

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-SECOND LEGISLATURE

TWENTY-THIRD DAY

St. Paul, Minnesota, Monday, March 19, 2001

The Senate met at 10:30 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Betzold imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Clayton L. Rudolph.

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

The roll was called, and the following Senators answered to their names:

Anderson	Frederickson	Knutson	Orfield	Sams
Bachmann	Higgins	Larson	Ourada	Samuelson
Belanger	Hottinger	Lesewski	Pappas	Scheevel
Berg	Johnson, Dave	Lessard	Pariseau	Scheid
Berglin	Johnson, Dean	Limmer	Pogemiller	Schwab
Betzold	Johnson, Debbie	Lourey	Price	Stevens
Chaudhary	Johnson, Doug	Marty	Ranum	Stumpf
Cohen	Kelley, S.P.	Metzen	Reiter	Terwilliger
Day	Kelly, R.C.	Moe, R.D.	Rest	Tomassoni
Dille	Kierlin	Murphy	Ring	Vickerman
Fischbach	Kinkel	Neuville	Robertson	Wiger
Foley	Kiscaden	Oliver	Robling	
Fowler	Kleis	Olson	Sabo	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Senators Krentz, Langseth, Solon and Wiener were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 15, 2001

The Honorable Don Samuelson
President of the Senate

Dear President Samuelson:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, Resolution No. 1, S.F. No. 258.

Sincerely,
Jesse Ventura, Governor

March 15, 2001

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Don Samuelson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2001 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2001	Date Filed 2001
258	656	7 Res. No. 1	10:15 a.m. March 15 10:15 a.m. March 15	March 15 March 15

Sincerely,
Mary Kiffmeyer
Secretary of State

March 16, 2001

The Honorable Don Samuelson
President of the Senate

Dear President Samuelson:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 289.

Sincerely,
Jesse Ventura, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 433.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 2001

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 1: A House concurrent resolution relating to adoption of revenue targets under Minnesota Statutes 2000, section 16A.102, subdivision 2.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 15, 2001

Senator Moe, R.D. moved that House Concurrent Resolution No. 1 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 57:

H.F. No. 57: A bill for an act relating to drivers' licenses; including certain crimes against children as disqualifying offenses for purposes of school bus endorsements on drivers' licenses; amending Minnesota Statutes 2000, section 171.3215, subdivision 1.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Molnau, Entenza and Kielkucki have been appointed as such committee on the part of the House.

House File No. 57 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 15, 2001

Senator Robling moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 57, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

REPORTS OF COMMITTEES

Senator Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Solon from the Committee on Commerce, to which was referred

S.F. No. 1066: 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; 48.61, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, after line 36, insert:

"Sec. 5. Minnesota Statutes 2000, section 48.16, is amended to read:

48.16 [BANKS MAY NOT PLEDGE ASSETS; EXCEPTIONS.]

No bank or trust company shall pledge, hypothecate, assign, transfer, or create a lien upon or charge against any of its assets except as follows:

(1) to the state;

(2) to secure public deposits;

(3) to secure funds of trustees in bankruptcy;

(4) to secure money borrowed in good faith from other banks, trust companies, a financial agency created by act of Congress, or the state in programs specifically authorizing state banks to participate as an eligible local lender;

(5) to finance the acquisition of real estate to be carried as an asset as provided for in section 47.10;

(6) to secure a liability that arises from a transfer of a direct obligation of, or obligations that are fully guaranteed as to principal and interest by, the United States government or an agency thereof, or obligations of United States government-sponsored entities which are exempt from the registration requirements of the Securities Act of 1933, United States Code, title 15, section 77a, that the bank or trust company is obligated to repurchase;

(7) to a counterparty to secure an interest rate swap agreement.

This section shall not be construed to permit the use of assets as security for public deposits other than the securities made eligible by law for that purpose."

Page 7, line 20, delete "6, 10, and 11" and insert "7, 11, and 12"

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 8, after the third semicolon, insert "48.16;"

Page 1, line 13, delete "section" and insert "sections"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Solon from the Committee on Commerce, to which was re-referred

S.F. No. 414: A bill for an act relating to health; modifying the Minnesota Utilization Review Act; adding to the grounds in which the board of medical practice may impose disciplinary action; amending Minnesota Statutes 2000, sections 62M.09, subdivisions 3, 3a, 6, by adding a subdivision; 62M.10, subdivision 7; 147.091, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2000, section 62M.06, subdivision 3, is amended to read:

Subd. 3. [STANDARD APPEAL.] The utilization review organization must establish procedures for appeals to be made either in writing or by telephone.

(a) A utilization review organization shall notify in writing the enrollee, attending health care professional, and claims administrator of its determination on the appeal within 30 days upon receipt of the notice of appeal. If the utilization review organization cannot make a determination within 30 days due to circumstances outside the control of the utilization review organization, the utilization review organization may take up to 14 additional days to notify the enrollee, attending health care professional, and claims administrator of its determination. If the utilization review organization takes any additional days beyond the initial 30-day period to make its determination, it must inform the enrollee, attending health care professional, and claims administrator, in advance, of the extension and the reasons for the extension.

(b) The documentation required by the utilization review organization may include copies of part or all of the medical record and a written statement from the attending health care professional.

(c) Prior to upholding the initial determination not to certify for clinical reasons, the utilization review organization shall conduct a review of the documentation by a physician who did not make the initial determination not to certify.

(d) The process established by a utilization review organization may include defining a period within which an appeal must be filed to be considered. The time period must be communicated to the enrollee and attending health care professional when the initial determination is made.

(e) An attending health care professional or enrollee who has been unsuccessful in an attempt to reverse a determination not to certify shall, consistent with section 72A.285, be provided the following:

(1) a complete summary of the review findings;

(2) qualifications of the reviewers, including any license, certification, or specialty designation; and

(3) the relationship between the enrollee's diagnosis and the review criteria used as the basis for the decision, including the specific rationale for the reviewer's decision.

(f) In cases of appeal to reverse a determination not to certify for clinical reasons, the utilization review organization must, ~~upon request of the attending health care professional,~~ ensure that a physician of the utilization review organization's choice in the same or a similar ~~general~~ specialty as typically manages the medical condition, procedure, or treatment under discussion is reasonably available to review the case.

(g) If the initial determination is not reversed on appeal, the utilization review organization must include in its notification the right to submit the appeal to the external review process described in section 62Q.73 and the procedure for initiating the external process.

Sec. 2. Minnesota Statutes 2000, section 62M.09, subdivision 3, is amended to read:

Subd. 3. [PHYSICIAN REVIEWER INVOLVEMENT.] (a) A physician must review all cases in which the utilization review organization has concluded that a determination not to certify for clinical reasons is appropriate.

(b) The physician conducting the review must be licensed in this state. This paragraph does not apply to reviews conducted in connection with policies issued by a health plan company that is assessed less than three percent of the total amount assessed by the Minnesota comprehensive health association.

(c) The physician should be reasonably available by telephone to discuss the determination with the attending health care professional.

(d) This subdivision does not apply to outpatient mental health or substance abuse services governed by subdivision 3a."

Page 7, delete lines 21 to 23 and insert:

"(z) Failure to use the appropriate standard of care recognized by the departments of health and commerce when making a utilization review determination as defined in section 62M.02. Nothing in this paragraph creates, modifies, or changes existing law related to tort liability for medical negligence."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "sections" insert "62M.06, subdivision 3;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Solon from the Committee on Commerce, to which was re-referred

S.F. No. 491: A bill for an act relating to health; providing patient protections; amending Minnesota Statutes 2000, sections 45.027, subdivision 6; 62D.17, subdivision 1; 62J.38; 62M.02, subdivision 21; 62Q.56; and 62Q.58; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 36, delete everything after "incurred"

Page 4, line 1, delete "provider"

Page 4, lines 2 and 13, after "agreement" insert "with a hospital, clinic, or other health care provider"

Page 4, line 10, delete "payments made to a" and insert "costs incurred"

Page 4, line 11, delete everything before "pursuant"

Page 7, delete line 17 and insert:

"(iv) a physical or mental disability defined as an inability to engage in one or more major life activities, provided that the disability has lasted or can be expected to last for at least a year, or can be expected to result in death; or"

Page 8, delete line 34 and insert:

"(iv) a physical or mental disability defined as an inability to engage in one or more major life activities, provided that the disability has lasted or can be expected to last for at least a year, or can be expected to result in death; or"

Page 9, delete lines 26 to 32

Page 9, line 33, delete "(d)" and insert "(c)"

Page 12, delete section 7 and insert:

"Sec. 7. [62Q.80] [MEDICAL CLINICAL TRIALS.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, "patient costs" means the cost of a health care service that would typically be covered by an enrollee's health plan but for the enrollee's participation in a clinical trial. Patient costs do not include:

(1) the cost of an investigational drug or device;

(2) the cost of a nonhealth care service that an enrollee may be required to receive as a result of treatment being provided for the purposes of a clinical trial;

(3) costs associated with managing the research associated with a clinical trial; or

(4) costs that would not be covered under the enrollee's health plan.

Subd. 2. [COVERAGE REQUIRED.] (a) A health plan company shall provide coverage for patient costs incurred by an enrollee in a clinical trial for the treatment of a serious condition or for the prevention, early detection, and treatment of cancer if:

(1) there is no clearly superior noninvestigational treatment alternative and the available clinical or preclinical data provide a reasonable expectation that the treatment will be at least as effective as the noninvestigational alternative;

(2) the treatment is being provided in a phase I, phase II, phase III, or phase IV clinical trial for cancer, or the treatment is being provided in a phase II, phase III, or phase IV clinical trial for any other serious condition;

- (3) the treatment is being provided in a clinical trial approved by:
- (i) the National Institutes of Health;
 - (ii) a cooperative group or center of the National Institutes of Health;
 - (iii) the federal Food and Drug Administration and conducted under an investigational new drug exemption;
 - (iv) the federal Department of Veterans Affairs;
 - (v) the federal Department of Defense;
 - (vi) an investigator-initiated trial that is exempt as an investigational new drug under Code of Federal Regulations, title 21, section 312.2(b)(1), and satisfies the following:
 - (A) the trial is based on a written protocol;
 - (B) the trial has been reviewed and funded by a nonfederal foundation or association that meets the National Institutes of Health guidelines for such funding; and
 - (C) is subject to review and oversight by a group experienced in data safety and monitoring; or
 - (vii) the state commissioner of health;
- (4) the proposed treatment has been reviewed and approved by a federally qualified institutional review board; and
- (5) the facility and personnel providing the treatment are providing treatment within their scope of practice, experience, and training.
- (b) Nothing in this section shall be interpreted to restrict or limit coverage of health care services as required by rule or law.

Subd. 3. [CASE-BY-CASE BASIS.] Coverage under subdivision 2 may be provided on a case-by-case basis if the treatment is being provided in a phase I clinical trial for any serious condition other than cancer."

And when so amended the bill be re-referred to the Committee on Finance without recommendation. Amendments adopted. Report adopted.

Senator Anderson from the Committee on Jobs, Housing and Community Development, to which was referred

S.F. No. 1371: A bill for an act relating to employment; removing references to search firms in the employment agencies law; amending Minnesota Statutes 2000, sections 184.29; 184.30, subdivision 1; 184.38, subdivisions 6, 8, 9, 10, 11, 17, 18, and 20; 184.41; repealing Minnesota Statutes 2000, sections 184.22, subdivisions 2, 3, 4, and 5; 184.37, subdivision 2.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Senator Anderson from the Committee on Jobs, Housing and Community Development, to which was referred

S.F. No. 67: A bill for an act relating to occupational safety and health; permitting injured employees a civil remedy if an employer willfully or repeatedly violated safety laws; amending Minnesota Statutes 2000, section 182.666, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 15 to 23, delete the new language and insert " Notwithstanding section 182.671,

the employer shall be liable for damages to a seriously injured employee, or the employee's legal representative, if the violation was a substantial contributing cause of the serious injury and the violation was not caused by the employee. For purposes of this subdivision, "serious injury" means an injury that causes: (1) more than \$100,000 in medical expenses for its cure and relief; and (2) at least 52 weeks of lost work time. In addition, notwithstanding section 182.671, the employer shall be liable for damages to a deceased employee's heirs or next of kin, if the violation was a substantial contributing cause of the employee's death and the violation was not caused by the employee."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Anderson from the Committee on Jobs, Housing and Community Development, to which was referred

S.F. No. 1344: A bill for an act relating to employment; regulating payment of wages; prohibiting employers from requiring employees or job applicants to pay for background checks or training; amending Minnesota Statutes 2000, section 181.03; proposing coding for new law in Minnesota Statutes, chapter 181.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 14, after the period, insert "This section does not apply to a person who is offered employment by a school district, as defined by section 120A.05."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Murphy from the Committee on Agriculture, General Legislation and Veterans Affairs, to which was referred

S.F. No. 1222: A bill for an act relating to veterans; authorizing the placement of plaques on the capitol grounds recognizing the service of Minnesota's members of the Merchant Marine and of the Women Airforce Service Pilots (WASP) during World War II.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [PLAQUE HONORING THOUSANDS OF CIVILIANS WHO CONTRIBUTED TO WORLD WAR II EFFORT.]

