

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-THIRD LEGISLATURE

SEVENTY-THIRD DAY

St. Paul, Minnesota, Thursday, March 11, 2004

The Senate met at 9:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Foley 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. Bob Hart.

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

Anderson	Gaither	Langseth	Olson	Saxhaug
Bakk	Hann	Larson	Ortman	Scheid
Belanger	Higgins	LeClair	Ourada	Senjem
Berglin	Hottinger	Limmer	Pappas	Skoe
Betzold	Johnson, D.E.	Lourey	Pariseau	Skoglund
Chaudhary	Johnson, D.J.	Marty	Pogemiller	Solon
Cohen	Jungbauer	McGinn	Ranum	Sparks
Day	Kelley	Metzen	Reiter	Stumpf
Dibble	Kierlin	Michel	Rest	Tomassoni
Dille	Kiscaden	Moua	Robling	Vickerman
Fischbach	Knutson	Murphy	Rosen	Wergin
Foley	Koering	Neuville	Ruud	Wiger
Frederickson	Kubly	Nienow	Sams	

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

February 27, 2004

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA HOUSING FINANCE AGENCY

Betty Lou Berg, 2512 Serenity Dr., St. Cloud, in the county of Stearns, effective March 3, 2004, for a term that expires on January 7, 2008.

(Referred to the Committee on Jobs, Energy and Community Development.)

March 2, 2004

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD ON JUDICIAL STANDARDS

Patrick D. Sexton, 5538 Upton Ave. S., Minneapolis, in the county of Hennepin, effective March 8, 2004, for a term that expires on January 7, 2008.

(Referred to the Committee on Judiciary.)

March 9, 2004

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The enclosed Notaries Public for 2000, 2001, 2002 and 2003 are hereby respectfully submitted to the Senate for confirmation as required by Article V, Section 3 of the Minnesota Constitution.

Laid on the table.

Sincerely,
Tim Pawlenty, Governor

March 10, 2004

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2004 Session of the State Legislature has been received from the Office of the Governor and is 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 2004	Date Filed 2004
	1794	136	11:05 a.m. March 10	March 10

Sincerely,
Mary Kiffmeyer
Secretary of State

REPORTS OF COMMITTEES

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

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

S.F. No. 1934: A bill for an act relating to the environment; requiring motor vehicle manufacturers to establish a mercury switch collection program; amending Minnesota Statutes 2002, section 116.92, subdivisions 3, 4; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

Delete everything after the enacting clause and insert:

"Section 1. [115A.311] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] For the purposes of sections 115A.312 to 115A.315, the following terms have the meanings given them.

Subd. 2. [END-OF-LIFE MOTOR VEHICLE.] "End-of-life motor vehicle" means any motor vehicle that is sold, given, or otherwise conveyed to a motor vehicle crusher, recycler, or scrap recycling facility for the purpose of recycling.

Subd. 3. [MANUFACTURER.] "Manufacturer" means any person, firm, association, partnership, corporation, governmental entity, organization, combination, or joint venture that produces or assembles motor vehicles, or in the case of an imported motor vehicle, the importer or domestic distributor of the motor vehicle.

Subd. 4. [MERCURY SWITCH.] "Mercury switch" means a light switch or an antilock brake system switch installed by an automotive manufacturer in a motor vehicle.

Subd. 5. [MOTOR VEHICLE RECYCLER.] "Motor vehicle recycler" means any person or entity engaged in the business of acquiring, dismantling, or crushing six or more motor vehicles in a calendar year for the primary purpose of resale of their parts or materials.

Sec. 2. [115A.312] [MERCURY SWITCH COLLECTION PROGRAM.]

Subdivision 1. [OFFICE OF ENVIRONMENTAL ASSISTANCE.] (a) By January 1, 2005, the Office of Environmental Assistance shall implement a program to remove, collect, transport, recycle, and appropriately dispose of mercury switches before crushing or shredding of motor vehicles. Every manufacturer of motor vehicles who has sold new vehicles containing mercury switches in this state after January 1, 1980, shall, either individually or as part of a group, pay the cost of the program up to a total maximum annual cost of \$300,000.

(b) The manufacturers may allocate the cost among themselves based on the number of vehicles containing mercury switches sold in this state or other factors as they may determine. The Office of Environmental Assistance shall annually certify to the commissioner of finance the annual cost to operate the program. The cost must not overfund or underfund the program. The commissioner of finance, in consultation with the Office of Environmental Assistance, shall inform the manufacturers of the costs to be paid and deposit the moneys in the special revenue fund. The commissioner of finance shall annually appropriate the money to the Office of Environmental Assistance.

Subd. 2. [PROGRAM COMPONENTS.] The mercury switch collection program, at a minimum, must include:

(1) a mercury switch capture rate of at least 90 percent from end-of-life motor vehicles, consistent with the principle that the mercury switch must be recovered unless it is inaccessible due to significant damage to the motor vehicle in the area surrounding the switch;

(2) a method for marking motor vehicles processed for shredding or crushing to indicate removal of switches, absence of switches, or presence of switches that could not be removed;

(3) a system to track switch removal, including the number of end-of-life motor vehicles and the number of switches;

- (4) appropriate containers for collection and transporting of mercury switches;
- (5) a system to track mercury switches from the point of collection to disposal;
- (6) a requirement that mercury switches collected are processed, recycled, stored, and disposed of as a hazardous waste, or, if applicable, a universal waste, under state and federal hazardous waste regulations and may not be disposed of as hazardous debris as defined in federal regulations and similar state regulations;
- (7) training and assistance to motor vehicle recyclers and other businesses dealing with end-of-life motor vehicles; and
- (8) a fee of \$1 paid to motor vehicle recyclers for each mercury switch or mercury pellet collected.

Sec. 3. [115A.313] [ANNUAL REPORT.]

Beginning January 15, 2005, the Office of Environmental Assistance shall annually report on the mercury switch collection program to the legislative committees with jurisdiction over the environment and natural resources.

The report must include:

- (1) documentation of the capture rate achieved, including the number of switches collected, the amount of mercury collected, and the number of end-of-life motor vehicles;
- (2) a description of how the mercury was recycled and otherwise appropriately managed; and
- (3) a plan of action to improve the capture rate, if necessary.

Sec. 4. [115A.314] [REPRESENTATIONS.]

It is unlawful for any person to represent that mercury switches have been removed from a motor vehicle or motor vehicle hulk being sold, given, or otherwise conveyed for recycling or crushing, if the mercury switches have not been removed.

Sec. 5. [115A.315] [PHASE-OUT OF MERCURY-ADDED COMPONENTS IN MOTOR VEHICLES AND EXEMPTIONS.]

Subdivision 1. [PHASE-OUT OF MERCURY-ADDED COMPONENTS.] To prevent emissions or other releases of mercury from motor vehicles, by January 1, 2007, no new motor vehicle offered for sale in this state may contain any mercury-added component, except as provided in subdivision 2.

Subd. 2. [EXEMPTION AND LABELING.] (a) A manufacturer may obtain an exemption to install a mercury-added component in a motor vehicle if the manufacturer submits a written application to the commissioner describing:

- (1) how the manufacturer will ensure that a system exists, and how the manufacturer will fund a system for the removal, collection, and recovery of the mercury-added component upon failure of the component or at the end of the motor vehicle's useful life; and
- (2) certification by the manufacturer that the motor vehicle will be labeled so as to clearly inform purchasers that mercury is present in the motor vehicle, and that the mercury-added component may not be disposed of or placed in a waste stream destined for disposal until the mercury is removed or reused, recovered, or properly disposed of as a hazardous waste, or otherwise managed to ensure that the mercury does not become mixed with other solid waste or released to the environment. The label must identify the component with sufficient detail so that it can be readily located for removal. The label shall be placed on the doorpost and be sufficiently durable to remain legible for the useful life of the motor vehicle.

(b) Subject to the issuance of public notice and solicitation of public comment, the commissioner shall, within 90 days, accept or reject the application for exemption.

(c) The commissioner may grant an exemption only upon a clear demonstration that the system for removal, collection, and recovery of the mercury-added component will ensure recovery of the mercury and prevent its release to the environment.

(d) An exemption granted under this section is valid for a period not to exceed two years and may be renewed for periods not to exceed two years.

Sec. 6. Minnesota Statutes 2002, section 116.92, subdivision 3, is amended to read:

Subd. 3. [LABELING; PRODUCTS CONTAINING MERCURY.] A manufacturer or wholesaler may not sell and a retailer may not knowingly sell any of the following items in this state that contain mercury unless the item is labeled in a manner to clearly inform a purchaser or consumer, or motor vehicle recycler that mercury is present in the item and that the item may not be placed in the garbage or otherwise disposed of until the mercury is removed and reused, recycled, or otherwise managed to ensure that it does not become part of solid waste or wastewater:

- (1) a thermostat or thermometer;
- (2) an electric switch or mercury-added component of a motor vehicle, individually or as part of another product, ~~other than a motor vehicle;~~
- (3) an appliance;
- (4) a medical or scientific instrument; and
- (5) an electric relay or other electrical device.

Sec. 7. Minnesota Statutes 2002, section 116.92, subdivision 4, is amended to read:

Subd. 4. [REMOVAL FROM SERVICE; PRODUCTS CONTAINING MERCURY.] (a) When an item listed in subdivision 3 is removed from service the mercury in the item must be reused, recycled, or otherwise managed to ensure compliance with section 115A.932.

(b) A person who is in the business of replacing or repairing an item listed in subdivision 3 in households shall ensure, or deliver the item to a facility that will ensure, that the mercury contained in an item that is replaced or repaired is reused or recycled or otherwise managed in compliance with section 115A.932.

~~(c) A person may not crush a motor vehicle unless the person has first made a good faith effort to recycler must remove all of the mercury switches in the motor vehicle before it is crushed."~~

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

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

S.F. No. 2269: A bill for an act relating to economic development; modifying the Minnesota development account; appropriating money for development, biotechnology, and science projects; authorizing state bonds; amending Minnesota Statutes 2002, sections 116J.571; 116J.572, subdivisions 2, 4; 116J.573, subdivisions 1, 2, 4, 5; 116J.574, subdivision 2; 116J.575, subdivision 1.

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

Page 1, line 13, strike "Minnesota" and reinstate the stricken "redevelopment" and delete "development"

Pages 1 and 2, delete section 3

Page 2, line 24, strike "Minnesota" and reinstate the stricken "redevelopment" and delete "development"

Page 2, lines 26, 32, and 33, reinstate the stricken language and delete the new language

Page 3, lines 3 and 5, reinstate the stricken language and delete the new language

Page 3, line 24, strike "Minnesota" and reinstate the stricken "redevelopment" and delete "development"

Pages 3 and 4, delete section 8

Page 4, line 15, after the period, insert "The commissioner shall, in each grant cycle, make grants so that at least 50 percent of the dollar value of grants for that cycle are for projects located outside of the seven-county metropolitan area as defined in section 473.121, subdivision 2."

Page 4, line 18, strike "Minnesota" and reinstate the stricken "redevelopment"

Page 4, line 19, delete the new language

Page 4, line 23, delete "\$10,000,000" and insert "\$20,000,000"

Page 4, lines 25 and 31, delete "Minnesota development" and insert "redevelopment"

Page 4, line 26, delete everything after the period

Page 4, delete lines 27 and 28

Page 4, line 36, delete "10" and insert "8"

Page 5, line 2, delete "\$25,000,000" and insert "\$35,000,000"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "Minnesota development" and insert "greater Minnesota redevelopment"

Page 1, line 6, delete "subdivisions" and insert "subdivision" and delete ", 4"

Page 1, line 7, delete everything after the semicolon

Page 1, line 8, delete "subdivision 2;"

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

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

S.F. No. 2298: A bill for an act relating to economic development; creating the broadband infrastructure grant program; authorizing the issuance of state bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Page 2, line 8, delete "and in additional increments of 256 kilobits"

Page 2, line 9, delete "per second"

Page 3, line 6, after "than" insert "a total of" and after "\$200,000" insert "in grants made under this section" and after "two" insert "consecutive"

Page 3, line 8, before the comma, insert "from the date of the grant"

Page 3, line 17, delete "projects costs" and insert "cost of a project"

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

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

S.F. No. 2313: A bill for an act relating to economic development; modifying bonding authority for the Minnesota Public Facilities Authority; amending Minnesota Statutes 2002, sections 446A.12, subdivision 1; 446A.14; 446A.17; 446A.19.

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

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

S.F. No. 1384: A bill for an act relating to human rights; prohibiting discrimination based on familial status by employers; modifying the definition of familial status; amending Minnesota Statutes 2002, sections 363.01, subdivision 19; 363.03, 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 2003 Supplement, section 363A.03, subdivision 18, is amended to read:

Subd. 18. [FAMILIAL STATUS.] "Familial status" means the condition of one or more minors being domiciled with (a) their parent or parents or the minor's legal guardian or (b) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against discrimination on the basis of family familial status apply to any person who is pregnant or is in the process of legally adopting a minor child or securing legal custody of an individual who has not attained the age of majority.

Sec. 2. Minnesota Statutes 2003 Supplement, section 363A.03, is amended by adding a subdivision to read:

Subd. 46a. [STATUS WITH REGARD TO ADOPTION.] "Status with regard to adoption" means the condition of being in the process of legally adopting a minor child."

Sec. 3. Minnesota Statutes 2003 Supplement, section 363A.08, subdivision 2, is amended to read:

Subd. 2. [EMPLOYER.] Except when based on a bona fide occupational qualification, it is an unfair employment practice for an employer, because of race, color, creed, religion, national origin, sex, marital status, status with regard to adoption, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age to:

(a) refuse to hire or to maintain a system of employment which unreasonably excludes a person seeking employment; or

(b) discharge an employee; or

(c) discriminate against a person with respect to hiring, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment."

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "including status with regard to adoption in the definition of familial status;"

Page 1, line 3, delete "familial status" and insert "status with regard to adoption"

Page 1, delete lines 5 and 6 and insert "Statutes 2003 Supplement, sections 363A.03, subdivision 18, by adding a subdivision; 363A.08, subdivision 2."

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

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

S.F. No. 2165: A bill for an act relating to guardianships; specifying the authority of courts to give a guardian the power to consent to the administration of neuroleptic medications; amending Minnesota Statutes 2002, section 253B.092, subdivision 6; Minnesota Statutes 2003 Supplement, section 524.5-313.

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

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

S.F. No. 1848: A bill for an act relating to civil commitment; establishing a Predatory Offender Screening Committee to make recommendations to the commissioner of corrections regarding referral of sex offenders to civil commitment proceedings; providing for access to data in making these determinations; amending Minnesota Statutes 2002, sections 13.851, subdivision 5; 244.05, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 244.

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

Page 3, delete lines 3 and 4

Page 3, line 5, delete "(2)" and insert "(1)"

Page 3, line 7, delete "(3) a" and insert "(2) two individuals who are a"

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

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

S.F. No. 1530: A bill for an act relating to animals; imposing limits on ownership and possession of certain dangerous animals; requiring registration; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 346.

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

Page 3, line 2, after "(e)" insert "Except as provided in paragraph (g),"

Page 3, line 7, after "to" insert ":

(1) and delete "their" and insert "the number of prohibited animals possessed on the effective date of this section;"

Page 3, line 8, delete "inventory, or to" and insert:

"(2)"

Page 3, line 9, delete the comma and insert "for replacement purposes as provided in clause (1);
or

(3) sell prohibited animals to persons eligible under paragraph (f). Offspring under six months of age shall not be counted for the purpose of determining the number of replacement animals that can be possessed under this paragraph.

(f) Except as provided in paragraph (g), a person who does not hold a United States Department of Agriculture license for prohibited animals and who possesses a prohibited animal on the

effective date of this section may replace the prohibited animal if it dies, but may replace it only once.

(g) If a prohibited animal dies of neglect or cruelty, is seized pursuant to subdivision 5, or if the person is involved in illegal activities, the person cannot acquire a replacement animal."

Page 3, delete lines 10 to 12

Page 3, line 13, delete "(f)" and insert "(h)"

Page 3, line 33, after the period, insert "If a prohibited animal is sedated for any reason and the animal does not have a microchip implanted, a microchip must be implanted in the prohibited animal. Within 30 days after the microchip is implanted, the name of the microchip manufacturer and the identification number of the microchip must be provided to the local animal control authority. A person selling or transferring ownership of offspring under six months of age as provided in subdivision 2, paragraph (e), is encouraged to have a microchip implanted in the animal prior to the sale or transfer. Within 30 days of acquisition, a person acquiring ownership of an offspring with a microchip implanted shall comply with microchip information reporting requirements under this section."

Page 4, line 8, after "(c)" insert "A person with a United States Department of Agriculture license for prohibited animals shall forward a copy of their United States Department of Agriculture inspection report to the local animal control authority within 30 days of receipt of the inspection report.

(d)"

Page 4, line 11, delete "(d)" and insert "(e)"

Page 4, after line 17, insert:

"(f) Except when a prohibited animal is transported to a licensed veterinarian, if requested by the local animal control authority, a person may not move a prohibited animal from its location unless the person notifies the local animal control authority prior to moving the animal. The notification must include the date and the location where the animal is moved."

Page 4, line 18, delete "(e)" and insert "(g)"

Page 4, line 21, after "(a)" insert "The local animal control authority, upon issuance of a notice of inspection, must be granted access at reasonable times to sites where the local animal control authority has reason to believe a violation of this chapter is occurring or has occurred.

(b)"

Page 4, line 26, delete "(b)" and insert "(c)"

Page 4, line 33, delete "(c)" and insert "(d)"

Page 4, line 35, delete "(b)" and insert "(c)"

Page 5, line 25, delete "(d)" and insert "(e)"

Page 5, line 35, delete "(e)" and insert "(f)"

Page 6, line 3, delete "(f)" and insert "(g)"

Page 6, line 11, delete "(g)" and insert "(h)"

Page 6, line 17, delete "(h)" and insert "(i)"

Page 7, line 5, after "a" insert "United States Department of Agriculture licensed exhibitor while transporting or displaying prohibited animals as part of a temporary"

Page 7, line 7, before "local" insert "a" and delete "authorities" and insert "authority"

Page 7, line 9, delete "authorities" and insert "authority"

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

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

S.F. No. 1836: A bill for an act relating to state government; the Office of the Secretary of State; simplifying filing procedures; eliminating certain filing requirements; requiring electronic registration after December 31, 2004; appropriating money; amending Minnesota Statutes 2002, sections 184.30; 302A.821, subdivisions 1, 2, 4; 317A.823, subdivision 1, by adding a subdivision; 322B.960, subdivisions 1, 2, 5; 325A.06, subdivision 1; 326.40, subdivision 2; 326.48, subdivision 3; 330.01, subdivision 1; 330.08; 330.09; 336.9-525; 340A.416, subdivision 4; 359.01; 359.071; 398.10.

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

Page 3, after line 36, insert:

"Sec. 5. Minnesota Statutes 2002, section 308A.995, subdivision 5, is amended to read:

Subd. 5. [REINSTATEMENT.] A cooperative may, ~~within one year of the date of dissolution under this section,~~ retroactively reinstate its existence by filing a single annual registration and paying a \$25 fee. Filing the annual registration with the secretary of state:

- (1) returns the cooperative to active status as of the date of the dissolution;
- (2) validates contracts or other acts within the authority of the articles, and the cooperative is liable for those contracts or acts; and
- (3) restores to the cooperative all assets and rights of the cooperative and its shareholders or members to the extent they were held by the cooperative and its shareholders or members before the dissolution occurred, except to the extent that assets or rights were affected by acts occurring after the dissolution or sold or otherwise distributed after that time.

Sec. 6. Minnesota Statutes 2003 Supplement, section 308B.121, subdivision 5, is amended to read:

Subd. 5. [REINSTATEMENT.] A cooperative may, ~~within one year of the date of dissolution under this section,~~ retroactively reinstate its existence by filing a single annual registration and paying a \$25 fee. Filing the annual registration with the secretary of state:

- (1) returns the cooperative to active status as of the date of the dissolution;
- (2) validates contracts or other acts within the authority of the articles and the cooperative is liable for those contracts or acts; and
- (3) restores to the cooperative all assets and rights of the cooperative and its shareholders or members to the extent they were held by the cooperative and its shareholders or members before the dissolution occurred, except to the extent that assets or rights were affected by acts occurring after the dissolution or sold or otherwise distributed after that time."

Page 11, delete lines 27 to 30 and insert "considers necessary. The commissioner of commerce shall perform all duties necessary to appoint and commission notaries public under this section on the governor's behalf. The governor will appoint and commission notaries public and the secretary of state shall receive applications for appointments and commissions, shall keep a register of those persons appointed and commissioned as notaries public by the governor with the advice and consent of the senate, shall update that register when informed of a change in name and address by a notary public, shall process applications by a notary public for reappointment, shall receive fees"

for the performance of these functions to be deposited into the general fund, and shall perform those clerical and administrative duties associated with these functions. The governor may also receive such applications directly."

Page 11, line 31, before "The" insert "(a)"

Page 12, after line 5, insert:

"(b) The secretary of state shall receive applications for nonresident notary appointments and commissions, shall keep a register of those persons appointed and commissioned as notaries public by the governor with the advice and consent of the senate, shall update that register when informed of a change in name and address by a notary public, shall process applications by a notary public for reappointment, shall receive fees for the performance of these functions to be deposited into the general fund, and shall perform those clerical and administrative duties associated with these functions. The governor may also receive such applications directly."

Page 13, delete lines 16 and 17 and insert:

"Sections 2 to 4 and 7 to 10 are effective January 1, 2004. Sections 5 and 6 are effective the day following final enactment. Sections 20 and 22 are effective July 1, 2005."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "regulating notary appointments and commissions;"

Page 1, line 7, after "4;" insert "308A.995, subdivision 5;"

Page 1, line 12, before the period, insert "; Minnesota Statutes 2003 Supplement, section 308B.121, subdivision 5"

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

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

S.F. No. 1789: A bill for an act relating to long-term care insurance coverage; amending Minnesota Statutes 2002, section 43A.318, subdivision 1.

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

Page 2, after line 11, insert:

"Sec. 2. Minnesota Statutes 2002, section 43A.318, subdivision 2, is amended to read:

Subd. 2. [PROGRAM CREATION; GENERAL PROVISIONS.] (a) The commissioner may administer a program to make long-term care coverage available to eligible persons. The commissioner may determine the program's funding arrangements, request bids from qualified vendors, and negotiate and enter into contracts with qualified vendors. The commissioner shall request new bids from qualified vendors whenever additional groups of persons are made eligible for coverage. Contracts are not subject to the requirements of section 16C.16 or 16C.19. Contracts must be for a uniform term of at least one year, but may be made automatically renewable from term to term in the absence of notice of termination by either party. The program may not be self-insured until the commissioner has completed an actuarial study of the program and reported the results of the study to the legislature and self-insurance has been specifically authorized by law.

(b) The program may provide coverage for home, community, and institutional long-term care and any other benefits as determined by the commissioner. Coverage is optional. The enrolled eligible person must pay the full cost of the coverage.

(c) The commissioner shall promote activities that attempt to raise awareness of the need for long-term care insurance among residents of the state and encourage the increased prevalence of long-term care coverage. These activities must include the sharing of knowledge gained in the development of the program.

