

## STATE OF MINNESOTA

## EIGHTY-SECOND SESSION — 2001

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 THIRTY-FIFTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 18, 2001

The House of Representatives convened at 3:00 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by the Reverend Walter L. Kowitz, Chaplain for the Union Gospel Mission, St. Paul, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Erhardt was excused.

Kelliher was excused until 3:40 p.m. Workman was excused until 4:00 p.m. Krinkie was excused until 4:35 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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. 1835 and H. F. No. 1920, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Rhodes moves that the rules be so far suspended that S. F. No. 1835 be substituted for H. F. No. 1920 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1999 and H. F. No. 2396, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Skoglund moved that the rules be so far suspended that S. F. No. 1999 be substituted for H. F. No. 2396 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 441, A bill for an act relating to the job skills partnership board; changing the membership of the board; imposing term limits; amending Minnesota Statutes 2000, section 116L.03, subdivisions 2, 3, and 5.

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

The report was adopted.

Pursuant to Senate Concurrent Resolution No. 5, H. F. No. 441 was re-referred to the Committee on Rules and Legislative Administration.

Goodno from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 560, A bill for an act relating to health; providing patient protections; amending Minnesota Statutes 2000, sections 45.027, subdivision 6; 62D.17, subdivision 1; 62J.38; 62M.02, subdivision 21; 62Q.56; and 62Q.58.

Reported the same back with the following amendments:

Page 3, line 32, after "incurred" insert "pursuant" and after "to" insert "a partnership, joint venture, integration, or affiliation agreement with"

Page 3, line 33, delete everything after "provider"

Page 3, line 34, delete everything before the period

Page 3, line 35, delete "generally accepted" and insert "standard"

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.

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

H. F. No. 905, A bill for an act relating to insurance; simplifying regulation of health insurers and health maintenance organizations; transferring regulatory authority of certain health-related organizations; establishing a task force on small business; providing appointments; amending Minnesota Statutes 2000, sections 62A.021, subdivision 1; 62D.02, subdivisions 3, 8; 62D.08, subdivision 5; 62D.12, subdivision 1; 62D.15, subdivision 1; 62D.24; 62E.05, subdivision 2; 62E.11, subdivision 13; 62E.14, subdivision 6; 62J.041, subdivision 4; 62J.701; 62J.74, subdivisions 1, 2; 62J.75; 62L.02, subdivision 8; 62L.05, subdivision 12; 62L.08, subdivisions 10, 11; 62L.09, subdivision 3; 62L.10, subdivision 4; 62L.11, subdivision 2; 62M.11; 62M.16; 62N.02, subdivision 4; 62N.25, subdivision 7; 62N.26; 62Q.01, subdivision 2; 62Q.03, subdivision 5a; 62Q.075, subdivision 4; 62Q.106; 62Q.19, subdivision 1; 62Q.22, subdivisions 2, 6, 7; 62Q.33, subdivision 2; 62Q.49, subdivision 2; 62Q.51, subdivision 3; 62Q.525, subdivision 3; 62Q.69, subdivisions 2, 3; 62Q.71; 62Q.72; 62Q.73, subdivisions 3, 4, 5, 6; 62R.04, subdivision 5; 62R.06, subdivision 1; 62T.01, subdivision 4; 256B.692, subdivisions 2, 7; proposing coding for new law in Minnesota Statutes, chapter 62D; repealing Minnesota Statutes 2000, sections 62D.08, subdivision 5; 62Q.07.

Reported the same back with the following amendments:

Page 4, after line 5, insert:

"(d) The 25 percent co-payment limitation of Minnesota Rules, part 4685.0700, subpart 3, item A, subitem (3), unit (b); and part 4685.0801, subparts 1 and 2, do not apply to a health maintenance contract that complies with this subdivision."

Page 7, line 34, reinstate "~~62Q.075~~;"

Page 8, lines 34 and 36, after "owners," insert "as defined in Minnesota Statutes, section 62L.02, subdivision 26."

Page 9, line 10, after the comma, insert "and a small business owner as defined in Minnesota Statutes, section 62L.02, subdivision 26."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1238, A bill for an act relating to agriculture; establishing a milk control board; providing for minimum pricing of raw milk and maximum pricing of milk at wholesale and retail; creating the option for a milk supply quota system; allowing for pooling of milk payments; authorizing enforcement; proposing coding for new law as Minnesota Statutes, chapter 32A.

Reported the same back with the following amendments:

Page 3, line 5, before the period, insert "under section 15.0575" and delete "three-year"

Page 3, line 6, delete "at the pleasure of the governor"

Page 8, after line 7, insert:

"Sec. 10. [32A.10] [REPORT.]

Before beginning to adopt any necessary rules or prescribe fees authorized by sections 32A.01 to 32A.09, the board must report the proposed rules or fees to the legislature. Proposed rules or fees may not take effect until specifically authorized by law."

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

The report was adopted.

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

H. F. No. 1306, A bill for an act relating to natural resources; modifying provisions of the youth corps program; modifying provisions for decorative forest products; delaying repeal of sustainable forest resources provisions; requiring a study; providing civil penalties; appropriating money; amending Minnesota Statutes 2000, sections 84.0887, subdivisions 1, 2, 4, 5, 6, and 9; 88.641, subdivision 2, and by adding subdivisions; 88.642; 88.645; 88.647; 88.648; and 256J.20, subdivision 3; Laws 1995, chapter 220, section 142, as amended; proposing coding for new law in Minnesota Statutes, chapter 88; repealing Minnesota Statutes 2000, sections 88.641, subdivisions 4 and 5; and 88.644.

Reported the same back with the following amendments:

Page 14, line 22, after the period, insert "The study must be limited to actual use of state forest roads and county forest access roads."

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

The report was adopted.

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

H. F. No. 1488, A bill for an act relating to transportation; allowing commissioner of transportation to convey interest in certain land to property owners; modifying provisions for speed limits in highway work zones; modifying seasonal highway weight limitations; transferring responsibilities from transportation regulation board to commissioner of transportation; making technical and clarifying changes; repealing obsolete or invalid provisions; amending Minnesota Statutes 2000, sections 161.24, subdivision 4; 169.14, subdivision 5d; 169.825, subdivision 11; 174.02, subdivisions 4 and 5; 174.10, subdivisions 1, 3, and 4; 174A.02, subdivisions 1, 2, and 4; 174A.04; 174A.06; 218.031, subdivision 2; 218.041, subdivisions 4, 5, and 6; 219.074, subdivision 2; 219.384, subdivision 2; and 219.402; repealing Minnesota Statutes 2000, sections 174A.01; 174A.02, subdivision 5; 174A.03; 174A.05; 219.383; 219.558; 219.559; 219.56; 219.681; 219.69; 219.691; 219.692; 219.695; 219.70; 219.71; 219.741; 219.743; 219.751; 219.755; 219.85; 219.97; 222.631; 222.632; and 222.633; Minnesota Rules, part 8850.6900.

Reported the same back with the following amendments:

Page 1, after line 23, insert:

"Section 1. Minnesota Statutes 2000, section 161.114, is amended to read:

161.114 [CONSTITUTIONAL TRUNK HIGHWAYS.]

Subdivision 1. [DESIGNATION.] The trunk highway routes, numbered 1 through 70, as described in the constitutional amendment adopted November 2, 1920, are designated as the constitutional routes of the trunk highway system.

Subd. 2. [DESCRIPTIONS.] The constitutional routes are described as follows:

Route No. 1. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southeasterly at Albert Lea and thence extending in a northwesterly direction to a point in Albert Lea and thence extending in a northerly direction to a point on the southerly limits of the city of St. Paul and then beginning at a point on the northerly limits of the city of St. Paul and thence extending in a northerly direction to a point on the westerly limits of the city of Duluth and then beginning at a point on the northerly limits of the city of Duluth and thence extending in a northeasterly direction to a point on the boundary line between the state of Minnesota and the province of Ontario, affording Albert Lea, Owatonna, Faribault, Northfield, Farmington, St. Paul, White Bear, Forest Lake, Wyoming, Rush City, Pine City, Hinckley, Sandstone, Moose Lake, Carlton, Duluth, Two Harbors, Grand Marais and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 2. Beginning at a point on Route No. 1 on the westerly limits of the city of Duluth and thence extending in a southwesterly direction along said Route No. 1 to a point on said route at Carlton and thence extending in a westerly direction to a point on the east bank of the Red River of the North at Moorhead, affording Duluth, Carlton, McGregor, Aitkin, Brainerd, Motley, Staples, Wadena, Detroit, Moorhead and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 3. Beginning at a point on the boundary line between the states of Minnesota and Wisconsin, westerly of La Crosse, Wisconsin, and thence extending in a northwesterly direction to a point on the easterly limits of the city of St. Paul and then beginning at a point on the westerly limits of the city of Minneapolis and thence extending in a northwesterly direction to a point on the east bank of the Red River of the North at Breckenridge, affording La Crescent, Winona, Kellogg, Wabasha, Lake City, Red Wing, Hastings, St. Paul, Minneapolis, Osseo, Champlin, Anoka, Elk River, Big Lake, St. Cloud, Albany, Sauk Centre, Alexandria, Elbow Lake, Fergus Falls, Breckenridge and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 4. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southwesterly of Jackson and thence extending in a northerly direction to a point on Route No. 3, southeasterly of Sauk Centre and thence extending in a northwesterly direction along said Route No. 3 to a point on said route at Sauk Centre and thence extending in a northerly direction to a point at International Falls, affording Jackson, Windom, Sanborn, Redwood Falls, Morton, Olivia, Willmar, Paynesville, Sauk Centre, Long Prairie, Wadena, Park Rapids, Itasca State Park, Bemidji, International Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 5. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southerly of Blue Earth and thence extending in a northeasterly direction to a point on the southerly limits of the city of Minneapolis and then beginning at a point on the northerly limits of the city of Minneapolis and thence extending in a northerly direction to a point in Swan River on Route No. 8, hereinafter described, affording Blue Earth, Winnebago, Mankato, St. Peter, Le Sueur, Jordan, Shakopee, Minneapolis, Cambridge, Mora, McGregor, Swan River and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 6. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southerly of Ash Creek, and thence extending in a northerly direction to a point on the boundary line between the state of Minnesota and the province of Manitoba, near St. Vincent, affording Luverne, Pipestone, Lake Benton, Ivanhoe, Canby, Madison, Bellingham, Odessa, Ortonville, Graceville, Dumont, Wheaton, Breckenridge, Moorhead, Kragnes, Georgetown, Perley, Hendrum, Ada, Crookston, Warren, Donaldson, Hallock and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 7. Beginning at a point on Route No. 3 at Winona and thence extending in a westerly direction to a point on the boundary line between the states of Minnesota and South Dakota, westerly of Lake Benton, affording Winona, St. Charles, Rochester, Kasson, Dodge Center, Claremont, Owatonna, Waseca, Mankato, St. Peter, New Ulm, Springfield, Tracy, Lake Benton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 8. Beginning at a point on the westerly limits of the city of Duluth and thence extending in a northwesterly direction to a point on Route No. 6 near Crookston and thence extending in a westerly and northerly direction along said Route No. 6 to a point on said route northerly of Crookston and thence extending in a northwesterly direction to a point on the east bank of the Red River of the North at East Grand Forks, affording Duluth, Floodwood, Swan River, Grand Rapids, Cass Lake, Bemidji, Bagley, Erskine, Crookston, East Grand Forks and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 9. Beginning at a point on Route No. 3 at La Crescent and thence extending in a westerly direction to a point on the boundary line between the states of Minnesota and South Dakota southwesterly of Beaver Creek, affording La Crescent, Hokah, Houston, Rushford, Lanesboro, Preston, Fountain, Spring Valley, Austin, Albert Lea, Blue Earth, Fairmont, Jackson, Worthington, Luverne and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 10. Beginning at a point on the westerly limits of the city of Minneapolis and thence extending in a northwesterly direction to a point on Route No. 6 at or near Wheaton, affording Minneapolis, Montrose, Cokato, Litchfield, Willmar, Benson, Morris, Herman, Wheaton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 11. Beginning at a point on Route No. 8 at the westerly limits of the city of Duluth and thence extending in a northwesterly and northerly direction to a point on Route No. 4 at International Falls and thence extending in a southwesterly direction along said Route No. 4 to a point on said route southwesterly of International Falls and thence extending in a westerly direction to a point on Route No. 6 at Donaldson, affording Duluth, Eveleth, Virginia, Cook, Orr, Cussons, International Falls, Baudette, Warroad, Roseau, Greenbush, Donaldson and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 12. Beginning at a point on the west bank of the St. Croix River near Hudson, Wisconsin and thence extending in a westerly direction to a point on the easterly limits of the city of St. Paul and then beginning at a point on the westerly limits of the city of Minneapolis and thence extending in a westerly direction to a point on Route No. 6 at Madison, affording St. Paul, Minneapolis, Hopkins, Norwood, Glencoe, Olivia, Granite Falls, Montevideo, Dawson, Madison and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 13. Beginning at a point on Route No. 9 at Albert Lea and thence extending in a northerly direction to a point on Route No. 5 at Jordan affording Albert Lea, Waseca, Waterville, Montgomery, New Prague, Jordan and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 14. Beginning at a point on Route No. 6 at Ivanhoe and thence extending in an easterly direction to a point on Route No. 4 at Redwood Falls and thence extending in an easterly direction along said Route No. 4 to a point on said route at Morton and thence extending in an easterly direction to a point on Route No. 22, hereinafter described, at Gaylord affording Ivanhoe, Marshall, Redwood Falls, Morton, Winthrop, Gaylord and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 15. Beginning at a point on the boundary line between the states of Minnesota and Iowa southerly of Fairmont and thence extending in a northerly direction to a point on Route No. 14 at Winthrop, affording Fairmont, Madelia, New Ulm, Winthrop and intervening and adjacent communities a reasonable means of communication each with the other and other places within the state.

