

## STATE OF MINNESOTA

## EIGHTY-SECOND SESSION — 2001

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 THIRTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 23, 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 Father Thomas Brioschi, St. Pascal Baylon, 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	Dorn	Holsten	Lieder	Ozment	Swapinski
Abrams	Eastlund	Howes	Lindner	Paulsen	Swenson
Anderson, B.	Entenza	Huntley	Lipman	Pawlenty	Sykora
Anderson, I.	Erhardt	Jacobson	Luther	Paymar	Thompson
Bakk	Erickson	Jaros	Mahoney	Pelowski	Tingelstad
Bernardy	Evans	Jennings	Mares	Penas	Tuma
Biernat	Finseth	Johnson, J.	Mariani	Peterson	Vandever
Bishop	Folliard	Johnson, R.	Marko	Pugh	Wagenius
Boudreau	Fuller	Johnson, S.	Marquart	Rhodes	Walker
Bradley	Gerlach	Juhnke	McElroy	Rifenberg	Walz
Buesgens	Gleason	Kahn	McGuire	Rukavina	Wasiluk
Carlson	Goodno	Kalis	Milbert	Ruth	Wenzel
Cassell	Goodwin	Kelliher	Molnau	Schumacher	Westerberg
Clark, J.	Gray	Kielkucki	Mulder	Seagren	Westrom
Clark, K.	Greiling	Knoblach	Mullery	Seifert	Wilkin
Daggett	Gunther	Koskinen	Murphy	Sertich	Winter
Davids	Haas	Krinkie	Ness	Skoe	Wolf
Davnie	Hackbarth	Kubly	Nornes	Skoglund	Workman
Dawkins	Harder	Kuisle	Olson	Slawik	Spk. Sviggum
Dehler	Hausman	Larson	Opatz	Smith	
Dempsey	Hilstrom	Leighton	Osskopp	Solberg	
Dibble	Hilty	Lenczewski	Osthoff	Stanek	
Dorman	Holberg	Leppik	Otremba	Stang	

A quorum was present.

The Chief Clerk proceeded to read the Journals of the preceding days. Gerlach moved that further reading of the Journals be suspended and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

**REPORTS OF CHIEF CLERK**

S. F. No. 1212 and H. F. No. 1256, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

**SUSPENSION OF RULES**

Holberg moved that the rules be so far suspended that S. F. No. 1212 be substituted for H. F. No. 1256 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1610 and H. F. No. 1615, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

**SUSPENSION OF RULES**

Entenza moved that the rules be so far suspended that S. F. No. 1610 be substituted for H. F. No. 1615 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1797 and H. F. No. 404, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

**SUSPENSION OF RULES**

Wagenius moved that the rules be so far suspended that S. F. No. 1797 be substituted for H. F. No. 404 and that the House File be indefinitely postponed. The motion prevailed.

**REPORTS OF STANDING COMMITTEES**

Krinkie from the Committee on State Government Finance to which was referred:

H. F. No. 289, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4; providing staggered four-year terms for representatives and senators.

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

The report was adopted.

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

H. F. No. 362, A bill for an act relating to motor fuels; requiring that diesel fuel sold in the state contain a minimum of five percent biodiesel fuel oil by volume; requiring a study; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 239.

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

The report was adopted.

Krinkie from the Committee on State Government Finance to which was referred:

H. F. No. 981, A bill for an act relating to metropolitan government; establishing the legislative commission on metropolitan government; providing for oversight of the metropolitan council's operating and capital budgets, work program, and capital improvement program; proposing coding for new law in Minnesota Statutes, chapters 3; and 473.

Reported the same back with the following amendments:

Page 1, line 23, delete "shall insure" and insert "must ensure"

Page 1, line 24, delete "shall" and insert "must"

Page 2, lines 5, 8, 17, 19, and 24, delete "shall" and insert "must"

Page 2, line 11, delete "shall serve" and insert "serves"

Page 2, lines 12 and 13, delete "shall alternate" and insert "alternates"

Page 3, lines 4 and 13, delete "shall" and insert "must"

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

The report was adopted.

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

H. F. No. 1023, A bill for an act relating to veterans; authorizing the placement of a plaque on the capitol mall recognizing the service of Minnesota's civilians who contributed valiantly to the nation's war efforts during World War II.

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

The report was adopted.

Ness from the Committee on Agriculture and Rural Development Finance to which was referred:

H. F. No. 1266, A bill for an act relating to agriculture; providing additional funding for a dairy diagnostics and modernization program; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [AGRICULTURE APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "2002" and "2003," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 2002, or June 30, 2003, respectively. The term "the first year" means the year ending June 30, 2002, and the term "the second year" means the year ending June 30, 2003.

## SUMMARY BY FUND

	2002	2003	TOTAL
General	\$ 33,121,000	\$ 34,331,000	\$ 67,452,000
Environmental	347,000	353,000	700,000
TOTAL	\$ 33,468,000	\$ 34,684,000	\$ 68,152,000

## Sec. 2. COMMISSIONER OF AGRICULTURE

Subdivision 1. Total Appropriation		26,583,000	27,667,000
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## Summary by Fund

General	26,235,000	27,313,000	
Environmental	347,000	353,000	
Subd. 2. Protection Service		12,533,000	12,583,000

## Summary by Fund

General	12,186,000	12,230,000
Environmental	347,000	353,000

[DAIRY DEVELOPMENT AND PROFITABILITY ENHANCEMENT PROGRAM.] (a) \$1,702,000 the first year and \$1,746,000 the second year are for grants to continue the dairy development and profitability enhancement program under Laws 1997, chapter 216, section 7, subdivision 2, and to expand the program to include additional dairy business planning and modernization activities. The base for fiscal year 2004 shall be \$1,952,000. Grants from this appropriation for the dairy development and profitability enhancement programs (formerly known as the "dairy diagnostics program") must require periodic reports to the commissioner on the aggregate changes in producer financial stability, productivity, product quality, animal health, environmental protection, and other performance measures attributable to the program. Information reported to the commissioner must be sufficient to establish regional and statewide performance benchmarks for the dairy industry.

(b) In designing and implementing the dairy development and profitability enhancement program the commissioner must consult with the dairy leaders roundtable, appropriate producer and processor groups, the Minnesota state colleges and universities system, the Minnesota extension service, farm credit services, and other agricultural lending institutions.

(c) Of the appropriation in paragraph (a), \$1,452,000 the first year and \$1,452,000 the second year are for the activities of dairy development and profitability enhancement teams. The commissioner must make grants, under contract, to regional or statewide organizations qualified to manage the several components of the program. Each regional or statewide organization must designate a coordinator responsible for overseeing the program and making required reports to the commissioner. Dairy development and profitability enhancement teams are encouraged to engage in activities including, but not limited to, comprehensive financial analysis, risk management education, enhanced milk marketing tools and technologies, five-year business plans, and design and engineering costs. Up to 40 percent of the appropriation under this paragraph may be used to provide producers with technical and environmental compliance support services required to implement dairy environmental quality assurance practices. A producer is eligible for support under any program under paragraphs (a) to (e) for no more than three consecutive calendar years. Grants to producers must not be used for capital improvements or for the start up of a new dairy enterprise.

(d) Of the appropriation in paragraph (a), up to \$544,000 during the biennium may be used as dollar-for-dollar matching grants to producers for comprehensive five-year dairy development plans. It is legislative intent that \$500,000 each fiscal year of funding from future base appropriations are for the activities of this paragraph.

(e) The regional and statewide organizations that deliver the dairy development and profitability enhancement program must provide required reports to the commissioner in a format that maintains the confidentiality of business information related to any single dairy producer.

[POTATO DISEASE RESEARCH.] \$200,000 the first year and \$200,000 the second year are for grants to the University of Minnesota for additional research on potato diseases. This appropriation is for research in addition to ongoing potato disease research programs and requires a dollar-for-dollar match from nonstate sources. Not later than March 1, 2004, the commissioner shall provide a report on the grant and research to the committees of the senate and house of representatives having jurisdiction over agricultural policy and finance issues. This is a one-time appropriation. Any unencumbered balance does not cancel at the end of the first year and is available for grants in the second year.

[VOLUNTARY CLEANUP.] \$347,000 the first year and \$353,000 the second year are from the environmental fund for administrative funding for the voluntary cleanup program.

Subd. 3. Agriculture Marketing and Development

8,531,000

9,796,000

[AGRICULTURAL TRADE MARKETING.] \$200,000 the first year and \$400,000 the second year are to employ and support, or contract for the services of, an agricultural trade specialist. The trade specialist must demonstrate thorough knowledge of Minnesota agricultural producers and products, and opportunities for developing or expanding both broad and niche agricultural product markets nationally and internationally. The trade specialist must coordinate efforts with market development and trade experts of the World Trade Conference Center and other public and private Minnesota entities involved in marketing Minnesota products. To the extent practicable, the trade specialist must provide specific assistance to small agricultural producers and producers that would benefit from the development of international markets.

[COOPERATIVE SHIPPERS' ASSOCIATION.] (a) \$100,000 in the biennium is for grants or direct assistance to Minnesota agricultural producers and processors in forming a not-for-profit corporation or a member cooperative shippers' association. The purpose of the shippers' association is to facilitate agricultural marketing through the efficient and economical movement of products from Minnesota origins to their destinations. Products may include agricultural commodities and processed and manufactured agricultural products. The shippers' association shall also assist small and medium-sized producers by providing services that increase negotiating power and provide quality transportation services at a lower cost than is available to an individual shipper.

(b) The commissioner may award grants to one or more qualifying producer shippers' associations that contract to enter into collaborative agreements with the departments of agriculture, trade and economic development, and transportation; farm organizations; processors and handlers of Minnesota agricultural products; and other appropriate public and private entities knowledgeable in the logistical and financial issues involved in moving agricultural products to market. Along with other services, an eligible grant recipient must agree to provide or arrange for identity-preserved, single-source billing and tracking transportation services from agricultural producers or processors to destination customers; freight forwarding; negotiations for volume contracts; banking and insurance services; government inspection fee and documentation services; intermodal transportation services using sealed containers; and liaison services with the United States Department of Agriculture and the Foreign Agricultural Service for international trade and export programs.

(c) This appropriation is available until expended.

[FEEDLOT PERMIT SPECIALISTS.] \$250,000 the first year and \$250,000 the second year are for the feedlot permit specialist program. The base in fiscal year 2004 shall be \$400,000.

[FEEDLOT ENVIRONMENTAL COMPLIANCE GRANTS.] \$1,685,000 the first year and \$1,750,000 the second year are for grants to feedlot operators for upgrading existing, out-of-compliance bovine animal feedlots with a capacity under 500 animal units. Each \$3 of state cost-share grant money must be matched by \$1, and the maximum amount of a grant for any bovine livestock producer or feedlot compliance project is \$50,000. The commissioner shall develop guidelines for equitable, statewide disbursement of feedlot compliance grants. Any unencumbered balance does not cancel at the end of the first year and is available for grants in the second year.

[FEEDLOT COST SHARE.] (a) \$150,000 the first year and \$150,000 the second year are for grants or interagency transfers for partial payment on contracts for the preparation of environmental impact statements on certain animal feedlot projects. To be eligible for partial payment under this paragraph:

(1) the environmental impact statement must have been ordered by a district court against the recommendation of the pollution control agency; or

(2) the pollution control agency must have initially ordered the applicant to prepare an environmental assessment worksheet but subsequently required the preparation of a full environmental impact statement.

(b) Notwithstanding the provision in Minnesota Rules that an applicant is required to pay the entire cost of an environmental impact statement, the commissioner may provide up to 75 percent of the contract cost and the applicant must pay the remainder of the contract cost.

(c) If the pollution control agency orders an environmental impact statement after initially requiring only an environmental assessment worksheet, as described in paragraph (a), clause (2), the pollution control agency must develop the statement of need and reasonableness at no cost to the applicant.

(d) If the appropriation in paragraph (a) for either year is insufficient, the appropriation for the other year is available. Any unencumbered balance does not cancel at the end of the first year and is available for grants or interagency transfers in the second year.

[GRAIN GERM EXTRACTION RESEARCH AND DEMONSTRATION GRANTS.] \$100,000 the first year and \$100,000 the second year are for research and demonstration project grants associated with second-generation ethanol plants that advance commercial-scale extraction of the germ component of grains. If the commissioner determines that a grantee, after making a good-faith attempt, has been unable to scale up grain germ extraction technology to commercial capacity, the grantee may, nevertheless, remain eligible for ethanol producer payments

under the second-generation ethanol development program. This is a one-time appropriation. Any unencumbered balance does not cancel at the end of the first year and is available for grants in the second year.

[ETHANOL PRODUCTION FACILITY LOANS.] \$250,000 in the second year is for deposit in the ethanol development fund for loans under the ethanol production facility loan program of Minnesota Statutes, section 41B.044. Base-level funding for the 2004-2005 biennium is \$500,000.

[SECOND-GENERATION ETHANOL PRODUCER PAYMENTS.] \$720,000 the second year is for deposit in the second-generation ethanol development account in the agricultural fund created under Minnesota Statutes, section 41A.10, subdivision 4, paragraph (e), for payment for ethanol produced at facilities placed in production after June 30, 2002. Base-level funding for the 2004-2005 biennium is \$6,000,000. This funding level represents a recapture of payments previously made to plants whose eligibility for payments under the original ethanol producer payment program under Minnesota Statutes, section 41A.09, has expired. Payments in fiscal years 2004 and 2005 must be made to an ethanol facility that uses wheat and/or barley as its primary feedstock.

[LAMB AND WOOL PROGRAM.] \$100,000 the first year and \$100,000 the second year are for a collaborative research, production education, and herd development and management program at the Minnesota state colleges and universities system facility located at Pipestone for lamb and wool farmers.

[ORGANIC AND SUSTAINABLE PROGRAMS.] (a) \$360,000 the first year and \$360,000 the second year are for organic and sustainable agriculture programs, as described in paragraphs (b) to (d).

(b) \$100,000 is for organic certification cost-share to Minnesota farmers, assistance to organic growers, or market development. Of the amount for organic programs, at least \$70,000 is for cost-share payments and up to \$30,000 may be used for organic market development or other assistance to organic growers. Cost-share payments must be two-thirds of the cost of the certification or \$200 per farmer, whichever is less. A certified farmer is eligible to receive annual certification cost-share payments for up to five years.

(c) \$200,000 is for a contract with a qualified research institution to gather, evaluate, publish, and disseminate sustainable agriculture information to a broad audience through both printed and electronic means. The commissioner shall require semi-annual reports on activities of the research institution.



(d) \$420,000 is for grants to farmers for demonstration projects involving sustainable agriculture as authorized in Minnesota Statutes, section 17.116. Of the amount for grants, up to \$40,000 may be used for dissemination of information about the demonstration projects.

[TURF GRASS RESEARCH.] \$100,000 the first year and \$100,000 the second year are for a grant, under contract, to the northern Minnesota forage-turf seed advisory committee. This appropriation is for basic and applied research on the improved production of forage and turf seed related to new and improved varieties. Basic and applied research may be contracted to a qualified third party. Not later than March 1, 2003, the commissioner shall provide an interim report on the grant to the committees of the senate and house of representatives having jurisdiction over agricultural policy and finance issues. Any unencumbered balance does not cancel at the end of the first year and is available for grants in the second year.

[QUARANTINE GREENHOUSE OPERATION.] \$120,000 the first year and \$240,000 the second year are for operating funds to staff and maintain the quarantine greenhouse facility constructed as authorized by Laws 2000, chapter 492, article 1, section 2, subdivision 4.

[AGRICULTURE BEST MANAGEMENT PRACTICES PROGRAM.] \$350,000 the first year and \$350,000 the second year are for the agricultural best management practices program.

[MINNESOTA CERTIFICATION PROGRAM.] \$215,000 the first year and \$215,000 the second year are for operation of the Minnesota certification program under Minnesota Statutes, section 17.1025. Base-level funding for 2004-2005 biennium is \$640,000.

[MINNESOTA GROWN MATCHING.] \$71,000 the first year and \$71,000 the second year are for transfer to the Minnesota grown matching account and may be used as grants for Minnesota grown promotion under Minnesota Statutes, section 17.109.

Subd. 4. Administration and Financial Assistance

5,519,000

5,288,000

[FARM ADVOCATES PROGRAM.] \$274,000 the first year and \$274,000 the second year are for the farm advocates program.

[TURKEY RESPIRATORY DISEASE RESEARCH.] \$300,000 the first year and \$300,000 the second year are for a grant to the University of Minnesota to fund research on turkey respiratory disease control and prevention. This appropriation must be matched on a dollar-for-dollar basis with public or nonpublic money and is in addition to other public and nonpublic money for turkey research. This is a one-time appropriation. Any unencumbered balance does not cancel at the end of the first year and is available for grants in the second year.

[ELECTRONIC INFORMATION MANAGEMENT SYSTEM.] \$425,000 the first year and \$200,000 the second year are for an electronic information management system. This appropriation is in addition to base funding.

[FAMILY FARM INTEREST PAYMENT ADJUSTMENTS.] \$13,000 the first year and \$7,000 the second year are for family farm security interest payment adjustments. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. No new loans may be approved in fiscal year 2002 or 2003.

[NORTHERN CROPS INSTITUTE.] \$70,000 the first year and \$70,000 the second year are for the Northern Crops Institute. These appropriations may be spent to purchase equipment.

[AGRICULTURE INFORMATION CENTERS.] \$175,000 the first year and \$175,000 the second year are for grants to agriculture information centers. The grants are only available on a match basis. The funds may be released at the rate of \$4 of state money for each \$1 of matching nonstate money that is raised.

[SEAWAY PORT AUTHORITY.] \$115,000 the first year and \$115,000 the second year are for the Seaway Port Authority of Duluth for purposes of providing direct assistance and services to cooperative shippers' associations, agricultural marketing cooperatives, individual agricultural producers, and other groups seeking to benefit from opportunities to market and ship commodities from an international seaway port.

[MINNESOTA LIVESTOCK BREEDERS' ASSOCIATION.] \$19,000 the first year and \$19,000 the second year are for a grant to the Minnesota Livestock Breeders' Association.

[COUNTY FAIR EXHIBITOR AWARDS.] \$50,000 the first year and \$50,000 the second year are for distribution to county agricultural societies under Minnesota Statutes, section 38.02. This appropriation is in addition to base and is added to base in fiscal year 2004.

### Sec. 3. BOARD OF ANIMAL HEALTH

2,964,000

2,846,000

[JOHNE'S DISEASE; CATTLE HERD TESTING.] \$340,000 the first year and \$340,000 the second year are for enhancement of the paratuberculosis (Johne's disease) program, including financial and educational assistance with testing and related activities to reduce the prevalence of the disease and the establishment of test-negative herds as a source of paratuberculosis-free replacement cattle. \$140,000 of this appropriation in each year is a one-time appropriation.

[CONTROL OF PSEUDORABIES AND OTHER DISEASE EMERGENCIES.] \$100,000 the first year and \$100,000 the second year are to provide short term, emergency funding for

unanticipated livestock disease outbreaks including continued efforts to control pseudorabies in swine. This appropriation may be used to cover the costs of pseudorabies monitoring, vaccines, blood tests, and laboratory fees. If the appropriation for either year is insufficient, the appropriation for the other year is available. This is a one-time appropriation and remains available until June 30, 2003.

Sec. 4. MINNESOTA HORTICULTURAL SOCIETY	41,000	41,000
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Sec. 5. AGRICULTURAL UTILIZATION RESEARCH INSTITUTE	3,880,000	4,130,000
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\$200,000 the first year and \$200,000 the second year are for hybrid tree management research and development of an implementation plan for establishing hybrid tree plantations in the state. This appropriation is available to the extent matched by \$2 of nonstate contributions, either cash or in kind, for each \$1 of state money.

#### Sec. 6. ACRRRA FEE BALANCE

Notwithstanding Minnesota Statutes, section 16A.1283, or other law, the commissioner of agriculture shall adjust fees collected for the agricultural chemical response and reimbursement account created under Minnesota Statutes, section 18E.03, subdivision 1, as provided in Minnesota Statutes, section 18E.03, subdivision 3. This exemption is intended to allow the commissioner to maintain the ACRRRA account balance between \$1,000,000 and \$5,000,000.

#### Sec. 7. [17.1017] [PROMOTIONAL PUBLICATIONS.]

When a copy of the department's promotional publication commonly referred to as "The Green Book, Marketing Sustainable Agriculture" is provided to a non-Minnesota resident, the commissioner may charge a fee for the publication approximately sufficient to cover the costs of printing and distribution.

Sec. 8. Minnesota Statutes 2000, section 17.102, subdivision 3, is amended to read:

Subd. 3. [LICENSE.] A person may not use the Minnesota grown logo or labeling without an annual license from the commissioner. The commissioner shall issue licenses for a fee of \$5. ~~The commissioner shall charge a late fee of \$10 for renewal of a license that has expired.~~

Sec. 9. Minnesota Statutes 2000, section 17.1025, is amended to read:

#### 17.1025 [MINNESOTA CERTIFICATION PROGRAM.]

Subdivision 1. [ESTABLISHMENT.] In cooperation with the University of Minnesota, the department of trade and economic development, and the board of animal health, the commissioner shall establish a ~~pilot~~ program to certify agricultural production methods and agricultural products grown or processed within the state to assure the integrity of claims made by participating businesses. The commissioner may select and cooperate with private organizations that have established procedures and safeguards to justify claimed characteristics of the production process or the final certified product to conduct certification activities for third party producers.

The commissioner may establish guidelines for the certification program, which are not subject to chapter 14. ~~The commissioner shall submit a report on the pilot program to the legislature by February 1, 2001.~~

Subd. 2. [CERTIFICATION PROCESS.] Applications for certification must be submitted to the commissioner and must be evaluated by representatives of the commissioner, the University of Minnesota, the department of trade and economic development, other state agencies with regulatory authority or expertise in the subject matter of the application or in the certification process, and any other person named by the commissioner.

The commissioner shall make the final certification decision after the certification group prepares a recommendation. The application may be accepted, denied, or returned to the applicant for further action. The recommendation must be based upon the benefit of the certification to the producer or processor, the benefit to the state's agricultural economy, the costs to the state involved in certification and ongoing monitoring, the quality of internal and external audit controls to assure compliance with the terms of the certification, and other factors appropriate to best benefit the participants and the state.

Subd. 3. [INTELLECTUAL PROPERTY.] The commissioner shall develop a logo and develop language to best promote the use of certified products and procedures, and explore and implement procedures to best use the resources of the Internet in the promotion and distribution of Minnesota certified products and processes. To the extent practical, the Minnesota certification program must be coordinated with the Minnesota grown program under section 17.102 to accomplish the goals of both programs.

Subd. 4. [CERTIFICATION REVOCATION OR SUSPENSION; MISDEMEANOR.] A certification may be revoked or suspended by the commissioner without hearing if the terms of the certification are not being followed, the certification has become unused or obsolete, or the continued use of the certification is contrary to the interests of the state or the purpose of the certification program. Use of the certification after suspension or revocation is a misdemeanor and may also be enjoined by the commissioner in an action in district court.

Subd. 5. [MINNESOTA CERTIFIED ACCOUNT; FEES.] (a) A Minnesota certified account is created in the agricultural fund. All fees and reimbursements collected under this subdivision must be deposited in the account. Money in the account is appropriated to the commissioner.

(b) An applicant must pay an application fee of \$100 to the commissioner. In addition, if the commissioner must contract with a third party to provide specific auditing or other services to validate an application, the applicant may be required to reimburse the commissioner for the cost of these services. Prior to incurring expenses in excess of the application fee, the commissioner shall provide the affected applicant an opportunity to withdraw from the program. The commissioner may also arrange terms for reimbursement of the cost of additional services.

Subd. 6. [NO GUARANTEE OR WARRANTY.] Certification does not constitute a guarantee or warranty as to any characteristic of any product or production process. The state and other parties involved in the certification decision may not be found liable for a certification or refusal to certify.

Sec. 10. Minnesota Statutes 2000, section 17.117, is amended to read:

17.117 [AGRICULTURE BEST MANAGEMENT PRACTICES LOAN PROGRAM.]

Subdivision 1. [PURPOSE.] The purpose of the agriculture best management practices loan program is to provide low or no interest financing to farmers, agriculture supply businesses, and rural landowners for the implementation of agriculture and other best management practices that reduce environmental pollution.

Subd. 2. [AUTHORITY.] The commissioner ~~shall~~ may develop administrative guidelines specifying criteria, standards, and procedures for making loans and establish, adopt rules for, and implement a program to make loans or otherwise provide funds to local units of government, federal authorities, lending institutions, and other appropriate organizations who will in turn provide loans to landowners and businesses for facilities, fixtures, equipment, or other sustainable best management practices that prevent or mitigate sources of nonpoint source water

~~pollution or other adverse environmental impacts. The commissioner shall establish pilot projects to develop procedures for implementing the program. The commissioner shall develop administrative guidelines to implement the pilot projects specifying criteria, standards, and procedures for making loans. The agriculture best management practices loan program must provide a consistent programmatic framework for the disbursement and administration of funds available to the commissioner designated to the program for protection of environmental quality or remediation or mitigation of adverse environmental impacts. The distribution of loans or funds through the program must comply with all limitations, provisions, or requirements of the respective funding sources. Unless otherwise limited by the funding source, the commissioner shall manage the program using perpetual revolving fund accounts.~~

Subd. 3. [APPROPRIATIONS.] Up to \$140,000,000 of the balance in the water pollution control revolving fund in section 446A.07, as determined by the public facilities authority, is appropriated to the commissioner for the establishment of this program. In addition, the commissioner may receive appropriations from the legislature and grants or funds from other sources for implementation of the program.

Subd. 4. [DEFINITIONS.] (a) For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(b) "Agricultural and environmental revolving accounts" means accounts in the agricultural fund, controlled by the commissioner, which hold funds available to the program.

(c) "Agriculture supply business" means a person, partnership, joint venture, corporation, limited liability company, association, firm, public service company, or cooperative that provides materials, equipment, or services to farmers or agriculture-related enterprises.

(d) "Allocation" means the funds awarded to an applicant for implementation of best management practices through a competitive or noncompetitive application process.

~~(a)~~ (e) "Applicant" means a county or a local government unit designated by a county under subdivision 8; paragraph (a) local unit of government eligible to participate in this program that requests an allocation of funds as provided in subdivision 6b.

~~(b)~~ "Authority" means the Minnesota public facilities authority as established in section 446A.03.

~~(c)~~ (f) "Best management practices" has the meaning given in sections 103F.711, subdivision 3, and 103H.151, subdivision 2, or other practices, techniques, and measures that have been demonstrated to the satisfaction of the commissioner to prevent or reduce adverse environmental impacts by using the most effective and practicable means of achieving environmental goals.

~~(d)~~ "Chair" means the chair of the board of water and soil resources or the designee of the chair.

~~(e)~~ (g) "Borrower" means an individual a farmer, an agriculture supply business, or a rural landowner applying for a low-interest loan.

~~(f)~~ (h) "Commissioner" means the commissioner of agriculture, including when the commissioner is acting in the capacity of chair of the rural finance authority, or the designee of the commissioner.

(i) "Committed project" means an eligible project scheduled to be implemented at a future date:

(1) that has been approved and certified by the local government unit; and

(2) for which a local lender has obligated itself to offer a loan.

~~(g)~~ (j) "Comprehensive water management plan" means a state approved and locally adopted plan authorized under section 103B.231, 103B.255, 103B.311, 103C.331, 103D.401, or 103D.405.

