

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-SECOND LEGISLATURE

TWENTY-FIFTH DAY

St. Paul, Minnesota, Thursday, March 22, 2001

The Senate met at 9:30 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Tomassoni 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. Don Stier.

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

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 8, 2001

The Honorable Don Samuelson
President of the Senate

Dear Senator Samuelson:

The Subcommittee on Committees of the Committee on Rules and Administration met on March 6, 2001, and appointed the following to serve by virtue of their position:

Pursuant to Minnesota Statutes 2000

116P.05: Legislative Commission on Minnesota Resources - Senator Tomassoni, serving as the designee for Senator Johnson, Doug, Chair of the Finance Committee; Senator Krentz, as Chair of the Committee on Environment and Natural Resources and Senator Price, as Chair of the Environment and Natural Resources Budget Division.

Respectfully,
Roger D. Moe, Chair
Subcommittee on Committees

March 8, 2001

The Honorable Don Samuelson
President of the Senate

Dear Senator Samuelson:

The Subcommittee on Committees of the Committee on Rules and Administration met on March 6, 2001, and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes 2000

1.22: Great Lakes Commission - Senators Rest and Larson, serving at the pleasure of the appointing authority.

3.9222: Legislative Commission on the Economic Status of Women - Senators Berglin, Foley, Lourey, Sabo and Robling, serving the length of the term to which they were elected.

3.9223: Council on Affairs of Chicano/Latino People - Senator Fowler, serving at the pleasure of the appointing authority.

3.9225: Council on Black Minnesotans - Senators Higgins and Terwilliger, serving at the pleasure of the appointing authority.

3.9226: Council on Asian-Pacific Minnesotans - Senators Wiger and Pariseau, serving at the pleasure of the appointing authority.

84B.11: Citizens Council on Voyageurs National Park - Senator Price, serving the length of the term to which elected.

116J.421: Rural Policy and Development Center Board of Directors - Senator Stumpf, for a two-year term expiring on March 6, 2003.

116P.05: Legislative Commission on Minnesota Resources - Senators Anderson, Higgins, Metzen, Vickerman, Berg, Frederickson and Robertson, serving until a successor is named.

119A.13, Subd. 2: Advisory Council on Children's Trust Fund - Senators Foley and Fischbach, for a four-year term expiring on March 6, 2005.

135A.21: Midwestern Higher Education Commission - Senator Wiener, for a two-year term expiring on March 6, 2003.

138.763: St. Anthony Falls Heritage Board - Senators Higgins and Pogemiller, serving at the pleasure of the appointing authority.

144E.01: Emergency Medical Services Regulatory Board - Senator Lourey, serving at the pleasure of the appointing authority.

174.55: Major Transportation Projects Commission - Senator Kelly, R.C., replacing Senator Pappas, serving at the pleasure of the appointing authority.

240A.02: Minnesota Amateur Sports Commission - Senators Stumpf and Larson, serving at the pleasure of the appointing authority.

290A.173: Multistate Tax Compact Advisory Committee - Senators Betzold and Belanger, serving at the pleasure of the appointing authority.

465.796: Government Innovation and Cooperation Board - Senators Johnson, Dave and Orfield, serving at the pleasure of the appointing authority.

Pursuant to Laws 1993

Chapter 172, Section 34: Cuyuna Country State Recreation Area Advisory Committee - Senator Samuelson, serving at the pleasure of the appointing authority.

First Special Session, Chapter 2, Article 5, Section 2: Minnesota Education Telecommunications Council - Senator Kelley, S.P., serving at the pleasure of the appointing authority.

Pursuant to Laws 1996

Chapter 407, Section 32, Subdivision 4: Off-Highway Vehicle Recreation Area Advisory Committee - Senator Tomassoni, serving at the pleasure of the appointing authority.

Respectfully,
Roger D. Moe, Chair
Subcommittee on Committees

March 10, 2001

The Honorable Don Samuelson
President of the Senate

Dear Senator Samuelson:

As Majority Leader, I have made the following appointments:

Pursuant to Minnesota Statutes 2000

116O.03: Minnesota Technology, Inc. Board of Directors - Monica Manning, for a four-year term.

240A.02: Minnesota Amateur Sports Commission - Senator Krentz, for a two-year term.

299C.65, Subd. 2: Criminal and Juvenile Information Task Force - Senator Foley, serving at the pleasure of the appointing authority.

Sincerely,
Roger D. Moe, Chair
Subcommittee on Committees

March 16, 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
	393	9	10:30 a.m. March 16	March 16
289		10	10:30 a.m. March 16	March 16
	80	8	10:30 a.m. March 16	March 16

Sincerely,
Mary Kiffmeyer
Secretary of State

March 21, 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. 433.

Sincerely,
Jesse Ventura, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 47:

H.F. No. 47: A bill for an act relating to economic development; requiring a closed iron mine and related facilities to be maintained for a period of time; providing extra unemployment benefits for certain workers laid off from the LTV Mining Company; amending Minnesota Statutes 2000, section 93.003.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Rukavina, McElroy, Bakk, Abrams and Holberg have been appointed as such committee on the part of the House.

House File No. 47 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 19, 2001

Senator Johnson, Doug moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 47, and that a Conference Committee of 5 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.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 274, 550 and 1159.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 19, 2001

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 323.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 21, 2001

FIRST READING OF HOUSE BILLS

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

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

Referred to the Committee on Rules and Administration for comparison with S.F. No. 70, now on General Orders.

H.F. No. 550: A bill for an act relating to higher education; extending authority to adopt rules for Edvest.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 954.

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

Referred to the Committee on Rules and Administration for comparison with S.F. No. 857.

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

Referred to the Committee on Commerce.

REPORTS OF COMMITTEES

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

REPORTS OF COMMITTEES

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

S.F. No. 1176: A bill for an act relating to agriculture; establishing a feedlot specialist program; providing funding; appropriating money; amending Minnesota Statutes 2000, section 116.07, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Page 1, delete lines 9 to 22

Page 1, line 23, delete "Subd. 2. [SPECIALISTS; DUTIES, ASSIGNMENT.]"

Page 3, line 14, delete "300" and insert "500"

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

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

S.F. No. 1659: A bill for an act relating to agriculture; providing for a level 1 feedlot inventory.

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

Page 1, after line 4, insert:

"Section 1. [116.0712] [FEEDLOT PERMIT CONDITIONS.]

(a) The agency shall not require feedlot permittees to prepare an air emission plan when the permittee has not violated state ambient air quality standards or state health risk values.

(b) The agency shall not require feedlot permittees to maintain records as to rainfall or snowfall as a condition of a general feedlot permit.

(c) A feedlot permittee shall give notice to the agency when the permittee proposes to transfer ownership or control of the feedlot to a new party. Agency approval of a proposed transfer of ownership or control is required only when the new owner or operator has a history of noncompliance with federal or state environmental laws.

(d) Two or more feedlot projects shall be considered part of a phased action as defined in Minnesota Rules, part 4410.0200, subpart 60, only when the feedlots are developed on contiguous parcels of land.

(e) If the owner of an animal feedlot requests an extension for an application for a National Pollutant Discharge Elimination permit or state disposal system permit by June 1, 2001, then the agency shall grant an extension for the application to September 1, 2001.

(f) An animal feedlot in shoreland that has been unused may resume operation after obtaining a permit from the agency or county, regardless of the number of years that the feedlot was unused."

Page 2, after line 4, insert:

"Sec. 3. [LEGISLATIVE DIRECTIVE.]

Subdivision 1. [TRANSFER OF CERTAIN RESPONSIBILITIES.] By July 1, 2005, the commissioners of agriculture and the pollution control agency shall have finalized arrangements by which the department of agriculture will assume primary responsibility for monitoring and enforcing Minnesota air and water quality standards, feedlot rules, and other environmental laws applicable to all dairy farms that are facilities with less than 1,000 animal units. The arrangements must assure effective, ongoing communication between the department and the agency and must be in compliance with federal laws and regulations of the United States Environmental Protection Agency.

Subd. 2. [TRANSITION PERIOD; COMMUNICATION; TRAINING.] Between July 1, 2001, and the date of full implementation of final arrangements for transferring responsibility for dairy inspections, the commissioners of agriculture and the pollution control agency, in consultation with appropriate representatives of dairy producers, dairy processors, county feedlot staff in delegated counties, agency staff administering the feedlot program in nondelegated counties, environmental organizations, and the United States Environmental Protection Agency shall coordinate a program of communication, training, and performance standards to facilitate the transition of authority and responsibility.

Subd. 3. [SHARED, COORDINATED RESPONSIBILITIES FOR CERTAIN DAIRIES.] Staff of the department and the agency must develop mutually agreeable joint inspection schedules as appropriate for dairy facilities having more than 1,000 animal units."

Page 2, line 6, delete "Section 1 is" and insert "Sections 1 to 3 are"

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to agriculture; modifying provisions relating to feedlots; providing for a level 1 feedlot inventory; providing that the department of agriculture must provide certain inspection services on dairy farms; requiring cooperation between the pollution control agency and the department of agriculture; proposing coding for new law in Minnesota Statutes, chapter 116."

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

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

S.F. No. 1741: A bill for an act relating to appropriations; appropriating money for grants to the Metropolitan Economic Development Association.

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

Page 1, line 10, before the period, insert "to be used for minority business development outside the seven-county metropolitan area" and delete everything after the period

Page 1, delete lines 11 to 15

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

Senator Ranum from the Committee on Crime Prevention, to which was referred

S.F. No. 1414: A bill for an act relating to crimes; making it a crime for employees, contract personnel, or volunteers of a correctional system to engage in certain sexual activities with offenders in correctional facilities; amending Minnesota Statutes 2000, sections 609.344, subdivision 1; and 609.345, subdivision 1.

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

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 2000, section 609.341, subdivision 11, is amended to read:

Subd. 11. (a) "Sexual contact," for the purposes of sections 609.343, subdivision 1, clauses (a) to (f), and 609.345, subdivision 1, clauses (a) to (e), and (h) to ~~(l)~~ (m), includes any of the following acts committed without the complainant's consent, except in those cases where consent is not a defense, and committed with sexual or aggressive intent:

(i) the intentional touching by the actor of the complainant's intimate parts, or

(ii) the touching by the complainant of the actor's, the complainant's, or another's intimate parts effected by a person in a position of authority, or by coercion, or by inducement if the complainant is under 13 years of age or mentally impaired, or

(iii) the touching by another of the complainant's intimate parts effected by coercion or by a person in a position of authority, or

(iv) in any of the cases above, the touching of the clothing covering the immediate area of the intimate parts.

(b) "Sexual contact," for the purposes of sections 609.343, subdivision 1, clauses (g) and (h), and 609.345, subdivision 1, clauses (f) and (g), includes any of the following acts committed with sexual or aggressive intent:

(i) the intentional touching by the actor of the complainant's intimate parts;

(ii) the touching by the complainant of the actor's, the complainant's, or another's intimate parts;

(iii) the touching by another of the complainant's intimate parts; or

(iv) in any of the cases listed above, touching of the clothing covering the immediate area of the intimate parts.

(c) "Sexual contact with a person under 13" means the intentional touching of the complainant's bare genitals or anal opening by the actor's bare genitals or anal opening with sexual or aggressive intent or the touching by the complainant's bare genitals or anal opening of the actor's or another's bare genitals or anal opening with sexual or aggressive intent."

Page 3, line 20, delete the first "or" and after "city" insert ", or privately operated"

Page 5, line 26, delete the first "or" and after "city" insert ", or privately operated"

Page 5, line 33, delete "and 2" and insert "to 3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "sections" insert "609.341, subdivision 11;"

Page 1, line 7, delete "and"

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

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

S.F. No. 1398: A bill for an act relating to health; establishing maternal death reviews; amending Minnesota Statutes 2000, section 13.3806, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 2000, sections 13.3806, subdivision 19; and 145.90.

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

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

S.F. No. 934: A bill for an act relating to human services; removing an ineligibility provision for general assistance and general assistance medical care; amending Laws 1997, chapter 203, article 9, section 21, as amended.

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. 1256: A bill for an act relating to health; providing for prospective review of certain major spending commitments for radiation therapy facilities; amending Minnesota Statutes 2000, section 62J.17, subdivision 8.

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

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

S.F. No. 683: A bill for an act relating to juveniles; providing reimbursement to county social service agencies for the costs of out-of-home placement; appropriating money; amending

Minnesota Statutes 2000, sections 256.01, subdivision 2; 256.82, subdivision 2; 260.765, by adding a subdivision; 260.771, subdivision 4; 260B.331, subdivision 1; and 260C.331, subdivisions 1 and 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. [477A.0125] [OUT-OF-HOME PLACEMENT AID.]

Subdivision 1. [EARLY INTERVENTION SERVICES.] "Early intervention services" means the delivery of services under alternative responses to children under section 626.5551.

Subd. 2. [AID FORMULA.] (a) Beginning in calendar year 2002, aid must be paid to counties that meet the requirements in subdivision 4 for the costs of children in out-of-home placement. The aid must be distributed annually to counties based on the following formula:

(1) 25 percent of the total amount of the aid must be distributed on the basis of each county's share of the total statewide children in out-of-home placement costs for the previous five calendar years;

(2) 50 percent of the total amount of the aid must be distributed on the basis of each county's share of the total statewide number of children living at or below the federal poverty level based on the most recent county child poverty estimate provided by the United States Census Bureau; and

(3) 25 percent of the total amount of the aid must be distributed on the basis of each county's share of the total statewide number of children under the age of 18 in the prior calendar year. The commissioner of revenue shall pay the aid amounts determined under this section as provided in section 477A.015.

(b) By July 1 of 2001 and each year thereafter, the commissioner of human services shall include in its filing under section 477A.0122 the number of children in out-of-home placement for each county for the previous five years.

Subd. 3. [INFLATION ADJUSTMENT.] The amount of aid provided in subdivision 2 must be adjusted each year by an amount equal to:

(a) the amount certified to be paid under that section in the previous year multiplied by

(b) one plus the percentage increases in the implicit price deflator for government consumption expenditures and gross investment for state and local governments prepared by the Bureau of Economic Analysis of the United States Department of Commerce for the 12-month period ending March 31 of the previous year.

Subd. 4. [REQUIRED COUNTY INVESTMENT IN EARLY INTERVENTION SERVICES.]

(a) In order to reduce out-of-home placement costs, a county shall allocate a minimum of 25 percent of the funds received under subdivision 2, paragraph (a), to provide local funding for early intervention services as defined in subdivision 1. In the first calendar year in which aid is received under this section, funds must be used to expand existing services or to create new services. In any subsequent year in which aid is received under this section, at least 25 percent of the aid must be used to maintain early intervention services, except under paragraph (b). For each calendar year in which funds are received, the county agency shall include in the plan filed under section 256E.09 a detailed explanation of how the aid will be used. In the report filed by the county under section 477A.0122, subdivision 6, the county shall include detail on the use of aid received under this section.

(b) If the county aid under subdivision 2 decreases, the county must continue to maintain early intervention funding in an amount equal to the amount spent in the previous year.

Subd. 5. [REPORTING.] The commissioner of human services shall track expenditures under

subdivision 4, and shall, in consultation with county representatives, develop reporting requirements related to expenditures, or use existing systems, in order to determine county accountability. The commissioner of human services shall report to the chairs of the policy committees in the house and senate that have jurisdiction over out-of-home placement issues to ensure that expenditures for the services under subdivision 1 have increased by at least 25 percent in each county.

Subd. 6. [APPROPRIATION.] \$..... is appropriated to the commissioner of revenue to make the payments under this section."

Delete the title and insert:

"A bill for an act relating to local government aids; authorizing aid to counties for the costs of court-ordered out-of-home placement and for early intervention services; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 477A."

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

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

S.F. No. 959: A bill for an act relating to housing court; providing for expungement of certain court records of eviction actions; amending Minnesota Statutes 2000, section 484.014, subdivision 2, and by adding a subdivision.

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

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

S.F. No. 339: A bill for an act relating to liens; regulating agricultural liens; revising and consolidating crop liens and agricultural liens on livestock; amending Minnesota Statutes 2000, section 514.19; proposing coding for new law in Minnesota Statutes, chapter 514; repealing Minnesota Statutes 2000, sections 514.23; 514.24; 514.25; 514.26; 514.27; 514.28; 514.29; 514.30; 514.31; 514.32; 514.33; 514.34; 514.62; 514.63; 514.65; 514.66; 514.92; 514.950; 514.952; 514.954; 514.956; 514.958; 514.959; 514.960; 557.12; and 559.2091; Minnesota Rules, parts 8271.0010; 8271.0020; 8271.0030; 8271.0040; 8271.0050; 8271.0060; 8271.0070; 8271.0080; 8271.0090; 8271.0100; 8271.0200; 8271.0300; and 8271.0350.

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

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

S.F. No. 1281: A bill for an act relating to taxation; creating a credit for land donated for conservation purposes; proposing coding for new law in Minnesota Statutes, chapter 290.

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 re-referred

S.F. No. 601: A bill for an act relating to appropriations; appropriating money for a regional sludge management demonstration project.

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

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

S.F. No. 1164: A bill for an act relating to conservation; modifying the definition of landowner for purposes of participation in the RIM program; increasing the amount of funding available to participants; amending Minnesota Statutes 2000, sections 103F.511, subdivision 6; and 103F.515, subdivision 6.

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

Page 2, line 3, strike "\$75" and insert "\$125"

Page 2, line 5, strike "\$100" and insert "\$150"

Page 2, line 8, strike "\$150" and insert "\$200"

Page 2, line 10, strike "\$200" and insert "\$300"

Page 2, line 15, strike "\$200" and insert "\$250"

Page 2, line 16, strike "\$300" and insert "\$400"

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

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

S.F. No. 1351: A bill for an act relating to the environment; extending the expiration date of the solid waste council and the prevention, reduction, and recycling advisory council; amending Minnesota Statutes 2000, sections 15.059, subdivision 5a; and 115A.12.

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

Page 5, line 27, after the period, insert "Notwithstanding section 15.059, subdivision 5,"

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

S.F. No. 1613: A bill for an act relating to the environment; expanding the pollution control agency's authority to expedite permits; amending Minnesota Statutes 2000, section 116.07, subdivision 4d.

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

Page 3, line 32, after "law" insert "or rule"

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

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

S.F. No. 1346: A bill for an act relating to natural resources; modifying provisions rendered obsolete by the electronic licensing system; modifying the disposition of certain taxes and proceeds; clarifying certain licensing and training requirements; providing for removal of submerged vehicles; modifying watercraft license and title provisions; clarifying sale of live animals and animal portions; modifying rulemaking authority; modifying certain license revocation provisions; clarifying taxidermy and bow fishing provisions; modifying fish house

requirements; repealing certain fleeing provisions; amending Minnesota Statutes 2000, sections 6.48; 84.788, subdivisions 3 and 4; 84.796; 84.798, subdivisions 3 and 5; 84.82, subdivision 2; 84.83, subdivisions 3 and 5; 84.862, subdivisions 1 and 2; 84.872, subdivision 1; 84.922, subdivisions 2 and 3; 86B.401, subdivisions 1, 3, and 4; 86B.705, subdivision 2; 86B.820, subdivision 13; 86B.825, subdivision 1; 86B.830, subdivision 1; 97A.065, subdivision 2; 97A.105, subdivisions 4 and 9; 97A.421, subdivision 1; 97A.425, subdivision 1; 97A.441, subdivision 1; 97A.512; 97B.055, subdivision 2; 97C.355, subdivision 1; and 297A.94; proposing coding for new law in Minnesota Statutes, chapter 86B; repealing Minnesota Statutes 2000, sections 84.792; and 84.801.

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

Page 11, line 10, delete "actual" and insert "legal"

Page 11, line 19, after the period, insert "Upon request of the political subdivision the commissioner may extend the 30-day time period for removal."

Page 17, line 5, after "tan" insert "animal hides"

Page 17, line 9, after "tan" insert "animal hides"

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

Senator Ranum from the Committee on Crime Prevention, to which was referred

S.F. No. 386: A bill for an act relating to crime prevention; requiring the collection and analysis of data and the adoption of policies on racial profiling; requiring the retention of an independent outside expert to analyze the data; requiring law enforcement training and conferences in eliminating racial profiling; requiring a report; appropriating money; amending Minnesota Statutes 2000, section 13.871, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 626.

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 13.871, subdivision 6, is amended to read:

Subd. 6. [TRAINING; INVESTIGATION; APPREHENSION; REPORTS.] (a) [REPORTS OF GUNSHOT WOUNDS.] Disclosure of the name of a person making a report under section 626.52, subdivision 2, is governed by section 626.53.

(b) [CHILD ABUSE REPORT RECORDS.] Data contained in child abuse report records are classified under section 626.556.

(c) [INTERSTATE DATA EXCHANGE.] Disclosure of child abuse reports to agencies of another state is classified under section 626.556, subdivision 10g.

(d) [RELEASE TO FAMILY COURT SERVICES.] Release of child abuse data to a court services agency is authorized under section 626.556, subdivision 10h.

(e) [RELEASE OF DATA TO MANDATED REPORTERS.] Release of child abuse data to mandated reporters who have an ongoing responsibility for the health, education, or welfare of a child affected by the data is authorized under section 626.556, subdivision 10j.

(f) [RELEASE OF CHILD ABUSE INVESTIGATIVE RECORDS TO OTHER COUNTIES.] Release of child abuse investigative records to local welfare agencies is authorized under section 626.556, subdivision 10k.

(g) [CLASSIFYING AND SHARING RECORDS AND REPORTS OF CHILD ABUSE.] The classification of child abuse data and the sharing of records and reports of child abuse by and

between local welfare agencies and law enforcement agencies are governed under section 626.556, subdivision 11.

(h) [DISCLOSURE OF INFORMATION NOT REQUIRED IN CERTAIN CASES.] Disclosure of certain data obtained from interviewing a minor is governed by section 626.556, subdivision 11a.

(i) [DATA RECEIVED FROM LAW ENFORCEMENT.] Classifying child abuse data received by certain agencies from law enforcement agencies is governed under section 626.556, subdivision 11b.

(j) [DISCLOSURE IN CHILD FATALITY CASES.] Disclosure of information relating to a child fatality is governed under section 626.556, subdivision 11d.