A memorial plaque may be placed in the court of honor on the capitol grounds to recognize the valiant service of thousands of men and women who served honorably and bravely as civilians in supporting the nation's war effort during World War II, and who years later had bestowed upon them by Congress the status of veteran. Often this service was at great risk to personal safety and in the face of the enemy. Several thousands of these brave and noble civilians sacrificed their lives during the course of this patriotic service. The plaque must be furnished by a person or organization other than the department of veterans affairs and must be approved by the commissioner of veterans affairs and the capitol area architectural and planning board.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to 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."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Murphy from the Committee on Agriculture, General Legislation and Veterans Affairs, to which was referred

S.F. No. 1436: A bill for an act relating to agriculture; regulating pesticide application in certain schools; amending Minnesota Statutes 2000, section 18B.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 18B.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, delete "Minnesota kindergarten through 12th grade public" and insert "school district" and after "private" insert "other than home-schooled"

Page 1, line 20, delete "Minnesota" and insert "school district"

Page 1, line 21, delete "kindergarten through 12th grade public" and after "private" insert "other than home-schooled"

Page 2, line 1, delete "with the knowledge" and insert "under the direction"

And when so amended the bill do pass and be re-referred to the Committee on Education. Amendments adopted. Report adopted.

Senator Murphy from the Committee on Agriculture, General Legislation and Veterans Affairs, to which was re-referred

S.F. No. 513: A bill for an act relating to agriculture; providing funding for lamb and wool research, education, and marketing assistance programs; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Senator Anderson from the Committee on Jobs, Housing and Community Development, to which was referred

S.F. No. 1429: A bill for an act relating to occupational safety and health; modifying safety committee requirements; amending Minnesota Statutes 2000, section 182.676.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2000, section 182.666, subdivision 2, is amended to read:

Subd. 2. Any employer who has received a citation for a serious violation of its duties under section 182.653, or any standard, rule, or order adopted under the authority of the commissioner as provided in this chapter, shall be assessed a fine not to exceed \$7,000 for each violation. If a serious violation under section 182.653, subdivision 2, causes or contributes to the death of an employee, the employer shall be assessed a fine of up to \$25,000."

Page 1, line 22, after "of" insert "10 to" and delete "or fewer"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing an increase in penalties for certain serious violations;"

Page 1, line 4, delete "section" and insert "sections 182.666, subdivision 2;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Kelly, R.C. from the Committee on Transportation, to which was referred

S.F. No. 1178: A bill for an act relating to transportation; making seat belt violation a primary offense; amending Minnesota Statutes 2000, section 169.686, subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Kelly, R.C. from the Committee on Transportation, to which was referred

S.F. No. 381: A bill for an act relating to transportation; authorizing a sign for the Moose Lake area fires of 1918 history museum.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 1236: A bill for an act relating to human services; providing a rate increase for a nursing facility in Hennepin county; appropriating money; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 442: A bill for an act relating to medical assistance; providing a rate increase for a nursing home in Hennepin county; appropriating money; amending Minnesota Statutes 2000, section 256B.434, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 84: A bill for an act relating to human services; providing a rate increase for a nursing home in Morrison county; appropriating money; amending Minnesota Statutes 2000, section 256B.434, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 203: A bill for an act relating to medical assistance; providing a rate increase for a nursing home in Sherburne county; appropriating money; amending Minnesota Statutes 2000, section 256B.434, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 440: A bill for an act relating to health; providing exceptions to the hospital construction moratorium and the moratorium on new nursing facility beds; amending Minnesota Statutes 2000, sections 144.551, subdivision 1; and 144A.071, subdivision 4a.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 878: A bill for an act relating to human services; appropriating money for mental health services for children who have emotional disturbance and exhibit violent or destructive behavior and for adolescents who have serious emotional disturbance and exhibit violent behavior.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 899: A bill for an act relating to human services; providing a rate adjustment for a nursing facility in Becker county; amending Minnesota Statutes 2000, section 256B.434, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 900: A bill for an act relating to human services; providing an exception to the moratorium on nursing facility construction to allow construction of a replacement facility; providing a rate increase for the new facility; appropriating money; amending Minnesota Statutes 2000, sections 144A.071, subdivision 4a; and 256B.434, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 918: A bill for an act relating to medical assistance reimbursement for special transportation services; amending Minnesota Statutes 2000, section 256B.0625, subdivision 17.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 958: A bill for an act relating to human services; providing rate increases for certain nursing facilities; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 985: A bill for an act relating to housing; appropriating money for the home-sharing grant program; amending Laws 1999, chapter 245, article 10, section 10, as amended.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 1018: A bill for an act relating to human services; increasing medical assistance reimbursement for mileage; amending Minnesota Statutes 2000, section 256B.0625, subdivision 18a.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 1036: A bill for an act relating to human services; providing a rate increase for a nursing facility in Brown county; appropriating money; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 1069: A bill for an act relating to human services; providing a rate increase for a nursing facility in Hennepin county; appropriating money; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 1076: A bill for an act relating to health; providing an exception to the moratorium on nursing facility beds for a facility located in Pine City; amending Minnesota Statutes 2000, section 144A.071, subdivision 4a.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 1141: A bill for an act relating to human services; providing a rate increase for a nursing facility in Ramsey county; appropriating money; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 1185: A bill for an act relating to human services; expanding the number of living-at-home block nurse programs and increasing program funding; appropriating money; amending Minnesota Statutes 2000, section 256B.0917, subdivision 8.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 1209: A bill for an act relating to human services; providing rate increases for a nursing facility in Becker county; amending Minnesota Statutes 2000, section 256B.434, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 1361: A bill for an act relating to health care; providing dental access grants; creating a dental access advisory committee; increasing the reimbursement rate for certain dental care

providers; appropriating money; amending Minnesota Statutes 2000, sections 256B.0644; 256B.76; proposing coding for new law in Minnesota Statutes, chapter 256B.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [144.1498] [DENTIST LOAN FORGIVENESS.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, "qualified educational loan" means a government, commercial, or foundation loan for the actual costs paid for tuition, reasonable education expenses, and reasonable living expenses related to graduate or undergraduate education of a dentist.

Subd. 2. [CREATION OF ACCOUNT.] A dental education account is established in the general fund. The commissioner shall use money from the account to establish a loan forgiveness program for dentists agreeing to provide services for a substantial number of state public assistance program participants and other low- to moderate-income uninsured patients, as defined by the commissioner of health.

Subd. 3. [ELIGIBILITY.] To be eligible to participate in the program, a dental student must submit an application to the commissioner of health while attending a program of study designed to prepare the student to become a licensed dentist. To be eligible to participate in the program, a licensed dentist must submit an application to the commissioner of health within three years of graduation from a dental school or completion of a graduate dental program. An applicant who is accepted must sign a contract to agree to serve:

(1) a minimum three-year service obligation during which at least 15 percent of the dentist's yearly patient encounters are provided to public assistance program enrollees or patients receiving sliding fee schedule discounts through a formal sliding fee schedule that meets the standards established in Code of Federal Regulations, title 42, section 51c.303; or

(2) a minimum three-year service obligation in a designated rural area, as defined by the commissioner under section 144.1494.

The service obligation for applicants who are dental students shall begin no later than March 31 of the first year following completion of training. The service obligation for applicants who are licensed dentists shall begin no later than 12 months following the date on which an application is submitted.

Subd. 4. [LOAN FORGIVENESS.] The commissioner of health may accept up to 14 applicants per year for participation in the loan forgiveness program. Applicants are responsible for securing their own qualified educational loan. Applicants chosen to participate in the loan forgiveness program may designate, for each year of dentistry study up to a maximum of four years, an agreed amount, not to exceed \$10,000, as a qualified educational loan. For each year that a participant meets the service obligation required under subdivision 3, up to a maximum of four years, the commissioner shall make annual disbursements directly to the participant in an amount equal to \$10,000 per year of service, not to exceed \$40,000 or the balance of the qualified educational loan, whichever is less. The total amount of all disbursements must not exceed the principal and accrued interest of the qualified educational loan. Before receiving loan repayment disbursements, the participant must complete and return to the commissioner an affidavit of practice form provided by the commissioner verifying that the participant's practice meets the requirements described in subdivision 3. After each disbursement, the participant must provide the commissioner with verification that the full amount of a loan repayment disbursement received by the participant has been applied toward the qualified educational loan before the next loan repayment disbursement is made. Participants who move their practice remain eligible for loan repayment if the requirements of subdivision 3 continue to be met.

Subd. 5. [PENALTY FOR NONFULFILLMENT.] If a participant does not fulfill the service commitment as required under subdivision 3, the commissioner of health shall collect from the participant 100 percent of any payments made for the qualified educational loan and interest at a

rate established under section 270.75. The commissioner shall deposit the money collected in the dental education account established under subdivision 2.

Subd. 6. [SUSPENSION OR WAIVER OF OBLIGATION.] Payment or service obligations cancel in the event of a participant's death. The commissioner of health may waive or suspend payment or service obligations in cases of total and permanent disability or long-term temporary disability lasting for more than two years. The commissioner shall evaluate all other requests for suspension or waivers on a case-by-case basis and may grant a waiver of all or part of the money owed as a result of a nonfulfillment penalty if emergency circumstances prevented fulfillment of the required service commitment.

Sec. 2. Minnesota Statutes 2000, section 256B.0644, is amended to read:

256B.0644 [PARTICIPATION REQUIRED FOR REIMBURSEMENT UNDER OTHER STATE HEALTH CARE PROGRAMS.]

A vendor of medical care, as defined in section 256B.02, subdivision 7, and a health maintenance organization, as defined in chapter 62D, must participate as a provider or contractor in the medical assistance program, general assistance medical care program, and MinnesotaCare as a condition of participating as a provider in health insurance plans and programs or contractor for state employees established under section 43A.18, the public employees insurance program under section 43A.316, for health insurance plans offered to local statutory or home rule charter city, county, and school district employees, the workers' compensation system under section 176.135, and insurance plans provided through the Minnesota comprehensive health association under sections 62E.01 to 62E.19. The limitations on insurance plans offered to local government employees shall not be applicable in geographic areas where provider participation is limited by managed care contracts with the department of human services. For providers other than health maintenance organizations, participation in the medical assistance program means that (1) the provider accepts new medical assistance, general assistance medical care, and MinnesotaCare patients or (2) at least 20 percent of the provider's patients are covered by medical assistance, general assistance medical care, and MinnesotaCare as their primary source of coverage. Patients seen on a volunteer basis by the provider at a location other than the provider's usual place of practice may be considered in meeting this participation requirement. The commissioner shall establish participation requirements for health maintenance organizations. The commissioner shall provide lists of participating medical assistance providers on a quarterly basis to the commissioner of employee relations, the commissioner of labor and industry, and the commissioner of commerce. Each of the commissioners shall develop and implement procedures to exclude as participating providers in the program or programs under their jurisdiction those providers who do not participate in the medical assistance program. The commissioner of employee relations shall implement this section through contracts with participating health and dental carriers.

Sec. 3. [256B.53] [DENTAL ACCESS GRANTS.]

(a) The commissioner shall award grants to community clinics or other nonprofit community organizations, political subdivisions, professional associations, or other organizations that demonstrate the ability to provide dental services effectively to public program recipients. Grants may be used to fund the costs related to coordinating access for recipients, developing and implementing patient care criteria, upgrading or establishing new facilities, acquiring furnishings or equipment, recruiting new providers, or other development costs that will improve access to dental care in a region.

(b) In awarding grants, the commissioner shall give priority to applicants that plan to serve areas of the state in which the number of dental providers is not currently sufficient to meet the needs of recipients of public programs or uninsured individuals. The commissioner shall consider the following in awarding the grants:

- (1) potential to successfully increase access to an underserved population;
- (2) the long-term viability of the project to improve access beyond the period of initial funding;

(3) the efficiency in the use of the funding; and

(4) the experience of the applicants in providing services to the target population.

(c) The commissioner shall consider grants for the following:

(1) implementation of new programs or continued expansion of current access programs that have demonstrated success in providing dental services in underserved areas;

(2) a program for mobile or other types of outreach dental clinics in underserved geographic areas;

(3) a program for school-based dental clinics in schools with high numbers of children receiving medical assistance;

(4) a program testing new models of care that are sensitive to the cultural needs of the recipients;

(5) a program creating new educational campaigns that inform individuals of the importance of good oral health and the link between dental disease and overall health status;

(6) a program that organizes a network of volunteer dentists to provide dental services to public program recipients or uninsured individuals; and

(7) a program that tests new delivery models by creating partnerships between local providers and county public health agencies.

(d) The commissioner shall evaluate the effects of the dental access initiatives funded through the dental access grants and submit a report to the legislature by January 15, 2003.

Sec. 4. [256B.55] [DENTAL ACCESS ADVISORY COMMITTEE.]

Subdivision 1. [ESTABLISHMENT.] The commissioner shall establish a dental access advisory committee to monitor the purchasing, administration, and coverage of dental care services for the public health care programs to ensure dental care access and quality for public program recipients.

Subd. 2. [MEMBERSHIP.] (a) The membership of the advisory committee shall include, but is not limited to, representatives of dentists, including a dentist practicing in the seven-county metropolitan area and a dentist practicing outside the seven-county metropolitan area; oral surgeons; dental hygienists; community clinics; client advocacy groups; public health; the University of Minnesota school of dentistry and the department of pediatrics; and the commissioner of health.

(b) The advisory committee is governed by section 15.059 for membership terms and removal of members.

Subd. 3. [DUTIES.] The advisory committee shall provide recommendations on the following:

(1) how to reduce the administrative burden governing dental care coverage policies in order to promote administrative simplification, including prior authorization, coverage limits, and co-payment collections;

(2) developing and implementing an action plan to improve the oral health of children and persons with special needs in the state;

(3) exploring alternative ways of purchasing and improving access to dental services;

(4) developing ways to foster greater responsibility among health care program recipients in seeking and obtaining dental care, including initiatives to keep dental appointments and comply with dental care plans;

(5) exploring innovative ways for dental providers to schedule public program patients in order to reduce or minimize the effect of appointment no shows;

(6) exploring ways to meet the barriers that may be present in providing dental services to health care program recipients such as language, culture, disability, and lack of transportation; and

(7) exploring the possibility of pediatricians, family physicians, and nurse practitioners providing basic oral health screenings and basic preventive dental services.

