevention, and self-sufficiency and lifelong learning programs; appropriating money and reducing earlier appropriations; amending Minnesota Statutes 2000, sections 124D.221, subdivision 2; 124D.52, subdivision 3; 124D.531, subdivision 4; Minnesota Statutes 2001 Supplement, sections 124D.135, subdivision 8; 124D.531, subdivision 1; Laws 2001, First Special Session chapter 3, article 1, section 17, subdivisions 3, as amended, 8, as amended, 9, as amended, 11, as amended; Laws 2001, First Special Session chapter 3, article 1, section 18, as amended; Laws 2001, First Special Session chapter 3, article 2, section 15, subdivision 3, as amended, 10; Laws 2001, First Special Session chapter 3, article 3, section 9, subdivisions 5, 7.

Reported the same back with the following amendments:

Page 2, line 32, strike "\$20,725,000" and insert "\$20,746,000"

Page 2, line 35, strike "\$18,689,000" and insert "\$18,710,000"

Page 2, line 36, strike "\$2,076,000" and insert "\$2,075,000"

Page 3, line 1, delete "\$16,912,000" and insert "\$16,913,000"

Page 5, line 9, strike "\$12,662,000" and insert "\$12,666,000"

Page 5, line 10, strike "\$1,406,000" and insert "\$1,407,000"

Page 5, line 11, strike "\$6,780,000" and insert "\$6,784,000"

Page 8, after line 6, insert:

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

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

The report was adopted.



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

H. F. No. 3011, A bill for an act relating to economic development; reducing appropriations to certain agencies and programs; transferring funds from the Minnesota minerals 21st century fund; providing a medical consultant contract exception; extending an appropriation; amending Laws 2001, First Special Session chapter 4, article 1, section 4, subdivision 3.

Reported the same back with the following amendments:

Page 2, line 24, after the period, insert "It is the intent of the legislature that the base funding for this program in the 2006-2007 biennium and thereafter be \$1,726,000 each year."

Page 2, line 29, after the period, insert "It is the intent of the legislature that the base funding for this program in the 2006-2007 biennium and thereafter be \$6,159,000 each year."

Page 2, after line 49, insert:

"It is the legislature's intent that base reductions in funding for the economic development and housing challenge program be equitably distributed across the eligible uses of the program without disproportionately impacting any single program or use."

Page 3, line 11, after the period, insert "Only"

Page 3, line 13, after "transfer" insert "income from the principal up to"

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

The report was adopted.

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.

### **REPORTS OF STANDING COMMITTEES, Continued**

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

H. F. No. 197, A bill for an act relating to appropriations; reducing an earlier general fund appropriation; authorizing the sale of state bonds; appropriating money for grants to noncommercial television stations and to design and construct bus garages; amending Laws 2000, chapter 479, article 1, section 3, subdivision 2.

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

The report was adopted.

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

H. F. No. 766, A bill for an act relating to solid waste; transferring authority for the household hazardous waste program; providing funding for SCORE block grants; amending Minnesota Statutes 2000, sections 115A.552, subdivision 3; 115A.96, subdivisions 2, 3, 4, 5; Minnesota Statutes 2001 Supplement, section 115A.557, subdivision 2.

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

The report was adopted.

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

H. F. No. 2515, A bill for an act relating to human services; modifying disposition of tobacco endowment fund; modifying rulemaking authority; restricting use of family planning grant funds; requiring certain information be provided before abortions are performed; providing for guest registration of dentists and dental hygienists; modifying disposition of certain revenues; modifying certain provisions for medical assistance, MFIP, MinnesotaCare, and general assistance medical care; modifying certain reimbursement rate provisions; modifying certain managed care contract provisions; providing civil penalties; appropriating money; amending Minnesota Statutes 2000, sections 144.395, subdivision 1, as amended; 144.417, subdivision 1; 150A.06, by adding a subdivision; 245.037; 246.18, subdivisions 5, 6; 246.57, subdivisions 1, 5, 6; 256B.431, by adding a subdivision; 256B.69, subdivision 5a, as amended; 256D.03, by adding a subdivision; 256D.05, subdivision 1; 256D.06, subdivision 2; 256J.48, subdivision 1; 256L.03, subdivisions 3, 5; 256L.05, subdivision 3c; Minnesota Statutes 2001 Supplement, sections 144.395, subdivision 2; 256B.056, subdivisions 1a, 4; 256B.057, subdivision 2; 256B.0635, subdivisions 1, 2; 256J.24, subdivision 10; 256J.425, subdivisions 3, 4, 5; 256J.52, subdivision 2; 256J.53, subdivision 1; 256L.17, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 2001 Supplement, section 256B.056, subdivisions 1c, 3c.