(k) [REPORTS OF ALCOHOL ABUSE.] Data on persons making reports under section 626.5563 are classified under section 626.5563, subdivision 5.

(l) [VULNERABLE ADULT REPORT RECORDS.] Data contained in vulnerable adult report records are classified under section 626.557, subdivision 12b.

(m) [ADULT PROTECTION TEAM INFORMATION SHARING.] Sharing of local welfare agency vulnerable adult data with a protection team is governed by section 626.5571, subdivision 3.

(n) [CHILD PROTECTION TEAM.] Data acquired by a case consultation committee or subcommittee of a child protection team are classified by section 626.558, subdivision 3.

(o) [CHILD MALTREATMENT REPORTS PEER REVIEW PANEL.] Sharing data of cases reviewed by the panel is governed under section 626.5593, subdivision 2.

(p) [PEACE OFFICER DISCIPLINE PROCEDURES.] Access by an officer under investigation to the investigating agency's investigative report on the officer is governed by section 626.89, subdivision 6.

(q) [TRAFFIC STOP DATA.] Traffic stop data collected for purposes of the racial profiling study are classified under section 626.951, subdivision 7.

Sec. 2. [626.95] [LEGISLATIVE FINDINGS ON RACIAL PROFILING.]

The legislature finds that the reality or public perception of racial profiling alienates people from police, hinders community policing efforts, and causes law enforcement to lose credibility and trust among the people law enforcement is sworn to protect and serve. No stop initiated by a peace officer should be made without a legitimate reason; race, ethnicity, or national origin alone should never provide a sufficient reason. Law enforcement policies and training programs must emphasize the need to respect the balance between the rights of all persons to be free from unreasonable governmental intrusions and law enforcement's need to enforce the law.

Sec. 3. [626.9505] [DEFINITIONS.]

As used in sections 626.95 to 626.953, the following terms have the meanings given.

(a) "Board" means the board of peace officer standards and training.

(b) "Law enforcement agency" has the meaning given in section 626.84.

(c) "Law enforcement officer" includes all licensed peace officers of a law enforcement agency.

(d) "Racial profiling" includes any law enforcement officer-initiated action that relies on the race, ethnicity, or national origin of an individual, rather than on the behavior of that individual or on information that leads the officer to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.

(e) "Traffic stop" means any time a law enforcement officer:

(1) causes the operator of a motor vehicle being operated on any street or highway in the state to stop the motor vehicle; or

(2) detains an occupied motor vehicle that is already stopped in any public or private place.

Traffic stop does not include a checkpoint or roadblock stop, or a stop of multiple vehicles due to a traffic accident or emergency situation.

Sec. 4. [626.951] [RACIAL PROFILING STUDY BASED ON VOLUNTARY COLLECTION OF DATA BY LAW ENFORCEMENT AGENCIES; REPORT REQUIRED.]

Subdivision 1. [RACIAL PROFILING STUDY.] (a) The commissioner of public safety shall oversee a statewide study on traffic stops of citizens to determine whether racial profiling exists. State and local law enforcement agencies that decide to participate in the study shall follow the procedures set forth by this section.

(b) The data that must be collected as part of this study include:

(1) the location of the stop;

(2) the date and time of the stop;

(3) the age, race/ethnicity, and gender of the driver;

(4) the traffic violation or reason that led to the stop;

(5) the disposition of the stop, arrest, citation, warning, or no action;

(6) whether a search was conducted of the driver, passengers, or vehicle;

(7) if a search was conducted, the authority for the search;

(8) whether the officer knew the race/ethnicity of the driver before the stop; and

(9) the law enforcement agency's code.

(c) The commissioner shall ensure that data is collected for a minimum of 24 months, with data collection ending on or before August 31, 2003.

Subd. 2. [SUBMISSION OF DATA TO COMMISSIONER.] By the 15th of each month, each chief law enforcement officer of a law enforcement agency participating in the study shall submit to the commissioner of public safety, the data described in subdivision 1 for each traffic stop conducted by the agency's law enforcement officers in the preceding month.

Subd. 3. [METHOD OF DATA COLLECTION.] A chief law enforcement officer may collect and submit the data described in this section electronically if the method of doing so is compatible with the department of public safety's computer system or on paper forms supplied by the commissioner of public safety.

Subd. 4. [OUTSIDE EXPERT.] The commissioner of public safety shall retain a sufficiently experienced and independent organization or individual to:

(1) design and oversee the data collection process described in this section;

(2) develop baseline measures to analyze the data collected;

(3) develop and implement a data compliance auditing process that ensures the accuracy of data collected through, among other things, periodic spot checks; and

(4) analyze the data collected.

Subd. 5. [OTHER DUTIES OF COMMISSIONER.] The commissioner of public safety shall:

(1) ensure that data forwarded to the commissioner under this section is entered into a central database in a timely manner;

(2) cooperate with the outside expert to facilitate the ability of the expert to fulfill its duties under this section, including allowing the expert sufficient access to the compiled data;

(3) develop and distribute to law enforcement agencies participating in the study a paper form to collect the data; and

(4) reimburse local law enforcement agencies participating in the study for the costs they incur in participating.

Subd. 6. [REPORT REQUIRED.] The outside expert shall analyze the data collected to determine the degree to which, if at all, racial profiling occurs in traffic stops made by law enforcement agencies participating in the study. By February 1, 2004, the expert shall report the results of the analysis to the chairs of the senate and house committees having jurisdiction over criminal justice policy.

Subd. 7. [DATA.] Traffic stop data collected for purposes of this section are private data on individuals or nonpublic data as defined in section 13.02, provided that data not on individuals become public when the report required under subdivision 6 is submitted to the legislature. This subdivision does not affect the classification of the same data collected for other law enforcement purposes.

Subd. 8. [EXPIRATION.] This section expires on February 1, 2004.

Sec. 5. [626.9515] [DUTY OF LAW ENFORCEMENT OFFICERS TO PROVIDE INFORMATION TO DRIVERS.]

(a) A uniformed law enforcement officer who conducts a traffic stop shall immediately issue a form letter to the driver of the vehicle that:

(1) details the procedure to file a complaint if the driver of the vehicle believes that the driver has been mistreated or has been treated in a biased manner and includes a toll-free telephone number to make the complaint; and

(2) provides the law enforcement officer's name, badge number, and employer.

(b) By the 15th of each month, each chief law enforcement officer shall submit to the commissioner of public safety:

(1) copies of each complaint received under paragraph (a); and

(2) written notification of the review and disposition of complaints received under paragraph (a).

Sec. 6. [626.952] [POLICIES REQUIRED ON ELIMINATING RACIAL PROFILING.]

Subdivision 1. [MODEL POLICY REQUIRED.] By September 15, 2001, the board shall develop and distribute to all chief law enforcement officers a model policy on eliminating traffic stops involving racial profiling.

Subd. 2. [LOCAL POLICIES REQUIRED.] By November 1, 2001, all chief law enforcement officers shall establish and implement a written policy that is identical or substantially similar to the model policy described in subdivision 1.

Subd. 3. [REVIEW.] The board shall periodically evaluate law enforcement agencies to determine whether the agency is complying with subdivision 2. In addition, upon receiving a complaint, the board shall determine whether an agency is failing to comply with subdivision 2.

Sec. 7. [626.953] [LAW ENFORCEMENT TRAINING ON ELIMINATING RACIAL PROFILING.]

Subdivision 1. [PRESERVICE TRAINING REQUIRED.] By July 1, 2001, the board shall prepare learning objectives for instructing peace officers in eliminating racial profiling in traffic stops. The objectives must be included in the curriculum of the professional peace officer education programs.

Subd. 2. [IN-SERVICE TRAINING REQUIRED.] By July 1, 2001, the board shall prepare learning objectives to eliminate racial profiling in traffic stops. The objectives must be included in continuing education courses approved for peace officer continuing education credit. The board shall monitor and evaluate continuing education courses to ensure that they meet the requirements of the learning objectives.

Sec. 8. [ELIMINATION OF RACIAL PROFILING CONFERENCES.]

The peace officer standards and training board shall conduct conferences for peace officers designed to raise the awareness level of officers relating to traffic stops involving racial profiling. At least one conference must be statewide in scope attempting to attract officers from across the state and addressing racial profiling from a statewide perspective. Other conferences must be regional in scope and specifically address localized issues involving racial profiling, including potential community oriented responses.

Sec. 9. [APPROPRIATION.]

\$..... is appropriated for the fiscal year ending June 30, 2002, and \$..... is appropriated for the fiscal year ending June 30, 2003, from the general fund to the commissioner of public safety to implement this act. Of this amount:

(1) \$..... the first year and \$..... the second year are to reimburse local law enforcement agencies for costs associated with Minnesota Statutes, sections 626.951 and 626.952;

(2) \$..... the first year and \$..... the second year are to retain the outside expert described in Minnesota Statutes, section 626.951, and to obtain and maintain a toll-free telephone number to receive complaints under Minnesota Statutes, section 626.9515; and

(3) \$..... the first year and \$..... the second year are for grants to local law enforcement agencies for the installation of video cameras on police vehicles designed to record traffic stops.

Local law enforcement agencies receiving grants under clause (3) are responsible for the cost of operating and maintaining the cameras.

Sec. 10. [EFFECTIVE DATES.]

Sections 1 to 4 and 6 to 8 are effective the day following final enactment. Section 5 is effective September 1, 2001, and applies to traffic stops conducted on or after that date."

Delete the title and insert:

"A bill for an act relating to crime prevention; requiring the commissioner of public safety to oversee a study on racial profiling based on the voluntary collection of traffic stop data by law enforcement agencies; requiring the retention of an independent outside expert to analyze data for the study; requiring the adoption of policies on racial profiling; requiring law enforcement officers to provide information to drivers of stopped vehicles; requiring law enforcement training and conferences in eliminating racial profiling; requiring a report; appropriating money; amending Minnesota Statutes 2000, section 13.871, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 626."

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

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

S.F. No. 1441: A bill for an act relating to local government; providing a limited exemption for attendees at a national or international conference or event; amending Minnesota Statutes 2000, section 471.895, subdivision 3.

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

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

S.F. No. 550: A bill for an act relating to housing; appropriating money for a pilot program to encourage landlords to rent to high-risk tenants in certain counties.

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

Page 1, line 10, after "Benton," insert "Clay,"

Page 1, line 11, after the period, insert "For purposes of this section a "high-risk tenant" is a person who has had an application for rental housing denied for reasons other than criminal conduct or previous destruction of rental housing."

Page 1, line 12, delete everything after "landlords" and insert "willing to accept high-risk tenants to reimburse them for losses caused by a high-risk tenant"

Page 1, line 13, delete everything before the period

Page 1, line 16, delete the second "and"

Page 1, line 17, delete "certification requirements"

Page 2, line 7, delete "1" and insert "15"

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

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

S.F. No. 1350: A bill for an act relating to natural resources; extending certain advisory committees; modifying contracting authority; modifying stamp requirements; providing for conservation law enforcement by agreement with Indian authorities; allowing certain grant money to carry forward; appropriating money; amending Minnesota Statutes 2000, sections 15.059, subdivision 5a; 84.025, subdivision 7; 84.0887, subdivision 4; 84.83, subdivision 3; 86A.21; 93.002, subdivision 1; 97A.045, subdivision 7; 97A.055, subdivision 4a; 97A.405, subdivision 2; 97A.411, subdivision 2; 97A.473, subdivisions 2, 3, and 5; 97A.474, subdivisions 2 and 3; 97A.475, subdivisions 5 and 10; 97A.485, subdivision 6; 97B.721; 97C.305; and 116P.06, subdivision 1; Laws 1996, chapter 407, section 32, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 626.

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

Page 5, line 14, delete "2005" and insert "2003"

Page 7, line 24, delete "2005" and insert "2003"

Page 9, line 3, delete "2005" and insert "2003"

Page 15, line 1, before the period, insert "until June 30, 2003"

Page 18, line 5, delete "2005" and insert "2003"

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

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

S.F. No. 1172: A bill for an act proposing an amendment to the Minnesota Constitution, article I, sections 2, 6, 7, 8, 16, and 17; article IV, sections 5, 8, 21, 23, and 24; article V, sections 2, 3, 5, and 6; article VI, sections 4, 6, 9, 10, and 13; article VII, sections 1, 2, 3, 6, and 8; article VIII, sections 3 and 4; article XI, section 13; and article XIII, sections 7 and 11; changing gender-specific language to gender-neutral language in the constitution.

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

Page 8, line 13, strike "seaman" and insert "sailor"

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

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

S.F. No. 665: A bill for an act relating to dispute resolution; providing for arbitration of disputes; adopting the Uniform Arbitration Act; amending Minnesota Statutes 2000, sections 80C.146, subdivision 2; 122A.40, subdivision 15; 122A.41, subdivision 13; 179.09; 325E.37, subdivision 5; 325F.665, subdivision 6; 469.1762; and 572A.02, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 572B; repealing Minnesota Statutes 2000, sections 572.08; 572.09; 572.10; 572.11; 572.12; 572.13; 572.14; 572.15; 572.16; 572.17; 572.18; 572.19; 572.20; 572.21; 572.22; 572.23; 572.24; 572.25; 572.26; 572.27; 572.28; 572.29; and 572.30.

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

Page 4, line 6, before the period, insert ", except in the case of a grievance arising under a collective bargaining agreement when an arbitrator shall decide"

Page 6, line 17, delete "subsection" and insert "subsections" and after "(c)" insert "and (d)"

Page 7, after line 4, insert:

"(d) An arbitrator shall decide whether to consolidate one or more grievances arising under a collective bargaining agreement."

Page 14, line 2, after "if" insert "punitive damages are authorized by the agreement of the parties to the arbitration proceeding and if"

Page 14, line 8, delete "or" and insert "and"

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. 619: A bill for an act relating to domestic violence; expanding the definition of domestic abuse; requiring additional findings before pretrial release of a defendant accused of domestic abuse, harassment, or violation of an order for protection or a no contact order; providing that additional crimes and crimes from other jurisdictions may be used to enhance certain criminal penalties; increasing criminal penalties; specifying standards for domestic abuse offender programs and directing that certain persons be ordered into these programs; allowing certain prior statements of domestic abuse by the victim to be admissible in judicial proceedings; requiring data collection on disorderly conduct convictions; providing that there is no residency requirement for order for protection petitions; prioritizing the payment of restitution and fines over domestic abuse investigation fees; clarifying the scope of the mandatory arrest provision of the domestic abuse order for protection law consistent with the original legislative intent; appropriating money to increase supervision of high risk domestic abuse offenders by means of caseload reduction, to fund services for battered women, for criminal justice intervention projects, and for monitoring judicial responses to domestic assault; amending Minnesota Statutes 2000, sections 299C.10,

subdivision 1; 518B.01, subdivisions 2, 3, 6, 14; 595.02, by adding a subdivision; 609.02, by adding a subdivision; 609.224, subdivisions 2, 4; 609.2242, subdivisions 2, 4; 609.2244, subdivisions 2, 4; 609.748, subdivision 6; 609.749, subdivisions 4, 5; 629.72; proposing coding for new law in Minnesota Statutes, chapters 518B; 611A.

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

Pages 16 and 17, delete section 10

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, delete everything after the semicolon

Page 1, delete line 13

Page 1, line 14, delete "judicial proceedings;"

Page 1, line 29, delete "595.02, by adding a subdivision;"

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

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

S.F. No. 1145: A bill for an act relating to child protection; establishing provisions dealing with maltreatment of a child in a facility; clarifying access to medical records for purposes of maltreatment investigations; providing additional appeal rights for interested persons acting on behalf of a child; expanding duties of facility operators; providing additional criminal liability for knowingly permitting conditions that allow maltreatment of a child in a facility to occur; requiring training; imposing criminal penalties; amending Minnesota Statutes 2000, sections 13.461, subdivision 17; 626.556, subdivisions 2, 10, 10b, 10d, 10e, 10f, 10i, 11, 12, by adding a subdivision; 626.559, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 256.

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

Page 1, line 31, delete the second "and"

Page 2, line 1, after the semicolon, insert "and the ombudsman for mental health and mental retardation;"

Page 2, line 16, after the period, insert "Upon receipt of a request for a review, the panel shall notify the alleged perpetrator of maltreatment that a review has been requested and provide an approximate timeline for conducting the review."

Page 6, line 2, reinstate the stricken language and delete the new language

Page 6, line 3, delete the new language

Page 7, line 23, delete "or"

Page 7, line 25, delete "or restraint"

Page 7, line 26, after "including" insert "an unreasonable,"

Page 7, line 28, after the semicolon, insert "or"

(iv) use of an unreasonable restraint, including tying, caging, chaining, or any other unreasonable physical or manual method of restricting or prohibiting movement;"

Page 8, line 5, delete "(n)"

Page 18, line 30, after the period, insert "If maltreatment is determined to exist,"

Page 18, line 32, strike "if"

Page 18, line 33, strike everything before the period and insert "who had contact with the individual responsible for the maltreatment. When the facility is the responsible party for maltreatment, the commissioner or local welfare agency shall also provide the written memorandum to the parent, guardian, or legal custodian of each child who received services in the population of the facility where the maltreatment occurred. This notification must be provided to the parent, guardian, or legal custodian of each child receiving services from the time the maltreatment occurred until either the individual responsible for maltreatment is no longer in contact with a child or children in the facility or the conclusion of the investigation"

Page 22, line 5, before "An" insert "For reports involving maltreatment of a child in a facility,"

Page 22, line 33, before the period, insert "; unless the person has been determined to be the perpetrator of the maltreatment"

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

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

S.F. No. 1572: 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.

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

Page 1, line 12, after the second comma, insert "including through repair or maintenance,"

Page 1, line 14, delete "building or structure" and insert " use"

Page 1, line 15, before "50" insert "greater than"

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. 1295: A bill for an act relating to local government; updating United States Department of Agriculture financing program for cities, counties, and towns, and expanding the uses to include child care facilities; amending Minnesota Statutes 2000, section 465.73.

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

Page 1, line 22, after "the" insert "child care facility,"

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

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

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

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

Page 2, after line 19, insert:

"Sec. 3. Minnesota Statutes 2000, section 446A.07, is amended by adding a subdivision to read:

Subd. 12. [DESIGNATED GROWTH AREAS.] A municipality may identify areas for new development that will connect to an existing wastewater treatment system and are consistent with its comprehensive land use plan as designated growth areas. Notwithstanding subdivisions 10 and 11, the commissioner of the pollution control agency, with concurrence from the authority and commissioner of the state planning agency or the metropolitan council, may place projects for new collection systems in designated growth areas on the project priority list with a minimum of 100 points in order to encourage future development in areas of the state that are less environmentally sensitive."

Page 2, line 22, delete "implementing" and insert "incorporating"

Page 2, line 24, delete the old period and insert a new period

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "wastewater treatment funding;"

Page 1, line 5, delete "and 11" and insert ", 11, by adding a subdivision"

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

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

S.F. No. 897: A bill for an act relating to lake improvement districts; changing the percent of property owners necessary to petition for creation and termination of a district and for holding a referendum on creation; amending Minnesota Statutes 2000, sections 103B.521, subdivision 1; 103B.545, subdivision 1; and 103B.581, subdivision 1.

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

Page 2, line 16, reinstate the stricken language and delete the new language

Page 2, lines 19 and 20, strike "by petition under section 103B.521,"

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. 1522: A bill for an act relating to human services; allowing a group residential supplemental rate for certain providers serving chemically dependent or mentally ill persons; amending Minnesota Statutes 2000, section 256I.05, subdivision 1e.

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 256I.05, subdivision 1e, is amended to read:

Subd. 1e. [SUPPLEMENTARY RATE FOR CERTAIN FACILITIES.] Notwithstanding the provisions of subdivisions 1a and 1c, beginning July 1, 1999 2001, a county agency shall negotiate a supplementary rate in addition to the rate specified in subdivision 1, equal to 25 125 percent of the amount specified in subdivision 1a, including any legislatively authorized inflationary adjustments, for a group residential housing provider that:

(1) is located in Hennepin county and has had a group residential housing contract with the county since June 1996;

(2) operates in three separate locations a ~~56-bed~~ 71-bed facility, a and two 40-bed facility, ~~and a 30-bed facility~~ facilities; and

(3) serves a chemically dependent clientele, providing 24 hours per day supervision and limiting a resident's maximum length of stay to 13 months out of a consecutive 24-month period."

Delete the title and insert:

"A bill for an act relating to human services; modifying the group residential housing supplementary rate for certain facilities; amending Minnesota Statutes 2000, section 256I.05, subdivision 1e."

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

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

S.F. No. 765: A bill for an act relating to human services; prescription drug rebate program; appropriating money; amending Minnesota Statutes 2000, section 256.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 256.

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 2000, section 8.31, subdivision 1, is amended to read:

Subdivision 1. [INVESTIGATE OFFENSES AGAINST THE PROVISIONS OF CERTAIN DESIGNATED SECTIONS; ASSIST IN ENFORCEMENT.] The attorney general shall investigate violations of the law of this state respecting unfair, discriminatory, and other unlawful practices in business, commerce, or trade, and specifically, but not exclusively, the Fair Drug Pricing Act (section 256.954), the Nonprofit Corporation Act (sections 317A.001 to 317A.909), the Act Against Unfair Discrimination and Competition (sections 325D.01 to 325D.07), the Unlawful Trade Practices Act (sections 325D.09 to 325D.16), the Antitrust Act (sections 325D.49 to 325D.66), section 325F.67 and other laws against false or fraudulent advertising, the antidiscrimination acts contained in section 325D.67, the act against monopolization of food products (section 325D.68), the act regulating telephone advertising services (section 325E.39), the Prevention of Consumer Fraud Act (sections 325F.68 to 325F.70), and chapter 53A regulating currency exchanges and assist in the enforcement of those laws as in this section provided."

Page 10, line 32, delete "basic"

Page 14, line 20, delete "3" and insert "4"

Page 14, line 22, delete everything after the first "be"

Page 14, line 30, delete "1" and insert "2"

Page 14, line 31, delete everything after "and" and insert "3, for the biennium ending June 30, 2003."

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective January 1, 2002."