(d) The commissioner may employ and contract with persons and other entities to perform the duties under this section and may determine their duties and compensation consistent with this chapter.

(e) The benefits provided under this section are not terms and conditions of employment as defined under section 179A.03, subdivision 19, and are not subject to collective bargaining.

(f) The commissioner shall establish underwriting criteria for entry of all eligible persons into the program. Eligible persons who would be immediately eligible for benefits may not enroll.

(g) Eligible persons who meet underwriting criteria may enroll in the program upon hiring and at other times established by the commissioner.

(h) An eligible person enrolled in the program may continue to participate in the program even if an event, such as termination of employment, changes the person's employment status.

(i) Participating public employee pension plans and public employers may provide automatic pension or payroll deduction for payment of long-term care insurance premiums to qualified vendors contracted with under this section.

(j) Notwithstanding sections 13.43 and 13.63, the commissioner may require a public employer or a public pension fund whose members are eligible to participate in the program to provide the commissioner with names, home addresses, unique identifiers, and work locations of eligible persons so that contractors can mail eligible persons enrollment materials and ensure that only eligible persons are able to enroll in the program. The commissioner shall take all necessary precautions to ensure the integrity of the data and to ensure that private and confidential data is not improperly released or disclosed. All data required to be submitted to the commissioner under this section shall be used solely for the purposes of the program, consistent with the provisions of the Data Practices Act, and the costs incurred in preparing and supplying the data shall be considered administrative costs of the program.

(k) The premium charged to program enrollees must include an administrative fee to cover all program expenses incurred in addition to the cost of coverage. All fees collected are appropriated to the commissioner for the purpose of administering the program."

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "clarifying eligibility; requiring new bids from qualified vendors under certain circumstances;"

Page 1, line 4, delete everything before the period and insert "subdivisions 1, 2"

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

S.F. No. 2179: A bill for an act relating to human services; making changes to licensing provisions; amending Minnesota Statutes 2002, sections 245A.02, subdivisions 2a, 5a, 7, 10, 14, by adding a subdivision; 245A.03, subdivision 3; 245A.04, subdivisions 5, 6, 7, by adding subdivisions; 245A.05; 245A.06, subdivisions 2, 4; 245A.07, subdivisions 2, 2a, 3; 245A.08, subdivision 5; 245A.16, subdivision 4; 245A.22, subdivision 2; Minnesota Statutes 2003 Supplement, sections 241.021, subdivision 6; 245A.03, subdivision 2; 245A.04, subdivision 1; 245A.08, subdivisions 1, 2a; 245A.16, subdivision 1; 245A.22, subdivision 3; 245C.02,

subdivision 18; 245C.03, subdivision 1, by adding a subdivision; 245C.05, subdivisions 1, 2, 5, 6; 245C.08, subdivisions 2, 3, 4; 245C.09, subdivision 1; 245C.13, subdivision 1; 245C.14, subdivision 1; 245C.15, subdivisions 2, 3, 4; 245C.16, subdivision 1; 245C.17, subdivisions 1, 3; 245C.18; 245C.20; 245C.21, subdivision 3, by adding a subdivision; 245C.22, subdivisions 3, 4, 5, 6; 245C.23, subdivisions 1, 2; 245C.25; 245C.26; 245C.27, subdivisions 1, 2; 245C.28, subdivisions 1, 2, 3; 245C.29, subdivision 2; 256.045, subdivisions 3, 3b; 626.556, subdivision 10i; 626.557, subdivision 9d; proposing coding for new law in Minnesota Statutes, chapter 245A; repealing Minnesota Statutes 2003 Supplement, sections 245A.11, subdivision 2b; 245C.02, subdivision 17; Minnesota Rules, parts 9543.0040, subpart 3; 9543.1000; 9543.1010; 9543.1020; 9543.1030; 9543.1040; 9543.1050; 9543.1060; 9545.1200; 9545.1210; 9545.1220; 9545.1230; 9545.1240; 9545.1250; 9545.1260; 9545.1270; 9545.1280; 9545.1290; 9545.1300; 9545.1310; 9545.1320.

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

Page 1, after line 36, insert:

"Section 1. Minnesota Statutes 2002, section 245.814, subdivision 1, is amended to read:

Subdivision 1. [INSURANCE FOR FOSTER HOME PROVIDERS.] The commissioner of human services shall within the appropriation provided purchase and provide insurance to individuals licensed as foster home providers to cover their liability for:

- (1) injuries or property damage caused or sustained by persons in foster care in their home; and
- (2) actions arising out of alienation of affections sustained by the birth parents of a foster child or birth parents or children of a foster adult.

For purposes of this subdivision, insurance for homes licensed to provide adult foster care shall be limited to family adult foster care homes as defined in section 144D.01, subdivision 7, and family adult day services licensed under section 245A.143."

Page 2, line 26, after "the" insert "decision-making"

Page 2, line 27, delete "to affect decisions"

Pages 11 and 12, delete section 12

Page 23, after line 13, insert:

"Sec. 24. Minnesota Statutes 2003 Supplement, section 245A.085, is amended to read:
245A.085 [CONSOLIDATION OF HEARINGS; RECONSIDERATION.]

Hearings authorized under this chapter, chapter 245C, and sections 256.045, 626.556, and 626.557, shall be consolidated if feasible and in accordance with other applicable statutes and rules. Reconsideration under sections 245C.28; 626.556, subdivision 10i; and 626.557, subdivision 9d, shall also be consolidated if feasible."

Page 23, after line 32, insert:

"(c) An adult foster care license holder may provide family adult day services if the license holder meets the requirements of this section.

(d) When an applicant or license holder submits an application for initial licensure or relicensure for both adult foster care and family adult day services, the county agency shall process the request as a single application and shall conduct concurrent routine licensing inspections.

(e) Adult foster care license holders providing family adult day services under their foster care license on March 30, 2004, shall be permitted to continue providing these services with no additional requirements until their adult foster care license is due for renewal. At the time of

relicensure, an adult foster care license holder may continue to provide family adult day services upon demonstration of compliance with this section. Adult foster care license holders who provide family adult day services on August 1, 2004, may apply for a license under this section instead of an adult foster care license."

Page 23, delete line 36

Page 24, delete lines 1 to 12

Page 24, line 13, delete "(c)" and insert "(b)"

Page 24, delete lines 18 to 25

Page 24, line 26, delete "(e)" and insert "(c)"

Page 24, line 28, delete "(f)" and insert "(d)"

Page 26, line 18, delete "AGREEMENT" and insert "DELIVERY PLAN"

Page 26, line 20, after the comma, insert "the county or private case manager, if applicable,"

Page 26, line 25, after "services" insert "and that the services will be based on the needs of the individual"

Page 27, line 3, delete everything after "(a)"

Page 27, delete lines 4 to 13

Page 27, line 14, delete everything before "The"

Page 27, line 16, delete "(c)" and insert "(b)"

Page 27, line 20, delete "individual" and after "service" insert "delivery"

Page 27, line 21, delete "family" and after "caregiver" insert "or county or private case manager"

Page 27, delete lines 22 to 25

Page 27, line 26, delete everything before the period

Page 27, line 31, delete "family"

Page 27, line 33, delete "family"

Page 27, line 36, delete "family"

Page 28, line 8, after "nurse" insert "or physician"

Page 28, delete lines 15 to 17

Page 28, line 21, before the period, insert "as specified in the service delivery plan" and delete "Nutritious snacks and"

Page 28, delete line 22

Page 28, line 26, after "holder" insert ", in consultation with the county or private case manager, when appropriate,"

Page 29, line 35, delete everything after "(a)"

Page 29, delete line 36

Page 30, delete lines 1 to 4 and insert "The home where family adult day services are to be

provided shall be classified as a residential group R-3 occupancy under the State Fire Code for purposes of building code and fire code inspections. A building code inspection is not required for licensure under this section. The state or local fire marshal must inspect the family adult day services home operating in the residence for compliance with the residential group R-3 occupancy provisions of the State Fire Code."

Page 32, line 8, delete "(1)"

Page 32, line 13, delete "(2)" and insert "(c)"

Page 32, line 18, before "Unless" insert "(a)"

Page 32, line 26, before "The" insert "(b)"

Page 33, after line 5, insert:

"Sec. 30. Minnesota Statutes 2002, section 245B.02, is amended by adding a subdivision to read:

Subd. 12a. [INTERDISCIPLINARY TEAM.] "Interdisciplinary team" means a team composed of the case manager, the person, the person's legal representative and advocate, if any, and representatives of providers of the service areas relevant to the needs of the person as described in the individual service plan.

Sec. 31. Minnesota Statutes 2002, section 245B.05, subdivision 2, is amended to read:

Subd. 2. [LICENSED CAPACITY FOR FACILITY-BASED DAY TRAINING AND HABILITATION SERVICES.] The licensed capacity of each day training and habilitation service sites site must be determined by the amount of primary space available, the scheduling of activities at other service sites, and the space requirements of consumers receiving services at the site. Primary space does not include hallways, stairways, closets, utility areas, bathrooms, kitchens, and floor areas beneath stationary equipment. A facility-based day training and habilitation site must have a minimum of 40 square feet of primary space must be available for each consumer who is engaged in a day training and habilitation activity at the site for which the licensed capacity must be determined present at the site at any one time. Licensed capacity under this subdivision does not apply to:

(1) consumers receiving community-based day training and habilitation services; and

(2) the temporary use of a facility-based training and habilitation service site for the limited purpose of providing transportation to consumers receiving community-based day training and habilitation services from the license holder. The license holder must comply at all times with all applicable fire and safety codes under subdivision 4 and adequate supervision requirements under section 245B.055, subdivision 8, for all persons receiving day training and habilitation services.

Sec. 32. [245B.055] [MINIMUM LEVEL OF STAFFING REQUIRED FOR DAY TRAINING AND HABILITATION SERVICES.]

Subdivision 1. [SCOPE.] This section applies only to license holders that provide day training and habilitation services.

Subd. 2. [FACTORS.] (a) The number of direct service staff members that a license holder must have on duty at a given time to meet the minimum staffing requirements established in this section varies according to:

(1) the number of persons who are enrolled and receiving direct services at that given time;

(2) the staff ratio requirement established under subdivision 3 for each of the persons who is present; and

(3) whether the conditions described in subdivision 8 exist and warrant additional staffing beyond the number determined to be needed under subdivision 7.

(b) The commissioner shall consider the factors in paragraph (a) in determining a license holder's compliance with the staffing requirements and shall further consider whether the staff ratio requirement established under subdivision 3 for each person receiving services accurately reflects the person's need for staff time.

Subd. 3. [DETERMINING AND DOCUMENTING THE STAFF RATIO REQUIREMENT FOR EACH PERSON RECEIVING SERVICES.] The case manager, in consultation with the interdisciplinary team, shall determine at least once each year which of the ratios in subdivisions 4, 5, and 6 is appropriate for each person receiving services on the basis of the characteristics described in subdivisions 4, 5, and 6. The ratio assigned each person and the documentation of how the ratio was arrived at must be kept in each person's individual service plan. Documentation must include an assessment of the person with respect to the characteristics in subdivisions 4, 5, and 6 recorded on a standard assessment form required by the commissioner.

Subd. 4. [PERSON REQUIRING STAFF RATIO OF ONE TO FOUR.] A person who has one or more of the following characteristics must be assigned a staff ratio requirement of one to four:

(1) on a daily basis the person requires total care and monitoring or constant hand-over-hand physical guidance to successfully complete at least three of the following activities: toileting, communicating basic needs, eating, or ambulating; or

(2) the person assaults others, is self injurious, or manifests severe dysfunctional behaviors at a documented level of frequency, intensity, or duration requiring frequent daily ongoing intervention and monitoring as established in an approved behavior management program.

Subd. 5. [PERSON REQUIRING STAFF RATIO OF ONE TO EIGHT.] A person who has all of the following characteristics must be assigned a staff ratio requirement of one to eight:

(1) the person does not meet the requirements in subdivision 4; and

(2) on a daily basis the person requires verbal prompts or spot checks and minimal or no physical assistance to successfully complete at least three of the following activities: toileting, communicating basic needs, eating, or ambulating.

Subd. 6. [PERSON REQUIRING STAFF RATIO OF ONE TO SIX.] A person who does not have any of the characteristics described in subdivision 4 or 5 must be assigned a staff ratio requirement of one to six.

Subd. 7. [DETERMINING NUMBER OF DIRECT SERVICE STAFF REQUIRED.] The minimum number of direct service staff members required at any one time to meet the combined staff ratio requirements of the persons present at that time can be determined by following the steps in clauses (1) through (4):

(1) assign each person in attendance the three digit decimal below that corresponds to the staff ratio requirement assigned to that person. A staff ratio requirement of one to four equals 0.250. A staff ratio requirement of one to eight equals 0.125. A staff ratio requirement of one to six equals 0.166;

(2) add all of the three digit decimals (one three digit decimal for every person in attendance) assigned in clause (1);

(3) when the sum in clause (2) falls between two whole numbers, round off the sum to the larger of the two whole numbers; and

(4) the larger of the two whole numbers in clause (3) equals the number of direct service staff members needed to meet the staff ratio requirements of the persons in attendance.

Subd. 8. [CONDITIONS REQUIRING ADDITIONAL DIRECT SERVICE STAFF.] The license holder shall increase the number of direct service staff members present at any one time beyond the number arrived at in subdivision 4 if necessary when any one or combination of the following circumstances can be documented by the commissioner as existing:

(1) the health and safety needs of the persons receiving services cannot be met by the number of staff members available under the staffing pattern in effect even though the number has been accurately calculated under subdivision 7; or

(2) the behavior of a person presents an immediate danger and the person is not eligible for a special needs rate exception under Minnesota Rules, parts 9510.1020 to 9510.1140.

Subd. 9. [SUPERVISION REQUIREMENTS.] At no time shall one direct service staff member be assigned responsibility for supervision and training of more than ten persons receiving supervision and training, except as otherwise stated in each person's risk management plan.

Sec. 33. Minnesota Statutes 2002, section 245B.07, subdivision 8, is amended to read:

Subd. 8. [POLICIES AND PROCEDURES.] The license holder must develop and implement the policies and procedures in paragraphs (1) to (3).

(1) policies and procedures that promote consumer health and safety by ensuring:

(i) consumer safety in emergency situations as identified in section 245B.05, subdivision 7;

(ii) consumer health through sanitary practices;

(iii) safe transportation, when the license holder is responsible for transportation of consumers, with provisions for handling emergency situations;

(iv) a system of record keeping for both individuals and the organization, for review of incidents and emergencies, and corrective action if needed;

(v) a plan for responding to and reporting all emergencies, including deaths, medical emergencies, illnesses, accidents, missing consumers, all incidents, as defined in section 245B.02, subdivision 10, fires, severe weather and natural disasters, bomb threats, and other threats and reporting all incidents required to be reported under section 245B.05, subdivision 7;

(vi) safe medication administration as identified in section 245B.05, subdivision 5, incorporating an observed skill assessment to ensure that staff demonstrate the ability to administer medications consistent with the license holder's policy and procedures;

(vii) psychotropic medication monitoring when the consumer is prescribed a psychotropic medication, including the use of the psychotropic medication use checklist. If the responsibility for implementing the psychotropic medication use checklist has not been assigned in the individual service plan and the consumer lives in a licensed site, the residential license holder shall be designated; and

(viii) criteria for admission or service initiation developed by the license holder;

(2) policies and procedures that protect consumer rights and privacy by ensuring:

(i) consumer data privacy, in compliance with the Minnesota Data Practices Act, chapter 13; and

(ii) that complaint procedures provide consumers with a simple process to bring grievances and consumers receive a response to the grievance within a reasonable time period. The license holder must provide a copy of the program's grievance procedure and time lines for addressing grievances. The program's grievance procedure must permit consumers served by the program and the authorized representatives to bring a grievance to the highest level of authority in the program; and

(3) policies and procedures that promote continuity and quality of consumer supports by ensuring:

(i) continuity of care and service coordination, including provisions for service termination, temporary service suspension, and efforts made by the license holder to coordinate services with

other vendors who also provide support to the consumer. The policy must include the following requirements:

(A) the license holder must notify the consumer or consumer's legal representative and the consumer's case manager in writing of the intended termination or temporary service suspension and the consumer's right to seek a temporary order staying the termination or suspension of service according to the procedures in section 256.045, subdivision 4a or subdivision 6, paragraph (c);

(B) notice of the proposed termination of services, including those situations that began with a temporary service suspension, must be given at least 60 days before the proposed termination is to become effective;

(C) the license holder must provide information requested by the consumer or consumer's legal representative or case manager when services are temporarily suspended or upon notice of termination;

(D) use of temporary service suspension procedures are restricted to situations in which the consumer's behavior causes immediate and serious danger to the health and safety of the individual or others;

(E) prior to giving notice of service termination or temporary service suspension, the license holder must document actions taken to minimize or eliminate the need for service termination or temporary service suspension; and

(F) during the period of temporary service suspension, the license holder will work with the appropriate county agency to develop reasonable alternatives to protect the individual and others; and

(ii) quality services measured through a program evaluation process including regular evaluations of consumer satisfaction and sharing the results of the evaluations with the consumers and legal representatives.

Sec. 34. Minnesota Statutes 2002, section 245B.07, subdivision 12, is amended to read:

Subd. 12. [SEPARATE LICENSE REQUIRED FOR SEPARATE SITES.] The license holder shall apply for separate licenses for each day training and habilitation service site owned or leased by the license holder at which persons receiving services and the provider's employees who provide training and habilitation services are present for a cumulative total of more than 30 days within any 12-month period, and for each residential service site. Notwithstanding this subdivision, a separate license is not required for a day training and habilitation service site used only for the limited purpose of providing transportation to consumers receiving community-based day training and habilitation services from a license holder."

Page 34, lines 2 and 3, delete the new language

Page 34, line 10, strike "and"

Page 34, line 19, before the period, insert "; and"

(7) all managerial officials as defined under section 245A.02, subdivision 5a"

Page 34, line 23, after "services" insert "for a child"

Page 34, line 24, delete "for a child"

Page 43, line 28, after "or" insert "serious or recurring"

Page 47, line 3, strike "and"

Page 47, line 5, delete "; (3)" and insert ", and"

Page 47, line 7, delete "(4)" and insert "(3)"

Page 47, line 10, after "aside" insert "or rescind"

Page 48, line 13, delete "if" and insert "whether"

Page 48, line 23, before the period, insert ", and any single factor under subdivision 4, paragraph (b), may be determinative of the commissioner's decision whether to set aside the individual's disqualification"

Page 48, line 28, after "individual" insert "has submitted sufficient information to demonstrate that the individual"

Page 48, line 31, after "individual" insert "has met the burden of proof by demonstrating the individual" and reinstate the stricken "does not pose"

Page 48, line 32, delete "poses"

Page 49, delete lines 11 to 17

Page 51, line 24, delete "this" and insert "the" and after " pending" insert "the outcome of"

Page 57, after line 10, insert:

"Sec. 72. Minnesota Statutes 2002, section 252.28, subdivision 1, is amended to read:

Subdivision 1. [DETERMINATIONS; REDETERMINATIONS.] In conjunction with the appropriate county boards, the commissioner of human services shall determine, and shall redetermine at least every four years, the need, anticipated growth or decline in need until the next anticipated redetermination, location, size, and program of public and private day training and habilitation services for persons with mental retardation or related conditions. This subdivision does not apply to semi-independent living services and residential-based habilitation services provided to four or fewer persons at a single site funded as home and community-based services. A determination of need shall not be required for a change in ownership."

Page 67, after line 20, insert:

"Sec. 77. [REVISOR'S INSTRUCTION.]

The revisor of statutes shall insert the phrase "or adult day services" after the phrase "adult day care," and the phrase "or adult day services center" after "adult day care center," wherever it appears in Minnesota Rules, parts 9555.9600 to 9555.9730, or the headnotes to the rule parts."

Page 67, line 22, delete everything after the first comma

Page 67, line 23, delete "subdivision 2b; and" and insert "section"

Page 67, line 24, after "parts" insert "9525.1600;"

Page 67, delete line 25 and insert "9543.1020; 9543.1030; 9543.1040; and 9543.1050"

Page 67, delete lines 26 and 27

Page 67, line 28, delete everything before the comma

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "sections" insert "245.814, subdivision 1;"

Page 1, line 6, delete the second "subdivisions" and insert "a subdivision"

Page 1, line 9, after "2;" insert "245B.02, by adding a subdivision; 245B.05, subdivision 2; 245B.07, subdivisions 8, 12; 252.28, subdivision 1;"

Page 1, line 12, after "2a;" insert "245A.085;"

Page 1, line 26, delete "chapter 245A" and insert "chapters 245A; 245B"

Page 1, delete lines 27 to 33 and insert "Statutes 2003 Supplement, section 245C.02, subdivision 17; Minnesota Rules, parts 9525.1600; 9543.0040, subpart 3; 9543.1000; 9543.1010; 9543.1020; 9543.1030; 9543.1040; 9543.1050."

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

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

S.F. No. 2020: A bill for an act relating to human services; providing an exemption to the moratorium on nursing home construction; appropriating money; amending Minnesota Statutes 2003 Supplement, section 144A.071, subdivision 4c.

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

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

S.F. No. 1716: A bill for an act relating to health; providing an exemption from the hospital construction moratorium; amending Minnesota Statutes 2003 Supplement, section 144.551, subdivision 1.

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

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

S.F. No. 2090: A bill for an act relating to water; creating a certification program for new wastewater treatment technology; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115.

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

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

S.F. No. 2204: A bill for an act relating to natural resources; modifying provisions for the sale and disposition of surplus state lands; modifying certain state land management provisions; adding to state forests and wildlife management areas; appropriating money; amending Minnesota Statutes 2002, sections 15.054; 84.0272, by adding subdivisions; 85.015, subdivision 1; 86A.05, subdivision 14; 89.01, by adding a subdivision; 92.02; 92.03; 92.04; 92.06, subdivisions 1, 2, 4, 5, by adding a subdivision; 92.08; 92.10, subdivision 2; 92.12, subdivisions 1, 2, 4, 5; 92.121; 92.14, subdivision 1; 92.16, by adding a subdivision; 92.28; 92.29; 92.321, subdivision 1; 94.09, subdivisions 1, 3; 94.10; 94.11; 94.12; 94.13; 94.16, subdivision 2; 282.01, subdivision 3; Minnesota Statutes 2003 Supplement, sections 525.161; 525.841; proposing coding for new law in Minnesota Statutes, chapters 16B; 92; repealing Minnesota Statutes 2002, sections 92.09; 92.11; 94.09, subdivisions 2, 4, 5, 6.

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

Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred

S.F. No. 2218: A bill for an act relating to property taxation; providing a property tax exemption for the homestead of a permanently and totally disabled veteran or the veteran's spouse; amending Minnesota Statutes 2002, section 272.02, by adding a subdivision; amending Minnesota Statutes 2003 Supplement, section 273.13, subdivision 22.

