

STATE OF MINNESOTA

EIGHTY-SECOND SESSION — 2002

 NINETY-FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 4, 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 Lonnie E. Titus, House Chaplain.

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

The roll was called and the following members were present:

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

A quorum was present.

Osthoff and Wasiluk were excused until 10:30 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Anderson, B., 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. 2738 and H. F. No. 2973, 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. 2738 be substituted for H. F. No. 2973 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. No. 2738 was read for the second time.

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

S. F. No. 2960 was reported to the House.

Holsten moved to amend S. F. No. 2960, the unofficial engrossment, as follows:

Page 2, line 14, delete "25" and insert "26"

Page 5, line 13, delete everything after "from"

Page 5, delete lines 14 and 15 and insert "subdivisions 1, 2, 3, and 4. The purchaser of novelty items under this subdivision must be 18 years of age or older as verified by a photograph identification."

Page 5, line 17, delete "or" and insert "of"

Page 5, line 21, delete "snake and glow"

Page 5, delete lines 22 and 23

Page 5, line 24, delete everything before the period and insert "and are not 1.4G fireworks"

Page 5, line 36, after "items" insert "exempt under subdivision 5"

The motion prevailed and the amendment was adopted.

Holsten moved to amend S. F. No. 2960, the unofficial engrossment, as amended, as follows:

Page 5, line 33, after "(a)" insert "There is imposed on"

Page 5, line 34, delete "must pay to the commissioner of revenue"

Page 6, line 1, after "pay" insert "to the commissioner of revenue" and delete "surcharge" and insert "fee"

Page 6, line 5, after the period insert "The provisions of 289A and 297A relating to the commissioner's authority to audit, assess, and collect the fee, and to issue refunds and to hear appeals apply to the fee. The commissioner may impose civil penalties as provided in chapters 289A and 297A, and the additional fees and penalties are subject to interest at the rate provided in section 270.75."

The motion prevailed and the amendment was adopted.

Abeler moved to amend S. F. No. 2960, the unofficial engrossment, as amended, as follows:

Page 2, lines 25 and 33, delete "25" and insert "26"

Page 5, line 28, delete "25" and insert "26"

The motion prevailed and the amendment was adopted.

Skoglund moved to amend S. F. No. 2960, the unofficial engrossment, as amended, as follows:

Delete sections 2 through 4

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker called Abrams to the Chair.

The question was taken on the Skoglund amendment and the roll was called. There were 65 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Abrams	Davnie	Goodwin	Johnson, R.	Kubly	Mullery
Bernardy	Dawkins	Gray	Johnson, S.	Larson	Murphy
Biernat	Dibble	Greiling	Juhnke	Lenczewski	Ness
Carlson	Dorn	Harder	Kahn	Lieder	Opatz
Cassell	Erhardt	Hausman	Kalis	Mahoney	Osthoff
Clark, J.	Evans	Hilty	Kelliher	Mares	Otremba
Clark, K.	Folliard	Holberg	Koskinen	Marko	Ozment
Davids	Gleason	Huntley	Krinkie	McGuire	Pawlenty

Paymar	Pugh	Skoe	Swapinski	Wagenius	Westerberg
Pelowski	Rhodes	Skoglund	Thompson	Walker	Winter
Peterson	Ruth	Slawik	Tingelstad	Wasiluk	

Those who voted in the negative were:

Abeler	Dorman	Holsten	Lindner	Penas	Sykora
Anderson, B.	Eastlund	Howes	Lipman	Rifenberg	Tuma
Anderson, I.	Entenza	Jacobson	Mariani	Rukavina	Vandever
Bakk	Erickson	Jaros	Marquart	Schumacher	Walz
Bishop	Finseth	Jennings	McElroy	Seagren	Westrom
Blaine	Fuller	Johnson, J.	Milbert	Seifert	Wilkin
Boudreau	Gerlach	Jordan	Molnau	Sertich	Wolf
Bradley	Goodno	Kielkucki	Mulder	Smith	Workman
Buesgens	Gunther	Knoblach	Nornes	Solberg	Spk. Sviggum
Daggett	Haas	Kuistle	Olson	Stanek	
Dehler	Hackbarth	Leighton	Osskopp	Stang	
Dempsey	Hilstrom	Leppik	Paulsen	Swenson	

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

The Speaker resumed the Chair.

Dawkins and Marquart moved to amend S. F. No. 2960, the unofficial engrossment, as amended, as follows:

Page 5, after line 29, insert:

"Subd. 7. [LOCAL PROHIBITION.] A city, town, or county for an unincorporated area within the county, may exempt itself from this section and prohibit the sale or restrict but not prohibit the personal use of fireworks in compliance with sections 624.20 to 624.25."

Page 5, line 30, delete "7" and insert "8"

Page 5, line 33, delete "8" and insert "9"

The motion prevailed and the amendment was adopted.

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

The bill was read for the 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 81 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Abeler	Bakk	Boudreau	Clark, J.	Dehler	Eastlund
Anderson, B.	Bishop	Bradley	Daggett	Dempsey	Erickson
Anderson, I.	Blaine	Buesgens	Dawkins	Dorman	Finseth

Fuller	Holsten	Leppik	Nornes	Seagren	Tuma
Gerlach	Howes	Lieder	Olson	Seifert	Vanderveer
Goodno	Jacobson	Lindner	Osskopp	Sertich	Walz
Goodwin	Jaros	Lipman	Paulsen	Skoe	Westrom
Greiling	Jennings	Mariani	Pawlenty	Smith	Wilkin
Gunther	Johnson, J.	Marquart	Penas	Solberg	Wolf
Haas	Jordan	McElroy	Peterson	Stanek	Workman
Hackbarth	Kielkucki	Milbert	Rifenberg	Stang	Spk. Sviggum
Harder	Knoblach	Molnau	Rukavina	Swenson	
Hilstrom	Kubly	Mulder	Ruth	Sykora	
Holberg	Kuisle	Ness	Schumacher	Thompson	

Those who voted in the negative were:

Abrams	Dorn	Huntley	Larson	Opatz	Swapinski
Bernardy	Entenza	Johnson, R.	Leighton	Otremba	Tingelstad
Biernat	Erhardt	Johnson, S.	Lenczewski	Ozment	Wagenius
Carlson	Evans	Juhnke	Mahoney	Paymar	Walker
Cassell	Folliard	Kahn	Mares	Pelowski	Wasiluk
Clark, K.	Gleason	Kalis	Marko	Pugh	Westerberg
Davids	Gray	Kelliher	McGuire	Rhodes	Winter
Davnie	Hausman	Koskinen	Mullery	Skoglund	
Dibble	Hilty	Krinkie	Murphy	Slawik	

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

S. F. No. 2650 was reported to the House.

Stang moved to amend S. F. No. 2650, the unofficial engrossment, as follows:

Page 1, line 22, after "identifiable" insert "local"

Page 2, line 23, delete "3,000" and insert "500"

Pages 2 to 3, delete section 2

Page 3, line 15, delete "of a small group"

Page 3, line 16, after "membership" insert "of a small group or a group determined by the commissioner under section 52.05 to be too small to form its own credit union"

Page 3, line 30, delete "of a small group"

Page 3, line 31, after "membership" insert "of a small group or a group determined by the commissioner under section 52.05 to be too small to form its own credit union"

Page 3, line 32, delete the period and insert ", and"

Page 3, line 33, delete "the small" and insert "that"

Page 6, lines 19 to 21, delete the new language and reinstate the stricken language

Page 7, line 1, delete the new language

Page 7, lines 11 to 18, delete the new language and reinstate the stricken language

Page 9, line 21, after the semicolon, insert "and"

Page 9, delete lines 22 to 24

Page 9, line 25, delete "(29)" and insert "(28)"

Page 9, line 27, delete "; and"