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "section" and insert "sections 8.31, subdivision 1;"

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

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

S.F. No. 1516: A bill for an act relating to energy; including biogas recovery facilities in the renewable energy production incentive program; amending Minnesota Statutes 2000, sections 216C.06, by adding a subdivision; 216C.41.

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

Page 1, delete section 1

Page 1, line 13, delete "Sec. 2" and insert "Section 1"

Page 2, line 25, after "who" insert ", or an entity that, is qualified to own or operate a farm under section 500.24, that"

Page 2, after line 27, insert:

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

Page 2, line 29, after "(1)" insert "the owner of"

Amend the title as follows:

Page 1, line 5, delete everything before "216C.41" and insert "section"

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

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

S.F. No. 1397: A bill for an act relating to health and human services; changing requirements to background studies for licensed programs; amending Minnesota Statutes 2000, sections 13.46, subdivision 4; 144.057; 214.104; 241.021, subdivision 1; 245A.02, subdivisions 1, 9, and by adding a subdivision; 245A.03, subdivision 2, and by adding a subdivision; 245A.035, subdivision 1; 245A.04, subdivisions 3, 3a, 3b, 3d, 6, 11, and by adding a subdivision; 245A.06, subdivision 6; 245A.14, by adding a subdivision; and 245A.16, subdivisions 1 and 4; repealing Minnesota Rules, parts 9543.3000; 9543.3010; 9543.3020; 9543.3030; 9543.3040; 9543.3050; 9543.3060; 9543.3080; and 9543.3090.

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 13.46, subdivision 4, is amended to read:

Subd. 4. [LICENSING DATA.] (a) As used in this subdivision:

(1) "licensing data" means all data collected, maintained, used, or disseminated by the welfare system pertaining to persons licensed or registered or who apply for licensure or registration or who formerly were licensed or registered under the authority of the commissioner of human services;

(2) "client" means a person who is receiving services from a licensee or from an applicant for licensure; and

(3) "personal and personal financial data" means social security numbers, identity of and letters of reference, insurance information, reports from the bureau of criminal apprehension, health examination reports, and social/home studies.

(b) (1) Except as provided in paragraph (c), the following data on current and former licensees

and applicants for licensure are public: name, address, telephone number of licensees and applicants, licensed capacity, type of client preferred, variances granted, type of dwelling, name and relationship of other family members, previous license history, class of license, and the existence and status of complaints. When disciplinary action has been taken against a licensee a correction order or fine has been issued, a license is suspended, immediately suspended, revoked, denied, or made conditional, or the a complaint is resolved, the following data on current and former licensees and applicants for licensure are public: the substance and investigative findings of the complaint, the findings of the investigation of the complaint, licensing violation, or substantiated maltreatment; the record of informal resolution of a licensing violation; orders of hearing; findings of fact; conclusions of law; and specifications of the final disciplinary action correction order, fine, suspension, immediate suspension, revocation, denial, or conditional license contained in the record of disciplinary action. When an individual licensee or applicant for licensure is a substantiated perpetrator of maltreatment, and the substantiated maltreatment is a reason for the licensing action, the identity of the licensee or applicant as a perpetrator is public data.

(2) The following data on persons subject to disqualification under section 245A.04 in connection with a license to provide family day care for children, child care center services, foster care for children in the provider's home, or foster care or day care services for adults in the provider's home, are public: the nature of any disqualification set aside under section 245A.04, subdivision 3b, and the reasons for setting aside the disqualification; and the reasons for granting any variance under section 245A.04, subdivision 9.

(c) The following are private data on individuals under section 13.02, subdivision 12, or nonpublic data under section 13.02, subdivision 9: personal and personal financial data on family day care program and family foster care program applicants and licensees and their family members who provide services under the license.

(d) The following are private data on individuals: the identity of persons who have made reports concerning licensees or applicants that appear in inactive investigative data, and the records of clients or employees of the licensee or applicant for licensure whose records are received by the licensing agency for purposes of review or in anticipation of a contested matter. The names of reporters under sections 626.556 and 626.557 may be disclosed only as provided in section 626.556, subdivision 11, or 626.557, subdivision 12b.

(e) Data classified as private, confidential, nonpublic, or protected nonpublic under this subdivision become public data if submitted to a court or administrative law judge as part of a disciplinary proceeding in which there is a public hearing concerning the disciplinary action a license which has been suspended, immediately suspended, revoked, or denied.

(f) Data generated in the course of licensing investigations that relate to an alleged violation of law are investigative data under subdivision 3.

(g) Data that are not public data collected, maintained, used, or disseminated under this subdivision that relate to or are derived from a report as defined in section 626.556, subdivision 2, or 626.557, subdivision 18, are subject to the destruction provisions of section sections 626.556, subdivision 4 11c, and 626.557, subdivision 12b.

Sec. 2. Minnesota Statutes 2000, section 144.057, is amended to read:

144.057 [BACKGROUND STUDIES ON LICENSEES.]

Subdivision 1. [BACKGROUND STUDIES REQUIRED.] The commissioner of health shall contract with the commissioner of human services to conduct background studies of:

(1) individuals providing services which have direct contact, as defined under section 245A.04, subdivision 3, with patients and residents in hospitals, boarding care homes, outpatient surgical centers licensed under sections 144.50 to 144.58; nursing homes and home care agencies licensed under chapter 144A; residential care homes licensed under chapter 144B, and board and lodging establishments that are registered to provide supportive or health supervision services under section 157.17; and

(2) individuals specified in section 245A.04, subdivision 3, paragraph (c), who perform direct contact services in a nursing home or a home care agency licensed under chapter 144A or a boarding care home licensed under sections 144.50 to 144.58, and if the individual under study resides outside Minnesota, the study must be at least as comprehensive as that of a Minnesota resident and include a search of information from the criminal justice data communications network in the state where the subject of the study resides; and

(3) beginning July 1, 1999, all other employees in nursing homes licensed under chapter 144A, and boarding care homes licensed under sections 144.50 to 144.58. A disqualification of an individual in this section shall disqualify the individual from positions allowing direct contact or access to patients or residents receiving services. "Access" means physical access to a client or the client's personal property without continuous, direct supervision as defined in section 245A.04, subdivision 3, paragraph (b), clause (2), when the employee's employment responsibilities do not include providing direct contact services.

If a facility or program is licensed by the department of human services and subject to the background study provisions of chapter 245A and is also licensed by the department of health, the department of human services is solely responsible for the background studies of individuals in the jointly licensed programs.

Subd. 2. [RESPONSIBILITIES OF DEPARTMENT OF HUMAN SERVICES.] The department of human services shall conduct the background studies required by subdivision 1 in compliance with the provisions of chapter 245A and ~~Minnesota Rules, parts 9543.3000 to 9543.3090~~. For the purpose of this section, the term "residential program" shall include all facilities described in subdivision 1. The department of human services shall provide necessary forms and instructions, shall conduct the necessary background studies of individuals, and shall provide notification of the results of the studies to the facilities, individuals, and the commissioner of health. Individuals shall be disqualified under the provisions of chapter 245A and ~~Minnesota Rules, parts 9543.3000 to 9543.3090~~. If an individual is disqualified, the department of human services shall notify the facility and the individual and shall inform the individual of the right to request a reconsideration of the disqualification by submitting the request to the department of health.

Subd. 3. [RECONSIDERATIONS.] The commissioner of health shall review and decide reconsideration requests, including the granting of variances, in accordance with the procedures and criteria contained in chapter 245A and ~~Minnesota Rules, parts 9543.3000 to 9543.3090~~. The commissioner's decision shall be provided to the individual and to the department of human services. The commissioner's decision to grant or deny a reconsideration of disqualification is the final administrative agency action.

Subd. 4. [RESPONSIBILITIES OF FACILITIES.] Facilities described in subdivision 1 shall be responsible for cooperating with the departments in implementing the provisions of this section. The responsibilities imposed on applicants and licensees under chapter 245A and ~~Minnesota Rules, parts 9543.3000 to 9543.3090~~, shall apply to these facilities. The provision of section 245A.04, subdivision 3, paragraph (e), shall apply to applicants, licensees, or an individual's refusal to cooperate with the completion of the background studies.

Sec. 3. Minnesota Statutes 2000, section 241.021, subdivision 1, is amended to read:

Subdivision 1. [SUPERVISION OVER CORRECTIONAL INSTITUTIONS.] ~~(1)~~ (a) Except as provided in paragraph (b), the commissioner of corrections shall inspect and license all correctional facilities throughout the state, whether public or private, established and operated for the detention and confinement of persons detained or confined therein according to law except to the extent that they are inspected or licensed by other state regulating agencies. The commissioner shall promulgate pursuant to chapter 14, rules establishing minimum standards for these facilities with respect to their management, operation, physical condition, and the security, safety, health, treatment, and discipline of persons detained or confined therein. Commencing September 1, 1980, no individual, corporation, partnership, voluntary association, or other private organization legally responsible for the operation of a correctional facility may operate the facility unless licensed by the commissioner of corrections. The commissioner shall review the correctional

facilities described in this subdivision at least once every biennium, except as otherwise provided herein, to determine compliance with the minimum standards established pursuant to this subdivision. The commissioner shall grant a license to any facility found to conform to minimum standards or to any facility which, in the commissioner's judgment, is making satisfactory progress toward substantial conformity and the interests and well-being of the persons detained or confined therein are protected. The commissioner may grant licensure up to two years. The commissioner shall have access to the buildings, grounds, books, records, staff, and to persons detained or confined in these facilities. The commissioner may require the officers in charge of these facilities to furnish all information and statistics the commissioner deems necessary, at a time and place designated by the commissioner. The commissioner may require that any or all such information be provided through the department of corrections detention information system. The education program offered in a correctional facility for the detention or confinement of juvenile offenders must be approved by the commissioner of children, families, and learning before the commissioner of corrections may grant a license to the facility.

(b) For juvenile facilities licensed by the commissioner of human services, the commissioner of corrections may inspect and certify programs based on certification standards set forth in Minnesota Rules. For the purpose of this paragraph, "certification" has the meaning given it in section 245A.02, subdivision 3a.

(2) (c) Any state agency which regulates, inspects, or licenses certain aspects of correctional facilities shall, insofar as is possible, ensure that the minimum standards it requires are substantially the same as those required by other state agencies which regulate, inspect, or license the same aspects of similar types of correctional facilities, although at different correctional facilities.

(3) (d) Nothing in this section shall be construed to limit the commissioner of corrections' authority to promulgate rules establishing standards of eligibility for counties to receive funds under sections 401.01 to 401.16, or to require counties to comply with operating standards the commissioner establishes as a condition precedent for counties to receive that funding.

(4) (e) When the commissioner finds that any facility described in ~~clause (1) paragraph (a)~~, except foster care facilities for delinquent children and youth as provided in subdivision 2, does not substantially conform to the minimum standards established by the commissioner and is not making satisfactory progress toward substantial conformance, the commissioner shall promptly notify the chief executive officer and the governing board of the facility of the deficiencies and order that they be remedied within a reasonable period of time. The commissioner may by written order restrict the use of any facility which does not substantially conform to minimum standards to prohibit the detention of any person therein for more than 72 hours at one time. When, after due notice and hearing, the commissioner finds that any facility described in this subdivision, except county jails and lockups as provided in sections 641.26, 642.10, and 642.11, does not conform to minimum standards, or is not making satisfactory progress toward substantial compliance therewith, the commissioner may issue an order revoking the license of that facility. After revocation of its license, that facility shall not be used until its license is renewed. When the commissioner is satisfied that satisfactory progress towards substantial compliance with minimum standard is being made, the commissioner may, at the request of the appropriate officials of the affected facility supported by a written schedule for compliance, grant an extension of time for a period not to exceed one year.

(5) (f) As used in this subdivision, "correctional facility" means any facility, including a group home, having a residential component, the primary purpose of which is to serve persons placed therein by a court, court services department, parole authority, or other correctional agency having dispositional power over persons charged with, convicted, or adjudicated to be guilty or delinquent.

Sec. 4. Minnesota Statutes 2000, section 245A.02, subdivision 1, is amended to read:

Subdivision 1. [SCOPE.] The terms used in this chapter and chapter 245B have the meanings given them in this section.

Sec. 5. Minnesota Statutes 2000, section 245A.02, is amended by adding a subdivision to read:

Subd. 3a. [CERTIFICATION.] "Certification" means the commissioner's written authorization for a license holder licensed by the commissioner of human services or the commissioner of corrections to serve children in a residential program and provide specialized services based on certification standards in Minnesota Rules. The term "certification" and its derivatives have the same meaning and may be substituted for the term "licensure" and its derivatives in this chapter.

Sec. 6. Minnesota Statutes 2000, section 245A.02, subdivision 9, is amended to read:

Subd. 9. [LICENSE HOLDER.] "License holder" means an individual, corporation, partnership, voluntary association, or other organization that is legally responsible for the operation of the program, has been granted a license by the commissioner under this chapter or chapter 245B and the rules of the commissioner, and is a controlling individual.

Sec. 7. Minnesota Statutes 2000, section 245A.03, subdivision 2, is amended to read:

Subd. 2. [EXCLUSION FROM LICENSURE.] This chapter does not apply to:

(1) residential or nonresidential programs that are provided to a person by an individual who is related unless the residential program is a child foster care placement made by a local social services agency or a licensed child-placing agency, except as provided in subdivision 2a;

(2) nonresidential programs that are provided by an unrelated individual to persons from a single related family;

(3) residential or nonresidential programs that are provided to adults who do not abuse chemicals or who do not have a chemical dependency, a mental illness, mental retardation or a related condition, a functional impairment, or a physical handicap;

(4) sheltered workshops or work activity programs that are certified by the commissioner of economic security;

(5) programs for children enrolled in kindergarten to the 12th grade and prekindergarten special education in a school as defined in section 120A.22, subdivision 4, and programs serving children in combined special education and regular prekindergarten programs that are operated or assisted by the commissioner of children, families, and learning;

(6) nonresidential programs primarily for children that provide care or supervision, without charge for ten or fewer days a year, and for periods of less than three hours a day while the child's parent or legal guardian is in the same building as the nonresidential program or present within another building that is directly contiguous to the building in which the nonresidential program is located;

(7) nursing homes or hospitals licensed by the commissioner of health except as specified under section 245A.02;

(8) board and lodge facilities licensed by the commissioner of health that provide services for five or more persons whose primary diagnosis is mental illness who have refused an appropriate residential program offered by a county agency. This exclusion expires on July 1, 1990;

(9) homes providing programs for persons placed there by a licensed agency for legal adoption, unless the adoption is not completed within two years;

(10) programs licensed by the commissioner of corrections;

(11) recreation programs for children or adults that operate for fewer than 40 calendar days in a calendar year or programs operated by a park and recreation board of a city of the first class whose primary purpose is to provide social and recreational activities to school age children, provided the program is approved by the park and recreation board;

(12) programs operated by a school as defined in section 120A.22, subdivision 4, whose

primary purpose is to provide child care to school-age children, provided the program is approved by the district's school board;

(13) Head Start nonresidential programs which operate for less than 31 days in each calendar year;

(14) noncertified boarding care homes unless they provide services for five or more persons whose primary diagnosis is mental illness or mental retardation;

(15) nonresidential programs for nonhandicapped children provided for a cumulative total of less than 30 days in any 12-month period;

(16) residential programs for persons with mental illness, that are located in hospitals, until the commissioner adopts appropriate rules;

(17) the religious instruction of school-age children; Sabbath or Sunday schools; or the congregate care of children by a church, congregation, or religious society during the period used by the church, congregation, or religious society for its regular worship;

(18) camps licensed by the commissioner of health under Minnesota Rules, chapter 4630;

(19) mental health outpatient services for adults with mental illness or children with emotional disturbance;

(20) residential programs serving school-age children whose sole purpose is cultural or educational exchange, until the commissioner adopts appropriate rules;

(21) unrelated individuals who provide out-of-home respite care services to persons with mental retardation or related conditions from a single related family for no more than 90 days in a 12-month period and the respite care services are for the temporary relief of the person's family or legal representative;

(22) respite care services provided as a home and community-based service to a person with mental retardation or a related condition, in the person's primary residence;

(23) community support services programs as defined in section 245.462, subdivision 6, and family community support services as defined in section 245.4871, subdivision 17;

(24) the placement of a child by a birth parent or legal guardian in a preadoptive home for purposes of adoption as authorized by section 259.47; ~~or~~

(25) settings registered under chapter 144D which provide home care services licensed by the commissioner of health to fewer than seven adults; or

(26) consumer-directed community support service funded under the Medicaid waiver for persons with mental retardation and related conditions when the individual who provided the service is:

(i) the same individual who is the direct payee of these specific waiver funds; and

(ii) not under the control of a residential or nonresidential program that is required to be licensed under this chapter when providing the service.

For purposes of clause (6), a building is directly contiguous to a building in which a nonresidential program is located if it shares a common wall with the building in which the nonresidential program is located or is attached to that building by skyway, tunnel, atrium, or common roof.

Sec. 8. Minnesota Statutes 2000, section 245A.03, is amended by adding a subdivision to read:

Subd. 6. [RIGHT TO SEEK CERTIFICATION.] Nothing in this section shall prohibit a residential program licensed by the commissioner of corrections to serve children, that is excluded

from licensure under subdivision 2, clause (10), from seeking certification from the commissioner of human services under this chapter for program services for which certification standards have been adopted.

Sec. 9. Minnesota Statutes 2000, section 245A.035, subdivision 1, is amended to read:

Subdivision 1. [GRANT OF EMERGENCY LICENSE.] Notwithstanding section 245A.03, subdivision 2a, a county agency may place a child for foster care with a relative who is not licensed to provide foster care, provided the requirements of subdivision 2 are met. As used in this section, the term "relative" has the meaning given it under section 260.181, ~~subdivision 3~~ 260B.007, subdivision 12.

Sec. 10. Minnesota Statutes 2000, section 245A.04, subdivision 3, is amended to read:

Subd. 3. [BACKGROUND STUDY OF THE APPLICANT; DEFINITIONS.] (a) ~~Before the commissioner issues a license, the commissioner shall conduct a study of the individuals specified in paragraph (c), clauses (1) to (5), according to rules of the commissioner.~~

~~Beginning January 1, 1997, the commissioner shall also conduct a study of employees providing direct contact services for nonlicensed personal care provider organizations. Individuals and organizations that are required in statute to initiate background studies under this section shall comply with the following requirements:~~

~~(1) Applicants for licensure, license holders, and other entities as provided in this section must submit completed background study forms to the commissioner before individuals specified in paragraph (c), clauses (1) to (4), (6), and (7), begin positions allowing direct contact in any licensed program.~~

~~(2) Applicants and license holders under the jurisdiction of other state agencies who are required in other statutory sections to initiate background studies under this section must submit completed background study forms to the commissioner prior to the background study subject beginning in a position allowing direct contact in the licensed program, or where applicable, prior to being employed.~~

~~(3) Organizations required to initiate background studies under section 256B.0627 for individuals described in paragraph (c), clause (5), must submit a completed background study form to the commissioner before those individuals begin a position allowing direct contact with persons served by the organization. The commissioner shall recover the cost of these background studies through a fee of no more than \$12 per study charged to the personal care provider organization responsible for submitting the background study form.~~

~~Beginning August 1, 1997, Upon receipt of the background study forms from the entities in clauses (1) to (3), the commissioner shall conduct all background studies required under this chapter for adult foster care providers who are licensed by the commissioner of human services and registered under chapter 144D. The commissioner shall conduct these background studies in accordance with this chapter. The commissioner shall initiate a pilot project to conduct up to 5,000 background studies under this chapter complete the background study as specified under this section and provide notices required in subdivision 3a. Unless otherwise specified, the subject of a background study may have direct contact with persons served by a program after the background study form is mailed or submitted to the commissioner pending notification of the study results under subdivision 3a. A county agency may accept a background study completed by the commissioner under this section in place of the background study required under section 245A.16, subdivision 3, in programs with joint licensure as home and community-based services and adult foster care for people with developmental disabilities when the license holder does not reside in the foster care residence and the subject of the study has been continuously affiliated with the license holder since the date of the commissioner's study.~~

~~(b) Beginning July 1, 1998, the commissioner shall conduct a background study on individuals specified in paragraph (c), clauses (1) to (5), who perform direct contact services in a nursing home or a home care agency licensed under chapter 144A or a boarding care home licensed under~~

sections 144.50 to 144.58, when the subject of the study resides outside Minnesota; the study must be at least as comprehensive as that of a Minnesota resident and include a search of information from the criminal justice data communications network in the state where the subject of the study resides The definitions in this paragraph apply to subdivisions 3 to 3e.

(1) "Background study" means the review of records conducted by the commissioner to determine whether a subject is disqualified from direct contact with persons served by a program, and where specifically provided in statutes, whether a subject is disqualified from having access to persons served by a program.

(2) "Continuous, direct supervision" means an individual is within sight or hearing of the supervising person to the extent that supervising person is capable at all times of intervening to protect the health and safety of the persons served by the program.

(3) "Contractor" means any person, regardless of employer, who is providing program services for hire under the control of the provider.

(4) "Direct contact" means providing face-to-face care, training, supervision, counseling, consultation, or medication assistance to persons served by the program.

(5) "Reasonable cause" means information or circumstances exist which provide the commissioner with articulable suspicion that further pertinent information may exist concerning a subject. The commissioner has reasonable cause when, but not limited to, the commissioner has received a report from the subject, the license holder, or a third party indicating that the subject has a history that would disqualify the person or that may pose a risk to the health or safety of persons receiving services.

(6) "Subject of a background study" means an individual on whom a background study is required or completed.