Route No. 16. Beginning at a point on Route No. 5 southwesterly of Mankato and thence extending westerly to a point on Route No. 15 at Madelia and thence extending in a southerly direction along said Route No. 15 to a point on said route southerly of Madelia and thence extending in a westerly direction to a point on Route No. 4 northerly of Windom and thence extending in a southerly direction along said Route No. 4 to a point on said route at Windom and thence extending in a westerly direction to a point at Fulda and thence extending in a southerly direction to a point on Route No. 9 at Worthington, affording Mankato, Madelia, St. James, Windom, Fulda, Worthington and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 17. Beginning at a point on Route No. 16 at Fulda and thence extending in a northerly direction to a point on Route No. 12 at Granite Falls, affording Fulda, Slayton, Garvin, Marshall, Granite Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 18. Beginning at a point on Route No. 3 at Elk River and thence extending in a northerly direction to a point on Route No. 2 easterly of Brainerd, affording Elk River, Princeton, Milaca, Onamia and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 19. Beginning at a point on Route No. 2 at Brainerd and thence extending in a northwesterly direction to a point on Route No. 8 at Cass Lake, affording Brainerd, Pine River, Walker, Cass Lake and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 20. Beginning at a point on the boundary line between the states of Minnesota and Iowa near Canton and thence extending in a northwesterly direction to a point on Route No. 9 at or near Preston and thence extending in a northwesterly direction along said Route No. 9 to a point on said route at Fountain and thence extending in a northwesterly direction to a point on Route No. 3 in the town of Douglas, Dakota county (T. 113, R. 17 W.) affording Canton, Harmony, Preston, Fountain, Chatfield, Oronoco, Pine Island, Zumbrota, Cannon Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 21. Beginning at a point on Route No. 20 at Zumbrota and thence extending in a westerly direction to a point on Route No. 5 at St. Peter, affording Zumbrota, Kenyon, Faribault, Le Sueur Center, Cleveland, St. Peter and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 22. Beginning at a point on Route No. 5 at St. Peter and thence extending in a northwesterly direction to a point on Route No. 4 at Paynesville, affording St. Peter, Gaylord, Glencoe, Hutchinson, Litchfield, Paynesville and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 23. Beginning at a point on Route No. 4 at Paynesville and thence extending in a northeasterly direction through the village of Richmond, Coldspring, Rockville and Waite Park to a point on Route No. 3 westerly of St. Cloud, and thence extending in a northeasterly direction to a point on Route No. 5 southerly of Mora, and

thence extending in a northerly direction along said Route No. 5 to a point on said route at Mora, and thence extending in an easterly direction to a point on Route No. 1 southerly of Hinckley, affording Paynesville, St. Cloud, Foley, Milaca, Ogilvie, Mora and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 24. Beginning at a point on Route No. 10 at Litchfield and thence extending in a northeasterly direction to a point on Route No. 3 at St. Cloud, affording Litchfield, St. Cloud and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 25. Beginning at a point on Route No. 5 at or near Belle Plaine and thence extending in a northerly direction to a point on Route No. 3 at Big Lake, affording Belle Plaine, Norwood, Watertown, Montrose, Buffalo, Monticello, Big Lake and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 26. Beginning at a point on Route No. 10 at Benson and thence extending in a westerly direction to a point on Route No. 6 near Ortonville, affording Benson, Ortonville and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 27. Beginning at a point on Route No. 3 at St. Cloud and thence extending in a northerly direction to a point on Route No. 2 at Brainerd, affording St. Cloud, Sauk Rapids, Royalton, Little Falls, Brainerd and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 28. Beginning at a point on Route No. 27 at Little Falls and thence extending in a southwesterly direction to a point on the boundary line between the states of Minnesota and South Dakota at Browns Valley, affording Little Falls, Sauk Centre, Glenwood, Starbuck, Morris, Graceville, Browns Valley and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 29. Beginning at a point on Route No. 28 at Glenwood and thence extending in a northerly direction to a point on Route No. 2 westerly of Wadena affording Glenwood, Alexandria, Parkers Prairie, Deer Creek and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 30. Beginning at a point on Route No. 3 at Fergus Falls, and thence extending in a northerly direction to a point on Route No. 8 at Erskine, affording Fergus Falls, Pelican Rapids, Detroit, Mahnomen, Erskine and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 31. Beginning at a point on Route No. 6 at Ada, and thence extending in an easterly direction to a point on Route No. 30 near Mahnomen, affording Ada, Mahnomen and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 32. Beginning at a point on Route No. 8 easterly of Crookston and thence extending in a northerly direction to a point on Route No. 11 at Greenbush, affording Red Lake Falls, Thief River Falls, Middle River, Greenbush and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 33. Beginning at a point on Route No. 32 at Thief River Falls and thence extending in a northwesterly direction to a point on Route No. 6 at Warren, affording Thief River Falls, Warren and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.



Route No. 34. Beginning at a point on Route No. 2 at Detroit and thence extending in a northeasterly direction to a point on Route No. 8 westerly of Grand Rapids, affording Detroit, Park Rapids, Walker, Remer, Grand Rapids and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 35. Beginning at a point on Route No. 18 near Mille Lacs Lake and thence extending in a northerly direction to a point at Grand Rapids and thence extending in a northeasterly direction to a point at Ely, affording Aitkin, Grand Rapids, Hibbing, Chisholm, Buhl, Mountain Iron, Virginia, Gilbert, McKinley, Biwabik, Aurora, Tower, and Ely and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 36. Beginning at a point on Route No. 3 at Fergus Falls and thence extending in an easterly direction to a point on Route No. 29 easterly of Henning, affording Fergus Falls, Henning and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 37. Beginning at a point on Route No. 27 at Little Falls and thence extending in a northwesterly direction to a point on Route No. 2 at Motley, affording Little Falls, Motley and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 38. Beginning at a point on Route No. 12 at Montevideo and thence extending in a northerly direction to a point on Route No. 28 at Starbuck, affording Montevideo, Benson, Starbuck and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 39. Beginning at a point on Route No. 7 at Mankato and thence extending in a southeasterly direction to a point on Route No. 9 westerly of Albert Lea, affording Mankato, Mapleton, Minnesota Lake, Wells and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 40. Beginning at a point on the boundary line between the states of Minnesota and Iowa at Lyle and thence extending in a northwesterly direction to a point on Route No. 7 at Owatonna, affording Lyle, Austin, Blooming Prairie, Owatonna and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 41. Beginning at a point on Route No. 40 at or near Blooming Prairie and thence extending in an easterly direction to a point on Route No. 56, hereinafter described, near Hayfield, affording Blooming Prairie, Hayfield and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 42. Beginning at a point on Route No. 7 easterly of Rochester and thence extending (1) in a northeasterly direction to a point on Route No. 3 at Kellogg, affording Rochester, Elgin, Plainview, Kellogg and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state and (2) in a southerly direction to a point on Route No. 391.

Route No. 43. Beginning at a point on Route No. 9 at Rushford and thence extending in a northeasterly direction to a point on Route No. 3 at Winona, affording Rushford, Winona and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 44. Beginning at a point on Route No. 9 at Hokah and thence extending in a southwesterly direction to a point on Route No. 20 near Canton, affording Hokah, Caledonia, Canton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 45. Beginning at a point on the west bank of the St. Croix River at Stillwater and thence extending in a southwesterly direction to a point on the easterly limits of the city of St. Paul, affording Stillwater, Lake Elmo, St. Paul and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 46. Beginning at a point on the west bank of the St. Croix River at Taylors Falls and thence extending in a southwesterly direction to a point on Route No. 1 near Wyoming, affording Taylors Falls, Center City, Wyoming and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 47. Beginning at a point on Route No. 17 at Slayton and thence extending in a westerly direction to a point on Route No. 6 at Pipestone, affording Slayton, Pipestone and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 48. Beginning at a point on Route No. 17 westerly of Granite Falls and thence extending in a westerly direction to a point on Route No. 6 at Canby, affording Granite Falls, Clarkfield, Canby and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 49. Beginning at a point on Route No. 12 easterly of Montevideo and thence extending in a northeasterly direction to a point on Route No. 4 southerly of Willmar, affording Montevideo, Clara City, Willmar and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 50. Beginning at a point on Route No. 20 at Cannon Falls and thence extending in a northwesterly direction to a point on the southerly limits of the city of Minneapolis, affording Cannon Falls, Farmington, Minneapolis and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 51. Beginning at a point on Route No. 5 at Shakopee and thence extending in a northerly direction to a point on Route No. 12 northerly of Shakopee, affording a connection between said Route No. 5 and said Route No. 12.

Route No. 52. Beginning at a point on Route No. 5 south of the city of Minneapolis and thence extending in a northeasterly direction to a point on the westerly limits of the United States Military reservation at Fort Snelling, affording St. Paul and adjacent communities a reasonable communication with said Route No. 5.

Route No. 53. Beginning at a point on Route No. 3 at Hastings and thence extending in a northwesterly direction to a point on the southerly limits of the city of South St. Paul, affording Hastings, South St. Paul and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 54. Beginning at a point on Route No. 3 at Elbow Lake and thence extending in a southwesterly direction to a point on Route No. 10 at Herman, affording Elbow Lake, Herman and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 55. Beginning at a point on Route No. 2 northwesterly of Carlton and thence extending in a northerly direction to a point in Cloquet, affording Carlton, Cloquet and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 56. Beginning at a point on Route No. 9 easterly of Austin and thence extending in a northerly direction to a point on Route No. 21 at or near Kenyon, affording Brownsdale, Hayfield, Dodge Center, West Concord, Kenyon and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 57. Beginning at a point in Mantorville and extending in a southerly direction to a point on Route No. 7 southerly of Mantorville, affording Mantorville a reasonable means of communication with said Route No. 7.

Route No. 58. Beginning at a point on Route No. 20 at Zumbrota and thence extending in a northeasterly direction to a point on Route No. 3 at Red Wing, affording Zumbrota, Red Wing and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 59. Beginning at a point on the boundary line between the states of Minnesota and Iowa southerly of Spring Valley and thence extending in a northerly direction to a point on No. 3 at Lake City, affording Spring Valley, Stewartville, Rochester, Zumbrota Falls, Lake City and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 60. Beginning at a point on Route No. 1 at Faribault and thence extending in a southwesterly direction to a point on Route No. 7 at or near Madison Lake, affording Faribault, Morristown, Waterville, Madison Lake and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 61. Beginning at a point on Route No. 8 at Deer River and thence extending in a northerly direction to a point on Route No. 4 at or near Big Falls, affording Deer River, Big Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 62. Beginning at a point on Route No. 3 at Anoka and thence extending in a southeasterly direction to a point on the northerly limits of the city of St. Paul, affording Anoka, St. Paul and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 63. Beginning at a point on Route No. 1 southerly of Forest Lake and thence extending in a southwesterly direction to a point on the northerly and easterly limits of the city of Minneapolis, affording a reasonable means of communication between Route No. 1 and Minneapolis.

Route No. 64. Beginning at a point on Route No. 30 northerly of Fergus Falls and thence extending in a northerly and westerly direction to a point on Route No. 6 southerly of Moorhead, affording Fergus Falls, Rothsay, Barnesville, Moorhead and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 65. Beginning at a point on Route No. 8 at Bagley, and thence extending in a northerly and westerly direction to a point on Route No. 32 southerly of Red Lake Falls, affording Bagley, Clearbrook, Gonvick, Gully, Brooks, Terrebonne and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 66. Beginning at a point on Route No. 12 at Montevideo and thence extending in a northwesterly direction to a point on Route No. 26 northerly of Appleton affording Montevideo, Appleton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 67. Beginning at a point on Route No. 14 southerly of Echo and thence extending in a northerly and westerly direction to a point on Route No. 17 at or near Granite Falls, affording Echo, Granite Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 68. Beginning at a point on Route No. 14 at Marshall and thence extending in a northwesterly direction to a point on Route No. 6 near Canby, affording Marshall, Minneota, Canby and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 69. Beginning at a point on Route No. 25 at Buffalo and thence extending in a northwesterly direction to a point on Route No. 22 southeasterly of Paynesville, affording Buffalo, Maple Lake, Annandale, Eden Valley, Paynesville and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 70. Beginning at a point on Route No. 7 westerly of New Ulm and thence extending in a northerly direction to a point on Route No. 12 at or near the village of Hector, affording Fort Ridgely, Fairfax, Hector and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

[EFFECTIVE DATE.] This section is effective when the transfer of jurisdiction of approximately 3.5 miles of county state-aid highway 7 from marked U.S. highway 14 to interstate highway I-90 is agreed to by the commissioner of transportation and Olmsted county and a copy of the agreement, signed by the commissioner and the chair of the Olmsted county board, has been filed in the office of the commissioner.

Sec. 2. Minnesota Statutes 2000, section 161.115, subdivision 36, is amended to read:

Subd. 36. [ROUTE NO. 105.] Beginning at a point on the southerly limits of Washington avenue in the city of Minneapolis, thence extending in a northeasterly direction through Minneapolis to a point at the beginning of Route No. 5 on the northerly limits of the city of Minneapolis.