Subd. 4. [REPORT.] The commissioner shall submit an annual report beginning February 1, 2002, summarizing the activities and recommendations of the advisory committee.

Subd. 5. [SUNSET.] Notwithstanding section 15.059, subdivision 5, this section expires June 30, 2007.

Sec. 5. Minnesota Statutes 2000, section 256B.69, is amended by adding a subdivision to read:

Subd. 6c. [DENTAL SERVICES DEMONSTRATION PROJECT.] The commissioner shall establish a dental services demonstration project in Crow Wing, Todd, Morrison, Wadena, and Cass counties for provision of dental services to medical assistance, general assistance medical care, and MinnesotaCare recipients. The commissioner may contract on a prospective per capita payment basis for these dental services with an organization licensed under chapter 62C, 62D, or 62N in accordance with section 256B.037 or may establish and administer a fee-for-service system for the reimbursement of dental services.

Sec. 6. Minnesota Statutes 2000, section 256B.76, is amended to read:

256B.76 [PHYSICIAN AND DENTAL REIMBURSEMENT.]

(a) Effective for services rendered on or after October 1, 1992, the commissioner shall make payments for physician services as follows:

(1) payment for level one Health Care Finance Administration's common procedural coding system (HCPCS) codes titled "office and other outpatient services," "preventive medicine new and established patient," "delivery, antepartum, and postpartum care," "critical care," Caesarean cesarean delivery and pharmacologic management provided to psychiatric patients, and HCPCS level three codes for enhanced services for prenatal high risk, shall be paid at the lower of (i) submitted charges, or (ii) 25 percent above the rate in effect on June 30, 1992. If the rate on any procedure code within these categories is different than the rate that would have been paid under the methodology in section 256B.74, subdivision 2, then the larger rate shall be paid;

(2) payments for all other services shall be paid at the lower of (i) submitted charges, or (ii) 15.4 percent above the rate in effect on June 30, 1992;

(3) all physician rates shall be converted from the 50th percentile of 1982 to the 50th percentile of 1989, less the percent in aggregate necessary to equal the above increases except that payment rates for home health agency services shall be the rates in effect on September 30, 1992;

(4) effective for services rendered on or after January 1, 2000, payment rates for physician and professional services shall be increased by three percent over the rates in effect on December 31, 1999, except for home health agency and family planning agency services; and

(5) the increases in clause (4) shall be implemented January 1, 2000, for managed care.

(b) Effective for services rendered on or after October 1, 1992, the commissioner shall make payments for dental services as follows:

(1) dental services shall be paid at the lower of (i) submitted charges, or (ii) 25 percent above the rate in effect on June 30, 1992;

(2) dental rates shall be converted from the 50th percentile of 1982 to the 50th percentile of 1989, less the percent in aggregate necessary to equal the above increases;

(3) effective for services rendered on or after January 1, 2000, payment rates for dental services shall be increased by three percent over the rates in effect on December 31, 1999;

~~(4) the commissioner shall award grants to community clinics or other nonprofit community organizations, political subdivisions, professional associations, or other organizations that demonstrate the ability to provide dental services effectively to public program recipients. Grants may be used to fund the costs related to coordinating access for recipients, developing and implementing patient care criteria, upgrading or establishing new facilities, acquiring furnishings or equipment, recruiting new providers, or other development costs that will improve access to dental care in a region. In awarding grants, the commissioner shall give priority to applicants that plan to serve areas of the state in which the number of dental providers is not currently sufficient to meet the needs of recipients of public programs or uninsured individuals. The commissioner shall consider the following in awarding the grants: (i) potential to successfully increase access to an underserved population; (ii) the ability to raise matching funds; (iii) the long-term viability of the project to improve access beyond the period of initial funding; (iv) the efficiency in the use of the funding; and (v) the experience of the proposers in providing services to the target population.~~

~~The commissioner shall monitor the grants and may terminate a grant if the grantee does not increase dental access for public program recipients. The commissioner shall consider grants for the following:~~

~~(i) implementation of new programs or continued expansion of current access programs that have demonstrated success in providing dental services in underserved areas;~~

~~(ii) a pilot program for utilizing hygienists outside of a traditional dental office to provide dental hygiene services; and~~

~~(iii) a program that organizes a network of volunteer dentists, establishes a system to refer eligible individuals to volunteer dentists, and through that network provides donated dental care services to public program recipients or uninsured individuals.~~

~~(5) beginning October 1, 1999, the payment for tooth sealants and fluoride treatments shall be the lower of (i) submitted charge, or (ii) 80 percent of median 1997 charges; and~~

~~(6) (5) the increases listed in clauses (3) and (5) (4) shall be implemented January 1, 2000, for managed care; and~~

~~(6) effective for services provided on or after October 1, 2001, payment for diagnostic examinations and dental x-rays provided to children under age 21 shall be the lower of:~~

~~(i) the submitted charge; or~~

~~(ii) 85 percent of median 1999 charges.~~

~~(c) An entity that operates both a Medicare certified comprehensive outpatient rehabilitation facility and a facility which was certified prior to January 1, 1993, that is licensed under Minnesota Rules, parts 9570.2000 to 9570.3600, and for whom at least 33 percent of the clients receiving rehabilitation services in the most recent calendar year are medical assistance recipients, shall be reimbursed by the commissioner for rehabilitation services at rates that are 38 percent greater than the maximum reimbursement rate allowed under paragraph (a), clause (2), when those services are (1) provided within the comprehensive outpatient rehabilitation facility and (2) provided to residents of nursing facilities owned by the entity.~~

~~(d) Effective for dental services provided on or after July 1, 2001, the commissioner may increase reimbursement to dentists or dental clinics designated by the commissioner as critical access providers. The commissioner may increase reimbursement to a critical access provider by up to 50 percent more than would otherwise be paid to that provider. In determining critical access provider status, the commissioner shall review:~~

~~(1) the utilization rate for dental services by Minnesota health care program patients in the service area;~~

~~(2) the level of service provided to Minnesota health care program patients by the dentist or dental clinic; and~~

(3) whether the level of services provided by the dentist or clinic is critical to maintaining an adequate level of access for patients in the service area.

If no provider in a service area is designated a critical access provider upon review, the commissioner may designate a dentist or dental clinic as a critical access provider if the dentist or clinic is willing to provide care to Minnesota health care program patients at a level that significantly increases access to dental care within the service area. The commissioner shall adjust payments to prepaid health plans to reflect increased reimbursement to critical access providers under this paragraph effective January 1, 2002.

Sec. 7. [APPROPRIATION.]

(a) \$..... is appropriated for each year in the biennium beginning July 1, 2001, from the general fund to the commissioner of health for the dentist loan forgiveness program created under Minnesota Statutes, section 144.1498.

(b) \$..... is appropriated from the general fund to the commissioner of human services for the biennium beginning July 1, 2001, for the increases in dental rates provided in Minnesota Statutes, section 256B.76.

(c) \$..... is appropriated for the biennium beginning July 1, 2001, from the general fund to the commissioner of human services for the dental access grant program. This appropriation shall be available until expended."

Delete the title and insert:

"A bill for an act relating to health care; providing dental access grants; creating a dental access advisory committee; increasing the reimbursement rate for certain dental care providers; appropriating money; amending Minnesota Statutes 2000, sections 256B.0644; 256B.69, by adding a subdivision; 256B.76; proposing coding for new law in Minnesota Statutes, chapters 144; 256B."

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government Operations. Amendments adopted. Report adopted.

Senator Sams from the Committee on Health and Family Security, to which was referred

S.F. No. 1331: A bill for an act relating to health care; permitting dental hygienists to practice certain services; establishing a retired dentist program; creating a dental practice donation program; requiring a plan to expand dental auxiliary personnel; appropriating money; amending Minnesota Statutes 2000, sections 150A.10, by adding a subdivision; and 256B.76; proposing coding for new law in Minnesota Statutes, chapters 144; and 256.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 and 2, delete section 1

Page 3, line 18, after "dental" insert "diagnosis"

Page 4, line 6, before "cost" insert "reasonable"

Page 4, delete line 7 and insert "malpractice insurance compared to other dentists in the community in exchange for the dentist providing 100"

Page 4, lines 8 and 15, delete "six-month" and insert "12-month"

Page 4, after line 22, insert:

"Sec. 3. [256.959] [DENTAL PRACTICE DONATION PROGRAM.]

Subdivision 1. [ESTABLISHMENT.] The commissioner of human services shall establish a dental practice donation program that coordinates the donation of a qualifying dental practice to a

qualified charitable organization and a dentist licensed under chapter 150A who wishes to maintain the dental practice.

Subd. 2. [QUALIFYING DENTAL PRACTICE.] To qualify for the dental practice donation program, a dental practice must meet the following requirements:

- (1) the dental practice must be owned by the donating dentist;
- (2) the dental practice must be located in a designated underserved area of the state as defined by the commissioner; and
- (3) the practice must be equipped with the basic dental equipment necessary to maintain a dental practice as determined by the commissioner.

Subd. 3. [COORDINATION.] The commissioner shall establish a procedure for dentists to donate their dental practices to a qualified charitable organization. The commissioner shall authorize a practice for donation only if it meets the requirements of subdivision 2 and there is a licensed dentist who is interested in entering into an agreement as described in subdivision 4. Upon donation of the practice, the commissioner shall provide the donating dentist with a statement verifying that a donation of the practice was made to a qualifying charitable organization for purposes of state and federal income tax returns.

Subd. 4. [DONATED DENTAL PRACTICE AGREEMENT.] (a) A dentist accepting the donated practice must enter into an agreement with the qualified charitable organization to maintain the dental practice for a minimum of five years at the donated practice site and to provide services to underserved populations up to a preagreed percentage of patients served.

(b) The agreement must include the terms for the recovery of the donated dental practice if the dentist accepting the practice does not fulfill the service commitment required under this subdivision.

(c) Any costs associated with operating the dental practice during the service commitment time period are the financial responsibility of the dentist accepting the practice."

Page 7, line 34, after "amend" insert "Minnesota Statutes,"

Page 7, line 35, after "150A" insert a comma

Page 8, line 1, after "to" insert "Minnesota Statutes,"

Page 8, line 2, after "150A" insert a comma

Page 8, line 22, delete "3" and insert "2"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, delete "chapters 144; and" and insert "chapter"

And when so amended the bill do pass and be re-referred to the Committee on Education. Amendments adopted. Report adopted.

Senator Vickerman from the Committee on State and Local Government Operations, to which was referred

S.F. No. 1214: A bill for an act relating to horse racing; modifying license applicant requirements; modifying medication requirements; amending Minnesota Statutes 2000, sections 240.08, subdivision 2; and 240.24, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, delete "within ten"

Page 1, line 16, delete the new language

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Vickerman from the Committee on State and Local Government Operations, to which was referred

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

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Vickerman from the Committee on State and Local Government Operations, to which was referred

S.F. No. 987: A bill for an act relating to lawful gambling; creating a new class of premises permit; establishing fees; amending Minnesota Statutes 2000, section 349.165, subdivisions 1 and 3.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Senator Vickerman from the Committee on State and Local Government Operations, to which was referred

S.F. No. 1130: A bill for an act relating to taxation; lawful gambling; reducing rates of tax; modifying reporting requirements; amending Minnesota Statutes 2000, sections 297E.02, subdivisions 1, 4, and 6; and 349.19, subdivision 2a.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes. Report adopted.

Senator Krentz from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 1105: A bill for an act relating to the environment; creating design, construction, and use requirements for salt distribution stockpiles; proposing coding for new law in Minnesota Statutes, chapter 116.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, before "After" insert "(a) Except as provided in paragraph (b),"

Page 1, line 13, after "techniques" insert "at the time of construction"

Page 1, line 20, delete "69" and insert "50"

Page 1, line 22, delete "downward" and insert "downwind"

Page 2, after line 2, insert:

"(b) By September 1, 2003, a town must comply with the requirements in paragraph (a)."

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government Operations. Amendments adopted. Report adopted.

Senator Marty from the Committee on Judiciary, to which was referred

S.F. No. 179: A bill for an act relating to civil commitment; modifying a definition; modifying the standard for an emergency hold; extending the potential hospitalization stay under early intervention; requiring certain hearings on neuroleptic medications to be combined with a civil commitment proceeding; amending Minnesota Statutes 2000, sections 253B.02, subdivision 13; 253B.05, subdivision 1; 253B.066, subdivision 1; and 253B.07, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 253B.02, subdivision 13, is amended to read:

Subd. 13. [MENTALLY ILL PERSON.] (a) "Mentally ill person" means any person who has an organic disorder of the brain or a substantial psychiatric disorder of thought, mood, perception, orientation, or memory which grossly impairs judgment, behavior, capacity to recognize reality, or to reason or understand, which is manifested by instances of grossly disturbed behavior or faulty perceptions and:

(1) poses a substantial likelihood of physical harm to self or others as demonstrated by:

(+) (i) a failure to obtain necessary food, clothing, shelter, or medical care as a result of the impairment; or

(ii) an inability for reasons other than indigence to obtain necessary food, clothing, shelter, or medical care as a result of the impairment and it is probable that the person will suffer substantial harm, significant psychiatric deterioration or debilitation, or serious illness, unless appropriate treatment and services are provided; or

(2) (iii) a recent attempt or threat to physically harm self or others; or

(2) has resulted in recent and intentional conduct involving significant damage to substantial property.

(b) A person is not mentally ill under this section if the impairment is solely due to:

(1) epilepsy;

(2) mental retardation;

(3) brief periods of intoxication caused by alcohol, drugs, or other mind-altering substances; or

(4) dependence upon or addiction to any alcohol, drugs, or other mind-altering substances.