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

The report was adopted.

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

H. F. No. 2902, A bill for an act relating to early childhood and family education; providing for children and family support, prevention, and self-sufficiency and lifelong learning programs; appropriating money and reducing earlier appropriations; amending Minnesota Statutes 2000, sections 124D.221, subdivision 2; 124D.52, subdivision 3; 124D.531, subdivision 4; Minnesota Statutes 2001 Supplement, sections 124D.135, subdivision 8; 124D.531, subdivision 1; Laws 2001, First Special Session chapter 3, article 1, section 17, subdivisions 3, as amended, 8, as amended, 9, as amended, 11, as amended; Laws 2001, First Special Session chapter 3, article 1, section 18, as amended; Laws 2001, First Special Session chapter 3, article 2, section 15, subdivision 3, as amended, 10; Laws 2001, First Special Session chapter 3, article 3, section 9, subdivisions 5, 7.

Reported the same back with the following amendments:

Delete page 1, line 22 to page 2, line 25

Page 4, after line 17, insert:

"Sec. 6. [ECFE RESERVE REDUCTION.]

Notwithstanding Minnesota Statutes, section 124D.135, subdivision 8, a district's early childhood family education excess reserve amount for fiscal year 2003 equals the lesser of the district's early childhood family education revenue for fiscal year 2003 under section 124D.135, subdivision 1, or the district's early childhood family education reserve

account balance on June 30, 2002, in excess of the greater of \$18,000 or 25 percent of the district's early childhood family education annual revenue for fiscal year 2002. For fiscal year 2003, the amounts recovered from districts with early childhood family education excess reserves must not be reallocated to other eligible early childhood family education programs."

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 9, delete everything after the first comma and insert "section"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3011, A bill for an act relating to economic development; reducing appropriations to certain agencies and programs; transferring funds from the Minnesota minerals 21st century fund; providing a medical consultant contract exception; extending an appropriation; amending Laws 2001, First Special Session chapter 4, article 1, section 4, subdivision 3.

Reported the same back with the following amendments:

Page 3, delete section 6

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, line 6, delete "exception;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3618, 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.

Reported the same back with the following amendments:

Page 16, line 48, delete "1,118,100"

Page 16, delete lines 49 and 50

Page 16, line 51, before "To" insert "The commissioner of natural resources shall use funds up to \$1,118,000 in the land acquisition account, established in Minnesota Statutes, section 94.165, when sufficient funds are available,"

Page 21, line 38, delete "5,000,000" and insert "10,000,000"

Page 22, line 8, delete "26,000,000" and insert "51,000,000"

Page 22, line 10, delete "15,000,000" and insert "25,000,000"

Page 22, line 15, delete "11,000,000" and insert "26,000,000"

Page 23, delete lines 5 to 48

Renumber the subdivisions in sequence

Page 27, line 2, delete "22,000,000" and insert "5,000,000"

Page 27, delete lines 15 to 40

Page 28, delete lines 19 to 49

Page 29, after line 30, insert:

"Subd. 6. Minneapolis-SEMI Empowerment Zone	3,000,000
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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."

Page 29, after line 49, insert:

"Subd. 9. St. Paul-Phalen Boulevard	8,000,000
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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.

## Subd. 10. Small Cities Economic Development

6,000,000

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."