~~(h) "Local allocation request" means a loan allocation request from an applicant to implement agriculturally related best management practices defined in paragraph (c).~~

(k) "Cost incurred" means expenses for implementation of a project accrued because the borrower has agreed to purchase equipment or is obligated to pay for services or materials already provided as a result of implementing a prior approved eligible project.

(l) "Farmer" means a person, partnership, joint venture, corporation, limited liability company, association, firm, public service company, or cooperative that regularly participates in physical labor or operations management of farming and files a Schedule F as part of filing United States Internal Revenue Service Form 1040 or indicates farming as the primary business activity under Schedule C, K, or S, or any other applicable report to the United States Internal Revenue Service.

~~(i) (m) "Lender agreement" means a loan agreement entered into between the commissioner, a local lender, and the applicant, if different from the local lender. The agreement will contain terms and conditions of the loan that will include but need not be limited to general loan provisions, loan management requirements, application of payments, loan term limits, allowable expenses, and fee limitations an agreement entered into between the commissioner and a local lender which contains terms and conditions of participation in the program.~~

~~(j) (n) "Local government unit" means a county, soil and water conservation district, or an organization formed for the joint exercise of powers under section 471.59 with the authority to participate in the program.~~

~~(k) (o) "Local lender" means a local government unit as defined in paragraph (j) (n), a state or federally chartered bank, a savings association, a state or federal credit union, Agribank and its affiliated organizations, or a nonprofit economic development organization or other financial lending institution approved by the commissioner, or Farm Credit Services.~~

(p) "Local revolving loan account" means the account held by a local government unit and a local lender into which principal repayments from borrowers are deposited and new loans are issued in accordance with the requirements of the program and lender agreements.

~~(t) (q) "Nonpoint source" has the meaning given in section 103F.711, subdivision 6.~~

(r) "Program" means the agriculture best management practices loan program in this section.

(s) "Project" means one or more components or activities located within Minnesota that are required by the local government unit to be implemented for satisfactory completion of an eligible best management practice.

(t) "Rural landowner" means the owner of record of Minnesota real estate located in an area determined by the local government unit to be rural after consideration of local land use patterns, zoning regulations, jurisdictional boundaries, local community definitions, historical uses, and other pertinent local factors.

Subd. 5. [USES OF FUNDS.] Use of funds under this section must be in compliance with the rules and regulations of the funding source or appropriation. Use of funds from the public facilities authority must comply with the federal Water Pollution Control Act, section 446A.07, and eligible activities listed in the intended use plan authorized in section 446A.07, subdivision 4.

Subd. 5a. [AGRICULTURAL AND ENVIRONMENTAL REVOLVING ACCOUNTS.] (a) There shall be established in the agricultural fund revolving accounts to receive appropriations and money from other sources. All repayments of loans granted under this section, including principal and interest, must be deposited into the appropriate revolving account including the water pollution control revolving account under section 446A.07. Interest earned in an account accrues to that account.

(b) The money in the revolving accounts is appropriated to the commissioner for the purposes of this section.

Subd. 6. [APPLICATION.] (a) Only the following local government units may apply for funds under this program:

(1) counties or their designees;

(2) soil and water conservation districts; and

(3) joint power organizations consisting of counties or their designees or soil and water conservation districts.

(b) A county may submit an application for an allocation. A county or a group of counties may designate another local government unit to submit a local allocation request on their behalf. If a county does not submit an application, and does not designate another local government unit, a soil and water conservation district may submit an application for an allocation. If the local soil and water conservation district does not submit an application, then an eligible joint powers organization may submit an application for an allocation. In all instances, there may be only one application representing any geographic area. The applicant must coordinate and submit requests on behalf of other units of government within the geographic jurisdiction of the applicant.

~~(a)~~ (c) The commissioner must prescribe forms and establish an application process for applicants to apply for a local an allocation request of funds. The application must include but need not be limited to (1) the geographic area served; (2) the type and estimated cost of activities or projects for which they are seeking a loan an allocation; and (3) a ranking prioritization or targeting of proposed activities or projects; and (4) the designation of the local lender and lending practices the local lender intends to use to issue the loans to the borrowers, if a local lender other than the applicant is to be used.

~~(b)~~ (d) If a local allocation request an application is rejected, the applicant must be notified in writing as to the reasons for the rejection and given 30 days to submit a revised application. The revised application shall be reviewed according to the same procedure used to review the initial application. Failure of an applicant to be awarded funds does not constitute a rejection of the application.

Subd. 6a. [REVIEW AND RANKING OF APPLICATIONS.] (a) The commissioner shall chair the subcommittee established in section 103F.761, subdivision 2, paragraph (b), for purposes of reviewing and ranking applications and recommending to the commissioner allocation amounts. The subcommittee consists of representatives of the departments of agriculture, natural resources, and health; the pollution control agency; the board of water and soil resources; the Farm Service Agency and the Natural Resource Conservation Service of the United States Department of Agriculture; the Association of Minnesota Counties; the Minnesota Association of Soil and Water Conservation Districts; and other agencies or associations the commissioner determines are appropriate.

(b) The subcommittee must use the following criteria as well as other criteria it determines appropriate in carrying out the review and ranking:

(1) whether the proposed activities are identified in a comprehensive water management plan or other appropriate local planning documents as priorities;

(2) the potential that the proposed activities have for improving or protecting environmental quality;

(3) the extent that the proposed activities support areawide or multijurisdictional approaches to protecting environmental quality based on defined watershed or similar geographic areas;

(4) whether the activities are needed for compliance with existing environmental laws or rules;

(5) whether the proposed activities demonstrate participation, coordination, and cooperation between local units of government and other public agencies;

(6) whether there is coordination with other public and private funding sources and programs;

(7) whether the applicant has targeted specific best management practices to resolve specific environmental problems;

(8) past performance of the applicant in completing projects identified in prior applications and allocation agreements; and

(9) whether there are off-site public benefits.

Subd. 6b. [ALLOCATION AMOUNT.] (a) The subcommittee created in subdivision 6a shall recommend to the commissioner the amount of allocation for each applicant. This allocation must include:

(1) the amount of repayments received by the commissioner during the previous year from prior completed projects approved by the local government unit; and

(2) the amount of funds previously designated to committed projects.

(b) Within the limits of the funds available to the commissioner, the subcommittee may recommend an increased allocation award to the applicant based on:

(1) the ranking of the local government unit application under subdivision 6a; and

(2) the amount of unallocated or uncommitted funds in, or that will be received by, the agricultural and environmental revolving accounts within one year.

(c) Notwithstanding paragraphs (a) and (b), the commissioner may reserve up to two percent of all funds appropriated to the agricultural and environmental revolving accounts to be allocated to applicants that disburse or commit all of their current allocations or to local lenders who wish to provide financial assistance.

(d) The commissioner may add, for the purposes of calculating future allocations under paragraphs (a) and (b), the loan amount for projects financed from these reserved funds to the allocation for the respective local government units in which jurisdiction the project was completed.

Subd. 7. [PAYMENTS TO LOCAL LENDERS.] (a) Payments made from the ~~water pollution control revolving fund~~ commissioner to the local lender must be made in accordance with applicable state and federal laws and rules governing the payments and the lender agreement.

(b) Payments from the commissioner to the local lender must be disbursed on a cost-incurred basis. ~~Local lenders shall submit payment requests at least quarterly but not more than monthly. Payment requests must be reviewed and approved by the commissioner. The payment request form must itemize all costs by major elements and show eligible and ineligible costs. The request must be made in accordance with requirements and procedures established by the commissioner. Payment requests must be reviewed and approved by the commissioner.~~

(c) The commissioner may initiate rescission of an allocation granted in a lender agreement as provided in subdivision 11, paragraph (d), if the local lender fails to enter into loans with borrowers equaling the total allocation granted within one year from the date of the lender agreement or fails to have the total amount of allocated funds drawn down through payment requests within two years. An additional year to draw down the undisbursed portion of an allocation may be granted by the commissioner under extenuating circumstances.

Subd. 8. [APPLICANT; BORROWERS ALLOCATION AGREEMENT.] (a) A county may submit a local allocation request. A county or a group of counties may designate another local government unit to submit a local allocation request.



(b) If a county does not submit a local allocation request, and does not designate another local government unit, a soil and water conservation district may submit a local allocation request. In all instances, there may be only one request from a county. The applicant must coordinate and submit requests on behalf of other units of government within the geographic jurisdiction of the applicant. Eligible local government units with an allocation award may enter into an allocation agreement with the commissioner and participate in this program.

(b) The allocation agreement must contain terms and conditions for participation in this program and providing of funds through this program, including, but not limited to: program requirements, reporting requirements, project eligibility and limitations, allowable expenses, limitations, rescission and cancellation provisions, and the responsibilities of the commissioner, local government unit, and local lender.

(c) If the commissioner determines that a local government unit is not in compliance with the terms of the allocation agreement, the commissioner may rescind all or part of any allocation awarded through this program.

Subd. 9. [~~REVIEW AND RANKING OF ALLOCATION REQUESTS~~ ALLOCATION RESCISION.] (a) The commissioner shall chair the subcommittee established in section 103F.761, subdivision 2, paragraph (b), for purposes of reviewing and ranking local allocation requests. The rankings must be in order of priority and shall provide financial assistance within the limits of the funds available. In carrying out the review and ranking, the subcommittee must consist of, at a minimum, the chair, representatives of the pollution control agency, United States Department of Agricultural Stabilization and Conservation Service, United States Department of Agriculture Soil Conservation Service, Association of Minnesota Counties, and other agencies or associations as the commissioner, the chair, and agency determine are appropriate. The review and ranking shall take into consideration other related state or federal programs:

(b) The subcommittee shall use the criteria listed below in carrying out the review and ranking:

- (1) whether the proposed activities are identified in a comprehensive water management plan as priorities;
- (2) whether the applicant intends to establish a revolving loan program under subdivision 10, paragraph (b);
- (3) the potential that the proposed activities have for improving or protecting surface and groundwater quality;
- (4) the extent that the proposed activities support areawide or multijurisdictional approaches to protecting water quality based on defined watershed;
- (5) whether the activities are needed for compliance with existing water related laws or rules;
- (6) whether the proposed activities demonstrate participation, coordination, and cooperation between local units of government and other public agencies;
- (7) whether there is coordination with other public and private funding sources and programs;
- (8) whether there are off-site public benefits such as preventing downstream degradation and siltation; and
- (9) the proposed interest rate: (a) Continued availability of allocations granted to a local government unit is contingent upon the commissioner's approval of the local government unit's annual report. The commissioner shall review this annual report to ensure that the past and future uses of the funds are consistent with the comprehensive water management plan, other local planning documents, the requirements of the funding source, and compliance to program requirements. If the commissioner concludes the past or intended uses of the money are not consistent with these requirements, the commissioner shall rescind all or part of the allocation awarded to a local government unit.

(b) The commissioner may rescind funds allocated to the local government unit that are not designated to committed projects or disbursed within one year from the date of the allocation agreement.

(c) An additional year to use the undisbursed portion of an allocation may be granted by the commissioner under extenuating circumstances.

Subd. 9a. [AUTHORITY AND RESPONSIBILITIES OF APPLICANTS LOCAL GOVERNMENT UNITS.] Applicants may enter into a lender agreement designating a local lender. Applicants designating themselves as the local lender may enter into contracts for loan review, processing, and servicing: (a) A local government unit that enters into an allocation agreement with the commissioner:

(1) is responsible for the local administration and implementation of the program in accordance with this section;

(2) may submit applications for allocations to the commissioner;

(3) shall identify, develop, determine eligibility, define and approve projects, designate maximum loan amounts for projects, and certify completion of projects implemented under this program. In areas where no local government unit has applied for funds under this program, the commissioner may appoint a local government unit to review and certify projects or the commissioner may assume the authority and responsibility of the local government unit;

(4) shall certify as eligible only projects that are within its geographic jurisdiction or within the geographic area identified in its local comprehensive water management plans or other local planning documents;

(5) may require withholding by the local lender of all or a portion of the loan to the borrower until satisfactory completion of all required components of a certified project;

(6) shall identify which account is used to finance an approved project if the local government unit has allocations from multiple accounts in the agricultural and environmental revolving accounts;

(7) shall report to the commissioner annually the past and intended uses of allocations awarded; and

(8) may request additional funds in excess of their allocation when funds are available in the agricultural and environmental revolving accounts, as long as all other allocation awards to the local government unit have been used or committed.

(b) If a local government unit withdraws from participation in this program, the local government unit, or the commissioner in accordance with the priorities established under subdivision 6a, may designate another local government unit that is eligible under subdivision 6, as the new local government unit responsible for local administration of this program. This designated local government unit may accept responsibility and administration of allocations awarded to the former responsible local government unit.

Subd. 9b. [LENDER AGREEMENT.] (a) Any local lender entering into a lender agreement with the commissioner may participate in this program.

(b) The lender agreement will contain terms and conditions for participation in this program and providing funds to the local lenders, including but not limited to, program requirements, loan and account management requirements, payments, repayments, term limits, allowable expenses, fee limitations, rescission and cancellation provisions, collateral and security requirements, reporting requirements, review and appeal procedure for cancellation of the loan agreement or disqualification as a local lender, and the responsibilities of the commissioner, local government unit, and local lender.

(c) If the commissioner determines that a local lender is not in compliance with the terms of the lender agreement, the commissioner may take the following actions:

(1) disqualify the local lender as a participating lender in this program for a period of up to five years from the date that the commissioner determines noncompliance to the lender agreement; and

(2) require immediate or accelerated repayment of all or part of all funds provided to the local lender.

(d) Existing lender agreements, executed prior to July 1, 2001, may be amended by mutual consent of all signatory parties, to comply with this section, to establish a single allocation agreement that includes the amount of prior allocation awards and defines the terms and conditions required under subdivision 8, or to modify the amount of allocation awarded.

Subd. 10. [AUTHORITY AND RESPONSIBILITIES OF LOCAL LENDERS.] (a) Local lenders may enter into lender agreements with the commissioner.

(b) Local lenders may enter into loan agreements with borrowers to finance eligible projects under this section.

(c) Local lenders may establish revolving loan programs to finance projects under this section. The local lender shall notify the local government unit of the loan amount issued to the borrower after the closing of each loan.

(d) Local lenders with local revolving loan accounts created before July 1, 2001, may continue to retain and use those accounts in accordance with their lending agreements for the full term of those agreements.

(e) Local lenders, including applicants local government units designating themselves as the local lender, may enter into participation agreements with other lenders.

(f) Local lenders may also enter into contracts with other lenders for the limited purposes of loan review, processing and servicing, or to enter into loan agreements with borrowers to finance projects under this section. Other lenders entering into contracts with local lenders under this section must meet the definition of local lender in subdivision 4, must comply with all provisions of the lender agreement and this section, and must guarantee repayment of the loan funds to the local lender. In no case may there be more than one local lender per county or more than one revolving fund per county.

(g) When required by the local government unit, a local lender must withhold all or a portion of the loan disbursement for a project until notified by the local government unit that the project has been satisfactorily completed.

(h) The local lender is responsible for repaying all funds provided by the commissioner to the local lender.

(i) The local lender is responsible for collecting repayments from borrowers. If a borrower defaults on a loan issued by the local lender, it is the responsibility of the local lender to obtain repayment from the borrower. Default on the part of borrowers shall have no effect on the local lender's responsibility to repay its obligations to the commissioner whether or not the local lender fully recovers defaulted amounts from borrowers.

(j) The local lender shall provide sufficient collateral or protection to the commissioner for the funds provided to the local lender. The commissioner must approve the collateral or protection provided.

Subd. 11. [LOANS ISSUED TO BORROWER ELIGIBILITY, TERMS, REPAYMENT, RESCISSION.] (a) Local lenders shall use the following criteria in addition to other criteria they deem necessary in determining the eligibility of borrowers for loans:

(1) whether the activity is certified by a local unit of government may issue loans only for projects that are approved and certified by the local government unit as meeting priority needs identified in a comprehensive water management plan and is or other local planning documents, are in compliance with accepted practices, standards, specifications, or criteria;

(2) whether the activity is certified as, and are eligible for financing under Environmental Protection Agency or other applicable guidelines; and

(3) whether the repayment is assured from the borrower.

(b) The local lender may use any additional criteria considered necessary to determine the eligibility of borrowers for loans.

(c) Local lenders shall set the terms and conditions of loans to borrowers, except that:

(1) no loan to an individual a borrower may exceed \$50,000;

(2) no loan for a project may exceed \$50,000; and

(3) no borrower shall, at any time, have multiple loans from this program with a total outstanding loan balance of more than \$50,000. In all instances, local lenders must provide for sufficient collateral or protection for the loan principal. They are responsible for collecting repayments by borrowers.

~~(c) The local lender is responsible for repaying the principal of a loan to the commissioner. The terms of repayment will be identified in the lender agreement. If defaults occur, it is the responsibility of the local lender to obtain repayment from the borrower. Default on the part of individual borrowers shall have no effect on the local lender's responsibility to repay its loan from the commissioner whether or not the local lender fully recovers defaulted amounts from individual borrowers. For revolving loan programs established under subdivision 10, paragraph (c), the lender agreement must provide that:~~

~~(1) repayment of principal to the commissioner must begin no later than ten years after the date of the lender agreement and must be repaid in full no later than 20 years after the date of the lender agreement;~~

~~(2) after the initial ten-year period, the local lender shall not write any additional loans, and any existing principal balance held by the local lender shall be immediately repaid to the commissioner;~~

~~(3) after the initial ten-year period, all principal received by the local lender from borrowers shall be repaid to the commissioner as it is received; and~~

~~(4) the applicant shall report to the commissioner annually regarding the past and intended uses of the money in the revolving loan program.~~

~~(d) Continued availability of the allocation granted in the lender agreement is contingent upon commissioner approval of the annual report. The commissioner shall review the annual report to ensure the past and future uses of the funds are consistent with the comprehensive water management plan and the lender agreement. If the commissioner concludes the past or intended uses of the money are not consistent with the comprehensive water management plan or the lender agreement, the commissioner shall rescind the allocation granted under the lender agreement. Such rescision shall result in termination of available allocation, the immediate repayment of any unencumbered funds held by the local lender in a revolving loan fund, and the repayment of the principal portion of loan repayments to the commissioner as they are received. The lender agreement shall reflect the commissioner's rights under this paragraph.~~

~~(e) A local lender shall receive certification from local government unit staff that a project has been satisfactorily completed prior to releasing the final loan disbursement.~~

(d) The maximum term length for conservation tillage and individual sewage treatment system projects is five years. The maximum term length for other projects in this section is ten years.

(e) Fees charged at the time of closing must:

(1) be in compliance with normal and customary practices of the local lender;

(2) be in accordance with published fee schedules issued by the local lender;

(3) not be based on participation in the program; and

(4) be consistent with fees charged other similar types of loans offered by the local lender.

(f) The interest rate assessed to an outstanding loan balance by the local lender must not exceed three percent per year.

Subd. 11a. [ELIGIBLE PROJECTS.] All projects that remediate or mitigate adverse environmental impacts are eligible if:

(1) the project is eligible under the allocation agreement and provisions of the originating appropriation or funding sources designated by the local government unit to finance the project; and

(2) manure management projects remediate or mitigate impacts from facilities with less than 1,000 animal units as defined in Minnesota Rules, chapter 7020.

Subd. 12. [DATA PRIVACY.] The following data on ~~applicants~~ local government units, local lenders, or borrowers collected by the commissioner under this section are private for data on individuals as provided in section 13.02, subdivision 12, or nonpublic for data not on individuals as provided in section 13.02, subdivision 9: financial information, including, but not limited to, credit reports, financial statements, tax returns and net worth calculations received or prepared by the commissioner.

Subd. 13. [ESTABLISHMENT OF ACCOUNT.] The public facilities authority shall establish an account called the agriculture best management practices revolving fund to provide loans and other forms of financial assistance authorized under section 446A.07. The fund must be credited with repayments.

Subd. 14. [~~FEES AND INTEREST.~~] (a) ~~Origination fees charged directly to borrowers by local lenders upon executing a loan shall not exceed one-half of one percent of the loan amount. Interest assessed to loan repayments by the local lender must not exceed three percent.~~

~~(b) The local lender shall create a principal account to which the principal portions of individual borrower loan repayments will be credited.~~

~~(c) Any interest earned on outstanding loan balances not separated as repayments are received and before the principal amounts are deposited in the principal account shall be added to the principal portion of the loan to the local lender and must be paid to the commissioner when the principal is due under the lender agreement.~~

~~(d) Any interest earned on the principal account must be added to the principal portion of the loan to the local lender and must be paid to the commissioner when the principal is due under the lender agreement.~~

Subd. 15. [COMMISSIONER'S REPORT.] (a) The commissioner ~~and chair~~ shall prepare and submit a report to the house of representatives and senate committees with jurisdiction over the environment, natural resources, and agriculture by October 15 of each odd-numbered year.

(b) The report shall include, but need not be limited to, matters such as loan allocations and uses, the extent to which the financial assistance is helping implement local water and other environmental planning priorities, the integration or coordination that has occurred with related programs, and other matters deemed pertinent to the implementation of the program.

Subd. 16. [LIENS AGAINST PROPERTY.] (a) Unless a county determines otherwise, at the time of the disbursement of funds on a loan to a borrower under this section, the principal balance due plus accrued interest on the principal balance as provided by this section becomes a lien in favor of the county making the loan upon the real

property on which the project is located. The lien must be first and prior to all other liens against the property, including state tax liens, whether filed before or after the placing of a lien under this subdivision, except liens for special assessments by the county under applicable special assessments laws, which liens shall be of equal rank with the lien created under this subdivision. A lien in favor of the county shall be first and prior as provided in this subdivision only if the county making the loan gives written notice of the intent to make the loan under this subdivision to all other persons having a recorded interest in the real property subject to the lien, no less than 30 days prior to the disbursement of the funds, and receives an agreement to subordinate superior lien positions held by all other lenders having a recorded interest in the real property subject to the lien. This lien and subordination agreement must be recorded against the real estate in the county recorder's office or filed with the registrar of titles for the county or counties in which the property is located. The county may bill amounts due on the loan on the tax statement for the property. Enforcement of the lien created by this subdivision shall, at the county's option, be in the manner set forth in chapter 580 or 581. When the amount due plus interest has been paid, the county shall file a satisfaction of the lien created under this subdivision.

(b) A county may also secure amounts due on a loan under this section by taking a purchase money security interest in equipment in accordance with chapter 336, article 9, and may enforce the purchase money security interest in accordance with chapters 336, article 9, and 565.

Subd. 17. [REFERENDUM EXEMPTION.] For the purpose of obtaining a loan from the commissioner, a local government unit may provide to the commissioner its general obligation note. All obligations incurred by a local government unit in obtaining a loan from the commissioner must be in accordance with chapter 475, except that so long as the obligations are issued to evidence a loan from the commissioner to the local government unit, an election is not required to authorize the obligations issued, and the amount of the obligations shall not be included in determining the net indebtedness of the local government unit under the provisions of any law or chapter limiting the indebtedness.

Sec. 11. [17.131] [FEEDLOT PERMIT SPECIALIST PROGRAM.]

Subdivision 1. [PURPOSE.] The feedlot permit specialist program is primarily, but not exclusively, intended to assist operators proposing to permit feedlots with capacities of under 500 animal units.

Subd. 2. [SPECIALISTS; DUTIES, ASSIGNMENT.] (a) The commissioner shall employ or contract for feedlot permit specialists to support operators of small and medium sized farms that wish to develop or expand animal agriculture operations in the state. The support does not provide legal fees or court costs but must include review of draft business plans, assistance with preparing and submitting applications for any necessary local or state permits, technical support before and during any public hearings, and advocacy during any permit appeals.

(b) Farm operators may apply to the commissioner for the services of a feedlot permit specialist. The application must include reasonable details on the existing farm operation and a business plan related to the development or expansion of the proposed livestock operation. From the information submitted, the commissioner shall determine the applicant's eligibility and whether or not to grant the request for a specialist. An applicant whose request is declined may reapply after six months.

(c) If the request for the services of a specialist is granted, the commissioner shall appoint a specialist qualified to assist the applicant based on the type of livestock proposed in the plan, the geographic area of the state, and other factors determined by the commissioner.

(d) A specialist appointed by the commissioner shall have primary responsibility for assisting the applicant throughout a given permit process. The specialist may work with other specialists to provide optimal service to the applicant.

Sec. 12. Minnesota Statutes 2000, section 17.85, is amended to read:

17.85 [LABORATORY SERVICES ACCOUNT.]

A laboratory services account is established in the agricultural fund. Payments for laboratory services performed by the laboratory services division of the department of agriculture must be deposited in the agricultural fund and credited to the laboratory services account. Money in the account, including interest earned on the account, is annually appropriated to the commissioner of agriculture to administer the programs of the laboratory services division. The agriculture laboratory exists to provide analytical and technical services in support of agency programs that protect and enhance the state's agriculture, environment, and food chain. The laboratory may provide analytical and technical services for a fee to any public or private entity as requested or required to meet department objectives in support of Minnesota agriculture and a national food safety system.

Sec. 13. Minnesota Statutes 2000, section 18B.065, subdivision 5, is amended to read:

Subd. 5. [WASTE PESTICIDE COLLECTION ACCOUNT; APPROPRIATION.] A waste pesticide account is established in the ~~state treasury~~ agricultural fund. Assessments collected under subdivision 2 shall be deposited in the state treasury and credited to the waste pesticide account. Money in the account is appropriated to the commissioner to pay for costs incurred to implement the waste pesticide collection program.

Sec. 14. Minnesota Statutes 2000, section 18C.425, subdivision 2, is amended to read:

Subd. 2. [SPECIALTY FERTILIZER REGISTRATION.] An application for registration of a specialty fertilizer must be accompanied by a nonrefundable application fee of ~~\$100~~ \$150 for each brand and grade to be sold or distributed as provided in section 18C.411.

Sec. 15. Minnesota Statutes 2000, section 18C.425, subdivision 6, is amended to read:

Subd. 6. [INSPECTION FEES.] The person responsible for payment of the inspection fees for fertilizers, soil amendments, or plant amendments sold and used in this state must pay an inspection fee of ~~15~~ 25 cents per ton of fertilizer, soil amendment, and plant amendment sold or distributed in this state, with a minimum of \$10 on all tonnage reports. Products sold or distributed to manufacturers or exchanged between them are exempt from the inspection fee imposed by this subdivision if the products are used exclusively for manufacturing purposes.

Sec. 16. Minnesota Statutes 2000, section 18E.04, subdivision 2, is amended to read:

Subd. 2. [PAYMENT OF CORRECTIVE ACTION COSTS.] (a) On request by an eligible person, the board may pay the eligible person for the reasonable and necessary cash disbursements for corrective action costs incurred by the eligible person as provided under subdivision 4 if the board determines:

- (1) the eligible person pays the first \$1,000 of the corrective action costs;
- (2) the eligible person provides the board with a sworn affidavit and other convincing evidence that the eligible person is unable to pay additional corrective action costs;
- (3) the eligible person continues to assume responsibility for carrying out the requirements of corrective action orders issued to the eligible person or that are in effect; ~~and~~
- (4) the incident was reported as required in chapters 18B, 18C, and 18D; and
- (5) the eligible person submits the application for reimbursement of eligible corrective action costs to the department:
  - (i) within three years of incurring the costs or approval of a corrective action report, whichever is later; or

(ii) by June 1, 2004, in the case of costs incurred before the effective date of this clause.

