

STATE OF MINNESOTA

EIGHTY-SECOND SESSION — 2002

EIGHTY-NINTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MARCH 22, 2002

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

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

A quorum was present.

McGuire was excused.

Slawik was excused until 9:00 a.m. Tingelstad was excused until 10:00 a.m. Gleason was excused until 10:15 a.m. Larson was excused until 11:30 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Kuisle 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. 2542 and H. F. No. 2785, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Goodno moved that the rules be so far suspended that S. F. No. 2542 be substituted for H. F. No. 2785 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2675 and H. F. No. 3519, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Ozment moved that the rules be so far suspended that S. F. No. 2675 be substituted for H. F. No. 3519 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2908 and H. F. No. 3625, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Pawlenty moved that the rules be so far suspended that S. F. No. 2908 be substituted for H. F. No. 3625 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3028 and H. F. No. 2835, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Dawkins moved that the rules be so far suspended that S. F. No. 3028 be substituted for H. F. No. 2835 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3134 and H. F. No. 3129, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Holsten moved that the rules be so far suspended that S. F. No. 3134 be substituted for H. F. No. 3129 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Seagren from the Committee on K-12 Education Finance to which was referred:

H. F. No. 1868, A bill for an act relating to school employees; establishing a pilot project for statewide health insurance plan for school district employees; permitting it to provide postretirement health insurance coverage; establishing a labor-management team to design the insurance plan; amending Minnesota Statutes 2000, section 144.395, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 43A.

Reported the same back with the following amendments:

Page 2, line 13, after the period, insert "Coverage for persons who are enrolled in, or eligible to enroll in, Medicare Parts A and B, must be coordinated as a secondary payer with Medicare, except in circumstances in which Medicare is by law the secondary payer. "Eligible to enroll in Medicare Part A" does not include persons eligible to enroll in Part A only subject to payment of a premium."

Page 3, line 1, delete everything after "(c)"

Page 3, delete line 2

Page 3, line 3, delete everything before "Premiums"

Page 3, line 4, after "required" insert "under chapter 62H and related rules"

Page 3, line 7, after the period, insert "The rate of accumulation of required reserves must be no less rapid than proportional over the three-year period."

Page 3, after line 10, insert:

"(e) The commissioner of commerce must not interpret any provision of chapter 62H or related rules as requiring the school employee insurance plan pilot project to have stop-loss insurance actually in effect or to pay any portion of the premium for stop-loss insurance, prior to the date of beginning of coverage under the pilot project."

Page 3, line 32, after the period, insert "The total number of covered employees must not be less than 5,000 nor more than 10,000 at any point in time, based upon the number of covered employees at the time of an eligible employer's enrollment in the plan."

Page 5, line 12, before "experience" insert "claims" and after "stability" insert "including an actuarial analysis"

Page 5, after line 20, insert:

"Subd. 10. [COMPETITIVE BIDS.] The insurance plan pilot project must use a competitive bid process for services it purchases. This process must allow all interested parties, including service cooperatives established under section 123A.21, to submit bids to provide all services purchased in connection with the plan. Service cooperatives are eligible to provide services under the pilot project that are within the scope of section 123A.21, notwithstanding section 62H.03."

Page 5, line 23, before "The" insert "(a)"

Page 5, lines 33 to 36, delete the new language

Page 6, lines 1 to 4, delete the new language

Page 6, after line 8, insert:

"(b) In addition, beginning July 1, 2003, an amount of the principal specified by the commissioner of commerce shall be made available to the labor-management board created in section 43A.3175, subdivision 4, if necessary to meet the obligations of the plan created in section 43A.3175, provided that any amount made available for that purpose must be repaid by the labor-management board as soon as financially feasible but no later than three years after the date of the loan or termination of the plan, whichever comes first, with interest of five percent per year on the principal balance. The amount of the principal determined by the commissioner of commerce under this paragraph must not exceed the difference between the reserves required for the plan under chapter 62H and related rules and the reserves that the plan has actually accumulated as of the time of the determination. The commissioner shall, upon request of the labor-management board, evidence the state's obligation under this paragraph by a letter of credit or similar financial guaranty."

Page 6, line 10, before "Each" insert "For fiscal years 2004, 2005, and 2006,"

Page 6, line 11, delete "\$...... per"

Page 6, line 12, delete "pupil unit to be" and insert "school employee insurance plan pilot project revenue in an amount equal to ten percent of the increase in the formula allowance between the current fiscal year and the previous fiscal year times the district's adjusted marginal cost pupil units for that year. This revenue is in addition to any increase in the basic formula allowance under Minnesota Statutes, section 126C.10, subdivision 2. This revenue must be reserved and"

Renumber the sections in sequence

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

The report was adopted.

Abrams from the Committee on Taxes to which was referred:

H. F. No. 2627, A bill for an act relating to tax data; authorizing the exchange of certain information relating to employees and employers between the department of labor and industry and the department of revenue; amending Minnesota Statutes 2000, section 270B.14, subdivision 8.

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

The report was adopted.

Abrams from the Committee on Taxes to which was referred:

H. F. No. 3364, A bill for an act relating to transportation; providing for increase in motor fuel taxes; establishing major highway project account; authorizing bonding; exempting certain contracts from moratorium on state contracts for professional or technical services; appropriating money; amending Minnesota Statutes 2000,

sections 296A.07, by adding a subdivision; 296A.08, subdivisions 2, 4, 6, by adding a subdivision; Minnesota Statutes 2001 Supplement, sections 296A.07, subdivision 4; 296A.08, subdivision 3; Laws 2002, chapter 220, article 10, section 37; proposing coding for new law in Minnesota Statutes, chapter 161.

Reported the same back with the following amendments:

Pages 2 to 5, delete sections 2 to 8

Page 6, line 13, delete "\$1,250,000,000" and insert "\$750,000,000"

Page 6, line 28, after the semicolon, insert "and"

Page 6, line 29, delete the semicolon and insert a period

Page 6, delete lines 30 to 32

Pages 6 and 7, delete section 12

Page 7, line 10, delete "to 11" and insert ", 3, and 4" and delete "12" and insert "2"

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete everything before "establishing"

Page 1, line 7, delete everything after "amending"

Page 1, delete lines 8 to 10

Page 1, line 11, delete everything before "Laws"

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

The report was adopted.

Abrams from the Committee on Taxes to which was referred:

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

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2001 Supplement, section 275.065, subdivision 3, is amended to read:

Subd. 3. [NOTICE OF PROPOSED PROPERTY TAXES.] (a) The county auditor shall prepare and the county treasurer shall deliver after November 10 and on or before November 24 each year, by first class mail to each taxpayer at the address listed on the county's current year's assessment roll, a notice of proposed property taxes.

(b) The commissioner of revenue shall prescribe the form of the notice.

(c) The notice must inform taxpayers that it contains the amount of property taxes each taxing authority proposes to collect for taxes payable the following year. In the case of a town, or in the case of the state determined portion of the school district levy, the final tax amount will be its proposed tax. In the case of taxing authorities required to hold a public meeting under subdivision 6, the notice must clearly state that each taxing authority, including regional library districts established under section 134.201, and including the metropolitan taxing districts as defined in paragraph (i), but excluding all other special taxing districts and towns, will hold a public meeting to receive public testimony on the proposed budget and proposed or final property tax levy, or, in case of a school district, on the current budget and proposed property tax levy. It must clearly state the time and place of each taxing authority's meeting, a telephone number for the taxing authority that taxpayers may call if they have questions related to the notice, and an address where comments will be received by mail.

(d) The notice must state for each parcel:

(1) the market value of the property as determined under section 273.11, and used for computing property taxes payable in the following year and for taxes payable in the current year as each appears in the records of the county assessor on November 1 of the current year; and, in the case of residential property, whether the property is classified as homestead or nonhomestead. The notice must clearly inform taxpayers of the years to which the market values apply and that the values are final values;

(2) the items listed below, shown separately by county, city or town, state determined school tax net of the education homestead credit under section 273.1382, voter approved school levy, other local school levy, and the sum of the special taxing districts, and as a total of all taxing authorities:

(i) the actual tax for taxes payable in the current year;

(ii) the tax change due to spending factors, defined as the proposed tax minus the constant spending tax amount;

(iii) the tax change due to other factors, defined as the constant spending tax amount minus the actual current year tax; and

(iv) the proposed tax amount.

In the case of a town or the state determined school tax, the final tax shall also be its proposed tax unless the town changes its levy at a special town meeting under section 365.52. If a school district has certified under section 126C.17, subdivision 9, that a referendum will be held in the school district at the November general election, the county auditor must note next to the school district's proposed amount that a referendum is pending and that, if approved by the voters, the tax amount may be higher than shown on the notice. In the case of the city of Minneapolis, the levy for the Minneapolis library board and the levy for Minneapolis park and recreation shall be listed separately from the remaining amount of the city's levy. In the case of the city of St. Paul, the levy for the St. Paul library agency shall be listed separately from the remaining amount of the city's levy. In the case of a parcel where tax increment or the fiscal disparities areawide tax under chapter 276A or 473F applies, the proposed tax levy on the captured value or the proposed tax levy on the tax capacity subject to the areawide tax must each be stated separately and not included in the sum of the special taxing districts; and

(3) the increase or decrease between the total taxes payable in the current year and the total proposed taxes, expressed as a percentage.

For purposes of this section, the amount of the tax on homesteads qualifying under the senior citizens' property tax deferral program under chapter 290B is the total amount of property tax before subtraction of the deferred property tax amount.

(e) The notice must clearly state that the proposed or final taxes do not include the following:

(1) special assessments;

(2) levies approved by the voters after the date the proposed taxes are certified, including bond referenda, school district levy referenda, and levy limit increase referenda;

(3) amounts necessary to pay cleanup or other costs due to a natural disaster occurring after the date the proposed taxes are certified;

(4) amounts necessary to pay tort judgments against the taxing authority that become final after the date the proposed taxes are certified; and

(5) the contamination tax imposed on properties which received market value reductions for contamination.

(f) Except as provided in subdivision 7, failure of the county auditor to prepare or the county treasurer to deliver the notice as required in this section does not invalidate the proposed or final tax levy or the taxes payable pursuant to the tax levy.

(g) If the notice the taxpayer receives under this section lists the property as nonhomestead, and satisfactory documentation is provided to the county assessor by the applicable deadline, and the property qualifies for the homestead classification in that assessment year, the assessor shall reclassify the property to homestead for taxes payable in the following year.

(h) In the case of class 4 residential property used as a residence for lease or rental periods of 30 days or more, the taxpayer must either:

(1) mail or deliver a copy of the notice of proposed property taxes to each tenant, renter, or lessee; or

(2) post a copy of the notice in a conspicuous place on the premises of the property.

The notice must be mailed or posted by the taxpayer by November 27 or within three days of receipt of the notice, whichever is later. A taxpayer may notify the county treasurer of the address of the taxpayer, agent, caretaker, or manager of the premises to which the notice must be mailed in order to fulfill the requirements of this paragraph.

(i) For purposes of this subdivision, subdivisions 5a and 6, "metropolitan special taxing districts" means the following taxing districts in the seven-county metropolitan area that levy a property tax for any of the specified purposes listed below:

(1) metropolitan council under section 473.132, 473.167, 473.249, 473.325, 473.446, 473.521, 473.547, or 473.834;

(2) metropolitan airports commission under section 473.667, 473.671, or 473.672; and

(3) metropolitan mosquito control commission under section 473.711.

For purposes of this section, any levies made by the regional rail authorities in the county of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington under chapter 398A shall be included with the appropriate county's levy and shall be discussed at that county's public hearing.

(j) If a statutory or home rule charter city or a town has exercised the local levy option provided by section 473.388, subdivision 7, it may include in the notice of its proposed taxes the amount of its proposed taxes attributable to its exercise of the option. In the first year of the city or town's exercise of this option, the statement shall include an estimate of the reduction of the metropolitan council's tax on the parcel due to exercise of that option. The metropolitan council's levy shall be adjusted accordingly.

[EFFECTIVE DATE.] This section is effective for notices prepared after the day following final enactment.

Sec. 2. Minnesota Statutes 2000, section 287.01, subdivision 3, is amended to read:

Subd. 3. [DEBT.] "Debt" means the principal amount of an obligation to pay money that is secured in whole or in part by a mortgage of an interest in real property. An obligation of a political subdivision and a loan made with the proceeds of such an obligation constitute a single debt.

Sec. 3. Minnesota Statutes 2000, section 383B.80, subdivision 4, is amended to read:

Subd. 4. [EXPIRATION.] The authority to impose the tax under this section expires January 1, ~~2003~~ 2006.

Sec. 4. Minnesota Statutes 2000, section 465.73, is amended to read:

465.73 [TOWN HALLS; FIRE HALLS OR RESCUE EQUIPMENT; LOANS TO POLITICAL SUBDIVISIONS.]

For purposes of constructing, repairing, or acquiring city halls, town halls, fire halls or fire or rescue equipment ~~any, or libraries or child care facilities if otherwise authorized by law,~~ a city, county, or town may borrow ~~up to~~ not to ~~\$250,000~~ exceed \$450,000 from (i) funds granted to a rural electric cooperative organized under chapter 308A by the United States Department of Agriculture Rural Business-Cooperative Service or (ii) directly from or in the form of funds guaranteed by the Farmers Home Administration Rural Housing Service or other agency of the United States Department of Agriculture ~~on~~ by a note secured by a mortgage or other security agreement on the property purchased with the borrowed funds. The city, county, or town may pledge its full faith and credit and assign or pledge the revenues, if any, from the town halls, fire or rescue department, or fire hall or facilities or equipment so financed together with any other properly available funds, including taxes levied pursuant to section 475.61 to the Farmers Home Administration or other agency of the United States Department of Agriculture or its guaranteed lender or a rural electric cooperative organized under chapter 308A as its grantee to repay to secure the loan. The amount of the obligation shall not be ~~obligation of the note is not to be~~ included when computing the net debt of the city, county, or town. ~~An election shall not be required to authorize the note and mortgage or assignment of revenues, nor is the approval of the voters required for the issuance of the note.~~

Sec. 5. Minnesota Statutes 2000, section 469.034, subdivision 2, is amended to read:

Subd. 2. [GENERAL OBLIGATION REVENUE BONDS.] (a) An authority may pledge the general obligation of the general jurisdiction governmental unit as additional security for bonds payable from income or revenues of the project or the authority. The authority must find that the pledged revenues will equal or exceed 110 percent of the principal and interest due on the bonds for each year. The proceeds of the bonds must be used for a qualified housing development project or projects. The obligations must be issued and sold in the manner and following the procedures provided by chapter 475, except the obligations are not subject to approval by the electors and the maturities may extend to not more than 30 years from the date of occupancy of the project. The authority is the municipality for purposes of chapter 475.