[EFFECTIVE DATE.] This section is effective when the transfer of jurisdiction of a portion of legislative route No. 105, from 10th street south to Washington avenue south in Minneapolis, is agreed to by the commissioner of transportation and the city of Minneapolis and a copy of the agreement, signed by the commissioner and the mayor of the city of Minneapolis, has been filed in the office of the commissioner.

Sec. 3. Minnesota Statutes 2000, section 161.115, subdivision 48, is amended to read:

Subd. 48. [ROUTE NO. 117.] Beginning at a point on Route No. 100 as herein established easterly of New Prague, thence extending in a northeasterly direction ~~and crossing the Mississippi River easterly of the city of South St. Paul,~~ thence extending in a northerly direction to a point on Route No. ~~1 at or near White Bear~~ 393.

[EFFECTIVE DATE.] This section is effective when the transfer of jurisdiction of a portion of legislative route No. 117, marked as trunk highway 120, is agreed to by the commissioner of transportation and the counties of Ramsey and Washington and a copy of the agreement, signed by the commissioner and the chair of the Ramsey county board and the chair of the Washington county board, has been filed in the office of the commissioner.

Sec. 4. Minnesota Statutes 2000, section 161.115, is amended by adding a subdivision to read:

Subd. 268. [ROUTE NO. 337.] From a point on Route No. 2 in the city of Brainerd thence extending southwesterly to its intersection with new, marked trunk highway 371 as signed on the day following final enactment of this subdivision."

Page 10, line 36, reinstate the colon

Page 11, line 20, after "~~(4)~~" insert "(1)" and reinstate "~~prescribe reasonable rules for handling property,~~"

Page 11, reinstate lines 21 and 22

Page 11, reinstate line 23 and insert "and"

Page 11, line 28, delete the first comma and insert "(2)"

Page 14, delete section 19

Page 14, after line 19, insert:

"Sec. 24. Minnesota Statutes 2000, section 222.632, is amended to read:

222.632 [RIGHT OF FIRST REFUSAL.]

A railroad interest that is in bankruptcy proceedings may not sell or offer for sale an interest in real property that is within the right-of-way, a railroad interest that is abandoning a railroad line may not sell or offer for sale an interest in real property within the right-of-way to be abandoned, and a nonrailroad lessor may not sell or offer for sale an interest in real property within the right-of-way with respect to which it is a nonrailroad lessor, unless it first extends a written offer to sell that interest at a fair market value price to each person who is a leaseholder with respect to the property. Leaseholders must respond to the offer within 60 days of receipt of the notice and the railroad interest must negotiate in good faith with an interested leaseholder for a period of 90 days following the leaseholder's response. ~~After the 90-day negotiation period, either party may file a notice of dispute with the commissioner of transportation under section 222.633.~~ The property may not be sold to a party other than the leaseholder during the response and negotiation periods ~~or while a dispute is pending before the commissioner.~~ This section does not apply to a sale of an entire operating railroad line by one operating railroad to another for the purpose of operating a railroad."

Page 15, after line 1, insert:

"Sec. 26. [TRUNK HIGHWAYS DISCONTINUED; REPEALER, CONTINGENT EFFECTIVE DATE.]

(a) Minnesota Statutes 2000, section 161.115, subdivision 164, is repealed on the date the transfer of jurisdiction of legislative route No. 233 is agreed to by the commissioner of transportation and the county of Crow Wing and a copy of the agreement, signed by the commissioner and the chair of the Crow Wing county board, has been filed in the office of the commissioner.

(b) Minnesota Statutes 2000, section 161.115, subdivision 175, is repealed on the date the transfer of jurisdiction of legislative route No. 244 is agreed to by the commissioner of transportation and the counties of Ramsey and Washington and a copy of each agreement, signed by the commissioner and the chair of the Ramsey county board and the chair of the Washington county board, as applicable, has been filed in the office of the commissioner.

(c) Minnesota Statutes 2000, section 161.115, subdivision 236, is repealed on the date the transfer of jurisdiction of legislative route No. 305 is agreed to by the commissioner of transportation and the city of Brainerd and a copy of the agreement, signed by the commissioner and the mayor of the city of Brainerd, has been filed in the office of the commissioner.

(d) Minnesota Statutes 2000, section 161.115, subdivision 253, is repealed on the date the transfer of jurisdiction of legislative route No. 322 is agreed to by the commissioner of transportation and the city of Brainerd and a copy of the agreement, signed by the commissioner and the mayor of the city of Brainerd, has been filed in the office of the commissioner."

Page 16, after line 6, insert:

"(f) The revisor of statutes shall change the description of the route identified in section 1 in the next publication of Minnesota Statutes unless the commissioner of transportation informs the revisor that the conditions required to modify the route were not satisfied.

(g) The revisor of statutes shall change the description of each route identified in sections 2 and 3 in the next publication of Minnesota Statutes unless the commissioner of transportation informs the revisor that the conditions required to modify a particular route were not satisfied.

(h) The revisor of statutes shall delete each route identified in section 26 in the next publication of Minnesota Statutes unless the commissioner of transportation informs the revisor that the conditions required to transfer the routes were not satisfied."

Page 16, line 7, delete "(f)" and insert "(i)"

Page 16, line 12, delete "(a)"

Page 16, line 13, delete "219.383;"

Page 16, line 15, after "219.85;" insert "219.88;" and after "219.97" insert ", subdivisions 6, 7, and 10"

Page 16, line 16, delete "222.631; 222.632;"

Page 16, delete line 17

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "repealing or modifying legislative route descriptions of certain highways;"

Page 1, line 10, after "sections" insert "161.114; 161.115, subdivisions 36, 48, and by adding a subdivision;"

Page 1, line 16, delete "219.384, subdivision 2; and" and after "219.402;" insert "and 222.632;"

Page 1, line 18, delete "219.383;"

Page 1, line 21, after "219.85;" insert "219.88;" and after "219.97" insert ", subdivisions 6, 7, and 10" and delete "222.631; 222.632;"

Page 1, delete line 22 and insert "and 222.633."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1527, A bill for an act relating to public safety; modifying definition of passenger automobile to include certain vans; modifying provisions governing registration of recreational vehicles; providing grounds for cancellation of motor vehicle dealer license; modifying definition of utility trailer as it relates to motor vehicle dealers; providing for uncontested vehicle sale cancellation; allowing traffic accidents to be reported electronically; authorizing nonidentifying traffic accident data to be made public; providing for display and issuance of permits for vehicle registration plates; removing requirement that signature on driver's license or permit be in ink; increasing monetary amount for satisfaction of judgment resulting from traffic accident; modifying driver instruction requirements; expanding ability of department of public safety to capture advertising revenue; making conforming, technical, and clarifying changes and removing unnecessary language; amending Minnesota Statutes 2000, sections 168.011, subdivision 7; 168.09, subdivisions 3, 7; 168.27, subdivisions 12a, 20; 168.31, subdivision 1; 169.09, subdivisions 8, 9, 10, 13; 169.79; 171.07, subdivision 1; 171.183, subdivision 1; 171.39; 299A.01, subdivision 1b; proposing coding for new law in Minnesota Statutes, chapter 168A.

Reported the same back with the following amendments:

Page 3, after line 35, insert:

"Sec. 4. [168.1299] [SPECIAL "CHOOSE LIFE" PLATES; ACCOUNT.]

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

- (1) is an owner or joint owner of a passenger automobile, pickup truck, or van;
- (2) pays a fee of \$10 to cover the costs of handling and manufacturing the plates;
- (3) pays the registration tax required under section 168.013;
- (4) pays the fees required under this chapter;
- (5) pays a minimum contribution of \$25 annually to the special account created in subdivision 6; and
- (6) complies with laws and rules governing registration and licensing of vehicles and drivers.

(b) The "choose life" license plate application form must clearly indicate that the contribution specified under paragraph (a), clause (5), is a minimum annual contribution to receive the license plates and that the applicant may make an additional contribution to the account.

Subd. 2. [DESIGN.] The registrar shall approve the design of the special plates featuring a brightly colored, crayon-like drawing image of two children, a school bus yellow background, and the words "choose life." The design, which must be used, is available from Choose Life, Inc., located in Florida.

Subd. 3. [NO REFUND.] Contributions under this section are not refundable.

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

Subd. 5. [FEES CREDITED.] The fees collected under this section, not including the contributions collected under subdivision 1, paragraph (a), clause (5), must be deposited in the state treasury and credited to the highway user tax distribution fund.

Subd. 6. [ADOPTION SUPPORT ACCOUNT.] (a) Contributions under subdivision 1, paragraph (a), clause (5), must be paid to the registrar of motor vehicles and credited to a special account known as the adoption support account, which is established in the general fund. Money in the account is annually appropriated to the counties in proportion to the number of "choose life" license plates issued in each county as shown by the registrar's record under subdivision 7.

(b) Each county receiving funds under this subdivision shall distribute the funds to nongovernmental, nonprofit agencies whose services are limited to counseling and meeting the physical needs of pregnant women who are committed to placing their children for adoption. Funds may not be distributed to any agency that is directly or indirectly involved in or associated with abortion activities, including (1) counseling for or referrals to abortion clinics; (2) providing medical abortion-related procedures; or (3) pro-abortion advertising. Funds may not be distributed to any agency that charges women for services received.

(c) An agency that receives funds under this subdivision must use at least 70 percent of those funds to (1) provide for the material needs of pregnant women who are committed to placing their children for adoption, including clothing, housing, medical care, food, utilities, and transportation; or (2) provide for the needs of infants awaiting placement with adoptive parents.

(d) An agency that receives funds under this subdivision shall spend any funds remaining after expenditures for the purposes of paragraph (c) for adoption counseling, training, or advertising, but not for administrative expenses, legal expenses, or capital expenditures.

(e) An agency that receives funds under this subdivision shall submit an annual audit, prepared by a certified public accountant, to the county. The county may conduct a consolidated audit in lieu of the annual audit. Unused funds that exceed ten percent of the funds received by an agency in a fiscal year must be returned to the county, and the county shall distribute these funds to other qualified agencies.

Subd. 7. [RECORD.] The registrar of motor vehicles shall maintain a record of the number of license plates issued in each county in order to determine the amount of money in the adoption support account available to each county.

**[EFFECTIVE DATE.]** This section is effective July 1, 2001."

Page 7, line 1, delete "11" and insert "13"

Page 13, line 28, delete "5, and 7 to 15" and insert "6, and 8 to 16"

Page 13, line 29, delete "16" and insert "17"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 13, after the semicolon, insert "providing for special "choose life" license plates;"

Page 1, delete line 27 and insert "chapters 168; 168A."

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.

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

H. F. No. 1944, A bill for an act relating to taxation; providing for the creation of special taxing districts to capture incremental property to finance operating costs of light rail transit; proposing coding for new law in Minnesota Statutes, chapter 473.

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

The report was adopted.

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

H. F. No. 2024, A bill for an act relating to local government; modifying provisions relating to community-based planning; amending Minnesota Statutes 2000, sections 4A.08; 394.22, subdivision 9, and by adding a subdivision; 394.232, subdivisions 1, 2, 3, 4, 5, 6, and by adding subdivisions; 462.352, subdivision 5; 462.3535, subdivisions 1, 2, 3, 4, 6, 7, 8, and 9; Laws 1999, chapter 250, article 1, section 115; proposing coding for new law in Minnesota Statutes, chapter 4A; repealing Minnesota Statutes 2000, sections 394.232, subdivisions 7 and 8; and 462.3535, subdivisions 5 and 10.

Reported the same back with the following amendments:



Page 2, line 26, delete ", high quality"

Page 4, after line 10, insert:

"Sec. 3. [4A.12] [PROPERTY RIGHTS OMBUDSMAN.]

A position is created in the office of strategic and long-range planning to provide information and compile data on private property rights and to facilitate resolutions of disputes over private property rights that arise between the state or local units of government and private property owners."

Renumber the sections in sequence and correct internal references

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 905 and 1488 were read for the second time.

## **SECOND READING OF SENATE BILLS**

S. F. Nos. 1835 and 1999 were read for the second time.

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

The following House Files were introduced:

Wasiluk, Dawkins and Mahoney introduced:

H. F. No. 2466, A bill for an act relating to economic development; appropriating money for a grant to the city of St. Paul to purchase the Union Depot.

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

Mahoney, Tuma and Mullery introduced:

H. F. No. 2467, A bill for an act relating to crime prevention; requiring mandatory consecutive sentences for certain crimes committed by chronic offenders; requiring a change in the sentencing guidelines relating to offenses committed by offenders on pretrial release; establishing a chronic offender intensive supervision pilot project; appropriating money; amending Minnesota Statutes 2000, section 609.15, by adding a subdivision.

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

Sertich, Solberg, Bakk, Rukavina and Anderson, I., introduced:

H. F. No. 2468, A bill for an act relating to cities; increasing census figures by the three percent margin of error to continue state aid; proposing coding for new law in Minnesota Statutes, chapter 4A.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 125, A bill for an act relating to professions; modifying licensure requirements for foreign-trained dentists; amending Minnesota Statutes 2000, section 150A.06, subdivision 1.

H. F. No. 275, A bill for an act relating to human services; modifying the procedure for counting savings under nursing facility closure plans; amending Minnesota Statutes 2000, section 256B.436, subdivision 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 949, A bill for an act relating to qualified newspapers; modifying requirements for qualified newspapers serving smaller local public corporations; amending Minnesota Statutes 2000, section 331A.02, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 174, A bill for an act relating to traffic regulations; allowing gross weight seasonal increase for transporting carrots; amending Minnesota Statutes 2000, section 169.825, subdivision 11.