(c) The applicant, license holder, the bureau of criminal apprehension, the commissioner of health and county agencies, after written notice to the individual who is the subject of the study, shall help with the study by giving the commissioner criminal conviction data and reports about the maltreatment of adults substantiated under section 626.557 and the maltreatment of minors in licensed programs substantiated under section 626.556. The individuals to be studied shall include:

(1) the applicant;

(2) persons ~~over the age of 13~~ and over living in the household where the licensed program will be provided;

(3) current employees or contractors of the applicant who will have direct contact with persons served by the facility, agency, or program;

(4) volunteers or student volunteers who have direct contact with persons served by the program to provide program services, if the contact is not directly supervised by the individuals listed in clause (1) or (3); and

(5) ~~any person who, as an individual or as a member of an organization, exclusively offers, provides, or arranges for personal care assistant services under the medical assistance program as authorized under sections 256B.04, subdivision 16, and 256B.0625, subdivision 19a. required under section 256B.0627 to have a background study completed under this section;~~

(6) persons age 10 to 12 living in the household where the licensed services will be provided when the commissioner has reasonable cause; and

(7) persons who, without providing direct contact services at a licensed program, may have unsupervised access to children or vulnerable adults receiving services from the program licensed to provide family child care for children, foster care for children in the provider's own home, or foster care or day care services for adults in the provider's own home when the commissioner has reasonable cause.

(d) According to paragraph (c), clauses (2) and (6), the commissioner shall review records from the juvenile courts. For persons under paragraph (c), clauses (1), (3), (4), (5), and (7), who are ages 13 to 17, the commissioner shall review records from the juvenile courts when the commissioner has reasonable cause. The juvenile courts shall also help with the study by giving the commissioner existing juvenile court records on individuals described in clause paragraph (c), clauses (2), (6), and (7), relating to delinquency proceedings held within either the five years immediately preceding the application background study or the five years immediately preceding the individual's 18th birthday, whichever time period is longer. The commissioner shall destroy juvenile records obtained pursuant to this subdivision when the subject of the records reaches age 23.

(e) For purposes of this section and ~~Minnesota Rules, part 9543.3070~~, a finding that a delinquency petition is proven in juvenile court shall be considered a conviction in state district court.

For purposes of this subdivision, "direct contact" means providing face-to-face care, training, supervision, counseling, consultation, or medication assistance to persons served by a program. For purposes of this subdivision, "directly supervised" means an individual listed in clause (1), (3), or (5) is within sight or hearing of a volunteer to the extent that the individual listed in clause (1), (3), or (5) is capable at all times of intervening to protect the health and safety of the persons served by the program who have direct contact with the volunteer.

(f) A study of an individual in paragraph (c), clauses (1) to ~~(5)~~ (7), shall be conducted at least upon application for initial license for all license types and at reapplication for a license for family child care, child foster care, and adult foster care. The commissioner is not required to conduct a study of an individual at the time of reapplication for a license or if the individual has been continuously affiliated with a foster care provider licensed by the commissioner of human services and registered under chapter 144D, other than a family day care or foster care license, if: (i) a study of the individual was conducted either at the time of initial licensure or when the individual became affiliated with the license holder; (ii) the individual has been continuously affiliated with the license holder since the last study was conducted; and (iii) the procedure described in paragraph (d) (i) has been implemented and was in effect continuously since the last study was conducted. For the purposes of this section, a physician licensed under chapter 147 is considered to be continuously affiliated upon the license holder's receipt from the commissioner of health or human services of the physician's background study results. For individuals who are required to have background studies under clauses (1) to (5) paragraph (c) and who have been continuously affiliated with a foster care provider that is licensed in more than one county, criminal conviction data may be shared among those counties in which the foster care programs are licensed. A county agency's receipt of criminal conviction data from another county agency shall meet the criminal data background study requirements of this section.

(g) The commissioner may also conduct studies on individuals specified in paragraph (c), clauses (3) and (4), when the studies are initiated by:

- (i) personnel pool agencies;
- (ii) temporary personnel agencies;
- (iii) educational programs that train persons by providing direct contact services in licensed programs; and
- (iv) professional services agencies that are not licensed and which contract with licensed programs to provide direct contact services or individuals who provide direct contact services.

(h) Studies on individuals in paragraph (g), items (i) to (iv), must be initiated annually by these agencies, programs, and individuals. ~~Except for personal care provider organizations as provided in paragraph (a), clause (3), no applicant, license holder, or individual who is the subject of the study shall pay any fees required to conduct the study.~~

- (1) At the option of the licensed facility, rather than initiating another background study on an

individual required to be studied who has indicated to the licensed facility that a background study by the commissioner was previously completed, the facility may make a request to the commissioner for documentation of the individual's background study status, provided that:

- (i) the facility makes this request using a form provided by the commissioner;
- (ii) in making the request the facility informs the commissioner that either:

(A) the individual has been continuously affiliated with a licensed facility since the individual's previous background study was completed, or since October 1, 1995, whichever is shorter; or

(B) the individual is affiliated only with a personnel pool agency, a temporary personnel agency, an educational program that trains persons by providing direct contact services in licensed programs, or a professional services agency that is not licensed and which contracts with licensed programs to provide direct contact services or individuals who provide direct contact services; and

(iii) the facility provides notices to the individual as required in paragraphs (a) to ~~(d)~~ (i), and that the facility is requesting written notification of the individual's background study status from the commissioner.

(2) The commissioner shall respond to each request under paragraph (1) with a written or electronic notice to the facility and the study subject. If the commissioner determines that a background study is necessary, the study shall be completed without further request from a licensed agency or notifications to the study subject.

(3) When a background study is being initiated by a licensed facility or a foster care provider that is also registered under chapter 144D, a study subject affiliated with multiple licensed facilities may attach to the background study form a cover letter indicating the additional facilities' names, addresses, and background study identification numbers. When the commissioner receives such notices, each facility identified by the background study subject shall be notified of the study results. The background study notice sent to the subsequent agencies shall satisfy those facilities' responsibilities for initiating a background study on that individual.

~~(d)~~ (i) If an individual who is affiliated with a program or facility regulated by the department of human services or department of health or who is affiliated with a ~~nonlicensed personal care provider organization~~ any type of home care agency or provider of personal care assistance services, is convicted of a crime constituting a disqualification under subdivision 3d, the probation officer or corrections agent shall notify the commissioner of the conviction. For the purpose of this paragraph, "conviction" has the meaning given it in section 609.02, subdivision 5. The commissioner, in consultation with the commissioner of corrections, shall develop forms and information necessary to implement this paragraph and shall provide the forms and information to the commissioner of corrections for distribution to local probation officers and corrections agents. The commissioner shall inform individuals subject to a background study that criminal convictions for disqualifying crimes will be reported to the commissioner by the corrections system. A probation officer, corrections agent, or corrections agency is not civilly or criminally liable for disclosing or failing to disclose the information required by this paragraph. Upon receipt of disqualifying information, the commissioner shall provide the notifications required in subdivision 3a, as appropriate to agencies on record as having initiated a background study or making a request for documentation of the background study status of the individual. This paragraph does not apply to family day care and child foster care programs.

~~(e)~~ (j) The individual who is the subject of the study must provide the applicant or license holder with sufficient information to ensure an accurate study including the individual's first, middle, and last name and all other names by which the individual has been known; home address, city, county, and state of residence for the past five years; zip code; sex; date of birth; and driver's license number or state identification number. The applicant or license holder shall provide this information about an individual in paragraph (c), clauses (1) to ~~(5)~~ (7), on forms prescribed by the commissioner. By January 1, 2000, for background studies conducted by the department of human services, the commissioner shall implement a system for the electronic transmission of: (1) background study information to the commissioner; and (2) background study results to the

license holder. The commissioner may request additional information of the individual, which shall be optional for the individual to provide, such as the individual's social security number or race.

~~(f) Except for child foster care, adult foster care, and family day care homes~~ (k) For programs directly licensed by the commissioner, a study must include information related to names of substantiated perpetrators of maltreatment of vulnerable adults that has been received by the commissioner as required under section 626.557, subdivision 9c, paragraph (i), and the commissioner's records relating to the maltreatment of minors in licensed programs, information from juvenile courts as required in paragraph (c) for persons listed in paragraph (c), ~~clause clauses~~ (2), (6), and (7), and information from the bureau of criminal apprehension. For child foster care, adult foster care, and family day care homes, the study must include information from the county agency's record of substantiated maltreatment of adults, and the maltreatment of minors, information from juvenile courts as required in paragraph (c) for persons listed in paragraph (c), ~~clause clauses~~ (2), (6), and (7), and information from the bureau of criminal apprehension. The commissioner may also review arrest and investigative information from the bureau of criminal apprehension, the commissioner of health, a county attorney, county sheriff, county agency, local chief of police, other states, the courts, or the Federal Bureau of Investigation if the commissioner has reasonable cause to believe the information is pertinent to the disqualification of an individual listed in paragraph (c), clauses (1) to ~~(5)~~ (7). The commissioner is not required to conduct more than one review of a subject's records from the Federal Bureau of Investigation if a review of the subject's criminal history with the Federal Bureau of Investigation has already been completed by the commissioner and there has been no break in the subject's affiliation with the license holder who initiated the background ~~studies~~ study.

(l) When the commissioner has reasonable cause to believe that further pertinent information may exist on the subject, the subject shall provide a set of classifiable fingerprints obtained from an authorized law enforcement agency. For purposes of requiring fingerprints, the commissioner shall be considered to have reasonable cause under, but not limited to, the following circumstances:

(1) information from the bureau of criminal apprehension indicates that the subject is a multistate offender;

(2) information from the bureau of criminal apprehension indicates that multistate offender status is undetermined; or

(3) the commissioner has received a report from the subject or a third party indicating that the subject has a criminal history in a jurisdiction other than Minnesota.

~~(g)~~ (m) An applicant's or license holder's failure or refusal to cooperate with the commissioner is reasonable cause to disqualify a subject, deny a license application or immediately suspend, suspend, or revoke a license. Failure or refusal of an individual to cooperate with the study is just cause for denying or terminating employment of the individual if the individual's failure or refusal to cooperate could cause the applicant's application to be denied or the license holder's license to be immediately suspended, suspended, or revoked.

~~(h)~~ (n) The commissioner shall not consider an application to be complete until all of the information required to be provided under this subdivision has been received.

~~(i)~~ (o) No person in paragraph (c), ~~clause clauses~~ (1), (2), (3), (4), or (5) to (7), who is disqualified as a result of this section may be retained by the agency in a position involving direct contact with persons served by the program: or in a position allowing access to persons served by the program as provided for in statutes, unless the commissioner has provided written notice to the agency stating that:

(1) the individual may remain in direct contact during the period in which the individual may request reconsideration as provided in subdivision 3a, paragraph (b), clause (2) or (3);

(2) the individual's disqualification has been set aside for that agency as provided in subdivision 3b, paragraph (b); or

(3) the license holder has been granted a variance for the disqualified individual under subdivision 3e.

~~(j)~~ (p) Termination of persons in paragraph (c), ~~clause clauses (1), (2), (3), (4), or (5) to (7),~~ made in good faith reliance on a notice of disqualification provided by the commissioner shall not subject the applicant or license holder to civil liability.

~~(k)~~ (q) The commissioner may establish records to fulfill the requirements of this section.

~~(l)~~ (r) The commissioner may not disqualify an individual subject to a study under this section because that person has, or has had, a mental illness as defined in section 245.462, subdivision 20.

~~(m)~~ (s) An individual subject to disqualification under this subdivision has the applicable rights in subdivision 3a, 3b, or 3c.

~~(n)~~ (t) For the purposes of background studies completed by tribal organizations performing licensing activities otherwise required of the commissioner under this chapter, after obtaining consent from the background study subject, tribal licensing agencies shall have access to criminal history data in the same manner as county licensing agencies and private licensing agencies under this chapter.

Sec. 11. Minnesota Statutes 2000, section 245A.04, subdivision 3a, is amended to read:

Subd. 3a. [NOTIFICATION TO SUBJECT AND LICENSE HOLDER OF STUDY RESULTS; DETERMINATION OF RISK OF HARM.] (a) Within 15 working days, the commissioner shall notify the applicant or license holder and the individual who is the subject of the study, in writing or by electronic transmission, of the results of the study or that more time is needed to complete the study. When the study is completed, a notice that the study was undertaken and completed shall be maintained in the personnel files of the program. For studies on individuals pertaining to a license to provide family day care or group family day care, foster care for children in the provider's own home, or foster care or day care services for adults in the provider's own home, the commissioner is not required to provide a separate notice of the background study results to the individual who is the subject of the study unless the study results in a disqualification of the individual.

The commissioner shall notify the individual studied if the information in the study indicates the individual is disqualified from direct contact with persons served by the program. The commissioner shall disclose the information causing disqualification and instructions on how to request a reconsideration of the disqualification to the individual studied. An applicant or license holder who is not the subject of the study shall be informed that the commissioner has found information that disqualifies the subject from direct contact with persons served by the program. However, only the individual studied must be informed of the information contained in the subject's background study unless the only basis for the disqualification is failure to cooperate, the Data Practices Act provides for release of the information, or the individual studied authorizes the release of the information.

(b) If the commissioner determines that the individual studied has a disqualifying characteristic, the commissioner shall review the information immediately available and make a determination as to the subject's immediate risk of harm to persons served by the program where the individual studied will have direct contact. The commissioner shall consider all relevant information available, including the following factors in determining the immediate risk of harm: the recency of the disqualifying characteristic; the recency of discharge from probation for the crimes; the number of disqualifying characteristics; the intrusiveness or violence of the disqualifying characteristic; the vulnerability of the victim involved in the disqualifying characteristic; and the similarity of the victim to the persons served by the program where the individual studied will have direct contact. The commissioner may determine that the evaluation of the information immediately available gives the commissioner reason to believe one of the following:

(1) The individual poses an imminent risk of harm to persons served by the program where the individual studied will have direct contact. If the commissioner determines that an individual

studied poses an imminent risk of harm to persons served by the program where the individual studied will have direct contact, the individual and the license holder must be sent a notice of disqualification. The commissioner shall order the license holder to immediately remove the individual studied from direct contact. The notice to the individual studied must include an explanation of the basis of this determination.

(2) The individual poses a risk of harm requiring continuous, direct supervision while providing direct contact services during the period in which the subject may request a reconsideration. If the commissioner determines that an individual studied poses a risk of harm that requires continuous, direct supervision, the individual and the license holder must be sent a notice of disqualification. The commissioner shall order the license holder to immediately remove the individual studied from direct contact services or assure that the individual studied is within sight or hearing of another staff person when providing direct contact services during the period in which the individual may request a reconsideration of the disqualification. If the individual studied does not submit a timely request for reconsideration, or the individual submits a timely request for reconsideration, but the disqualification is not set aside for that license holder, the license holder will be notified of the disqualification and ordered to immediately remove the individual from any position allowing direct contact with persons receiving services from the license holder.

(3) The individual does not pose an imminent risk of harm or a risk of harm requiring continuous, direct supervision while providing direct contact services during the period in which the subject may request a reconsideration. If the commissioner determines that an individual studied does not pose a risk of harm that requires continuous, direct supervision, only the individual must be sent a notice of disqualification. The license holder must be sent a notice that more time is needed to complete the individual's background study. If the individual studied submits a timely request for reconsideration, and if the disqualification is set aside for that license holder, the license holder will receive the same notification received by license holders in cases where the individual studied has no disqualifying characteristic. If the individual studied does not submit a timely request for reconsideration, or the individual submits a timely request for reconsideration, but the disqualification is not set aside for that license holder, the license holder will be notified of the disqualification and ordered to immediately remove the individual from any position allowing direct contact with persons receiving services from the license holder.

(c) County licensing agencies performing duties under this subdivision may develop an alternative system for determining the subject's immediate risk of harm to persons served by the program, providing the notices under paragraph (b), and documenting the action taken by the county licensing agency. Each county licensing agency's implementation of the alternative system is subject to approval by the commissioner. Notwithstanding this alternative system, county licensing agencies shall complete the requirements of paragraph (a).

Sec. 12. Minnesota Statutes 2000, section 245A.04, subdivision 3b, is amended to read:

Subd. 3b. [RECONSIDERATION OF DISQUALIFICATION.] (a) The individual who is the subject of the disqualification may request a reconsideration of the disqualification.

The individual must submit the request for reconsideration to the commissioner in writing. A request for reconsideration for an individual who has been sent a notice of disqualification under subdivision 3a, paragraph (b), clause (1) or (2), must be submitted within 30 calendar days of the disqualified individual's receipt of the notice of disqualification. Upon showing that the information in clause (1) or (2) cannot be obtained within 30 days, the disqualified individual may request additional time, not to exceed 30 days, to obtain that information. A request for reconsideration for an individual who has been sent a notice of disqualification under subdivision 3a, paragraph (b), clause (3), must be submitted within 15 calendar days of the disqualified individual's receipt of the notice of disqualification. Removal of a disqualified individual from direct contact shall be ordered if the individual does not request reconsideration within the prescribed time, and for an individual who submits a timely request for reconsideration, if the disqualification is not set aside. The individual must present information showing that:

(1) the information the commissioner relied upon is incorrect or inaccurate. If the basis of a reconsideration request is that a maltreatment determination or disposition under section 626.556

or 626.557 is incorrect, and the commissioner has issued a final order in an appeal of that determination or disposition under section 256.045, the commissioner's order is conclusive on the issue of maltreatment; or

(2) the subject of the study does not pose a risk of harm to any person served by the applicant or license holder.

(b) The commissioner shall rescind the disqualification if the commissioner finds that the information relied on to disqualify the subject is incorrect. The commissioner may set aside the disqualification under this section if the commissioner finds that the ~~information the commissioner relied upon is incorrect~~ or the individual does not pose a risk of harm to any person served by the applicant or license holder. In determining that an individual does not pose a risk of harm, the commissioner shall consider the nature, severity, and consequences of the event or events that lead to disqualification, whether there is more than one disqualifying event, the age and vulnerability of the victim at the time of the event, the harm suffered by the victim, the similarity between the victim and persons served by the program, the time elapsed without a repeat of the same or similar event, documentation of successful completion by the individual studied of training or rehabilitation pertinent to the event, and any other information relevant to reconsideration. In reviewing a disqualification under this section, the commissioner shall give preeminent weight to the safety of each person to be served by the license holder or applicant over the interests of the license holder or applicant.

(c) Unless the information the commissioner relied on in disqualifying an individual is incorrect, the commissioner may not set aside the disqualification of an individual in connection with a license to provide family day care for children, foster care for children in the provider's own home, or foster care or day care services for adults in the provider's own home if:

(1) less than ten years have passed since the discharge of the sentence imposed for the offense; and the individual has been convicted of a violation of any offense listed in sections 609.20 (manslaughter in the first degree), 609.205 (manslaughter in the second degree), criminal vehicular homicide under 609.21 (criminal vehicular homicide and injury), 609.215 (aiding suicide or aiding attempted suicide), felony violations under 609.221 to 609.2231 (assault in the first, second, third, or fourth degree), 609.713 (terroristic threats), 609.235 (use of drugs to injure or to facilitate crime), 609.24 (simple robbery), 609.245 (aggravated robbery), 609.25 (kidnapping), 609.255 (false imprisonment), 609.561 or 609.562 (arson in the first or second degree), 609.71 (riot), burglary in the first or second degree under 609.582 (burglary), 609.66 (dangerous weapon), 609.665 (spring guns), 609.67 (machine guns and short-barreled shotguns), 609.749 (harassment; stalking), 152.021 or 152.022 (controlled substance crime in the first or second degree), 152.023, subdivision 1, clause (3) or (4), or subdivision 2, clause (4) (controlled substance crime in the third degree), 152.024, subdivision 1, clause (2), (3), or (4) (controlled substance crime in the fourth degree), 609.224, subdivision 2, paragraph (c) (fifth-degree assault by a caregiver against a vulnerable adult), 609.228 (great bodily harm caused by distribution of drugs), 609.23 (mistreatment of persons confined), 609.231 (mistreatment of residents or patients), 609.2325 (criminal abuse of a vulnerable adult), 609.233 (criminal neglect of a vulnerable adult), 609.2335 (financial exploitation of a vulnerable adult), 609.234 (failure to report), 609.265 (abduction), 609.2664 to 609.2665 (manslaughter of an unborn child in the first or second degree), 609.267 to 609.2672 (assault of an unborn child in the first, second, or third degree), 609.268 (injury or death of an unborn child in the commission of a crime), 617.293 (disseminating or displaying harmful material to minors), a felony level conviction involving alcohol or drug use, a gross misdemeanor offense under 609.324, subdivision 1 (other prohibited acts), a gross misdemeanor offense under 609.378 (neglect or endangerment of a child), a gross misdemeanor offense under 609.377 (malicious punishment of a child), 609.72, subdivision 3 (disorderly conduct against a vulnerable adult); or an attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or an offense in any other state, the elements of which are substantially similar to the elements of any of the foregoing offenses;

(2) regardless of how much time has passed since the involuntary termination of parental rights under section 260C.301 or the discharge of the sentence imposed for the offense, the individual was convicted of a violation of any offense listed in sections 609.185 to 609.195 (murder in the

first, second, or third degree), 609.2661 to 609.2663 (murder of an unborn child in the first, second, or third degree), a felony offense under 609.377 (malicious punishment of a child), a felony offense under 609.324, subdivision 1 (other prohibited acts), a felony offense under 609.378 (neglect or endangerment of a child), 609.322 (solicitation, inducement, and promotion of prostitution), 609.342 to 609.345 (criminal sexual conduct in the first, second, third, or fourth degree), 609.352 (solicitation of children to engage in sexual conduct), 617.246 (use of minors in a sexual performance), 617.247 (possession of pictorial representations of a minor), 609.365 (incest), a felony offense under sections 609.2242 and 609.2243 (domestic assault), a felony offense of spousal abuse, a felony offense of child abuse or neglect, a felony offense of a crime against children, or an attempt or conspiracy to commit any of these offenses as defined in Minnesota Statutes, or an offense in any other state, the elements of which are substantially similar to any of the foregoing offenses;

(3) within the seven years preceding the study, the individual committed an act that constitutes maltreatment of a child under section 626.556, subdivision 10e, and that resulted in substantial bodily harm as defined in section 609.02, subdivision 7a, or substantial mental or emotional harm as supported by competent psychological or psychiatric evidence; or

(4) within the seven years preceding the study, the individual was determined under section 626.557 to be the perpetrator of a substantiated incident of maltreatment of a vulnerable adult that resulted in substantial bodily harm as defined in section 609.02, subdivision 7a, or substantial mental or emotional harm as supported by competent psychological or psychiatric evidence.

In the case of any ground for disqualification under clauses (1) to (4), if the act was committed by an individual other than the applicant or license holder residing in the applicant's or license holder's home, the applicant or license holder may seek reconsideration when the individual who committed the act no longer resides in the home.