(b) The principal amount of the issue must be approved by the governing body of the general jurisdiction governmental unit whose general obligation is pledged. Public hearings must be held on issuance of the obligations by both the authority and the general jurisdiction governmental unit. The hearings must be held at least 15 days, but not more than 120 days, before the sale of the obligations.

(c) The maximum amount of general obligation bonds that may be issued and outstanding under this section equals the greater of (1) one-half of one percent of the taxable market value of the general jurisdiction governmental unit whose general obligation which includes a tax on property is pledged, or (2) \$3,000,000. In the case of county or multicounty general obligation bonds, the outstanding general obligation bonds of all cities in the county or counties issued under this subdivision must be added in calculating the limit under clause (1).

(d) "General jurisdiction governmental unit" means the city in which the housing development project is located. In the case of a county or multicounty authority, the county or counties may act as the general jurisdiction governmental unit. In the case of a multicounty authority, the pledge of the general obligation is a pledge of a tax on the taxable property in each of the counties.

(e) "Qualified housing development project" means a housing development project providing housing either for the elderly or for individuals and families with incomes not greater than 80 percent of the median family income as estimated by the United States Department of Housing and Urban Development for the standard metropolitan statistical area or the nonmetropolitan county in which the project is located, and will be owned by the authority for the term of the bonds. A qualified housing development project may admit nonelderly individuals and families with higher incomes if:

(1) three years have passed since initial occupancy;

(2) the authority finds the project is experiencing unanticipated vacancies resulting in insufficient revenues, because of changes in population or other unforeseen circumstances that occurred after the initial finding of adequate revenues; and

(3) the authority finds a tax levy or payment from general assets of the general jurisdiction governmental unit will be necessary to pay debt service on the bonds if higher income individuals or families are not admitted.

Sec. 6. Minnesota Statutes 2000, section 469.102, subdivision 2, is amended to read:

Subd. 2. [DETAIL; MATURITY.] The authority with the consent of its city's council shall set the date, denominations, place of payment, form, and details of the bonds. The bonds must mature serially. The first installment is due in not more than three years and the last in not more than ~~20~~ 30 years from the date of issuance.

Sec. 7. Minnesota Statutes 2000, section 469.153, is amended by adding a subdivision to read:

Subd. 13. [RELATED PUBLIC IMPROVEMENTS.] "Related public improvements" means any public improvements described in section 429.021, that are acquired and constructed in connection with the project and are financed by the contracting party under the revenue agreement.

Sec. 8. Minnesota Statutes 2000, section 469.155, subdivision 3, is amended to read:

Subd. 3. [REVENUE BONDS.] (a) It may issue revenue bonds, in anticipation of the collection of revenues of a project to be situated within the state, to finance, in whole or in part, the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension thereof and of any related public improvements.

(b) It may issue revenue bonds to purchase the obligations of local government units located in whole or in part within the boundaries of the municipality. The proceeds of bonds issued to purchase obligations as provided under this paragraph may be disbursed or otherwise used to pay underwriter's or placement fees, expenses, or other costs of issuance and sale for the bonds only on a pro rata basis determined with respect to the portion of the proceeds that are used to purchase the obligations. The municipality may not pay the underwriter's or placement fees, expenses, or other costs of issuance and sale out of other money.

Sec. 9. Minnesota Statutes 2000, section 469.155, subdivision 8, is amended to read:

Subd. 8. [IMPLEMENTATION OF POWERS AND COVENANTS; CONSTRUCTION AND ACQUISITION BY CONTRACTING PARTY.] It may make all contracts, execute all instruments, and do all things necessary or convenient in the exercise of the powers granted in sections 469.152 to 469.165, or in the performance of its covenants or duties, or in order to secure the payment of its bonds. It may enter into a revenue agreement authorizing the contracting party, subject to any terms and conditions the municipality or redevelopment agency finds necessary or desirable and proper, to provide for the construction, acquisition, and installation of the buildings, improvements, and equipment to be included in the project and any related public improvements by any means legally available to the contracting party and in the manner determined by the contracting party and without advertisement for bids unless advertisement by the contracting party is otherwise required by law.

Sec. 10. Minnesota Statutes 2000, section 469.157, is amended to read:

469.157 [DETERMINATION OF COST OF PROJECT.]

In determining the cost of a project, the governing body may include all cost and estimated cost of the acquisition, construction, reconstruction, improvement, betterment, and extension of the project and any related public improvements, all engineering, inspection, fiscal, legal, administrative, and printing expense, the interest which it is estimated will accrue during the construction period and for six months thereafter on money borrowed or which it is estimated will be borrowed pursuant to sections 469.152 to 469.165, and bond reserves and premiums for insurance of lease rentals pledged to pay the bonds.

Sec. 11. [471.656] [LIMITS ON BOND ISSUANCE FOR EXTRATERRITORIAL PROJECTS.]

(a) Notwithstanding any law to the contrary, neither a municipality nor an authority may issue obligations to finance the acquisition or improvement of real property located outside of the corporate boundaries of the issuer, unless:

(1) the issuing governmental unit is the equitable owner of the property to be financed; or

(2)(i) for property located in a city, the governing body of the city consents, by resolution, to issuance of the obligations; or

(ii) for property located outside of a city or in two or more cities or towns, the governing body of the county in which the property is located consents, by resolution, to issuance of the obligations; or

(3) the obligations are issued under a joint powers agreement and the property is located entirely within the boundaries of one or more of the parties to the joint powers agreement.

(b) For purposes of this section, an authority includes, whether created under general or special law:

(1) a housing and redevelopment authority;

(2) an economic development authority;

(3) a port authority;

(4) a rural development financing authority; or

(5) other similar local government entities that are authorized by law to issue obligations.

(c) The definitions in section 475.51 apply to this section.

[EFFECTIVE DATE.] This section is effective for obligations issued or sold after June 30, 2002.

Sec. 12. Minnesota Statutes 2000, section 473.39, is amended by adding a subdivision to read:

Subd. 1i. [OBLIGATIONS.] After July 1, 2002, in addition to the authority in subdivisions 1a, 1b, 1c, 1d, 1e, 1g, and 1h, the council may issue certificates of indebtedness, bonds, or other obligations under this section in an amount not exceeding \$54,000,000 for capital expenditures as prescribed in the council's regional transit master plan and transit capital improvement program and for related costs, including the costs of issuance and sale of the obligations, but not for computer software, or for construction, maintenance, or operation of light rail transit or commuter rail.

Sec. 13. [APPLICATION.]

Section 12 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 14. Minnesota Statutes 2000, section 641.23, is amended to read:

641.23 [FUNDS, HOW PROVIDED.]

Before any contract is made for the erection of a county jail, sheriff's residence, or both, the county board shall either levy a sufficient tax to provide the necessary funds, or issue county bonds therefor in accordance with the provisions of chapter 475, provided that, ~~unless the issuance of the bonds is approved by the majority of voters voting on the question of their issuance, no election is required~~ if the amount of all bonds issued for this purpose and interest on them which are due and payable in any year ~~shall~~ does not exceed an amount equal to 0.09671 percent of market value of taxable property within the county, as last determined before the bonds are issued.

Sec. 15. [SOUTHWEST REGIONAL DEVELOPMENT COMMISSION; LEVY; DEBT.]

(a) In addition to other levies authorized by law, the Southwest Regional Development Commission may levy in each year through 2010, for taxes payable through 2011, an additional amount sufficient to retire its remaining debt in connection with the Prairie Expo project located in Worthington not to exceed \$232,080 annually.

(b) The commission may issue bonds or other obligations under Minnesota Statutes, chapter 475, in an aggregate principal amount not to exceed \$1,632,224, to retire the debt sooner. In that case the levy authorized in paragraph (a) may be used for debt service on the bonds or other obligations, issued to retire the debt.

[EFFECTIVE DATE; LOCAL APPROVAL.] This section is effective the day after:

(1) the governing body of the Southwest Regional Development Commission and its chief clerical officer timely comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3; and

(2) the governing body of each county in the development region and its chief clerical officer timely comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 16. Laws 1971, chapter 773, section 1, subdivision 2, as amended by Laws 1974, chapter 351, section 5, Laws 1976, chapter 234, sections 1 and 7, Laws 1978, chapter 788, section 1, Laws 1981, chapter 369, section 1, Laws 1983, chapter 302, sections 1, Laws 1988, chapter 513, section 1, Laws 1992, chapter 511, article 9, section 23, and Laws 1998, chapter 389, article 3, section 27, is amended to read:

Subd. 2. For each of the years ~~through 2003 to 2008~~, the city of St. Paul is authorized to issue bonds in the aggregate principal amount of ~~\$15,000,000~~ \$20,000,000 for each year; ~~or in an amount equal to one-fourth of one percent of the assessors estimated market value of taxable property in St. Paul, whichever is greater, provided that no more than \$15,000,000 of bonds is authorized to be issued in any year, unless St. Paul's local general obligation debt as defined in this section is less than six percent of market value calculated as of December 31 of the preceding year; but at no time shall the aggregate principal amount of bonds authorized exceed \$18,000,000 in 1998, \$18,000,000 in 1999, \$19,000,000 in 2000, \$19,000,000 in 2001, \$19,500,000 in 2002, and \$20,000,000 in 2003.~~

Sec. 17. Laws 1989, chapter 211, section 8, as amended by Laws 1992, chapter 505, section 3, is amended to read:

Sec. 8. [COOK COUNTY; HOSPITAL DISTRICT.]

Subdivision 1. [CREATION; REFERENDUM.] The board of commissioners of Cook county may by resolution create a Cook county hospital district. The resolution providing for creation of the district must be published in the official newspaper of the county. If within ten days after the publication a petition is filed with the county board that is signed by qualified voters of the county at least equal in number to ten percent of the number of voters voting at the most recent election of county commissioners, requesting a referendum on the resolution, it shall not be effective until it is approved by a majority of qualified voters voting on the question at a special or general election.

Subd. 2. [OPERATION OF DISTRICT.] A hospital district created under this section shall be subject to Minnesota Statutes, sections ~~397.06 to 397.102~~ 447.32, ~~except subdivision 1, to 447.41, and~~ except as provided otherwise in this act.

Subd. 3. [BOARD.] Notwithstanding Minnesota Statutes, section ~~397.06~~ 447.32, the board of the district shall be comprised of one member from each county commissioner district elected by the voters at the first general election in the county after the resolution has become effective. At the 1992 general election, the board members from districts one, three, and five shall be elected to two-year terms and board members from districts two and four to four-year terms. Their successors shall be elected to regular four-year terms in 1994, 1996, and thereafter. Terms shall begin on the first day of January following the election.

If members are elected in 1990, their terms shall be two years. When the district is first created, the county commissioner from each district shall appoint a member of the board to serve until the commencement of the term of a successor.

When a vacancy occurs, ~~the county commissioner from the district affected~~ majority of the remaining members of the board of the hospital district shall appoint a member to serve until January 1 following the next general election in the county, ~~when at which~~ a successor shall be elected for a full regular term if the full regular term of the seat that had the vacancy is expiring on that January 1 or otherwise, for the unexpired remainder of the regular that seat's term.

Subd. 4. [TAX LEVY.] The tax levied under Minnesota Statutes, section ~~397.09~~ 447.34, shall not exceed \$300,000 in any year, and its proceeds may be used for all purposes of the hospital district.

Subd. 5. [TERRITORY.] The territory of the entire county of Cook is the hospital district.

Subd. 6. [REFERENCES.] The county acts in the place of cities and towns for purposes of Minnesota Statutes, sections 447.32, except subdivision 1, to 447.41; and all references made to hospital districts in Minnesota Statutes, sections 447.32, except subdivision 1, to 447.41, apply to the Cook county hospital district.

Subd. 7. [APPLICATION.] Minnesota Statutes, section 447.38, subdivision 2, does not apply to the hospital district created under this section.

[EFFECTIVE DATE.] For purposes of Minnesota Statutes, section 645.021, subdivisions 2 and 3, Cook county and the Cook county hospital district are the local governmental units affected. This section is effective the day after the latter of the governing bodies of:

(1) Cook county and its chief clerical officer; and

(2) the Cook county hospital district and its chief clerical officer;

timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 18. [SOUTH ST. PAUL; SINGLE-FAMILY HOUSING.]

Due to the shortage of single-family housing in the city of South St. Paul, the legislature finds and declares that it is a public purpose for the city to facilitate the construction of single-family homes to the greatest extent possible. The city of South St. Paul may convey to a private person, firm, partnership, corporation, or other entity a parcel of real estate acquired from the Minnesota department of transportation by quit claim deed, that parcel described as: "That part of the Southwest Quarter of the Northwest Quarter of Section 28, Township 28 North, Range 22 West, Dakota County, Minnesota, described as follows:

Beginning at the West Quarter corner of said Section 28; thence East on the East and West Quarter line of said Section 28 a distance of 570 feet; thence run Northwesterly to a point on the East line of the West 221.5 feet of said Southwest Quarter of the Northwest Quarter, distant 280 feet North of its intersection with the East and West Quarter line of said Section 28; thence run Northwesterly to a point on the West line of said Section 28, distant 375 feet North of the West Quarter corner thereof; thence run South on said West section line 375 feet to the point of beginning."

The legislature declares that the conveyance to a private person, firm, partnership, corporation, or other entity for the construction of single-family residential dwellings is a public purpose.

[EFFECTIVE DATE.] This section is effective without local approval on the day following final enactment.

Sec. 19. [REGION NINE DEVELOPMENT COMMISSION; NONPROFIT CORPORATION ESTABLISHED.]

Subdivision 1. [AUTHORIZATION.] The region nine development commission may incorporate and authorize the incorporation of a nonprofit corporation to reduce dependence on tax dollars in filling regional service gaps and funding rural programs by improving the region's access to other funding sources.

Subd. 2. [BOARD OF DIRECTORS.] The corporation must be governed by a board of nine directors. The directors must be named by the region nine development commission. No more than five of the directors may be persons currently serving on the region nine development commission. Board members must not be compensated for their services but may be reimbursed for reasonable expenses incurred in connection with their duties as board members.

Subd. 3. [ARTICLES AND BYLAWS.] The entity must be incorporated under Minnesota Statutes, chapter 317A, and otherwise must comply with Minnesota Statutes, chapter 317A, except to the extent Minnesota Statutes, chapter 317A, is inconsistent with this section.

Subd. 4. [EMPLOYEES.] Persons employed by the nonprofit corporation are not public employees and must not participate in retirement, deferred compensation, insurance, or other plans that apply to public employees generally.