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

Senators Moe, R. D.; Langseth and Robling.

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. 174. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 1090, 1544, 986, 2033, 861, 824, 1479, 1583 and 1297.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 969, 341, 1680, 1432, 1706, 1611, 780, 1674, 1707, 849 and 1008.

PATRICK E. FLAHAVEN, Secretary of the Senate

### **FIRST READING OF SENATE BILLS**

S. F. No. 1090, A bill for an act relating to employment; adding an alternative form for minor age certification; amending Minnesota Statutes 2000, section 181A.06, subdivision 1.

The bill was read for the first time.

Jacobson moved that S. F. No. 1090 and H. F. No. 1409, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1544, A bill for an act relating to transportation; providing for advertising, submitting, receiving, or posting highway construction and maintenance bids, security guarantees, or contract bid records electronically or over the Internet; amending Minnesota Statutes 2000, section 161.32, subdivisions 1, 1a, 1b, and 1e.

The bill was read for the first time.

Molnau moved that S. F. No. 1544 and H. F. No. 1948, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 986, A bill for an act relating to gambling; modifying definition of lawful purpose; amending requirements for illegal gambling enforcement; allowing noon hour bingo; amending Minnesota Statutes 2000, sections 297E.06, subdivision 4; 349.12, subdivision 25; 349.15, subdivision 1, by adding a subdivision; 349.155, subdivision 4a; 349.168, subdivisions 1, 2; 349.17, by adding a subdivision; 349.2127, subdivision 7; 349.213.

The bill was read for the first time.

Osskopp moved that S. F. No. 986 and H. F. No. 1069, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2033, A bill for an act relating to insurance; modifying minimum education requirements for insurance agents; amending Minnesota Statutes 2000, section 60K.19, subdivision 8.

The bill was read for the first time.

Davids moved that S. F. No. 2033 and H. F. No. 2253, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 861, A bill for an act relating to crime prevention; adding the chemical substance known as MDMA to the list of schedule I controlled substances; adding the chemical substances known as MDMA and MDA to certain controlled substance penalty enhancement provisions; amending Minnesota Statutes 2000, sections 152.02, subdivision 2; 152.022, subdivision 1; and 152.023, subdivision 2.

The bill was read for the first time.

Clark, J., moved that S. F. No. 861 and H. F. No. 1808, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 824, A bill for an act relating to civil actions; clarifying the immunity from liability for persons rendering certain emergency care; amending Minnesota Statutes 2000, section 604A.01, subdivision 2.

The bill was read for the first time.

Goodno moved that S. F. No. 824 and H. F. No. 935, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1479, A bill for an act relating to economic development; wastewater treatment funding; coordinating drinking water and wastewater funding requests; authorizing rulemaking; amending Minnesota Statutes 2000, section 446A.07, subdivisions 4, 11, by adding a subdivision.

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

S. F. No. 1583, A bill for an act relating to children; amending the definition of child neglect; amending Minnesota Statutes 2000, section 626.556, subdivision 2.

The bill was read for the first time.

Hilstrom moved that S. F. No. 1583 and H. F. No. 1516, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1297, A bill for an act relating to crimes; modifying requirements for reporting gunshot wounds; amending Minnesota Statutes 2000, sections 626.52, subdivision 2; and 626.53.

The bill was read for the first time.

McGuire moved that S. F. No. 1297 and H. F. No. 1908, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 969, A bill for an act relating to crimes; extending the attorney general's and county attorney's authority for administrative subpoenas; enabling peace officers to execute search warrants on foreign corporations doing business in Minnesota to search for electronic evidence; allowing Minnesota corporations engaged in electronic communication services or remote computing services to provide electronic evidence when served with search warrants issued from other jurisdictions; enhancing penalties for dissemination and possession of pornographic work involving minors; amending Minnesota Statutes 2000, sections 8.16, subdivision 1; 388.23, subdivision 1; 617.247, subdivisions 3 and 4; proposing coding for new law in Minnesota Statutes, chapter 626.

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

S. F. No. 341, A bill for an act relating to higher education; requiring credit transfer for certain courses taught within the Minnesota state colleges and universities system.

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

S. F. No. 1680, A bill for an act relating to state government; programs administered by the department of administration; extending the expiration date of certain advisory councils; extending the term of the shared-savings program for energy conservation in state-owned buildings; authorizing Indian tribal governments to be served by the state information infrastructure; adding political subdivisions to the state risk management program; repealing statutory authority for the citizens council on Voyageurs National Park; canceling the conveyance of surplus land to Sauk Centre; amending Minnesota Statutes 2000, sections 16B.055, by adding a subdivision; 16B.27, subdivision 3; 16B.32, subdivision 2; 16B.465, subdivision 1a; 16B.76, subdivision 1; 16B.85, subdivisions 2 and 3; and 16C.17, subdivision 2; repealing Minnesota Statutes 2000, section 84B.11; Laws 2000, chapter 326.

The bill was read for the first time.

Kahn moved that S. F. No. 1680 and H. F. No. 1938, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1432, A bill for an act relating to police civil service examinations; permitting periodic examinations; clarifying that qualified applicants may be added to eligible registers after inception; amending Minnesota Statutes 2000, section 419.10.

The bill was read for the first time.

Stanek moved that S. F. No. 1432 and H. F. No. 1465, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1706, A bill for an act relating to education; allowing public elementary and secondary school students to possess and use asthma medications; amending Minnesota Statutes 2000, section 121A.22, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 121A.

The bill was read for the first time.

Tingelstad moved that S. F. No. 1706 and H. F. No. 1394, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1611, A bill for an act relating to vocational rehabilitation; making technical changes; modifying procedures for grants to rehabilitation facilities; amending Minnesota Statutes 2000, sections 268A.06, subdivision 1; and 268A.08; repealing Minnesota Statutes 2000, section 268A.06, subdivision 3.

The bill was read for the first time.

Marquart moved that S. F. No. 1611 and H. F. No. 1872, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 780, A bill for an act relating to state government; regulating rulemaking by state agencies; making various technical and housekeeping changes; amending Minnesota Statutes 2000, sections 14.05, subdivision 3; 14.07, subdivision 2; 14.08; 14.101, subdivisions 1, 2, and by adding a subdivision; 14.131; 14.14, subdivision 1a; 14.15, subdivision 1; 14.16, subdivision 1; 14.19; 14.22, subdivision 1; 14.23; 14.25; 14.26, subdivisions 1 and 3; 14.365; 14.38, subdivision 2; 14.386; and 14.388.

The bill was read for the first time.

Lipman moved that S. F. No. 780 and H. F. No. 1537, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1674, A bill for an act relating to motor vehicles; authorizing use of unmarked motor vehicles by investigators of gambling control board and exempting their vehicles from payment of registration tax; amending Minnesota Statutes 2000, sections 16B.54, subdivision 2; 168.012, subdivision 1.

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

S. F. No. 1707, A bill for an act relating to public safety; defining certain employees of the commissioner of public safety as public safety officers for purposes of public safety officer's survivor benefits; amending Minnesota Statutes 2000, section 299A.41, subdivision 4.

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

S. F. No. 849, A bill for an act relating to rural economic development; allowing staff of the rural policy and development center to participate in state insurance plans that apply to state employees; amending Minnesota Statutes 2000, section 116J.421, subdivision 1.

The bill was read for the first time.

Gunther moved that S. F. No. 849 and H. F. No. 1410, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1008, A bill for an act relating to horse racing; card clubs; authorizing licensee of commission to detain persons suspected of cheating; proposing coding for new law in Minnesota Statutes, chapter 240.

The bill was read for the first time.

Buesgens moved that S. F. No. 1008 and H. F. No. 1021, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

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, immediately preceding the remaining bill on the Calendar for the Day, for Wednesday, April 18, 2001:

H. F. Nos. 915, 489, 953, 655, 209, 118, 894, 995, 1069, 1340 and 2036; S. F. No. 510; H. F. Nos. 933, 926, 1248, 1261, 1681, 2028, 415 and 1409; S. F. No. 1709; H. F. Nos. 1808, 1410, 1051, 1151, 1236, 1085, 2107, 1155, 1394 and 2040; S. F. No. 1047; H. F. Nos. 767, 967 and 1465; S. F. Nos. 142 and 741; H. F. Nos. 1098 and 1276; and S. F. Nos. 1780 and 1460.

**CALENDAR FOR THE DAY**

H. F. No. 915 was reported to the House.

Anderson, B., moved to amend H. F. No. 915, the first engrossment, as follows:

Page 1, after line 23, insert:

"Sec. 2. Minnesota Statutes 2000, section 121A.11, is amended by adding a subdivision to read:

Subd. 4. [INSTRUCTION.] Unless this requirement is waived annually by a majority vote of the school board, a school district must instruct students in the proper etiquette toward, correct display of, and respect for the flag, and in patriotic exercises. The instruction must be part of the district's fifth grade social studies curriculum.

[EFFECTIVE DATE.] This section is effective the day following final enactment. Each school district must begin the instruction required under this section no later than the 2002-2003 school year."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "providing for instruction in the proper etiquette, display, and respect of the United States flag;"

Page 1, lines 4 and 5, delete "a subdivision" and insert "subdivisions"

A roll call was requested and properly seconded.

POINT OF ORDER

Goodno raised a point of order pursuant to section 114 of "Mason's Manual of Legislative Procedure," relating to Asking Questions of Members. The Speaker ruled the point of order not well taken.

The question recurred on the Anderson, B., amendment and the roll was called. There were 116 yeas and 13 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Biernat	Bradley	Cassell	Davids
Abrams	Bakk	Bishop	Buesgens	Clark, J.	Dehler
Anderson, B.	Bernardy	Boudreau	Carlson	Daggett	Dempsey

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

Those who voted in the negative were:

Davnie	Folliard	Hausman	McGuire	Wagenius
Dawkins	Gray	Kahn	Osthoff	
Dibble	Greiling	Mariani	Skoglund	

The motion prevailed and the amendment was adopted.

Opatz moved to amend H. F. No. 915, the first engrossment, as amended, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 121A.11, is amended by adding a subdivision to read:

Subd. 3. [PLEDGE OF ALLEGIANCE.] (a) All public, nonpublic and charter school students, excluding home school students, shall recite the pledge of allegiance to the flag of the United States of America one or more times each week. The recitation shall be conducted:

(1) by each individual classroom teacher or the teacher's surrogate; or

(2) over a school intercom system by a person designated by the school principal or other person having administrative control over the school.

A local school board or a charter school board of directors annually, by majority vote, may waive this requirement. The governing entity of a nonpublic school also may formally act on an annual basis to waive this requirement.

(b) Any student or teacher who objects to reciting the pledge must be excused from participating without penalty.

(c) A local school board, a charter school board of directors or the governing entity of a nonpublic school that waives the requirement to recite the pledge of allegiance under paragraph (a) may adopt a district or school policy regarding the reciting of the pledge of allegiance.



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

Amend the title accordingly

A roll call was requested and properly seconded.

Pawlenty moved to amend the Opatz amendment to H. F. No. 915, the first engrossment, as amended, as follows:

Page 1, line 6, delete ", nonpublic"

Page 1, line 18, delete "nonpublic"

Page 1, line 23, delete "nonpublic"

A roll call was requested and properly seconded.

The Speaker called Abrams to the Chair.

#### POINT OF ORDER

Skoglund raised a point of order pursuant to section 420 of "Mason's Manual of Legislative Procedure," relating to Equivalent Amendments. Speaker pro tempore Abrams ruled the point of order not well taken.

Pawlenty withdrew his amendment to the Opatz amendment to H. F. No. 915, the first engrossment, as amended.

Pawlenty offered an amendment to the Opatz amendment to H. F. No. 915, the first engrossment, as amended.

Skoglund requested a division of the Pawlenty amendment to the Opatz amendment to H. F. No. 915, the first engrossment, as amended.

The first portion of the Pawlenty amendment to the Opatz amendment to H. F. No. 915, the first engrossment, as amended, reads as follows:

Page 1, line 6, delete ", nonpublic"

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

Page 1, line 17, delete "The"

Page 1, delete lines 18 and 19

Page 1, line 22, delete the comma, and insert "or"

Page 1, line 23, delete "or the governing entity of a nonpublic school"

A roll call was requested and properly seconded.

The question was taken on the first portion of the Pawlenty amendment to the Opatz amendment and the roll was called. There were 68 yeas and 61 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed and the first portion of the Pawlenty amendment to the Opatz amendment was adopted.

The second portion of the Pawlenty amendment to the Opatz amendment, as amended, to H. F. No. 915, the first engrossment, as amended, reads as follows:

Page 2, after line 4, insert:

"Sec. 2. Minnesota Statutes 2000, section 121A.11, is amended by adding a subdivision to read:

Subd. 4. [INSTRUCTION.] Unless this requirement is waived annually by a majority vote of the school board, a school district must instruct students in the proper etiquette toward, correct display of, and respect for the flag, and in patriotic exercises. The instruction must be part of the district's fifth grade social studies curriculum.

[EFFECTIVE DATE.] This section is effective the day following final enactment. Each school district must begin the instruction required under this section no later than the 2002-2003 school year."

The motion prevailed and the second portion of the Pawlenty amendment to the Opatz amendment, as amended, was adopted.

The question recurred on the Opatz amendment, as amended, and the roll was called. There were 120 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dawkins	Greiling	Kahn	McGuire	Swapinski
Dibble	Hausman	Mariani	Osthoff	

The motion prevailed and the amendment, as amended, was adopted.