The disqualification periods provided under clauses (1), (3), and (4) are the minimum applicable disqualification periods. The commissioner may determine that an individual should continue to be disqualified from licensure because the license holder or applicant poses a risk of harm to a person served by that individual after the minimum disqualification period has passed.

(d) The commissioner shall respond in writing or by electronic transmission to all reconsideration requests for which the basis for the request is that the information relied upon by the commissioner to disqualify is incorrect or inaccurate within 30 working days of receipt of a request and all relevant information. If the basis for the request is that the individual does not pose a risk of harm, the commissioner shall respond to the request within 15 working days after receiving the request for reconsideration and all relevant information. If the disqualification is set aside, the commissioner shall notify the applicant or license holder in writing or by electronic transmission of the decision.

(e) Except as provided in subdivision 3c, the commissioner's decision to ~~disqualify an individual, including the decision to~~ grant or deny a rescission or set aside a disqualification under this section, is the final administrative agency action and shall not be subject to further review in a contested case under chapter 14 involving a negative licensing appeal taken in response to the disqualification or involving an accuracy and completeness appeal under section 13.04.

Sec. 13. Minnesota Statutes 2000, section 245A.04, subdivision 3d, is amended to read:

Subd. 3d. [DISQUALIFICATION.] ~~(a) Except as provided in paragraph (b),~~ Upon receipt of information showing, or when a background study completed under subdivision 3 shows any of the following: a conviction of one or more crimes listed in clauses (1) to (4); the individual has admitted to or a preponderance of the evidence indicates the individual has committed an act or acts that meet the definition of any of the crimes listed in clauses (1) to (4); or an administrative determination listed under clause (4), the individual shall be disqualified from any position allowing direct contact with persons receiving services from the license holder or entity identified in subdivision 3, paragraph (a):

(1) regardless of how much time has passed since the involuntary termination of parental rights

under section 260C.301 or the discharge of the sentence imposed for the offense, and unless otherwise specified, regardless of the level of the conviction, the individual was convicted of any of the following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in the second degree); 609.195 (murder in the third degree); 609.2661 (murder of an unborn child in the first degree); 609.2662 (murder of an unborn child in the second degree); 609.2663 (murder of an unborn child in the third degree); 609.322 (solicitation, inducement, and promotion of prostitution); 609.342 (criminal sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in the fourth degree); 609.352 (solicitation of children to engage in sexual conduct); 609.365 (incest); felony offense under 609.377 (malicious punishment of a child); a felony offense under 609.378 (neglect or endangerment of a child); a felony offense under 609.324, subdivision 1 (other prohibited acts); 617.246 (use of minors in sexual performance prohibited); 617.247 (possession of pictorial representations of minors); a felony offense under sections 609.2242 and 609.2243 (domestic assault), a felony offense of spousal abuse, a felony offense of child abuse or neglect, a felony offense of a crime against children; or attempt or conspiracy to commit any of these offenses as defined in Minnesota Statutes, or an offense in any other state or country, where the elements are substantially similar to any of the offenses listed in this clause;

(2) if less than 15 years have passed since the discharge of the sentence imposed for the offense; and the individual has received a felony conviction for a violation of any of these offenses: sections 609.20 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); 609.21 (criminal vehicular homicide and injury); 609.215 (suicide); 609.221 to 609.2231 (assault in the first, second, third, or fourth degree); repeat offenses under 609.224 (assault in the fifth degree); repeat offenses under 609.3451 (criminal sexual conduct in the fifth degree); 609.713 (terroristic threats); 609.235 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated robbery); 609.25 (kidnapping); 609.255 (false imprisonment); 609.561 (arson in the first degree); 609.562 (arson in the second degree); 609.563 (arson in the third degree); repeat offenses under 617.23 (indecent exposure; penalties); repeat offenses under 617.241 (obscene materials and performances; distribution and exhibition prohibited; penalty); 609.71 (riot); 609.66 (dangerous weapons); 609.67 (machine guns and short-barreled shotguns); 609.749 (harassment; stalking; penalties); 609.228 (great bodily harm caused by distribution of drugs); 609.2325 (criminal abuse of a vulnerable adult); 609.2664 (manslaughter of an unborn child in the first degree); 609.2665 (manslaughter of an unborn child in the second degree); 609.267 (assault of an unborn child in the first degree); 609.2671 (assault of an unborn child in the second degree); 609.268 (injury or death of an unborn child in the commission of a crime); 609.52 (theft); 609.2335 (financial exploitation of a vulnerable adult); 609.521 (possession of shoplifting gear); 609.582 (burglary); 609.625 (aggravated forgery); 609.63 (forgery); 609.631 (check forgery; offering a forged check); 609.635 (obtaining signature by false pretense); 609.27 (coercion); 609.275 (attempt to coerce); 609.687 (adulteration); 260C.301 (grounds for termination of parental rights); and chapter 152 (drugs; controlled substance); and a felony level conviction involving alcohol or drug use. An attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or an offense in any other state or country, the elements of which are substantially similar to the elements of the offenses in this clause. If the individual studied is convicted of one of the felonies listed in this clause, but the sentence is a gross misdemeanor or misdemeanor disposition, the lookback period for the conviction is the period applicable to the disposition, that is the period for gross misdemeanors or misdemeanors;

(3) if less than ten years have passed since the discharge of the sentence imposed for the offense; and the individual has received a gross misdemeanor conviction for a violation of any of the following offenses: sections 609.224 (assault in the fifth degree); 609.2242 and 609.2243 (domestic assault); violation of an order for protection under 518B.01, subdivision 14; 609.3451 (criminal sexual conduct in the fifth degree); repeat offenses under 609.746 (interference with privacy); repeat offenses under 617.23 (indecent exposure); 617.241 (obscene materials and performances); 617.243 (indecent literature, distribution); 617.293 (harmful materials; dissemination and display to minors prohibited); 609.71 (riot); 609.66 (dangerous weapons); 609.749 (harassment; stalking; penalties); 609.224, subdivision 2, paragraph (c) (assault in the fifth degree by a caregiver against a vulnerable adult); 609.23 (mistreatment of persons confined);

609.231 (mistreatment of residents or patients); 609.2325 (criminal abuse of a vulnerable adult); 609.233 (criminal neglect of a vulnerable adult); 609.2335 (financial exploitation of a vulnerable adult); 609.234 (failure to report maltreatment of a vulnerable adult); 609.72, subdivision 3 (disorderly conduct against a vulnerable adult); 609.265 (abduction); 609.378 (neglect or endangerment of a child); 609.377 (malicious punishment of a child); 609.324, subdivision 1a (other prohibited acts; minor engaged in prostitution); 609.33 (disorderly house); 609.52 (theft); 609.582 (burglary); 609.631 (check forgery; offering a forged check); 609.275 (attempt to coerce); or an attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or an offense in any other state or country, the elements of which are substantially similar to the elements of any of the offenses listed in this clause. If the defendant is convicted of one of the gross misdemeanors listed in this clause, but the sentence is a misdemeanor disposition, the lookback period for the conviction is the period applicable to misdemeanors; or

(4) if less than seven years have passed since the discharge of the sentence imposed for the offense; and the individual has received a misdemeanor conviction for a violation of any of the following offenses: sections 609.224 (assault in the fifth degree); 609.2242 (domestic assault); violation of an order for protection under 518B.01 (Domestic Abuse Act); violation of an order for protection under 609.3232 (protective order authorized; procedures; penalties); 609.746 (interference with privacy); 609.79 (obscene or harassing phone calls); 609.795 (letter, telegram, or package; opening; harassment); 617.23 (indecent exposure; penalties); 609.2672 (assault of an unborn child in the third degree); 617.293 (harmful materials; dissemination and display to minors prohibited); 609.66 (dangerous weapons); 609.665 (spring guns); 609.2335 (financial exploitation of a vulnerable adult); 609.234 (failure to report maltreatment of a vulnerable adult); 609.52 (theft); 609.27 (coercion); or an attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or an offense in any other state or country, the elements of which are substantially similar to the elements of any of the offenses listed in this clause; a determination or disposition of failure to make required reports under section 626.556, subdivision 3, or 626.557, subdivision 3, for incidents in which: (i) the final disposition under section 626.556 or 626.557 was substantiated maltreatment, and (ii) the maltreatment was recurring or serious; or a determination or disposition of substantiated serious or recurring maltreatment of a minor under section 626.556 or of a vulnerable adult under section 626.557 for which there is a preponderance of evidence that the maltreatment occurred, and that the subject was responsible for the maltreatment.

For the purposes of this section, "serious maltreatment" means sexual abuse; maltreatment resulting in death; or maltreatment resulting in serious injury which reasonably requires the care of a physician whether or not the care of a physician was sought; or abuse resulting in serious injury. For purposes of this section, "abuse resulting in serious injury" means: bruises, bites, skin laceration or tissue damage; fractures; dislocations; evidence of internal injuries; head injuries with loss of consciousness; extensive second-degree or third-degree burns and other burns for which complications are present; extensive second-degree or third-degree frostbite, and others for which complications are present; irreversible mobility or avulsion of teeth; injuries to the eyeball; ingestion of foreign substances and objects that are harmful; near drowning; and heat exhaustion or sunstroke. For purposes of this section, "care of a physician" is treatment received or ordered by a physician, but does not include diagnostic testing, assessment, or observation. For the purposes of this section, "recurring maltreatment" means more than one incident of maltreatment for which there is a preponderance of evidence that the maltreatment occurred, and that the subject was responsible for the maltreatment.

~~(b) If the subject of a background study is licensed by a health-related licensing board, the board shall make the determination regarding a disqualification under this subdivision based on a finding of substantiated maltreatment under section 626.556 or 626.557. The commissioner shall notify the health-related licensing board if a background study shows that a licensee would be disqualified because of substantiated maltreatment and the board shall make a determination under section 214.104.~~

Sec. 14. Minnesota Statutes 2000, section 245A.04, is amended by adding a subdivision to read:

Subd. 3e. [VARIANCE FOR A DISQUALIFIED PERSON.] (a) When a background study subject's disqualification has not been set aside by the commissioner, and there are conditions under which the disqualified individual may provide direct contact services or have access to people receiving services that minimize the risk of harm to people receiving services, the commissioner may grant a time limited variance to a license holder that states the reason for the disqualification, the services that may be provided by the disqualified individual, and the conditions with which the license holder or applicant must comply for the variance to be effective.

(b) Except for programs licensed to provide family day care for children, foster care for children in the provider's own home, or foster care or day care services for adults in the provider's own home, the commissioner may not grant a variance for a disqualified person unless the applicant or license holder has requested the variance and the disqualified individual has provided written consent for the commissioner to disclose to the applicant or license holder the reason for the disqualification.

(c) When a license holder permits a disqualified individual to provide any services for which the subject is disqualified without complying with the conditions of the variance, termination of the variance is immediate and the license holder may be subject to fines or sanctions under sections 245A.06 and 245A.07.

(d) The commissioner may terminate a variance for a disqualified person at any time.

(e) The commissioner's decision to grant or deny a variance request is final and not subject to appeal under the provisions of chapter 14.

Sec. 15. Minnesota Statutes 2000, section 245A.04, subdivision 6, is amended to read:

Subd. 6. [COMMISSIONER'S EVALUATION.] Before granting issuing, denying, suspending, revoking, or making conditional a license, the commissioner shall evaluate information gathered under this section. The commissioner's evaluation shall consider facts, conditions, or circumstances concerning the program's operation, the well-being of persons served by the program, available consumer evaluations of the program, and information about the qualifications of the personnel employed by the applicant or license holder.

The commissioner shall evaluate the results of the study required in subdivision 3 and determine whether a risk of harm to the persons served by the program exists. In conducting this evaluation, the commissioner shall apply the disqualification standards set forth in rules adopted under this chapter.

Sec. 16. Minnesota Statutes 2000, section 245A.04, subdivision 11, is amended to read:

Subd. 11. [EDUCATION PROGRAM; ADDITIONAL REQUIREMENT.] (a) The education program offered in a residential or nonresidential program, except for child care, foster care, or services for adults, must be approved by the commissioner of children, families, and learning before the commissioner of human services may grant a license to the program.

(b) A residential program licensed under Minnesota Rules, parts 9545.0905 to 9545.1125 or 9545.1400 to 9545.1480, may serve persons through the age of 19 when:

(1) the admission is necessary for a person to complete a secondary school program or its equivalent, or it is necessary to facilitate a transition period after completing the secondary school program or its equivalent for up to four months in order for the resident to obtain other living arrangements;

(2) the facility develops policies, procedures, and plans required under section 245A.65;

(3) the facility documents as assessment of the 18- or 19-year-old person's risk of victimizing children residing in the facility, and develops necessary risk reduction measures, including sleeping arrangements, to minimize any risk of harm to children; and

(4) notwithstanding the license holder's target population age range, whenever persons age 18

or 19 years old are receiving residential services, the age difference among residents may not exceed five years.

(c) Nothing in this paragraph precludes the license holder from seeking other variances under section 245A.04, subdivision 9.

Sec. 17. Minnesota Statutes 2000, section 245A.06, subdivision 6, is amended to read:

Subd. 6. [AMOUNT OF FINES.] Fines shall be assessed as follows:

(1) the license holder shall forfeit \$1,000 for each occurrence of substantiated maltreatment or violation of law or rule prohibiting the maltreatment of children or the maltreatment of vulnerable adults, including but not limited to corporal punishment, illegal or unauthorized use of physical, mechanical, or chemical restraints, and illegal or unauthorized use of aversive or deprivation procedures;

(2) the license holder shall forfeit \$200 for each occurrence of a violation of law or rule governing matters of health, safety, or supervision, including but not limited to the provision of adequate staff to child or adult ratios, failure to submit a background form to the commissioner; and

(3) the license holder shall forfeit \$100 for each occurrence of a violation of law or rule other than those included in clauses (1) and (2).

For the purposes of this section, "occurrence" means each violation identified in the commissioner's forfeiture order.

Sec. 18. [245A.144] [REDUCTION OF RISK OF SUDDEN INFANT DEATH SYNDROME IN CHILD CARE PROGRAMS.]

License holders must ensure that before staff persons, caregivers, and helpers assist in the care of infants, they receive training on reducing the risk of sudden infant death syndrome. The training on reducing the risk of sudden infant death syndrome may be provided as orientation training under Minnesota Rules, part 9503.0035, subpart 1, as initial training under Minnesota Rules, part 9502.0385, subpart 2, as in-service training under Minnesota Rules, part 9503.0035, subpart 4, or as ongoing training under Minnesota Rules, part 9502.0385, subpart 3. Training required under this section must be completed at least once every five years.

Sec. 19. Minnesota Statutes 2000, section 245A.16, subdivision 1, is amended to read:

Subdivision 1. [DELEGATION OF AUTHORITY TO AGENCIES.] (a) County agencies and private agencies that have been designated or licensed by the commissioner to perform licensing functions and activities under section 245A.04, to recommend denial of applicants under section 245A.05, to issue correction orders, to issue variances, and recommend fines under section 245A.06, or to recommend suspending, revoking, and making licenses probationary under section 245A.07, shall comply with rules and directives of the commissioner governing those functions and with this section. The following variances are excluded from the delegation of variance authority and may be issued only by the commissioner:

(1) dual licensure of family child care and child foster care, dual licensure of child and adult foster care, and adult foster care and family child care;

(2) adult foster care maximum capacity;

(3) adult foster care minimum age requirement;

(4) child foster care maximum age requirement;

(5) variances regarding disqualified individuals; and

(6) the required presence of a caregiver in the adult foster care residence during normal sleeping hours.

(b) For family day care programs, the commissioner may authorize licensing reviews every two years after a licensee has had at least one annual review.

Sec. 20. [INSTRUCTION TO REVISOR.]

(a) The revisor of statutes shall replace any references to "sections 245A.01 to 245A.16" in chapter 245A with "this chapter."

(b) The revisor of statutes shall replace references in Minnesota Rules and Minnesota Statutes to "parts 9543.3000 to 9543.3090" with "section 245A.04."

(c) The revisor of statutes shall replace references in Minnesota Rules and Minnesota Statutes to "part 9543.3070" with "section 245A.04, subdivision 3d."

(d) The revisor of statutes shall replace references in Minnesota Rules and Minnesota Statutes to "part 9543.3080" with "section 245A.04, subdivision 3b."

Sec. 21. [REPEALER.]

Minnesota Rules, parts 9543.3000; 9543.3010; 9543.3020; 9543.3030; 9543.3040; 9543.3050; 9543.3060; 9543.3080; and 9543.3090, are repealed."

Delete the title and insert:

"A bill for an act relating to health and human services; changing requirements to background studies for licensed programs; amending Minnesota Statutes 2000, sections 13.46, subdivision 4; 144.057; 241.021, subdivision 1; 245A.02, subdivisions 1, 9, by adding a subdivision; 245A.03, subdivision 2, by adding a subdivision; 245A.035, subdivision 1; 245A.04, subdivisions 3, 3a, 3b, 3d, 6, 11, by adding a subdivision; 245A.06, subdivision 6; 245A.16, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 245A; repealing Minnesota Rules, parts 9543.3000; 9543.3010; 9543.3020; 9543.3030; 9543.3040; 9543.3050; 9543.3060; 9543.3080; 9543.3090."

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

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

S.F. No. 257: A bill for an act relating to highways; requiring study and report by commissioner of transportation of use of I-394 "sane lanes" by single-occupant vehicles; 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 Kelly, R.C. from the Committee on Transportation, to which was referred

S.F. No. 1191: A bill for an act relating to drivers' licenses; changing allocation of 12 percent of a driver's license reinstatement fee; amending Minnesota Statutes 2000, section 171.29, subdivision 2.

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

Page 2, line 3, strike "is appropriated"

Page 2, line 9, before "to" insert "shall be used as grants"

Page 2, line 14, strike "is annually appropriated to" and insert "shall be used by"

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

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

S.F. No. 1409: A bill for an act relating to public safety; enacting Driver's License Agreement Act; modifying definition of passenger automobile to include certain vans; modifying provisions naming vehicles eligible to display collector vehicle plates; providing grounds for cancellation of motor vehicle dealer license; modifying definition of utility trailer as it relates to motor vehicle dealers; providing for uncontested vehicle sale cancellation; allowing traffic accidents to be reported electronically; authorizing nonidentifying traffic accident data to be made public; providing for display and issuance of permits for vehicle registration plates; modifying provisions governing the administrative impoundment of vehicle registration plates; removing requirement that signature on driver's license or permit be in ink; increasing monetary amount for satisfaction of judgment resulting from traffic accident; modifying driver instruction requirements; expanding ability of department of public safety to capture advertising revenue; making conforming, technical, and clarifying changes and removing unnecessary language; amending Minnesota Statutes 2000, sections 168.011, subdivision 7; 168.09, subdivision 7; 168.10, subdivision 1b; 168.27, subdivisions 12a, 20; 169.09, subdivisions 8, 9, 10, 13; 169.79; 169A.60, subdivisions 8, 14; 171.07, subdivision 1; 171.183, subdivision 1; 171.39; 171.51, subdivision 2; 171.52; 171.55; 299A.01, subdivision 1b; proposing coding for new law in Minnesota Statutes, chapters 168A; 171; repealing Minnesota Statutes 2000, sections 171.50; 171.51, subdivision 1; 171.53.

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 168.011, subdivision 7, is amended to read:

Subd. 7. [PASSENGER AUTOMOBILE.] "Passenger automobile" means any motor vehicle designed and used for the carrying of not more than 15 persons including the driver. "Passenger automobile" does not include motorcycles, motor scooters, and buses described in subdivision 9, paragraph (a), clause (2). For purposes of taxation only, "passenger automobile" includes pickup trucks and vans, other than including those vans designed to carry passengers with a manufacturer's nominal rated carrying capacity of one ton, but does not include commuter vans as defined in section 168.126.

Sec. 2. Minnesota Statutes 2000, section 168.09, subdivision 7, is amended to read:

Subd. 7. [DISPLAY OF TEMPORARY PERMIT; SPECIAL PLATES.] (a) A vehicle that displays a special plate issued under section 168.021; 168.12, subdivision 2, 2a, 2b, 2c, or 2d; 168.123; 168.124; 168.125; 168.126; 168.128; or 168.129 may display a temporary permit in conjunction with expired registration if:

- (1) the current registration tax and all other fees have been paid in full; and
- (2) the plate requires replacement under section 168.12, subdivision 1, paragraph (b), clause (3).

(b) A vehicle that is registered under section 168.10 may display a temporary permit in conjunction with expired registration, with or without a registration license plate, if:

(1) the license plates have been applied for and the registration tax has been paid in full, as provided for in section 168.10; and

(2) the vehicle is used solely as a collector vehicle while displaying the temporary permit and not used for general transportation purposes.

~~(b)~~ (c) The permit is valid for a period of 60 days. The permit must be in a form prescribed by the commissioner of public safety and whenever practicable must be posted upon the driver's side of the rear window on the inside of the vehicle. The permit is valid only for the vehicle for which it was issued to allow a reasonable time for the new license plates to be manufactured and delivered to the applicant.

Sec. 3. Minnesota Statutes 2000, section 168.27, subdivision 12a, is amended to read:

Subd. 12a. [~~GROUNDS FOR CANCELLATION WITHOUT HEARING; NOTICE REQUIRED.~~] (a) A license may be canceled by the registrar after notice to the dealer, upon satisfactory proof that the dealer: (1) has failed to provide or maintain the required surety bond; or that the dealer; (2) has failed to provide or maintain the insurance required under chapter 65B; or (3) is no longer operating at the dealer's licensed location.

(b) Surety companies and insurers providing required coverages shall promptly notify the registrar upon canceling any surety bond or required insurance. The registrar shall notify the dealer of the reason or reasons for cancellation before the cancellation occurs.