Page 9, delete lines 28 to 30

Page 9, line 31, delete the new language

Page 10, line 6, after the first "of" insert ", or take any action permitted for,"

Page 11, line 18, delete "3,000" and insert "500"

Page 11, line 19, strike everything after "union"

Page 11, strike line 20

Page 11, line 21, strike everything before the semicolon

Page 11, line 22, after "(2)" insert "for the purpose of this subdivision, groups with a potential membership of at least 500 but less than 3,000 may be considered to be too small to be feasible as a separate credit union, based upon criteria developed by the commissioner, taking into account the objectives of this subdivision;

(3)"

Page 11, line 22, strike "in excess"

Page 11, line 23, after "3,000" insert "or more"

Page 11, line 25, strike "(3)" and insert "(4)"

Page 12, line 4, delete "incidental to" and insert "incurred while"

Page 12, line 7, delete "life,"

Page 12, line 9, after "compensation" insert ", and is subject to approval by the membership"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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

The bill was read for the 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 109 yeas and 22 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Cassell	Gunther	Kalis	Ness	Skoe	Wolf
Clark, J.	Hackbarth	Kielkucki	Penas	Swenson	Spk. Sviggum
Daggett	Howes	Krinkie	Rifenberg	Sykora	
Dempsey	Juhnke	Lieder	Seagren	Tuma	

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

S. F. No. 3246 was reported to the House.

Entenza moved to amend S. F. No. 3246 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2710, the fourth engrossment:

"Section 1. [325E.311] [DEFINITIONS.]

Subdivision 1. [SCOPE.] For the purposes of sections 325E.311 to 325E.316, the following terms have the meanings given them.

Subd. 2. [CALLER.] "Caller" means a person, corporation, firm, partnership, association, or legal or commercial entity that attempts to contact, or that contacts, a residential subscriber in this state by using a telephone or a telephone line.

Subd. 3. [CALLER IDENTIFICATION SERVICE.] "Caller identification service" means a telephone service that permits telephone subscribers to see the telephone number of incoming telephone calls.

Subd. 4. [COMMISSIONER.] "Commissioner" means the commissioner of commerce.

Subd. 5. [RESIDENTIAL SUBSCRIBER.] "Residential subscriber" means a person who has subscribed to residential telephone services from a telephone company or the other persons living or residing with the subscribing person.

Subd. 6. [TELEPHONE SOLICITATION.] "Telephone solicitation" means any voice communication over a telephone line for the purpose of encouraging the purchase or rental of, or investment in, property, goods, or services, whether the communication is made by a live operator, through the use of an automatic dialing-announcing device as defined in section 325E.26, subdivision 2, or by other means. Telephone solicitation does not include communications:

(1) to any residential subscriber with that subscriber's prior express invitation or permission;

(2) by or on behalf of any person or entity with whom a residential subscriber has a prior or current business or personal relationship;

(3) by or on behalf of an organization that is exempt from taxation under section 501(c)(3) or is described in section 170(c)(2), 170(c)(3), 170(c)(4), or 170(c)(5) of the Internal Revenue Code of 1986, as amended; or

(4) by a person soliciting without the intent to complete, and who does not in fact complete, the sales presentation during the call, but who will complete the sales presentation at a later face-to-face meeting between the solicitor who makes the call and the prospective purchaser.

Sec. 2. [325E.312] [TELEPHONE SOLICITATIONS.]

Subdivision 1. [PERSONS INCLUDED IN NO-CALL LIST.] No caller shall make or cause to be made any telephone solicitation to the telephone line of any residential subscriber in this state who has given notice to the commissioner, according to section 325E.313, of that residential subscriber's objection to receiving telephone solicitations.

Subd. 2. [IDENTIFICATION OF CALLER.] Any caller who makes a telephone solicitation to a residential subscriber in this state shall state the caller's identity clearly at the beginning of the call and, if requested, the caller's telephone number.

Subd. 3. [INTERFERENCE WITH CALLER IDENTIFICATION.] No caller who makes a telephone solicitation to a residential subscriber in this state shall knowingly use any method to block or otherwise deliberately circumvent the subscriber's use of a caller identification service.

Sec. 3. [325E.313] [NO-CALL LIST.]

Subdivision 1. [ESTABLISHMENT OF LIST.] The commissioner shall establish and maintain a list of telephone numbers of residential subscribers who object to receiving telephone solicitations. The commissioner may fulfill the requirements of this subdivision by contracting with an agent for the establishment and maintenance of the list. The list must be established by January 1, 2003.

Subd. 2. [OPERATION AND MAINTENANCE OF LIST.] (a) Each local exchange company must inform its residential subscribers of the opportunity to provide notification to the commission or its contractor that the subscriber objects to receiving telephone solicitations. The notification must be made in the manner prescribed by the commissioner.

(b) Any residential subscriber may contact the commissioner or the commissioner's agent and give notice, in the manner prescribed by the commissioner, that the subscriber objects to receiving telephone solicitations. The commissioner shall add the telephone number of any subscriber who gives notice of objection to the list maintained pursuant to subdivision 1 within 90 days of the date the notice is received.

(c) Any notice given by a subscriber under this subdivision shall be effective for two years unless revoked by the subscriber. Any subsequent notices given by the same subscriber related to a different telephone number are separate from the original notice.

(d) The commissioner shall allow consumers to give notice under this subdivision by mail or electronically.

(e) The commissioner shall establish the procedures by which a person wishing to make telephone solicitations may obtain access to the list. Those procedures shall, to the extent practicable, allow for access to paper or electronic copies of the list.

Sec. 4. [325E.314] [FEES; ACQUISITION AND USE OF LIST.]

(a) A person or entity desiring to make telephone solicitations shall pay a fee, payable to the commissioner, for access to, or for paper or electronic copies of, the list established under section 325E.313. The fee shall be \$125 for each acquisition of the list. The fee shall be reduced to \$90 in fiscal year 2004, and then to \$75 in fiscal year 2005 and thereafter.

(b) A caller who makes a telephone solicitation to the telephone line of any residential subscriber must, at the time of the call, have obtained access to a current version of the list at least once in the 90 days prior to the call. A caller who complies with this requirement is not liable for any violation of section 325E.312 relating to a solicitation made to a subscriber during the first 30 days after the caller first obtained a copy of the list including that subscriber's telephone number that has not been superseded by a later list obtained by the caller that does not include the subscriber's telephone number.

Sec. 5. [325E.315] [RELEASE OF INFORMATION.]

Information contained in the list established under section 325E.313 shall be used only for the purposes of compliance with sections 325E.311 to 325E.316 or in a proceeding or action under section 325E.316. The information contained in the list is private data on individuals or nonpublic data as defined in section 13.02.

Sec. 6. [325E.316] [PENALTIES.]

Subdivision 1. [ENFORCEMENT BY COMMISSIONER.] In enforcing sections 325E.311 to 325E.316, the commissioner has all powers provided by section 45.027, including, but not limited to, the power to impose a civil penalty to a maximum of \$1,000 for each solicitation that violates section 325E.312.

Subd. 2. [DEFENSES.] (a) In any action or proceeding against a person under this section, it shall be a defense that the defendant has established and implemented, with due care, reasonable practices and procedures to effectively prevent telephone solicitations in violation of section 325E.312.

(b) No provider of caller identification service shall be held liable for violations of section 325E.312 committed by other persons or entities.

Subd. 3. [TIME LIMITATIONS.] No action or proceeding may be brought under this section:

(1) more than two years after the person bringing the action knew or should have known of the alleged violation;
or

(2) more than two years after the termination of any proceeding or action by the state of Minnesota, whichever is later.

Subd. 4. [JURISDICTION.] A court of this state may exercise personal jurisdiction over any nonresident or the nonresident's executor or administrator as to an action or proceeding authorized by this section according to the provisions of section 543.19.