(b) An eligible person is not eligible for payment or reimbursement and must refund amounts paid or reimbursed by the board if false statements or misrepresentations are made in the affidavit or other evidence submitted to the commissioner to show an inability to pay corrective action costs.

(c) The board may pay the eligible person and one or more designees by multiparty check.

Sec. 17. Minnesota Statutes 2000, section 18E.04, subdivision 4, is amended to read:

Subd. 4. [REIMBURSEMENT PAYMENTS.] (a) The board shall pay a person that is eligible for reimbursement or payment under subdivisions 1, 2, and 3 from the agricultural chemical response and reimbursement account for:

(1) 90 percent of the total reasonable and necessary corrective action costs greater than \$1,000 and less than or equal to ~~\$100,000~~ \$200,000;

(2) ~~100 percent of the total reasonable and necessary corrective action costs greater than \$100,000 but less than or equal to \$200,000;~~

~~(3)~~ 80 percent of the total reasonable and necessary corrective action costs greater than \$200,000 but less than or equal to \$300,000; and

~~(4)~~ (3) 60 percent of the total reasonable and necessary corrective action costs greater than \$300,000 but less than or equal to \$350,000.

(b) A reimbursement or payment may not be made until the board has determined that the costs are reasonable and are for a reimbursement of the costs that were actually incurred.

(c) The board may make periodic payments or reimbursements as corrective action costs are incurred upon receipt of invoices for the corrective action costs.

(d) Money in the agricultural chemical response and reimbursement account is appropriated to the commissioner to make payments and reimbursements directed by the board under this subdivision.

(e) The board may not make reimbursement greater than the maximum allowed under paragraph (a) for all incidents on a single site which:

(1) were not reported at the time of release but were discovered and reported after July 1, 1989; and

(2) may have occurred prior to July 1, 1989, as determined by the commissioner.

(f) The board may only reimburse an eligible person for separate incidents within a single site if the commissioner determines that each incident is completely separate and distinct in respect of location within the single site or time of occurrence.

Sec. 18. Minnesota Statutes 2000, section 18E.04, subdivision 5, is amended to read:

Subd. 5. [REIMBURSEMENT OR PAYMENT DECISIONS.] (a) The board may issue a letter of intent on whether a person is eligible for payment or reimbursement. The letter is not binding on the board.

(b) The board must issue an order granting or denying a request within 30 days following the board meeting at which the board votes to grant or deny a request for reimbursement or for payment under subdivision 1, 2, or 3.



(c) After an initial request is made for reimbursement, notwithstanding subdivisions 1 to 4, the board may deny additional requests for reimbursement.

(d)(1) An eligible person adversely affected by the board's disapproval of a reimbursement or payment application under paragraph (b) or a partial reimbursement under subdivision 3 may, within 60 days of receipt of the board's order, request a hearing of determination before the board. A request for a hearing must be made in writing and specify the grounds for the request.

(2) Within 30 days of the receipt of a request for a hearing under clause (1), the eligible person must be notified either as to the date of the hearing for determination or of the denial of the request for a hearing. Hearings must be scheduled immediately following the next regularly scheduled board meeting as determined by the notification letter.

(3) If a dispute related to the disapproval of a reimbursement is not resolved after a hearing under clause (2), or if a request is denied, the eligible person may appeal the decision as a contested case hearing under chapter 14. A request for a contested case hearing must be submitted to the board in writing within 30 days of the date of the hearing or within 30 days of the receipt of notification of denial of the hearing request under clause (2).

Sec. 19. Minnesota Statutes 2000, section 21.85, subdivision 12, is amended to read:

Subd. 12. [SERVICE TESTING AND IDENTIFICATION.] The commissioner shall provide for purity and germination tests of seeds and identification of seeds and plants for farmers, dealers, and others, and ~~may~~ establish ~~and collect fees for testing and identification~~ schedules to recover the cost of services provided. Money collected must be deposited in the laboratory services account in the agricultural fund.

Sec. 20. Minnesota Statutes 2000, section 27.041, subdivision 2, is amended to read:

Subd. 2. [LICENSES; APPROPRIATION OF FEES AND PENALTIES.] (a) The license, or a certified copy of the license, must be kept posted in the office of the licensee at each place within the state where the licensee transacts business. A wholesale produce dealer may not appoint, delegate, or authorize a person, firm, or company to purchase produce unless a certified copy, identification card, or truck decal has been issued at the request of the wholesale produce dealer to that person, firm, or company acting as the buyer or agent.

(b) A license expires June 30 following its issuance and must be renewed July 1 of each year.

(c) A license issued under this subdivision is automatically void upon the termination of the surety bond covering the licensed operation.

(d) The fee for each license must include a ~~\$50~~ \$75 registration fee and an additional fee of ~~025~~ .045 percent of the total annual dollar amount of produce purchased the previous year from sellers within the state of Minnesota subject to this chapter. Fees may not exceed ~~\$1,500~~ \$2,000 per license. In addition, a fee of \$20 shall be charged for each certified copy of a license, \$5 for each license identification card, and \$10 for each license identification truck decal.

(e) A penalty amounting to ten percent of the fees due may be imposed by the commissioner for each month for which the fees are delinquent.

(f) A licensee who sells, disposes of, or discontinues the licensee's business during the lifetime of a license shall, at the time the action is taken, notify the commissioner in writing, and upon demand produce before the commissioner a full statement of all assets and liabilities as of the date of transfer or discontinuance of the business.

(g) A wholesale produce dealers license account is created in the agricultural fund. All fees and penalties collected under this subdivision must be deposited in the wholesale produce dealers license account. Money in the account is appropriated to the commissioner for operation of the wholesale produce dealers program.

Sec. 21. Minnesota Statutes 2000, section 28A.04, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION; DATE OF ISSUANCE.] (a) No person shall engage in the business of manufacturing, processing, selling, handling, or storing food without having first obtained from the commissioner a license for doing such business. Applications for such license shall be made to the commissioner in such manner and time as required and upon such forms as provided by the commissioner and shall contain the name and address of the applicant, address or description of each place of business, and the nature of the business to be conducted at each place, and such other pertinent information as the commissioner may require.

(b) A retail or wholesale food handler license shall be issued for the period July 1 to June 30 following and shall be renewed thereafter by the licensee on or before July 1 each year, except that licenses for all mobile food concession units and retail mobile units shall be issued for the period April 1 to March 31, and shall be renewed thereafter by the licensee on or before April 1 each year. A license for a food broker or for a food processor or manufacturer shall be issued for the period January 1 to December 31 following and shall be renewed thereafter by the licensee on or before January 1 of each year, except that a license for a wholesale food processor or manufacturer operating only at the state fair shall be issued for the period July 1 to June 30 following and shall be renewed thereafter by the licensee on or before July 1 of each year. A penalty for a late renewal shall be assessed in accordance with section 28A.08.

(c) A person applying for a new license up to 14 calendar days before the effective date of the new license period under paragraph (b) must be issued a license for the 14 days and the next license year as a single license and pay a single license fee as if the 14 days were part of the upcoming license period.

Sec. 22. Minnesota Statutes 2000, section 28A.08, subdivision 3, is amended to read:

Subd. 3. [FEES EFFECTIVE JULY 1, 1999.]

Type of food handler	License Fee Effective July 1, 1999	Penalties	
		Late Renewal	No License
1. Retail food handler			
(a) Having gross sales of only prepackaged nonperishable food of less than \$15,000 for the immediately previous license or fiscal year and filing a statement with the commissioner	\$ 48	\$ 16	\$ 27
(b) Having under \$15,000 gross sales including food preparation or having \$15,000 to \$50,000 gross sales for the immediately previous license or fiscal year	\$ 65	\$ 16	\$ 27
(c) Having \$50,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$126	\$ 37	\$ 80
(d) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$216	\$ 54	\$107

(e) Having \$1,000,000 to \$5,000,000 gross sales for the immediately previous license or fiscal year	\$601	\$107	\$187
(f) Having \$5,000,000 to \$10,000,000 gross sales for the immediately previous license or fiscal year	\$842	\$161	\$321
(g) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	\$962	\$214	\$375
2. Wholesale food handler			
(a) Having gross sales or service of less than \$25,000 for the immediately previous license or fiscal year	\$ 54	\$ 16	\$ 16
(b) Having \$25,000 to \$250,000 gross sales or service for the immediately previous license or fiscal year	\$241	\$ 54	\$107
(c) Having \$250,000 to \$1,000,000 gross sales or service from a mobile unit without a separate food facility for the immediately previous license or fiscal year	\$361	\$ 80	\$161
(d) Having \$250,000 to \$1,000,000 gross sales or service not covered under paragraph (c) for the immediately previous license or fiscal year	\$480	\$107	\$214
(e) Having \$1,000,000 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year	\$601	\$134	\$268
(f) Having over \$5,000,000 gross sales for the immediately previous license or fiscal year	\$692	\$161	\$321
3. Food broker	\$120	\$ 32	\$ 54
4. Wholesale food processor or manufacturer			
(a) Having gross sales of less than \$125,000 for the immediately previous license or fiscal year	\$161	\$ 54	\$107
(b) Having \$125,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$332	\$ 80	\$161
(c) Having \$250,001 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$480	\$107	\$214
(d) Having \$1,000,001 to 5,000,000 gross sales for the immediately previous license or fiscal year	\$601	\$134	\$268
(e) Having \$5,000,001 to \$10,000,000 gross sales for the immediately previous license or fiscal year	\$692	\$161	\$321
(f) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	\$963	\$214	\$375

5. Wholesale food processor of meat or poultry products under supervision of the U. S. Department of Agriculture			
(a) Having gross sales of less than \$125,000 for the immediately previous license or fiscal year	\$107	\$ 27	\$ 54
(b) Having \$125,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$181	\$ 54	\$ 80
(c) Having \$250,001 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$271	\$ 80	\$134
(d) Having \$1,000,001 to \$5,000,000 gross sales for the immediately previous license or fiscal year	\$332	\$ 80	\$161
(e) Having \$5,000,001 to \$10,000,000 gross sales for the immediately previous license or fiscal year	\$392	\$107	\$187
(f) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	\$535	\$161	\$268
6. Wholesale food processor or manufacturer operating only at the state fair	\$125	\$ 40	\$ 50
7. Wholesale food manufacturer having the permission of the commissioner to use the name Minnesota Farmstead cheese	<del>\$30</del> <u>\$ 0</u>	<del>\$40</del> <u>\$ 0</u>	\$ 15
8. Nonresident frozen dairy manufacturer	\$200	\$ 50	\$ 75
9. Wholesale food manufacturer processing less than 700,000 pounds per year of raw milk	\$ 30	\$ 10	\$ 15
10. A milk marketing organization without facilities for processing or manufacturing that purchases milk from milk producers for delivery to a licensed wholesale food processor or manufacturer	\$ 50	\$ 15	\$ 25

Sec. 23. [28A.082] [FOOD HANDLER PLAN REVIEW.]

The fees for review under the Minnesota Food Code of food handler facility floor plans are based upon the square footage of the structure being newly constructed, remodeled, or converted. The fees are:

<u>Square Footage</u>	<u>Review Fee</u>
0 - 4,999	<u>\$156.25</u>
5,000 - 24,999	<u>\$218.75</u>
25,000 plus	<u>\$343.75</u>

Plans, equipment specifications, material lists, and other required information must be submitted on forms provided by the department at least 30 days before commencement of construction, remodeling, or conversion along with the required fee and review application.

Fees collected under this section must be deposited into a food handler plan review account in the agriculture fund.

Sec. 24. Minnesota Statutes 2000, section 28A.085, subdivision 4, is amended to read:

Subd. 4. ~~[DEPOSIT FOOD HANDLER REINSPECTION ACCOUNT; APPROPRIATION.]~~ A food handler reinspection account is established in the agricultural fund. All reinspection fees and assessments collected must be deposited in the state treasury and are credited to ~~an account in the special revenue fund~~ the food handler reinspection account. Money in the account, including interest accrued, is appropriated to the commissioner to pay the expenses relating to reinspections conducted under the chapters listed in subdivision 1.

Sec. 25. Minnesota Statutes 2000, section 29.22, subdivision 2, is amended to read:

Subd. 2. [FEE.] In addition to the annual food handler's license, required under section 28A.04, there is an annual inspection fee applicable to every person who engages in the business of buying for resale, selling, or trading in eggs except a retail grocer who sells eggs previously candled and graded. The fee must be computed on the basis of the number of cases of shell eggs handled at each place of business during the highest volume month of each licensing year. If a given lot of eggs is moved from one location of business to a second location of business and the food handler's license is held by the same person at both locations, the given lot of eggs must be counted in determining the volume of business on which the inspection fee is based at the first location of business but must not enter into the computation of volume of business for the second location. For the purpose of determining fees, "case" means one of 30 dozen capacity. The schedule of fees is as follows:

HIGHEST VOLUME OF CASES EACH LICENSING YEAR	FEE
1 - 50	<del>\$10</del> <u>\$ 12.50</u>
51 - 100	<del>\$25</del> <u>\$ 31.25</u>
101 - 1000	<del>\$50</del> <u>\$ 62.50</u>
1001 - 2000	<del>\$75</del> <u>\$ 93.75</u>
2001 - 4000	<del>\$100</del> <u>\$125.00</u>
4001 - 6000	<del>\$125</del> <u>\$156.25</u>
6001 - 8000	<del>\$150</del> <u>\$187.50</u>
8001 - 10,000	<del>\$200</del> <u>\$250.00</u>
OVER 10,000	<del>\$250</del> <u>\$312.00</u>

Each person subject to the inspection fee in this section shall, under the direction of the commissioner, keep records necessary to accurately determine the volume of shell eggs on which the inspection fee is due and shall prepare annually a written report of the volume upon forms supplied by the commissioner. This report, together with the required inspection fee, must be filed with the department on or before the last day of May of each year.

Sec. 26. Minnesota Statutes 2000, section 31.11, is amended to read:

31.11 [RULES.]

Subdivision 1. [FOOD LAWS.] For the purpose of preventing fraud and deception in the manufacture, use, sale, and transportation of food, or for the purpose of protecting and preserving the public health, it shall also be the duty of the commissioner to make and publish uniform rules, not inconsistent with law, for carrying out and enforcing the provisions of laws now or hereafter enacted relating to food; which rules shall be made in the manner provided by law. Until such rules are made and published, the rules heretofore made by the commissioner shall remain in full force and effect, except as otherwise prescribed by law. Any person who shall manufacture, use, sell, transport, offer for use, sale or transportation, or have in possession with intent to use, sell or transport, any article of food contrary to the provisions of any such rule, or who shall fail to comply with any such rule, shall be guilty of a misdemeanor.

Subd. 2. [PLAN REVIEW FEES.] The commissioner shall, by rule, set plan review fees that will approximate the cost to the department of its review of plans and specifications submitted by food handlers.

Subd. 3. [FOOD HANDLER PLAN REVIEW ACCOUNT; APPROPRIATION.] ~~There is created in the state treasury an account known as the food handler plan review fund. A food handler plan review account is created in the agricultural fund.~~ Fees paid under this subdivision 2 must be deposited in the food handler plan review fund account. Money in the food handler plan review fund account is annually appropriated to the commissioner to pay the costs of the food handler plan and specifications review program.

Sec. 27. Minnesota Statutes 2000, section 31.39, is amended to read:

31.39 [ASSESSMENTS; INSPECTION SERVICES; COMMERCIAL CANNERIES ACCOUNT.]

Subdivision 1. [ASSESSMENT.] The commissioner is hereby authorized and directed to collect from each commercial cannery an assessment for inspection and services furnished, and for maintaining a bacteriological laboratory and employing such bacteriologists and trained and qualified sanitarians as the commissioner may deem necessary. The assessment to be made on each commercial cannery, for each and every packing season, shall not exceed one-half cent per case on all foods packed, canned, or preserved therein, nor shall the assessment in any one calendar year to any one cannery exceed \$3,000 ~~\$6,000~~, and the minimum assessment to any cannery in any one calendar year shall be \$100. The commissioner shall provide appropriate deductions from assessments for the net weight of meat, chicken, or turkey ingredients which have been inspected and passed for wholesomeness by the United States Department of Agriculture. The commissioner may, when the commissioner deems it advisable, graduate and reduce the assessment to such sum as is required to furnish the inspection and laboratory services rendered. ~~The assessment made and the license fees, penalties, and other sums so collected shall be deposited in the state treasury, as other departmental receipts are deposited, but shall constitute a separate account to be known as the commercial canneries inspection account, which is hereby created, and together with moneys now remaining in said account, set aside, and appropriated as a revolving fund; is due and payable not later than December 31 of each year, and if not paid by the subsequent February 15, the amount must bear interest from December 31 until paid at the rate of seven percent per annum and a penalty of ten percent of the amount.~~

Subd. 2. [COMMERCIAL CANNERIES INSPECTION ACCOUNT; APPROPRIATION.] A commercial canneries inspection account is created in the agricultural fund. Assessments collected under subdivision 1 must be deposited in the commercial canneries inspection account. Money in the account is appropriated to the commissioner to meet the expense of special inspection, laboratory and other services rendered, as provided in sections 31.31 to 31.392. The amount of such assessment shall be due and payable on or before December 31, of each year, and if not paid on or before February 15 following, shall bear interest after that date at the rate of seven percent per annum, and a penalty of ten percent on the amount of the assessment shall also be added and collected.

Sec. 28. [32.105] [MILK PROCUREMENT FEE.]

A dairy plant operator, except the operator of a plant that is required to pay a processor assessment under section 32.394, subdivision 8d, within the state must pay a fee to the commissioner by the 18th of each month equal to 0.70 cents per hundredweight of milk purchased the previous month. If a milk producer within the state ships milk out of the state for sale, the producer must pay the fee to the commissioner unless the purchaser voluntarily pays the fee.

Dairy plant operators must submit monthly reports of milk purchases and producers who ship milk out of state must submit monthly reports as to milk shipped, along with the fee required in this section, to the commissioner. The commissioner may have access to all relevant purchase or sale records as necessary to verify compliance with this section and may require the producer or purchaser to produce records as necessary to determine compliance.

The fees collected under this section must be deposited in the dairy services account in the agriculture fund.

Sec. 29. Minnesota Statutes 2000, section 32.392, is amended to read:

32.392 [APPROVAL OF DAIRY PLANTS.]

No person shall operate a dairy plant in this state unless the dairy plant, and the equipment, water supply and plumbing system connected therewith shall have been first approved by the commissioner and a permit issued to operate the same. At the time of filing the application for a permit, the applicant shall submit to the commissioner duplicate floor plans of such plant which shall show the placement of equipment, the source of water supply and method of distribution, and the location of the plumbing system, including the disposal of wastes. All new construction or alteration of any existing dairy plants shall be made only with the approval of the commissioner and duplicate plans for such construction or alteration shall be submitted to the commissioner for approval. Any permit may be revoked by the commissioner for due cause after the holder of the permit has been given the opportunity for a hearing, in which case the holder of the permit shall be notified in writing, at least seven days prior to the date of such hearing, of the time and place of such hearing.

The fee for approval services is \$45 per hour of department staff time spent in the approval process. These fees must be deposited in the dairy services account in the agriculture fund.

Sec. 30. Minnesota Statutes 2000, section 32.394, subdivision 8, is amended to read:

Subd. 8. [GRADE A INSPECTION FEES.] (a) A processor or marketing organization of milk, milk products, sheep milk, or goat milk who wishes to market Grade A milk or use the Grade A label must apply for Grade A inspection service from the commissioner. A pasteurization plant requesting Grade A inspection service must hold a Grade A permit and pay an annual inspection fee of no more than \$500.

(b) For Grade A farm inspection service, the fee must be no more than ~~\$50~~ \$25 per farm, paid annually by the processor or by the marketing organization on behalf of its patrons. ~~For a farm requiring a reinspection in addition to the required biannual inspections, an additional fee of no more than \$25 per reinspection must be paid by the processor or by the marketing organization on behalf of its patrons. The Grade A farm inspection fee must not exceed the lesser of (1) 40 percent of the department's actual average cost per farm inspection or reinspection; or (2) the dollar limits set in this subdivision. No fee increase may be implemented until after the commissioner has held three or more public hearings. No fee may be charged for reinspection of a dairy farm.~~

Sec. 31. Minnesota Statutes 2000, section 32.394, subdivision 8a, is amended to read:

Subd. 8a. [LABORATORY CERTIFICATION.] A laboratory, before conducting a test the results of which are to be used in the enforcement of requirements for distribution of milk, milk products or goat milk under the Grade A label, must be certified as meeting the requirements for laboratory approval that are established by rule of the commissioner, and must receive a permit from the commissioner. The permit shall remain valid without renewal unless suspended or revoked by the commissioner for failure to comply with the requirements. Satisfactory analytical procedures and results for split samples, the nature, number and frequency of which shall be in accordance with rules established by the commissioner, shall be required of a certified laboratory for retention of its certification and permit.

An application for initial certification or biennial recertification, or for recertification following suspension or revocation of a permit shall be accompanied by a an annual fee of not less than \$100 nor more than \$350. The fee for each set of split samples shall be not less than \$25 nor more than \$75, based on the number of analysts approved and the number of specific tests for which they are approved. This fee must not be less than \$150 or more than \$200 per analyst approved and not less than \$35 or more than \$50 for each test approved. The commissioner may annually adjust assessments within the limits established by this subdivision to meet the cost recovery of the services required by this subdivision.

~~A certified laboratory of record on June 5, 1975 shall be issued a permit without having to pay the initial certification fee.~~

Sec. 32. Minnesota Statutes 2000, section 32.394, subdivision 8b, is amended to read:

Subd. 8b. [MANUFACTURING GRADE FARM CERTIFICATION.] (a) A processor or marketing organization of milk, milk products, sheep milk, or goat milk who wishes to market other than Grade A milk must apply for a manufacturing grade farm certification inspection from the commissioner. A manufacturing plant that pasteurizes milk or milk by-products must pay an annual fee based on the number of pasteurization units. This fee must not exceed \$140 per unit.

(b) The fee for farm certification inspection must not be more than \$25 per farm to be paid annually by the processor or by the marketing organization on behalf of its patrons. ~~For a farm requiring more than the one inspection for certification, a reinspection fee of no more than \$25 must be paid by the processor or by the marketing organization on behalf of its patrons. The fee must be set by the commissioner in an amount necessary to cover 40 percent of the department's actual cost of providing the annual inspection but must not exceed the limits in this subdivision. No fee increase may be implemented until after the commissioner has held three or more public hearings. No fee may be charged for reinspection of a farm.~~

Sec. 33. Minnesota Statutes 2000, section 32.394, subdivision 8e, is amended to read:

Subd. 8e. [FARM BULK MILK PICK-UP TANKERS.] Farm bulk milk pick-up tankers, milk transports, and tankers used to transport milk products must be inspected and obtain a permit issued by the commissioner annually by July 1. The owner or operator must pay a \$25 permit fee per tanker to the commissioner. The commissioner may appoint such persons as the commissioner deems qualified to make inspections.

Sec. 34. Minnesota Statutes 2000, section 34.07, is amended to read:

34.07 [BEVERAGE INSPECTION ~~FUND~~ ACCOUNT; APPROPRIATION.]

A beverage inspection account is created in the agricultural fund. All fees and fines collected hereunder by the commissioner, together with all fines paid for the violation of the provisions of sections 34.02 to 34.11, shall be paid into the state treasury and credited to the beverage inspection fund, hereby created. The money so derived is hereby appropriated to compensate for and meet the expense of inspection and supervision, as provided in sections 34.02 to 34.11. The money so collected and appropriated shall be expended by the commissioner for inspection, supervisions, publications, short courses, and such other activities as in the commissioner's judgment may be necessary, not inconsistent with the provisions of sections 34.02 to 34.11 under this chapter must be credited to the beverage inspection account. Money in the account is appropriated to the commissioner for inspection and supervision under this chapter.

Sec. 35. Minnesota Statutes 2000, section 38.02, subdivision 1, is amended to read:

Subdivision 1. [PRO RATA DISTRIBUTION; CONDITIONS.] (†) (a) Money appropriated to aid county and district agricultural societies and associations shall be distributed among all county and district agricultural societies or associations in the state pro rata, upon condition that each of them has complied with the conditions specified in ~~clause (2) paragraph (b).~~

(‡) (b) To be eligible to participate in ~~such a~~ distribution under paragraph (a), each such an agricultural society or association ~~(a) shall must:~~ (1) have held an annual fair for each of the three years last past, unless prevented from doing so because of a calamity or an epidemic declared by the board of health as defined in section 145A.02, subdivision 2, or the state commissioner of health to exist; ~~(b) shall (2) have an annual membership of 25 or more;~~ ~~(c) shall (3) have paid out to exhibitors for premiums awarded at the last fair held a sum not less than the amount to be received from the state;~~ ~~(d) shall (4) have published and distributed not less than three weeks before the opening day of the fair a premium list, listing all items or articles on which premiums are offered and the amounts of such premiums and shall have paid premiums pursuant to the amount shown for each article or item to be exhibited;~~ provided that premiums for school exhibits may be advertised in the published premium list by reference to a school premium list prepared and circulated during the preceding school year; and shall have collected all fees charged for



entering an exhibit at the time the entry was made and in accordance with schedule of entry fees to be charged as published in the premium list; ~~(e) shall (5)~~ have paid not more than one premium on each article or item exhibited, excluding championship or sweepstake awards, and excluding the payment of open class premium awards to 4H Club exhibits which at this same fair had won a first prize award in regular 4H Club competition; ~~(f) shall and (6)~~ have submitted its records and annual report to the commissioner of agriculture on a form provided by the commissioner of agriculture, on or before the first day of November of the current year.

~~(c)~~ (c) All payments authorized under the provisions of this chapter shall be made only upon the presentation by the commissioner of agriculture with the commissioner of finance of a statement of premium allocations. As used herein the term premium shall mean the cash award paid to an exhibitor for the merit of an exhibit of livestock, livestock products, grains, fruits, flowers, vegetables, articles of domestic science, handicrafts, hobbies, fine arts, and articles made by school pupils, or the cash award paid to the merit winner of events such as 4H Club or Future Farmer Contest, Youth Group Contests, school spelling contests and school current events contests, the award corresponding to the amount offered in the advertised premium list referred to in schedule 2. Payments of awards for horse races, ball games, musical contests, talent contests, parades, and for amusement features for which admission is charged, are specifically excluded from consideration as premiums within the meaning of that term as used herein.

(d) Upon receipt of the statement by the commissioner of agriculture, it shall be the duty of the commissioner of finance to draw a voucher in favor of the agricultural society or association for the amount to which it is entitled under the provisions of this chapter, which amount shall be computed as follows: On the first ~~\$750~~ \$1,000 premiums paid by each society or association, such society or association shall receive 100 percent reimbursement; on the second ~~\$750~~ \$1,000 premiums paid, 80 percent; on the third ~~\$750~~ \$1,000 premiums paid, 60 percent; and on any sum in excess of ~~\$2,250~~ \$3,000, 40 percent.

~~(e)~~ (e) If the total amount of state aid to which the agricultural societies and associations are entitled under the provisions of this chapter exceeds the amount of the appropriation therefor, the amounts to which the societies or associations are entitled shall be prorated so that the total payments by the state will not exceed the appropriation.