Renumber the subdivisions in sequence

Page 30, line 41, after "transitional" insert "and permanent supportive"

Page 31, line 18, delete "and" and insert ". This appropriation"

Page 32, delete lines 33 to 36

Page 33, delete lines 1 to 19

Page 35, line 36, delete everything after the period

Page 36, delete lines 1 to 6 and insert "The inventory must identify for each parcel the state agency responsible for the parcel, its location, size, and whether it is (1) currently being used for a public purpose, (2) anticipated to be used for a public purpose in the future, or (3) not currently being used or anticipated to be used for a public purpose. The inventory must also identify how much land is included in each classification under section 86A.05. Within two months of completing the inventory, and by January 15 each odd-numbered year thereafter, the commissioner must report on the inventory to the chairs of the house and senate committees with jurisdiction over higher education, capital investment, and natural resources and environment finance, and the chairs of the house committee on ways and means and the senate committee on finance."

Page 52, after line 7, insert:

"Sec. 58. [PURCHASE OF STATE PARK INHOLDINGS.]

Up to \$2,000,000 in the land acquisition account established in Minnesota Statutes, section 94.165, and is from the sale of lands in the custody of the commissioner of natural resources, is appropriated to the commissioner for acquisition of inholdings within the boundaries of state parks. The commissioner of natural resources must include any purchases made under this section in the report made under section 94.165.

**[EFFECTIVE DATE.]** This section is effective July 1, 2003, and expires June 30, 2005."

Adjust amounts accordingly

Renumber or reletter in sequence and correct internal references

Amend the title as follows:

Page 1, line 18, after the semicolon, insert "authorizing the purchase of certain state park inholdings;"

With the recommendation that when so amended the bill pass.

## MINORITY REPORT

March 12, 2002

I, the undersigned, being a minority of the Committee on Ways and Means, recommend that H. F. No. 3618 do pass 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	\$48,000,000
MINNESOTA STATE COLLEGES AND UNIVERSITIES	60,000,000
MINNESOTA STATE ACADEMIES	1,500,000
NATURAL RESOURCES	23,650,000
POLLUTION CONTROL AGENCY	10,000,000
OFFICE OF ENVIRONMENTAL ASSISTANCE	1,150,000
BOARD OF WATER AND SOIL RESOURCES	5,700,000
AGRICULTURE	5,000,000
ADMINISTRATION	25,707,000
MILITARY AFFAIRS	4,357,000
TRANSPORTATION	122,000,000
METROPOLITAN COUNCIL	600,000
HUMAN SERVICES	16,158,000
VETERANS HOMES BOARD	11,250,000
CORRECTIONS	31,880,000
TRADE AND ECONOMIC DEVELOPMENT	32,335,000
MINNESOTA HISTORICAL SOCIETY	2,500,000

BOND SALE EXPENSES	400,000
CANCELLATIONS	(4,646,000)
TOTAL	\$397,541,000
Bond Proceeds Fund (General Fund Debt Service)	346,239,000
Bond Proceeds Fund (User Financed Debt Service)	2,672,000
General Fund	300,000
General Fund Cancellations	(3,396,000)
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 48,000,000

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

## Subd. 3. Twin Cities - Minneapolis

Jones Hall 8,000,000

To renovate Jones Hall on the Minneapolis campus.

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## Subd. 4. 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 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. 5. 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	60,000,000
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Subd. 2. Higher Education Asset Preservation and Replacement	60,000,000
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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. 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

## APPROPRIATIONS

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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.

## Sec. 4. MINNESOTA STATE ACADEMIES

Subdivision 1. To the commissioner of administration for the purposes specified in this section	1,500,000
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Subd. 2. Asset Preservation	1,500,000
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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. 5. NATURAL RESOURCES

Subdivision 1. To the commissioner of natural resources for the purposes specified in this section	23,650,000
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Subd. 2. Statewide Asset Preservation	2,900,000
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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
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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. 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. 5. Well Sealing 600,000

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

Subd. 6. 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. 7. 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, 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. 8. Stream Protection and Restoration 500,000

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

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Subd. 9. 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.

## Sec. 6. 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. 7. OFFICE OF ENVIRONMENTAL ASSISTANCE

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

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. 8. BOARD OF WATER AND SOIL RESOURCES

Subdivision 1. To the board of water and soil resources for the purposes specified in this section 5,700,000

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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 (1).