Sec. 2. Minnesota Statutes 2000, section 253B.05, subdivision 1, is amended to read:

Subdivision 1. [EMERGENCY HOLD.] (a) Any person may be admitted or held for emergency care and treatment in a treatment facility with the consent of the head of the treatment facility upon a written statement by an examiner that: (1) the examiner has examined the person not more than 15 days prior to admission, (2) the examiner is of the opinion, for stated reasons, that the person is mentally ill, mentally retarded or chemically dependent, and is in ~~imminent~~ danger of causing injury to self or others if not immediately ~~restrained~~ detained, and (3) an order of the court cannot be obtained in time to prevent the anticipated injury.

(b) The examiner's statement shall be: (1) sufficient authority for a peace or health officer to transport a patient to a treatment facility, (2) stated in behavioral terms and not in conclusory language, and (3) of sufficient specificity to provide an adequate record for review. If ~~imminent~~ danger to specific individuals is a basis for the emergency hold, the statement must identify those individuals, to the extent practicable. A copy of the examiner's statement shall be personally served on the person immediately upon admission and a copy shall be maintained by the treatment facility.

Sec. 3. Minnesota Statutes 2000, section 253B.066, subdivision 1, is amended to read:

Subdivision 1. [TREATMENT ALTERNATIVES.] If the court orders early intervention under section 253B.065, subdivision 5, the court may include in its order a variety of treatment alternatives including, but not limited to, day treatment, medication compliance monitoring, and short-term hospitalization not to exceed ~~ten~~ 21 days.

If the court orders short-term hospitalization and the proposed patient will not go voluntarily, the court may direct a health officer, peace officer, or other person to take the person into custody and transport the person to the hospital.

Sec. 4. Minnesota Statutes 2000, section 253B.07, subdivision 2, is amended to read:

Subd. 2. [THE PETITION.] (a) Any interested person, except a member of the prepetition screening team, may file a petition for commitment in the district court of the county of the proposed patient's residence or presence. If the head of the treatment facility believes that commitment is required and no petition has been filed, the head of the treatment facility shall petition for the commitment of the person.

(b) The petition shall set forth the name and address of the proposed patient, the name and address of the patient's nearest relatives, and the reasons for the petition. The petition must contain factual descriptions of the proposed patient's recent behavior, including a description of the behavior, where it occurred, and the time period over which it occurred. Each factual allegation must be supported by observations of witnesses named in the petition. Petitions shall be stated in behavioral terms and shall not contain judgmental or conclusory statements.

(c) The petition shall be accompanied by a written statement by an examiner stating that the examiner has examined the proposed patient within the 15 days preceding the filing of the petition and is of the opinion that the proposed patient is suffering a designated disability and should be committed to a treatment facility. The statement shall include the reasons for the opinion. In the case of a commitment based on mental illness, the petition and the examiner's statement may ~~shall~~ include, to the extent this information is available, a statement and opinion regarding the proposed patient's need for treatment with neuroleptic medication and the patient's capacity to make decisions regarding the administration of neuroleptic medications, and the reasons for the opinion. If use of neuroleptic medications is recommended by the treating physician, the petition for commitment must, if applicable, include or be accompanied by a request for proceedings under section 253B.092. Failure to include the required information regarding neuroleptic medications in the examiner's statement, or to include a request for an order regarding neuroleptic medications with the commitment petition, is not a basis for dismissing the commitment petition. If a petitioner has been unable to secure a statement from an examiner, the petition shall include documentation that a reasonable effort has been made to secure the supporting statement.

Sec. 5. Minnesota Statutes 2000, section 253B.07, subdivision 7, is amended to read:

Subd. 7. [PRELIMINARY HEARING.] (a) No proposed patient may be held in a treatment facility under a judicial hold pursuant to subdivision 6 longer than 72 hours, exclusive of Saturdays, Sundays, and legal holidays, unless the court holds a preliminary hearing and determines that the standard is met to hold the person.

(b) The proposed patient, patient's counsel, the petitioner, the county attorney, and any other persons as the court directs shall be given at least 24 hours written notice of the preliminary hearing. The notice shall include the alleged grounds for confinement. The proposed patient shall be represented at the preliminary hearing by counsel. The court may admit reliable hearsay evidence, including written reports, for the purpose of the preliminary hearing.

(c) The court, on its motion or on the motion of any party, may exclude or excuse a proposed patient who is seriously disruptive or who is incapable of comprehending and participating in the proceedings. In such instances, the court shall, with specificity on the record, state the behavior of the proposed patient or other circumstances which justify proceeding in the absence of the proposed patient.

(d) The court may continue the judicial hold of the proposed patient if it finds, by a preponderance of the evidence, that serious ~~imminent~~ physical harm to the proposed patient or others is likely if the proposed patient is not immediately confined. If a proposed patient was acquitted of a crime against the person under section ~~611.026~~ immediately preceding the filing of the petition, the court may presume that serious ~~imminent~~ physical harm to the patient or others is likely if the proposed patient is not immediately confined.

(e) Upon a showing that a person subject to a petition for commitment may need treatment with neuroleptic medications and that the person may lack capacity to make decisions regarding that treatment, the court may appoint a substitute decision-maker as provided in section 253B.092, subdivision 6. The substitute decision-maker shall meet with the proposed patient and provider and make a report to the court at the hearing under section 253B.08 regarding whether the administration of neuroleptic medications is appropriate under the criteria of section 253B.092, subdivision 7. If the substitute decision-maker consents to treatment with neuroleptic medications and the proposed patient does not refuse the medication, neuroleptic medication may be administered to the patient. If the substitute decision-maker does not consent or the patient refuses, neuroleptic medication may not be administered without a court order, or in an emergency as set forth in section 253B.092, subdivision 3."

Amend the title as follows:

Page 1, line 2, after "emergency" insert "or judicial"

Page 1, line 9, delete "and"

Page 1, line 10, delete "subdivision 2" and insert "subdivisions 2, 7"

And when so amended the bill do pass and be re-referred to the Committee on Health and Family Security. Amendments adopted. Report adopted.

Senator Marty from the Committee on Judiciary, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [604A.33] [LIMITED LIABILITY FOR OVERSEEING THE ADMINISTRATION OF MEDICATION FOR MENTALLY ILL PERSONS.]

Subdivision 1. [DEFINITION.] For purposes of this section, "health care provider" has the meaning given in section 144.335, subdivision 1, paragraph (b).

Subd. 2. [LIABILITY LIMITED.] A health care provider, its employees, and agents are not subject to civil liability for:

(1) possessing and dispensing medication that has been prescribed by another health care provider for a person's mental illness; or

(2) observing or verifying that medication prescribed by another health care provider is taken properly by a mentally ill person when the medication is in the person's possession.

Subd. 3. [EXCEPTIONS.] The immunity from liability under subdivision 2 does not apply if the health care provider, its employee, or agent:

(1) has a professional care relationship with the mentally ill person; or

(2) acted maliciously, recklessly, or in bad faith."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Marty from the Committee on Judiciary, to which was re-referred

S.F. No. 754: A bill for an act relating to mental health; establishing duties for reducing and preventing suicides; establishing requirements for discharge plans and transition services for offenders with mental illness; providing coverage requirements for health plans; adjusting payment rates for certain mental health providers; establishing coverage requirements for mental health services and treatment; requiring studies; appropriating money; amending Minnesota Statutes 2000, sections 144.56, by adding a subdivision; 245.462, subdivisions 3, 6, 8, 18, 20, and by adding subdivisions; 245.466, subdivision 2; 245.470, by adding a subdivision; 245.4711, by adding a subdivision; 245.474, subdivision 2, and by adding a subdivision; 245.4871, subdivisions 10, 17, 27, 29, and by adding subdivisions; 245.4875, subdivision 2; 245.4876, subdivision 1, and by adding subdivisions; 245.488, by adding a subdivision; 245.4885, subdivision 1; 246.54; 256.969, subdivision 3a, and by adding a subdivision; 256B.0625, subdivision 17, and by adding subdivisions; 256B.69, by adding subdivisions; 256E.12, subdivision 1, and by adding a subdivision; 260C.201, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 62Q; 145; 244; 245; 246; 256B; and 299A.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 23, after the period, insert "The data must be summary data as defined in section 13.02 and must not identify individuals."

Page 5, line 25, before the period, insert ", or to statistics on a suicide directly related to the commission of a crime"

Page 5, line 35, delete "May 1" and insert "January 15"

Page 41, line 3, after the period, insert "Section 62Q.535 applies to an order for mental health services directed to the child's health plan."

And when so amended the bill do pass and be re-referred to the Committee on Commerce. Amendments adopted. Report adopted.

Senator Vickerman from the Committee on State and Local Government Operations, to which was referred

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

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete lines 8 to 13 and insert:

"Subdivision 1. [GENERALLY.] A licensee of the commission may detain a person if the licensee has reasonable cause to believe that the person detained has violated section 609.76. For purposes of this section, "licensee" means the commission's director of racing security or a security officer licensed under Minnesota Rules, chapter 7878."

Page 2, line 3, delete the colon

Page 2, line 4, delete everything before the first "the"

Page 2, line 7, delete "; or" and insert a period

Page 2, delete lines 8 to 12

And when so amended the bill do pass and be re-referred to the Committee on Crime Prevention. Amendments adopted. Report adopted.

Senator Vickerman from the Committee on State and Local Government Operations, to which was referred

S.F. No. 1590: A bill for an act relating to horse racing; card clubs; defining terms; modifying wagers; amending Minnesota Statutes 2000, sections 240.01, subdivision 26, and by adding a subdivision; and 240.30, subdivision 8.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, delete "do not"

Page 2, line 12, strike "and"

Page 2, line 13, delete "for games in which each player is allowed to" and insert "as provided in clause (3)"

Page 2, delete line 14

Page 2, line 15, delete "wager"

Page 2, line 16, reinstate the stricken "\$30" and delete "\$60" and strike the period and insert ";

(3) for games in which each player is allowed to make only one wager or has invited opportunity to change that wager, no wager may exceed \$300; and

(4) wager limitations do not apply in a tournament held at a card club, whether that tournament uses a player pool or any other form of card playing, provided that only one such tournament may be held in any given year, and such a tournament may last a maximum of 14 days.

Sec. 4. Minnesota Statutes 2000, section 240.30, is amended by adding a subdivision to read:

Subd. 10. [REPORTING.] The class B licensee shall report all income generated by the card club in an annual report to the racing commission. The report shall also account for all costs of operation, taxes paid, amounts paid to the breeder's fund, and net profits to the class B licensee.

Sec. 5. [240.31] [COMPULSIVE GAMBLING.]

Parimutuel taxes paid by the class B licensee under section 240.15, subdivision 1, are appropriated annually to the compulsive gambling program created under section 245.98, and shall be transferred to that program by the commissioner of finance."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "assigning parimutuel taxes to pay for compulsive gambling;"

Page 1, line 4, delete "and"

Page 1, line 5, delete "and" and after "8" insert ", by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 240"

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

Senator Vickerman from the Committee on State and Local Government Operations, to which was referred

S.F. No. 986: A bill for an act relating to gambling; modifying definition of lawful purpose; amending Minnesota Statutes 2000, sections 297E.06, subdivision 4; 349.12, subdivision 25; 349.15, subdivision 1, and by adding a subdivision; 349.155, subdivision 4a; 349.17, by adding a subdivision; 349.2127, subdivision 7; and 349.213; repealing Minnesota Statutes 2000, section 349.168.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 297E.06, subdivision 4, is amended to read:

Subd. 4. [ANNUAL AUDIT.] (a) An organization licensed under chapter 349 with gross receipts from lawful gambling of more than ~~\$250,000~~ \$300,000 in any year must have an annual financial audit of its lawful gambling activities and funds for that year. An organization licensed under chapter 349 with gross receipts from lawful gambling of more than ~~\$50,000~~ \$150,000 but not more than ~~\$250,000~~ \$300,000 in any year must have an annual financial review of its lawful gambling activities and funds for that year. Audits and financial reviews under this subdivision must be performed by an independent accountant licensed by the state of Minnesota.

(b) The commissioner of revenue shall prescribe standards for audits and financial review required under this subdivision. The standards may vary based on the gross receipts of the organization. The standards must incorporate and be consistent with standards prescribed by the American institute of certified public accountants. A complete, true, and correct copy of the audit report must be filed as prescribed by the commissioner.