Sec. 36. Minnesota Statutes 2000, section 41A.09, subdivision 2a, is amended to read:

Subd. 2a. [DEFINITIONS.] For the purposes of this section and section 41A.10, the terms defined in this subdivision have the meanings given them.

(a) "Ethanol" means fermentation ethyl alcohol derived from agricultural products, including potatoes, cereal, grains, cheese whey, and sugar beets; forest products; or other renewable resources, including residue and waste generated from the production, processing, and marketing of agricultural products, forest products, and other renewable resources, that:

(1) meets all of the specifications in ASTM specification D 4806-88; and

(2) is denatured as specified in Code of Federal Regulations, title 27, parts 20 and 21.

(b) "Wet alcohol" means agriculturally derived fermentation ethyl alcohol having a purity of at least 50 percent but less than 99 percent.

(c) "Anhydrous alcohol" means fermentation ethyl alcohol derived from agricultural products as described in paragraph (a), but that does not meet ASTM specifications or is not denatured and is shipped in bond for further processing.

(d) "Ethanol plant" means a plant at which ethanol, anhydrous alcohol, or wet alcohol is produced.

## Sec. 37. [41A.10] [SECOND-GENERATION ETHANOL DEVELOPMENT PROGRAM.]

Subdivision 1. [DEVELOPMENT HISTORY, GOALS.] (a) The legislature recognizes the success of the original Minnesota ethanol development program, and its contribution to rural economic development, cleaner air throughout the state, and reduced dependence on imported fuels. Several ethanol production plants participating in the original producer payment program are nearing the end of their ten-year period of eligibility for payments. It is the intent of the legislature to support the second-generation ethanol development program with the appropriations no longer needed to support facilities developed under the original program.

(b) The goals of the second-generation ethanol development program are to demonstrate efficient utilization of nontraditional feedstocks for the production of ethanol in association with the commercial-scale extraction of grain germ from whole grains and to provide the benefits of ethanol production facilities to geographic regions of the state where plants do not currently exist.

Subd. 2. [PREAPPROVAL BY COMMISSIONER.] To be eligible for grants, loans, and producer payments under the second-generation ethanol development program, a proposer must receive preconstruction approval from the commissioner for a planned second-generation ethanol plant and the associated germ extraction facility. The application for approval must be submitted to the commissioner at least 90 days before construction begins on the facilities. The commissioner shall deny or approve a properly completed application within 30 days of receipt. An approval, if granted, must include certification by the commissioner of the maximum plant production for which the ethanol producer credit may be paid, but not exceeding 15,000,000 gallons of ethanol per year. An approval constitutes commitment by the state to quarterly payments from the ethanol producer payment program, subject to adequate appropriations, and, if stated, may also constitute commitment to an ethanol production facility loan under section 41B.044, a grant for a grain germ extraction research project, or both.

Subd. 3. [LOCATION OF FIRST TWO SECOND-GENERATION ETHANOL PLANTS.] The first two second-generation ethanol plants approved by the commissioner after the effective date of this act must be located (1) in west central Minnesota and (2) in northwestern Minnesota. The plants must be located not less than one mile outside the corporate limits of a statutory or home rule charter city.

Subd. 4. [PRODUCER PAYMENTS.] (a) An ethanol producer approved for producer payments under subdivision 2 may apply to the commissioner for cash payments for ethanol production within 30 days after the end of each calendar quarter. The claim must cover ethanol production during the preceding three months.

(b) The commissioner shall make payments from available appropriations by 45 days after the close of each calendar quarter. The total quarterly payment to a producer under this section may not exceed \$750,000.

(c) Notwithstanding the quarterly payment limits of paragraph (b), the commissioner shall make an additional payment in the eighth quarter of each fiscal biennium to a second-generation ethanol producer for the lesser of: (1) 20 cents per gallon of production in the eighth quarter of the biennium that is greater than 3,750,000 gallons; or (2) the total amount of payments lost during the first seven quarters of the biennium due to plant outages, repair, or major maintenance. Total payments to a second-generation ethanol producer in a fiscal biennium, including any payment under this paragraph, must not exceed the total amount the producer's certified production eligibility.

(d) An ethanol producer is eligible for producer payments under this section for production during 40 consecutive calendar quarters.

(e) A second-generation ethanol producer payment account is established in the agricultural fund. Money in the account is appropriated to the commissioner to make ethanol producer payments for facilities that begin production after July 1, 2002.

Subd. 5. [GRAIN GERM EXTRACTION RESEARCH AND DEMONSTRATION GRANTS.] The commissioner may provide a grant, from money appropriated for this purpose, for a research and demonstration project associated with a second-generation ethanol plant that advances commercial-scale extraction of the germ component of grains, including corn, wheat, and barley.

Sec. 38. Minnesota Statutes 2000, section 103B.3369, subdivision 5, is amended to read:

Subd. 5. [FINANCIAL ASSISTANCE.] (a) The board may award grants to watershed management organizations in the seven-county metropolitan area or counties to carry out water resource protection and management programs identified as priorities in comprehensive local water plans. Grants may be used to employ persons and to obtain and use information necessary to:

(1) develop comprehensive local water plans under sections 103B.255 and 103B.311 that have not received state funding for water resources planning as provided for in Laws 1987, chapter 404, section 30, subdivision 5, clause (a);

(2) revise comprehensive local water plans under section 103B.201; and

(3) implement comprehensive local water plans.

A base grant shall be awarded to a county that levies a water implementation tax at a rate, which shall be determined by the board. The minimum amount of the water implementation tax shall be a tax rate times the adjusted net tax capacity of the county for the preceding year. The rate shall be the rate, rounded to the nearest .001 of a percent, that, when applied to the adjusted net tax capacity for all counties, raises the amount of \$1,500,000. The base grant will be in an amount equal to \$37,500 less the amount raised by that levy. If the amount necessary to implement the local water plan for the county is less than \$37,500, the amount of the base grant shall be the amount that, when added to the levy amount, equals the amount required to implement the plan. For counties where the tax rate generates an amount equal to or greater than \$18,750, the base grant shall be in an amount equal to \$18,750.

(b) For a county that is approved to become a delegated county for permitting of animal lots under section 116.07, subdivision 7, the board may provide a grant under paragraph (a) that constitutes retroactive reimbursement for feedlot activities performed by the county from the date of approval by the county board until the beginning of the next annual grant funding cycle.

Sec. 39. Minnesota Statutes 2000, section 116.07, subdivision 7, is amended to read:

Subd. 7. [COUNTIES; PROCESSING OF APPLICATIONS FOR ANIMAL LOT PERMITS.] Any Minnesota county board may, by resolution, with approval of the pollution control agency, assume responsibility for processing applications for permits required by the pollution control agency under this section for livestock feedlots, poultry lots, or other animal lots. The responsibility for permit application processing, if assumed by a county, may be delegated by the county board to ~~any an~~ appropriate county officer or employee, an appropriate officer or employee of a contiguous county, an appropriate employee of another governmental unit, or a qualified employee of an institution of higher education.

(a) For the purposes of this subdivision, the term "processing" includes:

(1) the distribution to applicants of forms provided by the pollution control agency;

(2) the receipt and examination of completed application forms, and the certification, in writing, to the pollution control agency either that the animal lot facility for which a permit is sought by an applicant will comply with applicable rules and standards, or, if the facility will not comply, the respects in which a variance would be required for the issuance of a permit; and

(3) rendering in cooperation with the commissioner of agriculture, providing to applicants, upon request; and at no cost if the applicant is proposing a feedlot with a capacity of under 500 animal units, the services of a feedlot permit specialist to provide assistance necessary for the proper and timely completion of an application the permit process, including assistance with local and state applications, public hearings, and appeals.

(b) For the purposes of this subdivision, the term "processing" may include, at the option of the county board, issuing, denying, modifying, imposing conditions upon, or revoking permits pursuant to the provisions of this section or rules promulgated pursuant to it, subject to review, suspension, and reversal by the pollution control agency. The pollution control agency shall, after written notification, have 15 days to review, suspend, modify, or reverse the issuance of the permit. After this period, the action of the county board is final, subject to appeal as provided in chapter 14. For permit applications filed after October 1, 2001, section 15.99 applies to feedlot permits issued by the agency or a county pursuant to this subdivision.

(c) For the purpose of administration of rules adopted under this subdivision, the commissioner and the agency may provide exceptions for cases where the owner of a feedlot has specific written plans to close the feedlot within five years. These exceptions include waiving requirements for major capital improvements.

(d) For purposes of this subdivision, a discharge caused by an extraordinary natural event such as a precipitation event of greater magnitude than the 25-year, 24-hour event, tornado, or flood in excess of the 100-year flood is not a "direct discharge of pollutants."

(e) In adopting and enforcing rules under this subdivision, the commissioner shall cooperate closely with other governmental agencies.

(f) The pollution control agency shall work with the Minnesota extension service, the department of agriculture, the board of water and soil resources, producer groups, local units of government, as well as with appropriate federal agencies such as the Natural Resources Conservation Service and the Farm Service Agency, to notify and educate producers of rules under this subdivision at the time the rules are being developed and adopted and at least every two years thereafter.

(g) The pollution control agency shall adopt rules governing the issuance and denial of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section. A feedlot permit is not required for livestock feedlots with more than ten but less than 50 animal units; provided they are not in shoreland areas. A livestock feedlot permit does not become required solely because of a change in the ownership of the buildings, grounds, or feedlot. These rules apply both to permits issued by counties and to permits issued by the pollution control agency directly.

(h) The pollution control agency shall exercise supervising authority with respect to the processing of animal lot permit applications by a county.

(i) Any new rules or amendments to existing rules proposed under the authority granted in this subdivision, or to implement new fees on animal feedlots, must be submitted to the members of legislative policy and finance committees with jurisdiction over agriculture and the environment prior to final adoption. The rules must not become effective until 90 days after the proposed rules are submitted to the members.

(j) Until new rules are adopted that provide for plans for manure storage structures, any plans for a liquid manure storage structure must be prepared or approved by a registered professional engineer or a United States Department of Agriculture, Natural Resources Conservation Service employee.

(k) A county may adopt by ordinance standards for animal feedlots that are more stringent than standards in pollution control agency rules.

(l) After January 1, 2001, a county that has not accepted delegation of the feedlot permit program must hold a public meeting prior to the agency issuing a feedlot permit for a feedlot facility with 300 or more animal units, unless another public meeting has been held with regard to the feedlot facility to be permitted.

(m) After the proposed rules published in the State Register, volume 24, number 25, are finally adopted, the agency may not impose additional conditions as a part of a feedlot permit, unless specifically required by law or agreed to by the feedlot operator.

(n) For the purposes of feedlot permitting, a discharge from land-applied manure or a manure stockpile that is managed according to agency rule must not be subject to a fine for a discharge violation.

(o) For the purposes of feedlot permitting, manure that is land applied, or a manure stockpile that is managed according to agency rule, must not be considered a discharge into waters of the state, unless the discharge is to waters of the state, as defined by section 103G.005, subdivision 17, except type 1 or type 2 wetlands, as defined in section 103G.005, subdivision 17b, and does not meet discharge standards established for feedlots under agency rule.

(p) Unless the upgrade is needed to correct an immediate public health threat under section 145A.04, subdivision 8, the agency may not require a feedlot operator:

(1) to spend more than \$3,000 to upgrade an existing feedlot with less than 300 animal units unless cost-share money is available to the feedlot operator for 75 percent of the cost of the upgrade; or

(2) to spend more than \$10,000 to upgrade an existing feedlot with between 300 and 500 animal units, unless cost-share money is available to the feedlot operator for 75 percent of the cost of the upgrade or \$50,000, whichever is less.

Sec. 40. Minnesota Statutes 2000, section 116O.09, subdivision 1a, is amended to read:

Subd. 1a. [BOARD OF DIRECTORS.] The board of directors of the agricultural utilization research institute is comprised of:

(1) the chairs of the senate agriculture and rural development committee and the house of representatives agriculture and rural development committee;

(2) two representatives of statewide farm organizations;

(3) two representatives of agribusiness, one of whom is a member of the Minnesota Technology, Inc. board representing agribusiness; ~~and~~

(4) three representatives of the commodity promotion councils; and

(5) the commissioner of agriculture.

A member of the board of directors under clauses (1) to ~~(4)~~ (5) may designate a permanent or temporary replacement member representing the same constituency.

Sec. 41. Minnesota Statutes 2000, section 223.17, subdivision 3, is amended to read:

Subd. 3. [GRAIN BUYERS AND STORAGE ACCOUNT; FEES.] The commissioner shall set the fees for inspections under sections 223.15 to 223.22 at levels necessary to pay the expenses of administering and enforcing sections 223.15 to 223.22.

The fee for any license issued or renewed after June 30, ~~1997~~ 2001, shall be set according to the following schedule:

(a) ~~\$100~~ \$125 plus ~~\$50~~ \$100 for each additional location for grain buyers whose gross annual purchases are less than \$100,000;

(b) ~~\$200~~ \$250 plus ~~\$50~~ \$100 for each additional location for grain buyers whose gross annual purchases are at least \$100,000, but not more than \$750,000;

(c) ~~\$300~~ \$375 plus ~~\$100~~ \$200 for each additional location for grain buyers whose gross annual purchases are more than \$750,000 but not more than \$1,500,000;

(d) ~~\$400~~ \$500 plus ~~\$100~~ \$200 for each additional location for grain buyers whose gross annual purchases are more than \$1,500,000 but not more than \$3,000,000; and

(e) ~~\$500~~ \$625 plus ~~\$100~~ \$200 for each additional location for grain buyers whose gross annual purchases are more than \$3,000,000.

There is created the grain buyers and storage account in the agricultural fund. Money collected pursuant to sections 223.15 to 223.19 shall be paid into the state treasury and credited to the grain buyers and storage account and is appropriated to the commissioner for the administration and enforcement of sections 223.15 to 223.22.

Sec. 42. Minnesota Statutes 2000, section 231.16, is amended to read:

231.16 [WAREHOUSE OPERATOR OR HOUSEHOLD GOODS WAREHOUSE OPERATOR TO OBTAIN LICENSE.]

A warehouse operator or household goods warehouse operator must be licensed annually by the department. The department shall prescribe the form of the written application. If the department approves the license application and the applicant files with the department the necessary bond, in the case of household goods warehouse operators, or proof of warehouse operators legal liability insurance coverage in an amount of \$50,000 or more, as provided for in this chapter, the department shall issue the license upon payment of the license fee required in this section. A warehouse operator or household goods warehouse operator to whom a license is issued shall pay a fee as follows:

Building square footage used for public storage

(1) 5,000 or less	<del>\$80</del> <u>\$100</u>
(2) 5,001 to 10,000	<del>\$155</del> <u>\$200</u>
(3) 10,001 to 20,000	<del>\$250</del> <u>\$300</u>
(4) 20,001 to 100,000	<del>\$315</del> <u>\$400</u>
(5) 100,001 to 200,000	<del>\$410</del> <u>\$500</u>
(6) over 200,000	<del>\$470</del> <u>\$600</u>

Fees collected under this chapter must be paid into the grain buyers and storage account established in section 232.22.

The license must be renewed annually on or before July 1, and always upon payment of the full license fee required in this section. No license shall be issued for any portion of a year for less than the full amount of the license fee required in this section. Each license obtained under this chapter must be publicly displayed in the main office of the place of business of the warehouse operator or household goods warehouse operator to whom it is issued. The license authorizes the warehouse operator or household goods warehouse operator to carry on the business of warehousing only in the one city or town named in the application and in the buildings therein described. The department, without requiring an additional bond and license, may issue permits from time to time to any warehouse

operator already duly licensed under the provisions of this chapter to operate an additional warehouse in the same city or town for which the original license was issued during the term thereof, upon the filing an application for a permit in the form prescribed by the department.

A license may be refused for good cause shown and revoked by the department for violation of law or of any rule adopted by the department, upon notice and after hearing.

Sec. 43. [REFUND OF CERTAIN DAIRY FINES.]

For civil fines levied under Minnesota Statutes 1999 Supplement, section 32.21, subdivision 4, paragraph (d), for violations that occurred between April 13, 2000, and August 1, 2000, the commissioner of agriculture shall waive the amount of the civil fine that is above the amount required under Minnesota Statutes 2000, section 32.21, subdivision 4, paragraph (d). The commissioner shall reimburse the amount waived to dairy producers who have paid civil fines for violations that occurred between April 13, 2000, and August 1, 2000.

Sec. 44. [REPEALER.]

Minnesota Statutes 2000, sections 31.11, subdivision 2; 169.851; and 169.872, are repealed."

Delete the title and insert:

"A bill for an act relating to agriculture; providing funding for the department of agriculture, the board of animal health, the Minnesota horticultural society, and the agricultural utilization research institute; changing certain fees and charges; creating, extending, and expanding certain programs; establishing, changing, and clarifying terms and procedures; refunding certain fines; appropriating money; amending Minnesota Statutes 2000, sections 17.102, subdivision 3; 17.1025; 17.117; 17.85; 18B.065, subdivision 5; 18C.425, subdivisions 2, 6; 18E.04, subdivisions 2, 4, 5; 21.85, subdivision 12; 27.041, subdivision 2; 28A.04, subdivision 1; 28A.08, subdivision 3; 28A.085, subdivision 4; 29.22, subdivision 2; 31.11; 31.39; 32.392; 32.394, subdivisions 8, 8a, 8b, 8e; 34.07; 38.02, subdivision 1; 41A.09, subdivision 2a; 103B.3369, subdivision 5; 116.07, subdivision 7; 116O.09, subdivision 1a; 223.17, subdivision 3; 231.16; proposing coding for new law in Minnesota Statutes, chapters 17; 28A; 32; 41A; repealing Minnesota Statutes 2000, sections 31.11, subdivision 2; 169.851; 169.872."

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

The report was adopted.

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

H. F. No. 1323, A bill for an act relating to energy; authorizing creation of electric generation parks emphasizing use of clean, efficient energy sources; establishing Minnesota energy reliability trust fund to be managed by independent reliability administrator and funded by electricity-consumption surcharge; providing credits and incentives for generation facility construction; establishing center for energy security in the Humphrey Institute for Public Affairs; providing for demonstration projects for burying transmission lines; providing tax incentives and sales tax exemption; appropriating money; amending Minnesota Statutes 2000, sections 116C.52, by adding a subdivision; 116C.57, by adding a subdivision; 272.027, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216B.

Reported the same back with the following amendments:

Page 7, after line 4, insert:

"(d) The surcharge must not be considered to be part of the sale price for purposes of chapter 297A and the surcharge amounts collected are exempt from state and local sales and use taxes."

Page 7, line 5, delete "4" and insert "3"

Page 7, line 12, delete "5" and insert "4"

Page 7, line 18, delete everything after the first "generation"

Page 7, line 19, delete everything before "and"

Page 7, line 33, delete everything after the period

Page 7, delete lines 34 to 36

Page 8, delete lines 1 to 7

Page 8, line 21, delete everything after the period

Page 8, delete lines 22 to 36 and insert:

"Subd. 5. [MERCURY EMISSIONS RESEARCH.] The commissioner may transfer a portion of the annual proceeds of the reliability surcharge to the commissioner of the pollution control agency for one or more grants to institutions conducting research into the capture or control of mercury emissions from electric generation stations."

Page 9, delete lines 1 to 4

Page 9, line 5, delete "7" and insert "6"

Page 9, line 14, after the period, insert "Grants under this subdivision must be matched at least on a dollar for dollar basis by utility funds or other nonstate funds."

Page 9, line 15, delete "8" and insert "7"

Page 10, line 8, delete "9" and insert "8"

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

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1381, A bill for an act relating to human services; changing requirements to background studies for licensed programs; amending Minnesota Statutes 2000, sections 13.46, subdivision 4; 144.057; 245A.02, subdivisions 1, 9, by adding a subdivision; 245A.03, subdivision 2, by adding a subdivision; 245A.035, subdivision 1; 245A.04, subdivisions 3, 3a, 3b, 3d, 6, 11, by adding a subdivision; 245A.06, subdivision 6; 245A.16, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 245A; repealing Minnesota Rules, parts 9543.3000; 9543.3010; 9543.3020; 9543.3030; 9543.3040; 9543.3050; 9543.3060; 9543.3080; 9543.3090.

Reported the same back with the following amendments:



Page 9, line 27, before the semicolon, insert "or paid by a fiscal agent, fiscal intermediary, or employer of record"

Page 9, line 28, after "not" insert "otherwise"

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. 1427, A bill for an act relating to impaired driving; adding definitions; creating a reporting requirement for health professionals who have any evidence of injuries stemming from a traffic crash that was alcohol related, and providing civil and criminal immunity for failure to comply; providing courts with greater flexibility in using electronic alcohol monitoring to ensure compliance with alcohol abstinence during probation; extending the list of crimes for which consecutive sentencing is allowed to include a violation of the "no-alcohol" condition of a limited license; extending the list of permitted uses of an alcohol screening test to include a prosecution for a violation of the crime of refusing to submit to the chemical test; extending the list of DWI offenders who are ineligible for a shortened license revocation period to include any person whose alcohol concentration at the time of the violation exceeds 0.20; modifying registration plate impoundment provisions; clarifying that a person who violates implied consent law with an alcohol concentration of 0.20 or more or during child endangerment is eligible for license plate impoundment; preventing vehicle forfeiture for first-time DWI offenders who might otherwise qualify; increasing the legal penalty to the level of a gross misdemeanor for a violation of the "no-alcohol" condition on a restricted driver's license, if the violation occurs while the person is driving a motor vehicle; raising the license reinstatement fee for a person convicted of criminal vehicular homicide or injury; providing penalties; amending Minnesota Statutes 2000, sections 169A.03, by adding subdivisions; 169A.277, subdivision 2; 169A.28, subdivision 2; 169A.37, subdivision 1; 169A.41, subdivision 2; 169A.51, subdivision 7; 169A.54, subdivision 6; 169A.60, subdivisions 1, 13, 14; 171.09; 171.29, subdivision 2; 609.035, subdivision 2; 626.52; 626.55, subdivision 1; repealing Minnesota Statutes 2000, section 626.55, subdivision 2.

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

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1790, A bill for an act relating to child protection; establishing provisions dealing with maltreatment of a child in a facility; clarifying access to medical records for purposes of maltreatment investigations; providing additional appeal rights for interested persons acting on behalf of a child; expanding duties of facility operators; providing additional criminal liability for knowingly permitting conditions that allow maltreatment of a child in a facility to occur; requiring training; imposing criminal penalties; amending Minnesota Statutes 2000, sections 13.461, subdivision 17; 626.556, subdivisions 2, 10, 10b, 10d, 10e, 10f, 10i, 11, 12, by adding a subdivision; 626.559, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 256.

Reported the same back with the following amendments:

Page 1, line 31, after the second semicolon, insert "and corrections;"

Pages 3 to 9, delete sections 3 and 4

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 13, delete "2,"

Page 1, line 14, delete ", by adding a subdivision"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

Pursuant to Senate Concurrent Resolution No. 5, H. F. No. 1790 was re-referred to the Committee on Rules and Legislative Administration.

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

H. F. No. 1869, A bill for an act relating to state government; changing the expiration dates of certain advisory councils and committees and other multimember entities; amending Minnesota Statutes 2000, sections 6.65; 15.059, subdivisions 5 and 5a; 15.50, subdivision 2; 16B.27, subdivision 3; 16B.76, subdivision 1; 17.136; 18B.305, subdivision 3; 21.112, subdivision 2; 28A.20, subdivision 6; 43A.316, subdivision 4; 62J.15, subdivision 1; 62J.46, subdivision 1; 62Q.03, subdivision 5a; 82B.05, subdivision 1; 122A.624, subdivision 2; 144.672, subdivision 1; 144A.073, subdivisions 2 and 3; 145A.10, subdivision 10; 148C.11, subdivision 3; 161.17, subdivision 2; 174.55, subdivision 1; 256B.0917, subdivisions 1 and 2; 256B.093, subdivision 1; 256B.69, subdivision 5b; 256E.115, subdivision 1; 268.362, subdivision 2; and 402.03; repealing Minnesota Statutes 2000, sections 17.49, subdivision 1; 17.703; 17.76; 40A.14, subdivision 3; 52.061; 60K.19, subdivision 4; 93.002; 97A.055, subdivision 4a; 116C.711; 124D.894; 124D.95, subdivision 6; 134.31, subdivision 5; 137.342, subdivision 2; 144A.073, subdivision 3c; 144A.31; 162.09, subdivision 2; 256.955, subdivision 5; 256B.0625, subdivision 13a; 256B.0911, subdivision 8; 256B.434, subdivision 13; 268.361, subdivision 2; 268.363; 299A.295, subdivision 2; 299K.03, subdivision 4; and 299M.02.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 6.65, is amended to read:

6.65 [MINIMUM PROCEDURES FOR AUDITORS, PRESCRIBED.]

The state auditor shall prescribe minimum procedures and the audit scope for auditing the books, records, accounts, and affairs of local governments in Minnesota. The minimum scope for audits of all local governments must include financial and legal compliance audits for fiscal years ending after January 15, 1984. Audits of all school districts ~~shall~~ must include a determination of compliance with uniform financial accounting and reporting standards. The state auditor shall ~~establish a task force to~~ promulgate an audit guide for legal compliance audits. ~~The task force must include,~~ in consultation with representatives of the state auditor, the attorney general, towns, cities, counties, school districts, and private sector public accountants.

Sec. 2. Minnesota Statutes 2000, section 15.059, subdivision 5, is amended to read:

Subd. 5. [EXPIRATION DATE.] (a) Unless a different date is specified by law, the existence of each advisory council and committee ~~established before January 1, 1997, terminates June 30, 1997. An advisory council or committee established by law and in existence after June 30, 1997,~~ expires on the date specified in the law establishing the group or on June 30, 2001 2003, whichever is sooner. This subdivision applies whether or not the law establishing the group provides that the group is governed by this section.

(b) An advisory council or committee does not expire in accordance with paragraph (a) if it:

- (1) is an occupational licensure advisory group to a licensing board or agency;
- (2) administers and awards grants; or
- (3) is required by federal law or regulation.

~~A council or committee covered by this paragraph expires June 30, 2001.~~

Sec. 3. Minnesota Statutes 2000, section 15.50, subdivision 2, is amended to read:

Subd. 2. [CAPITOL AREA PLAN.] (a) The board shall prepare, prescribe, and from time to time, after a public hearing, amend a comprehensive use plan for the capitol area, called the area in this subdivision, which consists of that portion of the city of Saint Paul comprehended within the following boundaries: Beginning at the point of intersection of the center line of the Arch-Pennsylvania freeway and the center line of Marion Street, thence southerly along the center line of Marion Street extended to a point 50 feet south of the south line of Concordia Avenue, thence southeasterly along a line extending 50 feet from the south line of Concordia Avenue to a point 125 feet from the west line of John Ireland Boulevard, thence southwesterly along a line extending 125 feet from the west line of John Ireland Boulevard to the south line of Dayton Avenue, thence northeasterly from the south line of Dayton Avenue to the west line of John Ireland Boulevard, thence northeasterly to the center line of the intersection of Old Kellogg Boulevard and Summit Avenue, thence northeasterly along the center line of Summit Avenue to the center line of the new West Kellogg Boulevard, thence southerly along the east line of the new West Kellogg Boulevard, to the east line of the right-of-way of Interstate Highway 35-E, thence northeasterly along the east line of the right-of-way of Interstate Highway 35-E to the south line of the right-of-way of Interstate Highway 94, thence easterly along the south line of the right-of-way of Interstate Highway 94 to the west line of St. Peter Street, thence southerly to the south line of Exchange Street, thence easterly along the south line of Exchange Street to the west line of Cedar Street, thence northerly along the west line of Cedar Street to the center line of Tenth Street, thence northeasterly along the center line of Tenth Street to the center line of Minnesota Street, thence northwesterly along the center line of Minnesota Street to the center line of Eleventh Street, thence northeasterly along the center line of Eleventh Street to the center line of Jackson Street, thence northwesterly along the center line of Jackson Street to the center line of the Arch-Pennsylvania freeway extended, thence westerly along the center line of the Arch-Pennsylvania freeway extended and Marion Street to the point of origin.