Subd. 5. [OTHER REMEDIES.] The remedies, duties, prohibitions, and penalties of this section are not exclusive and are in addition to all other causes of action, remedies, and penalties provided by law.

Sec. 7. [APPROPRIATION.]

\$482,000 is appropriated from the general fund in fiscal year 2003 to the commissioner of commerce for purposes of this act. The general fund base in fiscal year 2004 is \$349,000, and in fiscal year 2005 is \$299,000."

The motion prevailed and the amendment was adopted.

Dauids and Entenza moved to amend S. F. No. 3246, as amended, as follows:

Page 3, after line 35, insert:

"Subd. 3. [USE OF FEDERAL LIST.] If, pursuant to United States Code, title 15, section 6102(a), the Federal Trade Commission establishes a national list of telephone numbers of subscribers who object to receiving telephone solicitations, the commissioner shall include subscribers who live in Minnesota and are included in the national list in the list established under this section. The commissioner shall also transmit to the Federal Trade Commission the telephone numbers included on the no-call list established under this section and shall request that they be included in the national list."

Page 4, after line 18, insert:

"(c) If the Federal Trade Commission establishes a national do-not-call list as described in section 325E.313, subdivision 3, a person or entity who is required by law to obtain a copy of the national list is not required to purchase or retain a copy of the list established by the commissioner, unless the Federal Trade Commission fails to incorporate the Minnesota names transmitted by the commissioner."

The motion prevailed and the amendment was adopted.

Entenza and McElroy moved to amend S. F. No. 3246, as amended, as follows:

Page 5, after line 24, insert:

"Sec. 8. [EFFECTIVE DATE.]

Sections 2 and 4 are effective 30 days after the commissioner complies with the requirements of section 3, subdivision 1."

The motion prevailed and the amendment was adopted.

Dawkins moved to amend S. F. No. 3246, as amended, as follows:

Page 2, delete lines 34 to 36

Page 3, delete lines 1 and 2

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

The Speaker called Paulsen to the Chair.

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 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 126 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Kielkucki	Lindner	Olson
Buesgens	Krinkie	Mulder	Osskopp

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

S. F. No. 2363 was reported to the House.

Dauids moved to amend S. F. No. 2363 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 72A.20, is amended by adding a subdivision to read:

Subd. 36. [LIMITATIONS ON THE USE OF CREDIT INFORMATION.] (a) No insurer or group of affiliated insurers may reject, cancel, or nonrenew a policy of private passenger motor vehicle insurance as defined under section 65B.01 or a policy of homeowner's insurance as defined under section 65A.27, for any person in whole or in part on the basis of credit information, including a credit reporting product known as a "credit score" or "insurance score," without consideration and inclusion of any other applicable underwriting factor.

(b) If credit information, credit scoring, or insurance scoring is to be used in underwriting, the insurer must disclose to the consumer that credit information will be obtained and used as part of the insurance underwriting process.

(c) Insurance inquiries and nonconsumer-initiated inquiries must not be used as part of the credit scoring or insurance scoring process.

(d) If a credit score, insurance score, or other credit information relating to a consumer, with respect to the types of insurance referred to in paragraph (a), is adversely impacted or cannot be generated because of the absence of a credit history, the insurer must exclude the use of credit as a factor in the decision to reject, cancel, or nonrenew.

(e) Insurers must upon request of the applicant or policyholder provide reasonable underwriting exceptions based upon prior credit histories for persons whose credit information is unduly influenced by expenses related to a catastrophic injury or illness, temporary loss of employment, or the death of an immediate family member. The insurer may require reasonable documentation of these events prior to granting an exception.

(f) A credit scoring or insurance scoring methodology must not be used by an insurer if the credit scoring or insurance scoring methodology incorporates the gender, race, nationality, or religion of an insured or applicant.

(g) Insurers that employ a credit scoring or insurance scoring system in underwriting of coverage described in paragraph (a) must have on file with the commissioner:

(1) the insurer's credit scoring or insurance scoring methodology; and

(2) information that supports the insurer's use of a credit score or insurance score as an underwriting criterion.

(h) Insurers described in paragraph (g) shall file the required information with the commissioner within 120 days of the effective date of this section, or prior to implementation of a credit scoring or insurance scoring system by the insurer, if that date is later.

(i) Information provided by, or on behalf of, an insurer to the commissioner under this subdivision is trade secret information under section 13.37."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Davids moved to amend S. F. No. 2363, as amended, as follows:

Page 2, after line 28, insert:

"Sec. 2. [REPEALER.]

Sections 30 and 34 of 2002 H. F. 2988, if enacted, are repealed effective retroactive to their date of enactment, notwithstanding Minnesota Statutes, section 645.26, subdivision 3."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 2363, A bill for an act relating to insurance; limiting the use of credit information; amending Minnesota Statutes 2000, section 72A.20, by adding a subdivision.

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 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Johnson, J. Krinkie

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

S. F. No. 3384 was reported to the House.

Rhodes moved to amend S. F. No. 3384 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 3379, the second engrossment:

"Section 1. Minnesota Statutes 2000, section 10A.01, subdivision 35, is amended to read:

Subd. 35. [PUBLIC OFFICIAL.] "Public official" means any:

- (1) member of the legislature;
- (2) individual employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, or researcher, legislative analyst, or attorney in the office of senate counsel and research or house research;
- (3) constitutional officer in the executive branch and the officer's chief administrative deputy;
- (4) solicitor general or deputy, assistant, or special assistant attorney general;
- (5) commissioner, deputy commissioner, or assistant commissioner of any state department or agency as listed in section 15.01 or 15.06;
- (6) member, chief administrative officer, or deputy chief administrative officer of a state board or commission that has either the power to adopt, amend, or repeal rules under chapter 14, or the power to adjudicate contested cases or appeals under chapter 14;
- (7) individual employed in the executive branch who is authorized to adopt, amend, or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;
- (8) executive director of the state board of investment;
- (9) deputy of any official listed in clauses (7) and (8);
- (10) judge of the workers' compensation court of appeals;
- (11) administrative law judge or compensation judge in the state office of administrative hearings or referee in the department of economic security;
- (12) member, regional administrator, division director, general counsel, or operations manager of the metropolitan council;
- (13) member or chief administrator of a metropolitan agency;
- (14) director of the division of alcohol and gambling enforcement in the department of public safety;
- (15) member or executive director of the higher education facilities authority;
- (16) member of the board of directors or president of Minnesota Technology, Inc.; or
- (17) member of the board of directors or executive director of the Minnesota state high school league.

Sec. 2. Minnesota Statutes 2000, section 10A.02, subdivision 11, is amended to read:

Subd. 11. [VIOLATIONS; ENFORCEMENT.] (a) The board may investigate any alleged violation of this chapter. The board must investigate any violation that is alleged in a written complaint filed with the board and must within 30 days after the filing of the complaint make a public finding of whether there is probable cause to believe a violation has occurred, except that if the complaint alleges a violation of section 10A.25 or 10A.27, the board must either enter a conciliation agreement or make a public finding of whether there is probable cause, within 60 days after the filing of the complaint. The deadline for action on a written complaint may be extended by majority vote of the board.

(b) Within a reasonable time after beginning an investigation of an individual or association, the board must notify the individual or association of the fact of the investigation. The board must not make a finding of whether there is probable cause to believe a violation has occurred without notifying the individual or association of the nature of the allegations and affording an opportunity to answer those allegations.

(c) A hearing or action of the board concerning a complaint or investigation other than a finding concerning probable cause or a conciliation agreement is confidential. Until the board makes a public finding concerning probable cause or enters a conciliation agreement:

(1) a member, employee, or agent of the board must not disclose to an individual information obtained by that member, employee, or agent concerning a complaint or investigation except as required to carry out the investigation or take action in the matter as authorized by this chapter; and

(2) an individual who discloses information contrary to this subdivision is ~~guilty of a misdemeanor~~ subject to a civil penalty imposed by the board of up to \$1,000.