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.

## Sec. 9. AGRICULTURE

Subdivision 1. To the commissioner of administration or another named agency for the purposes specified in this section 5,000,000

Subd. 2. Rural Finance Authority Loan Participation 5,000,000

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.

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

## Sec. 10. ADMINISTRATION

Subdivision 1. To the commissioner of administration for the purposes specified in this section 25,707,000

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 400,000

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

Subd. 5. 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. 11. MILITARY AFFAIRS

Subdivision 1. To the adjutant general for the purposes specified in this section 4,357,000

Subd. 2. Asset Preservation 2,500,000

For asset preservation improvements and betterments of a capital nature at military affairs facilities statewide.

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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.

## Sec. 12. TRANSPORTATION

Subdivision 1. To the commissioner of transportation for the purposes specified in this section 122,000,000

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.

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 10,000,000

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

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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 55,000,000

Of this appropriation:

(1) \$25,000,000 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) \$30,000,000 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.

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.



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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. 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.

## Sec. 13. METROPOLITAN COUNCIL

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

Subd. 2. 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. 3. 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. 14. 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.

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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.	
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. 15. 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.	

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## Sec. 16. CORRECTIONS

Subdivision 1. To the commissioner of administration for the purposes specified in this section 31,880,000

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.

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. 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. 17. 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 32,035,000

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Subd. 2. 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. 3. 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.

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

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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.

#### Sec. 18. MINNESOTA HISTORICAL SOCIETY

Subdivision 1. To the Minnesota Historical Society for the purposes specified in this section	2,500,000
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Subd. 2. Historic Site Asset Preservation	2,500,000
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(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.

Sec. 19. BOND SALE EXPENSES

400,000

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. 20. [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 \$354,257,000 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. 21. [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. 22. 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. 23. 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. 24. 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. 25. 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. 26. [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. 27. 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) "Pre-design" 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 pre-design 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 pre-design 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 pre-design must include product specifications as outlined in state contracts approved through the department of administration.

Sec. 28. 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. 29. [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. 30. 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. 31. 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. 32. 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. 33. 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. 34. 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. 35. 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. 36. 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. 37. 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. 38. 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. 39. 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~~ \$.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. 40. 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. 41. 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. 42. 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. 43. 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. 44. 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. 45. 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. 46. 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 ~~4~~ 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. 47. 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~~ \$607,960,000 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. 48. [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. 49. [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. 50. [REPEALER.]

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

## Sec. 51. [EFFECTIVE DATE.]

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

Amend the title accordingly

Signed:

PHILIP KRINKIE

Krinkie moved that the Minority Report on H. F. No. 3618 be substituted for the Majority Report and that the Minority Report be now adopted.

A roll call was requested and properly seconded.

The question was taken on the Krinkie motion and the roll was called. There were 14 yeas and 114 nays as follows:

Those who voted in the affirmative were:

Buesgens	Jacobson	Lindner	Olson	Wilkin
Erickson	Jennings	Lipman	Vandev eer	Workman
Gerlach	Krinkie	Mulder	Westerberg	

Those who voted in the negative were:

Abeler	Davnie	Goodwin	Jordan	Mariani	Paulsen
Abrams	Dawkins	Greiling	Kahn	Marko	Pawlenty
Anderson, I.	Dehler	Gunther	Kalis	Marquart	Paymar
Bakk	Dempsey	Haas	Kelliher	McElroy	Pelowski
Bernardy	Dibble	Hackbarth	Kielkucki	McGuire	Penas
Biernat	Dorman	Harder	Knoblach	Milbert	Peterson
Bishop	Dorn	Hausman	Koskinen	Molnau	Pugh
Blaine	Eastlund	Hilstrom	Kubly	Mullery	Rhodes
Boudreau	Entenza	Hilty	Kuisle	Murphy	Rifenberg
Bradley	Erhardt	Holberg	Larson	Ness	Rukavina
Carlson	Evans	Holsten	Leighton	Nornes	Ruth
Cassell	Finseth	Howes	Lenczewski	Opatz	Seagren
Clark, J.	Folliard	Huntley	Leppik	Osskopp	Seifert
Clark, K.	Fuller	Jaros	Lieder	Ostho ff	Sertich
Daggett	Gleason	Johnson, J.	Mahoney	Otremba	Skoe
Davids	Goodno	Johnson, R.	Mares	Ozment	Skoglund