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

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

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

H. F. No. 915, A bill for an act relating to education; requiring recitation of the pledge of allegiance in all public schools; providing for instruction in the proper etiquette, display, and respect of the United States flag; amending Minnesota Statutes 2000, section 121A.11, 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.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 126 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dawkins            Dibble            Hausman            Kahn            Mariani            Osthoff

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

H. F. No. 489, A bill for an act relating to commerce; providing for the procurement of surety bonds; proposing coding for new law in Minnesota Statutes, chapter 574.

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.

Seifert moved that those not voting be excused from voting. The motion prevailed.

There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

#### CALL OF THE HOUSE LIFTED

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

H. F. No. 953, A bill for an act relating to child protection; adding violations from other states to the list of offenses that constitute child abuse; amending Minnesota Statutes 2000, section 260C.007, subdivision 25.

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

The bill was passed and its title agreed to.

H. F. No. 655 was reported to the House.

Wolf moved to amend H. F. No. 655, the first engrossment, as follows:

Page 8, line 19, delete "January 1, 2001" and insert "December 31, 2000"

Page 13, line 35, strike "or"

Page 14, line 1, strike the period, and insert " ; or

(9) the fund was reimbursed for the unemployment benefits by the federal government."

Page 14, line 19, delete "4" and insert "3a"

Page 14, lines 23 to 28, delete the new language and strike the old language

Page 14, line 29, reinstate the stricken "5" and delete "6"

Page 20, line 5, reinstate the stricken "5" and delete "6"

Page 22, delete line 6

Page 22, line 7, delete "following" and insert "unless all past due payments in lieu of taxes, and any interest and penalties, have been paid before the beginning of the next"

Page 22, delete lines 16 to 21

Page 22, line 23, delete "January 1, 2001" and insert "December 31, 2000"

Page 24, line 13, reinstate the stricken "5" and delete "6"

Page 34, line 26, delete "such"

Page 34, delete lines 35 and 36

Page 35, delete lines 1 to 5

Page 35, line 6, delete "(d)" and insert "(c)"

Page 52, after line 25, insert:

"Sec. 51. [RETROACTIVE ELECTION BY INDIAN TRIBES.]

Regardless of any law to the contrary, an Indian tribe, subdivision, subsidiary, or business enterprise wholly owned by the tribe may elect to be liable for payments in lieu of unemployment taxes for the calendar year 2000 or for the calendar year 2001, or both. If such tribe, subdivision, subsidiary, or business enterprise paid unemployment taxes on a quarterly basis during 2000 or 2001, and if the tribe elects by December 31, 2002, to be liable for payments in lieu of unemployment taxes for one or both of those calendar years, the department shall grant a refund or credit for the amount that the total of unemployment taxes exceeded the total payment that would have been due if payments in lieu of unemployment taxes had been made.

[EFFECTIVE DATE.] This section is effective retroactive to December 31, 2000."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 655, A bill for an act relating to unemployment insurance; making technical and substantive changes; providing that certain applicants on leaves of absence are ineligible for benefits; modifying definitions; clarifying procedures; treating Indian tribes the same as the state for purposes of the unemployment insurance program; providing workers' compensation and disability insurance offsets; providing eligibility for benefits for certain victims of domestic abuse; instructing the revisor to renumber sections and change terms; amending Minnesota Statutes 2000, sections 268.03, subdivision 1; 268.035, subdivisions 4, 5, 20, 29, and by adding subdivisions; 268.042, subdivision 1; 268.045; 268.047; 268.051, subdivisions 1a, 3, 4, and 7; 268.052, subdivisions 1, 2, and by adding a subdivision; 268.053, subdivisions 1 and 3; 268.059; 268.07, subdivisions 1, 2, 3a, and 3b; 268.085, subdivisions 1, 2, 3, 6, 7, 14, 15, and by adding subdivisions; 268.086, subdivisions 1 and 7; 268.095, subdivisions 1, 2, 8, and

11; 268.101, subdivisions 1 and 2; 268.105, subdivision 7; 268.131, subdivision 2; 268.18, subdivision 2b; 268.184; 268.192, subdivision 1; 268.6715; and 268.976, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Laws 1999, chapter 107, section 22.

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

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

The Speaker resumed the Chair.

H. F. No. 209 was reported to the House.

Skoglund moved to amend H. F. No. 209, the second engrossment, as follows:

Page 4, line 30, after "nuisance" insert "based on shooting noise"

A roll call was requested and properly seconded.



The question was taken on the Skoglund amendment and the roll was called. There were 48 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Abrams	Dorn	Hausman	Kahn	Mariani	Seagren
Bernardy	Entenza	Hilstrom	Kelliher	Marko	Skoe
Biernat	Evans	Hilty	Koskinen	McGuire	Skoglund
Carlson	Folliard	Huntley	Leighton	Mullery	Slawik
Clark, K.	Gleason	Jaros	Lenczewski	Opatz	Swapinski
Davnie	Goodwin	Jennings	Leppik	Paymar	Sykora
Dawkins	Gray	Johnson, R.	Lieder	Pugh	Wagenius
Dibble	Greiling	Johnson, S.	Luther	Rhodes	Walker

Those who voted in the negative were:

Anderson, B.	Eastlund	Johnson, J.	Milbert	Peterson	Tuma
Anderson, I.	Erickson	Juhnke	Molnau	Rifenberg	Vandever
Bakk	Finseth	Kalis	Mulder	Rukavina	Walz
Bishop	Fuller	Kielkucki	Murphy	Ruth	Wasiluk
Boudreau	Gerlach	Knoblach	Ness	Schumacher	Wenzel
Bradley	Goodno	Krinkie	Nornes	Seifert	Westerberg
Buesgens	Gunther	Kubly	Olson	Sertich	Westrom
Cassell	Haas	Kuisle	Osskopp	Smith	Wilkin
Clark, J.	Hackbarth	Larson	Otremba	Solberg	Winter
Daggett	Harder	Lindner	Ozment	Stanek	Wolf
Davids	Holberg	Lipman	Paulsen	Stang	Workman
Dehler	Holsten	Mahoney	Pawlenty	Swenson	Spk. Sviggum
Dempsey	Howes	Mares	Pelowski	Thompson	
Dorman	Jacobson	Marquart	Penas	Tingelstad	

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

H. F. No. 209, A bill for an act relating to local government; shooting ranges; defining generally accepted operation practices; providing for relation to ordinances, closing and relocation, and nuisance liability; proposing coding for new law as Minnesota Statutes, chapter 87A.

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 99 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Abeler	Buesgens	Dorman	Haas	Jacobson	Kubly
Abrams	Carlson	Eastlund	Hackbarth	Jennings	Kuisle
Anderson, B.	Cassell	Erickson	Harder	Johnson, J.	Larson
Anderson, I.	Clark, J.	Finseth	Hilty	Juhnke	Leighton
Bakk	Daggett	Fuller	Holberg	Kalis	Lenczewski
Bishop	Davids	Gerlach	Holsten	Kielkucki	Leppik
Boudreau	Dehler	Goodno	Howes	Knoblach	Lieder
Bradley	Dempsey	Gunther	Huntley	Krinkie	Lindner

Lipman	Ness	Pawlenty	Schumacher	Swenson	Westrom
Mahoney	Nornes	Pelowski	Seagren	Sykora	Wilkin
Mares	Olson	Penas	Seifert	Thompson	Winter
Marquart	Opatz	Peterson	Sertich	Tingelstad	Wolf
McElroy	Osskopp	Pugh	Skoe	Tuma	Workman
Milbert	Osthoff	Rhodes	Smith	Walz	Spk. Sviggum
Molnau	Otremba	Rifenberg	Solberg	Wasiluk	
Mulder	Ozment	Rukavina	Stanek	Wenzel	
Murphy	Paulsen	Ruth	Stang	Westerberg	

Those who voted in the negative were:

Bernardy	Dorn	Gray	Johnson, S.	Marko	Swapinski
Biernat	Entenza	Greiling	Kahn	McGuire	Vandever
Clark, K.	Evans	Hausman	Kelliher	Mullery	Wagenius
Davnie	Folliard	Hilstrom	Koskinen	Paymar	Walker
Dawkins	Gleason	Jaros	Luther	Skoglund	
Dibble	Goodwin	Johnson, R.	Mariani	Slawik	

The bill was passed and its title agreed to.

H. F. No. 118 was reported to the House.

Olson and Pugh moved to amend H. F. No. 118 as follows:

Page 2, line 2, after the semicolon, insert "and

*Whereas*, S. 943, the Children's Television Violence Protection Act of 1993, was heard in the United States Senate and would have required television and cable broadcasters to notify viewers through a video and audio warning that certain programming may contain violence or unsafe gun practices which may adversely affect the mental and physical health of a child and if the events occurred in real life, would warrant imposition of criminal penalties;"

Page 2, after line 8, insert:

*"Be It Resolved* by the Legislature of the State of Minnesota that the United States Congress should act on legislation like that proposed in the Children's Television Violence Protection Act of 1993."

Page 2, line 12, before the period, insert "and to the Speaker and Clerk of the United States House of Representatives and the President and Secretary of the United States Senate"

#### POINT OF ORDER

Kahn raised a point of order pursuant to rule 3.21 that the Olson and Pugh amendment was not in order. The Speaker ruled the point of order not well taken and the Olson and Pugh amendment in order.

The question recurred on the Olson and Pugh amendment to H. F. No. 118. The motion prevailed and the amendment was adopted.

Carlson moved to amend H. F. No. 118, as amended, as follows:

Page 2, line 7, delete "the" and insert "all"

Page 2, line 8, delete "family" and insert "families"

Amend the title as follows:

Page 1, line 6, delete "the family" and insert "all families"

The motion prevailed and the amendment was adopted.

The Speaker called Paulsen to the Chair.

H. F. No. 118, A resolution memorializing the television networks to actively reduce the amount of violence-laden, sexually explicit material on television programs and to produce television material that promotes wholesome family values and helps to strengthen all families.

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 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Jaros	Kahn	Paymar	Wolf
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The bill was passed, as amended, and its title agreed to.

H. F. No. 894, A bill for an act relating to horse racing; card clubs; defining terms; modifying wagers; amending Minnesota Statutes 2000, sections 240.01, subdivision 26, and by adding a subdivision; and 240.30, subdivision 8.

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 37 yeas and 96 nays as follows:

Those who voted in the affirmative were:

Abrams	Dorman	Jaros	Milbert	Schumacher	Workman
Anderson, I.	Erickson	Juhnke	Molnau	Sertich	Spk. Sviggum
Bakk	Fuller	Kahn	Ness	Solberg	
Bishop	Gerlach	Krinkie	Osskopp	Stang	
Buesgens	Gunther	Kubly	Pugh	Sykora	
Dawkins	Hackbarth	Kuisele	Rhodes	Westrom	
Dempsey	Holsten	Mares	Rukavina	Wolf	

Those who voted in the negative were:

Abeler	Eastlund	Howes	Lieder	Osthoff	Smith
Anderson, B.	Entenza	Huntley	Lindner	Otremba	Stanek
Bernardy	Evans	Jacobson	Lipman	Ozment	Swapinski
Biernat	Finseth	Jennings	Luther	Paulsen	Swenson
Boudreau	Folliard	Johnson, J.	Mahoney	Pawlenty	Thompson
Bradley	Gleason	Johnson, R.	Mariani	Paymar	Tingelstad
Carlson	Goodno	Johnson, S.	Marko	Pelowski	Tuma
Cassell	Goodwin	Kalis	Marquart	Penas	Vandever
Clark, J.	Gray	Kelliher	McElroy	Peterson	Wagenius
Clark, K.	Greiling	Kielkucki	McGuire	Rifenberg	Walker
Daggett	Haas	Knoblach	Mulder	Ruth	Walz
Davids	Harder	Koskinen	Mullery	Seagren	Wasiluk
Davnie	Hausman	Larson	Murphy	Seifert	Wenzel
Dehler	Hilstrom	Leighton	Nornes	Skoe	Westerberg
Dibble	Hilty	Lenczewski	Olson	Skoglund	Wilkin
Dorn	Holberg	Leppik	Opatz	Slawik	Winter

The bill was not passed.

#### MOTION FOR RECONSIDERATION

Dehler moved that the vote whereby H. F. No. 894 was not passed be now reconsidered. The motion prevailed.

H. F. No. 894 was reported to the House.

Dehler moved that H. F. No. 894 be returned to the General Register. The motion prevailed.

H. F. No. 995 was reported to the House.

Buesgens moved to amend H. F. No. 995, the first engrossment, as follows:

Page 2, after line 31, insert:

"Sec. 3. [EFFECTIVE DATE.]

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

The motion prevailed and the amendment was adopted.

H. F. No. 995, A bill for an act relating to horse racing; modifying license applicant requirements; modifying medication requirements; amending Minnesota Statutes 2000, sections 240.08, subdivision 2; and 240.24, subdivision 2.

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 12 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Davnie	Huntley	Murphy	Seagren	Wagenius
Carlson	Dorn	Mahoney	Otremba	Vandever	Walker

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

Goodwin was excused between the hours of 6:25 p.m. and 8:15 p.m.

H. F. No. 1340, A bill for an act relating to Wright county; permitting the appointment of the county recorder.

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 114 yeas and 18 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clark, J.	Kalis	Kuisle	Marquart	Rifenberg	Smith
Davids	Krinkie	Leighton	Mulder	Seifert	Vandever
Harder	Kubly	Mahoney	Peterson	Skoe	Westrom

The bill was passed and its title agreed to.