Subd. 5. [CONTRACTING.] The region nine development commission may enter into management contracts or lease agreements, or both, with a nonprofit corporation that is established according to this act.

Subd. 6. [STATUTORY COMPLIANCE.] (a) Minnesota Statutes, section 16A.695, applies to a management contract or lease agreement entered into by the region nine development commission and a nonprofit corporation established according to this act.

(b) The nonprofit corporation must comply with Minnesota Statutes, section 465.719, subdivisions 9, 10, 11, 12, 13, and 14.

Sec. 20. [ANOKA COUNTY DEBT AUTHORITY.]

Subdivision 1. [AUTHORITY TO INCUR DEBT.] (a) To finance the cost of designing, constructing, and acquiring public safety communication system infrastructure and equipment, the governing body of Anoka county may issue:

(1) capital improvement bonds under the provisions of Minnesota Statutes, section 373.40, as if the infrastructure and equipment qualified as a "capital improvement" within the meaning of Minnesota Statutes, section 373.40, subdivision 1, paragraph (b); and

(2) capital notes under the provisions of Minnesota Statutes, section 373.01, subdivision 3, as if the equipment qualified as "capital equipment" within the meaning of section 373.01, subdivision 3.

(b) The original principal amount of the bonds and the capital notes issued under this section may not exceed \$12,500,000.

Subd. 2. [TREATMENT OF LEVY.] Notwithstanding Minnesota Statutes, sections 275.065, subdivision 3, and 276.04, the county may report the tax attributable to any levy to pay principal and interest on bonds or notes issued under this section as a separate line item on the proposed property tax notice and the property tax statement.

Subd. 3. [EXPIRATION.] This section expires ten years after the first year in which the county issues a note or bond under this section. The county may not issue a bond or note under this section with a maturity or payment date after the expiration date of this section. No property tax may be levied under this section for taxes payable in a calendar year after the calendar year in which this section expires. Expiration of this section does not affect the obligation to pay or the authority to collect taxes levied under this section before its expiration.

[EFFECTIVE DATE.] This section is effective the day following final enactment without local approval.

Sec. 21. [LEGISLATIVE PURPOSE AND POLICY.]

The legislature determines that in the area in and around the city of Alexandria, there are economic development issues that can be more effectively dealt with by a single entity on a coordinated basis rather than by multiple existing government units. The legislature, therefore, declares that for a coordinated approach to economic development in the area, it is necessary to establish for the area an economic development authority with the responsibility of exercising the powers of an economic development authority in order to advance the economic vitality of the area.

Sec. 22. [DEFINITIONS.]

Subdivision 1. [DEFINITIONS.] For the purposes of sections 21 to 28, the terms defined in this section have the following meanings.

Subd. 2. [LAKES AREA ECONOMIC DEVELOPMENT AUTHORITY.] "Lakes area economic development authority" or "authority" means the lakes area economic authority established as provided in section 23.

Subd. 3. [PERSON.] "Person" means an individual, partnership, corporation, cooperative, or other organization or entity, public or private.

Subd. 4. [MEMBER.] "Member" means the city of Alexandria or the townships of Alexandria, Carlos, or La Grand, or any other municipality, the geographic area of which is included within the jurisdiction of the authority.

Subd. 5. [MUNICIPALITY.] "Municipality" means a statutory or home rule charter city or town located in Douglas county.

Sec. 23. [LAKES AREA ECONOMIC DEVELOPMENT AUTHORITY.]

Subdivision 1. [ESTABLISHMENT.] A lakes area economic development authority with jurisdiction over the geographic area of its members is established as a public corporation and political subdivision of the state with perpetual succession and all the rights, powers, privileges, immunities, and duties that may be validly granted to or imposed upon a municipal corporation, as provided in sections 21 to 28.

Subd. 2. [BOARD OF COMMISSIONERS.] The authority is governed by a board of commissioners to be selected as follows: the mayor of each member city, and the chair of the town board of each member town shall appoint one commissioner, subject to the approval of the respective city council or town board. The terms of the commissioner are as provided in subdivision 5.

Subd. 3. [TIME LIMITS FOR SELECTION, ALTERNATIVE APPOINTMENT BY DISTRICT JUDGE.] The initial appointment of commissioners must be made no later than 60 days after sections 21 to 28 becomes effective. Subsequent appointments must be made within 60 days before the expiration of a term in the same manner as the predecessor was selected. A vacancy on the board must be filled within 60 days after it occurs. If a selection is not made within the prescribed time, the chief judge of the seventh judicial district of the Minnesota district court on application by an interested person shall appoint an eligible person to the board.

Subd. 4. [VACANCIES.] If a vacancy occurs in the office of commissioner, the vacancy must be filled for the unexpired term in a like manner as provided for selection of the commissioner who vacated the office. The office must be considered vacant under the conditions specified in Minnesota Statutes, section 351.02.

Subd. 5. [TERMS OF OFFICE.] The terms of the initial appointees to the board of commissioners are for two, three, four, five, and six years and shall be established by lot among the initial five commissioners. The mayor or town board chair of any new member added under section 26 shall designate the term, not to exceed six years, of the first commissioner selected to represent the member. Succeeding terms of all commissioners are six years, except that each commissioner serves until a successor has been duly selected and qualified.

Subd. 6. [REMOVAL.] A commissioner may be removed by the unanimous vote of the appointing governing body, with or without cause.

Subd. 7. [QUALIFICATIONS.] A commissioner may, but need not, be a resident of the territory of the member appointing that commissioner.

Subd. 8. [COMPENSATION.] A commissioner must be paid a per diem compensation for attending a regular or special meeting in an amount determined by the board. A commissioner must be reimbursed for all reasonable expenses incurred in the performance of the commissioner's duties as determined by the board.

Sec. 24. [POWERS; APPLICATION OF EDA LAW.]

Subdivision 1. [USE OF EDA POWERS.] Except as otherwise provided in sections 21 to 28, the authority may exercise any of the powers of an economic development authority (EDA) provided by Minnesota Statutes, sections 469.090 to 469.1082, and for this purpose the term "city" means a member. Minnesota Statutes, sections 469.096 to 469.101, 469.103 to 469.106, and 469.108 to 469.1081 apply to the authority, except that the authority's fiscal year is the calendar year.

Subd. 2. [LAW THAT IS NOT APPLICABLE.] The provisions in:

(1) Minnesota Statutes, section 469.091, subdivision 1, expressly relating to:

(i) the adoption of an enabling resolution;

(ii) Minnesota Statutes, section 469.092; or

(iii) housing and redevelopment authorities; and

(2) Minnesota Statutes, sections 469.093, 469.095, 469.102, and 469.107;

do not apply to the authority.

Sec. 25. [MEMBERS MUST LEVY TAXES FOR AUTHORITY.]

A member shall, at the request of the authority, levy a tax in any year for the benefit of the authority. The tax is, for each member, a pro rata portion of the total amount of tax requested by the authority based on the taxable market value within a member's jurisdiction, but in no event shall the tax in any year exceed 0.01813 percent of taxable market value. For purposes of this section, "taxable market value" has the meaning as given in section 273.032.

The treasurer of each member city or town shall, within 15 days after receiving the property tax settlements from the county treasurer, pay to the treasurer of the authority the amount collected for this purpose. The money must be used by the authority for the purposes provided by sections 21 to 28.

Sec. 26. [ADDITION AND WITHDRAWAL OF MEMBERS.]

Subdivision 1. [ADDITIONS.] A municipality upon a resolution adopted by a four-fifths vote of all of its governing body may petition the authority to be included within the jurisdiction of the authority and, if approved by the authority, the geographic area of the municipality must be included within the jurisdiction of the authority and subject to the jurisdiction of the authority under sections 21 to 28.

Subd. 2. [WITHDRAWALS.] A municipality may withdraw from the authority by resolution of its governing body. The municipality must notify the board of commissioners of the authority of the withdrawal by providing a copy of the resolution at least two years in advance of the proposed withdrawal. Unless the authority and the withdrawing member agree otherwise by action of their governing bodies, the taxable property of the withdrawing member is subject to the property tax levy under section 25 for two taxes payable years following the notification of the withdrawal and the withdrawing member retains any rights, obligations, and liabilities obtained or incurred during its participation.

Sec. 27. [CONTRACTS WITH NONPROFIT CORPORATIONS.]

The authority may enter into contracts with one or more nonprofit corporations to make, from funds of and under guidelines set by the authority, loans or grants for projects the authority may undertake under sections 21 to 28. Minnesota Statutes, section 465.719, does not apply so long as the nonprofit corporation is not described in Minnesota Statutes, section 465.719, subdivision 1, paragraph (b)(i) or (b)(ii).

Sec. 28. [RELATION TO EXISTING LAWS.]

Sections 21 to 28 must be given full effect notwithstanding any law or charter that is inconsistent with them.

Sec. 29. [ST. PAUL LIBRARY AGENCY.]

(a) Notwithstanding any law or charter to the contrary, the city council of the city of St. Paul may, by ordinance, establish an independent library agency, a public body corporate and politic, which is a governmental subdivision of the state of Minnesota. The library agency is responsible for all libraries and library operations within the city of St. Paul. The actions of the city council as library board are subject to mayoral veto and override of that veto in the same manner as other actions of the city council.

(b) All employees of the library agency are employees of the city of St. Paul.

(c) The city may transfer any real or personal property used or to be used for library purposes to the library agency.

(d) The library board shall designate among its members a chair, secretary, and treasurer, and may adopt bylaws.

(e) The director of the library agency shall be appointed by the mayor.

[EFFECTIVE DATE.] This section is effective the day after the governing body of St. Paul and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 30. [TAX LEVIES; FISCAL MATTERS.]

Subdivision 1. [BUDGET TO CITY.] Annually, at a time fixed by charter, resolution, or ordinance of the city, the library board shall send its budget to the city council. The budget must include a detailed written estimate of the amount of money that the library board expects to need from the city to operate the library agency during the next fiscal year in excess of any expected receipts from other sources.

Subd. 2. [FISCAL YEAR.] The fiscal year of the library agency must be the same as the fiscal year of the city.

Subd. 3. [CITY LEVY.] The city shall, at the request of the library board, levy a tax in any year for the benefit of the library agency. The amount collected pursuant to the levy must be held by the city treasurer exclusively for operations of the library agency.

[EFFECTIVE DATE.] This section is effective the day after the governing body of St. Paul and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 31. [GENERAL OBLIGATION BONDS.]

Subdivision 1. [POWER; PROCEDURE.] The library agency may issue bonds in the principal amount authorized by the city council. The bonds may be issued in anticipation of income from any source. The bonds may be issued:

(1) to secure funds needed by the library agency to pay for acquired real or personal property; or

(2) for capital improvements to property owned or used by the library.

The bonds must be in the amount and form and bear interest at the rate set by the city council. Except as otherwise provided in this section, the issuance of the bonds is governed by Minnesota Statutes, chapter 475. The library agency when issuing the bonds is a municipality under Minnesota Statutes, chapter 475. Notwithstanding any city charter provision or any general or special law to the contrary, the bonds may be issued and sold without submission of the question to the electors of the city, provided that the ordinance of the city council authorizing issuance of the bonds by the library agency is subject to provisions in the city charter pertaining to the procedure for referendum on ordinances enacted by the city council.

Subd. 2. [OUTSIDE DEBT LIMIT.] Bonds issued by the library agency must not be included in the net debt of the city of St. Paul. Money received under this section must not be included in a per capita limit on taxing or spending in the city charter. The library agency is also exempt from the limit.

Subd. 3. [PLEDGE.] The bonds must be secured by the pledge of the full faith, credit, and resources of the city of St. Paul. The city council must first decide whether the issuance of the bonds by the library agency is proper in each case and, if so, the amount of bonds to issue. The city council shall give specific consent in an ordinance to the pledge of the city's full faith, credit, and resources. The city shall pay the principal amount of the bonds and the interest on them from taxes levied under this section to make the payment or from library board income from any source.

[EFFECTIVE DATE.] This section is effective the day after the governing body of St. Paul and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 32. [EFFECTIVE DATE; LOCAL APPROVAL.]

Sections 21 to 28 are effective the day after the governing bodies of the city of Alexandria and the towns of Alexandria, Carlos, and La Grand in Douglas county and the chief clerical officers of these municipalities timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

The rest of this act, unless otherwise specifically stated, is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to public financing; modifying the notice for proposed property taxes; modifying terminology; modifying terms for loans to political subdivisions and general obligation revenue bonds and revenue bonds; establishing limits on bond issuance for extraterritorial projects; adding authority for borrowing money; modifying provision for bonds issued for erection of a county jail; allowing levy for Southwest Regional Development Commission; defining territory of Cook county as a hospital district; authorizing the city of South St. Paul to convey parcels of real estate for construction of single family housing; authorizing the region nine development commission to incorporate; allowing Anoka county to issue capital improvement bonds for a specific purpose; establishing the Lakes Area economic authority; providing the authority with power to levy taxes; authorizing the city of St. Paul to establish an independent library agency; authorizing the library agency to issue bonds; amending Minnesota Statutes 2000, sections 287.01, subdivision 3; 383B.80, subdivision 4; 465.73; 469.034, subdivision 2; 469.102, subdivision 2; 469.153, by adding a subdivision; 469.155, subdivisions 3, 8; 469.157; 473.39, by adding a subdivision; 641.23; Minnesota Statutes 2001 Supplement, sections 275.065, subdivision 3; Laws 1971, chapter 773, section 1, subdivision 2, as amended; Laws 1989, chapter 211, section 8, as amended; proposing coding for new law in Minnesota Statutes, chapter 471."

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 2627 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2542, 2675, 2908, 3028 and 3134 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Wilkin, Larson, Milbert and Workman introduced:

H. F. No. 3705, A bill for an act relating to agriculture; repealing the biodiesel fuel mandate; repealing Laws 2002, chapter 244.

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

Osthoff and Milbert introduced:

H. F. No. 3706, A bill for an act relating to a major league baseball park; providing for financing, requiring donations as a condition of financing; describing a process to finance and construct the ballpark; imposing conditions and requirements; authorizing revenue bonds; appropriating money; amending Minnesota Statutes 2000, section 272.02, by adding a subdivision.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. Nos. 2881, 3187 and 3246.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2881, A bill for an act relating to housing; specifying certain discretionary municipal subdivision authority; amending Minnesota Statutes 2000, section 462.358, by adding a subdivision.

The bill was read for the first time.