Sec. 4. Minnesota Statutes 2000, section 168.27, subdivision 20, is amended to read:

Subd. 20. [APPLICATION TO SALE OF OTHER VEHICLES.] (a) This section ~~shall~~ does not apply:

(1) to any person, copartnership, or corporation engaged in the business of selling vehicles designed to operate exclusively over snow, motor scooters, motorized wheelchairs, utility trailers, farm wagons, farm trailers, or farm tractors or other farm implements, whether self-propelled or not, and even though such wagons, trailers, tractors or implements a vehicle listed in this clause may be equipped with a trailer hitch; or

(2) to any person licensed as a real estate broker or salesperson pursuant to chapter 82, who engages in the business of selling, ~~or who offers to sell, or who solicits or advertises the sale of manufactured homes affixed to land, unless such.~~

(b) However, this section does apply to a person, copartnership, or corporation shall described in paragraph (a) who is also be engaged in the business of selling other motor vehicles or manufactured homes within the provisions of this section.

(b) (c) As used in this subdivision the term "utility trailer" has the following meaning; "utility trailer" means a motorless vehicle, other than a boat trailer or snowmobile trailer, equipped with one or two wheels and, having a carrying capacity of 2000 gross vehicle weight of 4,000 pounds or less, and used for carrying property on its own structure while being drawn by a motor vehicle.

Sec. 5. [168A.101] [CANCELLATION OF MOTOR VEHICLE SALE.]

Subdivision 1. [REQUIRED DOCUMENTATION.] If the parties cancel a purchase of a motor vehicle after the transfer of interest, they must submit within 90 days of the original purchase date the following items:

(1) the outstanding certificate of title with proper assignment; and

(2) an affidavit correcting ownership signed by the parties.

Subd. 2. [REFUNDS.] A party may be eligible for a refund of taxes and fees only if the items indicated in subdivision 1 are submitted within the 90-day time frame unless otherwise provided by law.

Sec. 6. Minnesota Statutes 2000, section 169.09, subdivision 8, is amended to read:

Subd. 8. [OFFICER TO REPORT ACCIDENT TO COMMISSIONER.] ~~Every~~ A law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident ~~of which report must be made as required in that must be reported under this section, either at the time of and at the scene of the accident or thereafter by interviewing participants or witnesses,~~ shall, within ten days after the date of ~~such the~~ accident, forward a an electronic or written report of such the accident to the commissioner of public safety.

Sec. 7. Minnesota Statutes 2000, section 169.09, subdivision 9, is amended to read:

Subd. 9. [ACCIDENT REPORT FORMS.] The department of public safety shall prepare, ~~and~~

electronic or written forms for accident reports required under this section. Upon request the department shall supply the forms to police departments, coroners, sheriffs, garages, and other suitable agencies or individuals, ~~forms for accident reports required hereunder.~~ The forms must be appropriate with respect to the persons required to make such the reports and the purposes to be served. ~~The electronic or written reports report forms to be made completed~~ by persons involved in accidents and by investigating officers shall must call for sufficiently detailed information to disclose with reference to a traffic accident the causes, conditions then existing, and the persons and vehicles involved.

Sec. 8. Minnesota Statutes 2000, section 169.09, subdivision 10, is amended to read:

Subd. 10. [USE OF FORM REQUIRED.] ~~Every~~ A required accident report ~~required to be made in writing shall~~ must be made on the an appropriate form approved by the department of public safety and contain all of the information required ~~therein~~ unless not available.

Sec. 9. Minnesota Statutes 2000, section 169.09, subdivision 13, is amended to read:

Subd. 13. [REPORTS CONFIDENTIAL; EVIDENCE, FEE, PENALTY, APPROPRIATION.]
(a) ~~All~~ Electronic and written reports and supplemental reports required under this section ~~shall be~~ are for the use of the commissioner of public safety and other appropriate state, federal, county, and municipal governmental agencies for accident analysis purposes, except:

(1) the commissioner of public safety or any law enforcement agency shall, upon written request of any person involved in an accident or upon written request of the representative of the person's estate, surviving spouse, or one or more surviving next of kin, or a trustee appointed pursuant to section 573.02, disclose to the requester, the requester's legal counsel, or a representative of the requester's insurer the report required under subdivision 8;

(2) the commissioner of public safety shall, upon written request, provide the driver filing a report under subdivision 7 with a copy of the report filed by the driver;

(3) the commissioner of public safety may verify with insurance companies vehicle insurance information to enforce sections 65B.48, 169.792, 169.793, 169.796, and 169.797;

(4) the commissioner of public safety shall provide the commissioner of transportation the information obtained for each traffic accident involving a commercial motor vehicle, for purposes of administering commercial vehicle safety regulations; and

(5) the commissioner of public safety may give to the United States Department of Transportation commercial vehicle accident information in connection with federal grant programs relating to safety.

(b) Accident reports and data contained in the reports ~~shall~~ are not be discoverable under any provision of law or rule of court. ~~No~~ A report ~~shall~~ may not be used as evidence in any trial, civil or criminal, arising out of an accident, except that the commissioner of public safety shall furnish upon the demand of ~~any~~ a person who has, or claims to have, made a report, or, upon demand of ~~any~~ a court, a certificate showing that a specified accident report has or has not been made to the commissioner solely to prove compliance or failure to comply with the requirements that the report be made to the commissioner.

(c) Nothing in this subdivision prevents ~~any~~ a person who has made a report pursuant to this section from providing information to ~~any~~ persons involved in an accident or their representatives or from testifying in ~~any~~ a trial, civil or criminal, arising out of an accident, as to facts within the person's knowledge. It is intended by this subdivision to render privileged the reports required, but it is not intended to prohibit proof of the facts to which the reports relate.

(d) Disclosing ~~any~~ information contained in ~~any~~ an accident report, except as provided in this subdivision, section 13.82, subdivision 3 or 4, or other statutes, is a misdemeanor.

(e) The commissioner of public safety may charge authorized persons a \$5 fee for a copy of an accident report. The commissioner may also furnish copies of the modified accident records

database to private agencies as provided in paragraph (g) for not less than the cost of preparing the copies.

(f) The commissioner and law enforcement agencies may charge commercial users who request access to response or incident data relating to accidents a fee not to exceed 50 cents per report. "Commercial user" is a user who in one location requests access to data in more than five accident reports per month, unless the user establishes that access is not for a commercial purpose. Money collected by the commissioner under this paragraph is appropriated to the commissioner.

(g) The commissioner may provide a modified copy of the accident records database that does not contain names, driver's license numbers, vehicle license plate numbers, addresses, or other identifying data to the public upon request.

Sec. 10. Minnesota Statutes 2000, section 169.79, is amended to read:

169.79 [VEHICLE REGISTRATION.]

(a) No person shall operate, drive, or park a motor vehicle on any highway unless the vehicle is registered in accordance with the laws of this state and has the number plates ~~for the current year only~~ or permit confirming that valid registration or operating authority has been obtained, except as provided in sections 168.10 and 168.12, subdivision 2f, as assigned to it by the commissioner of public safety, conspicuously displayed thereon in a manner that the view of any plate or permit is not obstructed. A plate issued under section 168.27 or a permit issued under chapter 168 may be displayed on a vehicle in conjunction with expired registration whether or not it displays the license plate to which the last registration was issued.

(b) If the vehicle is a semitrailer, the number plate displayed must be assigned to the registered owner and correlate to the certificate of title documentation on file with the department and shall not display a year indicator.

(c) If the vehicle is a motorcycle, motor scooter, motorized bicycle, motorcycle sidecar, trailer, semitrailer, or vehicle displaying a dealer plate, one plate ~~shall~~ must be displayed on the rear ~~thereof~~ of the vehicle.

(d) If the vehicle is (1) a collector's vehicle with a pioneer, classic car, collector, or street rod license; (2) a vehicle that meets the requirements of a pioneer, classic, or street rod vehicle except that the vehicle is used for general transportation purposes; or (3) a vehicle that is of model year 1972 or earlier, not registered under section 168.10, subdivision 1c, and is used for general transportation purposes, one plate ~~shall~~ must be displayed on the rear of the vehicle, or one plate on the front and one on the rear, at the ~~discretion~~ discretion of the owner.

(e) If the vehicle is a truck-tractor, road-tractor or farm truck, as defined in section 168.011, subdivision 17, but excluding from that definition semitrailers and trailers, one plate ~~shall~~ must be displayed on the front ~~thereof~~ of the vehicle.

(f) If the motor vehicle is any kind of motor vehicle other than those provided for in paragraphs (b) to (d), one plate ~~shall~~ must be displayed on the front and one on the rear ~~thereof~~ of the vehicle.

(g) All plates ~~shall~~ must be securely fastened so as to prevent them from swinging. The person driving the motor vehicle shall keep the plate legible and unobstructed and free from grease, dust, or other blurring material so that the lettering ~~shall be~~ is plainly visible at all times. It is unlawful to cover any assigned letters and numbers or the name of the state of origin of a license plate with any material whatever, including any clear or colorless material that affects the plate's visibility or reflectivity.

(h) License plates issued to vehicles registered under section 168.017 must display the month of expiration in the lower left corner as viewed facing the plate and the year of expiration in the lower right corner as viewed facing the plate. License plates issued to vehicles registered under section 168.127 must display either fleet registration validation stickers in the lower right corner as viewed facing the plates or distinctive license plates, issued by the registrar, with "FLEET REG" embossed on the bottom center portion of the plate.

Sec. 11. Minnesota Statutes 2000, section 171.07, subdivision 1, is amended to read:

Subdivision 1. [LICENSE; CONTENTS.] ~~The department shall,~~ Upon the payment of the required fee, the department shall issue to every qualifying applicant qualifying therefor a license designating the type or class of vehicles the applicant is authorized to drive as applied for, ~~which.~~ This license shall must bear ~~thereon~~ a distinguishing number assigned to the licensee, the full name, date of birth, residence address and permanent mailing address if different, a description of the licensee in such manner as the commissioner deems necessary, and a space upon which the licensee shall write the usual signature and the date of birth of the licensee ~~with pen and ink.~~ No license ~~shall be~~ is valid until it has been so signed by the licensee. Except in the case of an instruction permit, every license ~~shall~~ must bear ~~thereon~~ a colored photograph or an electronically produced image of the licensee. Every license issued to an applicant under the age of 21 ~~shall~~ must be of a distinguishing color and plainly marked "Under-21." The department shall use such process or processes in the issuance of licenses that prohibits, as near as possible, the ability to alter or reproduce the licenses, or prohibit the ability to superimpose a photograph or electronically produced image on ~~such~~ the licenses, without ready detection. A license issued to an applicant of age 65 or over ~~shall~~ must be plainly marked "senior" if requested by the applicant.

Sec. 12. Minnesota Statutes 2000, section 171.183, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENTS.] For the purposes of sections 171.182 to 171.184, a judgment is satisfied if:

(1) ~~\$25,000~~ \$30,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident;

(2) subject to the limit of ~~\$25,000~~ \$30,000 because of bodily injury to or death of one person, the sum of ~~\$50,000~~ \$60,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

(3) \$10,000 has been credited upon any judgment or judgments rendered in excess of that amount because of damage to or destruction of property of others as a result of any one accident.

Sec. 13. Minnesota Statutes 2000, section 171.39, is amended to read:

171.39 [EXEMPTIONS.]

(a) ~~The provisions of sections 171.33 to 171.41 shall do not apply:~~ to any person giving driver training lessons without charge; to employers maintaining driver training schools without charge for their employees only; to a home-school within the meaning of sections 120A.22 and 120A.24; or to schools or classes conducted by colleges, universities, and high schools as a part of the normal program for such those institutions; ~~nor to those schools or persons described in section 171.05, subdivision 2.~~

(b) Any person who is a certificated driver training instructor in a high school driver training program may give driver training instruction to persons over the age of 18 without acquiring a driver training school license or instructor's license, and such those instructors may make a charge for that instruction, if there is no private commercial driver training school licensed under ~~this statute~~ sections 171.33 to 171.41 within ten miles of the municipality where such driver training instruction is given and there is no adult drivers training program in effect in the schools of the school district in which the trainee resides.

Sec. 14. Minnesota Statutes 2000, section 299A.01, subdivision 1b, is amended to read:

Subd. 1b. [DEPARTMENT ADVERTISING SALES; APPROPRIATION.] The commissioner may accept paid advertising for departmental publications, media productions, or other informational materials. Advertising revenues received are appropriated to the commissioner to be used to defray costs of publications, media productions, or other informational materials. The commissioner may not accept paid advertising from an elected official or candidate for elective office.

Sec. 15. [EFFECTIVE DATE.]

Sections 1 to 13 are effective July 1, 2001. Section 14 is effective the day following final enactment.

Delete the title and insert:

"A bill for an act relating to public safety; modifying definition of passenger automobile to include certain vans; providing grounds for cancellation of motor vehicle dealer license; modifying definition of utility trailer as it relates to motor vehicle dealers; providing for uncontested vehicle sale cancellation; allowing traffic accidents to be reported electronically; authorizing nonidentifying traffic accident data to be made public; providing for display and issuance of permits for vehicle registration plates; removing requirement that signature on driver's license or permit be in ink; increasing monetary amount for satisfaction of judgment resulting from traffic accident; modifying driver instruction requirements; expanding ability of department of public safety to capture advertising revenue; making conforming, technical, and clarifying changes and removing unnecessary language; amending Minnesota Statutes 2000, sections 168.011, subdivision 7; 168.09, subdivision 7; 168.27, subdivisions 12a, 20; 169.09, subdivisions 8, 9, 10, 13; 169.79; 171.07, subdivision 1; 171.183, subdivisions 1; 171.39; 299A.01, subdivision 1b; proposing coding for new law in Minnesota Statutes, chapter 168A."

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

Senator Ranum from the Committee on Crime Prevention, to which was referred

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

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

Page 1, after line 14, insert:

"Section 1. Minnesota Statutes 2000, section 8.16, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY.] The attorney general, or any deputy, assistant, or special assistant attorney general whom the attorney general authorizes in writing, has the authority in any county of the state to subpoena and require the production of any records of telephone companies, cellular phone companies, paging companies, subscribers of private computer networks including Internet service providers or computer bulletin board systems, electric companies, gas companies, water utilities, chemical suppliers, hotels and motels, pawn shops, airlines, buses, taxis, and other entities engaged in the business of transporting people, and freight companies, self-service storage facilities, warehousing companies, package delivery companies, and other entities engaged in the businesses of transport, storage, or delivery, and records of the existence of safe deposit box account numbers and customer savings and checking account numbers maintained by financial institutions and safe deposit companies. Subpoenas may only be issued for records that are relevant to an ongoing legitimate law enforcement investigation.

Sec. 2. Minnesota Statutes 2000, section 388.23, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY.] The county attorney, or any deputy or assistant county attorney whom the county attorney authorizes in writing, has the authority to subpoena and require the production of any records of telephone companies, cellular phone companies, paging companies, ~~the names and addresses of~~ subscribers of private computer networks including Internet service providers or computer bulletin board systems, electric companies, gas companies, water utilities, chemical suppliers, hotels and motels, pawn shops, airlines, buses, taxis, and other entities

engaged in the business of transporting people, and freight companies, warehousing companies, self-service storage facilities, package delivery companies, and other entities engaged in the businesses of transport, storage, or delivery, and records of the existence of safe deposit box account numbers and customer savings and checking account numbers maintained by financial institutions and safe deposit companies, insurance records relating to the monetary payment or settlement of claims, and wage and employment records of an applicant or recipient of public assistance who is the subject of a welfare fraud investigation relating to eligibility information for public assistance programs. Subpoenas may only be issued for records that are relevant to an ongoing legitimate law enforcement investigation. Administrative subpoenas may only be issued in welfare fraud cases if there is probable cause to believe a crime has been committed. This provision applies only to the records of business entities and does not extend to private individuals or their dwellings."

Page 1, line 24, after "(b)" insert "Unless a longer statutory maximum period is specified in paragraph (a)," and delete "subdivision 1" and insert "paragraph (a)"

Page 2, line 11, delete "subdivision 1" and insert "paragraph (a)"

Page 2, line 15, delete "ELECTRONIC" and after "WARRANTS" insert "RELATING TO ELECTRONIC COMMUNICATION SERVICES AND REMOTE COMPUTING SERVICES"

Page 2, line 20, delete "14" and insert "18" and after "2711" insert ", as amended through March 1, 2001"

Page 4, delete lines 27 and 28 and insert:

"Sections 1 to 5 are effective August 1, 2001. Sections 3 and 4 apply to crimes committed on or after that date."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "extending the attorney general's and county attorney's authority for administrative subpoenas;"

Page 1, line 11, delete "section" and insert "sections 8.16, subdivision 1; 388.23, subdivision 1;"

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

Senator Ranum from the Committee on Crime Prevention, to which was referred

S.F. No. 1428: A bill for an act relating to crime prevention; clarifying the impaired driving consecutive sentencing provisions; amending Minnesota Statutes 2000, sections 169A.28, subdivision 2; 609.035, subdivision 2.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Senator Ranum from the Committee on Crime Prevention, to which was referred

S.F. No. 1047: A bill for an act relating to data practices; apartment manager background checks; requiring certain checks to be performed on individuals who have resided in Minnesota less than ten years; amending Minnesota Statutes 2000, section 299C.68, subdivisions 2 and 3.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Senator Ranum from the Committee on Crime Prevention, to which was referred

S.F. No. 1478: A bill for an act relating to government data practices; authorizing bureau of criminal apprehension to charge of fee for Internet access to criminal history data; amending Minnesota Statutes 2000, section 13.87, subdivision 1.

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 13.87, is amended by adding a subdivision to read:

Subd. 3. [INTERNET ACCESS.] (a) Notwithstanding section 13.03, subdivision 3, paragraph (a), the bureau of criminal apprehension may charge a fee, not to exceed \$5 per inquiry, for Internet access to public criminal history data provided through August 1, 2005.

(b) The Web site must include a notice to the subject of data of the right to contest the accuracy or completeness of data, as provided under section 13.04, subdivision 4, and provide a telephone number and address that the subject may contact for further information on this process.

(c) The Web site must include the effective date of data that is posted.

(d) The Web site must include a description of the types of criminal history data not available on the site, including arrest data, juvenile data, criminal history data from other states, federal data, data on convictions where 15 years have elapsed since discharge of the sentence, and other data that are not accessible to the public."

Delete the title and insert:

"A bill for an act relating to government data practices; authorizing bureau of criminal apprehension to charge a fee for Internet access to criminal history data; requiring certain notices on the Web site; amending Minnesota Statutes 2000, section 13.87, by adding a subdivision."

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

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

S.F. No. 954: A bill for an act relating to higher education; extending authority to adopt rules for Edvest.

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

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2000, section 136A.244, is amended by adding a subdivision to read:

Subd. 5. [TRUST.] Assets in the program are held in trust for the exclusive benefit of account holders and beneficiaries. Such assets are not subject to claims by creditors of the state, are not part of the general fund of the state, and are not subject to appropriation by the state."

Page 1, line 15, delete "Section 1 is" and insert "Sections 1 and 2 are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "creating a trust status for funds in the Edvest program;"

Page 1, line 3, before the period, insert "; amending Minnesota Statutes 2000, section 136A.244, by adding a subdivision"

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. 1092: A bill for an act relating to landlords and tenants; removing provisions allowing landlords to apportion utility payments among residential units; amending Minnesota Statutes 2000, section 504B.215, subdivision 2; repealing Minnesota Statutes 2000, section 504B.215, subdivision 2a.

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

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

S.F. No. 218: A bill for an act relating to landlord and tenant; regulating the defense of retaliatory eviction; amending Minnesota Statutes 2000, section 504B.285, subdivision 2.

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

Page 1, line 21, delete "one year" and insert "180 days"

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. 1246: A bill for an act relating to manufactured homes; clarifying the amount that may be charged to residents for utility services; amending Minnesota Statutes 2000, section 327C.04, subdivision 3.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1414, 1256, 959, 339, 1164, 1613, 1346, 1441, 665, 1572, 1295, 1479, 1409, 1428, 1047, 954, 218 and 1246 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Lourey moved that the names of Senators Limmer and Fowler be added as co-authors to S.F. No. 360. The motion prevailed.

Senator Lourey moved that her name be stricken as a co-author to S.F. No. 633. The motion prevailed.

Senator Vickerman moved that his name be stricken as a co-author to S.F. No. 1381. The motion prevailed.

Senator Scheid moved that her name be stricken as a co-author to S.F. No. 1395. The motion prevailed.

Senator Wiener moved that the name of Senator Kleis be added as a co-author to S.F. No. 1444. The motion prevailed.

Senator Tomassoni moved that the name of Senator Johnson, Doug be added as a co-author to S.F. No. 1777. The motion prevailed.

Senator Bachmann moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Vickerman be shown as chief author to S.F. No. 1801. The motion prevailed.

Senator Johnson, Doug moved that the names of Senators Tomassoni and Scheid be added as co-authors to S.F. No. 1841. The motion prevailed.

Senator Terwilliger moved that S.F. No. 1069 be withdrawn from the Committee on Finance and returned to its author. The motion prevailed.

Senator Foley, for Senator Samuelson, moved that S.F. No. 1660 be withdrawn from the Committee on Crime Prevention and re-referred to the Committee on Finance. The motion prevailed.

Senator Sabo, for Senator Ranum, moved that S.F. No. 1662 be withdrawn from the Committee on State and Local Government Operations and re-referred to the Committee on Taxes. The motion prevailed.

Senator Rest moved that S.F. No. 1678 be withdrawn from the Committee on Commerce and re-referred to the Committee on State and Local Government Operations. The motion prevailed.

Senator Vickerman moved that S.F. No. 1707 be withdrawn from the Committee on Crime Prevention and re-referred to the Committee on State and Local Government Operations. The motion prevailed.

Senator Lesewski introduced--

Senate Resolution No. 88: A Senate resolution congratulating the Marshall High School Girls basketball team on winning the 2001 State High School Class AAA Girls Basketball Tournament.

Referred to the Committee on Rules and Administration.

Senator Foley, for Senator Ranum, moved that S.F. No. 1145 be withdrawn from the Committee on Finance and re-referred to the Committee on Crime Prevention. The motion prevailed.

Senator Krentz moved that S.F. No. 1260 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Finance. The motion prevailed.

Senator Kelley, S.P. moved that S.F. No. 827 be withdrawn from the Committee on Finance and re-referred to the Committee on Jobs, Housing and Community Development. The motion prevailed.

Senator Tomassoni moved that S.F. No. 624 be withdrawn from the Committee on Jobs, Housing and Community Development and re-referred to the Committee on State and Local Government Operations. The motion prevailed.