Slawik	Stanek	Sykora	Tuma	Walz	Winter
Smith	Swapinski	Thompson	Wagenius	Wasiluk	Wolf
Solberg	Swenson	Tingelstad	Walker	Westrom	Spk. Sviggum

The motion did not prevail and the Minority Report on H. F. No. 3618 was not adopted.

The question recurred on the adoption of the Majority Report from the Committee on Ways and Means relating to H. F. No. 3618. The Majority Report on H. F. No. 3618 was adopted.

### **SECOND READING OF HOUSE BILLS**

H. F. Nos. 197, 766, 2515, 2902, 3011 and 3618 were read for the second time.

### **SECOND READING OF SENATE BILLS**

S. F. Nos. 222, 2463, 2516, 2611, 2627, 2678, 2739, 2957, 2988, 3024, 3133, 3136, 3168, 3256, 3286, 3288, 3293, 3345 and 3380 were read for the second time.

### **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Kelliher introduced:

H. F. No. 3688, A bill for an act relating to taxation; providing an exemption from sales tax for construction materials for the Guthrie Theater; amending Minnesota Statutes 2000, section 297A.71, by adding a subdivision.

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

Kelliher introduced:

H. F. No. 3689, A bill for an act relating to taxation; providing an exemption from sales tax for construction materials for the Walker Art Center; amending Minnesota Statutes 2000, section 297A.71, by adding a subdivision.

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

**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 File, herewith returned:

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

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

The Senate has appointed as such committee:

Senators Robertson, Vickerman and Betzold.

Said House File is herewith returned to the House.

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. 1226, 2650, 3238, 2559, 2932 and 2692.

PATRICK E. FLAHAVEN, Secretary of the Senate

**FIRST READING OF SENATE BILLS**

S. F. No. 1226, A bill for an act relating to insurance; no-fault auto; regulating basic economic loss benefits; amending Minnesota Statutes 2000, section 65B.44, subdivision 1.

The bill was read for the first time.

Tuma moved that S. F. No. 1226 and H. F. No. 1413, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2650, A bill for an act relating to financial institutions; modifying regulation of credit unions; amending Minnesota Statutes 2000, sections 52.02, subdivisions 2, 3; 52.04, subdivision 3; 52.05, subdivisions 1, 2; 52.09, subdivision 3; 52.12; 52.15, subdivision 1; 52.19, subdivision 2; Minnesota Statutes 2001 Supplement, section 52.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 52.

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

S. F. No. 3238, A bill for an act relating to nonprofit corporations; neighborhood organizations; providing options regarding the election of directors, voting rights, and meeting notice requirements; amending Minnesota Statutes 2000, sections 317A.435, by adding a subdivision; 317A.437, by adding a subdivision; 317A.439, by adding a subdivision; 317A.441.

The bill was read for the first time.

Wagenius moved that S. F. No. 3238 and H. F. No. 3445, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2559, A bill for an act relating to motor vehicles; authorizing sale of unauthorized, impounded vehicles within 15 days of notice unless owner declares intent to reclaim for vehicles impounded in the metropolitan area; amending Minnesota Statutes 2000, section 168B.051, subdivisions 1a, 2.

The bill was read for the first time.

Gerlach moved that S. F. No. 2559 and H. F. No. 2643, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2932, A bill for an act relating to the environment; encouraging citizen water quality monitoring; amending Minnesota Statutes 2000, section 115.06, by adding a subdivision.

The bill was read for the first time.