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

Page 1, line 16, after "disability" insert ", or receives pension benefits from the United States Veterans Administration"

Page 1, line 19, after "must" insert ":

(1)"

Page 1, line 22, after "disability" insert " ; or

(2) be a recipient of pension benefits from the United States Veterans Administration"

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

Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred

S.F. No. 2537: A bill for an act relating to state observances; designating Dr. Norman E. Borlaug World Food Prize Day; proposing coding for new law in Minnesota Statutes, chapter 10.

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

Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred

S.F. No. 2428: A bill for an act relating to agriculture; defining certain terms; providing for the validity of certain electronic documents and signatures; amending Minnesota Statutes 2002, sections 223.16, by adding subdivisions; 223.177, subdivision 3; 232.21, by adding subdivisions; 232.23, subdivision 4.

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

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

S.F. No. 1841: A bill for an act relating to marriage; changing certain administrative responsibilities; requiring a report; amending Minnesota Statutes 2002, sections 517.07; 517.08, by adding a subdivision; 517.10; 517.13; 517.18, subdivision 1; Minnesota Statutes 2003 Supplement, section 517.08, subdivisions 1b, 1c; proposing coding for new law in Minnesota Statutes, chapter 517.

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

Delete everything after the enacting clause and insert:

"Section 1. [256.742] [MINNESOTA HEALTHY MARRIAGE AND RESPONSIBLE FATHERHOOD INITIATIVE.]

Subdivision 1. [ESTABLISHMENT.] The commissioner shall develop and implement a Minnesota Healthy Marriage and Responsible Fatherhood Initiative, as provided for in this section. The commissioner may administer the initiative with federal grants, state appropriations, and in-kind services received for this purpose.

Subd. 2. [PURPOSE.] The purpose of the Healthy Marriage and Responsible Fatherhood Initiative is to develop a community-based collaborative project that will test and evaluate a comprehensive strategy for promoting marriage and responsible fatherhood among unmarried urban parents who are expecting or have recently had a child. The initiative objectives are to:

- (1) encourage stable family formation among unmarried new parents in urban communities;
- (2) promote healthy marriages among unmarried new parents who want to be a couple and indicate that marriage is a goal for their relationship;
- (3) increase paternity establishment and enhance related child support performance indicators;
- (4) promote responsible fathering;
- (5) enhance the well-being of children; and
- (6) encourage and facilitate community support for marriage and family formation among unmarried parents.

Subd. 3. [IMPLEMENTATION.] The target population for the initiative is unmarried new parent couples whose babies are born in urban hospitals in Minneapolis and St. Paul. The initiative may be implemented through the University of Minnesota and community-based programs and organizations. The commissioner shall:

- (1) enter into contracts or manage a grant process for implementation of the initiative;
- (2) provide technical assistance; and
- (3) develop and implement an evaluation component for the initiative.

Sec. 2. [517.001] [DEFINITION.]

As used in this chapter, "local registrar" has the meaning given in section 144.212, subdivision 10.

Sec. 3. Minnesota Statutes 2002, section 517.07, is amended to read:

517.07 [LICENSE.]

~~Before any persons are joined in marriage, a license shall be obtained from the court administrator of the district court local registrar of any county. The marriage need not take place in the county where the license is obtained.~~

Sec. 4. Minnesota Statutes 2003 Supplement, section 517.08, subdivision 1b, is amended to read:

~~Subd. 1b. [TERM OF LICENSE; FEE; PREMARITAL EDUCATION.] (a) The court administrator local registrar shall examine upon oath the party applying for a license relative to the legality of the contemplated marriage. If at the expiration of a five-day period, on being satisfied that there is no legal impediment to it, including the restriction contained in section 259.13, the court administrator local registrar shall issue the license, containing the full names of the parties before and after marriage, and county and state of residence, with the district court county seal attached, and make a record of the date of issuance. The license shall be valid for a period of six months. In case of emergency or extraordinary circumstances, a judge of the district court of the county in which the application is made, may authorize the license to be issued at any time before the expiration of the five days. Except as provided in paragraph (b), the court administrator local registrar shall collect from the applicant a fee of \$80 for administering the oath, issuing, recording, and filing all papers required, and preparing and transmitting to the state registrar of vital statistics the reports of marriage required by this section. If the license should not be used within the period of six months due to illness or other extenuating circumstances, it may be surrendered to the court administrator local registrar for cancellation, and in that case a new license shall issue upon request of the parties of the original license without fee. A court administrator local registrar who~~

knowingly issues or signs a marriage license in any manner other than as provided in this section shall pay to the parties aggrieved an amount not to exceed \$1,000.

(b) The marriage license fee for parties who have completed at least 12 hours of premarital education is \$20. In order to qualify for the reduced fee, the parties must submit a signed and dated statement from the person who provided the premarital education confirming that it was received. The premarital education must be provided by a licensed or ordained minister or the minister's designee, a person authorized to solemnize marriages under section 517.18, or a person authorized to practice marriage and family therapy under section 148B.33. The education must include the use of a premarital inventory and the teaching of communication and conflict management skills.

(c) The statement from the person who provided the premarital education under paragraph (b) must be in the following form:

"I, (name of educator), confirm that (names of both parties) received at least 12 hours of premarital education that included the use of a premarital inventory and the teaching of communication and conflict management skills. I am a licensed or ordained minister, a person authorized to solemnize marriages under Minnesota Statutes, section 517.18, or a person licensed to practice marriage and family therapy under Minnesota Statutes, section 148B.33."

The names of the parties in the educator's statement must be identical to the legal names of the parties as they appear in the marriage license application. Notwithstanding section 138.17, the educator's statement must be retained for seven years, after which time it may be destroyed.

(d) If section 259.13 applies to the request for a marriage license, the ~~court administrator~~ local registrar shall grant the marriage license without the requested name change. Alternatively, the ~~court administrator~~ local registrar may delay the granting of the marriage license until the party with the conviction:

(1) certifies under oath that 30 days have passed since service of the notice for a name change upon the prosecuting authority and, if applicable, the attorney general and no objection has been filed under section 259.13; or

(2) provides a certified copy of the court order granting it. The parties seeking the marriage license shall have the right to choose to have the license granted without the name change or to delay its granting pending further action on the name change request.

Sec. 5. Minnesota Statutes 2003 Supplement, section 517.08, subdivision 1c, is amended to read:

Subd. 1c. [DISPOSITION OF LICENSE FEE.] (a) Of the marriage license fee collected pursuant to subdivision 1b, paragraph (a), ~~\$15~~ \$20 must be retained by the county. The ~~court administrator~~ local registrar must pay ~~\$65~~ \$60 to the commissioner of finance to be deposited as follows:

(1) ~~\$50~~ \$40 in the general fund;

(2) \$3 in the special revenue fund to be appropriated to the commissioner of education for parenting time centers under section 119A.37;

(3) \$2 in the special revenue fund to be appropriated to the commissioner of health for developing and implementing the MN ENABL program under section 145.9255; ~~and~~

(4) \$10 in the special revenue fund to be appropriated to the commissioner of economic security for the displaced homemaker program under section 268.96; and

(5) \$5 in the special revenue fund to be appropriated to the commissioner of human services for the Minnesota Healthy Marriage and Responsible Fatherhood Initiative under section 256.742.

(b) Of the \$20 fee under subdivision 1b, paragraph (b), \$15 must be retained by the county. The ~~state court administrator~~ local registrar must pay \$5 to the commissioner of finance to be distributed as provided in paragraph (a), clauses (2) and (3).

Sec. 6. Minnesota Statutes 2002, section 517.08, is amended by adding a subdivision to read:

Subd. 4. [REPORT.] The local registrar of each county shall annually report to the Department of Health the number of marriage licenses issued in the county for which the fee in subdivision 1b, paragraph (a), was paid and the number for which the fee in subdivision 1b, paragraph (b), was paid.

Sec. 7. Minnesota Statutes 2002, section 517.10, is amended to read:

517.10 [CERTIFICATE; WITNESSES.]

The person solemnizing a marriage shall prepare and sign three certificates thereof. Each certificate shall contain the full names before and after marriage and county and state of residences of the parties and the date and place of the marriage. Each certificate shall also contain the signatures of at least two of the witnesses present at the marriage who shall be at least 16 years of age. The person solemnizing the marriage shall give each of the parties one such certificate, and shall immediately make a record of such marriage, and file one such certificate with the ~~court administrator~~ local registrar of the district court of the county in which the license was issued within five days after the ceremony. The ~~court administrator~~ local registrar shall record such certificate in a book kept for that purpose.

Sec. 8. Minnesota Statutes 2002, section 517.13, is amended to read:

517.13 [PENALTY FOR FAILURE TO DELIVER AND FILE CERTIFICATE.]

Every person solemnizing a marriage who neglects to deliver to the ~~court administrator~~ local registrar a certificate within the time set forth in section 517.10 shall forfeit a sum not exceeding \$100, and every ~~court administrator~~ local registrar who neglects to record a certificate shall forfeit a like sum.

Sec. 9. Minnesota Statutes 2002, section 517.18, subdivision 1, is amended to read:

Subdivision 1. All marriages solemnized among the people called Friends or Quakers, in the form heretofore practiced and in use in their meetings, shall be valid and not affected by any of the foregoing provisions. The clerk of the meeting in which such marriage is solemnized, within one month after any such marriage, shall deliver a certificate of the same to the ~~court administrator of the district court~~ local registrar of the county where the marriage took place, under penalty of not more than \$100. Such certificate shall be filed and recorded by the court administrator under a like penalty. If such marriage does not take place in such meeting, such certificate shall be signed by the parties and at least six witnesses present, and shall be filed and recorded as above provided under a like penalty.

Sec. 10. [APPROPRIATION.]

\$100,000 is appropriated in fiscal year 2005 from the general fund to the commissioner of human services for the Minnesota Healthy Marriage and Responsible Fatherhood Initiative under Minnesota Statutes, section 517.08, subdivision 1c, paragraph (a), clause (5). The first \$100,000 collected under Minnesota Statutes, section 517.08, subdivision 1c, paragraph (a), clause (5), must be deposited in the general fund.

Sec. 11. [EFFECTIVE DATE.]

This act is effective July 1, 2004."

Amend the title as follows:

Page 1, line 3, after the second semicolon, insert "appropriating money;"

Page 1, line 8, delete "chapter" and insert "chapters 256;"

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

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

S.F. No. 2457: A bill for an act relating to the Anoka County Regional Railroad Authority; authorizing the Anoka County Regional Railroad Authority to exercise economic development authority powers.

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

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

S.F. No. 2429: A bill for an act relating to employment; requiring notice of intent to shift jobs out of the country; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Page 1, line 13, after "employee" insert "at least"

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

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

S.F. No. 2474: A bill for an act relating to utilities; modifying cold weather rule; amending Minnesota Statutes 2002, section 216B.098, subdivision 2; Minnesota Statutes 2003 Supplement, section 216B.095; repealing Minnesota Statutes 2002, section 325E.015.

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

Page 2, delete section 2

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything after "Statutes"

Page 1, line 4, delete everything before "2003"

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

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

S.F. No. 2580: A bill for an act relating to energy; requiring the development of a state plan for reducing greenhouse gas emissions from electric generation facilities and other sources.

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

Page 3, lines 7 and 16, delete "Commerce and Utilities" and insert "Jobs, Energy and Community Development"

Page 3, line 14, after "increase" insert "or decrease"

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 Wiger from the Committee on Elections, to which was re-referred

S.F. No. 1249: A bill for an act relating to elections; requiring candidates to receive a certain percentage of votes in the general election to be eligible to receive payments from the general account in the state elections campaign fund; permitting a political party to lose major party status every two years, rather than every four years; amending Minnesota Statutes 2002, sections 10A.31, subdivision 7; 10A.322, subdivision 1; 200.02, subdivision 7.

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

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

S.F. No. 2350: A bill for an act relating to state government; merging the Department of Economic Security and the Department of Employment and Economic Development; making corresponding technical and housekeeping changes; amending Minnesota Statutes 2002, sections 3.922, subdivision 10; 15.0591, subdivision 2; 116J.01, subdivisions 4, 5; 116J.035, subdivision 2; 116J.551; 116J.64, subdivisions 4, 5, 7, 8, 9, by adding a subdivision; 116L.01, subdivision 1; 116L.05, subdivision 4; 119A.46, subdivision 8; 144.9503, subdivision 1; 171.321, subdivision 2; 181.73, subdivision 1; 216C.10; 242.39, subdivision 3; 246.56, subdivision 1; 256J.08, subdivision 52; 268.001; 268.0111, subdivision 4; 268.0122, subdivision 1; 268.29; 268.66, as amended; 268.665, as amended; 268.976, subdivision 2; 268A.01, subdivisions 5, 13; Minnesota Statutes 2003 Supplement, sections 15.01; 15.057; 15.06, subdivision 1; 15A.0815, subdivision 2; 16C.05, subdivision 3; 116J.011; 116J.401; 116J.64, subdivision 6; 116J.966, subdivision 1; 116J.980, subdivision 1; 116J.994, subdivisions 9, 10; 116L.03, subdivision 7; 116M.15, subdivision 1; 248.07, subdivision 8; 256.482, subdivision 1; 256C.233, subdivision 1; 268.014; 268.022, subdivision 1; 268.363; Laws 2003, chapter 128, article 10, section 2, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapters 116J; 116L; 268A; repealing Minnesota Statutes 2002, sections 116J.036; 116J.414; 116J.422; 116L.04, subdivision 4; 268.0111, subdivisions 1, 2, 3a, 4a; 268.0121, subdivisions 1, 2; 268.0122, subdivisions 2, 5, 6; 268.027; 268.028; 268.029; 268.26, subdivisions 2, 3; 268.361, subdivision 3; 268.3661; 268.551; 268.552; 268.56, subdivision 2; 268.561, subdivision 10; 268.61, subdivision 2; 268.65, subdivisions 1, 3, 4, 5; 268.666, subdivision 5; 268.89; 268.918; 268.95; Minnesota Statutes 2003 Supplement, sections 268.0122, subdivision 3; 268.26, subdivision 1; 268.65, subdivision 2; 268.95, subdivision 4; 268.976, subdivision 1; Laws 2001, chapter 175, section 49; Minnesota Rules, parts 3300.0050; 3301.0180; 3301.0190; 3301.0200; 3301.0210; 3301.0220; 3301.0230; 3310.2903; 3310.2904; 3310.2905, subpart 1; 3310.2906; 3310.2907; 3310.2909; 3310.2918; 3315.0100; 3315.0202; 3315.0501, subparts 3, 4, 5; 3315.0510; 3315.0530, subpart 1; 3315.0535; 3315.0545; 3315.0555, subpart 5; 3315.0915; 3315.0920; 3315.1005, subpart 2; 3315.1015; 3315.1301, subparts 3, 6; 3315.1305; 3315.1310; 3315.1650, subpart 1; 3315.2410; 3315.2610; 3315.2750; 3315.2810, subparts 1, 3; 3315.3220, subpart 4; 3320.0010; 3320.0020; 3320.0030; 7380.0200; 7380.0210; 7380.0220; 7380.0230; 7380.0240; 7380.0500; 7380.0510; 7380.0520; 7380.0530; 7380.0540; 7380.0550; 7380.0560; 7380.0570; 7380.0580; 7380.0581; 7380.0582; 7380.0600; 7380.0610; 7380.0620; 7380.0630; 7380.0640; 7380.0650; 7380.0800; 7380.0810; 7380.0820; 7380.0830; 7380.0840.

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

Page 38, line 32, before the period, insert "For the extended employment program, supported employment must also be paid work in a position removed from the service vendor's site where individuals without disabilities who do not require public subsidies may also be employed".

Page 39, line 34, delete everything after "268A.15" and insert a semicolon

Page 39, delete lines 35 and 36

Page 40, delete line 1

Page 40, line 4, delete "community chests" and insert "the United Way"

Page 40, line 9, after the semicolon, insert "and"

Page 40, delete lines 10 to 14

Page 40, line 15, delete "(6)" and insert "(4)"

Page 43, line 20, delete "116J.422;"

Amend the title as follows:

Page 1, line 30, delete "116J.422;"

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Energy and Community Development. Amendments adopted. Report adopted.

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

S.F. No. 2141: A bill for an act relating to education; modifying the membership of the Commission on National and Community Service; amending Minnesota Statutes 2003 Supplement, section 124D.385, subdivision 2; repealing Minnesota Statutes 2002, sections 124D.41; 124D.42, subdivisions 1, 2, 4, 5, 7; 124D.43; Minnesota Statutes 2003 Supplement, section 124D.42, subdivisions 3, 6.

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

Page 1, line 17, delete "eight" and insert "nine"

Page 1, line 24, strike "and" and reinstate the stricken "Indian tribes" and insert ", and"

Page 1, line 26, delete "16" and insert "15"

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

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

S.F. No. 1866: A bill for an act relating to state employment; ratifying certain labor agreements and compensation plans.

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

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

S.F. No. 2376: A bill for an act relating to state employment; modifying affirmative action provisions; amending Minnesota Statutes 2002, sections 43A.02, by adding a subdivision; 43A.19, subdivision 1; repealing Minnesota Rules, part 3900.0400, subpart 11.

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

Page 2, line 13, delete "and"

Page 2, line 15, reinstate the stricken semicolon and delete the period

Page 2, lines 16 to 20, reinstate the stricken language

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

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

S.F. No. 2201: A bill for an act relating to waters; providing for administrative penalty orders; providing civil penalties; requiring an implementation plan; providing a rulemaking exemption; proposing coding for new law in Minnesota Statutes, chapter 103G.

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

Page 4, line 23, delete "by the Office of Administrative"

Page 4, delete line 24

Page 4, line 25, delete "fees incurred for the hearing"

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

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

S.F. No. 2266: A bill for an act relating to environment; clarifying remediation fund expenditures; amending Minnesota Statutes 2003 Supplement, sections 115B.20, subdivision 2; 473.845, subdivision 1.

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

Page 3, after line 7, insert:

"Sec. 3. Laws 2003, chapter 128, article 1, section 10, is amended to read:

Sec. 10. [FUND TRANSFER.]

(a) By June 30, 2003, the commissioner of the pollution control agency shall transfer \$11,000,000 from the unreserved balance of the solid waste fund to the commissioner of finance for cancellation to the general fund.

(b) The commissioner of the pollution control agency shall transfer \$5,000,000 before July 30, 2003, and \$5,000,000 before July 30, 2004, from the unreserved balance of the environmental fund to the commissioner of finance for cancellation to the general fund.

(c) By June 30, 2005, the commissioner of the pollution control agency shall transfer \$1,370,000 from the environmental fund to the commissioner of finance for cancellation to the general fund.

(d) By June 30, 2007, the commissioner of the pollution control agency shall transfer \$1,370,000 from the environmental fund to the commissioner of finance for cancellation to the general fund.

(e) By June 30, 2004, the commissioner of the pollution control agency shall transfer \$9,905,000 from the metropolitan landfill contingency action trust fund account to the commissioner of finance for cancellation to the general fund. This is a onetime transfer from the metropolitan landfill contingency action trust fund account to the general fund. It is the intent of the legislature to restore these funds to the metropolitan landfill contingency action trust fund account as revenues become available in the future to ensure the state meets future financial obligations under Minnesota Statutes, section 473.845.

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

Amend the title as follows:

Page 1, line 5, before the period, insert "; Laws 2003, chapter 128, article 1, section 10"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

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

S.F. No. 1988: A bill for an act relating to state lands; authorizing conveyance of surplus state land in Redwood County.

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

Page 1, line 11, delete "and free of any"

Page 1, line 12, delete "restrictions"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

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

S.F. No. 2236: A bill for an act relating to the environment; modifying provisions relating to warrantied sewage treatment systems; amending Minnesota Statutes 2002, section 115.55, subdivision 9; repealing Minnesota Statutes 2002, section 115.55, subdivision 10.

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

Page 2, delete line 36

Page 3, delete lines 1 and 2

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 Environment and Natural Resources, to which was referred

S.F. No. 1662: A bill for an act relating to natural resources; modifying restrictions for certain state leases on Horseshoe Bay in Cook County; amending Laws 1997, chapter 216, section 151.

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

Page 2, line 3, delete "third" and insert "second" and delete "or first cousin"

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

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

S.F. No. 2222: A resolution memorializing Minnesota's Congressional Delegation to authorize an increase in the existing Boundary Waters Canoe Area Wilderness (BWCAW) reservation fee to be allocated to Minnesota's Permanent School Fund.

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

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

S.F. No. 2216: A bill for an act relating to natural resources; modifying electronic licensing provisions; clarifying certain wild rice provisions; modifying disposition of certain proceeds; modifying snowmobile training and operating requirements; modifying certain fee provisions; eliminating RIM work plan requirement; modifying reporting requirements; modifying motorboat equipment and noise provisions; modifying provisions for cross-country ski passes; providing for

certain refunds, fees, and commissions; modifying authority to issue and sell licenses and appoint agents; modifying nonresident minnow transport requirements; providing for rulemaking; appropriating money; amending Minnesota Statutes 2002, sections 84.027, subdivision 15; 84.091, subdivision 1; 84.83, subdivision 2; 84.86, subdivision 1; 84.862, subdivisions 1, 3; 84.87, subdivision 2; 84.872, subdivision 1; 85.41, subdivisions 2, 4, 5; 85.43; 86B.321, subdivision 2; 86B.521, subdivisions 1, 2; 97A.055, subdivision 4; 97A.311, by adding a subdivision; 97A.434, subdivision 3; 97A.4742, subdivision 4; 97A.485, subdivisions 3, 4, 5, 7, 11; 97C.501, subdivision 4; 97C.525, subdivisions 3, 5; Minnesota Statutes 2003 Supplement, sections 84.862, subdivision 2a; 97A.475, subdivision 26; 97A.485, subdivision 6; 103G.615, subdivision 2; repealing Minnesota Statutes 2002, sections 84.862, subdivision 2; 84.95, subdivision 3; 97A.485, subdivisions 2, 8, 10; Minnesota Statutes 2003 Supplement, section 97A.475, subdivision 28.

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

Page 6, delete section 8

Page 17, line 18, delete the new language

Page 17, line 20, strike everything after "rice"

Page 17, line 21, strike "public hearing" and after the period, insert "The fees must be set by rule, and section 16A.1283 does not apply."

Page 18, line 3, delete "7" and insert "30"

Page 18, line 13, delete "14" and insert "13"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 18, delete "84.87, subdivision 2;"

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

S.F. No. 1665: A bill for an act relating to prevention of abortion, unintended pregnancies, and sexually transmitted infection; increasing access to family planning services; expanding educational efforts to prevent unintended pregnancies; increasing wholesome after-school activities for youth; requiring development of a plan to ensure comprehensive family life and sexuality education; creating after-school enrichment programs; requiring the provision of contraceptive information; creating a family planning Web site; modifying the ENABL program; establishing regional training sites for comprehensive family life and sexuality education in schools; requiring family planning information be provided to MFIP recipients; appropriating money; amending Minnesota Statutes 2002, section 145.925, subdivision 9; Minnesota Statutes 2003 Supplement, sections 145.4243; 145.9255, subdivisions 1, 4; 256J.45, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 121A; 124D; 145.

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

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

S.F. No. 1990: A bill for an act relating to health; providing information on FDA-approved methods of contraception and natural family planning; amending Minnesota Statutes 2003 Supplement, section 256J.45, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 145.