Senator Chaudhary moved that S.F. No. 1246, on General Orders, be stricken and re-referred to the Committee on Telecommunications, Energy and Utilities. The motion prevailed.

RECESS

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

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Senator Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 47: Senators Johnson, Doug; Rest; Day; Knutson and Lessard.

Senator Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 5.1, Senator Kleis, first author, moved that S.F. No. 1759 be withdrawn from the Committee on Taxes, given a second reading and placed on General Orders.

CALL OF THE SENATE

Senator Limmer imposed a call of the Senate for the balance of the proceedings on S.F. No. 1759. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 27 and nays 37, as follows:

Those who voted in the affirmative were:

Bachmann	Frederickson	Larson	Ourada	Schwab
Belanger	Johnson, Debbie	Lesewski	Pariseau	Stevens
Berg	Kierlin	Lessard	Reiter	Terwilliger
Day	Kiscaden	Limmer	Robertson	
Dille	Kleis	Neuville	Robling	
Fischbach	Knutson	Olson	Scheevel	

Those who voted in the negative were:

Anderson	Hottinger	Langseth	Pogemiller	Stumpf
Berglin	Johnson, Dave	Lourey	Price	Tomassoni
Betzold	Johnson, Dean	Marty	Rest	Vickerman
Chaudhary	Johnson, Doug	Metzen	Ring	Wiener
Cohen	Kelley, S.P.	Moe, R.D.	Sabo	Wiger
Foley	Kelly, R.C.	Murphy	Sams	
Fowler	Kinkel	Orfield	Samuelson	
Higgins	Krentz	Pappas	Scheid	

The motion did not prevail.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Johnson, Debbie; Bachmann; Belanger; Oliver and Day introduced--

S.F. No. 1858: A bill for an act relating to taxation; providing for payment of a sales tax rebate; providing for an automatic rebate under certain circumstances; appropriating money; amending Minnesota Statutes 2000, section 16A.1522, subdivisions 2 and 5.

Referred to the Committee on Taxes.

Senators Moe, R.D.; Oliver; Day; Price and Kiscaden introduced--

S.F. No. 1859: A resolution memorializing the President and the Congress of the United States

to take whatever action is necessary to reduce or eliminate the disparities between the states in Medicare+Choice benefits.

Referred to the Committee on Health and Family Security.

Senator Samuelson introduced--

S.F. No. 1860: A bill for an act relating to education finance; increasing the general education formula allowance; authorizing a levy for districts in statutory operating debt; amending Minnesota Statutes 2000, sections 126C.10, subdivision 2; 126C.42, by adding a subdivision.

Referred to the Committee on Education.

Senators Ranum, Cohen, Pappas and Sabo introduced--

S.F. No. 1861: A bill for an act relating to crime prevention; requiring firearms to comply with certain safety requirements; imposing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 624.

Referred to the Committee on Crime Prevention.

Senator Ranum introduced--

S.F. No. 1862: A bill for an act relating to crime prevention; allowing city attorneys to prosecute the crime of contributing to delinquency of a minor; increasing the penalty for certain thefts and for contributing to the delinquency of a minor under certain circumstances; directing an aggravating factor to the sentencing guidelines commission; amending Minnesota Statutes 2000, sections 260B.425, subdivisions 1 and 2; 609.035, by adding a subdivision; 609.494, subdivision 2, and by adding a subdivision; and 609.52, subdivision 3.

Referred to the Committee on Crime Prevention.

Senator Rest introduced--

S.F. No. 1863: A bill for an act relating to retirement; providing a second social security coverage referendum for members of the legislators retirement plan; creating the coordinated program of the legislators retirement plan; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 3A; 355.

Referred to the Committee on State and Local Government Operations.

Senator Cohen introduced--

S.F. No. 1864: A bill for an act relating to state procurement; authorizing the commissioner to enter into agreements to acquire cooling services; amending Minnesota Statutes 2000, section 16C.22.

Referred to the Committee on State and Local Government Operations.

Senator Moe, R.D. introduced--

S.F. No. 1865: A bill for an act relating to education; providing for a fund transfer for independent school district No. 593, Crookston.

Referred to the Committee on Education.

Senator Moe, R.D., by request, introduced--

S.F. No. 1866: A bill for an act relating to education; providing for a grant to independent school district No. 600, Fisher; appropriating money.

Referred to the Committee on Education.

Senator Price introduced--

S.F. No. 1867: A bill for an act relating to agriculture; regulating pesticide application on golf courses; proposing coding for new law in Minnesota Statutes, chapter 18B.

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

Senator Oliver introduced--

S.F. No. 1868: A bill for an act relating to employment; providing immunity for certain employment-related disclosures to intermediate care facilities for persons with mental retardation or related conditions; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health and Family Security.

Senators Berglin, Samuelson, Lourey and Higgins introduced--

S.F. No. 1869: A bill for an act relating to human services; establishing a long-term care facility employee health coverage account; establishing a task force to develop a plan for subsidized health coverage for long-term care facility employees; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health and Family Security.

Senators Tomassoni and Hottinger introduced--

S.F. No. 1870: A bill for an act relating to energy; establishing cold weather protection for consumers of delivered fuels; proposing coding for new law in Minnesota Statutes, chapter 216B.

Referred to the Committee on Telecommunications, Energy and Utilities.

Senators Rest; Belanger; Pogemiller; Kelley, S.P. and Hottinger introduced--

S.F. No. 1871: A bill for an act relating to taxes; sales and use taxes; exempting certain energy efficient products; amending Minnesota Statutes 2000, sections 297A.67, by adding subdivisions; 297B.03.

Referred to the Committee on Taxes.

Senators Kinkel and Moe, R.D. introduced--

S.F. No. 1872: A bill for an act relating to state lands; authorizing the commissioner of transportation to exercise the power of eminent domain for acquisition of certain trust fund land bordering public waters.

Referred to the Committee on Judiciary.

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

S.F. No. 1873: A bill for an act relating to transportation; appropriating money for construction of Phalen Boulevard.

Referred to the Committee on Finance.

Senators Kelly, R.C.; Higgins and Johnson, Dean introduced--

S.F. No. 1874: A bill for an act relating to public safety; appropriating money to continue the operation of the Camp Ripley program for at-risk youth.

Referred to the Committee on Finance.

Senators Kiscaden; Johnson, Dean; Day; Kelly, R.C. and Robling introduced--

S.F. No. 1875: A bill for an act relating to transportation; providing for payment of dues under the midwest interstate passenger rail compact; appropriating money.

Referred to the Committee on Transportation.

Senators Murphy; Fowler; Scheevel; Moe, R.D. and Johnson, Dean introduced--

S.F. No. 1876: A bill for an act relating to taxes; providing income tax credits for telework assessments and telecommuting expenses; amending Minnesota Statutes 2000, section 290.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senators Pariseau, Murphy, Day and Olson introduced--

S.F. No. 1877: A bill for an act relating to taxes; sales and use; exempting purchase of construction materials and equipment used in construction of a water treatment facility and improvement of a utility facility in the city of Cannon Falls; amending Minnesota Statutes 2000, sections 297A.71, by adding a subdivision; 297A.75.

Referred to the Committee on Taxes.

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

S.F. No. 1878: A bill for an act relating to crime prevention; authorizing a grant; appropriating money.

Referred to the Committee on Finance.

Senators Higgins; Pappas; Kelly, R.C. and Sabo introduced--

S.F. No. 1879: A bill for an act relating to crime prevention; providing law enforcement officers with foreign language instruction; appropriating money.

Referred to the Committee on Crime Prevention.

Senators Frederickson and Johnson, Doug introduced--

S.F. No. 1880: A bill for an act relating to state finance; changing procedures regarding certain donations to the state; changing responsibility for payment of substitutes in cases of certain athletic leaves; changing the years of capital budgets from even to odd; removing the two percent budget amount presumption for building maintenance; providing for presumption of fee approval unless legislature acts otherwise; stating the goal of the budget reserve; providing for disposition of interest on the budget reserve; providing for up to five percent of second year budget allocations to go to the budget reserve; changing and adding to deficit remedies; removing a provision that made certain delayed payments subject to allotment reduction; clarifying when capital appropriations lapse; stating exclusive method for canceling appropriation of bond proceeds; changing the timing of political subdivisions capital requests; repealing the Property Tax Reform Account, the requirement for commissioner of finance approval of executive agency application

for nonstate funds, detail about the use of trunk highway appropriations, and the requirement for use of uniform settlement forms under PELRA; modifying provisions governing trunk highway bond proceeds and highway bond-financed property; amending Minnesota Statutes 2000, sections 7.09, subdivision 1; 15.62, subdivision 3; 16A.11, subdivisions 1, 6; 16A.1283; 16A.152, subdivisions 1a, 2, 4, 7; 16A.28, subdivision 5; 16A.641, subdivision 8; 16A.86, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 167; repealing Minnesota Statutes 2000, sections 16A.1521; 16A.30; 161.20, subdivision 3; 179A.07, subdivision 7.

Referred to the Committee on Finance.

Senators Sabo, Price, Cohen and Robertson introduced--

S.F. No. 1881: A bill for an act relating to appropriations; appropriating money for child care improvement grants.

Referred to the Committee on Education.

Senators Sabo, Lourey and Pappas introduced--

S.F. No. 1882: A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 1; changing the state and local election voting age from 18 to 16.

Referred to the Committee on Rules and Administration.

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

S.F. No. 1883: A bill for an act relating to amateur athletics; providing for a St. Paul soccer exhibition center; appropriating money.

Referred to the Committee on Finance.

Senators Johnson, Dean; Robling; Frederickson; Lesewski and Vickerman introduced--

S.F. No. 1884: A bill for an act relating to railroads; appropriating money for the Minnesota rail service improvement program.

Referred to the Committee on Finance.

Senator Lessard introduced--

S.F. No. 1885: A bill for an act relating to libraries; authorizing additional levy for independent school district No. 319, Nashwauk-Keewatin.

Referred to the Committee on Education.

Senator Lessard introduced--

S.F. No. 1886: A bill for an act relating to education finance; authorizing a levy for independent school district No. 318, Grand Rapids.

Referred to the Committee on Education.

Senator Lessard introduced--

S.F. No. 1887: A bill for an act relating to education; allowing high schools to provide driver education classroom instruction on interactive television; providing for rulemaking.

Referred to the Committee on Education.

Senator Lessard introduced--

S.F. No. 1888: A bill for an act relating to education finance; adding a nonresident pupil transportation levy; amending Minnesota Statutes 2000, section 123B.88, by adding a subdivision.

Referred to the Committee on Education.

Senator Lessard introduced--

S.F. No. 1889: A bill for an act relating to education; providing funding for all-day kindergarten; amending Minnesota Statutes 2000, section 126C.05, subdivision 1.

Referred to the Committee on Education.

Senator Lessard introduced--

S.F. No. 1890: A bill for an act relating to local government; allowing abolition of a city public utilities commission or utility transfer to city council by ordinance; amending Minnesota Statutes 2000, section 412.391, subdivisions 1 and 4; repealing Minnesota Statutes 2000, section 412.391, subdivisions 2 and 3.

Referred to the Committee on State and Local Government Operations.

Senators Solon and Lourey introduced--

S.F. No. 1891: A bill for an act relating to human services; extending the nursing home pass-through reimbursement; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senator Chaudhary introduced--

S.F. No. 1892: A bill for an act relating to public safety; eliminating provisions relating to the registration of certain intoxicating liquor brand labels, the hiring of subversives in emergency management organizations, public service announcements, the use of waste burners, flammable liquids and explosives, fire drills in schools, fire extinguishers in certain buildings, fire alarm systems, and the reporting of malicious false fire alarms; amending Minnesota Statutes 2000, sections 299F.18; 340A.311; repealing Minnesota Statutes 2000, sections 12.43; 169.219; 299F.015; 299F.19; 299F.30; 299F.361; 299F.451; 299F.452.

Referred to the Committee on Crime Prevention.

Senator Foley introduced--

S.F. No. 1893: A bill for an act relating to corrections; deleting and repealing obsolete provisions relating to reports, food products, and parole agent residence requirements; amending Minnesota Statutes 2000, sections 241.67, subdivision 8; 243.05, subdivision 6; 243.53, subdivision 1; 244.173; Laws 1996, chapter 436, section 16, as amended; repealing Minnesota Statutes 2000, sections 241.19; 241.272, subdivision 7; 242.51.

Referred to the Committee on Crime Prevention.

Senator Stevens introduced--

S.F. No. 1894: A bill for an act relating to state government; modifying department of administration procedures relating to lost property, the office of citizenship and volunteer service, and the office of technology; eliminating a report; amending Minnesota Statutes 2000, sections

16B.25, subdivision 2; 16B.88, subdivision 2; 16E.04, subdivision 2; Laws 1999, chapter 250, article 1, section 12, subdivision 3; repealing Minnesota Statutes 2000, section 16E.08.

Referred to the Committee on State and Local Government Operations.

Senators Robertson and Hottinger introduced--

S.F. No. 1895: A bill for an act relating to state government; permitting the office of technology to solicit and accept advertising revenue; proposing coding for new law in Minnesota Statutes, chapter 16E.

Referred to the Committee on State and Local Government Operations.

Senator Robertson introduced--

S.F. No. 1896: A bill for an act relating to the city of Wayzata; authorizing the housing and redevelopment authority in and for the city of Wayzata to use tax increments to pay costs of a library.

Referred to the Committee on Taxes.

Senator Stevens introduced--

S.F. No. 1897: A bill for an act relating to public employees; defining public safety police dispatchers as essential employees; amending Minnesota Statutes 2000, section 179A.03, subdivision 7.

Referred to the Committee on State and Local Government Operations.

Senators Lourey, Orfield, Knutson, Sabo and Cohen introduced--

S.F. No. 1898: A bill for an act relating to employment; establishing a pilot program for long-term vocational rehabilitation services for persons with brain injuries; appropriating money.

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

Senator Johnson, Dave introduced--

S.F. No. 1899: A bill for an act relating to economic development; clarifying provisions in the job skills partnership program; amending Minnesota Statutes 2000, sections 116L.02; 116L.04, subdivision 1a; and 116L.06, subdivision 5.

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

Senators Chaudhary; Kelly, R.C. and Johnson, Dean introduced--

S.F. No. 1900: A bill for an act relating to transportation; establishing multimodal transportation fund and dedicating portion of sales tax collected in metropolitan area to the fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 160.

Referred to the Committee on Transportation.

Senator Chaudhary introduced--

S.F. No. 1901: A bill for an act relating to motor vehicles; requiring peace officers who stop persons claiming diplomatic immunity or privileges with respect to motor vehicle violations to report such stops to the commissioner of public safety; requiring the commissioner of public safety to report such incidents to the United States Department of State; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Crime Prevention.

Senators Johnson, Debbie; Johnson, Dave; Ourada; Terwilliger and Robling introduced--

S.F. No. 1902: A bill for an act relating to transportation; allocating proceeds from sales tax on motor vehicles to highway user tax distribution fund; proposing an amendment to the Minnesota Constitution, article XIV, section 5, and by adding a section; amending Minnesota Statutes 2000, sections 174.32, subdivision 2; 297B.09, subdivision 1.

Referred to the Committee on Transportation.

Senator Samuelson introduced--

S.F. No. 1903: A bill for an act relating to highway traffic regulations; authorizing religious organizations to operate buses painted school bus glossy yellow or golden orange and equipped with stop arm and flashing lights under certain circumstances; amending Minnesota Statutes 2000, section 169.448, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Ring; Johnson, Dean; Lourey and Stevens introduced--

S.F. No. 1904: A bill for an act relating to historic sites; appropriating money for the North West Company Fur Post.

Referred to the Committee on Finance.

Senators Robling and Dille introduced--

S.F. No. 1905: A bill for an act relating to human services; providing for a rate increase for a nursing facility in Carver county; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Anderson and Berglin introduced--

S.F. No. 1906: A bill for an act relating to affordable housing; appropriating money to the urban Indian housing program.

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

Senator Anderson introduced--

S.F. No. 1907: A bill for an act relating to the governor; setting the salary of the governor at the same level as that of legislators.

Referred to the Committee on State and Local Government Operations.

Senator Cohen introduced--

S.F. No. 1908: A bill for an act relating to human services; excluding the raw food cost adjustment from certain nursing facility rate computations; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Pappas, Anderson, Higgins, Pogemiller and Sabo introduced--

S.F. No. 1909: A bill for an act relating to state government; requiring state agencies to take certain actions to promote bicycle commuting by state employees; proposing coding for new law in Minnesota Statutes, chapter 16B.

Referred to the Committee on State and Local Government Operations.

Senator Pappas introduced--

S.F. No. 1910: A bill for an act relating to taxation; exempting machinery and other personal property of a biomass electrical generating facility from the property tax; amending Minnesota Statutes 2000, section 272.02, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Metzen introduced--

S.F. No. 1911: A bill for an act relating to human services; providing an exception to the moratorium on the licensure and certification of nursing home beds; appropriating money; amending Minnesota Statutes 2000, section 144A.071, subdivision 4a.

Referred to the Committee on Health and Family Security.

Senator Fowler introduced--

S.F. No. 1912: A bill for an act relating to education; appropriating money for interactive television for independent school district No. 2752, Fairmont area schools.

Referred to the Committee on Education.

Senators Pogemiller, Wiener, Larson, Hottinger and Kelley, S.P. introduced--

S.F. No. 1913: A bill for an act relating to taxes; sales and use; exempting additional classroom material; amending Minnesota Statutes 2000, section 297A.67, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Oliver and Wiener introduced--

S.F. No. 1914: A bill for an act relating to insurance; providing qualifications and procedures for the licensing of insurance producers; prescribing a criminal penalty; amending Minnesota Statutes 2000, sections 13.7191, subdivision 6; 43A.317, subdivision 12; 60A.02, subdivision 7; 60A.14; 60A.198, subdivision 3; 62A.41, subdivision 4; 62C.17, subdivision 5; 62D.22, subdivision 8; 62H.10, subdivision 4; 62L.12, subdivision 3; 62S.30; 64B.33; 65B.09, subdivision 1; 72A.07; 72A.125, subdivision 2; 72A.201, subdivision 3; and 270B.07, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 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; and 60K.20.

Referred to the Committee on Commerce.

Senator Rest introduced--

S.F. No. 1915: A bill for an act relating to charitable organizations; amending report filing requirements; amending Minnesota Statutes 2000, section 309.53, subdivisions 1, 2.

Referred to the Committee on State and Local Government Operations.

Senator Metzen introduced--

S.F. No. 1916: A bill for an act relating to retirement; authorizing public pension fund members to designate a new beneficiary under a joint and survivor annuity at the time of marriage dissolution; proposing coding for new law in Minnesota Statutes, chapter 356.

Referred to the Committee on State and Local Government Operations.

Senator Moe, R.D. introduced--

S.F. No. 1917: A bill for an act relating to taxation; providing for payments in lieu of taxation for certain wetlands acquired by the department of transportation; amending Minnesota Statutes 2000, sections 477A.12; 477A.14.

Referred to the Committee on Taxes.

Senators Kleis and Fischbach introduced--

S.F. No. 1918: A bill for an act relating to taxes; sales and use; exempting purchase of construction materials and equipment used in construction of a water treatment facility in the city of Waite Park; amending Minnesota Statutes 2000, sections 297A.71, by adding a subdivision; 297A.75.

Referred to the Committee on Taxes.

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

S.F. No. 1919: A bill for an act relating to the city of St. Paul; changing the membership and appointment process of the citizen review panel for neighborhood investments from the city's part of the sales tax; amending Laws 1998, chapter 389, article 8, section 37, subdivision 2.

Referred to the Committee on State and Local Government Operations.

Senators Moe, R.D.; Kinkel and Larson introduced--

S.F. No. 1920: A bill for an act relating to higher education; appropriating money to the board of trustees of the Minnesota state colleges and universities to support continued Northwest technical college programs on Indian reservations.

Referred to the Committee on Education.

Senator Reiter introduced--

S.F. No. 1921: A bill for an act relating to metropolitan government; requiring the metropolitan council to report on contracts for professional services; amending Minnesota Statutes 2000, section 473.13, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

Senators Day and Robling introduced--

S.F. No. 1922: A bill for an act relating to taxation; providing for the creation of special taxing districts to capture incremental property to finance operating costs of light rail transit; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Taxes.

Senators Knutson and Neuville introduced--

S.F. No. 1923: A bill for an act relating to driving while impaired; imposing felony penalty on persons convicted of four or more DWI-related offenses within ten-year period; making technical, conforming changes; appropriating money; amending Minnesota Statutes 2000, sections 169A.20, subdivision 3; 169A.25, subdivision 1; 169A.275, subdivisions 3 and 4; 169A.277, subdivision 1; 169A.28; 169A.40, subdivision 3; 169A.44; 169A.54, subdivision 1; 169A.60, subdivision 1; 169A.63, subdivision 1; and 609.135, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 169A.

Referred to the Committee on Crime Prevention.

Senators Neuville, Olson and Limmer introduced--

S.F. No. 1924: A bill for an act relating to crime prevention; establishing a request for proposals to operate a values-based prerelease program with a community reintegration component at a minimum custody correctional facility; appropriating money.

Referred to the Committee on Crime Prevention.

Senator Lesewski introduced--

S.F. No. 1925: A bill for an act relating to taxes; sales and use; exempting purchase of construction materials and equipment used in construction of a school in independent school district No. 2689, Pipestone-Jasper; amending Minnesota Statutes 2000, sections 297A.71, by adding a subdivision; 297A.75.

Referred to the Committee on Taxes.

Senators Kleis; Kelly, R.C.; Stevens and Limmer introduced--

S.F. No. 1926: A bill for an act relating to appropriations; appropriating money to assist the St. Cloud police department to purchase crime lab equipment.

Referred to the Committee on Finance.

Senators Kleis, Fischbach and Stevens introduced--

S.F. No. 1927: A bill for an act relating to higher education; appropriating money to the board of trustees of the Minnesota state colleges and universities for a collaborative program for teacher recruitment and development between St. Cloud State University and independent school district No. 742, St. Cloud.

Referred to the Committee on Education.