Under the comprehensive plan, or a portion of it, the board may regulate, by means of zoning rules adopted under the Administrative Procedure Act, the kind, character, height, and location, of buildings and other structures constructed or used, the size of yards and open spaces, the percentage of lots that may be occupied, and the uses of land, buildings and other structures, within the area. To protect and enhance the dignity, beauty, and architectural integrity of the capitol area, the board is further empowered to include in its zoning rules design review procedures and standards with respect to any proposed construction activities in the capitol area significantly affecting the dignity, beauty, and architectural integrity of the area. No person may undertake these construction activities as defined in the board's rules in the capitol area without first submitting construction plans to the board, obtaining a zoning permit from the board, and receiving a written certification from the board specifying that the person has complied with all design review procedures and standards. Violation of the zoning rules is a misdemeanor. The board may, at its option, proceed to abate any violation by injunction. The board and the city of Saint Paul shall cooperate in assuring that the area adjacent to the capitol area is developed in a manner that is in keeping with the purpose of the board and the provisions of the comprehensive plan.

(b) The commissioner of administration shall act as a consultant to the board with regard to the physical structural needs of the state. The commissioner shall make studies and report the results to the board when it requests reports for its planning purpose.

(c) No public building, street, parking lot, or monument, or other construction may be built or altered on any public lands within the area unless the plans for the project conform to the comprehensive use plan as specified in paragraph (d) and to the requirement for competitive plans as specified in paragraph (e). No alteration substantially changing the external appearance of any existing public building approved in the comprehensive plan or the exterior or interior design of any proposed new public building the plans for which were secured by competition under paragraph (e) may be made without the prior consent of the board. The commissioner of administration shall consult with the board regarding internal changes having the effect of substantially altering the architecture of the interior of any proposed building.

(d) The comprehensive plan must show the existing land uses and recommend future uses including: areas for public taking and use; zoning for private land and criteria for development of public land, including building areas, open spaces, monuments, and other memorials; vehicular and pedestrian circulation; utilities systems; vehicular storage; elements of landscape architecture. No substantial alteration or improvement may be made to public lands or buildings in the area without the written approval of the board.

(e) The board shall secure by competitions plans for any new public building. Plans for any comprehensive plan, landscaping scheme, street plan, or property acquisition that may be proposed, or for any proposed alteration of any existing public building, landscaping scheme or street plan may be secured by a similar competition. A competition must be conducted under rules prescribed by the board and may be of any type which meets the competition standards of the American Institute of Architects. Designs selected become the property of the state of Minnesota, and the board may award one or more premiums in each competition and may pay the costs and fees that may be required for its conduct. At the option of the board, plans for projects estimated to cost less than \$1,000,000 may be approved without competition provided the plans have been considered by the advisory committee described in paragraph (h). Plans for projects estimated to cost less than \$400,000 and for construction of streets need not be considered by the advisory committee if in conformity with the comprehensive plan.

(f) Notwithstanding paragraph (e), an architectural competition is not required for the design of any light rail transit station and alignment within the capitol area. The board and its advisory committee shall select a preliminary design for any transit station in the capitol area. Each stage of any station's design through working drawings must be reviewed by the board's advisory committee and approved by the board to ensure that the station's design is compatible with the comprehensive plan for the capitol area and the board's design criteria. The guideway and track design of any light rail transit alignment within the capitol area must also be reviewed by the board's advisory committee and approved by the board.

(g) Of the amount available for the light rail transit design, adequate funds must be available to the board for design framework studies and review of preliminary plans for light rail transit alignment and stations in the capitol area.

(h) The board may not adopt any plan under paragraph (e) unless it first receives the comments and criticism of an advisory committee of three persons, each of whom is either an architect or a planner, who have been selected and appointed as follows: one by the board of the arts, one by the board, and one by the Minnesota Society of the American Institute of Architects. The authority for appointment of an advisory committee does not expire. Members of the committee may not be contestants under paragraph (e). The comments and criticism must be a matter of public information. The committee shall advise the board on all architectural and planning matters. For that purpose, the committee must be kept currently informed concerning, and have access to, all data, including all plans, studies, reports and proposals, relating to the area as the data are developed or in the process of preparation, whether by the commissioner of administration, the commissioner of trade and economic development, the metropolitan council, the city of Saint Paul, or by any architect, planner, agency or organization, public or private, retained by the board or not retained and engaged in any work or planning relating to the area, and a copy of any data prepared by any public employee or agency must be filed with the board promptly upon completion.

The board may employ stenographic or technical help that may be reasonable to assist the committee to perform its duties.

When so directed by the board, the committee may serve as, and any member or members of the committee may serve on, the jury or as professional advisor for any architectural competition, and the board shall select the architectural advisor and jurors for any competition with the advice of the committee.

The city of Saint Paul shall advise the board.

(i) The comprehensive plan for the area must be developed and maintained in close cooperation with the commissioner of trade and economic development, the planning department and the council for the city of Saint Paul, and the board of the arts, and no plan or amendment of a plan may be effective without 90 days' notice to the planning department of the city of Saint Paul and the board of the arts and without a public hearing with opportunity for public testimony.

(j) The board and the commissioner of administration, jointly, shall prepare, prescribe, and from time to time revise standards and policies governing the repair, alteration, furnishing, appearance, and cleanliness of the public and ceremonial areas of the state capitol building. The board shall consult with and receive advice from the director of the Minnesota state historical society regarding the historic fidelity of plans for the capitol building. The standards and policies developed under this paragraph are binding upon the commissioner of administration. The provisions of chapter 14, including section 14.386, do not apply to this paragraph.

(k) The board in consultation with the commissioner of administration shall prepare and submit to the legislature and the governor no later than October 1 of each even-numbered year a report on the status of implementation of the comprehensive plan together with a program for capital improvements and site development, and the commissioner of administration shall provide the necessary cost estimates for the program. The board shall report any changes to the comprehensive plan adopted by the board to the committee on governmental operations and gambling of the house of representatives and the committee on governmental operations and reform of the senate and upon request shall provide testimony concerning the changes. The board shall also provide testimony to the legislature on proposals for memorials in the capitol area as to their compatibility with the standards, policies, and objectives of the comprehensive plan.

(l) The state shall, by the attorney general upon the recommendation of the board and within appropriations available for that purpose, acquire by gift, purchase, or eminent domain proceedings any real property situated in the area described in this section, and it may also acquire an interest less than a fee simple interest in the property, if it finds that the property is needed for future expansion or beautification of the area.

(m) The board is the successor of the state veterans service building commission, and as such may adopt rules and may reenact the rules adopted by its predecessor under Laws 1945, chapter 315, and amendments to it.

(n) The board shall meet at the call of the chair and at such other times as it may prescribe.

(o) The commissioner of administration shall assign quarters in the state veterans service building to (1) the department of veterans affairs, of which a part that the commissioner of administration and commissioner of veterans affairs may mutually determine must be on the first floor above the ground, and (2) the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Military Order of the Purple Heart, United Spanish War Veterans, and Veterans of World War I, and their auxiliaries, incorporated, or when incorporated, under the laws of the state, and (3) as space becomes available, to other state departments and agencies as the commissioner may deem desirable.

Sec. 4. 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. The task force required by 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.

Sec. 5. Minnesota Statutes 2000, section 16B.27, subdivision 3, is amended to read:

Subd. 3. [COUNCIL.] The governor's residence council consists of the following 19 members: the commissioner; the spouse; or a designee of the governor; the executive director of the Minnesota state arts board; the director of the Minnesota historical society; a member of the senate appointed pursuant to the rules of the senate; a member of the house of representatives appointed pursuant to the rules of the house of representatives; 13 persons appointed by the governor including one in the field of higher education, one member of the American Society of Interior Designers, Minnesota Chapter, one member of the American Institute of Architects, Minnesota chapter, one member of the American Society of Landscape Architects, Minnesota Chapter, one member of the family that donated the governor's residence to the state, if available, and eight public members with four public members' terms being coterminous with the governor who appoints them. Members of the council serve without compensation. Membership terms, removal, and filling of vacancies for members appointed by the governor are governed by section 15.0575. The council shall elect a chair and a secretary from among its members. The council expires on June 30, ~~2001~~ 2003.

Sec. 6. Minnesota Statutes 2000, section 16B.76, subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP.] (a) The construction codes advisory council consists of the following members:

(1) the commissioner of administration or the commissioner's designee representing the department's building codes and standards division;

(2) the commissioner of health or the commissioner's designee representing an environmental health section of the department;

(3) the commissioner of public safety or the commissioner's designee representing the department's state fire marshal division;

(4) the commissioner of public service or the commissioner's designee representing the department's energy regulation and resource management division; and

(5) one member representing each of the following occupations or entities, appointed by the commissioner of administration:

- (i) a certified building official;
- (ii) a fire service representative;
- (iii) a licensed architect;
- (iv) a licensed engineer;
- (v) a building owners and managers representative;
- (vi) a licensed residential building contractor;
- (vii) a commercial building contractor;
- (viii) a heating and ventilation contractor;
- (ix) a plumbing contractor;
- (x) a representative of a construction and building trades union; and
- (xi) a local unit of government representative.

(b) For members who are not state officials or employees, terms, compensation, removal, and the filling of vacancies are governed by section 15.059. The council shall select one of its members to serve as chair.

(c) The council expires June 30, ~~2001~~ 2003.

Sec. 7. Minnesota Statutes 2000, section 17.136, is amended to read:

17.136 [ANIMAL FEEDLOTS; POLLUTION CONTROL; FEEDLOT AND MANURE MANAGEMENT ADVISORY COMMITTEE.]

(a) The commissioner of agriculture and the commissioner of the pollution control agency shall establish a feedlot and manure management advisory committee to identify needs, goals, and suggest policies for research, monitoring, and regulatory activities regarding feedlot and manure management. In establishing the committee, the commissioner shall give first consideration to members of the existing feedlot advisory group.

(b) The committee must include representation from beef, dairy, pork, chicken, and turkey producer organizations. The committee shall not exceed 21 members, but, after June 30, 1999, must include representatives from at least four environmental organizations, eight livestock producers, four experts in soil and water science, nutrient management, and animal husbandry, one commercial solid manure applicator who is not a producer, one commercial liquid manure applicator who is not a producer, and one member from an organization representing local units of government, and chairs of the senate and the house of representatives committees that deal with agricultural policy or the designees of the chairs. In addition, the departments of agriculture, health, and natural resources, the pollution control agency, board of water and soil resources, soil and water conservation districts, the federal Natural Resource Conservation Service, the association of Minnesota counties, and the Farm Service Agency shall serve on the committee as ex officio nonvoting members.

(c) The advisory committee shall elect a chair and a vice-chair from its members. The department and the agency shall provide staff support to the committee.

(d) The commissioner of agriculture and the commissioner of the pollution control agency shall consult with the advisory committee during the development of any policies, rules, or funding proposals or recommendations relating to feedlots or feedlot-related manure management.

(e) The commissioner of agriculture shall consult with the advisory committee on establishing a list of manure management research needs and priorities.

(f) The advisory committee shall advise the commissioners on other appropriate matters.

(g) Nongovernment members of the advisory committee shall receive expenses, in accordance with section 15.059, subdivision 6. The advisory committee expires on June 30, ~~2001~~ 2003.

Sec. 8. Minnesota Statutes 2000, section 18B.305, subdivision 3, is amended to read:

Subd. 3. [PESTICIDE APPLICATOR EDUCATION AND EXAMINATION REVIEW BOARD.] (a) The commissioner shall establish and chair a pesticide applicator education and examination review board. This board, consisting of 15 members, must meet at least once a year before the initiation of pesticide educational planning programs. The purpose of the board is to discuss topics of current concern that can be incorporated into pesticide applicator training sessions and appropriate examinations. This board shall review and evaluate the various educational programs recently conducted and recommend options to increase overall effectiveness.

(b) Membership on this board must include applicators representing various licensing categories, such as agriculture, turf and ornamental, aerial, aquatic, and structural pest control and private pesticide applicators, and other governmental agencies, including the University of Minnesota, the pollution control agency, department of health, department of natural resources, and department of transportation.

(c) Membership on the board must include representatives from environmental protection organizations.

(d) This board shall review licensing and certification requirements for private, commercial, and noncommercial applicators ~~and provide a report to the commissioner with recommendations by January 15, 1998.~~ This board shall review category requirements and provide recommendations to the commissioner. This board expires on June 30, ~~2001~~ 2003.

Sec. 9. Minnesota Statutes 2000, section 21.112, subdivision 2, is amended to read:

Subd. 2. [ADVISORY SEED POTATO CERTIFICATION TASK FORCE.] The commissioner may appoint an advisory seed potato certification task force. If the task force is appointed each member shall be a grower in Minnesota of certified seed potatoes. The terms, compensation and removal of members shall be as provided in section 15.059. The task force shall expire June 30, ~~2001~~ 2003.

Sec. 10. Minnesota Statutes 2000, section 28A.20, is amended to read:

28A.20 [FOOD SAFETY ~~ADVISORY COMMITTEE~~ TASK FORCE.]

Subdivision 1. [ESTABLISHMENT.] A food safety ~~advisory committee~~ task force is established to advise the commissioner and the legislature on food issues and food safety.

Subd. 2. [MEMBERSHIP.] (a) The food safety ~~advisory committee~~ task force consists of:

- (1) the commissioner of agriculture;
- (2) the commissioner of health;
- (3) a representative of the United States Food and Drug Administration;



- (4) a representative of the United States Department of Agriculture;
- (5) a representative of the agricultural utilization research institute;
- (6) one person from the University of Minnesota knowledgeable in food and food safety issues; and
- (7) nine members appointed by the governor who are interested in food and food safety, of whom:
  - (i) two persons are health or food professionals;
  - (ii) one person represents a statewide general farm organization;
  - (iii) one person represents a local food inspection agency; and
  - (iv) one person represents a food-oriented consumer group.

(b) Members shall serve without compensation. Members appointed by the governor shall serve four-year terms.

Subd. 3. [ORGANIZATION.] (a) The ~~committee~~ task force shall meet monthly or as determined by the chair.

(b) The members of the ~~committee~~ task force shall annually elect a chair and other officers as they determine necessary.

Subd. 4. [STAFF.] The commissioner of agriculture shall provide support staff, office space, and administrative services for the ~~committee~~ task force.

Subd. 5. [DUTIES.] The ~~committee~~ task force shall:

- (1) coordinate educational efforts about various aspects of food safety;
- (2) provide advice and coordination to state agencies as requested by the agencies;
- (3) serve as a source of information and referral for the public, news media, and others concerned with food safety; and
- (4) make recommendations to Congress, the legislature, and others about appropriate action to improve food safety in the state.

Subd. 6. [EXPIRATION.] This section expires on June 30, ~~2001~~ 2003.

Sec. 11. Minnesota Statutes 2000, section 43A.316, subdivision 4, is amended to read:

Subd. 4. [LABOR-MANAGEMENT COMMITTEE.] The labor-management committee consists of ten members appointed by the commissioner. The labor-management committee must comprise five members who represent employees, including at least one retired employee, and five members who represent eligible employers. Committee members are eligible for expense reimbursement in the same manner and amount as authorized by the commissioner's plan adopted under section 43A.18, subdivision 2. The commissioner shall consult with the labor-management committee in major decisions that affect the program. The committee shall study issues relating to the insurance program including, but not limited to, flexible benefits, utilization review, quality assessment, and cost efficiency. The committee continues to exist while the program remains in operation.

Sec. 12. Minnesota Statutes 2000, section 62J.15, subdivision 1, is amended to read:

Subdivision 1. [HEALTH TECHNOLOGY ADVISORY COMMITTEE.] The legislative commission on health care access may convene or authorize the commissioner of health to convene an advisory committee to conduct evaluations of existing research and technology assessments conducted by other entities of new and existing health

care technologies as designated by the legislative commission on health care access, the commissioner, or the advisory committee. The advisory committee must include at least one person representing physicians, at least one person representing hospitals, and at least one person representing the health care technology industry. Health care technologies include high-cost drugs, devices, procedures, or processes applied to human health care, such as high-cost transplants and expensive scanners and imagers. The advisory committee is governed by section 15.0575, ~~subdivision 3~~, except that members do not receive per diem payments.

Sec. 13. Minnesota Statutes 2000, section 62J.46, subdivision 1, is amended to read:

Subdivision 1. [LONG-TERM CARE COSTS.] The commissioner, ~~with the advice of the interagency long-term care planning committee established under section 144A.31,~~ shall use existing state data resources to monitor trends in public and private spending on long-term care costs and spending in Minnesota. The commissioner shall recommend to the legislature any additional data collection activities needed to monitor these trends. State agencies collecting information on long-term care spending and costs shall coordinate with the interagency long-term care planning committee and the commissioner to facilitate the monitoring of long-term care expenditures in the state.

Sec. 14. Minnesota Statutes 2000, section 62J.692, subdivision 2, is amended to read:

Subd. 2. [MEDICAL EDUCATION AND RESEARCH ADVISORY COMMITTEE.] The commissioner shall appoint an advisory committee to provide advice and oversight on the distribution of funds appropriated for distribution under this section. In appointing the members, the commissioner shall:

- (1) consider the interest of all stakeholders;
- (2) appoint members that represent both urban and rural interests; and
- (3) appoint members that represent ambulatory care as well as inpatient perspectives.

The commissioner shall appoint to the advisory committee representatives of the following groups to ensure appropriate representation of all eligible provider groups and other stakeholders: public and private medical researchers; public and private academic medical centers, including representatives from academic centers offering accredited training programs for physicians, pharmacists, chiropractors, dentists, nurses, and physician assistants; managed care organizations; employers; consumers and other relevant stakeholders. The advisory committee is governed by section 15.059 ~~for membership terms and removal of members and expires on June 30, 2001.~~

Sec. 15. Minnesota Statutes 2000, section 62Q.03, subdivision 5a, is amended to read:

Subd. 5a. [PUBLIC PROGRAMS.] (a) A separate risk adjustment system must be developed for state-run public programs, including medical assistance, general assistance medical care, and MinnesotaCare. The system must be developed in accordance with the general risk adjustment methodologies described in this section, must include factors in addition to age and sex adjustment, and may include additional demographic factors, different targeted conditions, and/or different payment amounts for conditions. The risk adjustment system for public programs must attempt to reflect the special needs related to poverty, cultural, or language barriers and other needs of the public program population.

(b) ~~The commissioners of health and human services shall jointly convene a public programs risk adjustment work group responsible for advising the commissioners in the design of the public programs risk adjustment system. The public programs risk adjustment work group is governed by section 15.059 for purposes of membership terms, expiration, and removal of members. The work group shall meet at the discretion of the commissioners of health and human services. The commissioner of health shall work with the risk adjustment association to ensure coordination between the risk adjustment systems for the public and private sectors. The commissioner of human services shall seek any needed federal approvals necessary for the inclusion of the medical assistance program in the public programs risk adjustment system.~~

~~(c) The public programs risk adjustment work group must be representative of the persons served by publicly paid health programs and providers and health plans that meet their needs. To the greatest extent possible, the appointing authorities shall attempt to select representatives that have historically served a significant number of persons in publicly paid health programs or the uninsured. Membership of the work group shall be as follows:~~

- ~~(1) one provider member appointed by the Minnesota Medical Association;~~
- ~~(2) two provider members appointed by the Minnesota Hospital Association, at least one of whom must represent a major disproportionate share hospital;~~
- ~~(3) five members appointed by the Minnesota Council of HMOs, one of whom must represent an HMO with fewer than 50,000 enrollees located outside the metropolitan area and one of whom must represent an HMO with at least 50 percent of total membership enrolled through a public program;~~
- ~~(4) two representatives of counties appointed by the Association of Minnesota Counties;~~
- ~~(5) three representatives of organizations representing the interests of families, children, childless adults, and elderly persons served by the various publicly paid health programs appointed by the governor;~~
- ~~(6) two representatives of persons with mental health, developmental or physical disabilities, chemical dependency, or chronic illness appointed by the governor; and~~
- ~~(7) three public members appointed by the governor, at least one of whom must represent a community health board. The risk adjustment association may appoint a representative, if a representative is not otherwise appointed by an appointing authority.~~

~~(d) The commissioners of health and human services, with the advice of the public programs risk adjustment work group, shall develop a work plan and time frame and shall coordinate their efforts with the private sector risk adjustment association's activities and other state initiatives related to public program managed care reimbursement.~~

~~(e) Before including risk adjustment in a contract for the prepaid medical assistance program, the prepaid general assistance medical care program, or the MinnesotaCare program, the commissioner of human services shall provide to the contractor an analysis of the expected impact on the contractor of the implementation of risk adjustment. This analysis may be limited by the available data and resources, as determined by the commissioner, and shall not be binding on future contract periods. This paragraph shall not apply if the contractor has not supplied information to the commissioner related to the risk adjustment analysis.~~

~~(f) The commissioner of human services shall report to the public program risk adjustment work group on the methodology the department will use for risk adjustment prior to implementation of the risk adjustment payment methodology. Upon completion of the report to the work group, the commissioner shall phase in risk adjustment according to the following schedule:~~

- ~~(1) for the first contract year, no more than ten percent of reimbursements shall be risk adjusted; and~~
- ~~(2) for the second contract year, no more than 30 percent of reimbursements shall be risk adjusted.~~

Sec. 16. Minnesota Statutes 2000, section 82B.05, subdivision 1, is amended to read:

Subdivision 1. [MEMBERS.] The real estate appraiser advisory board consists of 15 members appointed by the commissioner of commerce. Three of the members must be public members, four must be consumers of appraisal services, and eight must be real estate appraisers of whom not less than two members shall be registered real property appraisers, licensed real property appraisers, or certified residential real property appraisers and not less than two members shall be certified general real property appraisers. The board is governed by section 15.0575.

Sec. 17. Minnesota Statutes 2000, section 115A.12, is amended to read:

115A.12 [ADVISORY COUNCILS.]

(a) The director shall establish a solid waste management advisory council and a prevention, reduction, and recycling advisory council that are broadly representative of the geographic areas and interests of the state.

(b) The solid waste council shall have not less than nine nor more than 21 members. The membership of the solid waste council shall consist of one-third citizen representatives, one-third representatives from local government units, and one-third representatives from private solid waste management firms. The solid waste council shall contain at least three members experienced in the private recycling industry and at least one member experienced in each of the following areas: state and municipal finance; solid waste collection, processing, and disposal; and solid waste reduction and resource recovery.

(c) The prevention, reduction, and recycling advisory council shall have not less than nine nor more than 24 members. The membership shall consist of one-third citizen representatives, one-third representatives of government, and one-third representatives of business and industry. The director may appoint nonvoting members from other environmental and business assistance providers in the state.

(d) The chairs of the advisory councils shall be appointed by the director. The director shall provide administrative and staff services for the advisory councils. The advisory councils shall have such duties as are assigned by law or the director. The solid waste advisory council shall make recommendations to the office on its solid waste management activities. The prevention, reduction, and recycling advisory council shall make recommendations to the office on policy, programs, and legislation in pollution prevention, waste reduction, reuse and recycling, resource conservation, and the management of hazardous waste. Members of the advisory councils shall serve without compensation but shall be reimbursed for their reasonable expenses as determined by the director. Notwithstanding section 15.059, subdivision 5, the solid waste management advisory council and the prevention, reduction, and recycling advisory council expire June 30, 2001 2003.

Sec. 18. Minnesota Statutes 2000, section 116P.06, subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP.] (a) An advisory committee of 11 citizen members shall be appointed by the governor to advise the legislative commission on Minnesota resources on project proposals to receive funding from the trust fund and the development of budget and strategic plans. The governor shall appoint at least one member from each congressional district. ~~The governor members shall appoint elect~~ the chair.

(b) The governor's appointees must be confirmed with the advice and consent of the senate. The membership terms, compensation, removal, and filling of vacancies for citizen members of the advisory committee are governed by section 15.0575. Notwithstanding section 15.059, subdivision 5, or other law to the contrary, the advisory committee does not expire.

Sec. 19. Minnesota Statutes 2000, section 122A.624, subdivision 2, is amended to read:

Subd. 2. [~~ADVISORY TASK FORCE; PROGRAM IMPLEMENTATION.~~] The commissioner of children, families, and learning shall develop and maintain a program of educational effectiveness and results-oriented education. ~~The commissioner may appoint an advisory task force to assist the department of children, families, and learning in developing an implementation program for providing staff development to school district staff in educational effectiveness.~~ The program shall be based on established principles of instructional design and the essential elements of effective instruction as determined by educational research. The program shall take into account the diverse needs of the school districts due to such factors as district size and location.

Sec. 20. Minnesota Statutes 2000, section 144.1481, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT; MEMBERSHIP.] The commissioner of health shall establish a 15-member rural health advisory committee. The committee shall consist of the following members, all of whom must reside outside the seven-county metropolitan area, as defined in section 473.121, subdivision 2:

- (1) two members from the house of representatives of the state of Minnesota, one from the majority party and one from the minority party;
- (2) two members from the senate of the state of Minnesota, one from the majority party and one from the minority party;
- (3) a volunteer member of an ambulance service based outside the seven-county metropolitan area;
- (4) a representative of a hospital located outside the seven-county metropolitan area;
- (5) a representative of a nursing home located outside the seven-county metropolitan area;
- (6) a medical doctor or doctor of osteopathy licensed under chapter 147;
- (7) a midlevel practitioner;
- (8) a registered nurse or licensed practical nurse;
- (9) a licensed health care professional from an occupation not otherwise represented on the committee;
- (10) a representative of an institution of higher education located outside the seven-county metropolitan area that provides training for rural health care providers; and
- (11) three consumers, at least one of whom must be an advocate for persons who are mentally ill or developmentally disabled.

The commissioner will make recommendations for committee membership. Committee members will be appointed by the governor. In making appointments, the governor shall ensure that appointments provide geographic balance among those areas of the state outside the seven-county metropolitan area. The chair of the committee shall be elected by the members. The terms, compensation, and removal of members are advisory ~~committee is~~ governed by section 15.059, except that the ~~existence of the committee does not terminate and~~ members do not receive per diem compensation.

Sec. 21. Minnesota Statutes 2000, section 144.672, subdivision 1, is amended to read:

Subdivision 1. [RULE AUTHORITY.] The commissioner of health shall collect cancer incidence information, analyze the information, and conduct special studies designed to determine the potential public health significance of an increase in cancer incidence.