H. F. No. 2036, A bill for an act relating to Goodhue county; permitting the appointment of the auditor-treasurer and recorder.

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 111 yeas and 21 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Biernat	Bradley	Cassell	Davnie
Abrams	Bakk	Bishop	Buesgens	Clark, K.	Dawkins
Anderson, B.	Bernardy	Boudreau	Carlson	Daggett	Dehler

Dempsey	Gunther	Kahn	McGuire	Penas	Thompson
Dibble	Haas	Kelliher	Molnau	Pugh	Tingelstad
Dorman	Hackbarth	Kielkucki	Mullery	Rhodes	Tuma
Dorn	Hausman	Knoblach	Murphy	Rukavina	Wagenius
Eastlund	Hilstrom	Koskinen	Ness	Ruth	Walker
Entenza	Hilty	Larson	Nornes	Schumacher	Walz
Erickson	Holberg	Lenczewski	Olson	Seagren	Wasiluk
Evans	Holsten	Leppik	Opatz	Sertich	Westerberg
Finseth	Howes	Lieder	Osskopp	Skoglund	Wilkin
Folliard	Huntley	Lindner	Osthoff	Slawik	Winter
Fuller	Jacobson	Lipman	Otremba	Solberg	Wolf
Gerlach	Jaros	Luther	Ozment	Stanek	Workman
Gleason	Jennings	Mares	Paulsen	Stang	Spk. Sviggum
Goodno	Johnson, J.	Mariani	Pawlenty	Swapinski	
Gray	Johnson, R.	Marko	Paymar	Swenson	
Greiling	Johnson, S.	McElroy	Pelowski	Sykora	

Those who voted in the negative were:

Clark, J.	Kalis	Leighton	Mulder	Skoe	Westrom
Davids	Krinkie	Mahoney	Peterson	Smith	
Harder	Kubly	Marquart	Rifenberg	Vandever	
Juhnke	Kuisle	Milbert	Seifert	Wenzel	

The bill was passed and its title agreed to.

S. F. No. 510, A bill for an act relating to counties; providing a process for making certain county offices appointive; amending Minnesota Statutes 2000, sections 375A.10, subdivision 5; 375A.12, subdivision 2, and by adding a subdivision; and 382.01.

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 27 yeas and 104 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Hausman	Larson	McGuire	Wagenius
Biernat	Dempsey	Howes	Lenczewski	Osthoff	Spk. Sviggum
Bishop	Dorn	Huntley	Leppik	Ozment	
Buesgens	Greiling	Jaros	Lieder	Rhodes	
Dawkins	Hackbarth	Johnson, R.	Marko	Rukavina	

Those who voted in the negative were:

Abeler	Bradley	Davids	Erickson	Gleason	Hilstrom
Anderson, B.	Carlson	Davnie	Evans	Goodno	Hilty
Anderson, I.	Cassell	Dibble	Finseth	Gray	Holberg
Bakk	Clark, J.	Dorman	Folliard	Gunther	Holsten
Bernardy	Clark, K.	Eastlund	Fuller	Haas	Jacobson
Boudreau	Daggett	Entenza	Gerlach	Harder	Jennings

Johnson, J.	Leighton	Mullery	Peterson	Solberg	Wasiluk
Johnson, S.	Lindner	Murphy	Pugh	Stanek	Wenzel
Juhnke	Lipman	Ness	Rifenberg	Stang	Westerberg
Kahn	Luther	Nornes	Ruth	Swapinski	Westrom
Kalis	Mahoney	Olson	Schumacher	Swenson	Wilkin
Kelliher	Mares	Opatz	Seagren	Sykora	Winter
Kielkucki	Mariani	Otremba	Seifert	Thompson	Wolf
Knoblach	Marquart	Paulsen	Sertich	Tingelstad	Workman
Koskinen	McElroy	Pawlenty	Skoe	Tuma	
Krinkie	Milbert	Paymar	Skoglund	Vandever	
Kubly	Molnau	Pelowski	Slawik	Walker	
Kuisle	Mulder	Penas	Smith	Walz	

The bill was not passed.

#### MOTION FOR RECONSIDERATION

Seifert moved that the vote whereby S. F. No. 510 was not passed be now reconsidered. The motion prevailed.

S. F. No. 510 was reported to the House.

Seifert moved that S. F. No. 510 be returned to the General Register. The motion prevailed.

H. F. No. 933, A bill for an act relating to commerce; providing buyback requirements related to the sale of farm implements and outdoor power equipment; amending Minnesota Statutes 2000, sections 325E.06, subdivisions 1, 4, 5, and 6; and 325E.0681, subdivisions 3, 4, 5, 11, and 12.

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



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

The bill was passed and its title agreed to.

H. F. No. 926, A bill for an act relating to health; modifying content and format requirements for Minnesota uniform health care identification cards; requiring uniform prescription drug information to be included on cards; establishing requirements for issuance of cards; amending Minnesota Statutes 2000, section 62J.60.

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

The bill was passed and its title agreed to.

H. F. No. 1248, A bill for an act relating to veterans homes; changing certain resident deposit accounts; amending Minnesota Statutes 2000, section 198.265.

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

The bill was passed and its title agreed to.

H. F. No. 1261 was reported to the House.

Bishop moved to amend H. F. No. 1261, the first engrossment, as follows:

Page 2, line 2, after the headnote, insert "(a)"

Page 2, line 13, after the semicolon, insert "and"

Page 2, line 15, delete "; and" and insert a period

Page 2, delete lines 16 to 19 and insert:

"(b) The department shall maintain recidivism rates for adult facilities on an annual basis. In addition, each year the department shall, on an alternating basis, complete a recidivism analysis of adult facilities, juvenile services, and the community services divisions and include a three-year recidivism analysis in the report described in paragraph (a). When appropriate, the recidivism analysis must include education programs, vocational programs, treatment programs, industry, and employment.

Sec. 2. Minnesota Statutes 2000, section 241.018, is amended to read:

241.018 [PER DIEM CALCULATION.]

(a) The commissioner of corrections shall develop a uniform method to calculate the average department-wide per diem cost of incarcerating offenders at state adult correctional facilities. In addition to other costs currently factored into the per diem, it must include an appropriate percentage of capitol costs for all adult correctional facilities and 65 percent of the department's management services budget.

(b) The commissioner also shall use this method of calculating per diem costs for offenders in each state adult correctional facility. When calculating the per diem cost of incarcerating offenders at a particular facility, the commissioner shall include an appropriate percentage of capital costs for the facility and an appropriate prorated amount, given the facility's population, of 65 percent of the department's management services budget.

(c) The commissioner shall ensure that these new per diem methods are used in all future ~~instances in which per diem charges are reported~~ annual performance reports to the legislature and are also reflected in the department's biennial budget document.

~~(d) The commissioner shall report information related to these per diems to the chairs and ranking minority members of the senate and house committees and divisions having jurisdiction over criminal justice funding by January 15, 2001."~~

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Tuma moved to amend H. F. No. 1261, the first engrossment, as amended, as follows:

Page 1, after line 42, insert:

"Section 1. Minnesota Statutes 2000, section 16B.181, subdivision 2, is amended to read:

Subd. 2. [PUBLIC ENTITIES; PURCHASES FROM CORRECTIONS INDUSTRIES.] (a) The commissioner of corrections, in consultation with the commissioner of administration, shall prepare updated lists of the items available for purchase from department of corrections industries and annually forward a copy of the most recent list to all public entities within the state. A public entity that is supported in whole or in part with funds from the state treasury may purchase items directly from corrections industries. The bid solicitation process is not required for these purchases.

(b) The commissioner of administration shall develop a contract or contracts to enable public entities to purchase items directly from corrections industries. The commissioner of administration, in consultation with the commissioner of corrections, shall determine the fair market price for listed items. The commissioner of administration shall require that all requests for bids or proposals, for items provided by corrections industries, be forwarded to the commissioner of corrections to enable corrections industries to submit bids. The commissioner of corrections shall consult with the commissioner of administration prior to introducing new products to the state agency market.

(c) No public entity may evade the intent of this section by adopting slight variations in specifications, when Minnesota corrections industry items meet the reasonable needs and specifications of the public entity.

(d) The commissioners of administration and corrections shall develop annual performance measures outlining goals to maximize inmate work program participation. The commissioners of administration and corrections shall appoint cochairs for a task force whose purpose is to determine additional methods to achieve the performance goals for public entity purchasing. The task force shall include representatives from the Minnesota house of representatives, Minnesota senate, the Minnesota state colleges and universities, University of Minnesota, Minnesota League of Cities, Minnesota Association of Counties, and administrators with purchasing responsibilities from the Minnesota state departments of corrections, public safety, finance, transportation, natural resources, human services, health, and economic security. Notwithstanding section 15.059, the task force created in this paragraph expires June 30, 2003.

(e) If performance goals for public entity purchasing are not achieved in two consecutive fiscal years, public entities shall purchase items available from corrections industries. The commissioner of administration shall be responsible for notifying public entities of this requirement."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "continuing a task force on agency purchases from correctional industries;"

Page 1, line 27, after "sections" insert "16B.181, subdivision 2;"

The motion prevailed and the amendment was adopted.

Westrom, Juhnke, Kubly, Stanek, Tuma and Peterson offered an amendment to H. F. No. 1261, the first engrossment, as amended.

#### POINT OF ORDER

Skoglund raised a point of order pursuant to rule 3.21 that the Westrom et al amendment was not in order. Speaker pro tempore Paulsen ruled the point of order well taken and the Westrom et al amendment out of order.

Hilstrom offered an amendment to H. F. No. 1261, the first engrossment, as amended.

#### POINT OF ORDER

Tuma raised a point of order pursuant to rule 3.21 that the Hilstrom amendment was not in order. Speaker pro tempore Paulsen ruled the point of order well taken and the Hilstrom amendment out of order.

H. F. No. 1261, A bill for an act relating to the operation of state government; continuing a task force on agency purchases from correctional industries; requiring an annual report from the department of corrections; providing certification standards for juvenile facilities; requiring standards for chemical dependency treatment programs; requiring the commissioner of corrections to establish a health care peer review committee; requiring commissioner of corrections to contract with commissioner of human services for background studies of individuals providing services in certain facilities; removing certain obsolete provisions in correction law; clarifying responsibilities and updating language in law governing correctional psychiatric unit; authorizing a corrections agent to request a review of an offender's risk level based on offender behavior in the community; providing for investigation of deaths occurring in correctional facilities; requiring judges to determine if offenders are eligible for challenge incarceration programs based upon correctional department criteria; defining criminal sexual conduct to include certain employees

working in correctional facilities; requiring mandatory sex offender assessments for repeat offenders; providing that human immunodeficiency virus testing data of sex offenders to be maintained in correctional medical records; amending Minnesota Statutes 2000, sections 16B.181, subdivision 2; 241.016, subdivision 1; 241.018; 241.021, subdivisions 1, 4, 4a, 6, by adding a subdivision; 241.67, subdivision 8; 241.69; 242.32, subdivision 1a; 243.05, subdivision 6; 243.51, subdivision 2; 243.53, subdivision 1; 244.052, subdivision 3; 244.17, subdivision 1; 244.173; 390.11, subdivision 1, by adding a subdivision; 390.32, by adding a subdivision; 609.105, by adding a subdivision; 609.341, subdivision 11; 609.344, subdivision 1; 609.345, subdivision 1; 609.3452, subdivision 1, by adding subdivisions; 611A.19; Laws 1996, chapter 463, section 16, subdivision 3, as amended; repealing Minnesota Statutes 2000, sections 241.016, subdivision 2; 241.018; 241.19; 241.272, subdivision 7; 242.51.

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

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

H. F. No. 1681 was reported to the House.

Dehler moved to amend H. F. No. 1681, the first engrossment, as follows:

Page 3, after line 22, insert:

"Sec. 3. Minnesota Statutes 2000, section 43A.04, subdivision 8, is amended to read:

Subd. 8. [DONATION OF TIME.] Notwithstanding any law to the contrary, the commissioner shall authorize the appointing authority to permit the donation of up to ~~three~~ eight hours of accumulated vacation time in each year by each employee who is a member of law enforcement unit number 1 to their union representative for the purpose of carrying out the duties of office."

Page 5, line 29, delete everything after the first comma and insert "section 246.02."

Page 5, line 30, delete "and 246.02, are" and insert "is"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 1681, A bill for an act relating to state employment; making technical and housekeeping changes; classifying employee identification numbers as public data; extending a pilot project; modifying the vacation donation provisions for certain law enforcement employees; placing department of human services chief executive officers in the unclassified service; repealing provisions governing appointment of human services chief executive officers; amending Minnesota Statutes 2000, sections 13.43, subdivision 2; 43A.04; 43A.08, subdivision 1; repealing Minnesota Statutes 2000, section 246.02.

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 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Buesgens	Holberg	Kielkucki	Mulder	Paulsen	Vandev eer
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The bill was passed, as amended, and its title agreed to.

H. F. No. 2028, A bill for an act relating to the environment; modifying provisions relating to environmental audits; changing the reporting date for the pollution control agency's annual performance report; amending Minnesota Statutes 2000, sections 114C.21, subdivision 8; 114C.24, subdivision 3; and 116.011.

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

The bill was passed and its title agreed to.

H. F. No. 415 was reported to the House.

Knoblach moved that H. F. No. 415 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 1709 was reported to the House.