(d) ~~Except as provided in section 10A.28, after the board makes a public finding of probable cause the board must report that finding to the appropriate law enforcement authorities.~~

Sec. 3. Minnesota Statutes 2000, section 10A.025, subdivision 2, is amended to read:

Subd. 2. [PENALTY FOR FALSE STATEMENTS.] A report or statement required to be filed under this chapter must be signed and certified as true by the individual required to file the report. An individual who signs and certifies to be true a report or statement knowing it contains false information or who knowingly omits required information is guilty of a gross misdemeanor and subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 4. Minnesota Statutes 2000, section 10A.025, subdivision 4, is amended to read:

Subd. 4. [CHANGES AND CORRECTIONS.] Material changes in information previously submitted and corrections to a report or statement must be reported in writing to the board within ten days following the date of the event prompting the change or the date upon which the person filing became aware of the inaccuracy. The change or correction must identify the form and the paragraph containing the information to be changed or corrected.

A person who willfully fails to report a material change or correction is guilty of a gross misdemeanor. The board must send a notice by certified mail to any individual who fails to file a report required by this subdivision. If the individual fails to file the required report within ten business days after the notice was sent, the board may impose a late filing fee of \$5 per day up to \$100 starting on the 11th day after the notice was sent. The board must send an additional notice by certified mail to an individual who fails to file a report within 14 days after the first notice was sent by the board that the individual may be subject to a civil penalty for failure to file a report. An individual who fails to file a report required by this subdivision within seven days after the second notice was sent by the board is subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 5. Minnesota Statutes 2000, section 10A.03, subdivision 3, is amended to read:

Subd. 3. [FAILURE TO FILE.] The board must ~~notify send a notice~~ by certified mail ~~or personal service~~ to any lobbyist who fails to file a registration form within five days after becoming a lobbyist. If a lobbyist fails to file a form within ~~seven ten business~~ days after ~~receiving this the~~ notice ~~was sent~~, the board may impose a late filing fee of \$5 per day, not to exceed \$100, ~~commencing with starting on the eighth 11th~~ day after ~~receiving the~~ notice ~~was sent~~. The board must ~~further notify send an additional notice~~ by certified mail ~~or personal service~~ any to a lobbyist who fails to file a form within ~~21 14~~ days ~~of receiving a~~ after the first notice ~~was sent by the board~~ that the lobbyist may be subject to a ~~criminal civil~~ penalty for failure to file the form. A lobbyist who ~~knowingly~~ fails to file a form within seven days after ~~receiving a the~~ second notice ~~from was sent by~~ the board is ~~guilty of a misdemeanor~~ subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 6. Minnesota Statutes 2000, section 10A.04, subdivision 4, is amended to read:

Subd. 4. [CONTENT.] (a) A report under this section must include information the board requires from the registration form and the information required by this subdivision for the reporting period.

(b) A lobbyist must report the lobbyist's total disbursements on lobbying, separately listing lobbying to influence legislative action, lobbying to influence administrative action, and lobbying to influence the official actions of a metropolitan governmental unit, and a breakdown of disbursements for each of those kinds of lobbying into categories specified by the board, including but not limited to the cost of publication and distribution of each publication used in lobbying; other printing; media, including the cost of production; postage; travel; fees, including allowances; entertainment; telephone and telegraph; and other expenses.

(c) A lobbyist must report the amount and nature of each gift, item, or benefit, excluding contributions to a candidate, equal in value to \$5 or more, given or paid to any official, as defined in section 10A.071, subdivision 1, by the lobbyist or an employer or employee of the lobbyist. The list must include the name and address of each official to whom the gift, item, or benefit was given or paid and the date it was given or paid.

(d) ~~Each~~ A lobbyist must report each original source of money in excess of \$500 in any year used for the purpose of lobbying to influence legislative action, administrative action, or the official action of a metropolitan governmental unit. The list must include the name, address, and employer, or, if self-employed, the occupation and principal place of business, of each payer of money in excess of \$500.

(e) On the report due April 15, the lobbyist must provide a general description of the subjects lobbied in the previous 12 months.

Sec. 7. Minnesota Statutes 2000, section 10A.04, subdivision 5, is amended to read:

Subd. 5. [LATE FILING.] The board must ~~notify send a notice~~ by certified mail ~~or personal service~~ to any lobbyist ~~or principal~~ who fails after seven days after a filing date imposed by this section to file a report or statement required by this section. If a lobbyist ~~or principal~~ fails to file a report within ~~seven ten business~~ days after ~~receiving this the~~ notice ~~was sent~~, the board may impose a late filing fee of \$5 per day, not to exceed \$100, commencing with the ~~eighth eleventh~~ day after ~~receiving the~~ notice ~~was sent~~. The board must ~~further notify send an additional notice~~ by certified mail ~~or personal service~~ to any lobbyist ~~or principal~~ who fails to file a report within ~~21 14~~ days after ~~receiving a the~~ first notice ~~was sent by the board~~ that the lobbyist ~~or principal~~ may be subject to a ~~criminal civil~~ penalty for failure to file the report. A lobbyist ~~or principal~~ who ~~knowingly~~ fails to file ~~such~~ a report or statement within seven days after ~~receiving a the~~ second notice ~~from was sent by~~ the board is ~~guilty of a misdemeanor~~ subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 8. Minnesota Statutes 2000, section 10A.04, subdivision 6, is amended to read:

Subd. 6. [PRINCIPAL REPORTS.] (a) A principal must report to the board as required in this subdivision by March 15 for the preceding calendar year.

(b) The principal must report ~~which of the following categories includes~~ the total amount, rounded to the nearest dollar \$20,000, spent by the principal during the preceding calendar year to influence legislative action, administrative action, and the official action of metropolitan governmental units:

~~(1) \$501 to \$50,000;~~

~~(2) \$50,001 to \$150,000; or~~

~~(3) \$150,001 to \$250,000.~~

(c) ~~Beyond \$250,000, each additional \$250,000 constitutes an additional category, and each principal must report which of the categories includes the total amount spent by the principal for the purposes provided in this subdivision.~~

~~(d) The principal must report under this subdivision a total amount that includes:~~

~~(1) all direct payments by the principal to lobbyists in this state;~~

~~(2) all expenditures for advertising, mailing, research, analysis, compilation and dissemination of information, and public relations campaigns related to legislative action, administrative action, or the official action of metropolitan governmental units in this state; and~~

~~(3) all salaries and administrative expenses attributable to activities of the principal relating to efforts to influence legislative action, administrative action, or the official action of metropolitan governmental units in this state.~~

Sec. 9. Minnesota Statutes 2000, section 10A.08, is amended to read:

10A.08 [REPRESENTATION DISCLOSURE.]

A public official who represents a client for a fee before an individual, board, commission, or agency that has rulemaking authority in a hearing conducted under chapter 14, must disclose the official's participation in the action to the board within 14 days after the appearance. The board must notify send a notice by certified mail ~~or personal service~~ to any public official who fails to disclose the participation within 14 days after the appearance. If the public official fails to disclose the participation within seven ten business days of this after the notice was sent, the board may impose a late filing fee of \$5 per day, not to exceed \$100, ~~commencing starting~~ on the eighth 11th day after receiving the notice was sent.

Sec. 10. Minnesota Statutes 2000, section 10A.09, subdivision 7, is amended to read:

Subd. 7. [LATE FILING.] The board must notify send a notice by certified mail ~~or personal service~~ to any individual who fails within the prescribed time to file a statement of economic interest required by this section. If an individual fails to file a statement within seven ten business days after receiving this the notice was sent, the board may impose a late filing fee of \$5 per day, not to exceed \$100, commencing on the ~~eighth 11th~~ day after receiving the notice was sent. The board must ~~further notify send an additional notice~~ by certified mail ~~or personal service~~ to any individual who fails to file a statement within ~~21 14~~ days after receiving a the first notice was sent by the board that the individual may be subject to a ~~criminal civil~~ penalty for failure to file a statement. An individual who fails to file a statement within seven days after a the second notice was sent by the board is ~~guilty of a misdemeanor~~ subject to a civil penalty imposed by the board up to \$1,000.