Gerlach moved that S. F. No. 2932 and H. F. No. 3275, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2692, A bill for an act relating to human services; modifying requirements for background studies; requiring a review and report to the legislature on these requirements; limiting authority of commissioner of human services to set aside a disqualification; modifying list of disqualifying crimes; requesting a study and recommendations regarding methods for tracking civil actions involving sexual abuse; amending Minnesota Statutes 2001 Supplement, section 245A.04, subdivisions 3b, 3d.

The bill was read for the first time.

Abeler moved that S. F. No. 2692 and H. F. No. 2757, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

### CALENDAR FOR THE DAY

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

### MOTIONS AND RESOLUTIONS

Clark, K., moved that H. F. No. 3324 be recalled from the Committee on Rules and Legislative Administration and be re-referred to the Committee on Commerce, Jobs and Economic Development. The motion prevailed.

Rhodes moved that H. F. No. 3379 be recalled from the Committee on State Government Finance and be re-referred to the Committee on Civil Law. The motion prevailed.

Goodno moved that S. F. No. 3204, now on the Calendar for the Day, be returned to the General Register. The motion prevailed.

Fuller moved that S. F. No. 3257, now on the Calendar for the Day, be returned to the General Register. The motion prevailed.

Buesgens moved that S. F. No. 3322, now on the Calendar for the Day, be returned to the General Register. The motion prevailed.

Boudreau, Jordan, Lieder, Ruth and Blaine introduced:

House Resolution No. 29, A house resolution recognizing May 2, 2002, as a Day of Prayer in Minnesota.

The resolution was referred to the Committee on Rules and Legislative Administration.

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

Pursuant to rule 4.30, Opatz moved that H. F. No. 2688 be recalled from the Committee on Taxes, be given its second reading, and be placed on the General Register.

A roll call was requested and properly seconded.

## LAY ON THE TABLE

Abrams moved that the Opatz motion be laid on the table.

A roll call was requested and properly seconded.

## CALL OF THE HOUSE

On the motion of Entenza and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Abrams motion and the roll was called. There were 65 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Haas	Leppik	Ozment	Sykora
Abrams	Dempsey	Hackbarth	Lindner	Paulsen	Tingelstad
Anderson, B.	Dorman	Harder	Lipman	Pawlenty	Tuma
Bishop	Eastlund	Holberg	Mares	Rhodes	Vandever
Boudreau	Erhardt	Holsten	McElroy	Rifenberg	Westerberg
Bradley	Erickson	Jacobson	Molnau	Ruth	Westrom
Buesgens	Finseth	Johnson, J.	Mulder	Seagren	Wilkin
Cassell	Fuller	Kielkucki	Ness	Seifert	Wolf
Clark, J.	Gerlach	Knoblach	Nornes	Smith	Workman
Daggett	Goodno	Krinkie	Olson	Stanek	Spk. Sviggum
Davids	Gunther	Kuisle	Osskopp	Swenson	

Those who voted in the negative were:

Anderson, I.	Entenza	Jennings	Lenczewski	Osthoff	Slawik
Bakk	Evans	Johnson, R.	Lieder	Otremba	Solberg
Bernardy	Folliard	Jordan	Mahoney	Paymar	Swapinski
Biernat	Gleason	Juhnke	Mariani	Pelowski	Thompson
Blaine	Goodwin	Kahn	Marko	Penas	Wagenius
Carlson	Greiling	Kalis	Marquart	Peterson	Walker
Clark, K.	Hausman	Kelliher	McGuire	Pugh	Walz
Davnie	Hilstrom	Koskinen	Milbert	Rukavina	Wasiluk
Dawkins	Hilty	Kubly	Mullery	Sertich	Winter
Dibble	Howes	Larson	Murphy	Skoe	
Dorn	Huntley	Leighton	Opatz	Skoglund	

The motion prevailed and the Opatz motion was laid on the table.

#### MOTION TO TAKE FROM THE TABLE

Skoglund moved to take the Opatz motion relating to H. F. No. 2688 from the table.

A roll call was requested and properly seconded.

#### MOTION TO FIX TIME TO CONVENE

Pawlenty moved that when the House adjourns today it adjourn until 8:30 a.m., Thursday, March 14, 2002.

A roll call was requested and properly seconded.