The commissioner shall adopt rules to administer the system, collect information, and distribute data. The rules must include, but not be limited to, the following:

- (1) the type of data to be reported;
- (2) standards for reporting specific types of data;
- (3) payments allowed to hospitals, pathologists, and registry systems to defray their costs in providing information to the system;

(4) criteria relating to contracts made with outside entities to conduct studies using data collected by the system. The criteria may include requirements for a written protocol outlining the purpose and public benefit of the study, the description, methods, and projected results of the study, peer review by other scientists, the methods and facilities to protect the privacy of the data, and the qualifications of the researcher proposing to undertake the study; and

(5) specification of fees to be charged under section 13.03, subdivision 3, for all out-of-pocket expenses for data summaries or specific analyses of data requested by public and private agencies, organizations, and individuals, and which are not otherwise included in the commissioner's annual summary reports. Fees collected are appropriated to the commissioner to offset the cost of providing the data; ~~and~~

~~(6) establishment of a committee to assist the commissioner in the review of system activities. The committee is governed by section 15.059, except it expires June 30, 2001.~~

Sec. 22. Minnesota Statutes 2000, section 144A.073, subdivision 2, is amended to read:

Subd. 2. [REQUEST FOR PROPOSALS.] At the authorization by the legislature of additional medical assistance expenditures for exceptions to the moratorium on nursing homes, the interagency committee commissioner shall publish in the State Register a request for proposals for nursing home projects to be licensed or certified under section 144A.071, subdivision 4a, clause (c). The public notice of this funding and the request for proposals must specify how the approval criteria will be prioritized by the ~~advisory review panel, the interagency long-term care planning committee, and the~~ commissioner. The notice must describe the information that must accompany a request and state that proposals must be submitted to the interagency committee commissioner within 90 days of the date of publication. The notice must include the amount of the legislative appropriation available for the additional costs to the medical assistance program of projects approved under this section. If no money is appropriated for a year, the interagency committee commissioner shall publish a notice to that effect, and no proposals shall be requested. If money is appropriated, the interagency committee commissioner shall initiate the application and review process described in this section at least twice each biennium and up to four times each biennium, according to dates established by rule. Authorized funds shall be allocated proportionally to the number of processes. Funds not encumbered by an earlier process within a biennium shall carry forward to subsequent iterations of the process. Authorization for expenditures does not carry forward into the following biennium. To be considered for approval, a proposal must include the following information:

- (1) whether the request is for renovation, replacement, upgrading, conversion, or relocation;
- (2) a description of the problem the project is designed to address;
- (3) a description of the proposed project;
- (4) an analysis of projected costs of the nursing facility proposal, which are not required to exceed the cost threshold referred to in section 144A.071, subdivision 1, to be considered under this section, including initial construction and remodeling costs; site preparation costs; financing costs, including the current estimated long-term financing costs of the proposal, which consists of estimates of the amount and sources of money, reserves if required under the proposed funding mechanism, annual payments schedule, interest rates, length of term, closing costs and fees, insurance costs, and any completed marketing study or underwriting review; and estimated operating costs during the first two years after completion of the project;
- (5) for proposals involving replacement of all or part of a facility, the proposed location of the replacement facility and an estimate of the cost of addressing the problem through renovation;
- (6) for proposals involving renovation, an estimate of the cost of addressing the problem through replacement;
- (7) the proposed timetable for commencing construction and completing the project;
- (8) a statement of any licensure or certification issues, such as certification survey deficiencies;

(9) the proposed relocation plan for current residents if beds are to be closed so that the department of human services can estimate the total costs of a proposal; and

(10) other information required by permanent rule of the commissioner of health in accordance with subdivisions 4 and 8.

Sec. 23. Minnesota Statutes 2000, section 144A.073, subdivision 3, is amended to read:

Subd. 3. [REVIEW AND APPROVAL OF PROPOSALS.] Within the limits of money specifically appropriated to the medical assistance program for this purpose, ~~the interagency long-term care planning committee may recommend that~~ the commissioner of health may grant exceptions to the nursing home licensure or certification moratorium for proposals that satisfy the requirements of this section. ~~The interagency committee shall appoint an advisory review panel composed of representatives of consumers and providers to review proposals and provide comments and recommendations to the committee. The commissioners of human services and health shall provide staff and technical assistance to the committee for the review and analysis of proposals. The interagency committee shall hold a public hearing before submitting recommendations to the commissioner of health on project requests. The committee shall submit recommendations within 150 days of the date of the publication of the notice. The commissioner of health shall approve or disapprove a project within 30 days after receiving the committee's recommendations. The advisory review panel, the committee, and the commissioner of health shall base their recommendations, approvals, or disapprovals on a comparison and ranking of proposals using only the criteria in subdivision 4 and in rules adopted by the commissioner. The cost to the medical assistance program of the proposals approved must be within the limits of the appropriations specifically made for this purpose. Approval of a proposal expires 18 months after approval by the commissioner of health unless the facility has commenced construction as defined in section 144A.071, subdivision 1a, paragraph (d). The committee's report to the legislature, as required under section 144A.31, must include the projects approved, the criteria used to recommend proposals for approval, and the estimated costs of the projects, including the costs of initial construction and remodeling, and the estimated operating costs during the first two years after the project is completed.~~

Sec. 24. Minnesota Statutes 2000, section 144A.073, subdivision 3c, is amended to read:

Subd. 3c. [COST NEUTRAL RELOCATION PROJECTS.] (a) Notwithstanding subdivision 3, the ~~interagency committee~~ commissioner may at any time accept proposals, or amendments to proposals previously approved under this section, for relocations that are cost neutral with respect to state costs as defined in section 144A.071, subdivision 5a. ~~The committee commissioner, in consultation with the commissioner of human services, shall review these applications and make recommendations to the commissioner within 90 days. The committee must evaluate proposals according to subdivision 4, clauses (1), (2), and (3), and other criteria established in rule. The commissioner shall approve or disapprove a project within 30 90 days of receiving the committee's recommendation. Proposals and amendments approved under this subdivision are not subject to the six-mile limit in subdivision 5, paragraph (e).~~

(b) For the purposes of paragraph (a), cost neutrality shall be measured over the first three 12-month periods of operation after completion of the project.

Sec. 25. Minnesota Statutes 2000, section 145A.10, subdivision 10, is amended to read:

Subd. 10. [STATE AND LOCAL ADVISORY COMMITTEES.] (a) A state community health advisory committee is established to advise, consult with, and make recommendations to the commissioner on the development, maintenance, funding, and evaluation of community health services. ~~Section 15.059, subdivision 5, applies to this committee.~~ Each community health board may appoint a member to serve on the committee. The committee must meet at least quarterly, and special meetings may be called by the committee chair or a majority of the members. Members or their alternates may receive a per diem and must be reimbursed for travel and other necessary expenses while engaged in their official duties.

(b) The city councils or county boards that have established or are members of a community health board must appoint a community health advisory committee to advise, consult with, and make recommendations to the community health board on matters relating to the development, maintenance, funding, and evaluation of community health services. The committee must consist of at least five members and must be generally representative of the population and health care providers of the community health service area. The committee must meet at least three times a year and at the call of the chair or a majority of the members. Members may receive a per diem and reimbursement for travel and other necessary expenses while engaged in their official duties.

(c) State and local advisory committees must adopt bylaws or operating procedures that specify the length of terms of membership, procedures for assuring that no more than half of these terms expire during the same year, and other matters relating to the conduct of committee business. Bylaws or operating procedures may allow one alternate to be appointed for each member of a state or local advisory committee. Alternates may be given full or partial powers and duties of members.

Sec. 26. Minnesota Statutes 2000, section 148C.11, subdivision 3, is amended to read:

Subd. 3. [FEDERALLY RECOGNIZED TRIBES; ETHNIC MINORITIES.] (a) Alcohol and drug counselors licensed to practice alcohol and drug counseling according to standards established by federally recognized tribes, while practicing under tribal jurisdiction, are exempt from the requirements of this chapter. In practicing alcohol and drug counseling under tribal jurisdiction, individuals licensed under that authority shall be afforded the same rights, responsibilities, and recognition as persons licensed pursuant to this chapter.

(b) The commissioner shall develop special licensing criteria for issuance of a license to alcohol and drug counselors who: (1) practice alcohol and drug counseling with a member of an ethnic minority population or with a person with a disability as defined by rule; or (2) are employed by agencies whose primary agency service focus addresses ethnic minority populations or persons with a disability as defined by rule. These licensing criteria may differ from the licensing criteria specified in section 148C.04. To develop, implement, and evaluate the effect of these criteria, the commissioner shall establish a committee comprised of, but not limited to, representatives from the Minnesota commission serving deaf and hard-of-hearing people, the council on affairs of Chicano/Latino people, the council on Asian-Pacific Minnesotans, the council on Black Minnesotans, the council on disability, and the Indian affairs council. The committee does not expire.

Sec. 27. Minnesota Statutes 2000, section 161.1419, subdivision 2, is amended to read:

Subd. 2. [MEMBERS.] (a) The commission shall be composed of ~~ten~~ 15 members of ~~which whom:~~

(1) one shall be appointed by the commissioner of transportation;

(2) one shall be appointed by the commissioner of natural resources;

(3) one shall be appointed by the commissioner of trade and economic development;

(4) one shall be appointed by the commissioner of agriculture;

(5) one shall be appointed by the director of the Minnesota historical society;

(6) two shall be members of the senate to be appointed by the committee on committees;~~and;~~

(7) two shall be members of the house of representatives to be appointed by the speaker.~~The tenth member;~~

(8) one shall be the secretary appointed pursuant to subdivision 3; ~~and~~



(9) five shall be citizen members appointed by five citizen committees established by the members appointed under clauses (1) to (8), with each citizen committee established within and representing each of the following geographic segments along the Mississippi river:

(i) Lake Itasca to but not including the city of Grand Rapids;

(ii) Grand Rapids to but not including the city of Brainerd;

(iii) Brainerd to but not including the city of Elk River;

(iv) Elk River to but not including the city of Hastings; and

(v) Hastings to the Iowa border.

Each citizen committee member shall be a resident of the geographic segment that the committee and member represents.

(b) The members of the commission shall be selected immediately after May 27, 1963, and shall serve for a term expiring at the close of the next each regular session of the legislature and until their successors are appointed. Successor members shall be appointed at the close of each regular session of the legislature by the same appointing authorities. Members may be reappointed. Any vacancy shall be filled by the appointing authority. The commissioner of transportation, the commissioner of natural resources, and the director of the Minnesota historical society shall be ex officio members, and shall be in addition to the ~~ten~~ 15 members heretofore provided for. Immediately upon making the appointments to the commission the appointing authorities shall so notify the Mississippi river parkway commission, hereinafter called the national commission, giving the names and addresses of the members so appointed.

Sec. 28. Minnesota Statutes 2000, section 161.1419, subdivision 8, is amended to read:

Subd. 8. [EXPIRATION.] The commission shall expire on June 30, ~~2001~~ 2003.

Sec. 29. Minnesota Statutes 2000, section 161.17, subdivision 2, is amended to read:

Subd. 2. [INTERSTATE SYSTEM.] (a) It is hereby declared that construction of the interstate system of highways will vitally affect the future development of the cities through which these routes pass and such municipalities should have an important role in the development of this highway system; that on the other hand the future planning and programming of construction projects over a period of years is necessary to take maximum advantage of federal aid and to build a unified and coordinated interstate system; that excessive delay in local approval of plans for construction of one segment may seriously impede completion of the entire system and adversely affect other municipalities along the interstate routes; that the mutual exchange of information and close cooperation between the department and local governing bodies should be encouraged by improved administrative processes for securing orderly review of plans and the resolution of differences over interstate routes and projects; and that the provisions of sections 161.171 to 161.177 for local approval of trunk highway plans must be modified for the interstate highway system in the light of these various considerations. Before proceeding with the preparation of the final plans for the construction, reconstruction, or improvement of any route on the interstate system lying within any city, the commissioner shall submit to its governing body preliminary plans covering the route location. The preliminary plans shall be submitted as part of a report containing such supporting data that the commissioner deems helpful to the governing body in appraising the plans submitted.

(b) Any public hearing on location of an interstate route held in compliance with federal requirements shall be held at least one month after submission to the governing body of the report provided for in this subdivision. After the public hearing and on preparing final plans, the commissioner shall submit the final plans to the governing body for approval. If the governing body does not approve the final plans within three months after submitted, the commissioner may refer the plans to (1) the ~~Twin Cities Metropolitan Area Planning Commission~~ metropolitan

council, if the project is within the area of its jurisdiction, or (2) the municipal advisory committee on state-aid rules established under section 162.09, subdivision 2, if the project is elsewhere in the state. If a member of the advisory committee is from the municipality concerned that member shall be excused. If the plans are so referred, the ~~commission council~~ or committee shall give the commissioner and the governing body ample opportunity to present the case for or against approval of the plans so referred. Not later than three months after such hearings and independent study as it deems desirable, it shall approve or disapprove such plans, making such additional recommendations consistent with state and federal requirements as it deems appropriate, and it shall submit a written report containing its findings and recommendations to the commissioner and the governing body. The commissioner shall not proceed with the proposed construction, reconstruction, or improvement except in accordance with plans approved by the governing body or, if referred to the ~~commission council~~ or committee, until after the ~~commission council~~ or committee has made its report, and then only after the governing body has had an additional 90 days within which to consider the plans originally submitted or such modified plans as may be submitted to it by the commissioner following the report of the ~~commission council~~ or committee. If within such 90-day period, the governing body does not approve the plans submitted to it, and if the commissioner then wishes to proceed with the project according to plans differing substantially from the plans recommended by the ~~commission council~~ or committee in its report, the commissioner shall, before proceeding with the project, file a written report with the ~~commission council~~ or committee and the governing body stating fully the reasons for doing so. Whenever plans are referred to the ~~Twin Cities Metropolitan Area Planning Commission metropolitan council~~, the ~~commission council~~ shall be reimbursed from the trunk highway fund for actual and necessary expenses incurred by the ~~commission council~~ in staff work incident to consideration of plans and action thereon by the ~~commission council~~. Whenever plans are referred to the advisory committee on rules, members of the committee shall be paid their necessary expenses to the same extent and in the same manner as for its duties in considering the commissioner's rules.

Sec. 30. Minnesota Statutes 2000, section 174.55, subdivision 1, is amended to read:

Subdivision 1. [CREATION AND PURPOSE.] ~~▲ The major transportation projects commission is created to~~ shall review and comment on proposed major transportation projects in which the department of transportation is involved. The commission does not expire.

Sec. 31. Minnesota Statutes 2000, section 175.007, subdivision 1, is amended to read:

Subdivision 1. [CREATION; COMPOSITION.] (a) There is created a permanent council on workers' compensation consisting of 12 voting members as follows: the presidents of the largest statewide Minnesota business and organized labor organizations as measured by the number of employees of its business members and in its affiliated labor organizations in Minnesota on July 1, 1992, and every five years thereafter; five additional members representing business, and five additional members representing organized labor. The commissioner of labor and industry shall serve as chair of the council and shall be a nonvoting member. Notwithstanding section 15.059, this council does not expire unless the council no longer fulfills the purpose for which the council was established, the council has not met in the last 18 months, or the council does not comply with the registration requirements of section 15.0599, subdivision 3.

(b) The governor, the majority leader of the senate, the speaker of the house of representatives, the minority leader of the senate, and the minority leader of the house of representatives shall each select a business and a labor representative. At least four of the labor representatives shall be chosen from the affiliated membership of the Minnesota AFL-CIO. At least two of the business representatives shall be representatives of small employers as defined in section 177.24, subdivision 1, paragraph (a), clause (2). None of the council members shall represent attorneys, health care providers, qualified rehabilitation consultants, or insurance companies. If the appointing officials cannot agree on a method of appointing the required number of Minnesota AFL-CIO and small business representatives by the second Monday in June of the year in which appointments are made, they shall notify the secretary of state. The distribution of appointments shall then be determined publicly by lot by the secretary of state or a designee in the presence of the appointing officials or their designees on the third Monday in June.

(c) Each council member shall appoint an alternate. Alternates shall serve in the absence of the member they replace.

(d) The ten appointed voting members shall serve for terms of five years and may be reappointed.

(e) The council shall designate liaisons to the council representing workers' compensation insurers; medical, hospital, and rehabilitation providers; and the legal profession. The speaker and minority leader of the house of representatives shall each appoint a caucus member as a liaison to the council. The majority and minority leaders of the senate shall each appoint a caucus member to serve as a liaison to the council.

(f) The compensation and removal of members shall be as provided in section 15.059.

Sec. 32. Minnesota Statutes 2000, section 175.008, is amended to read:

175.008 [CODE ENFORCEMENT ADVISORY COUNCIL; CREATION.]

The commissioner shall appoint an 11 member advisory council on code enforcement. The terms, compensation, removal of council members, and expiration of the council are governed by section 15.059, except that the advisory council shall not expire before June 30, ~~2001~~ 2003. The council shall advise the commissioner on matters within the council's expertise or under the regulation of the commissioner.

Sec. 33. Minnesota Statutes 2000, section 176.102, subdivision 3, is amended to read:

Subd. 3. [REVIEW PANEL.] There is created a rehabilitation review panel composed of the commissioner or a designee, who shall serve as an ex officio member and two members each from employers, insurers, rehabilitation, and medicine, one member representing chiropractors, and four members representing labor. The members shall be appointed by the commissioner and shall serve four-year terms which may be renewed. Terms, compensation, and removal for members shall be governed by section 15.0575. Notwithstanding section 15.059, this panel does not expire unless the panel no longer fulfills the purpose for which the panel was established, the panel has not met in the last 18 months, or the panel does not comply with the registration requirements of section 15.0599, subdivision 3. The panel shall select a chair. The panel shall review and make a determination with respect to appeals from orders of the commissioner regarding certification approval of qualified rehabilitation consultants and vendors. The hearings are de novo and initiated by the panel under the contested case procedures of chapter 14, and are appealable to the workers' compensation court of appeals in the manner provided by section 176.421.

Sec. 34. Minnesota Statutes 2000, section 176.103, subdivision 3, is amended to read:

Subd. 3. [MEDICAL SERVICES REVIEW BOARD; SELECTION; POWERS.] (a) There is created a medical services review board composed of the commissioner or the commissioner's designee as an ex officio member, two persons representing chiropractic, one person representing hospital administrators, one physical therapist, and six physicians representing different specialties which the commissioner determines are the most frequently utilized by injured employees. The board shall also have one person representing employees, one person representing employers or insurers, and one person representing the general public. The members shall be appointed by the commissioner and shall be governed by section 15.0575. Terms of the board's members may be renewed. The board may appoint from its members whatever subcommittees it deems appropriate. Notwithstanding section 15.059, this board does not expire unless the board no longer fulfills the purpose for which the board was established, the board has not met in the last 18 months, or the board does not comply with the registration requirements of section 15.0599, subdivision 3.

The commissioner may appoint alternates for one-year terms to serve as a member when a member is unavailable. The number of alternates shall not exceed one chiropractor, one physical therapist, one hospital administrator, three physicians, one employee representative, one employer or insurer representative, and one representative of the general public.

The board shall review clinical results for adequacy and recommend to the commissioner scales for disabilities and apportionment.

The board shall review and recommend to the commissioner rates for individual clinical procedures and aggregate costs. The board shall assist the commissioner in accomplishing public education.

In evaluating the clinical consequences of the services provided to an employee by a clinical health care provider, the board shall consider the following factors in the priority listed:

- (1) the clinical effectiveness of the treatment;
- (2) the clinical cost of the treatment; and
- (3) the length of time of treatment.

The board shall advise the commissioner on the adoption of rules regarding all aspects of medical care and services provided to injured employees.

(b) The medical services review board may upon petition from the commissioner and after hearing, issue a warning, a penalty of \$200 per violation, a restriction on providing treatment that requires preauthorization by the board, commissioner, or compensation judge for a plan of treatment, disqualify, or suspend a provider from receiving payment for services rendered under this chapter if a provider has violated any part of this chapter or rule adopted under this chapter, or where there has been a pattern of, or an egregious case of, inappropriate, unnecessary, or excessive treatment by a provider. The hearings are initiated by the commissioner under the contested case procedures of chapter 14. The board shall make the final decision following receipt of the recommendation of the administrative law judge. The board's decision is appealable to the workers' compensation court of appeals in the manner provided by section 176.421.

(c) The board may adopt rules of procedure. The rules may be joint rules with the rehabilitation review panel.

Sec. 35. Minnesota Statutes 2000, section 178.02, subdivision 2, is amended to read:

Subd. 2. [TERMS.] The council shall expire and the terms, compensation, and removal of appointed members shall be as provided in section 15.059, except that the council shall not expire before June 30, ~~2001~~ 2003.

Sec. 36. Minnesota Statutes 2000, section 182.656, subdivision 3, is amended to read:

Subd. 3. A majority of the council members constitutes a quorum. The council shall meet at the call of its chair, or upon request of any six members. A tape recording of the meeting with the tape being retained for a one-year period will be available upon the request and payment of costs to any interested party. The council shall expire and the terms, compensation, and removal of members shall be as provided in section 15.059, except that the council shall not expire before June 30, ~~2001~~ 2003.

Sec. 37. Minnesota Statutes 2000, section 214.001, is amended by adding a subdivision to read:

Subd. 4. [INFORMATION FROM COUNCIL OF HEALTH BOARDS.] The chair of a standing committee in either house of the legislature may request information from the council of health boards on proposals relating to the regulation of health occupations.

Sec. 38. Minnesota Statutes 2000, section 214.002, subdivision 1, is amended to read:

Subdivision 1. [WRITTEN REPORT.] Within 15 days of the introduction of a bill proposing new or expanded regulation of an occupation, the proponents of the new or expanded regulation shall submit a written report to the chair of the standing committee in each house of the legislature to which the bill was referred and to the

council of health boards setting out the information required by this section. If a committee chair requests that the report be submitted earlier, but no fewer than five days from introduction of the bill, the proponents shall comply with the request.

Sec. 39. Minnesota Statutes 2000, section 214.01, is amended by adding a subdivision to read:

Subd. 1a. [COUNCIL OF HEALTH BOARDS.] "Council of health boards" means a collaborative body established by the health-related licensing boards.

Sec. 40. [214.025] [COUNCIL OF HEALTH BOARDS.]

The health-related licensing boards may establish a council of health boards consisting of representatives of the health-related licensing boards and the emergency medical services regulatory board. When reviewing legislation or legislative proposals relating to the regulation of health occupations, the council shall include the commissioner of health or a designee.

Sec. 41. Minnesota Statutes 2000, section 214.32, subdivision 1, is amended to read:

Subdivision 1. [MANAGEMENT.] (a) A health professionals services program committee is established, consisting of one person appointed by each participating board, with each participating board having one vote. The committee shall designate one board to provide administrative management of the program, set the program budget and the pro rata share of program expenses to be borne by each participating board, provide guidance on the general operation of the program, including hiring of program personnel, and ensure that the program's direction is in accord with its authority. If the participating boards change which board is designated to provide administrative management of the program, any appropriation remaining for the program shall transfer to the newly designated board on the effective date of the change. The participating boards must inform the appropriate legislative committees and the commissioner of finance of any change in the administrative management of the program, and the amount of any appropriation transferred under this provision.

(b) The designated board, upon recommendation of the health professional services program committee, shall hire the program manager and employees and pay expenses of the program from funds appropriated for that purpose. The designated board may apply for grants to pay program expenses and may enter into contracts on behalf of the program to carry out the purposes of the program. The participating boards shall enter into written agreements with the designated board.

(c) An advisory committee is established to advise the program committee consisting of:

(1) one member appointed by each of the following: the Minnesota Academy of Physician Assistants, the Minnesota Dental Association, the Minnesota Chiropractic Association, the Minnesota Licensed Practical Nurse Association, the Minnesota Medical Association, the Minnesota Nurses Association, and the Minnesota Podiatric Medicine Association;

(2) one member appointed by each of the professional associations of the other professions regulated by a participating board not specified in clause (1); and

(3) two public members, as defined by section 214.02.

Members of the advisory committee shall be appointed for two years and members may be reappointed.

The advisory committee expires June 30, ~~2001~~ 2003.

Sec. 42. [245.699] [AMERICAN INDIAN MENTAL HEALTH ADVISORY COUNCIL.]

The commissioner shall appoint an American Indian mental health advisory council to help formulate policies and procedures relating to Indian mental health services and programs and to make recommendations regarding approval of grants provided under section 245.713, subdivision 2. The council consists of 15 members appointed by the commissioner and must include representatives who are authorized by tribal resolution from each of the 11 Minnesota reservations; one representative from the Duluth urban Indian community; two from the Minneapolis urban Indian community; and one from the St. Paul urban Indian community. Representatives from the urban Indian communities must be selected through an open appointments process under section 15.059. The terms, compensation, and removal of American Indian mental health advisory council members are governed by section 15.059.

Sec. 43. Minnesota Statutes 2000, section 248.10, is amended to read:

248.10 [REHABILITATION ~~ADVISORY~~ COUNCIL FOR THE BLIND.]

The commissioner shall establish a rehabilitation ~~advisory~~ council for the blind consistent with the federal Rehabilitation Act of 1973, Public Law Number 93-112, as amended. ~~Advisory~~ Council members shall be compensated as provided in section 15.059, subdivision 3. ~~Members of the council for the blind appointed before July 1, 1993, shall serve on the advisory council until the end of their appointed terms. The advisory council shall advise the commissioner about programs of the division of state services for the blind and visually disabled. The advisory council is limited to 15 members, a majority of whom must be blind or visually disabled.~~

Sec. 44. Minnesota Statutes 2000, section 254A.03, subdivision 2, is amended to read:

Subd. 2. [AMERICAN INDIAN PROGRAMS.] There is hereby created a section of American Indian programs, within the alcohol and drug abuse section of the department of human services, to be headed by a special assistant for American Indian programs on alcoholism and drug abuse and ~~an assistant~~ two assistants to that position. The section shall be staffed with all personnel necessary to fully administer programming for alcohol and drug abuse for American Indians in the state. The special assistant position shall be filled by a person with considerable practical experience in and understanding of alcohol and other drug abuse problems in the American Indian community, who shall be responsible to the director of the alcohol and drug abuse section created in subdivision 1 and shall be in the unclassified service. The special assistant shall meet and consult with the American Indian advisory council as described in section 254A.035 and serve as a liaison to the Minnesota Indian affairs council and tribes to report on the status of alcohol and other drug abuse among American Indians in the state of Minnesota. The special assistant with the approval of the director shall:

(a) administer funds appropriated for American Indian groups, organizations and reservations within the state for American Indian alcoholism and drug abuse programs; ~~;~~

(b) establish policies and procedures for such American Indian programs with the assistance of the American Indian advisory board; and

(c) hire and supervise staff to assist in the administration of the American Indian program section within the alcohol and drug abuse section of the department of human services.

Sec. 45. Minnesota Statutes 2000, section 256.482, subdivision 8, is amended to read:

Subd. 8. [SUNSET.] Notwithstanding section 15.059, subdivision 5, the council on disability shall not sunset until June 30, ~~2001~~ 2003.

Sec. 46. Minnesota Statutes 2000, section 256B.0917, subdivision 1, is amended to read:

Subdivision 1. [PURPOSE, MISSION, GOALS, AND OBJECTIVES.] (a) The purpose of implementing seniors' agenda for independent living (SAIL) projects under this section is to demonstrate a new cooperative strategy for the long-term care system in the state of Minnesota.