Sec. 11. Minnesota Statutes 2000, section 10A.11, subdivision 7, is amended to read:

Subd. 7. [PENALTY.] A person who knowingly violates this section is ~~guilty of a misdemeanor~~ subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 12. Minnesota Statutes 2000, section 10A.12, subdivision 6, is amended to read:

Subd. 6. [PENALTY.] A person who knowingly violates this section is ~~guilty of a misdemeanor~~ subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 13. Minnesota Statutes 2000, section 10A.13, subdivision 1, is amended to read:

Subdivision 1. [ACCOUNTS; PENALTY.] The treasurer of a political committee, political fund, principal campaign committee, or party unit must keep an account of:

(1) the sum of all contributions, except any donation in kind valued at \$20 or less, made to the committee, fund, or party unit;

(2) the name and address of each source of a contribution made to the committee, fund, or party unit in excess of \$20, together with the date and amount of each;

(3) each expenditure made by the committee, fund, or party unit, together with the date and amount;

(4) each approved expenditure made on behalf of the committee, fund, or party unit, together with the date and amount; and

(5) the name and address of each political committee, political fund, principal campaign committee, or party unit to which contributions in excess of \$20 have been made, together with the date and amount.

Any individual who knowingly violates this subdivision is ~~guilty of a misdemeanor~~ subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 14. Minnesota Statutes 2000, section 10A.14, subdivision 4, is amended to read:

Subd. 4. [FAILURE TO FILE; PENALTY.] The board must ~~notify send a notice~~ send a notice by certified mail ~~or personal service~~ to any individual who fails to file a statement required by this section. If ~~an~~ the individual fails to file a statement within ~~seven ten business~~ ten days after ~~receiving a the notice was sent~~, the board may impose a late filing fee of \$5 per day, not to exceed \$100, commencing with the ~~eighth eleventh~~ eleventh day after ~~receiving the notice was sent~~.

The board must ~~further notify send an additional notice~~ send an additional notice by certified mail ~~or personal service~~ to any individual who fails to file a statement within ~~21~~ 14 days after ~~receiving a the first notice was sent by the board that such the~~ individual may be subject to a ~~criminal~~ civil penalty for failure to file the report. An individual who ~~knowingly~~ fails to file the statement within seven days after ~~receiving a the second notice from was sent by the board is guilty of a~~ receiving the second notice from was sent by the board is guilty of a ~~misdemeanor~~ subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 15. Minnesota Statutes 2000, section 10A.15, subdivision 4, is amended to read:

Subd. 4. [PENALTY.] An individual violating this section is ~~guilty of a misdemeanor~~ subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 16. Minnesota Statutes 2000, section 10A.16, is amended to read:

10A.16 [EARMARKING CONTRIBUTIONS PROHIBITED.]

An individual, political committee, political fund, principal campaign committee, or party unit may not solicit or accept a contribution from any source with the express or implied condition that the contribution or any part of it be directed to a particular candidate other than the initial recipient. An individual, political committee, political fund, principal campaign committee, or party unit that knowingly accepts any earmarked contribution is ~~guilty of a gross misdemeanor~~ subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 17. Minnesota Statutes 2000, section 10A.17, is amended by adding a subdivision to read:

Subd. 3a. [PERSONAL LOANS.] A principal campaign committee, political committee, political fund, or party unit may not lend money it has raised to anyone for noncampaign purposes.

Sec. 18. Minnesota Statutes 2000, section 10A.17, subdivision 5, is amended to read:

Subd. 5. [PENALTY.] A person who knowingly violates subdivision 2 is guilty of a misdemeanor. A person who knowingly violates subdivision 2, 3a, or 4, or falsely claims that an expenditure was an independent expenditure, is guilty of a gross misdemeanor subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 19. Minnesota Statutes 2000, section 10A.18, is amended to read:

10A.18 [TIME FOR RENDERING BILLS, CHARGES, OR CLAIMS; PENALTY.]

A person who has a bill, charge, or claim against a political committee, political fund, principal campaign committee, or party unit for an expenditure must render in writing to the treasurer of the committee, fund, or party unit the bill, charge, or claim within 60 days after the material or service is provided. Violation of A person who violates this section is a misdemeanor subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 20. Minnesota Statutes 2000, section 10A.20, is amended by adding a subdivision to read:

Subd. 1a. [IF TREASURER POSITION IS VACANT.] If the position of treasurer of a principal campaign committee, political committee, political fund, or party unit is vacant, the candidate, chair of a political committee or party unit, or association officer of a political fund is responsible for filing reports required by this section.

Sec. 21. Minnesota Statutes 2000, section 10A.20, subdivision 12, is amended to read:

Subd. 12. [FAILURE TO FILE; PENALTY.] The board must notify send a notice by certified mail or personal service to any individual who fails to file a statement required by this section. If an individual fails to file a statement due January 31 within seven ten business days after receiving a the notice was sent, the board may impose a late filing fee of \$5 per day, not to exceed \$100, commencing on with the eighth eleventh day after receiving the notice was sent.

If an individual fails to file a statement due before a primary or election within three days after the date due, regardless of whether the individual has received any notice, the board may impose a late filing fee of \$50 per day, not to exceed \$500, commencing on the fourth day after the date the statement was due.

The board must ~~further notify~~ send an additional notice by certified mail ~~or personal service~~ to an individual who fails to file a statement within 14 days after ~~receiving a the~~ receiving a the first notice ~~from was sent by~~ from was sent by the board that the individual may be subject to a ~~criminal~~ civil penalty for failure to file a statement. An individual who ~~knowingly~~ fails to file the statement within seven days after ~~receiving a the~~ receiving a the second notice ~~from was sent by~~ from was sent by the board is ~~guilty of a~~ misdemeanor subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 22. Minnesota Statutes 2000, section 10A.25, subdivision 10, is amended to read:

Subd. 10. [EFFECT OF OPPONENT'S CONDUCT.] (a) After the deadline for filing a spending limit agreement under section 10A.322, a candidate who has agreed to be bound by the expenditure limits imposed by this section as a condition of receiving a public subsidy for the candidate's campaign is may choose to be released from the expenditure limits but remains remain eligible to receive a public subsidy if the candidate has an opponent who does has not agree agreed to be bound by the limits and receives has received contributions or makes made or becomes become obligated to make expenditures during that election cycle in excess of the following limits:

(1) up to ~~ten days~~ the close of the reporting period before the primary election, receipts or expenditures equal to 20 percent of the expenditure limit for that office as set forth in subdivision 2; or

(2) after ~~ten days~~ the close of the reporting period before the primary election, cumulative receipts or expenditures during that election cycle equal to 50 percent of the expenditure limit for that office as set forth in subdivision 2.

Before the primary election, a candidate's "opponents" are only those who will appear on the ballot of the same party in the primary election.

(b) A candidate who has not agreed to be bound by expenditure limits, or the candidate's principal campaign committee, must file written notice with the board and provide written notice to any opponent of the candidate for the same office within 24 hours of exceeding the limits in paragraph (a); ~~clause (2)~~. The notice must state only that the candidate or candidate's principal campaign committee has received contributions or made or become obligated to make campaign expenditures in excess of the limits in paragraph (a); ~~clause (2)~~.

(c) Upon receipt of the notice, the a candidate who had agreed to be bound by the limits is may file with the board a notice that the candidate chooses to be no longer bound by the expenditure limits. A notice of a candidate's choice not to be bound by the expenditure limits that is based on the conduct of an opponent in the state primary election may not be filed more than one day after the state canvassing board has declared the results of the state primary.