Kuisle moved to amend S. F. No. 1709 as follows:

Page 1, line 18, reinstate the stricken language and delete the new language

Page 1, line 19, delete "date of this act"

The motion prevailed and the amendment was adopted.

S. F. No. 1709, A bill for an act relating to traffic regulations; exempting certain towed implements of husbandry from requirement to display tail lamps; making clarifying changes; amending Minnesota Statutes 2000, section 169.50, subdivision 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 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

H. F. No. 1051, A bill for an act relating to civil actions; regulating certifications of expert reviews in medical malpractice actions; clarifying a reference to the medical malpractice statute of limitations; amending Minnesota Statutes 2000, sections 145.682, subdivision 6; 573.02, subdivision 1.

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

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

Those who voted in the affirmative were:

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



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

The bill was passed and its title agreed to.

H. F. No. 1151, A bill for an act relating to professions; modifying penalty provisions for psychologists; amending Minnesota Statutes 2000, section 148.941, subdivision 2, and by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1236 was reported to the House.

Rhodes moved to amend H. F. No. 1236, the first engrossment, as follows:

Page 3, line 21, before "EFFECTIVE" insert "APPLICATION;"

Page 3, line 22, before "Sections" insert "Sections 1 and 2 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

The motion prevailed and the amendment was adopted.

McElroy moved to amend H. F. No. 1236, the first engrossment, as amended, as follows:

Page 3, line 16, after "The" insert "initial"

Page 3, line 19, delete "an" and insert "the"

The motion prevailed and the amendment was adopted.

H. F. No. 1236, A bill for an act relating to metropolitan government; requiring house and senate confirmation of members and the executive director of the metropolitan airports commission; amending Minnesota Statutes 2000, sections 473.604, subdivision 1; and 473.606, subdivision 4.

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

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

H. F. No. 1085 was reported to the House.

Winter, Juhnke, Davids, Rukavina, Westrom, Seifert, Daggett, Finseth, Peterson, Kubly and Mulder moved to amend H. F. No. 1085 as follows:

Page 3, after line 25, insert:

"Sec. 3. Minnesota Statutes 2000, section 169.81, subdivision 3c, is amended to read:

Subd. 3c. [RECREATIONAL VEHICLE COMBINATION.] Notwithstanding subdivision 3, a recreational vehicle combination may be operated without a permit if:

(1) the combination does not consist of more than three vehicles, and the towing rating of the pickup truck is equal to or greater than the total weight of all vehicles being towed;

(2) the combination does not exceed ~~60~~ 65 feet in length;

(3) the camper-semitrailer in the combination does not exceed 28 feet in length;

(4) the operator of the combination is at least 18 years of age;

(5) the trailer carrying a watercraft, motorcycle, motorized bicycle, off-highway motorcycle, snowmobile, or all-terrain vehicle meets all requirements of law;

(6) the trailers in the combination are connected to the pickup truck and each other in conformity with section 169.82; and

(7) the combination is not operated within the seven-county metropolitan area, as defined in section 473.121, subdivision 2, during the hours of 6:00 a.m. to 9:00 a.m. and 4:00 p.m. to 7:00 p.m. on Mondays through Fridays."

Reorder the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Workman moved to amend the Winter et al amendment to H. F. No. 1085 as follows:

Page 1, line 11, delete "65" and insert "70"

Workman moved that H. F. No. 1085 be continued on the Calendar for the Day. The motion prevailed.

H. F. No. 2107 was reported to the House.

Johnson, J., moved to amend H. F. No. 2107, the first engrossment, as follows:

Page 1, after line 21, insert:

"Sec. 2. Minnesota Statutes 2000, section 121A.45, is amended by adding a subdivision to read:

Subd. 3. [PARENT NOTIFICATION AND MEETING.] If a pupil's total days of removal from school exceeds ten cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the pupil and the pupil's parent or guardian prior to subsequently removing the pupil from school. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services."

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

Page 2, line 2, after the period, insert "The policy must include a procedure for notifying and meeting with a student's parent or guardian to discuss the problem that is causing the student to be removed from class after the student has been removed from class more than ten times in one school year."

Amend the title as follows:

Page 1, line 5, before the semicolon, insert ", by adding a subdivision"

The motion prevailed and the amendment was adopted.

Speaker pro tempore Paulsen called Abrams to the Chair.

H. F. No. 2107, A bill for an act relating to education; specifying student conduct as grounds for dismissal or removal from class; amending Minnesota Statutes 2000, sections 121A.45, subdivision 2, by adding a subdivision; 121A.61, subdivision 2.

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 122 yeas and 11 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clark, K.	Dibble	Hausman	Kahn	Mariani	Walker
Dawkins	Gray	Jaros	Leighton	Otremba	

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

H. F. No. 1155 was reported to the House.

Abeler, Rukavina, Luther and Davids moved to amend H. F. No. 1155, the second engrossment, as follows:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 2000, section 62Q.07, is amended to read:

62Q.07 [ACTION PLANS.]

Subdivision 1. [ACTION PLANS REQUIRED.] (a) To increase public awareness and accountability of health plan companies, all health plan companies that issue or renew a ~~health plan, as defined in section 62Q.01~~ managed care plan, as defined in section 62U.01, must annually file with the ~~applicable~~ commissioner an action plan that satisfies the requirements of this section beginning July 1, 1994, as a condition of doing business in Minnesota. ~~For purposes of this subdivision, "health plan" includes the coverages described in section 62A.011, subdivision 3, clause (10).~~ Each health plan company must also file its action plan with the information clearinghouse. Action plans are required solely to provide information to consumers, purchasers, and the larger community as a first step toward greater accountability of health plan companies. The sole function of the commissioner in relation to the action plans is to ensure that each health plan company files a complete action plan, that the action plan is truthful and not misleading, and that the action plan is reviewed by appropriate community agencies.

(b) ~~If a the commissioner responsible for regulating a health plan company required to file an action plan under this section~~ has reason to believe an action plan is false or misleading, the commissioner may conduct an investigation to determine whether the action plan is truthful and not misleading, and may require the health plan company to submit any information that the commissioner reasonably deems necessary to complete the investigation. If the commissioner determines that an action plan is false or misleading, the commissioner may require the health plan company to file an amended plan or may take any action authorized under chapter 72A.

Subd. 2. [CONTENTS OF ACTION PLANS.] ~~(a) An action plan must include a detailed description of all of the health plan company's methods and procedures, standards, qualifications, criteria, and credentialing requirements for designating the providers who are eligible to participate in the health plan company's provider network, including any limitations on the numbers of providers to be included in the network. This description must be updated by the health plan company and filed with the applicable agency on a quarterly basis.~~

~~(b) An action plan must include the number of full-time equivalent physicians, by specialty, nonphysician providers, and allied health providers used to provide services. The action plan must also describe how the health plan company intends to encourage the use of nonphysician providers, midlevel practitioners, and allied health professionals, through at least consumer education, physician education, and referral and advisement systems. The annual action plan must also include data that is broken down by type of provider, reflecting actual utilization of midlevel practitioners and allied professionals by enrollees of the health plan company during the previous year. Until July 1, 1995, a health plan company may use estimates if actual data is not available. For purposes of this paragraph, "provider" has the meaning given in section 62J.03, subdivision 8.~~

~~(c) An action plan must include a description of the health plan company's policy on determining the number and the type of providers that are necessary to deliver cost-effective health care to its enrollees. The action plan must also include the health plan company's strategy, including provider recruitment and retention activities, for ensuring that sufficient providers are available to its enrollees.~~

~~(d) An action plan must include a description of actions taken or planned by the health plan company to ensure that information from report cards, outcome studies, and complaints is used internally to improve quality of the services provided by the health plan company.~~

~~(e) An action plan must include a detailed description of the health plan company's policies and procedures for enrolling and serving high risk and special needs populations. This description must also include the barriers that are present for the high risk and special needs population and how the health plan company is addressing these barriers in order to provide greater access to these populations. "High risk and special needs populations" includes, but is not limited to, recipients of medical assistance, general assistance medical care, and MinnesotaCare; persons with chronic conditions or disabilities; individuals within certain racial, cultural, and ethnic communities; individuals and families with low income; adolescents; the elderly; individuals with limited or no English language proficiency; persons with high-cost preexisting conditions; homeless persons; chemically dependent persons; persons with serious and persistent mental illness; children with severe emotional disturbance; and persons who are at high risk of requiring treatment. For purposes of this paragraph, "provider" has the meaning given in section 62J.03, subdivision 8.~~

~~(f) An action plan must include a general description of any action the health plan company has taken and those it intends to take to offer health coverage options to rural communities and other communities not currently served by the health plan company.~~

~~(g) A health plan company other than a large managed care plan company may satisfy any of the requirements of the action plan in paragraphs (a) to (f) by stating that it has no policies, procedures, practices, or requirements, either written or unwritten, or formal or informal, and has undertaken no activities or plans on the issues required to be addressed in the action plan, provided that the statement is truthful and not misleading. For purposes of this paragraph, "large managed care plan company" means a health maintenance organization or other health plan company that employs or contracts with health care providers, that has more than 50,000 enrollees in this state. If a health plan company employs or contracts with providers for some of its health plans and does not do so for other health plans that it offers, the health plan company is a large managed care plan company if it has more than 50,000 enrollees in this state in health plans for which it does employ or contract with providers."~~

Page 3, line 27, delete "all of"

Page 3, line 36, before "data" insert "summary"

Page 4, line 1, after "of" insert "network and non-network"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Slawik moved to amend H. F. No. 1155, the second engrossment, as amended, as follows:

Page 3, after line 9, insert:

"Sec. 4. [62Q.741] [CERTAIN REFERRAL OR PRESCRIPTION AGREEMENTS PROHIBITED.]

An agreement or directive that provides either a financial or other reward or penalty to a health care provider for making or not making a referral or for prescribing or not prescribing a good or service to be provided by other providers not owned, operated, or otherwise subject to the control of the provider are void and unenforceable."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Abeler moved that H. F. No. 1155, as amended, be continued on the Calendar for the Day. The motion prevailed.

H. F. No. 2040, A bill for an act relating to public safety; eliminating provisions relating to the registration of certain intoxicating liquor brand labels, the hiring of subversives in emergency management organizations, the use of waste burners, flammable liquids and explosives, fire drills in schools, fire extinguishers in certain buildings, fire alarm systems, and the reporting of malicious false fire alarms; amending Minnesota Statutes 2000, sections 299F.18; 340A.311; repealing Minnesota Statutes 2000, sections 12.43; 299F.015; 299F.19; 299F.30; 299F.361; 299F.451; 299F.452.

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 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Solberg

The bill was passed and its title agreed to.

S. F. No. 1047 was reported to the House.

Knoblach, Pelowski and Leppik moved to amend S. F. No. 1047 as follows:

Page 1, after line 7, insert:

"Section 1. [181.967] [EMPLOYMENT REFERENCES.]

Subdivision 1. [CAUSES OF ACTION.] No action may be maintained against an employer, public employer, designated employee, or agent who discloses information about a current or former employee to a prospective employer or employment agency as provided under this section, unless the employee or former employee demonstrates by clear and convincing evidence that:

(1) the information was false and defamatory;

(2) the employer or public employer knew or should have known the information was false and acted with malicious intent to injure the current or former employee; and

(3) the information was acted upon by the prospective employer in a manner that caused harm to the current or former employee.

Subd. 2. [EMPLOYMENT REFERENCE INFORMATION DISCLOSURE.] (a) Upon request, an employer may disclose the following information about one of its current or former employees to a prospective employer:

(1) dates of employment;

(2) compensation and wage history;

(3) job description and duties;

(4) training and education provided by the employer; and

(5) all acts of violence, theft, harassment, or illegal conduct documented in the personnel record which resulted in disciplinary action or resignation.

When making any disclosure pursuant to clause (5), the employer must provide the employee or former employee with a copy of the information disclosed and to whom it was disclosed.

(b) A public employer shall disclose private personnel data to a prospective employer if the current or former employee gives written consent to the release of the data.

(c) With the written authorization of the current or former employee, an employer may also disclose the following information in writing to a prospective employer:

(1) written employee evaluations conducted prior to the employee's separation from the employer, and the employee's written response, if any, contained in the employee's personnel record;

(2) disciplinary warnings and actions in the five years before the date of the authorization, and the employee's written response, if any, contained in the employee's personnel record; and

(3) reasons for separation from employment.

(d) An employer must provide a copy of a disclosure made under paragraph (c) to a current or former employee upon request.



Subd. 3. [SCHOOL DISTRICT DISCLOSURE OF VIOLENCE OR INAPPROPRIATE SEXUAL CONTACT.] The responsible authority, as defined in section 13.02, subdivision 16, of a school district must disclose to another school district requesting information about a current or former employee all data made public by section 13.43 relating to acts of violence or inappropriate sexual contact with students documented in the personnel record that resulted in disciplinary action or private data relating to such acts which resulted in a resignation."

Page 2, after line 19, insert:

"Sec. 4. [EFFECTIVE DATE.]

Section 1 is effective August 1, 2001, and applies to causes of action arising on or after that date."

Renumber the remaining sections in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

#### POINT OF ORDER

Pugh raised a point of order pursuant to rule 3.21 that the Knoblach et al amendment was not in order.

Pursuant to section 245 of "Mason's Manual of Legislative Procedure," Speaker pro tempore Abrams submitted the following question to the House: "Is it the judgment of the House that the Pugh point of order is well taken?"