The projects are part of the initial plan for a 20-year strategy. The mission of the 20-year strategy is to create a new community-based care paradigm for long-term care in Minnesota in order to maximize independence of the older adult population, and to ensure cost-effective use of financial and human resources. The goals for the 20-year strategy are to:

- (1) achieve a broad awareness and use of low-cost home care and other residential alternatives to nursing homes;
- (2) develop a statewide system of information and assistance to enable easy access to long-term care services;
- (3) develop sufficient alternatives to nursing homes to serve the increased number of people needing long-term care;
- (4) maintain the moratorium on new construction of nursing home beds and to lower the percentage of elderly persons served in institutional settings; and
- (5) build a community-based approach and community commitment to delivering long-term care services for elderly persons in their homes.

(b) The objective for the fiscal years 1994 and 1995 biennial plan is to continue at least four but not more than six projects in anticipation of a statewide program. These projects will continue the process of implementing:

- (1) a coordinated planning and administrative process;
- (2) a refocused function of the preadmission screening program;
- (3) the development of additional home, community, and residential alternatives to nursing homes;
- (4) a program to support the informal caregivers for elderly persons;
- (5) programs to strengthen the use of volunteers; and
- (6) programs to support the building of community commitment to provide long-term care for elderly persons.

~~This is done in conjunction with an expanded role of the interagency long-term care planning committee as described in section 144A.31.~~ The services offered through these projects ~~will be~~ are available to those who have their own funds to pay for services, as well as to persons who are eligible for medical assistance and to persons who are 180-day eligible clients to the extent authorized in this section.

Sec. 47. Minnesota Statutes 2000, section 256B.0917, subdivision 2, is amended to read:

Subd. 2. [DESIGN OF SAIL PROJECTS; LOCAL LONG-TERM CARE COORDINATING TEAM.] (a) The commissioner of human services ~~in conjunction with the interagency long-term care planning committee's long-range strategic plan~~ shall contract with SAIL projects in four to six counties or groups of counties to demonstrate the feasibility and cost-effectiveness of a local long-term care strategy that is consistent with the state's long-term care goals identified in subdivision 1. The commissioner shall publish a notice in the State Register announcing the availability of project funding and giving instructions for making an application. The instructions for the application shall identify the amount of funding available for project components.

(b) To be selected for the project, a county board or boards must establish a long-term care coordinating team consisting of county social service agencies, public health nursing service agencies, local boards of health, a representative of local nursing home providers, a representative of local home care providers, and the area agencies on aging in a geographic area which is responsible for:

(1) developing a local long-term care strategy consistent with state goals and objectives;

(2) submitting an application to be selected as a project;

(3) coordinating planning for funds to provide services to elderly persons, including funds received under Title III of the Older Americans Act, Community Social Services Act, Title XX of the Social Security Act and the Local Public Health Act; and

(4) ensuring efficient services provision and nonduplication of funding.

(c) The board or boards shall designate a public agency to serve as the lead agency. The lead agency receives and manages the project funds from the state and is responsible for the implementation of the local strategy. If selected as a project, the local long-term care coordinating team must semiannually evaluate the progress of the local long-term care strategy in meeting state measures of performance and results as established in the contract.

(d) Each member of the local coordinating team must indicate its endorsement of the local strategy. The local long-term care coordinating team may include in its membership other units of government which provide funding for services to the frail elderly. The team must cooperate with consumers and other public and private agencies, including nursing homes, in the geographic area in order to develop and offer a variety of cost-effective services to the elderly and their caregivers.

(e) The board or boards shall apply to be selected as a project. If the project is selected, the commissioner of human services shall contract with the lead agency for the project and shall provide additional administrative funds for implementing the provisions of the contract, within the appropriation available for this purpose.

(f) Projects shall be selected according to the following conditions.

No project may be selected unless it demonstrates that:

(i) the objectives of the local project will help to achieve the state's long-term care goals as defined in subdivision 1;

(ii) in the case of a project submitted jointly by several counties, all of the participating counties are contiguous;

(iii) there is a designated local lead agency that is empowered to make contracts with the state and local vendors on behalf of all participants;

(iv) the project proposal demonstrates that the local cooperating agencies have the ability to perform the project as described and that the implementation of the project has a reasonable chance of achieving its objectives;

(v) the project will serve an area that covers at least four counties or contains at least 2,500 persons who are 85 years of age or older, according to the projections of the state demographer or the census if the data is more recent; and

(vi) the local coordinating team documents efforts of cooperation with consumers and other agencies and organizations, both public and private, in planning for service delivery.



Sec. 48. Minnesota Statutes 2000, section 256B.093, subdivision 1, is amended to read:

Subdivision 1. [STATE TRAUMATIC BRAIN INJURY PROGRAM.] The commissioner of human services shall:

- (1) maintain a statewide traumatic brain injury program;
- (2) supervise and coordinate services and policies for persons with traumatic brain injuries;
- (3) contract with qualified agencies or employ staff to provide statewide administrative case management and consultation;
- (4) maintain an advisory committee to provide recommendations in reports to the commissioner regarding program and service needs of persons with traumatic brain injuries. ~~The advisory committee shall consist of no less than ten members and no more than 30 members. The commissioner shall appoint all advisory committee members to one- or two-year terms and appoint one member as chair;~~
- (5) investigate the need for the development of rules or statutes for the traumatic brain injury home and community-based services waiver; ~~and~~
- (6) investigate present and potential models of service coordination which can be delivered at the local level; and
- (7) the advisory committee required by clause (4) must consist of no fewer than ten members and no more than 30 members. The commissioner shall appoint all advisory committee members to one or two-year terms and appoint one member as chair. Notwithstanding section 15.059, subdivision 5, the advisory committee does not terminate until June 30, 2005.

Sec. 49. Minnesota Statutes 2000, section 256B.69, subdivision 5b, is amended to read:

Subd. 5b. [PROSPECTIVE REIMBURSEMENT RATES.] (a) For prepaid medical assistance and general assistance medical care program contract rates set by the commissioner under subdivision 5 and effective on or after January 1, 1998, capitation rates for nonmetropolitan counties shall on a weighted average be no less than 88 percent of the capitation rates for metropolitan counties, excluding Hennepin county. The commissioner shall make a pro rata adjustment in capitation rates paid to counties other than nonmetropolitan counties in order to make this provision budget neutral.

(b) For prepaid medical assistance program contract rates set by the commissioner under subdivision 5 and effective on or after January 1, 2001, capitation rates for nonmetropolitan counties shall, on a weighted average, be no less than 89 percent of the capitation rates for metropolitan counties, excluding Hennepin county.

(c) This subdivision shall not affect the nongeographically based risk adjusted rates established under section 62Q.03, subdivision 5a, ~~paragraph (f).~~

Sec. 50. Minnesota Statutes 2000, section 256E.115, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS; COMMISSIONER DUTIES.] (a) The following definitions apply to this section:

- (1) "Targeted youth" means children who are ages 16 to 21 and who are in out-of-home placement, leaving out-of-home placement, at risk of becoming homeless, or homeless.
- (2) "Safe house" means a facility providing emergency housing for homeless targeted youth with the goal of reuniting the family if appropriate and possible.

(3) "Transitional housing" means congregate or cooperative housing for targeted youth who are transitioning to independent living.

(4) "Independent living assistance" means services provided to assist targeted youth who are not living in a safe house or transitional housing to make the transition to independent living.

(b) The commissioner shall issue a request for proposals from organizations that are knowledgeable about the needs of targeted youth for the purpose of establishing a system of safe houses, transitional housing, and independent living assistance for such youth. ~~The commissioner shall appoint a review committee of up to eight members to evaluate the proposals. The review panel must include representation from communities of color, youth, and other community providers and agency representatives who understand the needs and problems of targeted youth.~~ The commissioner shall also assist in coordinating funding from federal and state grant programs and funding available from a variety of sources for efforts to promote a continuum of services for targeted youth through a consolidated grant application. The commissioner shall analyze the needs of targeted youth and gaps in services throughout the state and determine how to best serve those needs within the available funding.

Sec. 51. Minnesota Statutes 2000, section 268.29, is amended to read:

268.29 [JUVENILE JUSTICE PROGRAM.]

The governor shall designate the department of economic security as the sole agency responsible for supervising the preparation and administration of the state plan for juvenile justice required by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

The governor shall designate the juvenile justice advisory committee as the supervisory board for the department of economic security with respect to preparation and administration of the state plan and award of grants.

The governor shall appoint members to the juvenile justice advisory committee in accordance with the membership requirements of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended. Section 15.059, subdivision 3, governs the compensation of the members.

Sec. 52. Minnesota Statutes 2000, section 268A.02, subdivision 2, is amended to read:

Subd. 2. [REHABILITATION ~~ADVISORY~~ COUNCIL.] The commissioner shall establish a state rehabilitation ~~advisory council~~ and a statewide independent living council consistent with the federal Rehabilitation Act of 1973, Public Law Number 93-112, as amended. ~~Members of the advisory council~~ councils shall be compensated as provided in section 15.059, subdivision 3. ~~Members of the consumer advisory council appointed prior to July 1, 1993, shall serve on the rehabilitation advisory council until the end of their appointed terms.~~

Sec. 53. Minnesota Statutes 2000, section 402.03, is amended to read:

402.03 [ADVISORY COMMITTEE.]

Each human services board shall appoint an advisory committee, which shall actively participate in the formulation of the plan for the development, implementation and operation of the programs and services by the board, and shall make a formal recommendation to the board at least annually concerning the annual budget of the board and the implementation of the plan during the ensuing year.

Membership on the advisory committee shall consist of no more than 25 persons serving two year terms not to exceed three consecutive terms. Up to one-half of the terms of the initial advisory committee may be for one year; upon their expiration all terms shall be for two years. The chair shall be appointed by the human services board and may not be a member of a county board.

One-third of the members of the advisory committee shall be representatives of those persons receiving services provided by the human services board. Up to one-third may be providers or employees of providers of services and must include representatives of private providers if such providers exist in the county or counties party to the agreement. ~~At least one member shall be a member of the health advisory committee established pursuant to section 145A.10, subdivision 10, if any.~~ At least one member shall be a member of the corrections advisory board established pursuant to section 401.08, if any. The remaining members shall represent the citizens of the counties.

The advisory committee shall appoint permanent task forces to assist in planning for corrections, social, mental health and public health services.

Task force membership shall be constituted to fulfill state agency requirements for receiving categorical funds. Where appropriately constituted, these task forces may, at the option of the human services boards, replace those advisory bodies required by statute and rule to advise local social services agencies and other county and area boards. Individuals not members of the advisory committee may be appointed to the task forces; provided, however, that each task force shall be chaired by a member of the advisory committee.

The human services board shall provide staff assistance to the advisory committee.

Sec. 54. [COUNCILS AND COMMITTEES; CONTINUATION.]

Notwithstanding Minnesota Statutes, section 15.059, the following councils and committees do not expire unless federal law no longer requires the existence of the council or committee:

- (1) rehabilitation council for the blind, created in Minnesota Statutes, section 248.10;
- (2) juvenile justice advisory committee, created in Minnesota Statutes, section 268.29;
- (3) governor's workforce development council, created in Minnesota Statutes, section 268.665;
- (4) local workforce councils, created in Minnesota Statutes, section 268.666, subdivision 2;
- (5) rehabilitation council, created in Minnesota Statutes, section 268A.02, subdivision 2; and
- (6) statewide independent living council, created in Minnesota Statutes, section 268A.02, subdivision 2.

Sec. 55. [TASK FORCE.]

The chair of the legislative commission on Minnesota resources shall organize a task force consisting of the members of the commission's executive committee and an equal number of members of the citizen advisory committee created under Minnesota Statutes, section 116P.06. The task force shall explore options to better integrate the citizen advisory committee in the process of making expenditures from the environment and natural resources trust fund. The task force shall make recommendations to the chair of the legislative commission on Minnesota resources by January 15, 2002.

Sec. 56. [LEGISLATIVE REVIEW.]

Before the 2003 legislative session, legislative committees must conduct hearings on advisory groups within their jurisdictions. At the hearings, each advisory group must submit a report, the date of its last meeting, and a list of recommendations. The committees must make recommendations to the legislature on which groups should continue in existence after June 30, 2003.

Sec. 57. [REVISOR'S INSTRUCTION.]

The revisor shall delete "17.703" and insert "17.702" in Minnesota Statutes, sections 17.696, 17.697, 17.70, 17.701, and 17.9442.

Sec. 58. [REPEALER.]

Minnesota Statutes 2000, sections 15.059, subdivision 5a, as amended by Laws 2001, chapter 7, section 7; 17.49, subdivision 1; 17.703; 17.76; 40A.14, subdivision 3; 52.061; 60K.19, subdivision 4; 93.002; 97A.055, subdivision 4a; 116C.711; 124D.894; 124D.95, subdivision 6; 134.31, subdivision 5; 137.342, subdivision 2; 144A.31; 162.09, subdivision 2; 256B.071, subdivision 5; 256B.0911, subdivision 8; 256B.434, subdivision 13; 299A.295, subdivision 2; and 299K.03, subdivision 4, are repealed.

Sec. 59. [EFFECTIVE DATE.]

Sections 1 to 9, 11 to 13, 15 to 17, 19, 21 to 24, 26, 29 to 36, 44, 46 to 50, 53, and 58 are effective June 30, 2001. Sections 10, 14, 18, 20, 25, 42, 43, 51, 52, 54, and 55 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to state government; changing the expiration dates of certain advisory councils and committees and other multimember entities; establishing the council of health boards; amending Minnesota Statutes 2000, sections 6.65; 15.059, subdivision 5; 15.50, subdivision 2; 16B.181, subdivision 2; 16B.27, subdivision 3; 16B.76, subdivision 1; 17.136; 18B.305, subdivision 3; 21.112, subdivision 2; 28A.20; 43A.316, subdivision 4; 62J.15, subdivision 1; 62J.46, subdivision 1; 62J.692, subdivision 2; 62Q.03, subdivision 5a; 82B.05, subdivision 1; 115A.12; 116P.06, subdivision 1; 122A.624, subdivision 2; 144.1481, subdivision 1; 144.672, subdivision 1; 144A.073, subdivisions 2, 3, 3c; 145A.10, subdivision 10; 148C.11, subdivision 3; 161.1419, subdivisions 2, 8; 161.17, subdivision 2; 174.55, subdivision 1; 175.007, subdivision 1; 175.008; 176.102, subdivision 3; 176.103, subdivision 3; 178.02, subdivision 2; 182.656, subdivision 3; 214.001, by adding a subdivision; 214.002, subdivision 1; 214.01, by adding a subdivision; 214.32, subdivision 1; 248.10; 254A.03, subdivision 2; 256.482, subdivision 8; 256B.0917, subdivisions 1, 2; 256B.093, subdivision 1; 256B.69, subdivision 5b; 256E.115, subdivision 1; 268.29; 268A.02, subdivision 2; 402.03; proposing coding for new law in Minnesota Statutes, chapters 214; 245; repealing Minnesota Statutes 2000, sections 15.059, subdivision 5a, as amended; 17.49, subdivision 1; 17.703; 17.76; 40A.14, subdivision 3; 52.061; 60K.19, subdivision 4; 93.002; 97A.055, subdivision 4a; 116C.711; 124D.894; 124D.95, subdivision 6; 134.31, subdivision 5; 137.342, subdivision 2; 144A.31; 162.09, subdivision 2; 256B.071, subdivision 5; 256B.0911, subdivision 8; 256B.434, subdivision 13; 299A.295, subdivision 2; 299K.03, subdivision 4."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2273, A bill for an act relating to capital improvements; reenacting certain corrective amendments made by Laws 2000, chapter 499, sections 12, 15, 17, and 18, to the last Omnibus Capital Improvements Act, Laws 2000, chapter 492, article 1, section 1; section 22, subdivision 3; section 25; and section 26, subdivision 1.

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

The report was adopted.

Ness from the Committee on Agriculture and Rural Development Finance to which was referred:

H. F. No. 2367, A bill for an act relating to agriculture; establishing a permanent certification program; changing certain fees, charges, and licensing provisions; expanding certain programs; changing a reimbursement program; funding programs of the department of agriculture and the board of animal health; imposing penalties; appropriating money; amending Minnesota Statutes 2000, sections 17.1025; 17.85; 18C.425, subdivisions 2, 6; 18E.02, by adding a subdivision; 18E.04, subdivisions 2, 4, 5, by adding a subdivision; 21.85, subdivision 12; 27.041, subdivision 2; 28A.04, subdivision 1; 29.22, subdivision 2; 31.39; 32.392; 32.394, subdivisions 8a, 8e; 223.17, subdivision 3; 231.16; proposing coding for new law in Minnesota Statutes, chapters 28A; 32; repealing Minnesota Statutes 2000, sections 31.11, subdivision 2;

Reported the same back with the following amendments:

Page 2, line 25, delete "develop a" and insert "incorporate the Minnesota Grown" and after "and" insert "develop"

Page 3, delete lines 2 to 6

Page 3, line 7, delete "6" and insert "5"

Page 3, line 12, delete "7" and insert "6"

Page 6, delete section 8

Page 9, after line 33, insert:

"Sec. 12. Minnesota Statutes 2000, section 28A.08, subdivision 3, is amended to read:

Subd. 3. [FEES EFFECTIVE JULY 1, 1999.]

Type of food handler	License Fee Effective July 1, 1999	Penalties	
		Late Renewal	No License
1. Retail food handler			
(a) Having gross sales of only prepackaged nonperishable food of less than \$15,000 for the immediately previous license or fiscal year and filing a statement with the commissioner	\$ 48	\$ 16	\$ 27
(b) Having under \$15,000 gross sales including food preparation or having \$15,000 to \$50,000 gross sales for the immediately previous license or fiscal year	\$ 65	\$ 16	\$ 27
(c) Having \$50,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$126	\$ 37	\$ 80
(d) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$216	\$ 54	\$107

(e) Having \$1,000,000 to \$5,000,000 gross sales for the immediately previous license or fiscal year	\$601	\$107	\$187
(f) Having \$5,000,000 to \$10,000,000 gross sales for the immediately previous license or fiscal year	\$842	\$161	\$321
(g) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	\$962	\$214	\$375
2. Wholesale food handler			
(a) Having gross sales or service of less than \$25,000 for the immediately previous license or fiscal year	\$ 54	\$ 16	\$ 16
(b) Having \$25,000 to \$250,000 gross sales or service for the immediately previous license or fiscal year	\$241	\$ 54	\$107
(c) Having \$250,000 to \$1,000,000 gross sales or service from a mobile unit without a separate food facility for the immediately previous license or fiscal year	\$361	\$ 80	\$161
(d) Having \$250,000 to \$1,000,000 gross sales or service not covered under paragraph (c) for the immediately previous license or fiscal year	\$480	\$107	\$214
(e) Having \$1,000,000 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year	\$601	\$134	\$268
(f) Having over \$5,000,000 gross sales for the immediately previous license or fiscal year	\$692	\$161	\$321
3. Food broker	\$120	\$ 32	\$ 54
4. Wholesale food processor or manufacturer			
(a) Having gross sales of less than \$125,000 for the immediately previous license or fiscal year	\$161	\$ 54	\$107
(b) Having \$125,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$332	\$ 80	\$161
(c) Having \$250,001 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$480	\$107	\$214
(d) Having \$1,000,001 to 5,000,000 gross sales for the immediately previous license or fiscal year	\$601	\$134	\$268
(e) Having \$5,000,001 to \$10,000,000 gross sales for the immediately previous license or fiscal year	\$692	\$161	\$321
(f) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	\$963	\$214	\$375

5. Wholesale food processor of meat or poultry products under supervision of the U. S. Department of Agriculture			
(a) Having gross sales of less than \$125,000 for the immediately previous license or fiscal year	\$107	\$ 27	\$ 54
(b) Having \$125,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$181	\$ 54	\$ 80
(c) Having \$250,001 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$271	\$ 80	\$134
(d) Having \$1,000,001 to \$5,000,000 gross sales for the immediately previous license or fiscal year	\$332	\$ 80	\$161
(e) Having \$5,000,001 to \$10,000,000 gross sales for the immediately previous license or fiscal year	\$392	\$107	\$187
(f) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	\$535	\$161	\$268
6. Wholesale food processor or manufacturer operating only at the state fair	\$125	\$ 40	\$ 50
7. Wholesale food manufacturer having the permission of the commissioner to use the name Minnesota Farmstead cheese	<del>\$ 30</del> <u>\$ 0</u>	<del>\$ 10</del> <u>\$ 0</u>	\$ 15
8. Nonresident frozen dairy manufacturer	\$200	\$ 50	\$ 75
9. Wholesale food manufacturer processing less than 700,000 pounds per year of raw milk	\$ 30	\$ 10	\$ 15
10. A milk marketing organization without facilities for processing or manufacturing that purchases milk from milk producers for delivery to a licensed wholesale food processor or manufacturer	\$ 50	\$ 15	\$ 25"

Page 12, line 19, after "state" insert ", except the operator of a plant that is required to pay a processor assessment under section 32.394, subdivision 8d."

Page 12, line 20, delete "0.71" and insert "0.70"

Page 13, after line 25, insert:

"Sec. 18. Minnesota Statutes 2000, section 32.394, subdivision 8, is amended to read:

Subd. 8. [GRADE A INSPECTION FEES.] (a) A processor or marketing organization of milk, milk products, sheep milk, or goat milk who wishes to market Grade A milk or use the Grade A label must apply for Grade A inspection service from the commissioner. A pasteurization plant requesting Grade A inspection service must hold a Grade A permit and pay an annual inspection fee of no more than \$500.

(b) For Grade A farm inspection service, the fee must be no more than ~~\$50~~ \$10 per farm, paid annually by the processor or by the marketing organization on behalf of its patrons. ~~For a farm requiring a reinspection in addition to the required biannual inspections, an additional fee of no more than \$25 per reinspection must be paid by the processor or by the marketing organization on behalf of its patrons. The Grade A farm inspection fee must not exceed the lesser of (1) 40 percent of the department's actual average cost per farm inspection or reinspection; or (2) the dollar limits set in this subdivision. No fee increase may be implemented until after the commissioner has held three or more public hearings~~ No fee may be charged for reinspection of a dairy farm."

Page 14, after line 29, insert:

"Sec. 21. Minnesota Statutes 2000, section 32.394, subdivision 8b, is amended to read:

Subd. 8b. [MANUFACTURING GRADE FARM CERTIFICATION.] (a) A processor or marketing organization of milk, milk products, sheep milk, or goat milk who wishes to market other than Grade A milk must apply for a manufacturing grade farm certification inspection from the commissioner. A manufacturing plant that pasteurizes milk or milk by-products must pay an annual fee based on the number of pasteurization units. This fee must not exceed \$140 per unit.

(b) The fee for farm certification inspection must not be more than ~~\$25~~ \$10 per farm to be paid annually by the processor or by the marketing organization on behalf of its patrons. ~~For a farm requiring more than the one inspection for certification, a reinspection fee of no more than \$25 must be paid by the processor or by the marketing organization on behalf of its patrons. The fee must be set by the commissioner in an amount necessary to cover 40 percent of the department's actual cost of providing the annual inspection but must not exceed the limits in this subdivision. No fee increase may be implemented until after the commissioner has held three or more public hearings~~ No fee may be charged for reinspection of a farm."

Page 16, line 34, delete everything after the headnote

Page 16, delete lines 35 and 36

Page 17, delete line 1

Page 17, line 2, delete "year 2003," and insert "\$300,000 in fiscal year 2002 and \$300,000 in fiscal year 2003 are appropriated from the general fund to the board of animal health"

Page 17, line 3, after the period, insert "This is a one-time appropriation."

Page 17, delete lines 4 and 5

Page 17, line 7, delete "(d)" and insert "(c)"

Page 17, line 9, delete the first "\$180,000" and insert "\$120,000" and delete the second "\$180,000" and insert "\$240,000"

Page 17, delete lines 13 to 18

Page 17, line 19, delete "(c)" and insert "(b)"

Page 17, line 22, delete "(d)" and insert "(c)" and delete "\$849,000" and insert "\$425,000" and delete "\$401,000" and insert "\$200,000"

Page 17, line 33, delete "18" and insert "19"



Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 10 and 11, delete ", by adding a subdivision"

Page 1, line 12, after "1;" insert "28A.08, subdivision 3;"

Page 1, line 13, after "subdivisions" insert "8," and after "8a," insert "8b,"

Page 1, line 16, delete "sections" and insert "section"

Page 1, line 17, delete the semicolon and insert a period

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

The report was adopted.

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

H. F. No. 2420, A bill for an act relating to human services; clarifying the role of the department of children, families, and learning under the maltreatment of minors act and related statutory provisions; providing for other special programs; amending Minnesota Statutes 2000, sections 13.319, by adding a subdivision; 13.32, subdivision 3; 13.43, by adding a subdivision; 13.46, subdivision 2; 119B.02, by adding a subdivision; 120A.22, subdivision 7; 122A.31, subdivision 2; 125A.023, subdivision 4; 125A.027, by adding a subdivision; 125A.09, subdivision 11; 125A.11, subdivision 3; 125A.27, subdivision 15; 125A.515; 125A.76, subdivisions 1, 2; 256.045, subdivision 3b; 626.556, subdivisions 2, 3, 4, 7, 10, 10b, 10d, 10e, 10i, 10j, 11.

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

Joint Rule 2.03 and Senate Concurrent Resolution No. 5 have been waived for subsequent committee action on this bill.

The report was adopted.

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

H. F. No. 2455, A bill for an act relating to public transit; providing state funding for public transit; prohibiting property tax levies as a revenue source for transit services; altering the distribution of revenues derived from the sales tax on motor vehicles; appropriating money; amending Minnesota Statutes 2000, sections 174.24, subdivision 3b; 297B.09, subdivision 1; 473.388, subdivisions 4, 7; 473.446, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

The report was adopted.

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

S. F. No. 1269, A bill for an act relating to veterans; providing for placement in the Capitol of a plaque commemorating the soldiers who participated in the Bataan Death March.

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 6, line 12, delete "combine" and insert "pass an omnibus appropriation bill that combines two or more of the"

Page 6, line 13, delete " but" and insert a period

Page 6, delete lines 14 to 17, and insert "If the house of origin passes two or more omnibus bills in place of a single omnibus bill identified in the concurrent resolution, it shall transmit the bills with a record of its action to the other house, which shall indefinitely postpone action on the single omnibus bill in favor of action on the omnibus bills received from the house of origin."

Page 6, line 18, delete everything after the comma

Page 6, delete line 19

Page 6, line 20, delete everything before "the"

Page 6, line 24, delete "chair" and insert "chairs"

Page 6, line 25, after the comma, insert "acting jointly."

Page 7, line 27, strike "If the house of origin" and insert "Now either house, when in possession of the bill, may further amend it, pass it as amended, and transmit it to the other house with a record of its actions. After each house has passed the bill once, if either house does not further amend the bill and"

Page 7, line 32, before "house" insert "other"

Page 7, line 33, strike "of origin" and delete the new language

Page 7, delete lines 34 to 36

Page 8, delete lines 1 and 2

Page 8, line 27, before "subject" insert "like" and delete "that is"

Page 8, line 28, delete everything after "Senate" and insert a period

Page 8, line 29, delete everything before "intended" and insert "A provision is not like subject matter if it relates to a substantially different subject or is"

With the recommendation that when so amended the resolution be adopted.

The report was adopted.

**SECOND READING OF HOUSE BILLS**

H. F. Nos. 1023, 1381, 1869, 2273 and 2420 were read for the second time.

**SECOND READING OF SENATE BILLS**

S. F. Nos. 1212, 1610, 1797 and 1269 were read for the second time.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Bakk and Huntley introduced:

H. F. No. 2479, A bill for an act relating to public facilities authority; removing certain wastewater infrastructure program funding limits for municipalities bordering Lake Superior; amending Minnesota Statutes 2000, section 446A.072, subdivision 4.