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

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

S.F. No. 1559: A bill for an act relating to museums and archives repositories; regulating loans to and abandoned property of museums and archives repositories; providing a process for establishing ownership of property loaned to museums and archives repositories; proposing coding for new law in Minnesota Statutes, chapter 345.

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

Page 6, after line 23, insert:

"Subd. 3. [PRESUMPTION OF GIFT TO MUSEUM.] Effective August 1, 2004, property that:

(1) is found in or on property controlled by the museum;

(2) is from an unknown source; and

(3) might reasonably be assumed to have been intended as a gift to the museum;

is conclusively presumed to be a gift to the museum if ownership of the property is not claimed by a person within 90 days of its discovery provided that the person responsible for the property being gifted to the museum had good title to the property."

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

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

S.F. No. 2257: A bill for an act relating to title insurance; providing for required premium reserves; defining a term; amending Minnesota Statutes 2002, sections 68A.02; 68A.03, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 68A.

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

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

S.F. No. 2418: A bill for an act relating to commerce; regulating safe deposit companies; modifying collateral requirements applicable to depositories of local public funds; amending Minnesota Statutes 2002, section 55.15; Minnesota Statutes 2003 Supplement, section 118A.03, subdivision 2.

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

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

H.F. No. 778: 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; changing a fee; making style and form changes; changing certain child support, residence change, and pension distribution provisions; classifying certain data; requiring additional information; clarifying and improving certain procedures and support enforcement provisions; clarifying a funding provision; providing alternate forms of marriage solemnization; appropriating money; amending Minnesota Statutes 2002, sections 13.69, subdivision 1; 171.06, subdivision 3; 171.07, by adding a subdivision; 257C.01, subdivision 2; 357.021, by adding a subdivision; 517.18; 518.002; 518.003, subdivisions 1, 3; 518.005; 518.01; 518.02; 518.03; 518.04; 518.05; 518.055; 518.06; 518.07; 518.09; 518.091; 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, 6; 518.165; 518.166; 518.167, subdivisions 3, 4, 5; 518.168; 518.1705, subdivisions 2, 6, 7, 8, 9; 518.171, subdivision 7;

518.175; 518.1751, subdivisions 1b, 2, 2a, 2b, 2c, 3; 518.1752; 518.176; 518.177; 518.178; 518.179, subdivision 1; 518.18; 518.191, subdivision 1; 518.195, subdivisions 2, 3; 518.24; 518.25; 518.27; 518.54, subdivisions 1, 5, 6, 7, 8; 518.55; 518.551, subdivisions 5, 12, 13; 518.552; 518.58; 518.581; 518.582; 518.6111, subdivision 7; 518.612; 518.619; 518.62; 518.64, subdivisions 1, 2, by adding a subdivision; 518.641; 518.642; 518.646; 518.65; 518.68, subdivisions 1, 2; 519.11, subdivision 1; 548.091, subdivision 1a; 552.01, subdivisions 2, 3, 5, 7; 552.04, subdivision 15; 552.06, subdivisions 1, 2, 5, 6; 609.375, subdivision 2b; Laws 1997, chapter 245, article 2, section 11; proposing coding for new law in Minnesota Statutes, chapter 97A; proposing coding for new law as Minnesota Statutes, chapters 517A; 517B; 517C; repealing Minnesota Statutes 2002, sections 518.111; 518.14, subdivision 2; 518.17; 518.171; 518.1752; 518.185; 518.24; 518.255; 518.54, subdivisions 2, 4a, 13, 14; 518.55, subdivision 4; 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; 518.6196; 518.62; 518.64, subdivisions 4, 4a, 5; 518.68.

Reports the same back with the recommendation that the bill, as amended pursuant to Rule 45, adopted by the Senate May 13, 2003, be amended as follows:

Page 2, line 16, delete "state treasurer" and insert "commissioner of finance"

Page 77, line 23, delete "income"

Page 77, line 24, delete everything before "a"

Page 77, line 25, delete the semicolon and insert a comma

Page 89, line 16, delete "percentages" and insert "amounts"

Page 89, delete lines 23 to 37

Page 90, delete lines 1 to 36 and insert:

<u>"Parents'</u> <u>Combined Gross</u> <u>Monthly Income</u>	<u>Number of Children</u>					
	<u>One</u>	<u>Two</u>	<u>Three</u>	<u>Four</u>	<u>Five</u>	<u>Six</u>
<u>\$0- \$199</u>	<u>\$10</u>	<u>\$16</u>	<u>\$19</u>	<u>\$22</u>	<u>\$25</u>	<u>\$29</u>
<u>200- 299</u>	<u>20</u>	<u>32</u>	<u>37</u>	<u>43</u>	<u>50</u>	<u>58</u>
<u>300- 399</u>	<u>30</u>	<u>48</u>	<u>56</u>	<u>65</u>	<u>75</u>	<u>87</u>
<u>400- 499</u>	<u>40</u>	<u>64</u>	<u>74</u>	<u>86</u>	<u>100</u>	<u>116</u>
<u>500- 599</u>	<u>50</u>	<u>81</u>	<u>93</u>	<u>108</u>	<u>126</u>	<u>146</u>
<u>600- 699</u>	<u>60</u>	<u>97</u>	<u>112</u>	<u>130</u>	<u>151</u>	<u>175</u>
<u>700- 799</u>	<u>70</u>	<u>113</u>	<u>130</u>	<u>151</u>	<u>176</u>	<u>204</u>
<u>800- 899</u>	<u>80</u>	<u>129</u>	<u>149</u>	<u>173</u>	<u>201</u>	<u>233</u>
<u>900- 999</u>	<u>90</u>	<u>145</u>	<u>167</u>	<u>194</u>	<u>226</u>	<u>262</u>
<u>1,000- 1,099</u>	<u>116</u>	<u>161</u>	<u>186</u>	<u>216</u>	<u>251</u>	<u>291</u>
<u>1,100- 1,199</u>	<u>145</u>	<u>205</u>	<u>237</u>	<u>275</u>	<u>320</u>	<u>370</u>
<u>1,200- 1,299</u>	<u>177</u>	<u>254</u>	<u>294</u>	<u>341</u>	<u>396</u>	<u>459</u>
<u>1,300- 1,399</u>	<u>212</u>	<u>309</u>	<u>356</u>	<u>414</u>	<u>480</u>	<u>557</u>
<u>1,400- 1,499</u>	<u>251</u>	<u>368</u>	<u>425</u>	<u>493</u>	<u>573</u>	<u>664</u>
<u>1,500- 1,599</u>	<u>292</u>	<u>433</u>	<u>500</u>	<u>580</u>	<u>673</u>	<u>780</u>
<u>1,600- 1,699</u>	<u>337</u>	<u>502</u>	<u>580</u>	<u>673</u>	<u>781</u>	<u>905</u>
<u>1,700- 1,799</u>	<u>385</u>	<u>577</u>	<u>666</u>	<u>773</u>	<u>897</u>	<u>1,040</u>
<u>1,800- 1,899</u>	<u>436</u>	<u>657</u>	<u>758</u>	<u>880</u>	<u>1,021</u>	<u>1,183</u>
<u>1,900- 1,999</u>	<u>490</u>	<u>742</u>	<u>856</u>	<u>994</u>	<u>1,152</u>	<u>1,336</u>
<u>2,000- 2,099</u>	<u>516</u>	<u>832</u>	<u>960</u>	<u>1,114</u>	<u>1,292</u>	<u>1,498</u>
<u>2,100- 2,199</u>	<u>528</u>	<u>851</u>	<u>981</u>	<u>1,139</u>	<u>1,320</u>	<u>1,531</u>
<u>2,200- 2,299</u>	<u>538</u>	<u>867</u>	<u>1,000</u>	<u>1,160</u>	<u>1,346</u>	<u>1,561</u>
<u>2,300- 2,399</u>	<u>546</u>	<u>881</u>	<u>1,016</u>	<u>1,179</u>	<u>1,367</u>	<u>1,586</u>

<u>2,400- 2,499</u>	<u>554</u>	<u>893</u>	<u>1,029</u>	<u>1,195</u>	<u>1,385</u>	<u>1,608</u>
<u>2,500- 2,599</u>	<u>560</u>	<u>903</u>	<u>1,040</u>	<u>1,208</u>	<u>1,400</u>	<u>1,625</u>
<u>2,600- 2,699</u>	<u>570</u>	<u>920</u>	<u>1,060</u>	<u>1,230</u>	<u>1,426</u>	<u>1,655</u>
<u>2,700- 2,799</u>	<u>580</u>	<u>936</u>	<u>1,078</u>	<u>1,251</u>	<u>1,450</u>	<u>1,683</u>
<u>2,800- 2,899</u>	<u>589</u>	<u>950</u>	<u>1,094</u>	<u>1,270</u>	<u>1,472</u>	<u>1,707</u>
<u>2,900- 2,999</u>	<u>596</u>	<u>963</u>	<u>1,109</u>	<u>1,287</u>	<u>1,492</u>	<u>1,730</u>
<u>3,000- 3,099</u>	<u>603</u>	<u>975</u>	<u>1,122</u>	<u>1,302</u>	<u>1,509</u>	<u>1,749</u>
<u>3,100- 3,199</u>	<u>613</u>	<u>991</u>	<u>1,141</u>	<u>1,324</u>	<u>1,535</u>	<u>1,779</u>
<u>3,200- 3,299</u>	<u>623</u>	<u>1,007</u>	<u>1,158</u>	<u>1,344</u>	<u>1,558</u>	<u>1,807</u>
<u>3,300- 3,399</u>	<u>632</u>	<u>1,021</u>	<u>1,175</u>	<u>1,363</u>	<u>1,581</u>	<u>1,833</u>
<u>3,400- 3,499</u>	<u>640</u>	<u>1,034</u>	<u>1,190</u>	<u>1,380</u>	<u>1,601</u>	<u>1,857</u>
<u>3,500- 3,599</u>	<u>648</u>	<u>1,047</u>	<u>1,204</u>	<u>1,397</u>	<u>1,621</u>	<u>1,880</u>
<u>3,600- 3,699</u>	<u>657</u>	<u>1,062</u>	<u>1,223</u>	<u>1,418</u>	<u>1,646</u>	<u>1,909</u>
<u>3,700- 3,799</u>	<u>667</u>	<u>1,077</u>	<u>1,240</u>	<u>1,439</u>	<u>1,670</u>	<u>1,937</u>
<u>3,800- 3,899</u>	<u>676</u>	<u>1,018</u>	<u>1,257</u>	<u>1,459</u>	<u>1,693</u>	<u>1,963</u>
<u>3,900- 3,999</u>	<u>684</u>	<u>1,104</u>	<u>1,273</u>	<u>1,478</u>	<u>1,715</u>	<u>1,988</u>
<u>4,000- 4,099</u>	<u>692</u>	<u>1,116</u>	<u>1,288</u>	<u>1,496</u>	<u>1,736</u>	<u>2,012</u>
<u>4,100- 4,199</u>	<u>701</u>	<u>1,132</u>	<u>1,305</u>	<u>1,516</u>	<u>1,759</u>	<u>2,039</u>
<u>4,200- 4,299</u>	<u>710</u>	<u>1,147</u>	<u>1,322</u>	<u>1,536</u>	<u>1,781</u>	<u>2,064</u>
<u>4,300- 4,399</u>	<u>718</u>	<u>1,161</u>	<u>1,338</u>	<u>1,554</u>	<u>1,802</u>	<u>2,088</u>
<u>4,400- 4,499</u>	<u>726</u>	<u>1,175</u>	<u>1,353</u>	<u>1,572</u>	<u>1,822</u>	<u>2,111</u>
<u>4,500- 4,599</u>	<u>734</u>	<u>1,184</u>	<u>1,368</u>	<u>1,589</u>	<u>1,841</u>	<u>2,133</u>
<u>4,600- 4,699</u>	<u>743</u>	<u>1,200</u>	<u>1,386</u>	<u>1,608</u>	<u>1,864</u>	<u>2,160</u>
<u>4,700- 4,799</u>	<u>753</u>	<u>1,215</u>	<u>1,402</u>	<u>1,627</u>	<u>1,887</u>	<u>2,186</u>
<u>4,800- 4,899</u>	<u>762</u>	<u>1,231</u>	<u>1,419</u>	<u>1,645</u>	<u>1,908</u>	<u>2,212</u>
<u>4,900- 4,999</u>	<u>771</u>	<u>1,246</u>	<u>1,435</u>	<u>1,663</u>	<u>1,930</u>	<u>2,236</u>
<u>5,000- 5,099</u>	<u>780</u>	<u>1,260</u>	<u>1,450</u>	<u>1,680</u>	<u>1,950</u>	<u>2,260</u>
<u>5,100- 5,199</u>	<u>788</u>	<u>1,275</u>	<u>1,468</u>	<u>1,701</u>	<u>1,975</u>	<u>2,289</u>
<u>5,200- 5,299</u>	<u>797</u>	<u>1,290</u>	<u>1,485</u>	<u>1,722</u>	<u>1,999</u>	<u>2,317</u>
<u>5,300- 5,399</u>	<u>805</u>	<u>1,304</u>	<u>1,502</u>	<u>1,743</u>	<u>2,022</u>	<u>2,345</u>
<u>5,400- 5,499</u>	<u>812</u>	<u>1,318</u>	<u>1,518</u>	<u>1,763</u>	<u>2,046</u>	<u>2,372</u>
<u>5,500- 5,599</u>	<u>820</u>	<u>1,331</u>	<u>1,535</u>	<u>1,782</u>	<u>2,068</u>	<u>2,398</u>
<u>5,600- 5,699</u>	<u>829</u>	<u>1,346</u>	<u>1,551</u>	<u>1,801</u>	<u>2,090</u>	<u>2,424</u>
<u>5,700- 5,799</u>	<u>838</u>	<u>1,357</u>	<u>1,568</u>	<u>1,819</u>	<u>2,111</u>	<u>2,449</u>
<u>5,800- 5,899</u>	<u>847</u>	<u>1,376</u>	<u>1,583</u>	<u>1,837</u>	<u>2,132</u>	<u>2,473</u>
<u>5,900- 5,999</u>	<u>856</u>	<u>1,390</u>	<u>1,599</u>	<u>1,855</u>	<u>2,152</u>	<u>2,497</u>
<u>6,000- 6,099</u>	<u>864</u>	<u>1,404</u>	<u>1,614</u>	<u>1,872</u>	<u>2,172</u>	<u>2,520</u>
<u>6,100- 6,199</u>	<u>874</u>	<u>1,419</u>	<u>1,631</u>	<u>1,892</u>	<u>2,195</u>	<u>2,546</u>
<u>6,200- 6,299</u>	<u>883</u>	<u>1,433</u>	<u>1,645</u>	<u>1,912</u>	<u>2,217</u>	<u>2,572</u>
<u>6,300- 6,399</u>	<u>892</u>	<u>1,448</u>	<u>1,664</u>	<u>1,932</u>	<u>2,239</u>	<u>2,597</u>
<u>6,400- 6,499</u>	<u>901</u>	<u>1,462</u>	<u>1,713</u>	<u>1,951</u>	<u>2,260</u>	<u>2,621</u>
<u>6,500- 6,599</u>	<u>910</u>	<u>1,476</u>	<u>1,697</u>	<u>1,970</u>	<u>2,282</u>	<u>2,646</u>
<u>6,600- 6,699</u>	<u>919</u>	<u>1,490</u>	<u>1,713</u>	<u>1,989</u>	<u>2,305</u>	<u>2,673</u>
<u>6,700- 6,799</u>	<u>927</u>	<u>1,505</u>	<u>1,730</u>	<u>2,009</u>	<u>2,328</u>	<u>2,700</u>
<u>6,800- 6,899</u>	<u>936</u>	<u>1,519</u>	<u>1,746</u>	<u>2,028</u>	<u>2,350</u>	<u>2,727</u>
<u>6,900- 6,999</u>	<u>944</u>	<u>1,533</u>	<u>1,762</u>	<u>2,047</u>	<u>2,379</u>	<u>2,753</u>
<u>7,000- 7,099</u>	<u>952</u>	<u>1,547</u>	<u>1,778</u>	<u>2,065</u>	<u>2,394</u>	<u>2,779</u>
<u>7,100- 7,199</u>	<u>961</u>	<u>1,561</u>	<u>1,795</u>	<u>2,085</u>	<u>2,417</u>	<u>2,805</u>
<u>7,200- 7,299</u>	<u>971</u>	<u>1,574</u>	<u>1,812</u>	<u>2,104</u>	<u>2,439</u>	<u>2,830</u>
<u>7,300- 7,399</u>	<u>980</u>	<u>1,587</u>	<u>1,828</u>	<u>2,123</u>	<u>2,462</u>	<u>2,854</u>
<u>7,400- 7,499</u>	<u>989</u>	<u>1,600</u>	<u>1,844</u>	<u>2,142</u>	<u>2,483</u>	<u>2,879</u>
<u>7,500- 7,599</u>	<u>998</u>	<u>1,613</u>	<u>1,860</u>	<u>2,160</u>	<u>2,505</u>	<u>2,903</u>
<u>7,600- 7,699</u>	<u>1,006</u>	<u>1,628</u>	<u>1,877</u>	<u>2,180</u>	<u>2,528</u>	<u>2,929</u>
<u>7,700- 7,799</u>	<u>1,015</u>	<u>1,643</u>	<u>1,894</u>	<u>2,199</u>	<u>2,550</u>	<u>2,955</u>

<u>7,800-7,899</u>	<u>1,023</u>	<u>1,658</u>	<u>1,911</u>	<u>2,218</u>	<u>2,572</u>	<u>2,981</u>
<u>7,900-7,999</u>	<u>1,032</u>	<u>1,673</u>	<u>1,928</u>	<u>2,237</u>	<u>2,594</u>	<u>3,007</u>
<u>8,000-8,099</u>	<u>1,040</u>	<u>1,688</u>	<u>1,944</u>	<u>2,256</u>	<u>2,616</u>	<u>3,032</u>
<u>8,100-8,199</u>	<u>1,048</u>	<u>1,703</u>	<u>1,960</u>	<u>2,274</u>	<u>2,637</u>	<u>3,057</u>
<u>8,200-8,299</u>	<u>1,056</u>	<u>1,717</u>	<u>1,976</u>	<u>2,293</u>	<u>2,658</u>	<u>3,082</u>
<u>8,300-8,399</u>	<u>1,064</u>	<u>1,731</u>	<u>1,992</u>	<u>2,311</u>	<u>2,679</u>	<u>3,106</u>
<u>8,400-8,499</u>	<u>1,072</u>	<u>1,746</u>	<u>2,008</u>	<u>2,328</u>	<u>2,700</u>	<u>3,130</u>
<u>8,500-8,599</u>	<u>1,080</u>	<u>1,760</u>	<u>2,023</u>	<u>2,346</u>	<u>2,720</u>	<u>3,154</u>
<u>8,600-8,699</u>	<u>1,092</u>	<u>1,780</u>	<u>2,047</u>	<u>2,374</u>	<u>2,752</u>	<u>3,191</u>
<u>8,700-8,799</u>	<u>1,105</u>	<u>1,801</u>	<u>2,071</u>	<u>2,401</u>	<u>2,784</u>	<u>3,228</u>
<u>8,800-8,899</u>	<u>1,118</u>	<u>1,822</u>	<u>2,094</u>	<u>2,429</u>	<u>2,816</u>	<u>3,265</u>
<u>8,900-8,999</u>	<u>1,130</u>	<u>1,842</u>	<u>2,118</u>	<u>2,456</u>	<u>2,848</u>	<u>3,302</u>
<u>9,000-9,099</u>	<u>1,143</u>	<u>1,863</u>	<u>2,142</u>	<u>2,484</u>	<u>2,880</u>	<u>3,339</u>
<u>9,100-9,199</u>	<u>1,156</u>	<u>1,884</u>	<u>2,166</u>	<u>2,512</u>	<u>2,912</u>	<u>3,376</u>
<u>9,200-9,299</u>	<u>1,168</u>	<u>1,904</u>	<u>2,190</u>	<u>2,539</u>	<u>2,944</u>	<u>3,413</u>
<u>9,300-9,399</u>	<u>1,181</u>	<u>1,925</u>	<u>2,213</u>	<u>2,567</u>	<u>2,976</u>	<u>3,450</u>
<u>9,400-9,499</u>	<u>1,194</u>	<u>1,946</u>	<u>2,237</u>	<u>2,594</u>	<u>3,008</u>	<u>3,487</u>
<u>9,500-9,599</u>	<u>1,207</u>	<u>1,967</u>	<u>2,261</u>	<u>2,622</u>	<u>3,040</u>	<u>3,525</u>
<u>9,600-9,699</u>	<u>1,219</u>	<u>1,987</u>	<u>2,285</u>	<u>2,650</u>	<u>3,072</u>	<u>3,562</u>
<u>9,700-9,799</u>	<u>1,232</u>	<u>2,008</u>	<u>2,309</u>	<u>2,677</u>	<u>3,104</u>	<u>3,599</u>
<u>9,800-9,899</u>	<u>1,245</u>	<u>2,029</u>	<u>2,332</u>	<u>2,705</u>	<u>3,136</u>	<u>3,636</u>
<u>9,900-9,999</u>	<u>1,257</u>	<u>2,049</u>	<u>2,356</u>	<u>2,732</u>	<u>3,168</u>	<u>3,673</u>
<u>10,000-10,099</u>	<u>1,270</u>	<u>2,070</u>	<u>2,380</u>	<u>2,760</u>	<u>3,200</u>	<u>3,710</u>
<u>10,100-10,199</u>	<u>1,283</u>	<u>2,091</u>	<u>2,404</u>	<u>2,788</u>	<u>3,232</u>	<u>3,747</u>
<u>10,200-10,299</u>	<u>1,295</u>	<u>2,111</u>	<u>2,428</u>	<u>2,815</u>	<u>3,264</u>	<u>3,784</u>
<u>10,300-10,399</u>	<u>1,308</u>	<u>2,132</u>	<u>2,451</u>	<u>2,843</u>	<u>3,296</u>	<u>3,821</u>
<u>10,400-10,499</u>	<u>1,321</u>	<u>2,153</u>	<u>2,475</u>	<u>2,870</u>	<u>3,328</u>	<u>3,858</u>
<u>10,500-10,599</u>	<u>1,334</u>	<u>2,174</u>	<u>2,499</u>	<u>2,898</u>	<u>3,360</u>	<u>3,896</u>
<u>10,600-10,699</u>	<u>1,346</u>	<u>2,194</u>	<u>2,523</u>	<u>2,926</u>	<u>3,392</u>	<u>3,933</u>
<u>10,700-10,799</u>	<u>1,359</u>	<u>2,215</u>	<u>2,547</u>	<u>2,953</u>	<u>3,424</u>	<u>3,970</u>
<u>10,800-10,899</u>	<u>1,372</u>	<u>2,236</u>	<u>2,570</u>	<u>2,981</u>	<u>3,456</u>	<u>4,007</u>
<u>10,900-10,999</u>	<u>1,384</u>	<u>2,256</u>	<u>2,594</u>	<u>3,008</u>	<u>3,488</u>	<u>4,044</u>
<u>11,000-11,099</u>	<u>1,397</u>	<u>2,277</u>	<u>2,618</u>	<u>3,036</u>	<u>3,520</u>	<u>4,081</u>
<u>11,100-11,199</u>	<u>1,410</u>	<u>2,298</u>	<u>2,642</u>	<u>3,064</u>	<u>3,552</u>	<u>4,118</u>
<u>11,200-11,299</u>	<u>1,422</u>	<u>2,318</u>	<u>2,666</u>	<u>3,091</u>	<u>3,584</u>	<u>4,155</u>
<u>11,300-11,399</u>	<u>1,435</u>	<u>2,339</u>	<u>2,689</u>	<u>3,119</u>	<u>3,616</u>	<u>4,192</u>
<u>11,400-11,499</u>	<u>1,448</u>	<u>2,360</u>	<u>2,713</u>	<u>3,146</u>	<u>3,648</u>	<u>4,229</u>
<u>11,500-11,599</u>	<u>1,461</u>	<u>2,381</u>	<u>2,737</u>	<u>3,174</u>	<u>3,680</u>	<u>4,267</u>
<u>11,600-11,699</u>	<u>1,473</u>	<u>2,401</u>	<u>2,761</u>	<u>3,202</u>	<u>3,712</u>	<u>4,304</u>
<u>11,700-11,799</u>	<u>1,486</u>	<u>2,422</u>	<u>2,785</u>	<u>3,229</u>	<u>3,744</u>	<u>4,341</u>
<u>11,800-11,899</u>	<u>1,499</u>	<u>2,443</u>	<u>2,808</u>	<u>3,257</u>	<u>3,776</u>	<u>4,378</u>
<u>11,900-11,999</u>	<u>1,511</u>	<u>2,463</u>	<u>2,832</u>	<u>3,284</u>	<u>3,808</u>	<u>4,415</u>
<u>12,000-12,099</u>	<u>1,524</u>	<u>2,484</u>	<u>2,856</u>	<u>3,312</u>	<u>3,840</u>	<u>4,452</u>
<u>12,100-12,199</u>	<u>1,537</u>	<u>2,505</u>	<u>2,880</u>	<u>3,340</u>	<u>3,872</u>	<u>4,489</u>
<u>12,200-12,299</u>	<u>1,549</u>	<u>2,525</u>	<u>2,904</u>	<u>3,367</u>	<u>3,904</u>	<u>4,526</u>
<u>12,300-12,399</u>	<u>1,562</u>	<u>2,546</u>	<u>2,927</u>	<u>3,395</u>	<u>3,936</u>	<u>4,563</u>
<u>12,400-12,499</u>	<u>1,575</u>	<u>2,567</u>	<u>2,951</u>	<u>3,422</u>	<u>3,968</u>	<u>4,600</u>
<u>12,500-12,599</u>	<u>1,588</u>	<u>2,588</u>	<u>2,975</u>	<u>3,450</u>	<u>4,000</u>	<u>4,638</u>
<u>12,600-12,699</u>	<u>1,600</u>	<u>2,608</u>	<u>2,999</u>	<u>3,478</u>	<u>4,032</u>	<u>4,675</u>
<u>12,700-12,799</u>	<u>1,613</u>	<u>2,629</u>	<u>3,023</u>	<u>3,505</u>	<u>4,064</u>	<u>4,712</u>
<u>12,800-12,899</u>	<u>1,626</u>	<u>2,650</u>	<u>3,046</u>	<u>3,533</u>	<u>4,096</u>	<u>4,749</u>
<u>12,900-12,999</u>	<u>1,638</u>	<u>2,670</u>	<u>3,070</u>	<u>3,560</u>	<u>4,128</u>	<u>4,786</u>
<u>13,000-13,099</u>	<u>1,651</u>	<u>2,691</u>	<u>3,094</u>	<u>3,588</u>	<u>4,160</u>	<u>4,823</u>
<u>13,100-13,199</u>	<u>1,664</u>	<u>2,712</u>	<u>3,118</u>	<u>3,616</u>	<u>4,192</u>	<u>4,860</u>