Sec. 2. Minnesota Statutes 2000, section 349.12, subdivision 25, is amended to read:

Subd. 25. [LAWFUL PURPOSE.] (a) "Lawful purpose" means one or more of the following:

(1) any expenditure by or contribution to a 501(c)(3) or festival organization, as defined in subdivision 15a, provided that the organization and expenditure or contribution are in conformity with standards prescribed by the board under section 349.154, which standards must apply to both types of organizations in the same manner and to the same extent;

(2) a contribution to an individual or family suffering from poverty, homelessness, or physical or mental disability, which is used to relieve the effects of that poverty, homelessness, or disability;

(3) a contribution to an individual for treatment for delayed posttraumatic stress syndrome or a contribution to a program recognized by the Minnesota department of human services for the education, prevention, or treatment of compulsive gambling;

(4) a contribution to or expenditure on a public or private nonprofit educational institution registered with or accredited by this state or any other state;

(5) a contribution to a scholarship fund for defraying the cost of education to individuals where the funds are awarded through an open and fair selection process;

(6) activities by an organization or a government entity which recognize humanitarian or military service to the United States, the state of Minnesota, or a community, subject to rules of the board, provided that the rules must not include mileage reimbursements in the computation of the per occasion reimbursement limit and must impose no aggregate annual limit on the amount of reasonable and necessary expenditures made to support:

(i) members of a military marching or color guard unit for activities conducted within the state;

(ii) members of an organization solely for services performed by the members at funeral services; or

(iii) members of military marching, color guard, or honor guard units may be reimbursed for participating in color guard, honor guard, or marching unit events within the state or states contiguous to Minnesota at a per participant rate of up to \$35 per occasion;

(7) recreational, community, and athletic facilities and activities intended primarily for persons under age 21, provided that such facilities and activities do not discriminate on the basis of gender and the organization complies with section 349.154;

(8) payment of local taxes authorized under this chapter, taxes imposed by the United States on receipts from lawful gambling, the taxes imposed by section 297E.02, subdivisions 1, 4, 5, and 6, and the tax imposed on unrelated business income by section 290.05, subdivision 3;

(9) payment of real estate taxes and assessments on permitted gambling premises wholly owned by the licensed organization paying the taxes, not to exceed:

(i) for premises used for bingo, the amount that an organization may expend under board rules on rent for bingo; and

(ii) \$35,000 per year for premises used for other forms of lawful gambling;

(10) a contribution to the United States, this state or any of its political subdivisions, or any agency or instrumentality thereof other than a direct contribution to a law enforcement or prosecutorial agency;

(11) a contribution to or expenditure by a nonprofit organization which is a church or body of communicants gathered in common membership for mutual support and edification in piety, worship, or religious observances;

(12) payment of ~~one-half~~ of the reasonable costs of an audit required in section 297E.06, subdivision 4, provided the annual audit is filed in a timely manner with the department of revenue;

(13) a contribution to or expenditure on a wildlife management project that benefits the public at-large, provided that the state agency with authority over that wildlife management project approves the project before the contribution or expenditure is made;

(14) expenditures, approved by the commissioner of natural resources, by an organization for grooming and maintaining snowmobile trails and all-terrain vehicle trails that are (1) grant-in-aid trails established under section 85.019, or (2) other trails open to public use, including purchase or lease of equipment for this purpose; or

(15) conducting nutritional programs, food shelves, and congregate dining programs primarily for persons who are age 62 or older or disabled; or

(16) a contribution to a community arts organization, or an expenditure to sponsor arts programs in the community, including but not limited to visual, literary, performing, or musical arts.

(b) Notwithstanding paragraph (a), "lawful purpose" does not include:

(1) any expenditure made or incurred for the purpose of influencing the nomination or election of a candidate for public office or for the purpose of promoting or defeating a ballot question;

(2) any activity intended to influence an election or a governmental decision-making process;

(3) the erection, acquisition, improvement, expansion, repair, or maintenance of real property or capital assets owned or leased by an organization, unless the board has first specifically authorized the expenditures after finding that (i) the real property or capital assets will be used exclusively for one or more of the purposes in paragraph (a); (ii) with respect to expenditures for repair or maintenance only, that the property is or will be used extensively as a meeting place or event location by other nonprofit organizations or community or service groups and that no rental fee is charged for the use; (iii) with respect to expenditures, including a mortgage payment or other debt service payment, for erection or acquisition only, that the erection or acquisition is necessary to replace with a comparable building, a building owned by the organization and destroyed or made uninhabitable by fire or natural disaster, provided that the expenditure may be only for that part of the replacement cost not reimbursed by insurance; (iv) with respect to expenditures, including a mortgage payment or other debt service payment, for erection or acquisition only, that the erection or acquisition is necessary to replace with a comparable building a building owned by the organization that was acquired from the organization by eminent domain or sold by the

organization to a purchaser that the organization reasonably believed would otherwise have acquired the building by eminent domain, provided that the expenditure may be only for that part of the replacement cost that exceeds the compensation received by the organization for the building being replaced; or (v) with respect to an expenditure to bring an existing building into compliance with the Americans with Disabilities Act under item (ii), an organization has the option to apply the amount of the board-approved expenditure to the erection or acquisition of a replacement building that is in compliance with the Americans with Disabilities Act;

(4) an expenditure by an organization which is a contribution to a parent organization, foundation, or affiliate of the contributing organization, if the parent organization, foundation, or affiliate has provided to the contributing organization within one year of the contribution any money, grants, property, or other thing of value;

(5) a contribution by a licensed organization to another licensed organization unless the board has specifically authorized the contribution. The board must authorize such a contribution when requested to do so by the contributing organization unless it makes an affirmative finding that the contribution will not be used by the recipient organization for one or more of the purposes in paragraph (a); or

(6) a contribution to a statutory or home rule charter city, county, or town by a licensed organization with the knowledge that the governmental unit intends to use the contribution for a pension or retirement fund.

Sec. 3. Minnesota Statutes 2000, section 349.15, subdivision 1, is amended to read:

Subdivision 1. [EXPENDITURE RESTRICTIONS.] Gross profits from lawful gambling may be expended only for lawful purposes or allowable expenses as authorized by the membership of the conducting organization at a monthly meeting of the organization's membership. Provided that no more than ~~65~~ 70 percent of the gross profit less the tax imposed under section 297E.02, subdivision 1, from bingo, and no more than 55 percent of the gross profit from other forms of lawful gambling, may be expended for allowable expenses related to lawful gambling.

Sec. 4. Minnesota Statutes 2000, section 349.15, is amended by adding a subdivision to read:

Subd. 1a. [NATURAL DISASTER RELIEF.] An organization may expend net profits from lawful gambling to relieve the effects of a natural disaster without the prior approval of its membership if:

(1) the contribution is a lawful purpose under section 349.12, subdivision 25;

(2) the contribution is authorized by the organization's chief executive officer and gambling manager; and

(3) the contribution is approved by the membership of the organization at its next regularly scheduled monthly meeting.

If the contribution is not approved by the membership of the organization at its next regularly scheduled monthly meeting, the organization shall reimburse its gambling account in the amount of the contribution.

Sec. 5. Minnesota Statutes 2000, section 349.155, subdivision 4a, is amended to read:

Subd. 4a. [ILLEGAL GAMBLING.] (a) The board may not deny, suspend, revoke, or refuse to renew an organization's premises permit because illegal gambling occurred at the site for which the premises permit was issued, unless the board determines that: (1) the organization knowingly participated in the illegal gambling; or (2) the organization or any of its agents knew ~~or reasonably should have known~~ of the illegal gambling and the organization did not notify the lessor of the premises, in writing and with specificity, that illegal gambling was being conducted on the premises and requesting that the lessor take appropriate action. For purposes of this paragraph, "agent" means any person, compensated or otherwise, who participates in the conduct of the organization's lawful gambling.

(b) The board may not deny, suspend, revoke, or refuse to renew an organization's license because illegal gambling occurred at a site for which a premises permit was issued to the organization unless the board determines that the organization's chief executive officer, gambling manager, or one or more of its assistant gambling managers participated in or authorized the illegal gambling.

Sec. 6. Minnesota Statutes 2000, section 349.168, subdivision 1, is amended to read:

Subdivision 1. [REGISTRATION OF EMPLOYEES.] A person may not receive compensation for participating in the conduct of lawful gambling as an employee of a licensed organization unless the person has first registered with the board on a form the board prescribes. The form must require each registrant to provide: (1) the person's name, address, date of birth, and social security number; (2) ~~a current photograph;~~ (3) the name, address, and license number of the employing organization; and (4) (3) a listing of all employment in the conduct of lawful gambling within the previous three years, including the name and address of each employing organization and the circumstances under which the employment was terminated.

Sec. 7. Minnesota Statutes 2000, section 349.168, subdivision 2, is amended to read:

Subd. 2. [IDENTIFICATION OF EMPLOYEES.] ~~The board shall issue to each person registering under subdivision 1 a registration number and identification card which must include the employee's photograph. Each person receiving compensation for the conduct of lawful gambling must wear the identification card provided by the board publicly display the person's first name at the point of sale at all times while conducting the lawful gambling.~~

Sec. 8. Minnesota Statutes 2000, section 349.17, is amended by adding a subdivision to read:

Subd. 7. [NOON HOUR BINGO.] Notwithstanding subdivisions 1 and 3, an organization may conduct bingo subject to the following restrictions:

- (1) the bingo is conducted only between the hours of 11:00 a.m. and 2:00 p.m.;
- (2) the bingo is conducted at a site the organization owns or leases and which has a license for the sale of intoxicating beverages on the premises under chapter 340A;
- (3) the bingo is limited to one progressive bingo game per site as defined by section 349.211, subdivision 2;
- (4) the bingo is conducted using only bingo paper sheets; and
- (5) if the premise is leased, the rent may not exceed \$25 per day for each day bingo is conducted.

Sec. 9. Minnesota Statutes 2000, section 349.2127, subdivision 7, is amended to read:

Subd. 7. [CHECKS FOR GAMBLING PURCHASES.] An organization may not accept checks in payment for the purchase of any gambling equipment or for the chance to participate in any form of lawful gambling except a raffle. If an organization accepts a check, the payment of which is subsequently dishonored, the organization shall reimburse its gambling account for the amount of the dishonored check within 30 days of receiving notice of the dishonor. This subdivision does not apply to gaming activities conducted pursuant to the Indian Gaming Regulatory Act, United States Code, title 25, section 2701 et seq.

Sec. 10. Minnesota Statutes 2000, section 349.213, is amended to read:

349.213 [LOCAL AUTHORITY.]

Subdivision 1. [LOCAL REGULATION.] (a) A statutory or home rule city or county has the authority to adopt more stringent regulation of lawful gambling within its jurisdiction, including the prohibition of lawful gambling, and may require a permit for the conduct of gambling exempt from licensing under section 349.166. The fee for a permit issued under this subdivision may not exceed \$100. The authority granted by this subdivision does not include the authority to require a

license or permit to conduct gambling by organizations or sales by distributors licensed by the board. The authority granted by this subdivision does not include the authority to require an organization to make specific expenditures of more than ten percent per year from its net profits derived from lawful gambling. For the purposes of this subdivision, net profits are gross profits less amounts expended for allowable expenses and paid in taxes assessed on lawful gambling. A statutory or home rule charter city or a county may not require an organization conducting lawful gambling within its jurisdiction to make an expenditure to the city or county as a condition to operate within that city or county, except as authorized under section 349.16, subdivision 8, or 297E.02; provided, however, that an ordinance requirement that such organizations must contribute ten percent per year of their net profits derived from lawful gambling conducted at premises within the city's or county's jurisdiction to a fund administered and regulated by the responsible local unit of government without cost to such fund, for disbursement by the responsible local unit of government of the receipts for (i) lawful purposes, or (ii) police, fire, and other emergency or public safety-related services, equipment, and training, excluding pension obligations, is not considered an expenditure to the city or county nor a tax under section 297E.02, and is valid and lawful. A city or county making expenditures authorized under this paragraph must by March 15 of each year file a report with the board, on a form the board prescribes, that lists all such revenues collected and expenditures for the previous calendar year.

(b) A statutory or home rule city or county may by ordinance require that a licensed organization conducting lawful gambling within its jurisdiction expend all or a portion of its expenditures for lawful purposes on lawful purposes conducted or located within the city's or county's trade area. Such an ordinance must be limited to lawful purpose expenditures of gross profits derived from lawful gambling conducted at premises within the city's or county's jurisdiction, must define the city's or county's trade area, and must specify the percentage of lawful purpose expenditures which must be expended within the trade area. A trade area defined by a city under this subdivision must include each city and township contiguous to the defining city.

(c) A more stringent regulation or prohibition of lawful gambling adopted by a political subdivision under this subdivision must apply equally to all forms of lawful gambling within the jurisdiction of the political subdivision, except a political subdivision may prohibit the use of paddlewheels.

Subd. 2. [LOCAL APPROVAL.] Before issuing or renewing a premises permit or bingo hall license, the board must notify the city council of the statutory or home rule city in which the organization's premises or the bingo hall is located or, if the premises or hall is located outside a city, the county board of the county and the town board of the town where the premises or hall is located. The board may require organizations or bingo halls to notify the appropriate local government at the time of application. This required notification is sufficient to constitute the notice required by this subdivision. The board may not issue or renew a premises permit or bingo hall license unless the organization submits a resolution from the city council or county board approving the premises permit or bingo hall license. The resolution must have been adopted within ~~60~~ 90 days of the date of application for the new or renewed permit or license.

Subd. 3. [LOCAL GAMBLING TAX.] A statutory or home rule charter city that has one or more licensed organizations operating lawful gambling, and a county that has one or more licensed organizations outside incorporated areas operating lawful gambling, may impose a local gambling tax on each licensed organization within the city's or county's jurisdiction. The tax may be imposed only if the amount to be received by the city or county is necessary to cover the costs incurred by the city or county to regulate lawful gambling. The tax imposed by this subdivision may not exceed three percent per year of the gross receipts of a licensed organization from all lawful gambling less prizes actually paid out by the organization. A city or county may not use money collected under this subdivision for any purpose other than to regulate lawful gambling. A tax imposed under this subdivision is in lieu of all other local taxes and local investigation fees on lawful gambling. A city or county that imposes a tax under this subdivision shall annually, by March 15, file a report with the board in a form prescribed by the board showing (1) the amount of revenue produced by the tax during the preceding calendar year, and (2) the use of the proceeds of the tax.

Sec. 11. [EFFECTIVE DATE.]