(d) A candidate who has agreed to be bound by the expenditure limits imposed by this section and whose opponent in the general election has chosen, as provided in paragraph (c), not to be bound by the expenditure limits because of the conduct of an opponent in the primary election is no longer bound by the limits but remains eligible to receive a public subsidy.

Sec. 23. Minnesota Statutes 2000, section 10A.255, subdivision 1, is amended to read:

Subdivision 1. [METHOD OF CALCULATION.] The dollar amounts in section 10A.25, subdivision 2, must be adjusted for general election years as provided in this section. Each general election year, the executive director of the board must determine the percentage increase in the consumer price index from December of the year preceding the last general election year to December of the year preceding the year in which the determination is made. The dollar amounts used for the preceding general election year must be multiplied by that percentage. The product of the calculation must be added to each dollar amount to produce the dollar limitations to be in effect for the next general election. The product must be rounded up to the next highest ~~\$10~~ \$100 increment. The index used must be the revised consumer price index for all urban consumers for the St. Paul-Minneapolis metropolitan area prepared by the United States Department of Labor.

Sec. 24. Minnesota Statutes 2000, section 10A.27, is amended by adding a subdivision to read:

Subd. 1a. [PROHIBITION AGAINST MAKING EXCESSIVE CONTRIBUTIONS; PENALTY.] A political committee or political fund must not make aggregate contributions to a candidate's principal campaign committee in excess of the limits in subdivision 1. A committee or fund that violates this subdivision is subject to a civil fine up to four times the amount by which the contribution exceeded the limit.

Sec. 25. Minnesota Statutes 2000, section 10A.27, subdivision 2, is amended to read:

Subd. 2. [POLITICAL PARTY AND DISSOLVING PRINCIPAL CAMPAIGN COMMITTEE LIMIT.] A candidate must not permit the candidate's principal campaign committee to accept contributions from any political party units ~~in or from any principal campaign committees that are being dissolved if the contribution would cause the aggregate contributions from those types of contributors to equal an amount~~ in excess of ten times the amount that may be contributed to that candidate as set forth in subdivision 1.

Sec. 26. Minnesota Statutes 2000, section 10A.27, subdivision 9, is amended to read:

Subd. 9. [CONTRIBUTIONS TO AND FROM OTHER CANDIDATES.] (a) A candidate or the treasurer of a candidate's principal campaign committee must not accept a contribution from another candidate's principal campaign committee or from any other committee bearing the contributing candidate's name or title or otherwise authorized by the contributing candidate, unless the contributing candidate's principal campaign committee is being dissolved. A candidate's principal campaign committee must not make a contribution to another candidate's principal campaign committee, except when the contributing committee is being dissolved.

(b) A candidate's principal campaign committee must not accept a contribution from, or make a contribution to, a committee associated with a person who seeks nomination or election to the office of President, Senator, or Representative in Congress of the United States.

(c) A candidate or the treasurer of a candidate's principal campaign committee must not accept a contribution from a candidate for political subdivision office in any state, unless the contribution is from the personal funds of the candidate for political subdivision office. A candidate or the treasurer of a candidate's principal campaign committee must not make a contribution from the principal campaign committee to a candidate for political subdivision office in any state.

(d) Except as provided in paragraph (e), a contribution from a dissolving principal campaign committee is subject to the same limitations as are imposed by subdivision 2 and section 10A.273.

(e) The limitations of subdivision 1a do not apply to contributions from a principal campaign committee for a legislative office that is being dissolved to another principal campaign committee for a legislative office, when the candidate for each committee is identical.

Sec. 27. Minnesota Statutes 2000, section 10A.27, subdivision 11, is amended to read:

Subd. 11. [CONTRIBUTIONS FROM CERTAIN TYPES OF CONTRIBUTORS.] A candidate must not permit the candidate's principal campaign committee to accept a contribution from a political committee, political fund, lobbyist, or large contributor, if the contribution will cause the aggregate contributions from those types of contributors to exceed an amount equal to 20 percent of the expenditure limits for the office sought by the candidate, provided that the 20 percent limit must be rounded to the nearest \$100. For purposes of this subdivision, "large contributor" means an individual, other than the candidate, who contributes an amount that is more than \$100 and more than one-half the amount an individual may contribute.

Sec. 28. Minnesota Statutes 2000, section 10A.27, subdivision 13, is amended to read:

Subd. 13. [UNREGISTERED ASSOCIATION LIMIT; STATEMENT; PENALTY.] (a) The treasurer of a political committee, political fund, principal campaign committee, or party unit must not accept a contribution of more than \$100 from an association not registered under this chapter unless the contribution is accompanied by a written statement that meets the disclosure and reporting period requirements imposed by section 10A.20. This statement must be certified as true and correct by an officer of the contributing association. The committee, fund, or party unit that accepts the contribution must include a copy of the statement with the report that discloses the contribution to the board. This subdivision does not apply when a national political party contributes money to its affiliate in this state.

(b) An unregistered association may provide the written statement required by this subdivision to no more than three committees, funds, or party units in a calendar year. Each statement must cover at least the 30 days immediately preceding and including the date on which the contribution was made. An unregistered association or an officer of it is subject to a civil penalty ~~up to \$1,000~~ imposed by the board of up to \$1,000, if the association or its officer:

(1) fails to provide a written statement as required by this subdivision; or

(2) fails to register after giving the written statement required by this subdivision to more than three committees, funds, or party units in a calendar year.

~~An officer of an association who violates this paragraph is guilty of a misdemeanor.~~

(c) The treasurer of a political committee, political fund, principal campaign committee, or party unit who accepts a contribution in excess of \$100 from an unregistered association without the required written disclosure statement is subject to a civil penalty up to four times the amount in excess of \$100.

Sec. 29. Minnesota Statutes 2000, section 10A.273, subdivision 1, is amended to read:

Subdivision 1. [CONTRIBUTIONS DURING LEGISLATIVE SESSION.] (a) A candidate for the legislature or for constitutional office, the candidate's principal campaign committee, or a political committee or party unit established by all or a part of the party organization within a house of the legislature, must not solicit or accept a contribution from a registered lobbyist, political committee, or political fund, or from a party unit established by the party organization within a house of the legislature, during a regular session of the legislature.

(b) A registered lobbyist, political committee, or political fund, or a party unit established by the party organization within a house of the legislature, must not make a contribution to a candidate for the legislature or for constitutional office, the candidate's principal campaign committee, or a political committee or party unit established by all or a part of the party organization within a house of the legislature during a regular session of the legislature.

Sec. 30. Minnesota Statutes 2000, section 10A.273, subdivision 4, is amended to read:

Subd. 4. [CIVIL PENALTY.] A candidate, political committee, ~~or party unit,~~ political fund, or registered lobbyist that violates this section is subject to a civil ~~fine of up to \$500~~ penalty imposed by the board of up to \$1,000. If the board makes a public finding that there is probable cause to believe a violation of this section has occurred, the board must bring an action, or transmit the finding to a county attorney who must bring an action, in the district court of Ramsey county, to collect a civil ~~fine~~ penalty as imposed by the board. ~~Fines~~ Penalties paid under this section must be deposited in the general fund in the state treasury.

Sec. 31. Minnesota Statutes 2000, section 10A.273, subdivision 5, is amended to read:

Subd. 5. [SPECIAL ELECTION.] This section does not apply ~~to a candidate or a candidate's principal campaign committee~~ in a legislative special election during the period beginning when the person becomes a candidate in the special election and ending on the day of the special election.