Vandever moved that S. F. No. 2881 and H. F. No. 3169, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3187, A bill for an act relating to education; amending and repealing unneeded and obsolete education provisions; amending Minnesota Statutes 2000, sections 120B.11, subdivision 5; 121A.15, as amended; 121A.55; 122A.09, subdivision 6; 122A.15; 122A.22; 122A.40, subdivisions 5, 8; 122A.58, subdivision 1; 122A.60, subdivision 1; 122A.68, subdivisions 1, 7; 122A.69; 122A.70, subdivision 2; 122A.91; 122A.92; 123A.06, subdivision 1; 123B.02, subdivision 1; 123B.04, subdivision 5; 123B.147; 123B.43; 123B.49, subdivision 1; 123B.51, subdivisions 1, 5; 123B.83, subdivision 1; 123B.90, subdivision 2; 124D.02, subdivision 1; 124D.09, subdivisions 5, 6; 124D.10, subdivisions 1, 6; 124D.115, subdivision 3; 124D.118, subdivisions 2, 3; 124D.37; 124D.40, subdivision 2; 124D.41; 124D.42, subdivision 7; 124D.46, subdivision 1; 124D.47, subdivision 2; 124D.50, subdivisions 2, 3; 124D.65, subdivision 6; 124D.892, as amended; 124D.94, subdivision 4; 125B.05, subdivisions 1, 2; 127A.05, subdivision 3; 127A.06; 127A.41, subdivision 7; Minnesota Statutes 2001 Supplement, section 129C.10, subdivision 3; repealing Minnesota Statutes 2000, sections 121A.03, subdivision 3; 121A.16; 122A.19, subdivision 2; 122A.32; 122A.40, subdivision 6; 122A.52; 122A.53; 122A.71; 122A.72; 122A.75; 123A.15, subdivision 1; 123A.35; 123A.36; 123A.37; 123A.38; 123A.39, subdivisions 1, 2, 4; 123A.40; 123A.41, subdivisions 1, 4; 123A.43; 123B.02, subdivisions 5, 9, 10, 13; 123B.15; 123B.16; 123B.17; 123B.18; 123B.19; 123B.744; 123B.95, subdivision 3; 124D.02, subdivision 4; 124D.06; 124D.081, subdivision 1; 124D.118, subdivision 1; 124D.47, subdivision 1; 124D.91; 124D.92; 124D.93, subdivisions 2, 3, 6; 125B.02; 127A.41, subdivision 4.

The bill was read for the first time.

Seagren moved that S. F. No. 3187 and H. F. No. 3317, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3246, A bill for an act relating to trade practices; limiting unsolicited telephone calls to certain individuals; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the first time.

Entenza moved that S. F. No. 3246 and H. F. No. 2710, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

The following Conference Committee Reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2884

A bill for an act relating to traffic regulations; modifying imposition of civil fine for excessive gross weight; amending Minnesota Statutes 2000, sections 169.871, subdivision 1; 169.872, subdivision 1, by adding a subdivision.

March 20, 2002

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Don Samuelson
President of the Senate

We, the undersigned conferees for H. F. No. 2884, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 2884 be further amended as follows:

Page 3, after line 22, insert:

"Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment."

We request adoption of this report and repassage of the bill.

House Conferees: MIKE OSSKOPP, RICHARD MULDER AND AL JUHNKE.

Senate Conferees: STEVE MURPHY, DALLAS C. SAMS AND MICHELLE L. FISCHBACH.

Osskopp moved that the report of the Conference Committee on H. F. No. 2884 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2884, A bill for an act relating to traffic regulations; modifying imposition of civil fine for excessive gross weight; amending Minnesota Statutes 2000, sections 169.871, subdivision 1; 169.872, subdivision 1, by adding a subdivision.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 102 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Hilty	Lenczewski	Opatz	Seifert
Abrams	Dorn	Holberg	Leppik	Osskopp	Sertich
Anderson, B.	Eastlund	Holsten	Lieder	Osthoff	Skoe
Anderson, I.	Entenza	Howes	Lindner	Otremba	Solberg
Bakk	Erhardt	Jacobson	Lipman	Ozment	Stanek
Bishop	Erickson	Jennings	Mahoney	Paulsen	Stang
Blaine	Finseth	Johnson, J.	Mares	Pawlenty	Swenson
Boudreau	Folliard	Johnson, R.	Mariani	Pelowski	Sykora
Bradley	Fuller	Jordan	Marko	Penas	Tuma
Buesgens	Gerlach	Juhnke	Marquart	Peterson	Vandever
Carlson	Goodno	Kalis	McElroy	Pugh	Walz
Cassell	Gunther	Kelliher	Milbert	Rhodes	Westerberg
Clark, J.	Haas	Kielkucki	Molnau	Rifenberg	Westrom
Daggett	Hackbarth	Knoblach	Mulder	Rukavina	Wilkin
Davids	Harder	Kubly	Murphy	Ruth	Winter
Dawkins	Hausman	Kuisle	Ness	Schumacher	Wolf
Dempsey	Hilstrom	Leighton	Nornes	Seagren	Spk. Sviggum

Those who voted in the negative were:

Bernardy	Greiling	Kahn	Paymar	Swapinski	Walker
Biernat	Huntley	Koskinen	Skoglund	Thompson	Wasiluk
Dibble	Jaros	Mullery	Smith	Wagenius	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON 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.

March 19, 2002

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Don Samuelson
President of the Senate

We, the undersigned conferees for H. F. No. 3196, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment.

We request adoption of this report and repassage of the bill.

House Conferees: HARRY MARES, GREG BLAINE AND TOM OSTHOFF.

Senate Conferees: MARTHA R. ROBERTSON, JIM VICKERMAN AND DON BETZOLD.

Mares moved that the report of the Conference Committee on H. F. No. 3196 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was repassed, as amended by Conference, and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Friday, March 22, 2002:

S. F. Nos. 3208, 2890 and 2542; H. F. No. 3643; S. F. No. 3322; H. F. No. 3350; S. F. No. 3278; H. F. No. 2473; S. F. Nos. 2580 and 2612; H. F. Nos. 3203 and 3199; S. F. No. 3084; H. F. No. 2719; S. F. No. 2949; H. F. No. 3166; S. F. No. 2675; H. F. Nos. 2970, 1763, 3183, 2920 and 2965; S. F. No. 3024; H. F. No. 1683; and S. F. Nos. 3028, 2457, 3075, 1555, 2516 and 2727.

CERTIFICATION PURSUANT TO RULE 4.03 ON FINANCE AND REVENUE BILLS

March 22, 2002

Edward A. Burdick
Chief Clerk of the House of Representatives
The State of Minnesota

Dear Mr. Burdick:

House Rule 4.03 requires the Chair of the Committee on Ways and Means to certify to the House of Representatives that the Committee has reconciled any finance and revenue bills with the budget resolution and targets.

Please accept this letter as certification that S. F. No. 3208 reconciles with the budget resolution and targets.

Sincerely,

REPRESENTATIVE DAVE BISHOP
Chair, House Ways and Means Committee

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.

CALENDAR FOR THE DAY

CALL OF THE HOUSE

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

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

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.

S. F. No. 3208, A bill for an act relating to public employment; modifying procedures for legislative approval or disapproval of collective bargaining agreements and arbitration awards; amending Minnesota Statutes 2000, section 3.855, subdivision 2.

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

The question was taken on the passage of the bill and the roll was called.

Pursuant to rule 2.05, the Speaker excused Opatz from voting on the passage of S. F. No. 3208.

There were 78 yeas and 52 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Dorn	Hilty	Krinkie	Murphy	Slawik
Bakk	Entenza	Huntley	Leighton	Osthoff	Solberg
Bernardy	Evans	Jaros	Leppik	Paymar	Swapinski
Biernat	Folliard	Jennings	Lieder	Pugh	Thompson
Carlson	Goodwin	Johnson, R.	Mahoney	Rhodes	Wagenius
Clark, K.	Gray	Johnson, S.	Mares	Rukavina	Walker
Davnie	Greiling	Kahn	Mariani	Sertich	Wasiluk
Dawkins	Hausman	Kelliher	Milbert	Skoe	
Dibble	Hilstrom	Koskinen	Mullery	Skoglund	

The bill was passed and its title agreed to.

Solberg was excused between the hours of 10:15 a.m. and 11:50 a.m.

The Speaker called Dehler to the Chair.

S. F. No. 2890, A bill for an act relating to contracts; regulating public works contracts; proposing coding for new law in Minnesota Statutes, chapter 15.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Bernardy	Bradley	Clark, K.	Dehler	Eastlund
Abrams	Biernat	Buesgens	Daggett	Dempsey	Entenza
Anderson, B.	Bishop	Carlson	Davids	Dibble	Erhardt
Anderson, I.	Blaine	Cassell	Davnie	Dorman	Erickson
Bakk	Boudreau	Clark, J.	Dawkins	Dorn	Evans

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

The bill was passed and its title agreed to.

CALL OF THE HOUSE LIFTED

Molnau moved that the call of the House be suspended. The motion prevailed and it was so ordered.

H. F. No. 3643, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Sykora	Tuma	Walker	Westerberg	Wolf
Thompson	Vandev eer	Walz	Westrom	Spk. Sviggum
Tingelstad	Wagenius	Wasiluk	Winter	

Those who voted in the negative were:

Smith Workman

The bill was passed and its title agreed to.

S. F. No. 2909 was reported to the House.

Penas moved to amend S. F. No. 2909 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2935, the first engrossment:

"Section 1. Minnesota Statutes 2000, section 62D.30, is amended by adding a subdivision to read:

Subd. 8. [RURAL DEMONSTRATION PROJECT.] (a) The commissioner may permit demonstration projects to allow health maintenance organizations to extend coverage to a health improvement and purchasing coalition located in rural Minnesota, comprised of the health maintenance organization and members from a precise community. For purposes of this subdivision, rural is defined as greater Minnesota excluding the seven-county metropolitan area of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington. The coalition must be designed in such a way that members will:

(1) become better informed about health care trends and cost increases;

(2) be actively engaged in the design of health benefit options that will meet the needs of their community;

(3) pool their insurance risk;

(4) purchase these products from the health maintenance organization involved in the demonstration project; and

(5) actively participate in health improvement decisions for their community.

(b) The commissioner must consider the following when approving applications for rural demonstration projects:

(1) the extent of consumer involvement in development of the project;

(2) the degree to which the project is likely to reduce the number of uninsured or to maintain existing coverage; and

(3) a plan to evaluate and report to the commissioner and legislature as prescribed by paragraph (e).

(c) For purposes of this subdivision, the commissioner must waive compliance with the following statutes and rules: the cost-sharing restrictions under section 62D.02, subdivision 8, which for purposes of this subdivision is the sum of the annual copayments and deductible which is prohibited from exceeding the maximum out-of-pocket expenses allowable for a number three qualified plan under section 62E.06 or \$5,000 per family and an annual deductible of \$1,000 per person and Minnesota Rules, part 4685.0801, subparts 1 to 7; for a period of at least two

years, participation in government programs under section 62D.04, subdivision 5, in the counties of the demonstration project if that compliance would have been required solely due to participation in the demonstration project and shall continue to waive this requirement beyond two years if the enrollment in the demonstration project is less than 10,000 employees; small employer marketing under section 62L.05, subdivisions 1 to 3; and small employer geographic premium variations under section 62L.08, subdivision 4. The commissioner shall approve enrollee cost-sharing features desired by the coalition that appropriately share costs between employers, individuals, and the health maintenance organization.

(d) The health maintenance organization may make the starting date of the project contingent upon a minimum number of enrollees as cited in the application, provide for an initial term of contract with the purchasers of a minimum of three years, and impose a reasonable penalty for employers who withdraw early from the project. For purposes of this subdivision, loss ratios are to be determined as if the policies issued under this section are considered individual or small employer policies pursuant to section 62A.021, subdivision 1, paragraph (f). The health maintenance organization may consider businesses of one to be a small employer under section 62L.02, subdivision 26. The health maintenance organization may limit enrollment and establish enrollment criteria for businesses of one. Health improvement and purchasing coalitions under this subdivision are not associations under section 62L.045, subdivision 1, paragraph (a).

(e) The health improvement and purchasing coalition must report to the commissioner and legislature annually on the progress of the demonstration project and, to the extent possible, any significant findings in the criteria listed in clauses (1), (2), and (3) for the final report. The coalition must submit a final report five years from the starting date of the project. The final report must detail significant findings from the project and must include, to the extent available, but should not be limited to, information on the following:

(1) the extent to which the project had an impact on the number of uninsured in the project area;

(2) the effect on health coverage premiums for groups in the project's geographic area, including those purchasing health coverage outside the health improvement and purchasing coalition; and

(3) the degree to which health care consumers were involved in the development and implementation of the demonstration project.

(f) The commissioner must limit the number of demonstration projects under this subdivision to five projects.

(g) Approval of the application for the demonstration project is deemed to be compliance with sections 62E.03 and 62E.06, subdivisions 1, paragraph (a), 2, and 3.

(h) Subdivisions 2 to 7 apply to demonstration projects under this subdivision. Waivers permitted under subdivision 1 do not apply to demonstration projects under this subdivision.

(i) If a demonstration project under this subdivision works in conjunction with a purchasing alliance formed under chapter 62T, that chapter will apply to the purchasing alliance except to the extent that chapter 62T is inconsistent with this subdivision.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to health; permitting a health maintenance organization rural demonstration project; amending Minnesota Statutes 2000, section 62D.30, by adding a subdivision."

The motion prevailed and the amendment was adopted.

S. F. No. 2909, A bill for an act relating to health; permitting a health maintenance organization rural demonstration project; modifying enrollee cost-sharing provisions for health maintenance organizations; amending Minnesota Statutes 2000, sections 62D.02, subdivision 8; 62D.30, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62D.

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

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

Those who voted in the affirmative were:

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

The bill was passed, as amended, and its title agreed to.

H. F. No. 3057 was reported to the House.

Kielkucki moved that H. F. No. 3057 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 2793, A bill for an act relating to health services; requiring the commissioner of human services to develop a plan to certify out-of-state facilities that care for children with severe emotional disturbance.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 2673 was reported to the House.

Holberg moved that S. F. No. 2673 be temporarily laid over on the Calendar for the Day. The motion prevailed.

S. F. No. 2697 was reported to the House.

Holberg moved that S. F. No. 2697 be temporarily laid over on the Calendar for the Day. The motion prevailed.

S. F. No. 2486 was reported to the House.

S. F. No. 2486 was read for the third time.

MOTION FOR RECONSIDERATION

Goodno moved that the action whereby S. F. No. 2486 was given its third reading be now reconsidered. The motion prevailed.

Goodno moved to amend S. F. No. 2486 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2903, the first engrossment:

"Section 1. [REPORT BY TASK FORCE.]