Sections 1 to 10 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to gambling; modifying definition of lawful purpose; amending requirements for illegal gambling enforcement; allowing noon hour bingo; amending Minnesota Statutes 2000, sections 297E.06, subdivision 4; 349.12, subdivision 25; 349.15, subdivision 1, by adding a subdivision; 349.155, subdivision 4a; 349.168, subdivisions 1, 2; 349.17, by adding a subdivision; 349.2127, subdivision 7; 349.213."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Anderson from the Committee on Jobs, Housing and Community Development, to which was referred

S.F. No. 501: A bill for an act relating to economic development; providing that a portion of the capital gain realized on certain investments in high technology businesses is exempt from taxation; providing that the credit for increased research and development activities is refundable; creating a high technology seed capital fund; promoting industry clusters in rural Minnesota; waiving out-of-state tuition for certain nonresidents; establishing a lifetime learning grant program; establishing the North Star Research Coalition and creating an endowment fund; appropriating money; amending Minnesota Statutes 2000, sections 135A.031, subdivision 2; 290.01, subdivision 19b; and 290.068, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 11A; 116J; 136A; and 137; repealing Minnesota Statutes 2000, section 290.068, subdivision 3.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Education. Report adopted.

Senator Metzen from the Committee on Telecommunications, Energy and Utilities, to which was referred

S.F. No. 663: A bill for an act relating to public safety; increasing allowable maximum fee for 911 emergency telephone services; allowing for payment of certain costs of local governments relating to the installation of certain signs or markers; amending Minnesota Statutes 2000, sections 403.11, subdivision 1; and 403.113, subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 19, delete "50" and insert "40"

Page 3, line 1, delete "section 403.11" and insert "taking into account the amount of the fee established in section 403.113, subdivision 1,"

Pages 3 and 4, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2000, section 403.113, subdivision 1, is amended to read:

Subdivision 1. [FEE.] (a) In addition to the actual fee assessed under section 403.11, each customer receiving local telephone service, including cellular or other nonwire service, is assessed a fee to fund implementation and maintenance of enhanced 911 service, including acquisition of necessary equipment and the costs of the commissioner to administer the program. The enhanced fee collected from cellular or other nonwire service customers must be collected effective in July 1997 billings. Effective July 1, 2001, the enhanced fee shall be 20 cents a month assessed on the same basis as the fee under section 403.11. The actual fee assessed under section 403.11 and the enhanced 911 service fee must be collected as one amount and may not exceed the amount specified in section 403.11, subdivision 1, paragraph (b).

(b) The enhanced 911 service fee must be collected and deposited in the same manner as the fee in section 403.11 and used solely for the purposes of paragraph (a) and subdivision 3.

(c) The commissioner of the department of administration, in consultation with counties and 911 system users, shall determine the amount of the enhanced 911 service fee and inform telephone companies or communications carriers that provide service capable of originating a 911 emergency telephone call of the total amount of the 911 service fees in the same manner as provided in section 403.11.

Sec. 3. Minnesota Statutes 2000, section 403.113, subdivision 3, is amended to read:

Subd. 3. [LOCAL EXPENDITURES.] (a) Money distributed under subdivision 2 for enhanced 911 service may be spent on enhanced 911 system costs for the purposes stated in subdivision 1, paragraph (a). In addition, money may be spent to lease, purchase, lease-purchase, or maintain enhanced 911 equipment, including telephone equipment; recording equipment; computer hardware and global positioning equipment; computer software for database provisioning, addressing, mapping, and any other software necessary for automatic location identification or local location identification; trunk lines; selective routing equipment; the master street address guide; dispatcher public safety answering point equipment proficiency and operational skills; pay for long-distance charges incurred due to transferring 911 calls to other jurisdictions; and the equipment necessary within the public safety answering point for community alert systems and to notify and communicate with the emergency services requested by the 911 caller.

(b) Money distributed for enhanced 911 service may not be spent on:

(1) purchasing or leasing of real estate or cosmetic additions to or remodeling of communications centers;

(2) mobile communications vehicles, fire engines, ambulances, law enforcement vehicles, or other emergency vehicles;

(3) signs, posts, or other markers related to addressing or any costs associated with the installation or maintenance of signs, posts, or markers.

Sec. 4. [EFFECTIVE DATE.]

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

Amend the title as follows:

Page 1, line 5, delete "installation of certain" and insert "acquisition of global positioning equipment"

Page 1, line 6, delete "signs or markers"

Page 1, line 7, delete "and"

Page 1, line 8, delete "subdivision" and insert "subdivisions 1,"

And when so amended the bill do pass. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 1066, 414, 67, 1344, 1222, 1429, 1178, 1214, 1674, 673, 986 and 663 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Wiger moved that the name of Senator Marty be added as a co-author to S.F. No. 4. The motion prevailed.

Senator Berglin moved that the name of Senator Limmer be added as a co-author to S.F. No. 1143. The motion prevailed.

Senator Rest moved that the names of Senators Knutson and Higgins be added as co-authors to S.F. No. 1619. The motion prevailed.

Senator Wiger moved that the name of Senator Chaudhary be added as a co-author to S.F. No. 1706. The motion prevailed.

Senator Chaudhary moved that the name of Senator Wiger be added as a co-author to S.F. No. 1716. The motion prevailed.

Senator Pappas moved that the name of Senator Pogemiller be added as a co-author to S.F. No. 1753. The motion prevailed.

Senator Kleis moved that the names of Senators Belanger, Bachmann, Schwab and Scheevel be added as co-authors to S.F. No. 1759. The motion prevailed.

Senators Ourada; Stevens; Johnson, Debbie and Limmer introduced--

Senate Resolution No. 85: A Senate resolution congratulating the Elk River High School Boys Hockey team on winning the 2001 State High School Class AA Boys Hockey Tournament.

Referred to the Committee on Rules and Administration.

Senator Knutson introduced--

Senate Resolution No. 86: A Senate resolution congratulating the Sixth Grade Knowledge Master Team from Valley Middle School in Apple Valley, Minnesota, on winning first place in the state and 11th in the nation.

Referred to the Committee on Rules and Administration.

Senator Limmer introduced--

Senate Resolution No. 87: A Senate resolution congratulating Matthew Brown for earning the Gold Medal of Achievement in Royal Rangers.

Referred to the Committee on Rules and Administration.

Senator Hottinger moved that S.F. No. 1178, on General Orders, be stricken and re-referred to the Committee on Crime Prevention. The motion prevailed.

Senator Johnson, Dave moved that S.F. No. 1165 be withdrawn from the Committee on State and Local Government Operations and re-referred to the Committee on Transportation. The motion prevailed.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Senators Chaudhary, Lourey and Pappas introduced--

S.F. No. 1761: A bill for an act relating to child care; appropriating money for the basic sliding fee child care program; repealing Laws 1999, chapter 205, article 1, section 63.

Referred to the Committee on Education.

Senators Rest, Foley, Kiscaden, Krentz and Johnson, Debbie introduced--

S.F. No. 1762: A bill for an act relating to education finance; continuing the referendum offset adjustment until a district's referendum is renewed; amending Minnesota Statutes 2000, section 126C.10, subdivision 23.

Referred to the Committee on Education.

Senator Murphy introduced--

S.F. No. 1763: A bill for an act relating to agriculture; providing grants and property tax incentives to motor fuel retailers who install E85 pumps and equipment; requiring the state to buy and operate E85 vehicles when they are available; appropriating money; amending Minnesota Statutes 2000, section 273.11, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16C and 41A.

Referred to the Committee on Agriculture, General Legislation and Veterans Affairs.

Senators Johnson, Dean and Terwilliger introduced--

S.F. No. 1764: A bill for an act relating to state government; requiring life-cycle costing in state contracts; amending Minnesota Statutes 2000, sections 16C.03, subdivision 3; 16C.25; 161.32, subdivision 1b.

Referred to the Committee on State and Local Government Operations.

Senators Johnson, Dean and Terwilliger introduced--

S.F. No. 1765: A bill for an act relating to highways; establishing pilot project to study application of anticorrosion substances to trunk highways and bridges.

Referred to the Committee on Transportation.

Senators Stevens, Sams, Kiscaden, Samuelson and Pariseau introduced--

S.F. No. 1766: A bill for an act relating to human services; establishing a floor for nursing facility operating cost reimbursement; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Stevens, Berglin, Kiscaden, Sams and Samuelson introduced--

S.F. No. 1767: A bill for an act relating to human services; establishing the Medicare payment rate as the rate for all nursing facility residents for the first 100 days following admission; appropriating money; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision; repealing Minnesota Statutes 2000, section 256B.434, subdivision 5.

Referred to the Committee on Health and Family Security.

Senators Chaudhary, Reiter, Price, Rest and Johnson, Dean introduced--

S.F. No. 1768: A bill for an act relating to transportation; appropriating money for grants to interregional trunk highway corridor coalitions.

Referred to the Committee on Transportation.

Senators Ourada; Schwab; Langseth; Johnson, Dean and Terwilliger introduced--

S.F. No. 1769: A bill for an act relating to transportation; allowing commissioner of transportation to convey interest in certain land to property owners; modifying provisions for speed limits in highway work zones; modifying seasonal highway weight limitations; transferring responsibilities from transportation regulation board to commissioner of transportation; making technical and clarifying changes; repealing obsolete or invalid provisions; amending Minnesota Statutes 2000, sections 161.24, subdivision 4; 169.14, subdivision 5d; 169.825, subdivision 11; 174.02, subdivisions 4 and 5; 174.10, subdivisions 1, 3, and 4; 174A.02, subdivisions 1, 2, and 4; 174A.04; 174A.06; 218.031, subdivision 2; 218.041, subdivisions 4, 5, and 6; 219.074, subdivision 2; 219.384, subdivision 2; and 219.402; repealing Minnesota Statutes 2000, sections 174A.01; 174A.02, subdivision 5; 174A.03; 174A.05; 219.383; 219.558; 219.559; 219.56; 219.681; 219.69; 219.691; 219.692; 219.695; 219.70; 219.71; 219.741; 219.743; 219.751; 219.755; 219.85; 219.97; 222.631; 222.632; and 222.633; Minnesota Rules, part 8850.6900.

Referred to the Committee on Transportation.

Senators Neuville; Ranum; Berglin; Kelly, R.C. and Limmer introduced--

S.F. No. 1770: A bill for an act relating to public defense; providing for the salary of the state public defender; amending Minnesota Statutes 2000, sections 15A.083, subdivision 4; and 611.23.

Referred to the Committee on Crime Prevention.

Senators Scheid, Belanger, Rest, Schwab and Stumpf introduced--

S.F. No. 1771: A bill for an act relating to taxation; reducing the general education tax rate; reducing class rates on certain properties; providing a market value homestead credit; eliminating the education homestead credit and education agricultural credit; amending Minnesota Statutes 2000, sections 126C.13, subdivision 1; 273.13, subdivisions 22, 23, 24, 25, 31; 273.1392; 273.1393; 276.04, subdivision 2; 290A.03, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 273; repealing Minnesota Statutes 2000, sections 273.13, subdivision 24a; 273.1382.

Referred to the Committee on Taxes.

Senator Samuelson introduced--

S.F. No. 1772: A bill for an act relating to highways; restricting outdoor advertising on C. Elmer Anderson Memorial Highway; amending Minnesota Statutes 2000, section 161.14, subdivision 45.

Referred to the Committee on Transportation.

Senator Samuelson introduced--

S.F. No. 1773: A bill for an act relating to liability; limiting duty of care and liability for landowners along recreational trails; amending Minnesota Statutes 2000, section 604A.24.

Referred to the Committee on Environment and Natural Resources.

Senator Samuelson introduced--

S.F. No. 1774: A bill for an act relating to veterans homes; changing certain resident deposit accounts; amending Minnesota Statutes 2000, section 198.265.

Referred to the Committee on Agriculture, General Legislation and Veterans Affairs.

Senators Wiener, Solon, Marty, Oliver and Hottinger introduced--

S.F. No. 1775: A bill for an act relating to health occupations; expanding the scope of practice for pharmacists; amending Minnesota Statutes 2000, sections 151.01, subdivision 27; 151.37, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Ranum, Pappas and Krentz introduced--

S.F. No. 1776: A bill for an act relating to education; requiring a review of English language learner education.

Referred to the Committee on Education.

Senator Tomassoni introduced--

S.F. No. 1777: A bill for an act relating to education finance; providing declining pupil aid for economically distressed school districts; appropriating money.

Referred to the Committee on Education.

Senators Johnson, Doug; Tomassoni; Frederickson and Price introduced--

S.F. No. 1778: A bill for an act relating to emergency preparedness; appropriating money for emergency communications equipment in Cook, Lake, and St. Louis counties.

Referred to the Committee on Finance.

Senators Johnson, Doug; Tomassoni; Lessard and Solon introduced--

S.F. No. 1779: A bill for an act relating to the Minnesota historical society; providing funding for operation of the Iron Range research center; appropriating money.

Referred to the Committee on Finance.

Senators Lessard and Stevens introduced--

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

Referred to the Committee on State and Local Government Operations.

Senators Lessard, Sams and Stevens introduced--

S.F. No. 1781: A bill for an act relating to detoxification services; requiring the state to reimburse counties for services rendered; amending Minnesota Statutes 2000, section 254A.08, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Sams, Krentz, Frederickson, Kinkel and Lesewski introduced--

S.F. No. 1782: A bill for an act relating to energy independence for Minnesota; setting goals; creating a task force to identify domestic energy opportunities and priorities; requiring annual summary reports.

Referred to the Committee on Telecommunications, Energy and Utilities.

Senator Higgins introduced--

S.F. No. 1783: A bill for an act relating to children; requiring the commissioner of human services to convene an advisory task force to study foster care, adoption assistance, and relative custody assistance.

Referred to the Committee on Health and Family Security.

Senators Tomassoni and Johnson, Doug introduced--

S.F. No. 1784: A bill for an act relating to taxation; providing for certain taconite production tax distributions; amending Minnesota Statutes 2000, section 298.225, subdivision 1.

Referred to the Committee on Taxes.

Senator Higgins introduced--

S.F. No. 1785: A bill for an act relating to the environment; modifying provisions relating to environmental audits; changing the reporting date for the pollution control agency's annual performance report; amending Minnesota Statutes 2000, sections 114C.21, subdivision 8; 114C.24, subdivision 3; and 116.011.