Sec. 32. Minnesota Statutes 2000, section 10A.28, subdivision 1, is amended to read:

Subdivision 1. [EXCEEDING EXPENDITURE LIMITS.] A candidate subject to the expenditure limits in section 10A.25 who permits the candidate's principal campaign committee to make expenditures or permits approved expenditures to be made on the candidate's behalf in excess of the limits imposed by section 10A.25, as adjusted by section 10A.255, is subject to a civil ~~fine~~ penalty up to four times the amount by which the expenditures exceeded the limit.

Sec. 33. Minnesota Statutes 2000, section 10A.28, subdivision 2, is amended to read:

Subd. 2. [EXCEEDING CONTRIBUTION LIMITS.] A candidate who permits the candidate's principal campaign committee to accept contributions in excess of the limits imposed by section 10A.27 is subject to a civil ~~fine~~ penalty of up to four times the amount by which the contribution exceeded the limits.

Sec. 34. Minnesota Statutes 2000, section 10A.28, subdivision 4, is amended to read:

Subd. 4. [CIVIL ACTION.] If the board is unable after a reasonable time to correct by informal methods a matter that constitutes probable cause to believe that excess expenditures have been made or excess contributions accepted contrary to subdivision 1 or 2, the board must make a public finding of probable cause in the matter. After making a public finding, the board must bring an action, or transmit the finding to a county attorney who must bring an action, in the district court of Ramsey county or, in the case of a legislative candidate, the district court of a county within the legislative district, to collect a civil ~~fine~~ penalty of up to \$1,000 as imposed by the board under subdivision 1 or 2. All money recovered under this section must be deposited in the general fund of the state treasury.

Sec. 35. Minnesota Statutes 2000, section 10A.28, is amended by adding a subdivision to read:

Subd. 5. [PENALTY FOR CONTRIBUTION TO OTHER COMMITTEE WITHOUT TERMINATING.] (a) A principal campaign committee that makes a contribution to another principal campaign committee must provide with the contribution a written statement of the committee's intent to dissolve and terminate its registration within 12 months after the contribution was made. If the committee fails to dissolve and terminate its registration by that time, the board may levy a civil penalty up to four times the size of the contribution against the contributing committee.

(b) A contribution from a terminating principal campaign committee that is not accepted by another principal campaign committee must be forwarded to the board for deposit in the general account of the state elections campaign fund.

Sec. 36. Minnesota Statutes 2000, section 10A.29, is amended to read:

10A.29 [CIRCUMVENTION PROHIBITED.]

~~Any attempt by~~ An individual or association that attempts to circumvent this chapter by redirecting a contribution through, or making a contribution on behalf of, another individual or association is a ~~gross misdemeanor~~ subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 37. Minnesota Statutes 2001 Supplement, section 10A.31, subdivision 7, is amended to read:

Subd. 7. [DISTRIBUTION OF GENERAL ACCOUNT.] (a) As soon as the board has obtained the results of the primary election from the secretary of state, but no later than one week after certification of the primary results by the state canvassing board, the board must distribute the available money in the general account, as certified by the commissioner of revenue on September 1 and according to allocations set forth in subdivision 5, in equal amounts to all candidates of a major political party whose names are to appear on the ballot in the general election and who:

- (1) have signed a spending limit agreement under section 10A.322;
- (2) have filed the affidavit of contributions required by section 10A.323; and
- ~~(3) have filed the agreement required under paragraph (c); and~~
- ~~(4)~~ were opposed in either the primary election or the general election.

(b) The public subsidy under this subdivision may not be paid in an amount that would cause the sum of the public subsidy paid from the party account plus the public subsidy paid from the general account to exceed 50 percent of the expenditure limit for the candidate or 50 percent of the expenditure limit that would have applied to the candidate if the candidate had not been freed from expenditure limits under section 10A.25, subdivision 10. Money from the general account not paid to a candidate because of the 50 percent limit must be distributed equally among all other qualifying candidates for the same office until all have reached the 50 percent limit or the balance in the general account is exhausted.

(c) ~~No later than one week after the primary results have been certified by the state canvassing board, a candidate wishing to receive money distributed by the board under this subdivision must execute and file an agreement with the board. The agreement must provide that:~~

~~(1) if the A candidate does not must expend or promise to disburse become obligated to expend at least an amount equal to 50 percent of the money distributed by the board under this subdivision no later than the end of the final reporting period preceding the general election; then. Otherwise, the candidate agrees to must repay to the board the remainder of the money the difference between the amount the candidate spent or became obligated to spend by the deadline and the amount distributed to the candidate under this subdivision. The candidate must make the repayment no later than six months following the date of the general election; and~~

~~(2). The candidate agrees to must reimburse the board for all reasonable costs, including litigation costs, incurred in collecting any amount due following that date.~~

If the board determines that a candidate has failed to repay money as required by ~~an agreement under this subdivision paragraph~~, the board may not distribute any additional money to the candidate ~~under this subdivision~~ until the entirety of the ~~unexpended money is repaid or discharged~~ repayment has been made.

Sec. 38. Minnesota Statutes 2000, section 10A.322, subdivision 1, is amended to read:

Subdivision 1. [AGREEMENT BY CANDIDATE.] (a) As a condition of receiving a public subsidy, a candidate must sign and file with the board a written agreement in which the candidate agrees that the candidate will comply with sections 10A.25; 10A.27, subdivision 10; 10A.31, subdivision 7, paragraph (c); and 10A.324; and that the candidate's principal campaign committee will not make independent expenditures on behalf of or against another candidate.

(b) Before the first day of filing for office, the board must forward agreement forms to all filing officers. The board must also provide agreement forms to candidates on request at any time. The candidate must file the agreement with the board by September 1 preceding the candidate's general election or a special election held at the general election. An agreement may not be filed after that date. An agreement once filed may not be rescinded.

(c) The board must notify the commissioner of revenue of any agreement signed under this subdivision.

(d) Notwithstanding paragraph (b), if a vacancy occurs that will be filled by means of a special election and the filing period does not coincide with the filing period for the general election, a candidate may sign and submit a spending limit agreement not later than the day after the candidate files the affidavit of candidacy or nominating petition for the office.

Sec. 39. Minnesota Statutes 2000, section 10A.323, is amended to read:

10A.323 [AFFIDAVIT OF CONTRIBUTIONS.]

In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy under section 10A.31 a candidate or the candidate's treasurer must file an affidavit with the board stating that during that calendar year the candidate has accumulated contributions from persons eligible to vote in this state in at least the amount indicated for the office sought, counting only the first \$50 received from each contributor:

- (1) candidates for governor and lieutenant governor running together, \$35,000;
- (2) candidates for attorney general, \$15,000;
- (3) candidates for secretary of state and state auditor, separately, \$6,000;

(4) candidates for the senate, \$3,000; and

(5) candidates for the house of representatives, \$1,500.

The affidavit must state the total amount of contributions that have been received from persons eligible to vote in this state, disregarding the portion of any contribution in excess of \$50.

The candidate or the candidate's treasurer must submit the affidavit required by this section to the board in writing by September 1 of the general election year ~~to receive the payment made following the primary election and by November 1 to receive the payment made following the general election.~~

A candidate for a vacancy to be filled at a special election for which the filing period does not coincide with the filing period for the general election must submit the affidavit required by this section to the board within five days after filing the affidavit of candidacy.

Sec. 40. Minnesota Statutes 2000, section 356A.06, subdivision 4, is amended to read:

Subd. 4. [ECONOMIC INTEREST STATEMENT.] (a) Each member of the governing board of a covered pension plan and the chief administrative officer of the plan shall file with the plan a statement of economic interest.

(b) For a covered pension plan other than a plan specified in paragraph (c), the statement must contain the information required by section 10A.09, subdivision 5, and any other information that the fiduciary or the governing board of the plan determines is necessary to disclose a reasonably foreseeable potential or actual conflict of interest.