The joint task force on health care costs and quality shall review prospective review and approval under Minnesota Statutes, section 62J.17, subdivision 6a, for a health care provider making a major spending commitment as defined in Minnesota Statutes, section 62J.17, and shall report to the legislature by December 15, 2002, on whether the provisions will reduce health care costs and/or improve health care quality."

Delete the title and insert:

"A bill for an act relating to health; requiring a report in certain circumstances on reducing health care costs and improving health care quality."

The motion prevailed and the amendment was adopted.

S. F. No. 2486, A bill for an act relating to health; modifying requirements for certain major spending commitments; amending Minnesota Statutes 2000, section 62J.17, subdivision 8.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Goodwin Smith

The bill was passed, as amended, and its title agreed to.

S. F. No. 2697, which was temporarily laid over earlier today on the Calendar for the Day, was again reported to the House.

Holberg moved to amend S. F. No. 2697 as follows:

Page 5, line 21, delete "or"

Page 5, delete line 22

Page 5, line 23, delete everything before the period

The motion prevailed and the amendment was adopted.

S. F. No. 2697, A bill for an act relating to real property; establishing disclosure requirements for sellers of residential real estate; proposing coding for new law in Minnesota Statutes, chapter 513.

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

The question was taken on the passage of the bill and the roll was called. There were 98 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Holberg	Leppik	Otremba	Sykora
Abrams	Dorman	Holsten	Lieder	Ozment	Thompson
Anderson, B.	Dorn	Howes	Lindner	Paulsen	Tingelstad
Anderson, I.	Eastlund	Jacobson	Lipman	Pawlenty	Tuma
Bakk	Entenza	Jennings	Mares	Pelowski	Vandever
Biernat	Erhardt	Johnson, J.	Marko	Penas	Walz
Bishop	Erickson	Johnson, R.	Marquart	Pugh	Wasiluk
Blaine	Finseth	Jordan	McElroy	Rifenberg	Westerberg
Boudreau	Fuller	Juhnke	Milbert	Rukavina	Westrom
Bradley	Gerlach	Kalis	Molnau	Ruth	Wilkin
Buesgens	Goodno	Kelliher	Mulder	Schumacher	Wolf
Carlson	Gunther	Kielkucki	Ness	Seifert	Workman
Cassell	Haas	Krinkie	Nornes	Sertich	Spk. Sviggum
Clark, J.	Hackbarth	Kubly	Olson	Skoe	
Daggett	Harder	Kuisle	Opatz	Smith	
Davids	Hilstrom	Leighton	Osskopp	Stanek	
Dehler	Hilty	Lenczewski	Osthoff	Stang	

Those who voted in the negative were:

Bernardy	Folliard	Huntley	Mariani	Seagren	Walker
Clark, K.	Gleason	Jaros	Mullery	Skoglund	Winter
Davnie	Goodwin	Johnson, S.	Murphy	Slawik	
Dawkins	Gray	Kahn	Paymar	Swapinski	
Dibble	Greiling	Koskinen	Peterson	Swenson	
Evans	Hausman	Mahoney	Rhodes	Wagenius	

The bill was passed, as amended, and its title agreed to.

S. F. No. 3244, A bill for an act relating to evidence; authorizing electronic signature on certain laboratory blood sample reports; amending Minnesota Statutes 2000, section 634.15, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 3163 was reported to the House.

Lipman and Dawkins moved to amend H. F. No. 3163, the first engrossment, as follows:

Page 20, after line 31, insert:

"Sec. 39. Minnesota Statutes 2000, section 119A.37, subdivision 3, is amended to read:

Subd. 3. [FUNDING.] The commissioner may award grants to create or maintain parenting time centers.

In awarding grants to maintain a parenting time center, the commissioner may award a grant to a center that can demonstrate a ~~35~~ 25 percent local match, provided the center is diligently exploring and pursuing all available funding options in an effort to become self-sustaining, and those efforts are reported to the commissioner.

In awarding grants to create a parenting time center, the commissioner shall give priority to:

- (1) areas of the state where no other parenting time center or similar facility exists;
- (2) applicants who demonstrate that private funding for the center is available and will continue; and
- (3) facilities that are adapted for use to care for children, such as day care centers, religious institutions, community centers, schools, technical colleges, parenting resource centers, and child care referral services.

In awarding grants to create or maintain a parenting time center, the commissioner shall require the proposed center to meet standards developed by the commissioner to ensure the safety of the custodial parent and children."

Page 21, after line 5, insert:

"Sec. 41. Minnesota Statutes 2000, section 122A.20, subdivision 1, is amended to read:

Subdivision 1. [GROUNDS FOR REVOCATION, SUSPENSION, OR DENIAL.] (a) ~~The board of teaching or the commissioner, with the advice from an advisory task force of supervisory personnel established under section 15.014~~ board of school administrators, whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the school board employing a teacher, a teacher organization, or any other interested person, refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of the following causes:

- (1) Immoral character or conduct;
- (2) Failure, without justifiable cause, to teach for the term of the teacher's contract;
- (3) Gross inefficiency or willful neglect of duty; or
- (4) Failure to meet licensure requirements; or
- (5) Fraud or misrepresentation in obtaining a license.

The written complaint must specify the nature and character of the charges.

(b) The board of teaching or the commissioner of children, families, and learning whichever has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or automatically revoke a teacher's license to teach without the right to a hearing upon receiving a certified copy of a conviction showing that the teacher has been convicted of child abuse, as defined in section 609.185, or sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, or under a similar law of another state or the United States. The board shall send notice of this licensing action to the district in which the teacher is currently employed.

(c) A person whose license to teach has been revoked, not issued, or not renewed under paragraph (b), may petition the board to reconsider the licensing action if the person's conviction for child abuse or sexual abuse is reversed by a final decision of the court of appeals or the supreme court or if the person has received a pardon for the offense. The petitioner shall attach a certified copy of the appellate court's final decision or the pardon to the petition. Upon receiving the petition and its attachment, the board shall schedule and hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing action. If the board finds that the petitioner is not disqualified from teaching under paragraph (a), clause (1), it shall reverse its previous licensing action.

(d) For purposes of this subdivision, the board of teaching is delegated the authority to suspend or revoke coaching licenses.

Sec. 42. Minnesota Statutes 2000, section 123B.61, is amended to read:

123B.61 [PURCHASE OF CERTAIN EQUIPMENT.]

The board of a district may issue general obligation certificates of indebtedness or capital notes subject to the district debt limits to: (a) purchase vehicles, computers, telephone systems, cable equipment, photocopy and office equipment, technological equipment for instruction, and other capital equipment having an expected useful life at least as long as the terms of the certificates or notes; (b) purchase computer hardware and software, without regard

to its expected useful life, whether bundled with machinery or equipment or unbundled, together with application development services and training related to the use of the computer; and (c) prepay special assessments. The certificates or notes must be payable in not more than five years and must be issued on the terms and in the manner determined by the board, except that certificates or notes issued to prepay special assessments must be payable in not more than 20 years. The certificates or notes may be issued by resolution and without the requirement for an election. The certificates or notes are general obligation bonds for purposes of section 126C.55. A tax levy must be made for the payment of the principal and interest on the certificates or notes, in accordance with section 475.61, as in the case of bonds. The sum of the tax levies under this section and section 123B.62 for each year must not exceed the lesser of the amount of the district's total operating capital revenue or the sum of the district's levy in the general and community service funds excluding the adjustments under this section for the year preceding the year the initial debt service levies are certified. The district's general ~~education fund~~ levy for each year must be reduced by the sum of (1) the amount of the tax levies for debt service certified for each year for payment of the principal and interest on the certificates or notes issued under this section as required by section 475.61, (2) the amount of the tax levies for debt service certified for each year for payment of the principal and interest on bonds issued under section 123B.62, and (2) (3) any excess amount in the debt redemption fund used to retire bonds, certificates, or notes issued under this section or section 123B.62 after April 1, 1997, other than amounts used to pay capitalized interest. If the district's general fund levy is less than the amount of the reduction, the balance shall be deducted first from the district's community service fund levy, and next from the district's general fund or community service fund levies for the following year. A district using an excess amount in the debt redemption fund to retire the certificates or notes shall report the amount used for this purpose to the commissioner by July 15 of the following fiscal year. A district having an outstanding capital loan under section 126C.69 or an outstanding debt service loan under section 126C.68 must not use an excess amount in the debt redemption fund to retire the certificates or notes.

Sec. 43. Minnesota Statutes 2000, section 123B.62, is amended to read:

123B.62 [BONDS FOR CERTAIN CAPITAL FACILITIES.]

(a) In addition to other bonding authority, with approval of the commissioner, a district may issue general obligation bonds for certain capital projects under this section. The bonds must be used only to make capital improvements including:

(1) under section 126C.10, subdivision 14, total operating capital revenue uses specified in clauses (4), (6), (7), (8), (9), and (10);

(2) the cost of energy modifications;

(3) improving handicap accessibility to school buildings; and

(4) bringing school buildings into compliance with life and safety codes and fire codes.

(b) Before a district issues bonds under this subdivision, it must publish notice of the intended projects, the amount of the bond issue, and the total amount of district indebtedness.

(c) A bond issue tentatively authorized by the board under this subdivision becomes finally authorized unless a petition signed by more than 15 percent of the registered voters of the district is filed with the school board within 30 days of the board's adoption of a resolution stating the board's intention to issue bonds. The percentage is to be determined with reference to the number of registered voters in the district on the last day before the petition is filed with the board. The petition must call for a referendum on the question of whether to issue the bonds for the projects under this section. The approval of 50 percent plus one of those voting on the question is required to pass a referendum authorized by this section.

(d) The bonds must be paid off within ten years of issuance. The bonds must be issued in compliance with chapter 475, except as otherwise provided in this section. A tax levy must be made for the payment of principal and interest on the bonds in accordance with section 475.61. The sum of the tax levies under this section and section 123B.61 for each year must not exceed the ~~amount of the district's total operating capital revenue for the year the initial debt service levies are certified~~ limit specified in section 123B.61. The district's general education levy for each year must be reduced by the sum of (1) the amount of the tax levies for debt service certified for each year for payment of the principal and interest on the bonds, and (2) any excess amount in the debt redemption fund used to retire bonds issued after April 1, 1997, other than amounts used to pay capitalized interest as provided in section 123B.61. A district using an excess amount in the debt redemption fund to retire the bonds shall report the amount used for this purpose to the commissioner by July 15 of the following fiscal year. A district having an outstanding capital loan under section 126C.69 or an outstanding debt service loan under section 126C.68 must not use an excess amount in the debt redemption fund to retire the bonds.

(e) Notwithstanding paragraph (d), bonds issued by a district within the first five years following voter approval of a combination according to section 123A.37, subdivision 2, must be paid off within 20 years of issuance. All the other provisions and limitation of paragraph (d) apply.

Sec. 44. Minnesota Statutes 2000, section 125A.76, subdivision 5, is amended to read:

Subd. 5. [SCHOOL DISTRICT SPECIAL EDUCATION AID.] (a) A school district's special education aid for fiscal year 2000 and later equals the state total special education aid, minus the amount determined under paragraphs (b) and (c), times the ratio of the district's adjusted special education base revenue to the state total adjusted special education base revenue. If the commissioner of children, families, and learning modifies its rules for special education in a manner that increases a district's special education obligations or service requirements, the commissioner shall annually increase each district's special education aid by the amount necessary to compensate for the increased service requirements. The additional aid equals the cost in the current year attributable to rule changes not reflected in the computation of special education base revenue, multiplied by the appropriate percentages from subdivision 2.

(b) Notwithstanding paragraph (a), if the special education base revenue for a district equals zero, the special education aid equals the amount computed according to subdivision 2 using current year data.

(c) Notwithstanding paragraphs (a) and (b), if the special education base revenue for a district is greater than zero, and the base year amount for the district under subdivision 2, paragraph (a), clause (7), equals zero, the special education aid equals the sum of the amount computed according to paragraph (a), plus the amount computed according to subdivision 2, paragraph (a), clause (7), using current year data.

(d) A charter school under section 124D.10 shall generate state special education aid based on current year expenditures for its first four years of operation and only in its fifth year shall paragraphs (a), (b), and (c) apply.

Sec. 45. Minnesota Statutes 2001 Supplement, section 126C.10, subdivision 4, is amended to read:

Subd. 4. [BASIC SKILLS REVENUE.] (a) For fiscal year 2002, a school district's basic skills revenue equals the sum of:

- (1) compensatory revenue under subdivision 3; plus
- (2) limited English proficiency revenue according to section 124D.65, subdivision 5; plus
- (3) \$190 times the limited English proficiency pupil units according to section 126C.05, subdivision 17; plus
- (4) \$22.50 times the number of adjusted marginal cost pupil units in kindergarten to grade 8.

(b) For fiscal year 2003 and later, a school district's basic skills revenue equals the sum of:

(1) compensatory revenue under subdivision 3; plus

(2) limited English proficiency revenue under section 124D.65, subdivision 5; plus

(3) \$190 times the limited English proficiency pupil units under section 126C.05, subdivision 17.

Sec. 46. Minnesota Statutes 2000, section 126C.10, subdivision 26, is amended to read:

Subd. 26. [DISTRICT EQUITY GAP.] A district's equity gap equals the greater of zero or the difference between the district's adjusted general revenue and the value of the school district at or immediately above the regional ~~90th~~ 95th percentile of adjusted general revenue per adjusted marginal cost pupil unit.

[EFFECTIVE DATE.] This section is effective for revenue for fiscal year 2002."

Page 58, line 18, after the semicolon, insert "and"

Page 58, line 20, strike "; and"

Page 58, strike line 21

Page 59, line 13, strike everything after "(9)"

Page 59, line 14, strike the semicolon

Page 59, line 15, strike "(10)"

Page 59, line 17, strike "(11)" and insert "(10)"

Page 62, after line 25, insert:

"Sec. 104. Minnesota Statutes 2000, section 609.26, subdivision 5, is amended to read:

Subd. 5. [DISMISSAL OF CHARGE.] A felony charge brought under this section shall be dismissed if:

(a) the person voluntarily returns the child within 48 hours after taking, detaining, or failing to return the child in violation of this section; or

(b)(1) the person taking the action and the child have not left the state of Minnesota; and (2) within a period of seven days after taking the action, (i) a motion or proceeding under chapter 518, ~~518A, 518B, or 518C,~~ or 518D is commenced by the person taking the action, or (ii) the attorney representing the person taking the action has consented to service of process by the party whose rights are being deprived, for any motion or action pursuant to chapter 518, 518A, 518B, or 518C.

Clause (a) does not apply if the person returns the child as a result of being located by law enforcement authorities.