#### CALL OF THE HOUSE

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

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

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

The question recurred on the Pugh point of order and the roll was called. There were 66 yeas and 67 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

So it was the judgment of the House that the Pugh point of order was not well taken and the Knoblach et al amendment was in order.

Skoglund requested a division of the Knoblach et al amendment to S. F. No. 1047.

The first portion of the Knoblach et al amendment to S. F. No. 1047 reads as follows:

Page 1, after line 7, insert:

"Subd. 3. [SCHOOL DISTRICT DISCLOSURE OF VIOLENCE OR INAPPROPRIATE SEXUAL CONTACT.] The responsible authority, as defined in section 13.02, subdivision 16, of a school district must disclose to another school district requesting information about a current or former employee all data made public by section 13.43 relating to acts of violence or inappropriate sexual contact with students documented in the personnel record that resulted in disciplinary action or private data relating to such acts which resulted in a resignation."

Renumber the remaining sections in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the first portion of the Knoblach et al amendment and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the first portion of the Knoblach et al amendment was adopted.

The second portion of the Knoblach et al amendment to S. F. No. 1047, as amended, reads as follows:

Page 1, after line 7, insert:

"Section 1. [181.967] [EMPLOYMENT REFERENCES.]

Subdivision 1. [CAUSES OF ACTION.] No action may be maintained against an employer, public employer, designated employee, or agent who discloses information about a current or former employee to a prospective employer or employment agency as provided under this section, unless the employee or former employee demonstrates by clear and convincing evidence that:

(1) the information was false and defamatory;

(2) the employer or public employer knew or should have known the information was false and acted with malicious intent to injure the current or former employee; and

(3) the information was acted upon by the prospective employer in a manner that caused harm to the current or former employee.

Subd. 2. [EMPLOYMENT REFERENCE INFORMATION DISCLOSURE.] (a) Upon request, an employer may disclose the following information about one of its current or former employees to a prospective employer:

- (1) dates of employment;
- (2) compensation and wage history;
- (3) job description and duties;
- (4) training and education provided by the employer; and
- (5) all acts of violence, theft, harassment, or illegal conduct documented in the personnel record which resulted in disciplinary action or resignation.

When making any disclosure pursuant to clause (5), the employer must provide the employee or former employee with a copy of the information disclosed and to whom it was disclosed.

(b) A public employer shall disclose private personnel data to a prospective employer if the current or former employee gives written consent to the release of the data.

(c) With the written authorization of the current or former employee, an employer may also disclose the following information in writing to a prospective employer:

- (1) written employee evaluations conducted prior to the employee's separation from the employer, and the employee's written response, if any, contained in the employee's personnel record;
- (2) disciplinary warnings and actions in the five years before the date of the authorization, and the employee's written response, if any, contained in the employee's personnel record; and
- (3) reasons for separation from employment.

(d) An employer must provide a copy of a disclosure made under paragraph (c) to a current or former employee upon request."

Page 2, after line 19, insert:

"Sec. 4. [EFFECTIVE DATE.]

Section 1 is effective August 1, 2001, and applies to causes of action arising on or after that date."

Renumber the remaining sections in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the second portion of the Knoblach et al amendment and the roll was called. There were 69 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abeler	Bishop	Buesgens	Daggett	Dempsey	Erickson
Abrams	Boudreau	Cassell	Davids	Dorman	Finseth
Anderson, B.	Bradley	Clark, J.	Dehler	Eastlund	Fuller

Gerlach	Jacobson	Lipman	Osskopp	Seagren	Westerberg
Goodno	Johnson, J.	Mares	Ozment	Seifert	Westrom
Gunther	Juhnke	McElroy	Paulsen	Stanek	Wilkin
Haas	Kielkucki	Molnau	Pawlenty	Stang	Wolf
Hackbarth	Knoblach	Mulder	Pelowski	Swenson	Workman
Harder	Krinkie	Ness	Penas	Sykora	Spk. Sviggum
Holberg	Kuisle	Nornes	Rhodes	Tingelstad	
Holsten	Leppik	Olson	Rifenberg	Vandever	
Howes	Lindner	Opatz	Ruth	Walz	

Those who voted in the negative were:

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

The motion prevailed and the second portion of the Knoblach et al amendment was adopted.

S. F. No. 1047, A bill for an act relating to data practices; apartment manager background checks; requiring certain checks to be performed on individuals who have resided in Minnesota less than ten years; amending Minnesota Statutes 2000, section 299C.68, subdivisions 2 and 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 69 yeas and 64 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

H. F. No. 767 was reported to the House.

Holberg moved that H. F. No. 767 be returned to the General Register. The motion prevailed.

H. F. No. 967 was reported to the House.

Rifenberg, Mulder, Kubly, Eastlund, Bradley, Pelowski, Davids, Lieder, Wenzel, Skoe, Osskopp, Erickson, Rhodes, Seifert and Juhnke moved to amend H. F. No. 967 as follows:

Page 2, line 3, strike "and"

Page 2, after line 3, insert:

"(7) fraternal or patriotic organizations that are tax exempt under section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986, or organizations related to or affiliated with such fraternal or patriotic organizations. Such organizations may organize events at which home-prepared food is donated by organization members for sale at the events, provided:

(i) the event is not a circus, carnival, or fair;

(ii) the organization controls the admission of persons to the event, the event agenda, or both; and

(iii) the organization's licensed kitchen is not used in any manner for the event; and"

Page 2, line 4, strike "(7)" and insert "(8)"

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "permitting fraternal or patriotic organizations to sell home-prepared food at certain events;"

The motion prevailed and the amendment was adopted.

H. F. No. 967, A bill for an act relating to health; permitting schools to sponsor potluck events; permitting fraternal or patriotic organizations to sell home-prepared food at certain events; amending Minnesota Statutes 2000, section 157.22.

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.

Molnau moved that those not voting be excused from voting. The motion prevailed.

There were 123 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Leighton	Paymar	Rukavina	Solberg	Tingelstad
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The bill was passed, as amended, and its title agreed to.

The Speaker resumed the Chair.

#### CALL OF THE HOUSE LIFTED

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

S. F. No. 142, A bill for an act relating to state government; increasing the membership of the state council on Black Minnesotans; amending Minnesota Statutes 2000, section 3.9225, subdivisions 1 and 2.

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

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

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Leppik	Otremba	Stang
Abrams	Dorn	Holsten	Lieder	Ozment	Swapinski
Anderson, B.	Eastlund	Howes	Lindner	Paulsen	Swenson
Anderson, I.	Entenza	Huntley	Lipman	Pawlenty	Sykora
Bakk	Erickson	Jacobson	Luther	Paymar	Thompson
Bernardy	Evans	Jaros	Mahoney	Pelowski	Tingelstad
Biernat	Finseth	Jennings	Mares	Penas	Tuma
Bishop	Folliard	Johnson, J.	Mariani	Peterson	Vandever
Boudreau	Fuller	Johnson, R.	Marko	Pugh	Wagenius
Bradley	Gerlach	Johnson, S.	Marquart	Rhodes	Walker
Buesgens	Gleason	Juhnke	McElroy	Rifenberg	Walz
Carlson	Goodno	Kahn	McGuire	Rukavina	Wasiluk
Cassell	Goodwin	Kelliher	Milbert	Ruth	Wenzel
Clark, J.	Gray	Kielkucki	Molnau	Schumacher	Westerberg
Clark, K.	Greiling	Knoblach	Mullery	Seagren	Westrom
Daggett	Gunther	Koskinen	Murphy	Seifert	Wilkin
Davids	Haas	Krinkie	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	
Dibble	Hilty	Lenczewski	Osthoff	Solberg	

The bill was passed and its title agreed to.

S. F. No. 741, A bill for an act relating to Hennepin county; authorizing disaster volunteer leave; proposing coding for new law in Minnesota Statutes, chapter 383B.

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



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

The bill was passed and its title agreed to.

H. F. No. 1098 was reported to the House.

Dawkins moved to amend H. F. No. 1098, the first engrossment, as follows:

Page 2, line 5, delete "argument" and insert "agreement"

The motion prevailed and the amendment was adopted.

H. F. No. 1098, A bill for an act relating to housing court; providing for expungement of certain court records of eviction actions; amending Minnesota Statutes 2000, section 484.014.

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

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

H. F. No. 1276 was reported to the House.

Mullery moved that H. F. No. 1276 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 1780, A bill for an act relating to the board of government innovation and cooperation; extending an exemption for an Itasca county chemical dependency demonstration project; amending Minnesota Statutes 2000, section 465.797, subdivision 5a.

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

The bill was passed and its title agreed to.

S. F. No. 1460, A bill for an act relating to social work; applying the duty to warn law to social workers; allowing social workers to form and participate in professional firms; amending Minnesota Statutes 2000, sections 148B.281, by adding a subdivision; 319B.02, subdivision 19; 319B.40.

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

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

The bill was passed and its title agreed to.

H. F. No. 1304 was reported to the House.

Mares moved to amend H. F. No. 1304, the first engrossment, as follows:

Page 33, line 21, delete "144.1222, subdivision 3;"

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 1304, A bill for an act relating to health; modifying provisions for lead poisoning prevention; providing alternative compliance methods for inspections of food and beverage service and lodging establishments; repealing certain obsolete laws relating to hotel inspectors, duplication equipment, pay toilets, and enclosed sports arenas; amending Minnesota Statutes 2000, sections 144.9501, subdivisions 3, 4, 10, 11, 17, 17a, 18, 19, 20a, 20b, 20c, 21, 22, 22a, 23, 28a, 29, and by adding subdivisions; 144.9502, subdivision 8; 144.9503; 144.9504, subdivisions 1, 2, 5, 7, and 8; 144.9505; 144.9507, subdivision 5; 144.9508, subdivisions 1, 2, 3, 4, and 5; 144.9509, subdivisions 1 and 3; and 157.20, by adding a subdivision; repealing Minnesota Statutes 2000, sections 144.073; 144.08; 144.9501, subdivision 32; 144.9502, subdivision 6; 144.9503, subdivision 6; 144.9504, subdivisions 4 and 11; 144.9505, subdivisions 2 and 5; 144.9506; 144.9508, subdivision 6; and 145.425.

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 66 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abeler	Bishop	Buesgens	Daggett	Dempsey	Erickson
Abrams	Boudreau	Cassell	Davids	Dorman	Finseth
Anderson, B.	Bradley	Clark, J.	Dehler	Eastlund	Fuller

Gerlach	Howes	Lindner	Olson	Ruth	Vandever
Goodno	Jacobson	Lipman	Osskopp	Seagren	Walz
Gunther	Johnson, J.	Mares	Ozment	Smith	Westerberg
Haas	Kielkucki	McElroy	Paulsen	Stang	Westrom
Hackbarth	Knoblach	Molnau	Pawlenty	Swenson	Wilkin
Harder	Krinkie	Mulder	Penas	Sykora	Wolf
Holberg	Kuisle	Ness	Rhodes	Tingelstad	Workman
Holsten	Leppik	Nornes	Rifenberg	Tuma	Spk. Sviggum

Those who voted in the negative were:

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

The bill was not passed, as amended.

#### MOTION FOR RECONSIDERATION

Seifert moved that the vote whereby H. F. No. 1304 was not passed be now reconsidered. The motion prevailed.

H. F. No. 1304 was reported to the House.

Seifert moved that H. F. No. 1304 be returned to the General Register. The motion prevailed.

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

#### MOTIONS AND RESOLUTIONS

Abrams moved that the name of Harder be added as an author on H. F. No. 4. The motion prevailed.

Gunther moved that the names of Rukavina, Wenzel, Evans, Otremba, Kelliher and Wagenius be added as authors on H. F. No. 1003. The motion prevailed.

Eastlund moved that the name of Mulder be added as an author on H. F. No. 1247. The motion prevailed.

Eastlund moved that the name of Mulder be added as an author on H. F. No. 1248. The motion prevailed.

Gray moved that the name of Knoblach be added as an author on H. F. No. 1974. The motion prevailed.

Bernardy moved that the name of Westerberg be added as an author on H. F. No. 1995. The motion prevailed.

Sertich moved that his name be stricken as an author on H. F. No. 2441. The motion prevailed.

Rhodes moved that H. F. No. 322 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Carlson moved that H. F. No. 770, now on the General Register, be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

Stang moved that H. F. No. 1245, now on the General Register, be re-referred to the Committee on Judiciary Finance. The motion prevailed.

Smith moved that H. F. No. 1250, now on the General Register, be re-referred to the Committee on Civil Law. The motion prevailed.

Fuller moved that H. F. No. 1427 be recalled from the Committee on Judiciary Finance and be re-referred to the Committee on Transportation Finance. The motion prevailed.

Paulsen moved that H. F. No. 1683 be recalled from the Committee on State Government Finance and be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Winter; Otremba; Johnson, R.; Kalis and Kubly introduced:

House Resolution No. 14, A house resolution expressing the sense of the Minnesota House of Representatives concerning the Freedom to Farm Act.

The resolution was referred to the Committee on Agriculture Policy.

Boudreau, Sviggum, Pugh, Eastlund and Murphy introduced:

House Resolution No. 15, A house resolution recognizing May 3, 2001, as a Day of Prayer in Minnesota.

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

Olson and Pawlenty introduced:

House Concurrent Resolution No. 3, A house concurrent resolution adopting Permanent Joint Rules of the Senate and House of Representatives.

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

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 174:

Howes, Skoe and Kuisle.

## ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, April 19, 2001. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Thursday, April 19, 2001.

EDWARD A. BURDICK, Chief Clerk, House of Representatives