Referred to the Committee on Environment and Natural Resources.

Senators Higgins and Pogemiller introduced--

S.F. No. 1786: A bill for an act relating to the environment; appropriating money for a study of the cumulative impact of industrial emissions in north and northeast Minneapolis.

Referred to the Committee on Finance.

Senators Johnson, Dave and Terwilliger introduced--

S.F. No. 1787: A bill for an act relating to highways; delaying beginning of construction and reconstruction of marked trunk highway No. 62 in Minneapolis and Richfield; requiring a report.

Referred to the Committee on Transportation.

Senator Limmer introduced--

S.F. No. 1788: A bill for an act relating to health data; modifying access of the attorney general to health data held by governmental and private entities; amending Minnesota Statutes 2000, sections 13.384, subdivision 3; 13.46, by adding a subdivision; 62D.145, subdivision 2; 72A.502, by adding a subdivision; and 144.335, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Higgins, Ranum and Samuelson introduced--

S.F. No. 1789: A bill for an act relating to the environment; providing for limitations in the use and sale of phosphorous lawn fertilizers; requiring rulemaking; appropriating money; amending Minnesota Statutes 2000, section 115.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 115.

Referred to the Committee on Environment and Natural Resources.

Senator Robling introduced--

S.F. No. 1790: 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.

Referred to the Committee on State and Local Government Operations.

Senators Kelly, R.C.; Chaudhary; Schwab and Neuville introduced--

S.F. No. 1791: A bill for an act relating to crimes; defining and specifying treatment of controlled substance analogue; prescribing penalties for unlawful sale and possession of amphetamine and gamma hydroxybutyric acid; amending Minnesota Statutes 2000, sections 152.01, by adding a subdivision; 152.02, subdivisions 2 and 4; 152.021, subdivisions 1 and 2; 152.022, subdivisions 1 and 2; 152.023, subdivisions 1 and 2; and 152.024, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 152.

Referred to the Committee on Crime Prevention.

Senators Murphy, Sams, Dille, Vickerman and Fischbach introduced--

S.F. No. 1792: A bill for an act relating to agriculture; changing provisions of the shared savings loan program and the sustainable agriculture demonstration grant program; amending Minnesota Statutes 2000, sections 17.115; and 17.116.

Referred to the Committee on Agriculture, General Legislation and Veterans Affairs.

Senators Scheid, Hottinger, Stevens and Sams introduced--

S.F. No. 1793: A bill for an act relating to local government; permitting an alternative method of protecting deposits of public funds; changing the required collateral percentage; amending Minnesota Statutes 2000, sections 118A.01, by adding a subdivision; 118A.03, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 118A; repealing Minnesota Statutes 2000, section 118A.03, subdivisions 4, 5, 6, and 7.

Referred to the Committee on State and Local Government Operations.

Senators Oliver, Pappas, Robertson, Rest and Knutson introduced--

S.F. No. 1794: A bill for an act relating to education; creating a legislative task force on reducing the complexity of kindergarten through grade 12 education funding statutes and rules.

Referred to the Committee on Education.

Senators Murphy, Sams and Dille introduced--

S.F. No. 1795: A bill for an act relating to agriculture; transferring authority for the regulation of feedlots from the pollution control agency to the department of agriculture; amending Minnesota Statutes 2000, sections 17.138, subdivision 3; 35.82, subdivision 2; 114C.21, subdivision 8; 115.076, subdivision 1; 394.25, subdivision 3c; and 561.19, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Minnesota Statutes 2000, sections 116.06, subdivision 4a; 116.07, subdivisions 7 and 7a; 116.0713; and 116.072, subdivision 13.

Referred to the Committee on Agriculture, General Legislation and Veterans Affairs.

Senators Kelly, R.C.; Metzen and Larson introduced--

S.F. No. 1796: A bill for an act relating to telecommunications; clarifying provisions allowing later, subsequent telecommunications access to multiple-resident dwellings; amending Minnesota Statutes 2000, sections 238.23; 238.24, subdivision 10.

Referred to the Committee on Telecommunications, Energy and Utilities.

Senators Ranum, Orfield and Sabo introduced--

S.F. No. 1797: A bill for an act relating to nonprofit corporations; specifying voting rights and meeting notice requirements for nonprofit corporations that are neighborhood organizations; amending Minnesota Statutes 2000, sections 317A.435, by adding a subdivision; and 317A.441.

Referred to the Committee on Judiciary.

Senators Scheid and Kierlin introduced--

S.F. No. 1798: A bill for an act relating to tax increment financing; applying the five-year rule to pre-1990 districts; providing time limitations; amending Minnesota Statutes 2000, sections 469.1763, by adding a subdivision; 469.1771, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Berg introduced--

S.F. No. 1799: A bill for an act relating to education finance; authorizing a fund transfer for independent school district No. 378, Dawson-Boyd.

Referred to the Committee on Education.

Senator Berg introduced--

S.F. No. 1800: A bill for an act relating to traffic regulations; authorizing permits for vehicles and combinations up to 88,000 pounds gross weight on interstate highways; setting the fee for such permits; authorizing sale of permits in books of ten; amending Minnesota Statutes 2000, section 169.86, subdivision 5.

Referred to the Committee on Transportation.

Senators Bachmann, Olson, Vickerman, Fowler and Johnson, Debbie introduced--

S.F. No. 1801: A bill for an act relating to education; enacting the American Heritage Education in Minnesota Public Schools Act; proposing coding for new law in Minnesota Statutes, chapter 120B.

Referred to the Committee on Education.

Senators Frederickson and Vickerman introduced--

S.F. No. 1802: A bill for an act relating to human services; exempting certain nursing facilities from certain therapy services billing requirements; appropriating money; amending Minnesota Statutes 2000, section 256B.433, subdivision 3a.

Referred to the Committee on Health and Family Security.

Senators Kelley, S.P.; Scheid; Kierlin and Solon introduced--

S.F. No. 1803: A bill for an act relating to higher education; providing resident tuition rates for certain nonresident students; phasing out the tuition reciprocity program; amending Minnesota Statutes 2000, sections 135A.031, subdivision 2; 136A.08, subdivision 6, by adding a subdivision; repealing Minnesota Statutes 2000, section 136A.08.

Referred to the Committee on Education.

Senators Rest; Kelley, S.P. and Oliver introduced--

S.F. No. 1804: A bill for an act relating to education; providing for elementary classroom Web site grants; appropriating money.

Referred to the Committee on Education.

Senators Frederickson, Lesewski, Vickerman, Kinkel and Stumpf introduced--

S.F. No. 1805: A bill for an act relating to taxation; increasing aid to counties with tribal casinos; amending Minnesota Statutes 2000, section 270.60, subdivision 4.

Referred to the Committee on Taxes.

Senators Dille, Murphy, Lesewski, Fischbach and Lourey introduced--

S.F. No. 1806: A bill for an act relating to appropriations; appropriating money for managed grazing systems.

Referred to the Committee on Finance.

Senators Anderson and Price introduced--

S.F. No. 1807: A bill for an act relating to the environment; prohibiting the introduction of radioactive material into recycled materials; proposing coding for new law in Minnesota Statutes, chapter 116C.

Referred to the Committee on Environment and Natural Resources.

Senators Kelly, R.C.; Anderson; Pappas and Wiger introduced--

S.F. No. 1808: A bill for an act relating to the city of St. Paul; appropriating money for planning grant for Como regional park remote parking shuttle and internal transit system.

Referred to the Committee on Finance.

Senators Anderson and Sabo introduced--

S.F. No. 1809: A bill for an act relating to health; requiring a study of the level of strontium 90 in baby teeth of small children; appropriating money.

Referred to the Committee on Health and Family Security.

Senators Pappas, Wiger and Kelly, R.C. introduced--

S.F. No. 1810: A bill for an act relating to taxation; providing for permitted public uses and discretion by Ramsey county board in determining value of tax-forfeited lands; changing a census date; amending Minnesota Statutes 2000, section 469.202, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 383A.

Referred to the Committee on Taxes.

Senators Ourada, Murphy, Day, Dille and Johnson, Dean introduced--

S.F. No. 1811: A bill for an act relating to drainage; allowing transfer of a public drainage system to a water management authority; defining water management authority; amending Minnesota Statutes 2000, section 103E.005, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103E.

Referred to the Committee on Environment and Natural Resources.

Senator Cohen introduced--

S.F. No. 1812: A bill for an act relating to economic development; creating the biomedical innovation and commercialization initiative; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Jobs, Housing and Community Development.

Senators Pappas, Stumpf, Krentz, Sabo and Olson introduced--

S.F. No. 1813: A bill for an act relating to education; authorizing grants for collaborative urban educator training programs; appropriating money.

Referred to the Committee on Education.

Senators Scheevel, Olson, Schwab, Larson and Kiscaden introduced--

S.F. No. 1814: A bill for an act relating to education; providing for school finance simplification, clarification, and equity; amending Minnesota Statutes 2000, sections 126C.05, subdivisions 1, 15, 16; 126C.10, subdivisions 1, 2; 126C.13; 126C.14; Laws 1992, chapter 499, article 7, section 32, as amended; repealing Minnesota Statutes 2000, sections 122A.61; 124D.081; 124D.65; 124D.86; 126C.01, subdivision 9; 126C.05, subdivisions 3, 17; 126C.10, subdivisions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28; 126C.11; 126C.12; 126C.125; 126C.15; 126C.22; 126C.31; 126C.34; Laws 1992, chapter 499, article 7, sections 4, 5, 6, 7, 8.

Referred to the Committee on Education.

Senators Johnson, Debbie; Schwab; Limmer; Robertson and Belanger introduced--

S.F. No. 1815: A bill for an act relating to taxation; reducing individual income tax rates; amending Minnesota Statutes 2000, sections 290.06, subdivisions 2c and 2d; 290.091, subdivisions 1, 2, and 6; and 469.1734, subdivision 4.

Referred to the Committee on Taxes.

Senators Sabo, Oliver, Samuelson, Hottinger and Kelley, S.P. introduced--

S.F. No. 1816: A bill for an act relating to advertising; regulating certain political advertising and advertising adjacent to certain highways; amending Minnesota Statutes 2000, sections 173.01; 173.02, subdivisions 1, 8; 173.08, subdivision 1; 173.27; 211B.05, subdivisions 1, 2.

Referred to the Committee on Transportation.

Senators Fowler, Sams and Dille introduced--

S.F. No. 1817: A bill for an act relating to agriculture; extending certain advisory committees and a review board; changing a name; amending Minnesota Statutes 2000, sections 15.059, subdivision 5a; 17.136; 18B.305, subdivision 3; and 28A.20.

Referred to the Committee on Agriculture, General Legislation and Veterans Affairs.

Senators Higgins, Anderson, Sabo, Orfield and Frederickson introduced--

S.F. No. 1818: A bill for an act relating to economic development; providing a self-sufficiency definition; proposing coding for new law in Minnesota Statutes, chapter 4A.

Referred to the Committee on Jobs, Housing and Community Development.

Senators Murphy, Solon, Lessard, Day and Tomassoni introduced--

S.F. No. 1819: A bill for an act relating to taxes; sales and use tax; exempting certain machinery and equipment used to provide telecommunications services; amending Minnesota Statutes 2000, section 297A.68, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Kelly, R.C. and Anderson introduced--

S.F. No. 1820: A bill for an act relating to housing; appropriating money to the housing finance agency for Section 8 home ownership programs.

Referred to the Committee on Finance.

Senators Murphy, Metzen, Day, Tomassoni and Belanger introduced--

S.F. No. 1821: A bill for an act relating to utilities; modifying provisions regulating utility facilities in railroad rights-of-way; amending Minnesota Statutes 2000, section 237.04.

Referred to the Committee on Telecommunications, Energy and Utilities.

Senators Kleis and Stevens introduced--

S.F. No. 1822: A bill for an act relating to taxes; sales and use tax; allowing the cities of St. Cloud, Sartell, Sauk Rapids, Waite Park, St. Joseph, and St. Augusta to impose local sales and use taxes to fund certain projects.

Referred to the Committee on Taxes.

Senators Kleis, Limmer and Chaudhary introduced--

S.F. No. 1823: A bill for an act relating to crime prevention; prohibiting a reduction in the use of trained dogs in correctional facilities and requiring a study of their effectiveness.

Referred to the Committee on Crime Prevention.

Senators Marty, Samuelson and Johnson, Dean introduced--

S.F. No. 1824: A bill for an act relating to gambling; providing a comprehensive approach to the prevention and treatment of compulsive gambling funded by those who profit from gambling operations; appropriating money; amending Minnesota Statutes 2000, sections 245.982; 609.115, subdivision 9; Laws 1998, chapter 407, article 8, section 9.

Referred to the Committee on Health and Family Security.

Senators Kelley, S.P.; Metzen and Hottinger introduced--

S.F. No. 1825: A bill for an act relating to state government; creating the technology enterprise fund and board; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16E.

Referred to the Committee on State and Local Government Operations.

Senators Oliver and Wiener introduced--

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; 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.

Referred to the Committee on Commerce.

Senators Samuelson, Rest, Day, Stevens and Robling introduced--

S.F. No. 1827: A bill for an act relating to municipal planning; zoning; clarifying the treatment of legal nonconforming uses; amending Minnesota Statutes 2000, section 462.357, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

Senators Langseth, Stumpf and Moe, R.D. introduced--

S.F. No. 1828: A bill for an act relating to natural resources; adding a river as a canoe and boating route; appropriating money; amending Minnesota Statutes 2000, section 85.32, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senators Dille, Stumpf and Stevens introduced--

S.F. No. 1829: A bill for an act relating to environment; modifying provisions relating to mercury reduction; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Senators Orfield, Higgins, Terwilliger, Sams and Limmer introduced--

S.F. No. 1830: A bill for an act relating to workers' compensation; exempting medical providers from disclosing certain data; amending Minnesota Statutes 2000, section 176.138.