This subdivision does not prohibit the filing of felony charges or an offense report before the expiration of the 48 hours."

Page 4, after line 34 of the memorandum of explanation, insert:

"Sec. 39. Explanation. This amendment corrects the parenting time center match requirement to correspond with other sections of law."

Page 5, after line 1 of the memorandum of explanation, insert:

"Sec. 41. Explanation. The duties for the licensing of school administrators were transferred from the commissioner of children, families, and learning to the board of school administrators in the 2001 legislative session. This subdivision was inadvertently omitted when a similar language change was made in Minnesota Statutes, section 122A.20, subdivision 2.

Sec. 42. Explanation. This amendment corrects an oversight relating to eliminating the general education levy regarding reduction of other levies.

Sec. 43. Explanation. This amendment corrects an oversight relating to eliminating the general education levy regarding reduction of other levies.

Sec. 44. Explanation. This amendment corrects an oversight allowing for a method for new charter schools to receive special education funding in their first four years of existence.

Sec. 45. Explanation. This amendment corrects an oversight regarding calculation of basic skills revenue. The calculation applies to fiscal year 2003 and later.

Sec. 46. Explanation. This amendment corrects a reference to the district equity gap."

Page 10, after line 2 of the memorandum of explanation, insert:

"Sec. 104. Explanation. This amendment replaces a reference to a repealed chapter with the chapter that replaces it."

Reorder the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 3163, A bill for an act relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; reenacting certain legislation; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 2000, sections 13.04, subdivision 2; 13.461, subdivision 7; 13.4963, subdivision 2; 13.4967, subdivision 3; 13.741, subdivision 1; 13.7411, subdivision 5; 13D.05, subdivision 2; 15A.086; 16D.11, subdivision 6; 17A.04, subdivision 1; 31.51, subdivision 3; 32.073; 41A.09, subdivision 8; 41B.045, subdivision 2; 41B.046, subdivision 5; 41B.047, subdivision 4; 48.24, subdivision 5; 115A.06, subdivision 5a; 115A.59; 115A.9157, subdivision 6; 115B.20, subdivisions 1, 2, 5; 115B.25, subdivision 2; 115B.26; 115B.28, as amended; 115B.29, subdivision 1; 115B.30, subdivision 3; 115B.31, subdivisions 1, 2, 4; 115B.32; 115B.33; 115B.34; 115B.35, subdivisions 2, 3, 4, 8, 9; 115B.36; 115B.37; 115C.08, subdivisions 4, 5; 116J.615; 116J.616; 119A.11, subdivision 3; 119A.20, subdivision 1; 119A.37, subdivision 3; 119A.46, subdivision 6; 122A.20, subdivision 1; 123B.61; 123B.62; 125A.76, subdivision 5; 126C.10, subdivision 26; 144E.43, subdivision 1; 148.71, subdivision 3; 219.98; 221.185, subdivision 5a; 222.631, subdivision 1; 260B.171, subdivision 5; 270.708, subdivision 1; 270B.15; 297B.035, subdivision 3; 297I.05, subdivision 12; 297I.30, subdivisions 1, 5; 299F.11, subdivision 2; 349.163, subdivision 6; 349A.10, subdivision 5; 352D.02, subdivision 1; 383C.19; 401.05, subdivision 3; 437.08; 437.09; 437.10; 458D.02, subdivisions 2, 3; 458D.23; 469.110, subdivision 2; 469.116, subdivision 7; 469.118, subdivisions 1, 2, 4; 469.119, subdivision 1; 469.122; 469.154, subdivision 5; 471.415, subdivision 2; 501B.61, as amended; 514.94; 524.2-301; 524.2-604; 524.2-609; 583.24, subdivision 4; 609.26, subdivision 5; 609.341, subdivision 17; Minnesota Statutes 2001 Supplement, sections 16A.151, by adding a subdivision; 17B.15, subdivision 1; 60K.31, subdivision 1; 60K.32; 60K.34, subdivision 1; 60K.39, subdivisions 5, 6; 60K.48; 60K.51, subdivision 6; 60K.52, subdivision 1; 61B.23,

subdivision 15; 119A.22; 126C.10, subdivision 4; 136G.03, subdivision 20; 144.057, subdivision 4; 169.073; 214.01, subdivision 3; 216B.098, subdivision 2; 216B.2424, subdivision 5; 216B.2425, subdivision 3; 268.052, subdivision 1; 270.07, subdivision 3a; 275.28, subdivision 1; 275.70, subdivision 5; 290A.03, subdivision 13; 297A.668, subdivision 3; 336.9-334; 356.62; 376.08, subdivision 2; 501B.60, subdivision 3; 514.661, subdivision 5; 626.556, subdivision 11; Laws 1995, chapter 220, sections 141, 142, as amended; Laws 1997, chapter 202, article 2, section 61, as amended; Laws 2000, chapter 399, article 1, section 139; Laws 2001, chapter 171, section 12; proposing coding for new law in Minnesota Statutes, chapter 89A; repealing Minnesota Statutes 2000, sections 115B.27; 115B.35, subdivisions 1, 5, 6; 116.19; 221.0315; 437.11; 462A.072; 557.11; Minnesota Statutes 2001 Supplement, sections 16A.1286, subdivisions 4, 5; Laws 1997, chapter 85, article 4, section 28; Laws 1999, chapter 159, section 79; Laws 1999, chapter 231, section 180; Laws 2001, chapter 161, section 4; Laws 2001, chapter 162, section 4; Laws 2001, First Special Session chapter 2, section 103; Laws 2001, First Special Session chapter 8, article 7, section 1; Minnesota Rules, parts 5300.0360; 7021.0001, subparts 2, 4; 7190.0002; 7190.0003; 7190.0004; 7190.0008, subparts 1, 2; 7190.0015, subparts 1, 2; 7190.0100, subpart 2; 7190.1000, subpart 1.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Finseth	Holsten	Krinkie	Workman
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The bill was passed, as amended, and its title agreed to.

S. F. No. 3315 was reported to the House.

Davids moved to amend S. F. No. 3315 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 3492, the first engrossment:

"ARTICLE 1

JOINT UNDERWRITING ASSOCIATION

Section 1. Minnesota Statutes 2000, section 62F.04, is amended by adding a subdivision to read:

Subd. 3. [AVOIDANCE OF GRAVE RISK.] Because the activities of certain persons or entities present a risk that is so great, the association shall not offer insurance coverage to any person or entity the board of directors of the association determines is outside the intended scope and purpose of the association because of the gravity of the risk of offering insurance coverage.

Sec. 2. [REPEALER.]

Minnesota Statutes 2000, section 62F.04, subdivision 1a, is repealed.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment.

ARTICLE 2

OTHER INSURANCE CHANGES

Section 1. Minnesota Statutes 2000, section 61A.092, subdivision 6, is amended to read:

Subd. 6. [APPLICATION.] This section applies to a policy, certificate of insurance, or similar evidence of coverage issued to a Minnesota resident or issued to provide coverage to a Minnesota resident. This section does not apply to: (1) a certificate of insurance or similar evidence of coverage that meets the conditions of section 61A.093, subdivision 2; or (2) a group life insurance policy that contains a provision permitting the certificate holder, upon termination or layoff from employment, to retain the coverage provided under the group policy by paying premiums directly to the insurer, provided that the employer shall give the employee notice of the employee's and each related certificate holder's right to continue the insurance by paying premiums directly to the insurer. The insurer may reserve the right to increase premium rates after the first 18 months of continued coverage provided for under clause (2). A related certificate holder is an insured spouse or dependent child of the employee. Upon termination of this group policy or at the option of the insured who has continued coverage under clause (2), each covered employee, spouse, and dependent child is entitled to have issued to them a life conversion policy as prescribed in section 61A.09, subdivision 1, paragraph (h).

Sec. 2. Minnesota Statutes 2000, section 62J.51, subdivision 19, is amended to read:

Subd. 19. [UNIFORM DENTAL BILLING FORM.] "Uniform dental billing form" means the ~~1990~~ most current version uniform dental claim form developed by the American Dental Association.

Sec. 3. Minnesota Statutes 2000, section 62J.535, is amended by adding a subdivision to read:

Subd. 1a. [ELECTRONIC CLAIM TRANSACTIONS.] Group purchasers, including government programs, not defined as covered entities under United States Code, title 42, sections 1320d to 1320d-8, as amended from time to time, and the rules promulgated under those sections, that voluntarily agree with providers to accept electronic claim

transactions, must accept them in the ANSI X12N 837 standard electronic format as established by federal law. Nothing in this section requires acceptance of electronic claim transactions by entities not covered under United States Code, title 42, sections 1320d to 1320d-8, as amended from time to time, and the rules promulgated under those sections. Notwithstanding the above, nothing in this section or other state law prohibits group purchasers not defined as covered entities under United States Code, title 42, sections 1320d to 1320d-8, as amended from time to time, and the rules promulgated under those sections, from requiring, as authorized by Minnesota law or rule, additional information associated with a claim submitted by a provider.

Sec. 4. Minnesota Statutes 2000, section 62J.535, is amended by adding a subdivision to read:

Subd. 1b. [PAPER CLAIM TRANSACTIONS.] All group purchasers that accept paper claim transactions must accept, and health care providers submitting paper claim transactions must submit, such transactions with use of the applicable medical and nonmedical data code sets specified in the federal electronic claim transaction standards adopted under United States Code, title 42, sections 1320d to 1320d-8, as amended from time to time, and the rules promulgated under those sections. The paper claim transaction must also be conducted using the uniform billing forms as specified in section 62J.52 and the identifiers specified in section 62J.54, on and after the compliance date required by law. Notwithstanding the above, nothing in this section or other state law prohibits group purchasers not defined as covered entities under United States Code, title 42, sections 1320d to 1320d-8, as amended from time to time, and the rules promulgated under those sections, from requiring, as authorized by Minnesota law or rule, additional information associated with a claim submitted by a provider.

Sec. 5. Minnesota Statutes 2000, section 62J.535, subdivision 2, is amended to read:

Subd. 2. [COMPLIANCE.] (a) Subdivision 1a is effective concurrent with the date of required compliance for covered entities established under United States Code, title 42, sections 1320d to 1320d-8, as amended from time to time, for uniform electronic billing standards, all health care providers must conform to the uniform billing standards developed under subdivision 1.

(b) Notwithstanding paragraph (a), the requirements for the uniform remittance advice report shall be effective 12 months after the date of the required compliance of the standards for the electronic remittance advice transaction are effective under United States Code, title 42, sections 1320d to 1320d-8, as amended from time to time.

Sec. 6. Minnesota Statutes 2000, section 62J.581, is amended to read:

62J.581 [STANDARDS FOR MINNESOTA UNIFORM HEALTHCARE REIMBURSEMENT DOCUMENTS.]

Subdivision 1. [MINNESOTA UNIFORM REMITTANCE ADVICE REPORT.] All group purchasers and payers shall provide a uniform remittance advice report to health care providers when a claim is adjudicated. The uniform remittance advice report shall comply with the standards prescribed in this section. Notwithstanding the above, this section does not apply to group purchasers not included as covered entities under United States Code, title 42, sections 1320d to 1320d-8, as amended from time to time, and the rules promulgated under those sections.

Subd. 2. [MINNESOTA UNIFORM EXPLANATION OF BENEFITS DOCUMENT.] All group purchasers and payers shall provide a uniform explanation of benefits document to health care patients when a claim is adjudicated an explanation of benefits document is provided as otherwise required or permitted by law. The uniform explanation of benefits document shall comply with the standards prescribed in this section. Notwithstanding the above, this section does not apply to group purchasers not included as covered entities under United States Code, title 42, sections 1320d to 1320d-8, as amended from time to time, and the rules promulgated under those sections.

Subd. 3. [SCOPE.] For purposes of sections 62J.50 to 62J.61, the uniform remittance advice report and the uniform explanation of benefits document format specified in subdivision 4 shall apply to all health care services delivered by a health care provider or health care provider organization in Minnesota, regardless of the location of the payer. Health care services not paid on an individual claims basis, such as capitated payments, are not included in this section. A health plan company is excluded from the requirements in subdivisions 1 and 2 if they comply with section 62A.01, subdivisions 2 and 3.

Subd. 4. [SPECIFICATIONS.] The uniform remittance advice report and the uniform explanation of benefits document shall be provided by use of a paper document conforming to the specifications in this section or by use of the ANSI X12N 835 standard electronic format as established under United States Code, title 42, sections 1320d to 1320d-8, and as amended from time to time for the remittance advice. The commissioner, after consulting with the administrative uniformity committee, shall specify the data elements and definitions for the uniform remittance advice report and the uniform explanation of benefits document. The commissioner and the administrative uniformity committee must consult with the Minnesota Dental Association and Delta Dental Plan of Minnesota before requiring under this section the use of a paper document for the uniform explanation of benefits document or the uniform remittance advice report for dental care services.

Subd. 5. [EFFECTIVE DATE.] The requirements in subdivisions 1 and 2 are effective ~~12 months after the date of required compliance with the standards for the electronic remittance advice transaction under United States Code, title 42, sections 1320d to 1320d-8, and as amended from time to time~~ October 16, 2004. The requirements in subdivisions 1 and 2 apply regardless of when the health care service was provided to the patient.

Sec. 7. [REVISOR INSTRUCTION.]

The revisor of statutes is instructed to amend the headnote of Minnesota Statutes, section 62J.535, to read "Uniform Billing Requirements for Claim Transactions."

Sec. 8. [REPEALER.]

Minnesota Statutes 2000, section 62J.535, subdivision 1, is repealed.

Sec. 9. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to insurance; making certain changes involving the joint underwriting association's procedures; providing continuation coverage for certain life insurance; providing for health care administrative simplification; amending Minnesota Statutes 2000, sections 61A.092, subdivision 6; 62F.04, by adding a subdivision; 62J.51, subdivision 19; 62J.535, subdivision 2, by adding subdivisions; 62J.581; repealing Minnesota Statutes 2000, sections 62F.04, subdivision 1a; 62J.535, subdivision 1."

The motion prevailed and the amendment was adopted.

Dauids moved that S. F. No. 3315, as amended, be temporarily laid over on the Calendar for the Day. The motion prevailed.

S. F. No. 3288 was reported to the House.

Hackbarth moved to amend S. F. No. 3288 as follows:

Page 1, after line 19, insert:

"Sec. 2. [181.947] [VOLUNTEER FIREFIGHTERS.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the following terms have the meanings given them in this subdivision.

(b) "Employee" means a person who performs services for hire for an employer, but not an essential employee as defined in section 179A.03, subdivision 7.

(c) "Employer" means any person having ten or more full-time employees in Minnesota and includes the state and any political subdivision of the state.