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

Bakk and Huntley introduced:

H. F. No. 2480, A bill for an act relating to capital investments; appropriating money for a school building in independent school district No. 381, Lake Superior; authorizing state bonds.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Abrams introduced:

H. F. No. 2481, A bill for an act relating to tax administration; providing for electronic filing and paying of taxes; amending Minnesota Statutes 2000, sections 115B.24, subdivision 2; 270.271, subdivisions 1, 3; 270.771; 270.78; 287.12; 289A.02, by adding a subdivision; 289A.18, subdivision 4; 289A.20, subdivisions 1, 2, 4; 289A.26, subdivision 2a; 289A.60, subdivision 21; 295.55, subdivision 4; 296A.15, subdivision 7; 297E.02, subdivision 4; 297F.09, subdivision 7; 297G.09, subdivision 6; 297I.35, subdivision 2; 297I.85, subdivision 7; 473.843, subdivision 3.

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

Olson and Osskopp introduced:

H. F. No. 2482, A bill for an act relating to municipalities; providing for annexation elections in certain cases; amending Minnesota Statutes 2000, section 414.031, subdivision 6, and by adding a subdivision.

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

Solberg; Anderson, I., and Howes introduced:

H. F. No. 2483, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Children's Discovery Museum in Grand Rapids.

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

Larson introduced:

H. F. No. 2484, A bill for an act relating to taxation; imposing a parking surcharge for facilities serving the Minneapolis-St. Paul international airport; creating an airport impact mitigation account in the general fund; amending Minnesota Statutes 2000, section 473.608, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Larson introduced:

H. F. No. 2485, A bill for an act relating to taxation; imposing a parking tax on large parking facilities; proposing coding for new law in Minnesota Statutes, chapter 295.

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

McElroy, for the Committee on Jobs and Economic Development Finance, introduced:

H. F. No. 2486, A bill for an act relating to state government; appropriating money for economic development, housing, and certain agencies of state government; establishing and modifying programs; transferring certain duties and funds; establishing an account; consolidating housing programs; regulating activities and practices; modifying fees; making conforming changes; requiring reports; revising certain provisions involving state regulation of private health coverage; transferring certain regulatory control; establishing requirements for managed care plans; codifying reorganization order No. 181; transferring the remaining duties of the commissioner of public service to the commissioner of commerce; instructing the revisor to change certain terms; modifying provisions of the Minnesota Electrical Act; providing for power limited technician licensing; amending Minnesota Statutes 2000, sections 3C.12, subdivision 2; 13.679; 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 16B.32, subdivision 2; 16B.335, subdivision 4; 16B.56, subdivision 1; 16B.76, subdivision 1; 17.86, subdivision 3; 18.024, subdivision 1; 43A.08, subdivision 1a; 45.012; 62A.021, subdivision 1; 62A.041, subdivisions 1, 2; 62A.042; 62A.043, subdivision 1; 62A.105; 62A.14; 62A.149, subdivision 1; 62A.15, subdivision 1; 62A.152, subdivision 1; 62A.153; 62A.20; 62A.21; 62A.615; 62A.616; 62A.65, subdivision 5; 62D.02, subdivisions 3, 8; 62D.12, subdivisions 1, 1a; 62D.15, subdivision 1; 62D.24; 62E.05, subdivision 2; 62E.11, subdivision 13; 62E.14, subdivision 6; 62E.16; 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; 62L.12, subdivision 2; 62M.11; 62M.16; 62N.02, subdivision 4; 62N.26; 62Q.01, subdivision 2; 62Q.03, subdivision 5a; 62Q.07; 62Q.106; 62Q.22, subdivisions 2, 6, 7; 62Q.32; 62Q.33, subdivision 2; 62Q.49, subdivision 2; 62Q.51, subdivision 3; 62Q.525, subdivision 3; 62Q.68, subdivision 1; 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; 103F.325, subdivisions 2, 3; 115A.15, subdivision 5; 116J.8731, subdivision 1; 116L.03, subdivisions 2, 3, 5; 116O.06, subdivision 2; 123B.65, subdivisions 1, 3, 5; 138.664, by adding a subdivision; 161.45, subdivision 1; 168.61, subdivision 1; 169.073; 174.03, subdivision 7; 181.30; 184.29; 184.30, subdivision 1; 184.38, subdivisions 6, 8, 9, 10, 11, 17, 18, 20; 184.41; 216A.01; 216A.035; 216A.036; 216A.05, subdivision 1; 216A.07, subdivision 1; 216A.08; 216A.085, subdivision 3; 216B.02, subdivisions 1, 7, 8; 216B.16, subdivisions 1, 2, 6b, 15; 216B.162, subdivisions 7, 11; 216B.1675, subdivision 9; 216B.241, subdivisions 1a, 1b, 2b; 216C.01, subdivisions 1, 2, 3; 216C.051, subdivision 6;

216C.06, by adding a subdivision; 216C.37, subdivision 1; 216C.40, subdivision 4; 216C.41; 237.02; 237.075, subdivisions 2, 9; 237.082; 237.21; 237.30; 237.462, subdivision 6; 237.51, subdivisions 1, 5, 5a; 237.52, subdivisions 2, 4, 5; 237.54, subdivision 2; 237.55; 237.59, subdivision 2; 237.768; 239.01; 239.10; 256B.692, subdivisions 2, 7; 257.34, subdivision 1; 268.022, subdivisions 1, 2; 325E.11; 325E.115, subdivision 2; 326.01, subdivisions 5, 6g, by adding subdivisions; 326.241, subdivision 1; 326.242, subdivisions 1, 2, 3, 5, 6, 6a, 6b, 6c, 7, 8, 10, 12, by adding a subdivision; 326.2421, subdivisions 2, 9; 326.243; 326.244, subdivisions 1a, 2, 5, 6; 462.21, by adding a subdivision; 462A.01; 462A.03, subdivisions 1, 6, 10, by adding a subdivision; 462A.04, subdivision 6; 462A.05, subdivisions 14, 14a, 16, 22, 26; 462A.06, subdivisions 1, 4; 462A.07, subdivisions 10, 12; 462A.073, subdivision 1; 462A.15; 462A.17, subdivision 3; 462A.20, subdivision 3; 462A.201, subdivisions 2, 6; 462A.204, subdivision 3; 462A.205, subdivisions 4, 4a; 462A.209; 462A.2091, subdivision 3; 462A.2093, subdivision 1; 462A.2097; 462A.21, subdivisions 5, 10, by adding subdivisions; 462A.222, subdivision 1a; 462A.24; 462A.33, subdivisions 1, 2, 3, 5, by adding a subdivision; 484.50; Laws 1993, chapter 301, section 1, subdivision 4, as amended; Laws 1995, chapter 248, article 12, section 2, as amended; article 13, section 2, subdivision 2, as amended; Laws 2000, chapter 488, article 8, section 2, subdivision 6, as amended; proposing coding for new law in Minnesota Statutes, chapters 116L; 122A; 462A; proposing coding for new law as Minnesota Statutes, chapter 62U; repealing Minnesota Statutes 2000, sections 62A.049; 62A.21, subdivision 3; 62C.14, subdivisions 5, 5a, 5b, 14; 62C.142; 62D.09, subdivision 3; 62D.101; 62D.105; 62D.12, subdivision 19; 62D.123, subdivisions 2, 3, 4; 62D.124; 62Q.095, subdivisions 1, 2, 3, 4, 6; 62Q.45; 138A.01; 138A.02; 138A.03; 138A.04; 138A.05; 138A.06; 184.22, subdivisions 2, 3, 4, 5; 184.37, subdivision 2; 216A.06; 237.69, subdivision 3; 268.96; 268.975; 268.976; 268.9771; 268.978; 268.9781; 268.9782; 268.9783; 268.979; 268.98; 326.01, subdivision 6d; 326.2421, subdivisions 3, 4, 6, 8; 462A.201, subdivision 4; 462A.207; 462A.209, subdivision 4; 462A.21, subdivision 17; 462A.221, subdivision 4; 462A.30, subdivision 2; 462A.33, subdivisions 4, 6, 7; Minnesota Rules, parts 3800.3500, subpart 12; 4685.0801, subpart 7; 4685.1010; 4685.1300; 4685.1900; 4685.2000; 4685.2200, subpart 3; 4685.1105; 4685.1110; 4685.1115; 4685.1120; 4685.1125; 4685.1130.

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

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 239, A bill for an act relating to real property; clarifying law relating to servitudes created by a common owner of multiple pieces of property; providing for filing of an amended application to register land; authorizing attorney general to represent state in certain torrens proceedings; providing for issuance of certificates of title for common elements in a condominium; permitting owners of certain land to request new certificates of title; modifying certificates of possessory title; modifying Minnesota Common Interest Ownership Act; exempting registered/torrens land from the 40 year law; amending Minnesota Statutes 2000, sections 508.09; 508.16, subdivision 1; 508.421, by adding a subdivision; 508.82, subdivision 1; 508A.01, subdivision 2; 508A.08; 508A.09; 508A.10; 508A.11, subdivisions 1 and 2; 508A.17, subdivision 1; 508A.22, subdivisions 1 and 3; 508A.25; 508A.35; 508A.351, by adding subdivisions; 508A.421, by adding a subdivision; 508A.82, subdivision 1; 508A.85, subdivision 4; 515B.1-116; 515B.3-104; 515B.3-117; and 541.023, subdivisions 1, 2, 4, 6, 7, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 507; 508; and 508A; repealing Minnesota Statutes 2000, sections 508.71, subdivision 7; 508A.22, subdivision 2; 508A.27; and 508A.351, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 323, A bill for an act relating to motor vehicle fuel franchises; extending an expiration date; amending Minnesota Statutes 2000, section 80C.147.

H. F. No. 274, A bill for an act relating to the environment; restricting the sale of mercury thermometers; amending Minnesota Statutes 2000, section 116.92, subdivision 6.

H. F. No. 1160, A bill for an act relating to health; changing the frequency with which physician assistant delegated prescribing activities must be reviewed; amending Minnesota Statutes 2000, sections 147A.18, subdivision 1; and 147A.20.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1260, A bill for an act relating to family law; neutralizing certain terminology; amending Minnesota Statutes 2000, sections 518.131, subdivision 2; 518.155; 518.171, subdivisions 1, 4, 5, 6, and 8; 518.175; 518.1751, subdivision 1b; 518.176, subdivision 1; 518.18; 518.55, subdivision 1; 518.551, subdivisions 5 and 5e; 518.612; and 518.64, subdivision 2.

H. F. No. 1391, A resolution urging the United States Postal Service to create a postage stamp reproducing Eric Enstrom's photograph "Grace."

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. 1637, A bill for an act relating to counties; repealing provisions requiring licensing of hawkers and peddlers by counties; repealing Minnesota Statutes 2000, sections 329.02; 329.03; 329.04; 329.05; 329.06; 329.07; 329.08; 329.09.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 149, A bill for an act relating to food; regulating the serving, selling, and labeling of certain religion-sanctioned food; amending Minnesota Statutes 2000, section 31.661; proposing coding for new law in Minnesota Statutes, chapter 31.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Pawlenty moved that the House concur in the Senate amendments to H. F. No. 149 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 149, A bill for an act relating to food; regulating the serving, selling, and labeling of certain religion-sanctioned food; amending Minnesota Statutes 2000, sections 31.59, subdivision 4; 31.661; proposing coding for new law in Minnesota Statutes, chapter 31.

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

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

Those who voted in the negative were:

Krinkie

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1159, A bill for an act relating to public finance; funding for Gillette Children's Speciality Healthcare; transportation and capital improvements; authorizing spending for public purposes; authorizing spending to acquire and to better land and buildings and other improvements of a capital nature; amending earlier authorizations; authorizing and reauthorizing sale of state bonds; converting certain capital project financing from general obligation bonding to general fund cash; appropriating money; amending Laws 2000, chapter 479, article 1, section 2, subdivision 11; and by adding a section; Laws 2000, chapter 492, article 1, section 18, subdivision 1; and section 26, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Pawlenty moved that the House concur in the Senate amendments to H. F. No. 1159 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1159, A bill for an act relating to public finance; funding for Gillette Children's Specialty Healthcare; transportation and capital improvements; authorizing spending for public purposes; authorizing spending to acquire and to better land and buildings and other improvements of a capital nature; amending earlier authorizations; authorizing and reauthorizing sale of state bonds; converting certain capital project financing from general obligation bonding to general fund cash; appropriating money; amending Laws 2000, chapter 479, article 1, section 2, subdivision 11; and by adding a section; Laws 2000, chapter 492, article 1, section 18, subdivision 1; and section 26, subdivision 1.

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

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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



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
Skoglund	Stang	Tingelstad	Walz	Wilkin	

Those who voted in the negative were:

Krinkie                      Olson

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1084, A bill for an act relating to financial institutions; modifying investment authority and recordkeeping requirements; regulating certain rates, charges, fees, and disclosures; exempting certain unstaffed after-hour drop boxes from detached facilities regulation; amending Minnesota Statutes 2000, sections 47.10, subdivision 1; 47.51; 48.03, subdivisions 1 and 2; 48.16; 48.61, subdivision 7; 56.04; 58.02, by adding a subdivision; 58.14, subdivision 5; and 58.15, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 58; repealing Minnesota Statutes 2000, section 48.03, subdivision 3; and 58.135.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

McElroy moved that the House concur in the Senate amendments to H. F. No. 1084 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1084, A bill for an act relating to financial institutions; modifying investment authority and recordkeeping requirements; regulating certain rates, charges, fees, and disclosures; exempting certain unstaffed after-hour drop boxes from detached facilities regulation; amending Minnesota Statutes 2000, sections 47.10, subdivision 1; 47.51; 48.03, subdivisions 1 and 2; 48.16; 48.61, subdivision 7; 56.04; 58.02, by adding a subdivision; 58.14, subdivision 5; and 58.15, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 58; repealing Minnesota Statutes 2000, sections 48.03, subdivision 3; and 58.135.

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

The question was taken on the repassage of the bill and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

Mr. Speaker:

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

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

Senators Knutson; Hottinger; Neuville; Johnson, Dave and Ranum.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Leppik moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 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. 1047. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 333, 1264, 1552, 1013, 1326, 1965, 750, 1449, 2022 and 511.

PATRICE DWORAK, First Assistant Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1397, 1964, 1155, 673, 1392, 1407, 1222, 1414, 834 and 1826.

PATRICK E. FLAHAVEN, Secretary of the Senate

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

S. F. No. 333, A bill for an act relating to veterinary medicine; authorizing certain cease and desist orders; proposing coding for new law in Minnesota Statutes, chapter 156.

The bill was read for the first time.

Boudreau moved that S. F. No. 333 and H. F. No. 1145, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1264, A bill for an act relating to insurance; no-fault auto; regulating income loss benefits to senior citizens; amending Minnesota Statutes 2000, section 65B.491.

The bill was read for the first time.

Dauids moved that S. F. No. 1264 and H. F. No. 694, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1552, A bill for an act relating to crimes; defining the level of negligence required for the crime of causing negligent fires; amending Minnesota Statutes 2000, section 609.576, subdivision 1.

The bill was read for the first time.

Skoglund moved that S. F. No. 1552 and H. F. No. 992, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1013, A bill for an act relating to redistricting; establishing districting principles for legislative and congressional plans; proposing coding for new law in Minnesota Statutes, chapter 2.

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

S. F. No. 1326, A joint resolution relating to redistricting; establishing districting principles for legislative and congressional plans.

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

S. F. No. 1965, A bill for an act relating to economic development; allowing nonprofit organizations to receive funding under the contamination cleanup, livable communities tax base revitalization, and livable communities demonstration account programs; repealing certain obsolete and redundant trade and economic

development department programs and duties; amending Minnesota Statutes 2000, sections 116J.552, by adding a subdivision; 116J.553, subdivision 1; 116J.554, subdivisions 1, 1a; 116J.556; 116J.557, subdivisions 1, 2, 3; 473.252, subdivision 3, by adding a subdivision; 473.253, subdivision 2; repealing Minnesota Statutes 2000, sections 41A.066; 116J.541; 116J.542; 116J.75; 116J.8755; 116J.9671; 116J.980, subdivision 4; 116J.992.

The bill was read for the first time.

McElroy moved that S. F. No. 1965 and H. F. No. 2116, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 750, A bill for an act relating to education; requiring evaluation of programs and services for children with attention deficit disorder or attention deficit hyperactivity disorder; clarifying the definition of educational neglect; amending Minnesota Statutes 2000, sections 121A.41, subdivision 10; 122A.18, by adding a subdivision; 122A.61, subdivision 1; 125A.08; 125A.09, subdivision 3; 260A.01; 260C.163, subdivision 11; 626.556, subdivision 2.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

S. F. No. 1449, 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.

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

S. F. No. 2022, A bill for an act relating to family law; clarifying crediting of support payments; modifying implementation of enforcement remedies to accommodate timing of support payments; amending Minnesota Statutes 2000, sections 518.551, subdivision 1; 518.6111, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 518.

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

S. F. No. 511, A bill for an act relating to the state agricultural society; authorizing establishment of a nonprofit corporation; changing certain membership provisions; amending Minnesota Statutes 2000, section 37.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 37.

The bill was read for the first time.

Jennings moved that S. F. No. 511 and H. F. No. 406, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1397, A bill for an act relating to health and human services; changing requirements to background studies for licensed programs; amending Minnesota Statutes 2000, sections 13.46, subdivision 4; 144.057; 245A.02, subdivisions 1, 9, by adding a subdivision; 245A.03, subdivision 2, by adding a subdivision; 245A.035, subdivision 1; 245A.04, subdivisions 3, 3a, 3b, 3d, 6, 11, by adding a subdivision; 245A.06,

subdivision 6; 245A.16, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 245A; repealing Minnesota Rules, parts 9543.3000; 9543.3010; 9543.3020; 9543.3030; 9543.3040; 9543.3050; 9543.3060; 9543.3080; 9543.3090.

The bill was read for the first time.

Wilkin moved that S. F. No. 1397 and H. F. No. 1381, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1964, A bill for an act relating to insurance; regulating the life and health guaranty association; modifying coverages; assessments; rights and duties; amending Minnesota Statutes 2000, sections 61B.19, subdivisions 2, 3, 4, 5; 61B.20, subdivisions 1, 14, 15, 16, 17, 18, by adding subdivisions; 61B.22, subdivision 3; 61B.23, subdivisions 3, 4, 11, 12, 13, by adding subdivisions; 61B.24, subdivisions 4, 5, by adding subdivisions; 61B.26; 61B.27; 61B.28, subdivisions 1, 3, by adding a subdivision; 61B.29.

The bill was read for the first time.

Larson moved that S. F. No. 1964 and H. F. No. 2130, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1155, A bill for an act relating to traffic regulations; modifying width limitations on recreational equipment; prescribing maximum length of motor homes; amending Minnesota Statutes 2000, sections 169.80, subdivision 2; and 169.81, subdivision 2.

The bill was read for the first time.

Workman moved that S. F. No. 1155 and H. F. No. 1085, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 673, A bill for an act relating to civil actions; limiting liability for administering medication to certain mentally ill persons; proposing coding for new law in Minnesota Statutes, chapter 604A.

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

S. F. No. 1392, A bill for an act relating to economic development; creating Northern Technology Initiative, Inc.; proposing coding for new law as Minnesota Statutes, chapter 116T.

The bill was read for the first time.

Hilty moved that S. F. No. 1392 and H. F. No. 1489, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1407, A bill for an act relating to human services; modifying provisions in health care access programs; amending Minnesota Statutes 2000, sections 245B.02, by adding a subdivision; 245B.03, subdivision 1; 252.28, subdivisions 3a and 3b; 256B.056, subdivisions 1a, 4, and 5a; 256B.0595, subdivisions 1 and 2; 256B.0625, subdivision 9; 256B.0635, subdivision 1; 256B.071, subdivision 2; 256B.094, subdivisions 6 and 8; 256B.5013, subdivision 1; 256B.69, subdivision 3a; 256D.03, subdivision 3; and 256L.15, subdivision 1a; Laws 1996,

chapter 451, article 2, sections 61 and 62; repealing Minnesota Statutes 2000, section 256B.071, subdivision 5; Laws 1995, chapter 178, article 2, section 46, subdivision 10; Laws 1996, chapter 451, article 2, sections 12, 14, 16, 18, 29, and 30.

The bill was read for the first time.

Walker moved that S. F. No. 1407 and H. F. No. 1928, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1222, A bill for an act relating to veterans; authorizing the placement of a plaque on the capitol mall recognizing the service of Minnesota's civilians who contributed valiantly to the nation's war efforts during World War II.

The bill was read for the first time.

Biernat moved that S. F. No. 1222 and H. F. No. 1023, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1414, A bill for an act relating to crimes; making it a crime for employees, contract personnel, or volunteers of a correctional system to engage in certain sexual activities with offenders in correctional facilities; amending Minnesota Statutes 2000, sections 609.341, subdivision 11; 609.344, subdivision 1; 609.345, subdivision 1.

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

S. F. No. 834, A bill for an act relating to the iron range resources and rehabilitation board; regulating board membership; amending Minnesota Statutes 2000, section 298.22, subdivision 2.

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

S. F. No. 1826, A bill for an act relating to insurance; providing qualifications and procedures for the licensing of insurance producers; prescribing a criminal penalty; making conforming changes; amending Minnesota Statutes 2000, sections 13.7191, subdivision 6; 43A.317, subdivision 12; 60A.02, subdivision 7; 60A.14; 60A.171, subdivision 1; 60A.198, subdivision 3; 62A.41, subdivision 4; 62C.17, subdivision 5; 62D.22, subdivision 8; 62H.10, subdivision 4; 62L.12, subdivision 3; 62S.30; 64B.33; 65B.09, subdivision 1; 72A.07; 72A.125, subdivision 2; 72A.201, subdivision 3; 270B.07, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 60K; repealing Minnesota Statutes 2000, sections 60K.01; 60K.02; 60K.03; 60K.04; 60K.05; 60K.06; 60K.07; 60K.081; 60K.09; 60K.10; 60K.11; 60K.12; 60K.13; 60K.14; 60K.15; 60K.16; 60K.17; 60K.18; 60K.19; 60K.20.

The bill was read for the first time.

Dauids moved that S. F. No. 1826 and H. F. No. 1955, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

## CONSENT CALENDAR

Molnau moved that the Consent Calendar be continued. 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 bills on the Calendar for the Day, for Monday, April 23, 2001:

H. F. Nos. 1954, 966, 901, 1214, 857, 2263 and 1338.

**CALENDAR FOR THE DAY**

H. F. No. 1954, A bill for an act relating to local government; allowing specified municipal contributions to the general fund of a volunteer firefighters relief association; amending Minnesota Statutes 2000, section 424A.06, 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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1497 was reported to the House.

Nornes withdrew his pending amendment to H. F. No. 1497, the first engrossment, offered on Thursday, April 19, 2001.

H. F. No. 1497, A bill for an act relating to natural resources; exempting certain charges from legislative approval; modifying terms for certain lakeshore land exchanges to include leased farmed wild rice lands; authorizing public and private sales of certain state lands in Lake county; authorizing conveyance of certain surplus state land in Mower county; authorizing conveyance of certain consolidated conservation land in Aitkin county; adding to a state forest; adding to and creating wildlife management areas; amending Minnesota Statutes 2000, section 16A.1283; Laws 1998, chapter 389, article 16, section 31, subdivision 2, as amended.

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 127 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Hilty	Kahn	Kalis	Mariani	Murphy	Skoglund
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The bill was passed and its title agreed to.

H. F. No. 1367, A bill for an act relating to energy; allowing owner-occupied residential housing to be served by an existing energy loan program.

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

The bill was passed and its title agreed to.

H. F. No. 1596, A bill for an act relating to transportation; expanding definition of small vehicle passenger service to include certain transportation provided in wheelchair-accessible vehicles; imposing restrictions on transfer of former metro mobility vehicles by the metropolitan council; amending Minnesota Statutes 2000, sections 221.011, subdivision 49; 473.386, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Koskinen	Mares	Olson	Rhodes	Stanek	Wenzel
Krinkie	Mariani	Opatz	Rifenberg	Stang	Westerberg
Kubly	Marko	Osskopp	Rukavina	Swapinski	Westrom
Kuisle	Marquart	Osthoff	Ruth	Swenson	Wilkin
Larson	McElroy	Otremba	Schumacher	Sykora	Winter
Leighton	McGuire	Ozment	Seagren	Thompson	Wolf
Lenczewski	Milbert	Paulsen	Seifert	Tingelstad	Workman
Leppik	Molnau	Pawlenty	Sertich	Tuma	Spk. Sviggum
Lieder	Mulder	Paymar	Skoe	Vandever	
Lindner	Mullery	Pelowski	Skoglund	Wagenius	
Lipman	Murphy	Penas	Slawik	Walker	
Luther	Ness	Peterson	Smith	Walz	
Mahoney	Nornes	Pugh	Solberg	Wasiluk	

The bill was passed and its title agreed to.

H. F. No. 58, A bill for an act relating to alcoholic beverages; prescribing standards for identification of beer kegs; requiring retailers of beer to maintain records of sale of beer kegs and to record the identification number of each beer keg sold; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 340A.

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 20 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Clark, J.	Kielkucki	Mulder	Sertich
Bakk	Finseth	Krinkie	Rifenberg	Skoe
Boudreau	Holsten	Kuisle	Rukavina	Vandever
Bradley	Jaros	Milbert	Seifert	Wolf

The bill was passed and its title agreed to.

H. F. No. 1153, A bill for an act relating to local government; exempting certain building projects from the requirement to employ an architect; amending Minnesota Statutes 2000, section 326.03, 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 70 yeas and 63 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The bill was passed and its title agreed to.

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

### MOTIONS AND RESOLUTIONS

Gunther moved that the names of Skoe and Lieder be added as authors on H. F. No. 1003. The motion prevailed.

Mares moved that the name of Abeler be added as an author on H. F. No. 1058. The motion prevailed.

Biernat moved that the name of Bernardy be added as an author on H. F. No. 1907. The motion prevailed.

Davids moved that the name of Leighton be added as an author on H. F. No. 1989. The motion prevailed.

Kubly moved that the name of Peterson be added as an author on H. F. No. 2406. The motion prevailed.

Olson moved that the name of Westerberg be added as an author on H. F. No. 2470. The motion prevailed.

Ness moved that the name of Mulder be added as an author on H. F. No. 2475. The motion prevailed.

Kubly moved that H. F. No. 62 be recalled from the Committee on Judiciary Finance and be re-referred to the Committee on Taxes. The motion prevailed.

Erickson moved that H. F. No. 966, now on the Calendar for the Day, be re-referred to the Committee on State Government Finance. The motion prevailed.

Biernat moved that H. F. No. 831 be returned to its author. The motion prevailed.

Mulder introduced:

House Resolution No. 16, A house resolution congratulating the Southwest Christian High School boys basketball team on its third successive victory in the State High School Class A Boys Basketball Tournament.

The 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. 1047:

Leppik; Knoblach; Johnson, J.; Pelowski and Opatz.

#### ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 3:00 p.m., Tuesday, April 24, 2001. The motion prevailed.

Molnau moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Tuesday, April 24, 2001.

EDWARD A. BURDICK, Chief Clerk, House of Representatives