13,200-13,299	1,676	2,732	3,142	3,643	4,224	4,897
13,300-13,399	1,689	2,753	3,165	3,671	4,256	4,934
13,400-13,499	1,702	2,774	3,189	3,698	4,288	4,971
13,500-13,599	1,715	2,795	3,213	3,726	4,320	5,009
13,600-13,699	1,727	2,815	3,237	3,754	4,352	5,046
13,700-13,799	1,740	2,836	3,261	3,781	4,384	5,083
13,800-13,899	1,753	2,857	3,284	3,809	4,416	5,120
13,900-13,999	1,765	2,877	3,308	3,836	4,448	5,157
14,000-14,099	1,778	2,898	3,332	3,864	4,480	5,194
14,100-14,199	1,791	2,919	3,356	3,892	4,512	5,231
14,200-14,299	1,803	2,939	3,380	3,919	4,544	5,268
14,300-14,399	1,816	2,960	3,403	3,947	4,576	5,305
14,400-14,499	1,829	2,981	3,427	3,974	4,608	5,342
14,500-14,599	1,842	3,002	3,451	4,002	4,640	5,380
14,600-14,699	1,854	3,022	3,475	4,030	4,672	5,417
14,700-14,799	1,867	3,043	3,499	4,057	4,704	5,454
14,800-14,899	1,880	3,064	3,522	4,085	4,736	5,491
14,900-14,999	1,892	3,084	3,546	4,112	4,768	5,528
15,000, or	1,905	3,105	3,570	4,140	4,800	5,565

the amount
in effect
under subd. 4

Subd. 2. [PARENTING TIME ADJUSTMENT.] (a) This subdivision applies unless the parenting time of the parents is substantially equal or the obligor is responsible for providing overnight parenting time less than 15 percent of the days in the year. Parenting time is substantially equal if each parent provides overnight care for the child at least 45 percent of the days in the year.

(b) A noncustodial parent is presumed to be entitled to 30 percent overnight parenting time per year for purposes of the parenting time adjustment under this subdivision.

(c) The court shall reduce the basic support amount allocated to the obligor by 17.5 percent, to reflect the obligor's expenditures for food, transportation, and miscellaneous costs during parenting time.

(d) If this subdivision applies, the court must not make any other adjustment in the basic support obligation of the obligor or deviate from the child support guidelines based on the amount of parenting time for which the obligor is responsible.

(e) If an obligor receives an adjustment in the basic support obligation under this subdivision but then actually provides less than 15 percent overnight parenting time in any one-year period, the failure to provide that parenting time is grounds for modification of the child support order under section 517C.28 to eliminate the parenting time adjustment under this subdivision. It is an affirmative defense to modification of a child support order under this paragraph if the obligor establishes that the failure to provide parenting time was due to circumstances beyond the obligor's control, including, but not limited to, physical or mental disability or health, military service, or imprisonment of the obligor.

(f) An obligor is not entitled to a parenting time adjustment under this subdivision if the court orders less than 15 percent of overnight parenting time to the obligor."

Page 91, line 25, delete everything after the headnote

Page 91, delete lines 26 to 36 and insert "No later than 2006 and every four years after that, the commissioner of human services shall conduct a review of the child support guidelines."

Page 92, line 6, after the period, insert "For purposes of this subdivision, "child care costs"

means 75 percent of the actual child care costs to reflect the approximate value of state and federal tax credits available to the obligee."

Page 92, line 17, before the period, insert ", provided that the obligee is actually receiving child care assistance under the basic sliding fee program"

Page 93, after line 8, insert:

"(e) The court may limit child care expenses to the market rates found for the city or county of residence of the obligee as surveyed by the commissioner of human services for purposes of chapter 119B if such child care is proven to be reasonably available by the obligor."

Page 95, line 5, after the comma, insert "and"

Page 95, line 6, delete ", and over-the-counter medicine"

Page 96, line 30, delete everything after "if"

Page 96, delete lines 31 to 36

Page 97, line 1, delete everything before the semicolon and insert "it is reasonable in cost"

Page 98, line 11, delete "parent with whom the child"

Page 98, delete lines 12 to 23 and insert "parents to:

(1) contribute toward the actual health care costs of the children based on a pro rata share; or

(2) if the child is receiving any form of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, the parent with whom the child does not reside shall contribute a monthly amount toward the actual cost of medical assistance under chapter 256B or MinnesotaCare under chapter 256L determined by the court to be just and appropriate; the contribution of the parent with whom the child resides is the monthly contribution as determined by the eligibility requirements for public coverage.

(g) If the court finds a pro rata apportionment unjust or inappropriate under paragraph (f), the court shall:

(1) order the parties to contribute an amount of the cost of health care as the court finds just and appropriate; and

(2) make findings regarding the factors considered, the amount of each parent's share of the cost, and the reasons the court did not order a pro rata apportionment.

A presumption of no less than \$50 per month must be applied to the actual health care costs of the children or to the cost of health care coverage."

Page 98, line 24, delete "(g)" and insert "(h)"

Page 99, delete lines 9 to 16

Page 99, line 17, delete "(e)" and insert "(d)"

Page 99, line 23, delete "(f)" and insert "(e)"

Page 99, line 30, delete "(g)" and insert "(f)"

Page 111, line 26, before "In" insert "Among other reasons, deviation from the presumptive guideline amount is intended to encourage prompt and regular payments of child support and to ameliorate the impoverishment of either the child or obligor."

Page 111, line 29, after "deviate" insert "upward or downward"

Page 112, line 1, delete "have enjoyed had"

Page 112, line 2, delete everything before the comma and insert "enjoy if the parents were currently living together"

Page 116, lines 21 and 22, delete "a party" and insert "the obligor or obligee"

Page 116, line 23, delete "a party" and insert "the obligor or obligee"

Page 117, line 15, delete "\$50" and insert "\$75"

Page 118, after line 24, insert:

"Subd. 4. [CHILD SUPPORT DEBT AND ARREARAGE MANAGEMENT.] The parties, including the public authority, may compromise child support debts or arrearages owed by one party to another, whether or not reduced to judgment, upon agreement of the parties involved."

Pages 123 and 124, delete section 31 and insert:

"Sec. 31. [517C.38] [FEES AND COST RECOVERY FEES FOR IV-D SERVICES.]

Subdivision 1. [NOTICE.] When a recipient of IV-D services is no longer receiving assistance under the state's title IV-A, IV-E foster care, medical assistance, or MinnesotaCare programs, the public authority responsible for child support enforcement must notify the recipient, within five working days of the notification of ineligibility, that IV-D services will be continued unless the public authority is notified to the contrary by the recipient. The notice must include the implications of continuing to receive IV-D services, including the available services and fees, cost recovery fees, and distribution policies relating to fees.

Subd. 2. [OBLIGEE FEE.] (a) An application fee of \$25 must be paid by the person who applies for child support and maintenance collection services, except persons who are receiving public assistance as defined in section 256.741 and the diversionary work program under section 256J.95, persons who transfer from public assistance to nonpublic assistance status, and minor parents and parents enrolled in a public secondary school, area learning center, or alternative learning program approved by the commissioner of education.

(b) When the public authority provides full IV-D services to an obligee who has applied for those services, upon written notice to the obligee, the public authority must charge a cost recovery fee of one percent of the amount collected. This fee must be deducted from the amount of the child support and maintenance collected and not assigned under section 256.741 before disbursement to the obligee. This fee does not apply to an obligee who:

(1) is currently receiving assistance under the state's title IV-A, IV-E foster care, medical assistance, or MinnesotaCare programs; or

(2) has received assistance under the state's title IV-A or IV-E foster care programs, until the person has not received this assistance for 24 consecutive months.

Subd. 3. [OBLIGOR FEE.] When the public authority provides full IV-D services to an obligor who has applied for those services, upon written notice to the obligor, the public authority must charge a cost recovery fee of one percent of the monthly court-ordered child support and maintenance obligation. The fee may be collected through income withholding, as well as by any other enforcement remedy available to the public authority responsible for child support enforcement.

Subd. 4. [TAX INTERCEPT FEES.] Fees assessed by state and federal tax agencies for collection of overdue support owed to or on behalf of a person not receiving public assistance must be imposed on the person for whom these services are provided. The public authority, upon written notice to the obligee, shall assess a fee of \$25 to the person not receiving public assistance for each successful federal tax interception. The fee must be withheld prior to the release of the funds received from each interception and deposited in the general fund.

Subd. 5. [COST RECOVERY FEES.] Cost recovery fees collected under subdivision 2, paragraph (b), and subdivision 3 are considered child support program income according to Code of Federal Regulations, title 45, section 304.50, and must be deposited in the cost recovery fee account established under subdivision 7. The commissioner of human services must elect to recover costs based on either actual or standardized costs.

Subd. 6. [COMPLIANCE WITH FEDERAL LAW.] The limitations of this subdivision on the assessment of fees do not apply to the extent inconsistent with the requirements of federal law for receiving funds for programs under Title IV-A and Title IV-D of the Social Security Act, United States Code, title 42, sections 601 to 613, and United States Code, title 42, sections 651 to 662.

Subd. 7. [SPECIAL REVENUE FUND.] The commissioner of human services is authorized to establish a special revenue fund account to receive child support cost recovery fees. A portion of the nonfederal share of these fees may be retained for expenditures necessary to administer the fee and must be transferred to the child support system special revenue account. The remaining nonfederal share of the cost recovery fee must be retained by the commissioner and dedicated to the child support general fund county performance-based grant account authorized under sections 256.979 and 256.9791."

Page 135, line 15, delete everything after "authority"

Page 135, line 16, delete everything before the period

Page 135, line 20, delete "withheld" and insert "subject to income withholding" and after "obligor" insert ". If the obligee or obligor applies for either full IV-D services or for services only to withhold income from the public authority responsible for child support enforcement, the full amount of the support order must be withheld from the income of the obligor"

Page 136, line 1, before the period, insert ", and the fees for those services"

Page 136, delete lines 5 to 10 and insert:

"(b) Either the obligee or obligor may at any time apply to the public authority for either full IV-D services or for services only to withhold income."

Page 136, after line 18, insert:

"(d) If the obligee is not a current recipient of public assistance as defined in section 256.741, the person who applied for services may at any time choose to terminate either full IV-D services or services only to withhold income regardless of whether income withholding is currently in place. The obligee or obligor may reapply for either full IV-D services or services only to withhold income at any time. Unless the applicant is a recipient of public assistance as defined in section 256.741, a \$25 application fee must be charged at the time of each application.

(e) When a person terminates IV-D services, if an arrearage for public assistance as defined in section 256.741 exists, the public authority may continue income withholding, as well as use any other enforcement remedy for the collection of child support, until all public assistance arrears are paid in full. Income withholding must be in an amount equal to 20 percent of the support order in effect at the time the services terminated."

Page 136, delete lines 30 to 36

Page 137, delete lines 1 to 13 and insert:

"(a) If the public authority is providing child support and maintenance enforcement services and child support or maintenance is not assigned under section 256.741, the court may waive income withholding requirements if:

(1) one party demonstrates and the court determines there is good cause to waive income withholding requirements or to terminate an order for or notice of income withholding previously entered. The court must make written findings to include the reasons income withholding would

not be in the best interests of the child. In cases involving a modification of support, the court must also make a finding that support payments have been timely made; or

(2) the obligee and obligor sign a written agreement providing for an alternative payment arrangement that is reviewed and entered in the record by the court.

(b) If the public authority is not providing child support and maintenance enforcement services and child support or maintenance is not assigned under section 256.741, the court may waive the income withholding requirements if the parties sign a written agreement.

(c) If the court waives income withholding, the obligee or obligor may at any time request income withholding under section 517C.59."

Page 156, line 28, before "The" insert "(a)"

Page 156, line 29, before "payment" insert "written"

Page 156, line 30, delete everything after the period

Page 156, delete lines 31 to 34

Page 156, line 35, delete everything before "If" and insert:

"(b) Prior to suspending a license for noncompliance with an approved written payment agreement, the public authority must mail to the obligor's last known address a written notice that:

(1) the public authority intends to seek suspension of the obligor's driver's license under this paragraph; and

(2) the obligor must request a hearing, within 30 days of the date of the notice, to contest the suspension.

If, within 30 days of the date of the notice, the public authority does not receive a written request for a hearing and the obligor does not comply with an approved written payment agreement, the public authority must direct the Department of Public Safety to suspend the obligor's license. If the obligor makes a written request for a hearing within 30 days of the date of the notice, a court hearing must be held. Notwithstanding any law to the contrary, the obligor must be served with 14 days' notice in writing specifying the time and place of the hearing and the allegations against the obligor. The notice may be served personally or by mail at the obligor's last known address.

(c)"

Page 156, line 36, delete "judge" and insert "court"

Page 157, line 1, delete "a" and insert "an approved written"

Page 157, line 2, delete "judge" and insert "court or public authority"

Page 157, line 4, before "public" insert "court or" and delete "may" and insert "must"

Page 160, line 36, before "The" insert "(a)"

Page 161, line 1, delete "a" and insert "an approved written"

Page 161, line 2, delete everything after the period

Page 161, delete lines 3 to 5

Page 161, line 6, delete everything before "If" and insert:

"(b) Prior to suspending a license for noncompliance with an approved written payment agreement, the public authority must mail to the obligor's last known address a written notice that:

(1) the public authority intends to seek suspension of the obligor's driver's license under this paragraph; and

(2) the obligor must request a hearing, within 30 days of the date of the notice, to contest the suspension.

If, within 30 days of the date of the notice, the public authority does not receive a written request for a hearing and the obligor does not comply with an approved written payment agreement, the public authority must direct the Department of Public Safety to suspend the obligor's license. If the obligor makes a written request for a hearing within 30 days of the date of the notice, a court hearing must be held. Notwithstanding any law to the contrary, the obligor must be served with 14 days' notice in writing specifying the time and place of the hearing and the allegations against the obligor. The notice may be served personally or by mail at the obligor's last known address.

(c)"

Page 161, line 7, delete "judge" and insert "court"

Page 161, line 8, delete "a" and insert "an approved written"

Page 161, line 9, delete "judge" and insert "court or public authority"

Page 161, line 10, before "agency" insert "other licensing" and before the period, insert "and if the obligor is a licensed attorney, must report the matter to the Lawyers Professional Responsibility Board"

Page 161, line 11, before "public" insert "court or" and delete "may" and insert "must"

Page 161, line 12, after "or" insert "other licensing" and before the period, insert "and if the obligor is a licensed attorney, must report the matter to the Lawyers Professional Responsibility Board"

Page 174, after line 30, insert:

"Sec. 74. [STUDY OF ECONOMIC IMPACT OF CHILD SUPPORT GUIDELINES.]

The commissioner of human services shall request that the University of Minnesota and another university in the Minnesota State Colleges and Universities system each conduct an analysis of the child support guidelines contained in this act with respect to:

(1) whether the guidelines fairly represent the cost of raising children for the respective parental income levels, excluding medical support, child care, and education costs;

(2) whether the standards for medical support and child care costs fairly apportion those costs between the parents, after consideration of the respective tax benefits; and

(3) whether the guidelines fairly reflect each parent's ability to provide for basic housing needs.

In performing this economic analysis, the universities shall utilize the per capita cost approach, except that costs for housing must utilize the marginal cost approach, comparing the typical housing cost for two-parent intact families. The universities involved shall submit their reports with the results of the analysis to the commissioner by January 15, 2005."

Page 174, line 32, delete "2004" and insert "2005"

Page 174, line 33, delete "2005" and insert "2006"

Page 175, line 3, delete "2006" and insert "2007"

Page 175, line 5, delete "2005" and insert "2006"

Page 175, lines 14 and 15, delete "2003" and insert "2004 or 2005"

Page 175, line 28, delete "2005" and insert "2006, except that article 1, section 1, is effective January 1, 2005, and article 3, section 74, is effective July 1, 2004"

Page 178, after line 11, insert:

"Sec. 4. Minnesota Statutes 2002, section 518.1705, subdivision 7, is amended to read:

Subd. 7. [MOVING THE CHILD TO ANOTHER STATE.] Parents may agree, ~~but the court must not require, that in a parenting plan the factors in section 518.17 or 257.025, as applicable, upon the legal standard that will govern a decision concerning removal of a child's residence from this state, provided that:~~

- (1) both parents were represented by counsel when the parenting plan was approved; or
- (2) the court found the parents were fully informed, the agreement was voluntary, and the parents were aware of its implications.

Sec. 5. Minnesota Statutes 2002, section 518.175, subdivision 3, is amended to read:

Subd. 3. [MOVE TO ANOTHER STATE.] The parent with whom the child resides shall not move the residence of the child to another state except upon order of the court or with the consent of the other parent, if the other parent has been given parenting time by the decree. If the purpose of the move is to interfere with parenting time given to the other parent by the decree, the court shall not permit the child's residence to be moved to another state.

The court shall apply a best interests standard when considering the request of the parent with whom the child resides to move the child's residence to another state. The factors the court must consider in determining the child's best interests include, but are not limited to, the following:

(1) the nature, quality, extent of involvement, and duration of the child's relationship with the person proposing to relocate and with the nonrelocating person, siblings, and other significant persons in the child's life;

(2) the age, developmental stage, needs of the child, and the likely impact the relocation will have on the child's physical, educational, and emotional development, taking into consideration any special needs of the child;

(3) the feasibility of preserving the relationship between the nonrelocating person and the child through suitable parenting time arrangements, considering the logistics and financial circumstances of the parties;

(4) the child's preference, taking into consideration the age and maturity of the child;

(5) whether there is an established pattern of conduct of the person seeking the relocation either to promote or thwart the relationship of the child and the nonrelocating person;

(6) whether the relocation of the child will enhance the general quality of the life for both the custodial parent seeking the relocation and the child including, but not limited to, financial or emotional benefit or educational opportunity;

(7) the reasons of each person for seeking or opposing the relocation; and

(8) the effect on the safety and welfare of the child, or of the parent requesting to move the child's residence, of domestic abuse, as defined in section 518B.01.

The burden of proof is upon the parent requesting to move the residence of the child to another state, except that if the court finds that the parent requesting the move has been a victim of domestic abuse between the parents, the burden of proof is upon the parent opposing the move. The court must consider all of the factors in this subdivision in determining the best interests of the child.

Sec. 6. Minnesota Statutes 2002, section 518.18, is amended to read:

518.18 [MODIFICATION OF ORDER.]

(a) Unless agreed to in writing by the parties, no motion to modify a custody order or parenting plan may be made earlier than one year after the date of the entry of a decree of dissolution or legal separation containing a provision dealing with custody, except in accordance with paragraph (c).

(b) If a motion for modification has been heard, whether or not it was granted, unless agreed to in writing by the parties no subsequent motion may be filed within two years after disposition of the prior motion on its merits, except in accordance with paragraph (c).

(c) The time limitations prescribed in paragraphs (a) and (b) shall not prohibit a motion to modify a custody order or parenting plan if the court finds that there is persistent and willful denial or interference with parenting time, or has reason to believe that the child's present environment may endanger the child's physical or emotional health or impair the child's emotional development.