Senators Sabo, Higgins, Chaudhary, Orfield and Lourey introduced--

S.F. No. 1928: A bill for an act relating to child care; requiring annual market rate surveys; appropriating money; amending Minnesota Statutes 2000, section 119B.13, subdivision 1.

Referred to the Committee on Education.

Senators Sabo, Higgins, Stumpf, Lourey and Schwab introduced--

S.F. No. 1929: A bill for an act relating to education; creating a community school-based revenue program as a component of general education revenue; amending Minnesota Statutes 2000, section 126C.10, subdivision 1, by adding a subdivision.

Referred to the Committee on Education.

Senators Sabo and Orfield introduced--

S.F. No. 1930: A bill for an act relating to elections; campaign finance; clarifying the definition of a minor political party; requiring the secretary of state to provide certain notices to political parties; providing the tax check-off status of Progressive Minnesota for tax year 2001; amending Minnesota Statutes 2000, sections 10A.31, subdivision 3a; 200.02, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 204C.

Referred to the Committee on Rules and Administration.

Senators Pappas and Robertson introduced--

S.F. No. 1931: A bill for an act relating to education; prohibiting release time from schools; amending Minnesota Statutes 2000, section 120A.22, subdivision 12.

Referred to the Committee on Education.

Senator Lesewski introduced--

S.F. No. 1932: A bill for an act relating to economic security; modifying and repealing various statutory provisions in the area of economic security; amending Minnesota Statutes 2000, sections 119A.46, subdivision 3; 268.0111, subdivision 4; 268.0122, subdivision 3; 268.665, subdivision 3; 268.871, subdivisions 1, 1a; repealing Minnesota Statutes 2000, sections 268.0111, subdivision 9; 268.6715; 268.672; 268.673; 268.6751; 268.677; 268.681; 268.6811; 268.682; 268.85; 268.86, subdivision 8; 268.871, subdivisions 2, 4; 268.88; 268.90; 268.971.

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

Senator Johnson, Dean introduced--

S.F. No. 1933: A bill for an act relating to highways; appropriating money to the commissioner of transportation for additional line personnel and related equipment and supplies in highway maintenance and program delivery.

Referred to the Committee on Finance.

Senators Johnson, Dave; Neuville; Foley; Krentz and Limmer introduced--

S.F. No. 1934: A bill for an act relating to corrections; establishing a parole board; prescribing its membership, duties, and powers; prescribing when an individual is eligible for parole; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 244A.

Referred to the Committee on Crime Prevention.

Senators Berglin and Lourey introduced--

S.F. No. 1935: A bill for an act relating to human services; including coverage under medical assistance for targeted case management services; providing targeted case management services; amending Minnesota Statutes 2000, section 256B.0625, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health and Family Security.

Senators Rest, Higgins, Sabo, Anderson and Stumpf introduced--

S.F. No. 1936: A bill for an act relating to education finance; promoting school success through enhanced pupil attendance; providing funding for truancy reduction activities; amending Minnesota Statutes 2000, sections 120A.30; 126C.10, subdivision 3; 126C.15, subdivision 1.

Referred to the Committee on Education.

Senators Chaudhary, Kiscaden, Ranum and Neuville introduced--

S.F. No. 1937: A bill for an act relating to corrections; removing obsolete language referencing the secure treatment unit operated by Regions Hospital; requiring predatory offenders who request risk level reassessments to demonstrate full compliance with supervised release and other conditions; designating the department of corrections as the agency to administer the statewide supervision data system; clarifying language allowing the department of corrections to charge counties for the use of a correctional camp; allowing licensed mental health professionals to admit inmates to the mental health unit at MCF-Oak Park Heights; authorizing a corrections agent to request a review of an offender's risk level based on offender behavior in the community; providing that offenders returned to prison as release violators do not have a right to a risk reassessment by the end-of-confinement review committee unless substantial evidence indicates the offender's risk has increased; amending Minnesota Statutes 2000, sections 241.021, subdivision 4; 241.69; 242.32, subdivision 1a; and 244.052, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 241.

Referred to the Committee on Crime Prevention.

Senator Metzen introduced--

S.F. No. 1938: A bill for an act relating to the city of South St. Paul; declaring that it is a public purpose for the city to transfer a certain parcel of real estate to a private entity for construction of single-family housing.

Referred to the Committee on State and Local Government Operations.

Senator Lesewski introduced--

S.F. No. 1939: A bill for an act relating to health occupations; enacting the Nurse Licensure Compact; amending Minnesota Statutes 2000, section 214.10, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Family Security.

Senator Day introduced--

S.F. No. 1940: A bill for an act relating to drivers' licenses; providing that speeding violation less than 18 percent greater than the lawful speed not be recorded on the violator's driving record; amending Minnesota Statutes 2000, section 171.12, subdivision 6.

Referred to the Committee on Transportation.

Senators Lessard; Moe, R.D.; Kinkel; Samuelson and Stevens introduced--

S.F. No. 1941: A bill for an act relating to natural resources; appropriating money for the upper Mississippi comprehensive plan.

Referred to the Committee on Finance.

Senators Murphy and Metzen introduced--

S.F. No. 1942: A bill for an act relating to taxation; clarifying the taxation of certain nonmixed municipal solid waste disposed of in a landfill; amending Minnesota Statutes 2000, section 297H.04, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Robling introduced--

S.F. No. 1943: A bill for an act relating to local government; clarifying liability of certain investment officials; amending Minnesota Statutes 2000, section 118A.02, subdivision 2.

Referred to the Committee on State and Local Government Operations.

Senators Knutson, Neuville, Limmer and Marty introduced--

S.F. No. 1944: A bill for an act relating to crimes; authorizing dismissal of a charge of nonsupport of spouse or child under certain circumstances; amending Minnesota Statutes 2000, section 609.375, by adding a subdivision.

Referred to the Committee on Judiciary.

Senators Schwab, Day, Fischbach, Sabo and Frederickson introduced--

S.F. No. 1945: A bill for an act relating to crimes; requiring law enforcement agencies to return personal property seized under the forfeiture law if criminal charges are not filed within 30 days; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Crime Prevention.

Senator Chaudhary introduced--

S.F. No. 1946: A bill for an act relating to natural resources; appropriating money for an interconnective pathway system to connect the city of Mounds View with Rice creek.

Referred to the Committee on Finance.

Senators Rest, Olson, Scheid, Knutson and Scheevel introduced--

S.F. No. 1947: A bill for an act relating to education; establishing a task force to oversee revision of the profile of learning and develop statewide testing consistent with the revised profile of learning; appropriating money.

Referred to the Committee on Education.

Senators Sams, Samuelson and Larson introduced--

S.F. No. 1948: A bill for an act relating to natural resources; adding a river as a canoe and boating route; amending Minnesota Statutes 2000, section 85.32, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senator Rest introduced--

S.F. No. 1949: A bill for an act relating to taxation; reducing the rate of the insurance premiums tax; amending Minnesota Statutes 2000, section 297I.05, subdivisions 1, 4, 9, 10, 12.

Referred to the Committee on Taxes.

Senators Krentz and Betzold introduced--

S.F. No. 1950: A bill for an act relating to liquor; authorizing additional on-sale intoxicating liquor licenses for the city of Blaine.

Referred to the Committee on Commerce.

Senator Dille introduced--

S.F. No. 1951: A bill for an act relating to education finance; creating a revolving loan fund for school district emergency fuel assistance; appropriating money.

Referred to the Committee on Education.

Senators Dille and Scheevel introduced--

S.F. No. 1952: A bill for an act relating to agriculture; repealing obsolete agricultural statutes; repealing Minnesota Statutes 2000, sections 17.76; 17.987; 24.001; 24.002; 24.12; 24.131; 24.135; 24.141; 24.145; 24.151; 24.155; 24.161; 24.171; 24.175; 24.18; 24.181; 33.09; 33.111; 395.14; 395.15; 395.16; 395.17; 395.18; 395.19; 395.20; 395.21; 395.22; 395.23; 395.24.

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

Senator Orfield introduced--

S.F. No. 1953: A bill for an act relating to local government; providing for the appointment of supervisors for the Hennepin county soil and water conservation district; providing for the transition from an elected to an appointed board; amending Minnesota Statutes 2000, sections 103C.311, by adding a subdivision; 103C.315, subdivision 1.

Referred to the Committee on State and Local Government Operations.

Senator Krentz introduced--

S.F. No. 1954: A bill for an act relating to real property; requiring that septic systems be disclosed, inspected, and, if necessary, repaired or replaced prior to transfer of real estate; adapting the existing well disclosure form; amending Minnesota Statutes 2000, sections 103I.235, subdivision 1; 115.55, subdivision 6.

Referred to the Committee on Environment and Natural Resources.

Senator Hottinger introduced--

S.F. No. 1955: A bill for an act relating to taxes; sales and use; exempting certain energy efficient products; amending Minnesota Statutes 2000, sections 297A.67, by adding subdivisions; 297A.68, subdivision 19, and by adding a subdivision; and 297B.03.

Referred to the Committee on Taxes.

Senators Berglin and Kiscaden introduced--

S.F. No. 1956: A bill for an act relating to human services; providing monthly rates for group residential housing; amending Minnesota Statutes 2000, sections 144D.01, subdivision 4; 256I.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 144D.

Referred to the Committee on Health and Family Security.

Senators Pappas, Higgins and Kleis introduced--

S.F. No. 1957: A bill for an act relating to local government; requiring preparation of a draft urban rivers act.

Referred to the Committee on State and Local Government Operations.

Senator Higgins introduced--

S.F. No. 1958: A bill for an act relating to human services; repealing the MFIP unearned income provision relating to public housing and assisted rental subsidies; amending Minnesota Statutes 2000, section 256J.37, subdivision 9.

Referred to the Committee on Health and Family Security.

Senator Higgins introduced--

S.F. No. 1959: A bill for an act relating to the environment; requiring the pollution control agency to provide emissions information upon request or on the Internet; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

Senator Neuville introduced--

S.F. No. 1960: A bill for an act relating to family law; reforming and recodifying the law relating to marriage dissolution, child custody, child support, maintenance, and property division; making style and form changes; amending Minnesota Statutes 2000, sections 518.002; 518.003, subdivisions 1 and 3; 518.005; 518.01; 518.02; 518.03; 518.04; 518.05; 518.055; 518.06; 518.07; 518.09; 518.10; 518.11; 518.12; 518.13; 518.131; 518.14, subdivision 1; 518.148; 518.155; 518.156; 518.157, subdivisions 1, 2, 3, 5, and 6; 518.158, subdivisions 2 and 4; 518.165; 518.166; 518.167, subdivisions 3, 4, and 5; 518.168; 518.1705, subdivision 6; 518.175, subdivisions 1, 1a, 2, 3, 5, 6, 7, and 8; 518.1751, subdivisions 1b, 2, 2a, 2b, 2c, and 3; 518.176; 518.177; 518.178; 518.179, subdivision 1; 518.18; 518.24; 518.25; 518.54, subdivisions 1, 5, 6, 7, and 8; 518.55; 518.552; 518.58; 518.581; 518.582; 518.612; 518.619; 518.62; 518.64, subdivisions 1 and 2; 518.641; 518.642; 518.646; and 518.65; proposing coding for new law in Minnesota Statutes, chapters 517A; and 518; proposing coding for new law as Minnesota Statutes, chapters 517B; and 517C; repealing Minnesota Statutes 2000, sections 518.111; 518.17; 518.171; 518.185; 518.255; 518.54, subdivisions 2, 4a, 13, and 14; 518.551; 518.5513; 518.553; 518.57; 518.575; 518.585; 518.5851; 518.5852; 518.5853; 518.61; 518.6111; 518.614; 518.615; 518.616; 518.617; 518.618; 518.6195; 518.64, subdivisions 4, 4a, and 5; and 518.66.

Referred to the Committee on Judiciary.

Senator Schwab introduced--

S.F. No. 1961: A bill for an act relating to capital improvements; authorizing a grant to the Albert Lea Port Authority to remodel a building for use as a business incubator; authorizing issuance of bonds; appropriating money.

Referred to the Committee on Finance.

Senator Schwab introduced--

S.F. No. 1962: A bill for an act relating to economic development; appropriating money for a grant to the Albert Lea Port Authority to remodel a building for use as a business incubator.

Referred to the Committee on Finance.

Senators Krentz, Hottinger and Price introduced--

S.F. No. 1963: A bill for an act relating to the environment; providing direction to public entities for developing bid specifications and procurement of commodities and services to promote recycled materials; amending Minnesota Statutes 2000, sections 16B.121; 16B.122, subdivision 3.

Referred to the Committee on Environment and Natural Resources.

Senators Oliver and Scheid introduced--

S.F. No. 1964: A bill for an act relating to insurance; regulating the life and health guaranty association; modifying coverages; assessments; rights and duties; amending Minnesota Statutes 2000, sections 61B.19, subdivisions 2, 3, 4, 5; 61B.20, subdivisions 1, 14, 15, 16, 17, 18, by adding subdivisions; 61B.22, subdivision 3; 61B.23, subdivisions 3, 4, 11, 12, 13, by adding subdivisions; 61B.24, subdivisions 4, 5, by adding subdivisions; 61B.26; 61B.27; 61B.28, subdivisions 1, 3, by adding a subdivision; 61B.29.

Referred to the Committee on Commerce.

Senators Anderson; Johnson, Dave and Robertson introduced--

S.F. No. 1965: A bill for an act relating to state government; repealing certain obsolete and redundant trade and economic development department programs and duties; repealing Minnesota Statutes 2000, sections 41A.066; 116J.541; 116J.542; 116J.8755; 116J.9671; 116J.980, subdivision 4; 116J.992.

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

Senator Betzold introduced--

S.F. No. 1966: A bill for an act relating to human services; establishing the older adult services grant program; funding the moratorium exception process; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Family Security.

Senators Marty, Berglin, Higgins, Anderson and Lourey introduced--

S.F. No. 1967: A bill for an act relating to health; enacting the Compassionate Use Act to protect seriously ill patients from prosecution and prison for using medicinal marijuana under a physician's supervision; imposing criminal penalties; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 152.

Referred to the Committee on Health and Family Security.

Senators Samuelson, Metzen and Langseth introduced--

S.F. No. 1968: A bill for an act relating to labor; requiring the certification and regulation of crane operators; requiring rulemaking; authorizing civil penalties; proposing coding for new law as Minnesota Statutes, chapter 184C.

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

Senator Pogemiller introduced--

S.F. No. 1969: A bill for an act relating to judgments; providing for the disclosure and satisfaction of certain outstanding judgment debts; proposing coding for new law in Minnesota Statutes, chapter 550.

Referred to the Committee on Judiciary.

Senator Dille introduced--

S.F. No. 1970: A bill for an act relating to agriculture; restoring base funding for sustainable and organic foods programs; restoring funding for the dairy diagnostics program; providing funding for operation of a biological control facility; appropriating money.

Referred to the Committee on Finance.

Senator Dille introduced--

S.F. No. 1971: A bill for an act relating to agriculture finance; providing additional funding for manure methane digester loans; appropriating money.

Referred to the Committee on Finance.

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

S.F. No. 1972: A bill for an act relating to agriculture; providing grant assistance for the creation of agricultural product shipper organizations; appropriating money.

Referred to the Committee on Finance.

Senators Johnson, Debbie; Neuville; Kleis; Bachmann and Schwab introduced--

S.F. No. 1973: 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 Kiscaden and Scheevel introduced--

S.F. No. 1974: A bill for an act relating to education; adding a provision to integration revenue; providing for special education cross-subsidy aid; authorizing referendum revenue restoration; appropriating money; amending Minnesota Statutes 2000, sections 124D.86, subdivision 3; 126C.17, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 125A.

Referred to the Committee on Education.

Senators Lesewski and Sams introduced--

S.F. No. 1975: A bill for an act relating to human services; requiring the commissioner of human services to submit a waiver amendment to expand consumer-directed community support services.

Referred to the Committee on Health and Family Security.

Senator Robertson introduced--

S.F. No. 1976: A bill for an act relating to taxation; allowing taxpayers to request notices be given to holders of powers of attorney; proposing coding for new law in Minnesota Statutes, chapter 270.

Referred to the Committee on Taxes.

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

S.F. No. 1977: A bill for an act relating to natural resources; appropriating money for a hydraulic study of the Red river north of the city of East Grand Forks.

Referred to the Committee on Finance.

Senators Stumpf, Murphy, Sams and Langseth introduced--

S.F. No. 1978: A bill for an act relating to education; providing for a nontraditional agriculture magnet program; appropriating money.

Referred to the Committee on Education.

Senator Foley introduced--

S.F. No. 1979: A bill for an act relating to education; permitting applicants for a temporary limited teaching license or a personnel variance to submit their application by July 1 in any year; directing the board of teaching to amend its rules to conform with the July 1 date; amending Minnesota Statutes 2000, section 122A.18, by adding a subdivision.

Referred to the Committee on Education.

Senators Vickerman and Krentz introduced--

S.F. No. 1980: A bill for an act relating to appropriations; appropriating money to operate travel information centers.

Referred to the Committee on Finance.

Senators Vickerman, Dille, Fowler, Murphy and Johnson, Dean introduced--

S.F. No. 1981: A bill for an act relating to agriculture; changing provisions of the value-added agricultural product processing and marketing grant program; amending Minnesota Statutes 2000, section 17.101, subdivision 5.

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

Senators Scheid, Kierlin, Fowler, Hottinger and Tomassoni introduced--

S.F. No. 1982: A bill for an act relating to charitable organizations; exempting certain sales to benefit certain charitable organizations from the sales and use tax; providing that certain employer distributions to persons who have made payroll or retirement deductions for combined charitable organizations are not lotteries; amending Minnesota Statutes 2000, sections 297A.70, subdivision 13; 609.75, subdivision 1.

Referred to the Committee on Taxes.

Senator Price introduced--

S.F. No. 1983: A bill for an act relating to education; providing for the care of students with diabetes; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on Education.

Senator Chaudhary introduced--

S.F. No. 1984: A bill for an act relating to alcoholic beverages; establishing an alcohol compliance grant program; requiring certain reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299L.

Referred to the Committee on State and Local Government Operations.

Senators Sabo; Pappas; Johnson, Dean and Chaudhary introduced--

S.F. No. 1985: A bill for an act relating to transit; appropriating money to the metropolitan council for metropolitan transit operating and capital assistance; appropriating money to the commissioner of transportation for commuter rail projects and greater Minnesota transit operating and capital assistance.

Referred to the Committee on Finance.

Senators Kelly, R.C.; Johnson, Dean; Schwab; Langseth and Chaudhary introduced--

S.F. No. 1986: A bill for an act relating to transportation; providing for expenditures from the transit assistance fund; proposing an amendment to the Minnesota Constitution, article XIV, to dedicate revenue from the motor vehicle sales tax to the highway user tax distribution fund and transit assistance fund; amending Minnesota Statutes 2000, sections 174.32, subdivision 5; 297B.09, subdivision 1; repealing Minnesota Statutes 2000, section 174.32, subdivisions 2, 4.

Referred to the Committee on Transportation.

Senators Ourada, Langseth and Kelly, R.C. introduced--

S.F. No. 1987: A bill for an act relating to highways; appropriating money to the commissioner of transportation for greater Minnesota interregional corridor improvements, metropolitan area bottlenecks, and advantages to transit.

Referred to the Committee on Finance.

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

S.F. No. 1988: A bill for an act relating to highways; appropriating money to commissioner of transportation to restore and rehabilitate trunk highway turnbacks and contemplated turnbacks.

Referred to the Committee on Finance.

Senators Johnson, Dean; Ourada; Langseth and Kelly, R.C. introduced--

S.F. No. 1989: A bill for an act relating to highways; directing the commissioner of finance to transfer \$20,000,000 from the general fund to the transportation revolving loan fund.

Referred to the Committee on Finance.

Senators Ourada, Schwab and Langseth introduced--

S.F. No. 1990: A bill for an act relating to highways; appropriating money to the commissioner of transportation for advance acquisition of trunk highway right-of-way.

Referred to the Committee on Finance.

Senators Orfield and Pappas introduced--

S.F. No. 1991: A bill for an act relating to taxation; sales and use; exempting transit vehicles and parts for transit vehicles from the sales tax and the motor vehicle sales tax; amending Minnesota Statutes 2000, sections 297A.70, by adding a subdivision; and 297B.03.

Referred to the Committee on Taxes.

Senators Pogemiller, Ranum, Foley and Cohen introduced--

S.F. No. 1992: A bill for an act relating to civil actions; requiring physicians to disclose all information regarding any errors in the diagnosis, care, or treatment of their patients or residents; providing civil penalties and remedies; amending Minnesota Statutes 2000, sections 144.651, subdivision 9; and 144.652, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Knutson, Neuville and Kiscaden introduced--

S.F. No. 1993: A bill for an act relating to data privacy; classifying certain data relating to the examination of health maintenance organizations as nonpublic data; amending Minnesota Statutes 2000, section 62D.14, subdivision 4a.

Referred to the Committee on Health and Family Security.

Senators Knutson, Kleis, Sabo, Langseth and Johnson, Dean introduced--

S.F. No. 1994: A bill for an act relating to public safety; establishing a grant program; appropriating money.

Referred to the Committee on Finance.

Senator Ourada introduced--

S.F. No. 1995: A bill for an act relating to the legislature; authorizing legislative assistants for legislators; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Rules and Administration.

Senators Bachmann and Limmer introduced--

S.F. No. 1996: A resolution memorializing the President and Congress to cease imposing on the states unwelcome mandates under Title I of the Improving America's Schools Act.

Referred to the Committee on Education.

Senator Pogemiller introduced--

S.F. No. 1997: A bill for an act relating to metropolitan government; providing for the annual financing of metropolitan area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; amending Minnesota Statutes 2000, section 473.39, by adding a subdivision.

Referred to the Committee on Finance.

Senator Frederickson introduced--

S.F. No. 1998: A bill for an act relating to the city of Gaylord; extending the time for approval of a special law relating to a tax increment financing district in the city.

Referred to the Committee on Taxes.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Senator Johnson, Dean moved that the name of Senator Lourey be added as a co-author to S.F. No. 1933. The motion prevailed.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 11:30 a.m., Monday, March 26, 2001. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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