Subd. 2. [ADVERSE ACTION PROHIBITED.] An employer shall not discharge, discipline, threaten, otherwise discriminate against, or penalize an employee regarding the employee's terms, conditions, location, or privileges of employment because the employee is absent from or late to work for up to 40 hours in any 12-month period in order to perform duties as a volunteer firefighter. Nothing in this section requires an employer to pay an employee for time spent performing volunteer firefighter duties that are not part of the employment.

Subd. 3. [INDIVIDUAL REMEDIES.] In addition to any other remedies provided by law, a person injured by a violation of subdivision 2 may bring a civil action to recover damages, costs, disbursements, and reasonable attorney's fees, and may receive injunctive and equitable relief as determined by a court."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 3288, A bill for an act relating to public employment labor relations; extending the expiration of an interest arbitration provision governing firefighters; amending Minnesota Statutes 2000, section 179A.16, subdivision 7a.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Rukavina	Sertich	Stanek	Thompson	Walker	Wilkin
Ruth	Skoe	Stang	Tingelstad	Walz	Winter
Schumacher	Skoglund	Swapinski	Tuma	Wasiluk	Wolf
Seagren	Slawik	Swenson	Vandever	Westerberg	Workman
Seifert	Smith	Sykora	Wagenius	Westrom	Spk. Sviggum

The bill was passed, as amended, and its title agreed to.

Clark, K., was excused for the remainder of today's session.

S. F. No. 3315, as amended, which was temporarily laid over earlier today on the Calendar for the Day, was again reported to the House.

Dauids and Entenza moved to amend S. F. No. 3315, as amended, as follows:

Page 2, after line 27, insert:

"Sec. 2. Minnesota Statutes 2000, section 62B.01, is amended to read:

62B.01 [SCOPE.]

All life insurance, accident and health insurance, and involuntary unemployment insurance in connection with loan or other credit transactions are subject to sections 62B.01 to 62B.14, except ~~mortgage~~ life, ~~mortgage~~ accidental death, and ~~mortgage~~ disability insurance written in connection with first real estate mortgage loans. Insurance is not subject to sections 62B.01 to 62B.14 where its issuance is an isolated transaction on the part of the insurer not related to an agreement or a plan for insuring debtors of the creditor. Credit life, credit accident and health, and credit involuntary unemployment insurance provided at no additional cost to the borrower are not subject to sections 62B.01 to 62B.14."

Page 6, line 10, delete "Section 1 is" and insert "Sections 1 and 2 are"

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 3315, A bill for an act relating to insurance; making certain changes involving the joint underwriting association's procedures; amending Minnesota Statutes 2000, section 62F.04, by adding a subdivision; repealing Minnesota Statutes 2000, section 62F.04, subdivision 1a.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Bakk	Blaine	Carlson	Dauids	Dempsey
Abrams	Bernardy	Boudreau	Cassell	Davnie	Dibble
Anderson, B.	Biernat	Bradley	Clark, J.	Dawkins	Dorman
Anderson, I.	Bishop	Buesgens	Daggett	Dehler	Dorn

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

The bill was passed, as amended, and its title agreed to.

S. F. No. 3293 was reported to the House.

Abeler, Workman, Tingelstad and Kalis moved to amend S. F. No. 3293 as follows:

Page 2, after line 22, insert:

"Sec. 2. [TRUNK HIGHWAY 169 RECONSTRUCTION; PEDESTRIAN SIGNAL.]

(a) The commissioner of transportation shall, as part of the reconstruction of marked trunk highway No. 169 (Ferry Street) in Anoka, prepare a new signal agreement relating to the new pedestrian signal located between Benton Street and Fremont Street. All costs related to installation of the new pedestrian signal must be paid by the city of Anoka.

(b) Notwithstanding Minnesota Statutes, sections 169.162 to 169.167:

(1) The commissioner may annually review the installation of the signal at the east frontage road, as described in signal agreement No. 81393R.

(2) The new pedestrian signal must be designated as the priority signal, and the commissioner may remove the signal described in clause (1) if the commissioner determines that the signal described in clause (1) is detrimental to the safe operation and functionality of the trunk highway.

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

Re-number the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Rukavina and Swapinski moved to amend S. F. No. 3293, as amended, as follows:

Page 2, after line 22, insert:

"Sec. 2. [COUNTY ADMINISTRATOR.]

The position of county administrator is abolished after December 31, 2002, in any county with a population of fewer than 220,000 if the county contains a city of the first class."

Re-number the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Rukavina and Swapinski amendment and the roll was called. There were 64 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeler	Dibble	Holsten	Leighton	Pelowski	Swapinski
Anderson, I.	Dorman	Jacobson	Lenczewski	Peterson	Thompson
Bakk	Entenza	Jaros	Lieder	Pugh	Tingelstad
Bernardy	Evans	Jennings	Mariani	Rifenberg	Tuma
Biernat	Folliard	Johnson, S.	Milbert	Rukavina	Vandever
Carlson	Gleason	Juhnke	Ness	Schumacher	Walker
Clark, J.	Goodwin	Kalis	Opatz	Seifert	Wasiluk
Davids	Gray	Kelliher	Osskopp	Sertich	Winter
Davnie	Greiling	Krinkie	Osthoff	Skoe	Workman
Dawkins	Hackbarth	Kubly	Otremba	Solberg	
Dempsey	Hilstrom	Kuisle	Paulsen	Stang	

Those who voted in the negative were:

Abrams	Dorn	Harder	Larson	Olson	Stanek
Anderson, B.	Eastlund	Holberg	Leppik	Pawlenty	Swenson
Bishop	Erhardt	Howes	Lindner	Paymar	Sykora
Blaine	Erickson	Huntley	Lipman	Penas	Wagenius
Boudreau	Finseth	Johnson, J.	Marko	Rhodes	Walz
Bradley	Fuller	Johnson, R.	Marquart	Ruth	Westerberg
Buesgens	Gerlach	Jordan	McElroy	Seagren	Westrom
Cassell	Goodno	Kielkucki	Molnau	Skoglund	Wilkin
Daggett	Gunther	Knoblach	Mulder	Slawik	Wolf
Dehler	Haas	Koskinen	Nornes	Smith	Spk. Sviggum

The motion prevailed and the amendment was adopted.

S. F. No. 3293, A bill for an act relating to highways; transferring three state highways and vacating one state highway; repealing Minnesota Statutes 2000, section 161.115, subdivisions 122, 197, 204, 233.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Huntley Skoglund

The bill was passed, as amended, and its title agreed to.

MOTION FOR RECONSIDERATION

Greiling moved that the vote whereby H. F. No. 3163, as amended, was passed earlier today, be now reconsidered. The motion prevailed.

Pawlenty moved that H. F. No. 3163, as amended, be returned to the General Register. The motion prevailed.

S. F. No. 2814, A bill for an act relating to cooperatives; authorizing electronic voting; amending Minnesota Statutes 2000, sections 308A.311, subdivisions 4, 5; 308A.635, subdivisions 4, 6.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 3145 was reported to the House.

Koskinen moved to amend S. F. No. 3145 as follows:

Page 1, after line 33, insert:

"Section 1. [43A.183] [PAYMENT OF SALARY DIFFERENTIAL FOR RESERVE FORCES ORDERED TO ACTIVE SERVICE.]

(a) Each employer in the state shall pay to each eligible member of the national guard or other reserve component of the armed forces of the United States, who is a resident of the state, an amount equal to the difference between the member's basic active duty military salary and the salary the member would be paid as an active employee, including any adjustments the member would have received if not on leave of absence. This payment may be made only to a person whose basic active duty military salary is less than the salary the person would be paid as an active employee. Payments must be made at the intervals at which the member received pay as an employee. Back pay authorized by this section may be paid in a lump sum. Payment under this section must not extend beyond four years from the date the employee was ordered to active service, plus any additional time the employee may be legally required to serve.

(b) An eligible member of the reserve components of the armed forces of the United States is a reservist or national guard member who was an employee in and resident of the state of Minnesota at the time the member was ordered to active service on or after September 11, 2001.

(c) For purposes of this section, the term "active service" has the meaning given in section 190.05, subdivision 5, but excludes service performed exclusively for purposes of:

- (1) basic combat training, advanced individual training, annual training, and periodic inactive duty training;
- (2) special training periodically made available to reserve members; and
- (3) service performed in accordance with section 190.08, subdivision 3.

(d) The commissioner of employee relations and the commissioner of finance shall adopt procedures required to implement this section. The procedures are exempt from chapter 14.

(e) This section is repealed June 30, 2006."

Page 31, after line 24, insert:

"Sec. 73. [APPROPRIATION.]

An amount sufficient to pay the costs of section 1 is appropriated to the commissioner of employee relations from the cash flow account."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Eastlund moved that S. F. No. 3145 be continued on the Calendar for the Day. The motion prevailed.

The Speaker resumed the Chair.

S. F. No. 2673, which was temporarily laid over earlier today on the Calendar for the Day, was again reported to the House.

S. F. No. 2673, A bill for an act relating to family law; providing for custody of children by de facto custodians and third parties; making related technical changes; providing for hearings on petitions for orders of protection; providing for notice to law enforcement agencies of continuance of order for protection; amending Minnesota Statutes 2000, sections 518.156, subdivision 1; 518B.01, subdivisions 5, 7, 13; Minnesota Statutes 2001 Supplement, section 260C.201, subdivision 11; proposing coding for new law as Minnesota Statutes, chapter 257C; repealing Minnesota Statutes 2000, section 518.158.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2972 was reported to the House.

Wolf moved to amend H. F. No. 2972, the first engrossment, as follows:

Page 4, line 17, after "proceeding" delete the rest of the line

Page 4, line 18, delete everything before "for"

The motion prevailed and the amendment was adopted.

The Speaker called Paulsen to the Chair.

Jennings and Wolf moved to amend H. F. No. 2972, the first engrossment, as amended, as follows:

Page 1, line 20, before "When" insert "(a)"

Page 2, after line 24, insert:

"(b) A utility may voluntarily offer the same option provided to fee owners under paragraph (a) with regard to the acquisition of property for the construction of a site or route for a proposed high voltage transmission line with a capacity of between 100 and 200 kilovolts if:

(1) the property is located within an unincorporated area; and

(2) the proposed high voltage transmission line would, if constructed, cross a federally designated national scenic riverway.

Expenses incurred under this paragraph are recoverable by a public utility, as defined in section 216B.02, subdivision 4, in the utility's subsequent general rate proceeding under section 216B.16.

Sec. 2. Minnesota Statutes 2001 Supplement, section 216B.1691, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] (a) "Eligible energy technology" means:

(1) an energy technology that generates electricity from the following renewable energy sources: solar, wind, hydroelectric with a capacity of less than 60 megawatts, or biomass; and

(2) was not mandated by state law or commission order enacted or issued prior to August 1, 2001.

(b) "Electric utility" means a public utility providing electric service, a generation and transmission cooperative electric association, or a municipal power agency."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Kahn; Skoglund; Mullery; Mariani; Kalis; Lieder; Biernat; Johnson, S.; Pugh; Kelliher; Hilstrom; Hausman; Hilty; Jennings; Wagenius and Dawkins moved to amend H. F. No. 2972, the first engrossment, as amended, as follows:

Page 2, after line 24, insert:

"Sec. 2. Minnesota Statutes 2001 Supplement, section 216B.1692, subdivision 2, is amended to read:

Subd. 2. [PROPOSAL SUBMISSION.] A public utility that intends to submit a proposal for an emissions reduction rider under this section, or that is ordered to do so by the commission, must submit to the commission, the department, the pollution control agency, and interested parties its plans for emissions reduction projects at its generating facilities. This submission must be made at least 60 days in advance of a petition for a rider and shall include:

(1) the priority order of emissions reduction projects the utility plans to pursue at its generating facilities;

(2) the planned schedule for implementation;

- (3) the analysis and considerations relied on by the public utility to develop that priority ranking;
- (4) the alternative emissions reduction projects considered, including but not limited to applications of the best available control technology and repowering with natural gas, and reasons for not pursuing them;
- (5) the emissions reductions expected to be achieved by the projects and their relation to applicable standards for new facilities under the federal Clean Air Act; and
- (6) the general rationale and conclusions of the public utility in determining the priority ranking.

Sec. 3. Minnesota Statutes 2001 Supplement, section 216B.1692, subdivision 3, is amended to read:

Subd. 3. [FILING PETITION TO RECOVER PROJECT COSTS.] (a) The commission may order a public utility may to petition the commission for approval of an emissions reduction rider to recover the costs of a qualifying emissions reduction project outside of a general rate case proceeding under section 216B.16. A public utility may also voluntarily submit such a petition. In its filing, the public utility shall provide:

- (1) a description of the planned emissions reduction project;
- (2) the activities involved in the project;
- (3) a schedule for implementation;
- (4) any analysis provided to the pollution control agency regarding the project;
- (5) an assessment of alternatives to the project, including costs, environmental impact, and operational issues;
- (6) the proposed method of cost recovery;
- (7) any proposed recovery above cost; and
- (8) the projected emissions reductions from the project.

(b) Nothing in this section precludes a public utility or interested party from seeking commission guidelines for emissions reduction rider filings; however, commission guidelines are not required as a prerequisite to a public utility-initiated filing.

Sec. 4. Minnesota Statutes 2001 Supplement, section 216B.1692, subdivision 6, is amended to read:

Subd. 6. [IMPLEMENTATION.] Within 60 days of a final commission order, the public utility shall ~~notify the commission and the pollution control agency whether it will implement the order and~~ proceed with the project. ~~Nothing in this section commits a public utility to implementing a proposed emissions reduction project if the proposed project or terms of the emissions reduction rider have been either modified or rejected by the commission.~~ A public utility implementing a project under this section will not be required for a period of eight years after installation to undertake additional investments to comply with a new state requirement regarding pollutants addressed by the project at the project generating facility. This section does not affect requirements of federal law. The term of the rider shall extend for the period approved by the commission regardless of any subsequent state or federal requirement affecting any pollutant addressed by the approved emissions reduction project and regardless of the sunset date in subdivision 8."