(d) If the court has jurisdiction to determine child custody matters, the court shall not modify a prior custody order or a parenting plan provision which specifies the child's primary residence unless it finds, upon the basis of facts, including unwarranted denial of, or interference with, a duly established parenting time schedule, that have arisen since the prior order or that were unknown to the court at the time of the prior order, that a change has occurred in the circumstances of the child or the parties and that the modification is necessary to serve the best interests of the child. In applying these standards the court shall retain the custody arrangement or the parenting plan provision specifying the child's primary residence that was established by the prior order unless:

(i) the court finds that a change in the custody arrangement or primary residence is in the best interests of the child and the parties previously agreed, in a writing approved by a court, to apply the best interests standard in section 518.17 or 257.025, as applicable; and, with respect to agreements approved by a court on or after April 28, 2000, both parties were represented by counsel when the agreement was approved or the court found the parties were fully informed, the agreement was voluntary, and the parties were aware of its implications;

(ii) both parties agree to the modification;

(iii) the child has been integrated into the family of the petitioner with the consent of the other party; ~~or~~

(iv) the child's present environment endangers the child's physical or emotional health or impairs the child's emotional development and the harm likely to be caused by a change of environment is outweighed by the advantage of a change to the child; or

(v) the court has denied a request of the primary custodial parent to move the residence of the child to another state, and the primary custodial parent has relocated to another state despite the court's order.

In addition, a court may modify a custody order or parenting plan under section 631.52.

(e) In deciding whether to modify a prior joint custody order, the court shall apply the standards set forth in paragraph (d) unless: (1) the parties agree in writing to the application of a different standard, or (2) the party seeking the modification is asking the court for permission to move the residence of the child to another state.

(f) If a parent has been granted sole physical custody of a minor and the child subsequently lives with the other parent, and temporary sole physical custody has been approved by the court or by a court-appointed referee, the court may suspend the obligor's child support obligation pending the final custody determination. The court's order denying the suspension of child support must include a written explanation of the reasons why continuation of the child support obligation would be in the best interests of the child."

Page 187, line 12, delete "6, and 7" and insert "9, and 10"

Page 187, line 13, delete "5" and insert "8"

Renumber the sections in sequence

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

Senator Kelley from the Committee on Education, to which was referred

S.F. No. 2443: A bill for an act relating to education; providing for comprehensive family life and sexuality education programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 121A; repealing Minnesota Statutes 2002, section 121A.23, subdivision 2; Minnesota Statutes 2003 Supplement, section 121A.23, subdivision 1.

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

Page 1, line 14, delete "kindergarten" and insert "7"

Page 2, line 10, delete the first "and" and insert "or"

Page 2, line 35, delete "if" and insert "how"

Page 3, after line 7, insert:

"(d) A school district must establish policies and procedures for reasonably restricting the availability of written and audio/visual educational materials from public view of students who have been excused from all or part of a comprehensive family life and sexuality education program at the request of a parent or guardian."

Page 3, line 14, after "establish" insert "up to eight" and after "sites" insert ", taking into account geographical balance,"

Page 4, lines 14, 22, 26, 30, and 35, after "of" insert "age-appropriate" and delete "in"

Page 4, lines 15, 23, 27, 31, and 36, delete "grades 7 through 12"

Page 5, line 2, after "of" insert "age-appropriate" and delete "in"

Page 5, line 3, delete "grades 7 through 12"

Page 5, line 6, after "of" insert "age-appropriate"

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

Senator Kelley from the Committee on Education, to which was referred

S.F. No. 2183: A bill for an act relating to education; funding on-line learning at same rate for certain students; amending Minnesota Statutes 2003 Supplement, section 124D.095, subdivision 8; repealing Minnesota Statutes 2003 Supplement, section 124D.095, subdivision 9.

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

Page 2, lines 8 to 23, reinstate the stricken language

Page 2, line 25, delete "2005" and insert "2006"

Page 2, line 30, delete "2005" and insert "2006"

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

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

S.F. No. 2412: A bill for an act relating to mortgage foreclosure; providing for a new law to regulate foreclosure reconveyance; establishing licensure for foreclosure purchasers; adding a notice to homeowners in foreclosure; amending Minnesota Statutes 2002, section 580.03; proposing coding for new law in Minnesota Statutes, chapters 325E; 580.

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

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

S.F. No. 2498: A bill for an act relating to domestic abuse; providing that ex parte orders for protection and temporary restraining orders are effective upon a referee's signature; amending Minnesota Statutes 2002, section 518B.01, subdivision 7; Minnesota Statutes 2003 Supplement, section 609.748, subdivision 4.

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

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

S.F. No. 2065: A bill for an act relating to municipal tort liability; providing immunity from tort liability for a limited partnership in which a community action agency is a general partner; amending Minnesota Statutes 2003 Supplement, section 466.01, subdivision 1.

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

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

S.F. No. 2332: A bill for an act relating to commerce; the Uniform Commercial Code; regulating breaches of warranties made with respect to remotely created items; amending Minnesota Statutes 2003 Supplement, sections 336.3-416; 336.3-417; 336.4-207; 336.4-208.

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

Senator Wiger from the Committee on Elections, to which was re-referred

S.F. No. 998: A bill for an act relating to elections; providing for fair and clean elections; increasing disclosure of campaign contributions to candidates; encouraging candidates to accept only clean money for their political campaigns; limiting campaign contributions and expenditures; increasing public subsidies for state candidates who agree to limit the sources and amounts of contributions to their campaigns; appropriating money; amending Minnesota Statutes 2002, sections 10A.01, subdivision 1; 10A.02, subdivisions 8, 10, 11, 11a, 12, 13; 10A.025, subdivisions 1, 2; 10A.071, subdivision 3; 10A.34; 10A.37; 129D.13, by adding a subdivision; 129D.14, by adding a subdivision; 204B.11, subdivision 1; 211A.13; 211B.12; 211B.15, subdivision 16; 340A.404, subdivision 10; 353.03, subdivision 1; 383B.042, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 204B; 211B; proposing coding for new law as Minnesota Statutes, chapter 10B; repealing Minnesota Statutes 2002, sections 10A.01, subdivisions 3, 4, 6, 7, 9, 10, 11, 12, 13, 15, 16, 17, 18, 20, 23, 25, 26, 27, 28, 29, 30, 32, 34, 36; 10A.105; 10A.11; 10A.12; 10A.13; 10A.14; 10A.15; 10A.16; 10A.17; 10A.18; 10A.20; 10A.24; 10A.241; 10A.242; 10A.25; 10A.255; 10A.257; 10A.27; 10A.273; 10A.275; 10A.28; 10A.29; 10A.30; 10A.31; 10A.315; 10A.321; 10A.322; 10A.323; 10A.324; 290.06, subdivision 23.

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

Page 14, line 7, delete "10B.30" and insert "10B.29"

Page 37, line 1, delete everything after the headnote

Page 37, delete lines 2 to 11

Page 37, line 12, delete everything before "A"

Page 42, lines 12 and 36, delete "10B.20" and insert "10B.19"

Page 43, line 33, delete "10B.20" and insert "10B.19"

Page 44, line 2, delete "10B.20" and insert "10B.19"

Page 44, delete lines 4 to 36

Page 45, delete line 1 and insert:

"Subd. 2. [AMOUNTS.] (a) The principal campaign committee of a candidate must not make campaign expenditures nor permit approved expenditures to be made on behalf of the candidate during an election cycle that result in aggregate expenditures in excess of the sums authorized in this subdivision.

(b) The principal campaign committee of a candidate may make expenditures or permit approved expenditures to be made on behalf of the candidate during an election cycle and before the candidate files an affidavit of qualifying contributions under section 10B.20 in the following amounts:

(1) for governor and lieutenant governor, running together, \$50,000;

(2) for attorney general, secretary of state, and state auditor, separately, \$25,000;

(3) for state senator, \$8,000; and

(4) for state representative, \$4,000.

(c) The principal campaign committee of a candidate may spend the public subsidy as authorized under section 10B.24.

(d) If a special election cycle occurs during a general election cycle, expenditures by or on behalf of a candidate in the special election do not count as expenditures by or on behalf of the candidate in the general election."

Page 45, line 22, delete "10B.20" and insert "10B.19"

Pages 46 and 47, delete section 31

Page 47, line 16, delete "10B.19" and insert "10B.18"

Page 47, line 35, delete "10B.20" and insert "10B.19"

Page 48, line 4, delete "10B.26" and insert "10B.25"

Page 48, line 18, delete ", as adjusted by section 10B.18,"

Page 49, line 5, delete "10B.21" and insert "10B.20"

Page 49, line 7, delete "10B.20" and insert "10B.19"

Page 49, line 8, delete "10B.25" and insert "10B.24"

Page 50, line 32, delete "10B.22" and insert "10B.21"

Page 51, line 15, after the period, insert "The amount transferred is appropriated from the general fund to the board of public defense."

Page 51, line 28, delete "10B.25, subdivision 5" and insert "10B.24, subdivision 7"

Page 51, line 29, delete "10B.25, subdivision 6" and insert "10B.24, subdivision 8"

Page 51, line 33, delete "10B.25, subdivisions 2 to 4" and insert "10B.24, subdivisions 4 to 6"

Page 52, line 3, delete "10B.23" and insert "10B.22"

Pages 52 to 55, delete sections 37 and 38 and insert:

"Sec. 36. [10B.23] [STATE ELECTIONS CAMPAIGN SURCHARGE.]

Subdivision 1. [SURCHARGE IMPOSED.] (a) The court must impose a surcharge of one percent on every judgment for the payment of money. The surcharge is payable to the court administrator at the time the judgment is recorded as having been satisfied.

(b) If the court fails to impose a surcharge as required by this subdivision, the court administrator must show the imposition of the surcharge, collect the surcharge, and correct the record.

(c) The court may not waive payment of the surcharge required under this subdivision. Upon a showing of indigency or undue hardship upon the judgment debtor, the court may authorize payment of the surcharge in installments.

Subd. 2. [PAYMENT TO STATE.] The court administrator or other entity collecting a surcharge must forward it to the commissioner of revenue, who must deposit it in the state treasury and credit it to the state elections campaign fund.

Sec. 37. [10B.24] [PUBLIC SUBSIDY.]

Subdivision 1. [PAYMENT TO PARTICIPATING CANDIDATES.] Upon determining that a candidate has met all the requirements for receiving a public subsidy, the board must designate the candidate as "participating." The board must pay each participating candidate a public subsidy as provided in this section. The payment must be in the form of a check made "payable to the campaign fund of (name of candidate)." An amount sufficient to make the payment is appropriated to the board from the state elections campaign fund.

Subd. 2. [PUBLIC SUBSIDY BASE.] (a) The public subsidy base for each candidate is as follows:

- (1) for governor and lieutenant governor, running together, \$1,520,000;
- (2) for attorney general, secretary of state, and state auditor, separately, \$300,000;
- (3) for state senator, \$37,000; and
- (4) for state representative, \$18,500.

(b) The public subsidy base in paragraph (a) is increased by ten percent for a candidate who is running for that office for the first time and who has not run previously for any other office whose territory now includes a population that is more than one-third of the population in the territory of the new office.

Subd. 3. [ADJUSTMENT BY CONSUMER PRICE INDEX.] (a) The dollar amounts in subdivision 2 must be adjusted for general election years as provided in this subdivision. In the year before each general election year, the executive director of the board must determine the percentage increase in the Consumer Price Index from December of the second preceding general election year to December of the last general election year. The dollar amounts used for the preceding general election year must be multiplied by that percentage. The product of the calculation, rounded up to the next highest \$100 increment, must be added to each dollar amount to produce the dollar limitations to be in effect for the next general election. The index used must be the revised Consumer Price Index for all urban consumers for the St. Paul-Minneapolis metropolitan area prepared by the United States Department of Labor.

(b) By April 1 of the year before each election year, the board must publish in the State Register the public subsidy base for each office for that calendar year under subdivision 2 as adjusted by this subdivision. The revisor of statutes must code the adjusted amounts of the public subsidy base in the next edition of Minnesota Statutes.

Subd. 4. [PAYMENT UPON QUALIFYING.] Within one week after it has designated a candidate as participating, the board must pay to the participating candidate an amount equal to 20 percent of the participating candidate's public subsidy base.

Subd. 5. [PAYMENT UPON FILING FOR OFFICE.] Within one week after the close of filings for office, the board must pay a participating candidate who has an opponent in either the primary or the general election an amount equal to 20 percent of the candidate's public subsidy base.

Subd. 6. [PAYMENT FOR GENERAL ELECTION.] As soon as the board has obtained from the secretary of state the results of the primary election, but no later than one week after the state canvassing board has certified the results of the primary, the board must pay to each participating candidate whose name will appear on the ballot in the general election an amount equal to 60 percent of the candidate's public subsidy base, except that a candidate who has no opponent in the general election must be paid an amount equal to six percent of the candidate's public subsidy base.

Subd. 7. [PAYMENT TO MATCH EXCESS CONTRIBUTIONS.] Upon receipt of a report of excess contributions under section 10B.12, subdivision 7, the board must notify any participating opponent of the nonparticipating candidate of the amount of the excess. Upon receipt of the first report, the board must pay the participating candidate an additional public subsidy equal to the participating candidate's public subsidy base. The additional subsidy may only be spent in an amount equal to the excess contributions reported for that election cycle.

Subd. 8. [PAYMENT TO MATCH INDEPENDENT EXPENDITURES.] (a) Within 24 hours after receipt of a notice of independent expenditures under section 10B.12, subdivision 10, the board must notify each participating candidate in the affected race of the amount of the independent expenditure. Along with the first notice under this subdivision, the board must pay to each participating candidate who is adversely affected by the independent expenditure an additional public subsidy in an amount equal to the participating candidate's public subsidy base, to be spent only as provided in this subdivision. A candidate is "adversely affected" if the independent expenditure is made to defeat the candidate or to nominate or elect an opponent of the candidate. Before the primary election, an "opponent" includes the candidates whose names are on the ballot for the primary of the same major party or, if there is none, the candidates whose names will be on the ballot for the general election.

(b) If the independent expenditure is made to defeat a participating candidate, the additional subsidy may be spent in an amount equal to the independent expenditures made to defeat the participating candidate reported for that election cycle.

(c) If the independent expenditure is made to nominate or elect a candidate and the sum of assets carried forward, contributions received as of the last reporting date, public subsidy received, and independent expenditures made to elect the candidate exceeds 120 percent of the spending limit for a participating opponent candidate for the legislature or 110 percent of the spending limit for a participating opponent candidate for constitutional officer, the participating opponent may spend the additional public subsidy in an amount equal to one-half the excess independent expenditures to nominate or elect the candidate reported for that election cycle.

(d) If an individual, political committee, political fund, or party unit has made expenditures to nominate or elect a candidate, any expenditure by the spender during the same election cycle to defeat the candidate or to nominate or elect an opponent of the candidate does not authorize the candidate to spend matching money under paragraph (b) or (c).

Subd. 9. [PAYMENT FOR SPECIAL ELECTION.] The board must pay each participating candidate for legislative office in a special election an amount equal to the candidate's public

subsidy base within 48 hours after the candidate has been designated as participating, but the candidate may spend only an amount equal to 20 percent of the candidate's public subsidy base upon being designated as participating. A candidate who has an opponent in either the primary or general election may spend an additional amount equal to 20 percent of the participating candidate's public subsidy base upon filing for office, and a candidate whose name has been certified to appear on the ballot for the general election may spend an additional amount equal to 60 percent of the candidate's public subsidy base. Any amount not spent by the candidate must be returned to the board under section 10B.25.

Subd. 10. [PAYMENT WITHHELD.] If a candidate has not yet filed a campaign finance report required by section 10B.12, or the candidate owes money to the board, the board must withhold the candidate's public subsidy until the report has been filed or the debt has been paid, whichever applies. If the report has not been filed or the debt has not been paid to the board by the end of the fiscal year, the subsidy must be applied to the debts owed by the candidate to the board and any remaining amount must be canceled to the general fund."

Page 55, line 36, delete "10B.26" and insert "10B.25"

Page 56, lines 3 and 34, delete "10B.25" and insert "10B.24"

Page 56, line 4, delete "10B.27" and insert "10B.26"

Page 56, line 26, delete "10B.27" and insert "10B.26"

Page 56, line 36, delete "10B.26" and insert "10B.25"

Page 57, line 9, delete "10B.28" and insert "10B.27"

Page 57, line 36, delete ", as adjusted by section 10B.18,"

Page 58, line 8, delete ", as adjusted by section 10B.18,"

Page 59, line 23, delete "10B.29" and insert "10B.28"

Page 60, line 18, delete "10B.30" and insert "10B.29"

Page 60, line 34, delete "10B.31" and insert "10B.30"

Page 60, line 35, delete "10B.30" and insert "10B.29"

Page 61, line 7, delete "10B.26" and insert "10B.25"

Page 61, lines 17 and 33, delete "10B.25" and insert "10B.24"

Page 62, line 26, delete "10B.25" and insert "10B.24"

Page 66, after line 6, insert:

"Subd. 9. [COST.] The cost of producing the voter's guide must be paid from appropriations made to the secretary of state from the state elections campaign fund."

Page 67, line 30, delete "10B.25" and insert "10B.24"

Page 71, lines 7 and 13, delete "10B.20" and insert "10B.19"

Page 71, line 15, before "Capital" insert "The carryforward limitations in Minnesota Statutes, section 10B.26, apply to assets on hand on the effective date of that section, except that"

Page 71, line 17, delete "10B.27" and insert "10B.26"

Page 72, line 33, delete "10B.30" and insert "10B.29"

Page 72, line 34, delete "10B.31" and insert "10B.30"

Page 72, line 35, delete "10B.29" and insert "10B.28"

Page 73, line 1, delete "10B.18" and insert "10B.24, subd. 3"

Page 73, line 2, delete "10B.27" and insert "10B.26"

Page 73, line 6, delete "10B.28" and insert "10B.27"

Page 73, line 11, delete "10B.25" and insert "10B.24"

Page 73, line 12, delete "10B.20" and insert "10B.19"

Page 73, line 13, delete "10B.21" and insert "10B.20"

Page 73, line 14, delete "10B.26" and insert "10B.25"

Re-number the sections in sequence

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

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

S.F. No. 1760: A bill for an act relating to health care; modifying premium rate restrictions; modifying cost containment provisions; providing for an electronic medical record system; modifying certain loan forgiveness programs; modifying medical assistance, general assistance medical care and MinnesotaCare programs; authorizing the sale of bonds; requiring reports; appropriating money; amending Minnesota Statutes 2002, sections 62A.65, subdivision 3; 62J.04, by adding a subdivision; 62J.301, subdivision 3; 62J.38; 62L.08, subdivision 8; 256.9693; 256B.03, subdivision 3; 256B.0625, subdivision 3b, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 62J.04, subdivision 3; 62J.692, subdivision 3; 144.1501, subdivisions 2, 4; 256.954, subdivisions 4, 6, 10; 256B.061; 256B.0625, subdivision 9; 256B.69, subdivision 2; 256D.03, subdivisions 3, 4; 256L.03, subdivision 1; 256L.05, subdivision 4; 256L.07, subdivision 1; 256L.12, subdivision 6; Laws 2003, First Special Session chapter 14, article 6, section 65; proposing coding for new law in Minnesota Statutes, chapters 62J; 62Q; 256B; 256L; repealing Minnesota Statutes 2003 Supplement, sections 256.954, subdivision 12; 256B.0631; 256L.035.

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

Page 4, line 7, delete "one" and insert "two"

Page 4, delete line 8 and insert "points and an additional one percentage point to be used to"

Page 4, line 11, delete "points are" and insert "point is"

Page 4, line 18, delete "one percentage point" and insert "two percentage points"

Page 4, line 21, delete "points" and insert "point"

Page 5, after line 5, insert:

"(f) For purposes of this subdivision, "health plan company," has the meaning given in section 62J.041.

(g) In order to operate within the premium growth limitation required by this section, a health plan company may directly reduce payments to providers in an amount equal to the difference between the Consumer Price Index formula described in this section and the amount of increase that would otherwise have been necessary to meet the pricing needs of the product in the absence of the growth limitation. A provider may not terminate an existing contract with a health plan company based solely on this payment reduction when the reduction meets the specifications of this section.

(h) For coverage that is provided by a health plan company under the terms of a contract with the Department of Employee Relations, the commissioner shall direct the contracting health plan companies to reduce reimbursement to providers in order to meet the premium growth limitations required by this section."

Page 6, after line 17, insert:

"Sec. 4. Minnesota Statutes 2002, section 62J.041, is amended to read:

62J.041 [INTERIM HEALTH PLAN COMPANY COST CONTAINMENT GOALS HEALTH CARE EXPENDITURE LIMITS.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the following definitions apply.

(b) "Health plan company" has the definition provided in section 62Q.01 and also includes employee health plans offered by self-insured employers.

(c) "~~Total Health care expenditures~~" means incurred claims or expenditures on health care services, ~~administrative expenses, charitable contributions, and all other payments made by health plan companies out of premium revenues.~~

(d) "~~Net expenditures~~" means ~~total expenditures minus exempted taxes and assessments and payments or allocations made to establish or maintain reserves.~~

(e) "~~Exempted taxes and assessments~~" means ~~direct payments for taxes to government agencies, contributions to the Minnesota Comprehensive Health Association, the medical assistance provider's surcharge under section 256.9657, the MinnesotaCare provider tax under section 295.52, assessments by the Health Coverage Reinsurance Association, assessments by the Minnesota Life and Health Insurance Guaranty Association, assessments by the Minnesota Risk Adjustment Association, and any new assessments imposed by federal or state law.~~

(f) "Consumer cost-sharing or subscriber liability" means enrollee coinsurance, co-payment, deductible payments, and amounts in excess of benefit plan maximums.

Subd. 2. [ESTABLISHMENT.] ~~The commissioner of health shall establish cost containment goals health care expenditure limits for the increase in net calendar year 2005, and each year thereafter, for health care expenditures by each health plan company for calendar years 1994, 1995, 1996, and 1997. The cost containment goals must be the same as the annual cost containment goals for health care spending established under section 62J.04, subdivision 1, paragraph (b). Health plan companies that are affiliates may elect to meet one combined cost containment goal health care expenditure limit. The limits set by the commissioner shall not exceed the premium limits established in section 62J.04, subdivision 1b.~~

Subd. 3. [DETERMINATION OF EXPENDITURES.] ~~Health plan companies shall submit to the commissioner of health, by April 1, 1994, for calendar year 1993; April 1, 1995, for calendar year 1994; April 1, 1996, for calendar year 1995; April 1, 1997, for calendar year 1996; and April 1, 1998, for calendar year 1997 of each year beginning 2005, all information the commissioner determines to be necessary to implement this section. The information must be submitted in the form specified by the commissioner. The information must include, but is not limited to, health care expenditures per member per month or cost per employee per month, and detailed information on revenues and reserves. The commissioner, to the extent possible, shall coordinate the submittal of the information required under this section with the submittal of the financial data required under chapter 62J, to minimize the administrative burden on health plan companies. The commissioner may adjust final expenditure figures for demographic changes, risk selection, changes in basic benefits, and legislative initiatives that materially change health care costs, as long as these adjustments are consistent with the methodology submitted by the health plan company to the commissioner, and approved by the commissioner as actuarially justified. The methodology to be used for adjustments and the election to meet one cost containment goal for affiliated health plan companies must be submitted to the commissioner by September 1, 1994. Community integrated service networks may submit the information with their application for~~

licensure. ~~The commissioner shall also accept changes to methodologies already submitted. The adjustment methodology submitted and approved by the commissioner must apply to the data submitted for calendar years 1994 and 1995. The commissioner may allow changes to accepted adjustment methodologies for data submitted for calendar years 1996 and 1997. Changes to the adjustment methodology must be received by September 1, 1996, and must be approved by the commissioner.~~

Subd. 4. [MONITORING OF RESERVES.] (a) The commissioners of health and commerce shall monitor health plan company reserves and net worth as established under chapters 60A, 62C, 62D, 62H, and 64B, with respect to the health plan companies that each commissioner respectively regulates to assess the degree to which savings resulting from the establishment of cost containment goals are passed on to consumers in the form of lower premium rates.