The question was taken on the Pawlenty motion and the roll was called. There were 71 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Haas	Kuisle	Ozment	Sykora
Abrams	Dehler	Hackbarth	Leppik	Paulsen	Tingelstad
Anderson, B.	Dempsey	Harder	Lindner	Pawlenty	Tuma
Bakk	Dorman	Holberg	Lipman	Penas	Vandever
Bishop	Eastlund	Holsten	Mares	Rhodes	Walz
Blaine	Erhardt	Howes	McElroy	Rifenberg	Westerberg
Boudreau	Erickson	Jacobson	Molnau	Ruth	Westrom
Bradley	Finseth	Johnson, J.	Mulder	Seagren	Wilkin
Buesgens	Fuller	Jordan	Ness	Seifert	Wolf
Cassell	Gerlach	Kielkucki	Nornes	Smith	Workman
Clark, J.	Goodno	Knoblach	Olson	Stanek	Spk. Sviggum
Daggett	Gunther	Krinkie	Osskopp	Swenson	



Those who voted in the negative were:

Anderson, I.	Evans	Johnson, R.	Lieder	Osthoff	Slawik
Bernardy	Folliard	Juhnke	Mahoney	Otremba	Solberg
Biernat	Gleason	Kahn	Mariani	Paymar	Swapinski
Carlson	Goodwin	Kalis	Marko	Pelowski	Thompson
Clark, K.	Greiling	Kelliher	Marquart	Peterson	Wagenius
Davnie	Hausman	Koskinen	McGuire	Pugh	Walker
Dawkins	Hilstrom	Kubly	Milbert	Rukavina	Wasiluk
Dibble	Hilty	Larson	Mullery	Sertich	Winter
Dorn	Huntley	Leighton	Murphy	Skoe	
Entenza	Jennings	Lenczewski	Opatz	Skoglund	

The motion prevailed.

The question recurred on the Skoglund motion and the roll was called. There were 64 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Jennings	Lenczewski	Osthoff	Slawik
Bakk	Evans	Johnson, R.	Lieder	Otremba	Solberg
Bernardy	Folliard	Jordan	Mahoney	Paymar	Swapinski
Biernat	Gleason	Juhnke	Mariani	Pelowski	Thompson
Blaine	Goodwin	Kahn	Marko	Penas	Wagenius
Carlson	Greiling	Kalis	Marquart	Peterson	Walker
Clark, K.	Hausman	Kelliher	McGuire	Pugh	Walz
Davnie	Hilstrom	Koskinen	Milbert	Rukavina	Wasiluk
Dawkins	Hilty	Kubly	Mullery	Sertich	Winter
Dibble	Howes	Larson	Murphy	Skoe	
Dorn	Huntley	Leighton	Opatz	Skoglund	

Those who voted in the negative were:

Abeler	Dehler	Haas	Leppik	Ozment	Sykora
Abrams	Dempsey	Hackbarth	Lindner	Paulsen	Tingelstad
Anderson, B.	Dorman	Harder	Lipman	Pawlenty	Tuma
Bishop	Eastlund	Holberg	Mares	Rhodes	Vandever
Boudreau	Erhardt	Holsten	McElroy	Rifenberg	Westerberg
Bradley	Erickson	Jacobson	Molnau	Ruth	Westrom
Buesgens	Finseth	Johnson, J.	Mulder	Seagren	Wilkin
Cassell	Fuller	Kielkucki	Ness	Seifert	Wolf
Clark, J.	Gerlach	Knoblach	Nornes	Smith	Workman
Daggett	Goodno	Krinkie	Olson	Stanek	Spk. Sviggum
Davids	Gunther	Kuisle	Osskopp	Swenson	

The motion did not prevail.

## FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Bishop announced his intention to place H. F. Nos. 197, 3011, 766, 2902, 2515 and 3618 on the Fiscal Calendar for Thursday, March 14, 2002.

## ADJOURNMENT

Seifert moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 8:30 a.m., Thursday, March 14, 2002.

EDWARD A. BURDICK, Chief Clerk, House of Representatives