Page 9, line 20, delete "6, 7, and 8" and insert "9, 10 and 11"

Page 9, line 21, after the period, insert "Sections 2 to 4 are effective January 1, 2003."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

The question was taken on the Kahn et al amendment and the roll was called. There were 65 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Abeler	Evans	Jacobson	Larson	Murphy	Slawik
Anderson, I.	Folliard	Jaros	Leighton	Opatz	Solberg
Bakk	Fuller	Johnson, R.	Lenczewski	Otremba	Swapinski
Bernardy	Gleason	Johnson, S.	Leppik	Paymar	Thompson
Biernat	Goodwin	Jordan	Lieder	Peterson	Tuma
Carlson	Gray	Juhnke	Mahoney	Pugh	Wagenius
Davnie	Greiling	Kahn	Mariani	Rukavina	Walker
Dawkins	Hausman	Kalis	Marko	Schumacher	Wasiluk
Dibble	Hilstrom	Kelliher	Marquart	Sertich	Westerberg
Dorn	Hilty	Koskinen	Milbert	Skoe	Winter
Entenza	Huntley	Kubly	Mullery	Skoglund	

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.

The Speaker called Paulsen to the Chair.

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

Winter moved to amend H. F. No. 2972, the first engrossment, as amended, as follows:

Page 5, after line 32, insert:

"Sec. 6. Minnesota Statutes 2001 Supplement, section 216C.41, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Qualified hydroelectric facility" means a hydroelectric generating facility in this state that:

(1) is located at the site of a dam, if the dam was in existence as of March 31, 1994; and

(2) begins generating electricity after July 1, 1994, or generates electricity after substantial refurbishing of a facility that begins after July 1, 2001.

(c) "Qualified wind energy conversion facility" means a wind energy conversion system that:

(1) produces two megawatts or less of electricity as measured by nameplate rating and begins generating electricity after December 31, 1996, and before July 1, 1999;

(2) begins generating electricity after June 30, 1999, produces two megawatts or less of electricity as measured by nameplate rating, and is:

(i) located within one county and owned by a natural person who owns the land where the facility is sited;

(ii) ~~owned by a Minnesota small business as defined in section 645.445;~~

~~(iii)~~ owned by a nonprofit organization; or

~~(iv)~~ (iii) owned by a tribal council if the facility is located within the boundaries of the reservation; or

(3) begins generating electricity after June 30, 1999, produces seven megawatts or less of electricity as measured by nameplate rating, and:

(i) is owned by a cooperative organized under chapter 308A; and

(ii) all shares and membership in the cooperative are held by natural persons or estates, at least 51 percent of whom reside in a county or contiguous to a county where the wind energy production facilities of the cooperative are located.

(d) "Qualified on-farm biogas recovery facility" means an anaerobic digester system that:

(1) is located at the site of an agricultural operation;

(2) is owned by a natural person who owns or rents the land where the facility is located; and

(3) begins generating electricity after July 1, 2001.

(e) "Anaerobic digester system" means a system of components that processes animal waste based on the absence of oxygen and produces gas used to generate electricity."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Winter amendment and the roll was called. There were 65 yeas and 66 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.

H. F. No. 2972, A bill for an act relating to energy; decreasing regulatory requirements for small power lines; modifying provision for selecting reliability administrator; requiring department of administration to coordinate with department of commerce to develop comprehensive energy plan for public buildings by 2004; extending expiration by three years of certain procedural powers of public utilities commission; making technical corrections; amending Minnesota Statutes 2000, section 116C.63, subdivision 4; Minnesota Statutes 2001 Supplement, sections 216B.1691, subdivision 1; 216B.2425, subdivisions 3, 6; 216B.243, subdivision 8; 216C.052, subdivision 2; 216C.41, subdivision 5; 272.02, subdivision 22; Laws 1999, chapter 125, section 4; Laws 2001, chapter 212, article 1, section 3.

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

The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 16 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Biernat	Greiling	Jaros	Mariani	Skoglund	Walker
Dawkins	Hausman	Johnson, S.	Murphy	Swapinski	
Dibble	Hilty	Kahn	Paymar	Wagenius	

The bill was passed, as amended, and its title agreed to.

H. F. No. 3031 was reported to the House.

Smith moved to amend H. F. No. 3031, the fifth engrossment, as follows:

Page 6, after line 2, insert:

"Sec. 10. [12.38] [TESTING AND TREATMENTS.]

Subdivision 1. [RIGHTS.] Notwithstanding laws, rules, or orders made or promulgated in response to a national security emergency, peacetime emergency, or bioterrorism incident as defined in section 12.03, subdivision 1d, individuals have and do maintain their fundamental right to refuse medical treatment, testing, physical or mental examination, vaccination, participation in experimental procedures and protocols, collection of specimens, and preventive treatment programs. An individual who has been directed by the commissioner of health to submit to medical procedures and protocols because they are infected with or reasonably believed by the commissioner of health to be infected with or exposed to a communicable disease or toxic agent for which the national security, peacetime emergency or bioterrorism incident is declared and who refuses to submit to them may be ordered by the commissioner of health to be placed in isolation or quarantine according to parameters set forth in sections 144.1206 and 144.1207."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Dibble; Greiling; Kahn; Clark, K.; Krinkie; Boudreau; Abeler; Tuma; Juhnke and Smith moved to amend H. F. No. 3031, the fifth engrossment, as amended, as follows:

Page 1, line 29, after "to" insert "terrorize with the intent to"

Page 1, line 30, after "endanger" insert "a considerable number of" and after "public" insert ", and that is the likely or actual result of a terroristic attack"

The motion prevailed and the amendment was adopted.

H. F. No. 3031, A bill for an act relating to public health; establishing the Minnesota Emergency Health Powers Act; modifying provisions for declaring national security and peacetime emergencies; providing for declaration and termination of emergencies due to bioterrorism; granting certain emergency powers; preserving certain rights of refusal; providing for the isolation and quarantine of persons; requiring a study; amending Minnesota Statutes 2000, sections 12.03, by adding subdivisions; 12.31, subdivision 2; 12.32; 13.3806, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 12.31, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 12; 144.

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

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 11 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Clark, J.	Greiling	Krinkie	Osskopp	Westrom
Buesgens	Dibble	Kielkucki	Olson	Paymar	

The bill was passed, as amended, and its title agreed to.

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

H. F. No. 3359 was reported to the House.

Abeler; Bradley; Clark, K.; Huntley and Ozment moved to amend H. F. No. 3359, the first engrossment, as follows:

Page 2, after line 2, insert:

"Sec. 3. Minnesota Statutes 2001 Supplement, section 148.284, is amended to read:

148.284 [CERTIFICATION OF ADVANCED PRACTICE REGISTERED NURSES.]

(a) No person shall practice advanced practice registered nursing or use any title, abbreviation, or other designation tending to imply that the person is an advanced practice registered nurse, clinical nurse specialist, nurse anesthetist, nurse-midwife, or nurse practitioner unless the person is certified for such advanced practice registered nursing by a national nurse certification organization.

(b) Paragraph (a) does not apply to an advanced practice registered nurse who is within six months after completion of an advanced practice registered nurse course of study and is awaiting certification, provided that the person has not previously failed the certification examination.

(c) An advanced practice registered nurse who has completed a formal course of study as an advanced practice registered nurse and has been certified by a national nurse certification organization prior to January 1, 1999, may continue to practice in the field of nursing in which the advanced practice registered nurse is practicing as of July 1, 1999, regardless of the type of certification held if the advanced practice registered nurse is not eligible for the proper certification.

(d) Prior to July 1, 2007, a clinical nurse specialist may petition the board for waiver from the certification requirement in paragraph (a) if the clinical nurse specialist is academically prepared as a clinical nurse specialist in a specialty area for which there is no certification within the clinical nurse specialist role and specialty or a related specialty. The board may determine that an available certification as a clinical nurse specialist in a related specialty must be obtained in lieu of the specific specialty or subspecialty. The petitioner must be academically prepared as a clinical nurse specialist in a specific field of clinical nurse specialist practice with a master's degree in nursing that included clinical experience in the clinical specialty, and must have 1,000 hours of supervised clinical experience in the clinical specialty for which the individual was academically prepared with a minimum of 500 hours of supervised clinical practice after graduation. The board may grant a nonrenewable permit for no longer than 12

months for the supervised postgraduate clinical experience. The board may renew the waiver for three-year periods provided the clinical nurse specialist continues to be ineligible for certification as a clinical nurse specialist by an organization acceptable to the board.

[EFFECTIVE DATE.] This section is effective July 1, 2002."

Re-number the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 3359, A bill for an act relating to professions; modifying certain protocols for nurses; amending Minnesota Statutes 2000, sections 148.235, by adding subdivisions; 151.37, subdivision 2; Minnesota Statutes 2001 Supplement, section 148.284.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed, as amended, and its title agreed to.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2884, A bill for an act relating to traffic regulations; modifying imposition of civil fine for excessive gross weight; amending Minnesota Statutes 2000, sections 169.871, subdivision 1; 169.872, subdivision 1, by adding a subdivision.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

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 repassed said bill in accordance with the recommendation and report of the Conference Committee. 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 House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2622, A bill for an act relating to terrorism; data practices; enacting the Minnesota Anti-Terrorism Act of 2002; establishing crimes and setting penalties for crimes involving weapons of mass destruction, explosives, and hoaxes relating to such crimes; interception of communications; establishing hazardous materials driver's endorsement regulations; establishing a biological agents registry; providing for background checks of new applicants for aerial applicator licenses; providing for a civil penalty; providing criminal penalties; providing for expedited management and disposal of waste in peacetime emergencies; authorizing closing public meetings to discuss certain security issues; authorizing embargoes limiting food and commodity movement; authorizing quarantine zones if disease is present; requiring certain trucks to have USDOT carrier numbers; requiring proof of residency for drivers' licenses; providing for expense reimbursement of bomb disposal units; upon commission of terrorist offenses providing for attachment of financial assets and seizure and forfeiture of property associated with those offenses; prohibiting trespass on utility property; prohibiting placing explosive or simulated explosive devices near utilities and transportation centers; prohibiting introducing organisms pathogenic to livestock, captive cervidae, or poultry; enhancing penalties and creating new crimes designed to deter and punish terroristic activities; updating the wiretapping law to help interception of terroristic communications; prescribing penalties; establishing an anti-terrorism account in the special revenue fund; abolishing the office of corrections ombudsman; transferring

certain funds from the tobacco use prevention and local public health endowment funds to the general fund; providing for additional collection of biological specimens for DNA testing of certain convicted felons and adjudicated delinquents; requiring a report on the best way to exchange data with the federal government with respect to foreign students; appropriating money; amending Minnesota Statutes 2000, sections 12.03, subdivision 4; 12.21, subdivisions 1, 2, 3; 12.22, subdivision 2; 12.31, subdivision 2; 12.32; 12.34, subdivision 1; 12.36; 13.381, by adding a subdivision; 13D.05, subdivision 3; 31.05, subdivision 1, by adding a subdivision; 171.07, subdivisions 1a, 4; 171.27; 221.0355, subdivisions 2, 3; 299A.49, subdivisions 2, 4; 299C.063, subdivision 2; 609.185; 609.505; 609.531, subdivision 1; 609.532, subdivision 3; 609.625, by adding a subdivision; 609.668, subdivision 6; 609.713, subdivision 1, by adding a subdivision; 624.712, subdivision 5; 626A.01, subdivisions 3, 16; 626A.05, subdivision 2; 626A.06, subdivisions 11, 12; 626A.27; 626A.28; Minnesota Statutes 2001 Supplement, sections 28A.085, subdivision 4; 35.0661, subdivision 2; 260B.171, subdivision 1; repealing Minnesota Statutes 2000, sections 241.41; 241.42; 241.43; 241.44; 241.441; Minnesota Statutes 2001 Supplement, section 241.45; proposing coding for new law in Minnesota Statutes, chapters 18D; 144; 168; 171; 609.

PATRICK E. FLAHAVEN, Secretary of the Senate

Stanek moved that the House refuse to concur in the Senate amendments to H. F. No. 2622, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

CALENDAR FOR THE DAY

S. F. No. 3322 was reported to the House.

Buesgens moved that S. F. No. 3322 be temporarily laid over on the Calendar for the Day. The motion prevailed.

H. F. No. 3350 was reported to the House.

Seagren moved that H. F. No. 3350 be temporarily laid over on the Calendar for the Day. The motion prevailed.

S. F. No. 3278, A bill for an act relating to drivers' licenses; requiring commissioner of public safety to adopt rules requiring education in organ donation as part of driver education programs; requiring commissioner to include information on organ and tissue donation in the driver's manual; amending Minnesota Statutes 2000, section 171.13, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 171.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Bernardy	Bradley	Daggett	Dempsey	Entenza
Abrams	Biernat	Buesgens	Davids	Dibble	Erhardt
Anderson, B.	Bishop	Carlson	Davnie	Dorman	Erickson
Anderson, I.	Blaine	Cassell	Dawkins	Dorn	Evans
Bakk	Boudreau	Clark, J.	Dehler	Eastlund	Finseth

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

The bill was passed and its title agreed to.

H. F. No. 2473 was reported to the House.

Wilkin and Kahn moved to amend H. F. No. 2473, the second engrossment, as follows:

Page 2, line 31, after the second comma, insert "or a health care directive under chapter 145C."

Page 2, line 33, after the period, insert "For a donor's revocation of an anatomical gift made by a document of gift to be valid, the donor must use one of the methods of revocation in paragraph (f)."

The motion prevailed and the amendment was adopted.

H. F. No. 2473, A bill for an act relating to drivers' licenses; specifying that organ donor designation on driver's license or Minnesota identification card establishes intent; amending Minnesota Statutes 2000, section 525.9211.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed, as amended, and its title agreed to.

S. F. No. 3084, A bill for an act relating to auditing; modifying certain state and local auditing procedures and reporting practices; amending Minnesota Statutes 2000, sections 115A.929; 609.5315, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 366; repealing Minnesota Statutes 2000, section 6.77.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Buesgens	Kielkucki	Krinkie	Wilkin
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The bill was passed and its title agreed to.

H. F. No. 2719 was reported to the House.

Leppik moved to amend H. F. No. 2719, the second engrossment, as follows:

Page 8, delete lines 12 and 13 and insert:

"An application for registration must be accompanied by a \$500 fee. An application for renewal of registration must be accompanied by a \$400 fee."

The motion prevailed and the amendment was adopted.

Leppik moved that H. F. No. 2719, as amended, be continued on the Calendar for the Day. The motion prevailed.

Pawlenty moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2622:

Stanek, Tuma, Smith, Fuller and Murphy.

MOTIONS AND RESOLUTIONS

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

Entenza moved that the names of Marquart and Bakk be added as authors on H. F. No. 2710. The motion prevailed.

Kuisle moved that the name of Ruth be added as an author on H. F. No. 3364. The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Bishop announced his intention to place H. F. No. 2214 on the Fiscal Calendar for Monday, March 25, 2002.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 11:00 a.m., Monday, March 25, 2002. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and Speaker pro tempore Paulsen declared the House stands adjourned until 11:00 a.m., Monday, March 25, 2002.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