(b) Health plan companies shall fully reflect in the premium rates the savings generated by the cost containment goals. No premium rate, currently reviewed by the Department of Health or Commerce, may be approved for those health plan companies unless the health plan company establishes to the satisfaction of the commissioner of commerce or the commissioner of health, as appropriate, that the proposed new rate would comply with this paragraph.

(c) Health plan companies, except those licensed under chapter 60A to sell accident and sickness insurance under chapter 62A, shall annually before the end of the fourth fiscal quarter provide to the commissioner of health or commerce, as applicable, a projection of the level of reserves the company expects to attain during each quarter of the following fiscal year. These health plan companies shall submit with required quarterly financial statements a calculation of the actual reserve level attained by the company at the end of each quarter including identification of the sources of any significant changes in the reserve level and an updated projection of the level of reserves the health plan company expects to attain by the end of the fiscal year. In cases where the health plan company has been given a certificate to operate a new health maintenance organization under chapter 62D, or been licensed as a community integrated service network under chapter 62N, or formed an affiliation with one of these organizations, the health plan company shall also submit with its quarterly financial statement, total enrollment at the beginning and end of the quarter and enrollment changes within each service area of the new organization. The reserve calculations shall be maintained by the commissioners as trade secret information, except to the extent that such information is also required to be filed by another provision of state law and is not treated as trade secret information under such other provisions.

(d) Health plan companies in paragraph (c) whose reserves are less than the required minimum or more than the required maximum at the end of the fiscal year shall submit a plan of corrective action to the commissioner of health or commerce under subdivision 7.

(e) The commissioner of commerce, in consultation with the commissioner of health, shall report to the legislature no later than January 15, 1995, as to whether the concept of a reserve corridor or other mechanism for purposes of monitoring reserves is adaptable for use with indemnity health insurers that do business in multiple states and that must comply with their domiciliary state's reserves requirements.

Subd. 5. [NOTICE.] ~~The commissioner of health shall publish in the State Register and make available to the public by July 1, 1995 2006, and each year thereafter, a list of all health plan companies that exceeded their cost containment goal health care expenditure limit for the 1994 previous calendar year. The commissioner shall publish in the State Register and make available to the public by July 1, 1996, a list of all health plan companies that exceeded their combined cost containment goal for calendar years 1994 and 1995. The commissioner shall notify each health plan company that the commissioner has determined that the health plan company exceeded its cost containment goal, health care expenditure limit at least 30 days before publishing the list, and shall provide each health plan company with ten days to provide an explanation for exceeding the cost containment goal health care expenditure limit. The commissioner shall review the explanation and may change a determination if the commissioner determines the explanation to be valid.~~

Subd. 6. [ASSISTANCE BY THE COMMISSIONER OF COMMERCE.] The commissioner

of commerce shall provide assistance to the commissioner of health in monitoring health plan companies regulated by the commissioner of commerce."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "restrictions;" insert "establishing expenditure limits;"

Page 1, line 10, after "subdivision;" insert "62J.041;"

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

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

S.F. No. 2615: A bill for an act relating to human services; repealing the Minnesota family investment plan family cap; repealing Laws 2003, First Special Session chapter 14, article 1, sections 37, 38.

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

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

S.F. No. 2477: A bill for an act relating to human services; modifying date of application for general assistance medical care; reducing the co-payment for inpatient hospitalization services under general assistance medical care; amending Minnesota Statutes 2003 Supplement, section 256D.03, subdivisions 3, 4.

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

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

S.F. No. 1875: A bill for an act relating to child protection; modifying requirements for a relative search; amending Minnesota Statutes 2002, section 260C.212, subdivision 5.

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

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

S.F. No. 2308: A bill for an act relating to health; requiring the commissioner of health to classify certain loans made under the rural hospital capital improvement grant and loan program; amending Minnesota Statutes 2002, section 144.148, by adding a subdivision.

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

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

S.F. No. 2196: A bill for an act relating to human services; extending the sunset date for the supportive housing and managed care pilot project; amending Minnesota Statutes 2002, section 256K.25, subdivision 7.

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

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

S.F. No. 2242: A bill for an act relating to health; clarifying the implementation of a birth defects information system; authorizing rulemaking; providing criminal penalties; amending Minnesota Statutes 2002, sections 13.3806, by adding a subdivision; 144.2215; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Page 2, line 36, after "guardian" insert "must be informed that they"

Page 3, line 7, delete "Notwithstanding any law to the contrary,"

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

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

S.F. No. 2381: A bill for an act relating to health; requiring persons to refrain from smoking in certain areas; amending Minnesota Statutes 2002, sections 144.412; 144.413, subdivision 2, by adding subdivisions; 144.414, as amended; 144.416; 144.4165; 144.417; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2002, section 144.415.

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

Page 4, line 11, delete everything after the period

Page 4, delete lines 12 to 18

Page 5, line 15, before "No" insert "(a)"

Page 5, line 18, after "grounds" insert ", except as provided in paragraph (b)"

Page 5, line 31, delete the second "or"

Page 5, line 32, after "school" insert ", or public or private college or university" and after the period, insert:

"(b) Nothing in this section prohibits an adult from consuming chewing tobacco products if permitted by a public or private college or university."

Page 7, line 35, before "sections" insert "Minnesota Statutes," and after "144.417" insert a comma

Page 8, after line 2, insert:

"Sec. 11. [FREEDOM TO BREATHE ACT.]

The amendments in this act to Minnesota Statutes, sections 144.411 to 144.417, shall be referred to as the "Freedom to Breathe Act of 2004."

Page 8, line 3, delete "11" and insert "12"

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "establishing the Freedom to Breathe Act of 2004;"

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

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

S.F. No. 1206: A bill for an act relating to health; providing for the prevention of lead poisoning; proposing coding for new law in Minnesota Statutes, chapter 144.

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 2002, section 144.9501, is amended by adding a subdivision to read:

Subd. 3a. [AFFECTED PROPERTY.] "Affected property" means a room or group of rooms within a property constructed before 1978 that form a single independent habitable dwelling unit for occupation by one or more individuals that has living facilities with permanent provisions for living, sleeping, eating, cooking, and sanitation. Affected property does not include:

(1) an area not used for living, sleeping, eating, cooking, or sanitation, such as an unfinished basement;

(2) a unit within a hotel, motel, or similar seasonal or transient facility unless such unit is occupied by one or more children under the age of six or pregnant women for a period exceeding 30 days;

(3) an area that is secured and inaccessible to occupants; or

(4) a unit that is not offered for rent.

Affected property excludes any property owned or operated by a unit of federal, state, or local government, or any public, quasipublic, or municipal corporation, if the property is subject to lead standards that are equal to, or more stringent than, the requirements for lead-safe status under section 144.9511, subdivision 3.

Sec. 2. Minnesota Statutes 2002, section 144.9502, subdivision 3, is amended to read:

Subd. 3. [REPORTS OF BLOOD LEAD ANALYSIS REQUIRED.] (a) Every hospital, medical clinic, medical laboratory, other facility, or individual performing blood lead analysis shall report the results after the analysis of each specimen analyzed, for both capillary and venous specimens, and epidemiologic information required in this section to the commissioner of health, within the time frames set forth in clauses (1) and (2):

(1) within two working days by telephone, fax, or electronic transmission, with written or electronic confirmation within one month, for a venous blood lead level, determined by one venous blood sample or two capillary blood samples, equal to or greater than 15 ten micrograms of lead per deciliter of whole blood; or

(2) within one month in writing or by electronic transmission, for any single capillary result or for a venous blood lead level less than 15 ten micrograms of lead per deciliter of whole blood.

(b) If a blood lead analysis is performed outside of Minnesota and the facility performing the analysis does not report the blood lead analysis results and epidemiological information required in this section to the commissioner, the provider who collected the blood specimen must satisfy the reporting requirements of this section. For purposes of this section, "provider" has the meaning given in section 62D.02, subdivision 9.

(c) The commissioner shall coordinate with hospitals, medical clinics, medical laboratories, and other facilities performing blood lead analysis to develop a universal reporting form and mechanism.

Sec. 3. Minnesota Statutes 2002, section 144.9502, is amended by adding a subdivision to read:

Subd. 10. [COMMISSIONER TO MAINTAIN RECORDS OF SCREENINGS AND INFORM DESIGNATED INDIVIDUALS.] (a) The commissioner shall maintain comprehensive records of all screenings conducted according to this section. The records shall be indexed geographically and by owner to determine the location of areas of relatively high incidence of lead poisoning and other elevated blood lead levels. Summary data, as defined under section 13.02, subdivision 19, compiled under this paragraph are public records, notwithstanding subdivision 9.

(b) All cases or probable cases of lead poisoning, as defined by rule, found in the course of screenings conducted according to this section shall be reported immediately to the affected individual, to the person's parent or legal guardian if the person is a minor, and to the commissioner.

Sec. 4. Minnesota Statutes 2002, section 144.9503, subdivision 7, is amended to read:

Subd. 7. [LEAD-SAFE PRACTICES INFORMATION.] (a) The commissioner shall develop and maintain in cooperation with the commissioner of administration provisions and procedures to define lead-safe practices information for residential remodeling, renovation, installation, and rehabilitation activities that are not lead hazard reduction, but may disrupt lead-based paint surfaces and guidance documents for the regulated industry. The commissioner shall maintain a list of available training opportunities in lead-safe practices.

(b) When an application is made to a local permitting authority for a permit allowing for residential remodeling, renovation, installation, or rehabilitation in a home built before 1978, the local permitting authority must distribute a fact sheet specifying the lead-safe practices developed under paragraph (a) and listing available training opportunities.

Sec. 5. Minnesota Statutes 2002, section 144.9504, subdivision 2, is amended to read:

Subd. 2. [LEAD RISK ASSESSMENT.] (a) An assessing agency shall conduct a lead risk assessment of a residence according to the venous blood lead level, determined by one venous blood sample or two capillary blood samples, and time frame set forth in clauses (1) to ~~(5)~~ (4) for purposes of secondary prevention:

(1) within 48 hours of a child or pregnant female in the residence being identified to the agency as having a venous blood lead level equal to or greater than 70 micrograms of lead per deciliter of whole blood;

(2) within five working days of a child or pregnant female in the residence being identified to the agency as having a venous blood lead level equal to or greater than 45 micrograms of lead per deciliter of whole blood;

(3) within ten working days of a child in the residence being identified to the agency as having a venous blood lead level equal to or greater than ~~20~~ ten micrograms of lead per deciliter of whole blood;

~~(4) within ten working days of a child in the residence being identified to the agency as having a venous blood lead level that persists in the range of 15 to 19 micrograms of lead per deciliter of whole blood for 90 days after initial identification; or~~

~~(5)~~ (4) within ten working days of a pregnant female in the residence being identified to the agency as having a venous blood lead level equal to or greater than ten micrograms of lead per deciliter of whole blood.

(b) Within the limits of available local, state, and federal appropriations, an assessing agency may also conduct a lead risk assessment for children with any elevated blood lead level less than ten micrograms of lead per deciliter.

(c) In a building with two or more dwelling units, an assessing agency shall assess the individual unit in which the conditions of this section are met and shall inspect all common areas

accessible to a child. If a child visits one or more other sites such as another residence, or a residential or commercial child care facility, playground, or school, the assessing agency shall also inspect the other sites. The assessing agency shall have one additional day added to the time frame set forth in this subdivision to complete the lead risk assessment for each additional site.

(d) Within the limits of appropriations, the assessing agency shall identify the known addresses for the previous 12 months of the child or pregnant female with ~~venous~~ blood lead levels of at least ~~20~~ ten micrograms per deciliter ~~for the child or at least ten micrograms per deciliter for the pregnant female~~; notify the property owners, landlords, and tenants at those addresses that an elevated blood lead level was found in a person who resided at the property; and give them primary prevention information. Within the limits of appropriations, the assessing agency may perform a risk assessment and issue corrective orders in the properties, if it is likely that the previous address contributed to the child's or pregnant female's blood lead level. The assessing agency shall provide the notice required by this subdivision without identifying the child or pregnant female with the elevated blood lead level. The assessing agency is not required to obtain the consent of the child's parent or guardian or the consent of the pregnant female for purposes of this subdivision. This information shall be classified as private data on individuals as defined under section 13.02, subdivision 12.

(e) The assessing agency shall conduct the lead risk assessment according to rules adopted by the commissioner under section 144.9508. An assessing agency shall have lead risk assessments performed by lead risk assessors licensed by the commissioner according to rules adopted under section 144.9508. If a property owner refuses to allow a lead risk assessment, the assessing agency shall begin legal proceedings to gain entry to the property and the time frame for conducting a lead risk assessment set forth in this subdivision no longer applies. A lead risk assessor or assessing agency may observe the performance of lead hazard reduction in progress and shall enforce the provisions of this section under section 144.9509. Deteriorated painted surfaces, bare soil, and dust must be tested with appropriate analytical equipment to determine the lead content, except that deteriorated painted surfaces or bare soil need not be tested if the property owner agrees to engage in lead hazard reduction on those surfaces. The lead content of drinking water must be measured if another probable source of lead exposure is not identified. Within a standard metropolitan statistical area, an assessing agency may order lead hazard reduction of bare soil without measuring the lead content of the bare soil if the property is in a census tract in which soil sampling has been performed according to rules established by the commissioner and at least 25 percent of the soil samples contain lead concentrations above the standard in section 144.9508.

(f) Each assessing agency shall establish an administrative appeal procedure which allows a property owner to contest the nature and conditions of any lead order issued by the assessing agency. Assessing agencies must consider appeals that propose lower cost methods that make the residence lead safe. The commissioner shall use the authority and appeal procedure granted under sections 144.989 to 144.993.

(g) Sections 144.9501 to ~~144.9509~~ 144.9511 neither authorize nor prohibit an assessing agency from charging a property owner for the cost of a lead risk assessment.

Sec. 6. Minnesota Statutes 2002, section 144.9505, subdivision 1b, is amended to read:

Subd. 1b. [LEAD SUPERVISOR LICENSE.] Before an individual performs regulated lead work as a supervisor, the individual shall first obtain a license from the commissioner. No license shall be issued unless the individual shows evidence of experience and successful completion of a training course in lead hazard control. The training course must be at least eight hours in length. The commissioner shall specify the course of training, experience, and testing requirements and shall charge a \$50 fee for the license. License fees are nonrefundable and must be submitted with each application. The license must be carried by the individual and be readily available for review by the commissioner and other public health officials charged with the health, safety, and welfare of the state's citizens.

Sec. 7. Minnesota Statutes 2002, section 144.9509, is amended by adding a subdivision to read:

Subd. 1a. [RECEIVERSHIP OF PROPERTIES NOT MEETING STANDARDS.] After the

second lead order or correction order issued by an assessing agency or after two criminal or civil actions under subdivision 1, brought by either state or local officials to enforce sections 144.9501 to 144.9511 arising out of violations occurring within an affected property, unless the violations alleged to exist are corrected, the affected property shall be considered abandoned, and the attorney general, the commissioner, or the assessing agency may request the court to appoint a receiver for the property. The court in such instances may specifically authorize the receiver to apply for loans, grants, and other forms of funding necessary to correct lead-based paint hazards and meet the standards for lead-safe status and to hold the affected property for such period of time as the funding source may require to ensure that the purposes of the funding have been met. The costs of the receivership constitute a lien against the property that, if not discharged by the owner upon receipt of the receiver's demand for payment, constitutes grounds for foreclosure proceedings instituted by the receiver to recover the costs.

Sec. 8. Minnesota Statutes 2002, section 144.9509, is amended by adding a subdivision to read:

Subd. 4. [PRIVATE RIGHT TO INJUNCTIVE RELIEF.] (a) If an owner of an affected property fails to comply with section 144.9511, a private right of action exists that allows a pregnant woman or child under the age of six or that person's parent or legal guardian to seek injunctive relief from a court with jurisdiction against the owner of the affected property in the form of a court order to compel compliance with section 144.9511.

(b) A court shall not grant the injunctive relief requested under paragraph (b) unless, at least 30 days prior to the filing requesting the injunction, the owner of the affected property has received written notice of the violation of standards contained in section 144.9511 and has failed to bring the affected property into compliance with the applicable standards. This notice to the owner of the affected property is satisfied when any of the following has occurred:

(1) a pregnant woman or child under age six, that person's parent or legal guardian, or that person's attorney, has notified the owner of an affected property that the property fails to meet the requirements for lead-free status under section 144.9511, subdivision 2, or for lead-safe status under section 144.9511, subdivision 3;

(2) an assessing agency has notified the owner of the affected property of violations of sections 144.9501 to 144.9511 occurring within an affected property; or

(3) a criminal or civil action under section 144.9509, subdivision 1, has been brought by state or local enforcement officials to enforce sections 144.9501 to 144.9511 arising out of violations occurring within an affected property.

(c) A person who prevails in an action under paragraph (b) is entitled to an award of the costs of the litigation and to an award of reasonable attorney fees in an amount to be fixed by the court.

(d) Cases brought before the court under this subdivision shall be granted an accelerated hearing.

Sec. 9. [144.9511] [REQUIREMENTS FOR LEAD-FREE STATUS AND LEAD-SAFE STATUS.]

Subdivision 1. [DEADLINE FOR AFFECTED PROPERTIES.] On or before January 1, 2006, all affected properties shall be either lead free or lead safe.

Subd. 2. [REQUIREMENTS FOR LEAD-FREE STATUS.] An affected property is lead-free if lead levels in soil sampled on the property do not exceed the standard for bare soil adopted by rule and:

(1) the affected property was constructed after 1978; or

(2) the owner of the affected property submits to the commissioner or the commissioner's local designee an inspection report, which indicates that the affected property has been tested for the presence of lead according to rules adopted by the commissioner and states that all interior surfaces of the affected property are lead-free and:

(i) all exterior painted surfaces of the affected property that were chipping, peeling, or flaking have been restored with non-lead-based paint; or

(ii) no exterior painted surfaces of the affected property are chipping, peeling, or flaking.

Subd. 3. [REQUIREMENTS FOR LEAD-SAFE STATUS.] An affected property is lead-safe if lead levels in soil sampled on the property do not exceed the standard for bare soil adopted by rule and the following treatments to reduce lead-based paint hazards have been completed by someone licensed under section 144.9505 and in compliance with the rules adopted by the commissioner:

(1) visual review of all exterior and interior painted surfaces;

(2) removal and repainting of chipping, peeling, or flaking paint on exterior and interior painted surfaces;

(3) stabilization and repainting of any interior or exterior painted surface that have lead-based paint hazards;

(4) repair of any structural defect that is causing the paint to chip, peel, or flake that the owner of the affected property has knowledge of or, with the exercise of reasonable care, should have knowledge of;

(5) stripping and repainting, replacing, or encapsulating all interior windowsills and window troughs with vinyl, metal, or any other durable materials, which render the surface smooth and cleanable;

(6) installation of caps of vinyl, aluminum, or any other material in a manner and under conditions approved by the commissioner in all window wells to make the window wells smooth and cleanable;

(7) fixing the top sash of all windows in place to eliminate the friction caused by movement of the top sash, except for a treated or replacement window that is free of lead-based paint on its friction surfaces;

(8) rehangng all doors as necessary to prevent the rubbing together of a lead-painted surface with another surface;

(9) making all bare floors smooth and cleanable;

(10) ensuring that all kitchen and bathroom floors are overlaid with a smooth water-resistant covering; and

(11) HEPA-vacuuming and washing of the interior of the affected property with high-phosphate detergent or its equivalent, as determined by the commissioner.

Subd. 4. [REPAIRS TO COMPLY WITH STANDARDS.] (a) Whenever an owner of an affected property intends to make repairs or perform maintenance work that will disturb the paint on interior surfaces of an affected property, the owner shall give any tenant in the affected property at least 48 hours' written advance notice and shall make reasonable efforts to ensure that all persons who are not children under age six or pregnant women are not present in the area where work is performed and that all children under age six and pregnant women are removed from the affected property when the work is performed.

(b) A tenant shall allow access to an affected property, at reasonable times, to the owner to perform any work required under this section or section 144.9504.

(c) If a tenant must vacate an affected property for a period of 24 hours or more to allow an owner to perform work that will disturb the paint on interior surfaces, the owner shall pay the reasonable expenses that the tenant incurs directly related to the required relocation.

(d) If an owner has made all reasonable efforts to cause the tenant to temporarily vacate an

affected property to perform work that will disturb the paint on interior surfaces and the tenant refuses to vacate the affected property, the owner is not liable for any damages arising from the tenant's refusal to vacate.

(e) If an owner has made all reasonable efforts to gain access to an affected property to perform any work required under this section or section 144.9504, and the tenant refuses to allow access, even after receiving reasonable advance notice of the need for access, the owner is not liable for any damages arising from the tenant's refusal to allow access.

Subd. 5. [LEAD-SAFE HOUSING REGISTRY.] (a) The commissioner shall establish and maintain a lead-safe housing registry to provide the public with a listing of residential and multifamily dwellings and child-occupied facilities that have been inspected and certified as lead free or lead safe following an abatement to control or eliminate lead-based paint hazards.

(b) The owner of housing for which a lead order has been issued and that is offered for rent or lease as a residence shall register the property after abatement with the commissioner, in a form prescribed by the commissioner, free of charge. The form shall include, at a minimum:

(1) the name of the owner of the building;

(2) the address of the building;

(3) the date of construction; and

(4) the date and description of any lead-based paint activity, including the name of the certified lead firm or the licensed professional who performed the abatement or conducted the lead hazard screen, assessment, or clearance inspection of the building and the results of the lead-based paint activity.

(c) The owner of any other residential or multifamily dwelling that is offered for rent or lease as a residence or the owner of a child-occupied facility may register the property with the commissioner and the commissioner shall include that property on the lead-safe housing registry upon determining that the housing is lead free or lead safe. A person who wishes to register under this paragraph shall execute and return the registration application to the commissioner with payment of a \$25 registration fee. The registration application must include documentation demonstrating that the housing is lead free or lead safe.

(d) The commissioner shall publish the lead-safe housing registry on the department Web site and provide a copy of the registry to a person upon request.

Sec. 10. [REVISOR INSTRUCTION.]

In the next edition of Minnesota Statutes and Minnesota Rules, the revisor of statutes shall delete references to "sections 144.9501 to 144.9509" and insert "sections 144.9501 to 144.9511."