Referred to the Committee on Jobs, Housing and Community Development.

Senators Ranum, Knutson and Johnson, Dave introduced--

S.F. No. 1831: A bill for an act relating to partnership; regulating certain transition issues under the Uniform Partnership Act of 1994; amending Minnesota Statutes 2000, section 323A.12-02.

Referred to the Committee on Judiciary.

Senator Higgins introduced--

S.F. No. 1832: A bill for an act relating to environment finance; appropriating money for brownfield assessments for potential redevelopment by community nonprofit organizations; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Senator Berglin introduced--

S.F. No. 1833: A bill for an act relating to aftercare for chemical dependency; imposing a "nickel-a-drink" tax on alcoholic beverages; providing for deposit of revenues; earmarking revenues for aftercare services and programs; amending Minnesota Statutes 2000, sections

254B.05, subdivision 1; 297G.05, subdivisions 1, 2; 297G.10; proposing coding for new law in Minnesota Statutes, chapters 254B; 297G; 299A.

Referred to the Committee on Health and Family Security.

Senator Berglin introduced--

S.F. No. 1834: A bill for an act relating to employment training; establishing a demonstration training project for spoken language interpreters.

Referred to the Committee on Jobs, Housing and Community Development.

Senators Kelley, S.P. and Johnson, Dave introduced--

S.F. No. 1835: A bill for an act relating to employment; regulating an employee's right to receive certain employment termination information; amending Minnesota Statutes 2000, section 181.933, subdivision 1.

Referred to the Committee on Jobs, Housing and Community Development.

Senator Sams introduced--

S.F. No. 1836: A bill for an act relating to human services; requiring the commissioner of human services to implement a medication therapy management pilot program; appropriating money.

Referred to the Committee on Health and Family Security.

Senators Sabo and Anderson introduced--

S.F. No. 1837: A bill for an act relating to housing; housing finance agency; consolidating supportive housing related programs into the housing trust fund program; consolidating development and redevelopment programs into the economic development and challenge fund program; consolidating the full cycle homeownership services program and the foreclosure prevention and assistance programs; lengthening the time after which a loan under the rehabilitation loan program may be forgiven; eliminating tenant income limits under the home improvement loan program for the owner-occupied rental buildings; authorizing project-based rental assistance in the bridges program; authorizing the aggregation of earnings from investments of moneys appropriated to the agency; making technical and conforming changes; amending Minnesota Statutes 2000, sections 462A.01; 462A.03, subdivisions 1, 6, 10, and by adding a subdivision; 462A.04, subdivision 6; 462A.05, subdivisions 14, 14a, 16, 22, and 26; 462A.06, subdivisions 1 and 4; 462A.07, subdivisions 10 and 12; 462A.073, subdivision 1; 462A.15; 462A.17, subdivision 3; 462A.20, subdivision 3; 462A.201, subdivisions 2 and 6; 462A.204, subdivision 3; 462A.205, subdivisions 4 and 4a; 462A.209; 462A.2091, subdivision 3; 462A.2093, subdivision 1; 462A.2097; 462A.21, subdivisions 5, 10, and by adding subdivisions; 462A.222, subdivision 1a; 462A.24; and 462A.33, subdivisions 1, 2, 3, 5, and by adding a subdivision; Laws 2000, chapter 488, article 8, section 2, subdivision 6; repealing Minnesota Statutes 2000, sections 462A.201, subdivision 4; 462A.207; 462A.209, subdivision 4; 462A.21, subdivision 17; 462A.221, subdivision 4; 462A.30, subdivision 2; and 462A.33, subdivisions 4, 6, and 7.

Referred to the Committee on Jobs, Housing and Community Development.

Senators Betzold and Chaudhary introduced--

S.F. No. 1838: A bill for an act relating to appropriations; appropriating money for clean water partnership grants.

Referred to the Committee on Finance.

Senator Scheid introduced--

S.F. No. 1839: A bill for an act relating to property taxation; requiring the commissioner of revenue to conduct a study of the metropolitan fiscal disparities program; appropriating money.

Referred to the Committee on Taxes.

Senator Johnson, Doug introduced--

S.F. No. 1840: A bill for an act relating to the northeast Minnesota economic protection trust; limiting expenditures from the trust; amending Minnesota Statutes 2000, section 298.296, subdivision 2.

Referred to the Committee on Taxes.

Senators Johnson, Doug and Metzen introduced--

S.F. No. 1841: A bill for an act relating to gambling; authorizing the director of the state lottery to establish a state-run gaming facility; providing a process to allow native American governments to receive a share of net profits; providing duties and powers to the director of the state lottery; providing for the use of gaming facility revenues; amending Minnesota Statutes 2000, sections 297A.65; 297A.94; 349A.01, by adding a subdivision; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 349A.

Referred to the Committee on State and Local Government Operations.

Senators Johnson, Dave; Moe, R.D.; Cohen; Anderson and Terwilliger introduced--

S.F. No. 1842: A bill for an act relating to employment; restructuring state government regulation of employment and economic development; abolishing the department of labor and industry and the department of economic security; renaming the department of trade and economic development; transferring responsibilities.

Referred to the Committee on Jobs, Housing and Community Development.

Senator Higgins introduced--

S.F. No. 1843: A bill for an act relating to the environment; requiring the pollution control agency to provide emissions information to the public without cost; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

Senators Moe, R.D.; Hottinger; Berglin and Sams introduced--

S.F. No. 1844: A bill for an act relating to human services; establishing an outreach campaign for health coverage; creating a preventive services funding pool; reducing income verification requirements for medical assistance; providing 12-month continuous coverage under medical assistance; limiting premiums under MinnesotaCare; creating a demonstration project for presumptive eligibility; appropriating money; amending Minnesota Statutes 2000, sections 256B.04, by adding a subdivision; 256B.056, subdivisions 4b, 7; 256B.061; 256L.05, subdivisions 2, 4; 256L.07, subdivision 3; 256L.15, subdivisions 1, 2, 3; proposing coding for new law in Minnesota Statutes, chapter 256B; repealing Minnesota Statutes 2000, section 256B.056, subdivisions 5a, 5b.

Referred to the Committee on Health and Family Security.

Senators Chaudhary and Pappas introduced--

S.F. No. 1845: A bill for an act relating to education; providing for technology for improving learning grants; appropriating money.

Referred to the Committee on Education.

Senators Stumpf, Price, Murphy, Ring and Lesewski introduced--

S.F. No. 1846: A bill for an act relating to taxes; property; authorizing tax levies in subwatershed units; authorizing a watershed levy for certain increased costs; changing the levy limit for a watershed district fund and changing its name; amending Minnesota Statutes 2000, sections 103B.241, subdivision 1; 103D.905, subdivision 3, and by adding a subdivision.

Referred to the Committee on Taxes.

Senators Bachmann and Fischbach introduced--

S.F. No. 1847: A bill for an act relating to taxation; administration and compliance; modifying electronic filing requirements; amending Minnesota Statutes 2000, section 289A.08, subdivision 16.

Referred to the Committee on Taxes.

Senators Bachmann and Fischbach introduced--

S.F. No. 1848: A bill for an act relating to taxation; administration and compliance; modifying electronic filing requirements; amending Minnesota Statutes 2000, sections 289A.09, subdivision 1; and 289A.20, subdivision 2.

Referred to the Committee on Taxes.

Senators Bachmann and Krentz introduced--

S.F. No. 1849: A bill for an act relating to appropriations; authorizing state bonds; appropriating money to rebuild and fortify the historic territorial prison wall in Stillwater.

Referred to the Committee on Finance.

Senator Bachmann introduced--

S.F. No. 1850: A bill for an act relating to appropriations; appropriating money to the commissioner of natural resources for grants from the stream protection and improvement loan program.

Referred to the Committee on Finance.

Senator Robling introduced--

S.F. No. 1851: A bill for an act relating to family and early childhood education finance; consolidating MFIP and basic sliding fee child care assistance programs; modifying income eligibility; amending Minnesota Statutes 2000, sections 119B.011, subdivisions 5, 11, 12, 15, 18, by adding subdivisions; 119B.02, subdivisions 1, 2, 3, by adding subdivisions; 119B.061; proposing coding for new law in Minnesota Statutes, chapter 119B; repealing Minnesota Statutes 2000, sections 119B.011, subdivision 20; 119B.03; 119B.04; 119B.05; 119B.06; 119B.07; 119B.08; 119B.09; 119B.10; 119B.11; 119B.12; 119B.13; 119B.14; 119B.15; 119B.16.

Referred to the Committee on Education.

Senator Cohen introduced--

S.F. No. 1852: A bill for an act relating to employment; regulating entertainment agencies; amending Minnesota Statutes 2000, sections 184A.01, subdivision 5; 184A.03; 184A.04, subdivision 3; 184A.05; 184A.06, subdivisions 1, 2, by adding a subdivision; 184A.09; 184A.12; 184A.18, subdivision 4; 184A.20.

Referred to the Committee on Jobs, Housing and Community Development.

Senator Oliver introduced--

S.F. No. 1853: A bill for an act relating to taxation; individual income; increasing the maximum long-term care insurance credit, reducing the lifetime benefit requirement, and extending the credit to employers; providing a sunset for the credit; amending Minnesota Statutes 2000, section 290.0672.

Referred to the Committee on Taxes.

Senators Pappas, Price and Knutson introduced--

S.F. No. 1854: A bill for an act relating to education; imposing a fiduciary responsibility on the sponsor of a charter school; requesting the legislative auditor to study and report on charter school operations; amending Minnesota Statutes 2000, section 124D.10, subdivision 25.

Referred to the Committee on Education.

Senators Pappas and Pogemiller introduced--

S.F. No. 1855: A bill for an act relating to education; amending charter schools provisions; obligating charter school operators to incorporate before entering into contracts; making teachers a majority of the members of the charter school board of directors by the end of a school's third year of operation; increasing the amount available to a sponsor to evaluate the performance of a charter school in its first three years of operation; establishing criteria the commissioner must use to approve or disapprove a charter school's application for building lease aid; amending Minnesota Statutes 2000, sections 124D.10, subdivisions 4, 15; 124D.11, subdivision 4.

Referred to the Committee on Education.

Senators Pappas and Pogemiller introduced--

S.F. No. 1856: A bill for an act relating to taxation; individual income; providing that the education expense credit and deduction apply to certain expenditures for prekindergarten expenses and museum memberships; amending Minnesota Statutes 2000, sections 290.01, subdivision 19b; 290.0674, subdivision 1.

Referred to the Committee on Taxes.

Senators Johnson, Dean; Terwilliger; Moe, R.D.; Frederickson and Scheid introduced--

S.F. No. 1857: A bill for an act relating to a stadium; financing a major league professional baseball stadium; requiring private funding; providing for an interest-free loan; providing for a temporary tax-free zone on certain retail sales; creating a site selection commission; providing for the issuance of bonds; providing for disposition of the metro dome and the land it occupies under certain conditions; transferring funds from the assigned risk plan; requiring enhanced revenue sharing by major league baseball for act to take effect; appropriating money; amending Minnesota Statutes 2000, sections 272.02, by adding a subdivision; 297A.67, by adding a subdivision; 297A.71, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 4A.

Referred to the Committee on State and Local Government Operations.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Senator Moe, R.D. moved that the Senate take up the Calendar. The motion prevailed.

CALENDAR

S.F. No. 7: A bill for an act relating to crime prevention; imposing criminal penalties for killing or harming animals trained to assist persons with disabilities; proposing coding for new law in Minnesota Statutes, chapter 609.

With the unanimous consent of the Senate, Senator Wiger moved to amend S.F. No. 7 as follows:

Page 1, line 15, after "suffers" insert "great bodily harm or"

Page 1, line 18, delete "\$4,000" and insert "\$5,000"

Page 1, delete lines 19 to 22

Page 1, line 23, delete "(c)" and insert "(b)"

Page 1, line 25, delete "(d)" and insert "(c)" and delete "demonstrable"

The motion prevailed. So the amendment was adopted.

S.F. No. 7 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kleis	Orfield	Sabo
Bachmann	Higgins	Knutson	Ourada	Sams
Belanger	Hottinger	Larson	Pappas	Samuelson
Berg	Johnson, Dave	Lesewski	Pariseau	Scheevel
Berglin	Johnson, Dean	Lourey	Pogemiller	Scheid
Betzold	Johnson, Debbie	Marty	Price	Schwab
Cohen	Johnson, Doug	Metzen	Ranum	Stevens
Day	Kelley, S.P.	Moe, R.D.	Reiter	Stumpf
Dille	Kelly, R.C.	Murphy	Rest	Terwilliger
Fischbach	Kierlin	Neuville	Ring	Tomassoni
Foley	Kinkel	Oliver	Robertson	Vickerman
Fowler	Kiscaden	Olson	Robling	Wiger

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

RECESS

Senator Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

During the recess, the Senate received an address from former State Senator and former Governor, Elmer L. Andersen.

In attendance were former Senators Stanley Holmquist, Joe Josefson and Gene Merriam.

After the address, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Neuville moved that S.F. No. 1523 be withdrawn from the Committee on Crime Prevention and returned to its author. The motion prevailed.

Senator Fowler moved that S.F. No. 1817 be withdrawn from the Committee on Agriculture, General Legislation and Veterans Affairs and re-referred to the Committee on State and Local Government Operations. The motion prevailed.

Senator Johnson, Dave moved that S.F. No. 663, on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 9:30 a.m., Thursday, March 22, 2001. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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