(c) For a covered pension plan governed by sections 69.771 to 69.776 or a covered pension plan governed by section 69.77 with assets under \$8,000,000, the statement must contain the following:

(1) the person's principal occupation and principal place of business;

(2) whether or not the person has an ownership of or interest of ten percent or greater in an investment security brokerage business, a real estate sales business, an insurance agency, a bank, a savings and loan, or another financial institution; and

(3) any relationship or financial arrangement that can reasonably be expected to give rise to a conflict of interest.

(d) The statement must be filed annually with the chief administrative officer of the plan and be available for public inspection during regular office hours at the office of the pension plan.

(e) A disclosure form meeting the requirements of the federal Investment Advisers Act of 1940, United States Code, title 15, sections 80b-1 to 80b-21 as amended, and filed with the state board of investment or the pension plan meets the requirements of this subdivision.

(f) The chief administrative officer of each covered pension plan, by January 15, annually, shall transmit a ~~copy~~ certified listing of all individuals who have filed statements of economic interest ~~received by~~ with the plan under this subdivision during the preceding 12 months and the address of the office referenced in paragraph (d) to the campaign finance and public disclosure board.

Sec. 41. [TRANSITION.]

A candidate who signed and filed with the campaign finance and public disclosure board a spending limit agreement for the election cycle ending December 31, 2002, before the effective date of this act is governed by the provisions of Minnesota Statutes 2000, section 10A.31, subdivision 7, as they existed before the amendments made by Laws 2001, First Special Session chapter 10, article 18, section 2, and this act, until the candidate signs a new spending limit agreement after the effective date of this act."

Delete the title and insert:

"A bill for an act relating to elections; changing certain provisions of the campaign finance and public disclosure law; amending Minnesota Statutes 2000, sections 10A.01, subdivision 35; 10A.02, subdivision 11; 10A.025, subdivisions 2, 4; 10A.03, subdivision 3; 10A.04, subdivisions 4, 5, 6; 10A.08; 10A.09, subdivision 7; 10A.11, subdivision 7; 10A.12, subdivision 6; 10A.13, subdivision 1; 10A.14, subdivision 4; 10A.15, subdivision 4; 10A.16; 10A.17, subdivision 5, by adding a subdivision; 10A.18; 10A.20, subdivision 12, by adding a subdivision; 10A.25, subdivision 10; 10A.255, subdivision 1; 10A.27, subdivisions 2, 9, 11, 13, by adding a subdivision; 10A.273, subdivisions 1, 4, 5; 10A.28, subdivisions 1, 2, 4, by adding a subdivision; 10A.29; 10A.322, subdivision 1; 10A.323; 356A.06, subdivision 4; Minnesota Statutes 2001 Supplement, section 10A.31, subdivision 7."

The motion prevailed and the amendment was adopted.

Rhodes moved to amend S. F. No. 3384, as amended, as follows:

Page 18, line 34, delete "of up to \$1,000"

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

S. F. No. 3384, A bill for an act relating to elections; changing certain provisions of the campaign finance and public disclosure law; amending Minnesota Statutes 2000, sections 10A.01, subdivision 35; 10A.02, subdivision 11; 10A.025, subdivisions 2, 4; 10A.03, subdivision 3; 10A.04, subdivisions 4, 5, 6; 10A.08; 10A.09, subdivision 7; 10A.11, subdivision 7; 10A.12, subdivision 6; 10A.13, subdivision 1; 10A.14, subdivision 4; 10A.15, subdivision 4; 10A.16; 10A.17, subdivision 5, by adding a subdivision; 10A.18; 10A.20, subdivision 12, by adding subdivisions; 10A.25, subdivision 10, by adding a subdivision; 10A.255, subdivision 1; 10A.27, subdivisions 1, 9, 11, 13; 10A.273, subdivisions 1, 4, 5; 10A.28, subdivisions 1, 2, 4; 10A.29; 10A.322, subdivision 1; 10A.323; 356A.06, subdivision 4; Minnesota Statutes 2001 Supplement, section 10A.31, subdivision 7.

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 124 yeas and 10 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Buesgens	Gerlach	Krinkie	Marquart	Opatz
Erickson	Holberg	Lenczewski	Olson	Sykora

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

S. F. No. 2957 was reported to the House.

McElroy moved to amend S. F. No. 2957 as follows:

Page 2, line 1, delete everything after "of"

Page 2, delete lines 2 and 3 and insert "a registrant or a licensee unable to practice with reasonable skill and safety by reason of illness, use of alcohol, drugs, chemicals, or any other materials, or as a result of any mental, physical, or psychological condition may report the registrant or licensee to the board."

Page 2, line 4, delete "prepaid"

Page 2, line 5, delete "dental plan,"

Page 2, line 12, delete everything after "action"

Page 2, line 13, delete everything before the period and insert "against a registrant or licensee described under subdivision 1"

Page 2, line 16, delete everything after "proceeding"

Page 2, delete lines 17 to 20 and insert "against a registrant or licensee described under subdivision 1."

Page 2, line 26, delete everything after "complaint"

Page 2, line 27, delete "chapter" and after "licensee" insert "described under subdivision 1."

Page 2, line 36, delete "that" and insert "who"

Page 3, delete line 2, and insert "is a registrant or licensee described under subdivision 1."

Page 4, delete lines 2 to 8

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 2957, A bill for an act relating to professions; requiring reporting of practice act violations to the board of dentistry; providing complainant immunity; amending Minnesota Statutes 2000, section 13.383, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 150A.

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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

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

H. F. No. 2719, A bill for an act relating to higher education; providing for registration of agents of student athletes; defining terms; providing penalties and remedies; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 81A.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3270, A bill for an act relating to state government; creating office of state treasurer and modifying related provisions; providing for governor's cabinet and organizing certain government agencies; modifying certain fund provisions; requiring the commissioner of finance to prepare a forecast of state revenues and expenditures in July in each even-numbered year; requiring certain payments; modifying provisions of constitutional officers' salaries; reducing certain appropriations; modifying consulting moratorium and hiring freeze provisions; amending Minnesota Statutes 2000, sections 4.06; 8.05; 10.01; 11A.08, subdivision 1; 16A.103, subdivision 1; 40A.151, subdivision 1; 40A.152, subdivisions 1, 3; 43A.18, subdivision 4; 168A.40, subdivision 4, as amended; 204B.11, subdivision 1; 204D.10, subdivision 2; 209.01, subdivision 2; 240A.08; 471.975; Minnesota Statutes 2001 Supplement, section 16E.09, subdivision 1; Laws 2001, First Special Session chapter 10, article 1, section 2, subdivision 4; Laws 2002, chapter 220, article 10, sections 2; 3; 7; 10, subdivision 3; 16; 36; 37; 38; proposing coding for new law in Minnesota Statutes, chapters 7; 15; 43A.

The Senate has appointed as such committee:

Senators Johnson, Doug; Berglin; Pogemiller; Day and Price.

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. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kahn moved that the House refuse to concur in the Senate amendments to H. F. No. 2473, that the Speaker appoint a Conference Committee of 3 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.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 3168, A bill for an act relating to municipalities; providing for a bidding exception for certain water tank service contracts; authorizing an agreement for the city of Walker to maintain and operate the state's water tower at Ah-Gwah-Ching; amending Minnesota Statutes 2000, section 471.345, by adding a subdivision.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Stevens, Kinkel and Berg.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Howes moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 3168. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

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

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Higgins, Krentz and Dille.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Leppik moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1555. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2473:

Kahn, Wilkin and Bishop.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1555:

Leppik, Holsten and Juhnke.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 3168:

Howes, Fuller and Juhnke.

MOTIONS AND RESOLUTIONS

Erickson moved that her name be stricken as an author on H. F. No. 3270. The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Bishop announced his intention to place H. F. No. 3127 on the Fiscal Calendar for Monday, April 8, 2002.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 1:00 p.m., Monday, April 8, 2002. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Monday, April 8, 2002.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