Delete the title and insert:

"A bill for an act relating to health; providing for the prevention of lead poisoning; requiring certain assessments; providing for enforcement; creating a lead-safe housing registry; amending Minnesota Statutes 2002, sections 144.9501, by adding a subdivision; 144.9502, subdivision 3, by adding a subdivision; 144.9503, subdivision 7; 144.9504, subdivision 2; 144.9505, subdivision 1b; 144.9509, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 144."

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

Senator Johnson, D.E., from the Committee on Rules and Administration, to which was referred

H.F. No. 1944 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS

H.F. No.	S.F. No.
1944	1797

CONSENT CALENDAR

H.F. No.	S.F. No.
----------	----------

CALENDAR

H.F. No.	S.F. No.
----------	----------

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1944 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1944 and insert the language after the enacting clause of S.F. No. 1797, the first engrossment; further, delete the title of H.F. No. 1944 and insert the title of S.F. No. 1797, the first engrossment.

And when so amended H.F. No. 1944 will be identical to S.F. No. 1797, and further recommends that H.F. No. 1944 be given its second reading and substituted for S.F. No. 1797, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 1384, 2165, 1530, 2179, 1716, 2204, 2537, 2429, 2474, 1249, 2141, 2376, 2266, 1988, 1662, 2222, 1990, 2257, 2418, 2412, 2498, 2065, 2332, 2308 and 2381 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 1944 was read the second time.

MOTIONS AND RESOLUTIONS

Senator Olson moved that the name of Senator Kiscaden be added as a co-author to S.F. No. 492. The motion prevailed.

Senator Johnson, D.E. moved that his name be stricken as chief author, and the name of Senator Murphy be added as chief author to S.F. No. 1045. The motion prevailed.

Senator Betzold moved that the name of Senator Dille be added as a co-author to S.F. No. 1530. The motion prevailed.

Senator Kleis moved that the names of Senators LeClair and Neuville be added as co-authors to S.F. No. 1565. The motion prevailed.

Senator Kubly moved that his name be stricken as a co-author to S.F. No. 1988. The motion prevailed.

Senator Sams moved that the name of Senator Langseth be added as a co-author to S.F. No. 2298. The motion prevailed.

Senator Murphy moved that the name of Senator Rest be added as a co-author to S.F. No. 2566. The motion prevailed.

Senator Kelley moved that the name of Senator Rest be added as a co-author to S.F. No. 2570. The motion prevailed.

Senator Kubly moved that his name be stricken as a co-author to S.F. No. 2598. The motion prevailed.

Senator Lourey moved that the name of Senator Betzold be added as a co-author to S.F. No. 2657. The motion prevailed.

Senator Wiger moved that S.F. No. 1600 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Berglin moved that S.F. No. 1876 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Berglin moved that S.F. No. 1992 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Berglin moved that S.F. No. 2012 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Berglin moved that S.F. No. 2225 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Lourey moved that S.F. No. 2329 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Ruud moved that S.F. No. 2372 be withdrawn from the Committee on Environment and Natural Resources and returned to its author. The motion prevailed.

Senator Hottinger moved that S.F. No. 2496 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Koering moved that S.F. No. 2513 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Vickerman moved that S.F. No. 2636 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Hottinger moved that S.F. No. 2595 be withdrawn from the Committee on State and Local Government Operations and re-referred to the Committee on Education. The motion prevailed.

Senator Johnson, D.E. moved that H.F. No. 2052 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Dille moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Sams be added as chief author to S.F. 717. The motion prevailed.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

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

Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred

S.F. No. 2426: A bill for an act relating to public defense; providing for representation by the public defender; providing public defender access to government data; requiring the public defense co-payment to be deposited in the general fund; appropriating money; amending Minnesota Statutes 2002, section 611.16; Minnesota Statutes 2003 Supplement, sections 611.17, subdivision 1; 611.25, subdivision 1; 611.272; repealing Minnesota Statutes 2003 Supplement, section 611.18.

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 2003 Supplement, section 270A.03, subdivision 5, is amended to read:

Subd. 5. [DEBT.] "Debt" means a legal obligation of a natural person to pay a fixed and certain amount of money, which equals or exceeds \$25 and which is due and payable to a claimant agency. The term includes criminal fines imposed under section 609.10 or 609.125 and restitution. ~~The term also includes the co-payment for the appointment of a district public defender imposed under section 611.17, paragraph (c).~~ A debt may arise under a contractual or statutory obligation, a court order, or other legal obligation, but need not have been reduced to judgment.

A debt includes any legal obligation of a current recipient of assistance which is based on overpayment of an assistance grant where that payment is based on a client waiver or an administrative or judicial finding of an intentional program violation; or where the debt is owed to a program wherein the debtor is not a client at the time notification is provided to initiate recovery under this chapter and the debtor is not a current recipient of food support, transitional child care, or transitional medical assistance.

A debt does not include any legal obligation to pay a claimant agency for medical care, including hospitalization if the income of the debtor at the time when the medical care was rendered does not exceed the following amount:

- (1) for an unmarried debtor, an income of \$8,800 or less;
- (2) for a debtor with one dependent, an income of \$11,270 or less;
- (3) for a debtor with two dependents, an income of \$13,330 or less;
- (4) for a debtor with three dependents, an income of \$15,120 or less;
- (5) for a debtor with four dependents, an income of \$15,950 or less; and
- (6) for a debtor with five or more dependents, an income of \$16,630 or less.

The income amounts in this subdivision shall be adjusted for inflation for debts incurred in calendar years 2001 and thereafter. The dollar amount of each income level that applied to debts incurred in the prior year shall be increased in the same manner as provided in section 1(f) of the Internal Revenue Code of 1986, as amended through December 31, 2000, except that for the purposes of this subdivision the percentage increase shall be determined from the year starting September 1, 1999, and ending August 31, 2000, as the base year for adjusting for inflation for debts incurred after December 31, 2000.

Debt also includes an agreement to pay a MinnesotaCare premium, regardless of the dollar amount of the premium authorized under section 256L.15, subdivision 1a.

Sec. 2. Minnesota Statutes 2002, section 611.16, is amended to read:

611.16 [REQUEST FOR APPOINTMENT OF PUBLIC DEFENDER.]

Any person described in section 611.14 ~~or any other person entitled by law to representation by counsel,~~ may at any time request the court in which the matter is pending, or the court in which the conviction occurred, to appoint a public defender to represent the person. In a proceeding defined by clause (2) of section 611.14, application for the appointment of a public defender may also be made to a judge of the Supreme Court.

Sec. 3. Minnesota Statutes 2003 Supplement, section 611.17, subdivision 1, is amended to read:

Subdivision 1. [STANDARDS FOR DISTRICT PUBLIC DEFENSE ELIGIBILITY.] (a) Each judicial district must screen requests for representation by the district public defender. A defendant is financially unable to obtain counsel if:

(1) the defendant, or any dependent of the defendant who resides in the same household as the defendant, receives means-tested governmental benefits; or

(2) the defendant, through any combination of liquid assets and current income, would be unable to pay the reasonable costs charged by private counsel in that judicial district for a defense of the same matter.

(b) Upon a request for the appointment of counsel, the court shall make appropriate inquiry into the financial circumstances of the applicant, who shall submit a financial statement under oath or affirmation setting forth the applicant's assets and liabilities, including the value of any real property owned by the applicant, whether homestead or otherwise, less the amount of any encumbrances on the real property, the source or sources of income, and any other information required by the court. The applicant shall be under a continuing duty while represented by a public defender to disclose any changes in the applicant's financial circumstances that might be relevant to the applicant's eligibility for a public defender. The state public defender shall furnish appropriate forms for the financial statements. The forms must contain conspicuous notice of the applicant's continuing duty to disclose to the court changes in the applicant's financial circumstances. ~~The forms must also contain conspicuous notice of the applicant's obligation to make a co-payment for the services of the district public defender, as specified under paragraph (e).~~ The information contained in the statement shall be confidential and for the exclusive use of the court and the public defender appointed by the court to represent the applicant except for any prosecution under section 609.48. A refusal to execute the financial statement or produce financial records constitutes a waiver of the right to the appointment of a public defender. The court shall not appoint a district public defender to a defendant who is financially able to retain private counsel but refuses to do so.

An inquiry to determine financial eligibility of a defendant for the appointment of the district public defender shall be made whenever possible prior to the court appearance and by such persons as the court may direct. This inquiry may be combined with the prerelease investigation provided for in Minnesota Rule of Criminal Procedure 6.02, subdivision 3. In no case shall the district public defender be required to perform this inquiry or investigate the defendant's assets or eligibility. The court has the sole duty to conduct a financial inquiry. The inquiry must include the following:

- (1) the liquidity of real estate assets, including the defendant's homestead;
 - (2) any assets that can be readily converted to cash or used to secure a debt;
 - (3) the determination of whether the transfer of an asset is voidable as a fraudulent conveyance;
- and

(4) the value of all property transfers occurring on or after the date of the alleged offense. The burden is on the accused to show that he or she is financially unable to afford counsel. Defendants who fail to provide information necessary to determine eligibility shall be deemed ineligible. The court must not appoint the district public defender as advisory counsel.

~~(c) Upon appointment of the public defender, an individual who receives public defender services shall be obligated to pay to the court a co-payment for representation provided by a public defender. The co-payment shall be according to the following schedule:~~

- ~~(1) if the person was charged with a felony, \$200;~~
- ~~(2) if the person was charged with a gross misdemeanor, \$100; or~~
- ~~(3) if the person was charged with a misdemeanor, \$50.~~

~~If the person is a child and was appointed counsel under the provisions of section 260B.163, subdivision 4, the parents of the child shall pay to the court a co-payment of \$100. If the person is a parent of a child and the parent was appointed counsel under the provisions of section 260C.163, subdivision 3, the parent shall pay to the court a co-payment of \$200.~~

If a term of probation is imposed as a part of an offender's sentence, the co-payment required by this section must not be made a condition of probation. The co-payment required by this section is a civil obligation and must not be made a condition of a criminal sentence. Collection of the co-payment may be made through the provisions of chapter 270A, the Revenue Recapture Act.

~~(d) All public defender co-pay revenue collected under paragraph (c) and revenues less statutory fees collected under chapter 270A shall be deposited in the public defender co-pay account in the special revenue fund.~~

~~The first \$2,740,000 deposited in the public defender co-pay account must be transferred to the general fund. This is not an annual transfer. Receipts in excess of the first \$2,740,000 are appropriated to the Board of Public Defense for public defender services.~~

Sec. 4. Minnesota Statutes 2003 Supplement, section 611.25, subdivision 1, is amended to read:

Subdivision 1. [REPRESENTATION.] (a) The state public defender shall represent, without charge:

- (1) a defendant or other person appealing from a conviction of a felony or gross misdemeanor;
- (2) a person convicted of a felony or gross misdemeanor who is pursuing a postconviction proceeding and who has not already had a direct appeal of the conviction, but if the person pled guilty and received a presumptive sentence or a downward departure in sentence, and the state public defender reviewed the person's case and determined that there was no basis for an appeal of the conviction or of the sentence, then the state public defender may decline to represent the person in a postconviction remedy case; and

(3) a child who is appealing from a delinquency adjudication or from an extended jurisdiction juvenile conviction.

(b) The state public defender may represent, without charge, all other persons pursuing a postconviction remedy under section 590.01, who are financially unable to obtain counsel.

~~(c) The state public defender shall represent any other person, who is financially unable to obtain counsel, when directed to do so by the Supreme Court or the Court of Appeals, except that The state public defender shall not represent a person in any action or proceeding in which a party is seeking a monetary judgment, recovery or award. When requested by a district public defender or appointed counsel, the state public defender may assist the district public defender, appointed counsel, or an organization designated in section 611.216 in the performance of duties, including trial representation in matters involving legal conflicts of interest or other special circumstances, and assistance with legal research and brief preparation. When the state public defender is directed by a court to represent a defendant or other person, the state public defender may assign the representation to any district public defender.~~

Sec. 5. Minnesota Statutes 2003 Supplement, section 611.272, is amended to read:

611.272 [ACCESS TO GOVERNMENT DATA.]

The district public defender, the state public defender, or an attorney working for a public defense corporation under section 611.216 has access to the criminal justice data communications network described in section 299C.46, as provided in this section. Access to data under this section is limited to data regarding the public defender's own client as necessary to prepare criminal cases in which the public defender has been appointed, including as follows:

(1) access to data about witnesses in a criminal case shall be limited to records of criminal convictions; and

(2) access to data regarding the public defender's own client which includes, but is not limited to, criminal history data under section 13.87; juvenile offender data under section 299C.095; warrant information data under section 299C.115; incarceration data under section 299C.14; conditional release data under section 299C.147; and diversion program data under section 299C.46, subdivision 5.

The public defender has access to data under this section whether accessed via CriMNet or other methods. The public defender does not have access to law enforcement active investigative data under section 13.82, subdivision 7; data protected under section 13.82, subdivision 17; or confidential arrest warrant indices data under section 13.82, subdivision 19, or to data systems maintained by a prosecuting attorney. The defender has access to the data at no charge, except for the monthly network access charge under section 299C.46, subdivision 3, paragraph (b), and a reasonable installation charge for a terminal. Notwithstanding section 13.87, subdivision 3; 299C.46, subdivision 3, paragraph (b); 299C.48, or any other law to the contrary, there shall be no charge to public defenders for Internet access to the criminal justice data communications network.

Sec. 6. [APPROPRIATION.]

\$...... is appropriated from the general fund in fiscal year 2005 to the Board of Public Defense. This appropriation is in addition to any appropriation provided by Laws 2003, First Special Session chapter 2, article 1, section 8, and is added to the base level funding.

Sec. 7. [REPEALER.]

Minnesota Statutes 2003 Supplement, section 611.18, is repealed.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective July 1, 2004, and apply to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to public defense; providing for representation by the public defender; providing public defender access to government data; appropriating money; amending Minnesota Statutes 2002, section 611.16; Minnesota Statutes 2003 Supplement, sections 270A.03, subdivision 5; 611.17, subdivision 1; 611.25, subdivision 1; 611.272; repealing Minnesota Statutes 2003 Supplement, section 611.18."

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

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

S.F. No. 2674: A bill for an act relating to economic development; regulating business subsidies; amending Minnesota Statutes 2002, section 116J.994, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 116J.994, subdivisions 4, 9.

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

Page 1, line 20, delete everything after the period

Page 1, delete lines 21 and 22

Page 2, line 12, delete "August" and insert "October"

Page 3, line 11, delete "or recipient"

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senators Cohen and Rest introduced--

Senate Resolution No. 119: A Senate resolution recognizing Thursday, March 11, 2004, Minnesota Orchestra day.

Referred to the Committee on Rules and Administration.

Senators Fischbach; Johnson, D.E.; Ourada and Metzen introduced--

Senate Resolution No. 120: A Senate resolution honoring Saint John's University Football Coach John Gagliardi on becoming the winningest coach in college football history.

WHEREAS, Saint John's University Football Coach John Gagliardi's coaching career began in 1943 when his high school coach at Trinidad, Colorado Catholic was drafted into World War II and Gagliardi, as captain, took over the reins of the team at the age of 16; and

WHEREAS, Gagliardi's teams won four conference titles in his six years of coaching high school football at Trinidad and St. Mary's; and

WHEREAS, after graduation from Colorado College in 1949, Gagliardi's first college coaching position was at Carroll College in Helena, Montana; he led Carroll to three conference titles in his first four seasons as a college coach, and also coached basketball and baseball teams and won championships in those sports as well; and

WHEREAS, Gagliardi's success caught the attention of Saint John's University in Collegetown, Minnesota, a program that had not won a conference title in 15 years; and

WHEREAS, in his first season, Gagliardi won the MIAC title in football and also won a championship coaching the track team, all the while leading the Saint John's hockey team to a 42-25-1 record over five seasons; and

WHEREAS, since then, Gagliardi has won four national football championships (1963, 1965, 1976, and 2003) and made the 2000 national title game as well as the 2001 and 2002 national semifinals; and

WHEREAS, in 2001, Gagliardi became only the third coach in NCAA college football history to coach 500 career games; and

WHEREAS, Gagliardi's teams have won 26 conference titles, appeared in 49 postseason games, been nationally ranked 37 times, and have a 35-14 postseason record; in 1993, Saint John's scored an average of 61.5 points per game, a record that may never be broken; and

WHEREAS, Gagliardi's success has led to widespread national coverage of the Saint John's football program from media outlets such as the Wall Street Journal, Sports Illustrated, The New York Times, The Today Show, the Washington Post, and USA Today, as well as several books written about Gagliardi and the program; and

WHEREAS, the award that goes to the nation's outstanding Division III player is now called the Gagliardi Trophy, and Gagliardi currently owns a 414-114-11 (.778) collegiate career record and a 390-108-10 (.777) record at Saint John's; he broke the all-time record held by former Grambling State head coach Eddie Robinson with a 29-26 win over Bethel on November 8, 2003; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it congratulates Saint John's University Football Coach John Gagliardi on becoming the winningest coach in college football history and extends best wishes to him for the future.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Chair of the Senate Rules and Administration Committee, and transmit it to Coach John Gagliardi.

Senator Fischbach moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senator Higgins introduced--

S.F. No. 2675: A bill for an act relating to human services; clarifying medical assistance coverage of skilled nursing facility and hospice services for dual eligibles; amending Minnesota Statutes 2002, section 256B.0625, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senator Berglin introduced--

S.F. No. 2676: A bill for an act relating to taxation; property; providing that certain personal property at a biomass electric generation facility is exempt from property taxation; amending Minnesota Statutes 2002, section 272.02, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Ruud introduced--

S.F. No. 2677: A bill for an act relating to human services; allowing counties to recover the cost of conducting a background study; amending Minnesota Statutes 2003 Supplement, section 245C.10, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Dibble, Berglin, Higgins and Michel introduced--

S.F. No. 2678: A bill for an act relating to health; establishing grants for an AIDS prevention initiative focusing on African-born Minnesotans; appropriating money.

Referred to the Committee on Health and Family Security.

Senator Pappas introduced--

S.F. No. 2679: A bill for an act relating to education finance; modifying the debt service equalization aid program to encourage sound historic preservation and cost-efficient remodeling projects; modifying the review and comment process; amending Minnesota Statutes 2002, sections 123B.02, subdivision 8; 123B.53, subdivision 5; 123B.71, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 123B.71, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 211B.

Referred to the Committee on Finance.

Senators Solon, Ourada and Murphy introduced--

S.F. No. 2680: A bill for an act relating to traffic regulations; specifying duty of care of bus drivers to passengers; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Finance.

Senator Hottinger introduced--

S.F. No. 2681: A bill for an act relating to state government; modifying the structure of the pollution control agency; amending Minnesota Statutes 2002, sections 116.02, subdivisions 1, 4;

116.03, subdivisions 1, 2; repealing Minnesota Statutes 2002, section 116.02, subdivisions 6, 7, 8, 9, 10.

Referred to the Committee on State and Local Government Operations.

Senator Limmer introduced--

S.F. No. 2682: A bill for an act relating to taxation; increasing certain local government aid payments; amending Minnesota Statutes 2003 Supplement, section 477A.011, subdivision 36.

Referred to the Committee on Taxes.

Senators Rest, Scheid, Belanger, Michel and Limmer introduced--

S.F. No. 2683: A bill for an act relating to taxation; income; modifying the alternative minimum tax exemption and charitable contribution subtraction; amending Minnesota Statutes 2002, section 290.091, subdivision 3; Minnesota Statutes 2003 Supplement, section 290.091, subdivision 2.

Referred to the Committee on Taxes.

Senators Hann, Gaither, Michel, Higgins and Scheid introduced--

S.F. No. 2684: A bill for an act relating to traffic regulations; providing that certain misdemeanor traffic offenses do not constitute grounds for revocation or suspension of a person's driver's license; amending Minnesota Statutes 2002, sections 169.13, subdivision 2; 169.791, subdivisions 2, 6; 169.792, subdivision 7; 169.89, subdivision 1; 169A.35, subdivisions 2, 3, 4; 171.08; 171.24, subdivisions 1, 2, 3.

Referred to the Committee on Finance.

Senator Kubly introduced--

S.F. No. 2685: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for acquisition and development of the Minnesota River Trail from Wegdahl to Granite Falls.

Referred to the Committee on Finance.

Senator Kubly introduced--

S.F. No. 2686: A bill for an act relating to game and fish; requiring a license to sell live bait; amending Minnesota Statutes 2002, section 97A.475, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 97C.

Referred to the Committee on Environment and Natural Resources.

Senators Kelley, Ranum, Anderson and Metzen introduced--

S.F. No. 2687: A bill for an act relating to utilities; making energy reliability utility assessments retroactive; amending Minnesota Statutes 2003 Supplement, section 216C.052, subdivision 3.

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

Senators Foley, Knutson and Skoglund introduced--

S.F. No. 2688: A bill for an act relating to crime prevention and public safety; adopting a new

compact for juveniles and repealing the existing compact; creating an Advisory Council on Interstate Juvenile Supervision; requiring the appointment of a compact administrator; appropriating money; amending Minnesota Statutes 2002, sections 260.52; 260.53; 260.54; 260.55; proposing coding for new law in Minnesota Statutes, chapter 260; repealing Minnesota Statutes 2002, sections 260.51; 260.52; 260.53; 260.54; 260.55.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Scheid introduced--

S.F. No. 2689: A bill for an act relating to education finance; authorizing a pilot program to allow school districts to spend compensatory revenue at school sites with low test scores; amending Minnesota Statutes 2002, section 126C.15, subdivisions 2, 3.

Referred to the Committee on Finance.

Senator Hottinger introduced--

S.F. No. 2690: A bill for an act relating to the environment; modifying provisions relating to lead abatement; imposing a fee on paint; appropriating money; amending Minnesota Statutes 2002, section 144.9507, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Environment and Natural Resources.

Senator Larson introduced--

S.F. No. 2691: A bill for an act relating to retirement; Minnesota State Retirement System general plan; authorizing a general plan deferred annuitant to have employment at Bug-O-Na-Ge-Shig school used for rule of 90 eligibility purposes.

Referred to the Committee on State and Local Government Operations.

Senator Larson introduced--

S.F. No. 2692: A bill for an act relating to retirement; Minnesota State Retirement System general plan; authorizing an eligible individual to be covered by the general plan for employment at Bug-O-Na-Ge-Shig school.

Referred to the Committee on State and Local Government Operations.

Senator Berglin introduced--

S.F. No. 2693: A bill for an act relating to pollution remediation; providing for priority in allocation of agricultural chemical response and reimbursement account; appropriating money.

Referred to the Committee on Finance.

Senator Kubly introduced--

S.F. No. 2694: A bill for an act relating to agriculture; establishing a biodiesel production development program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41A.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Pappas, Solon, Skoe, Kierlin and Tomassoni introduced--

S.F. No. 2695: A bill for an act relating to higher education; extending sunset of education telecommunications council; requiring eligible institutions to provide certain data to the Higher Education Services Office; making changes relating to child care grants and the Minnesota College Savings Plan; modifying certain education benefits of public safety officers; repealing obsolete rules; amending Minnesota Statutes 2002, sections 136A.121, by adding a subdivision; 136G.11, by adding a subdivision; 299A.45, subdivision 4; Minnesota Statutes 2003 Supplement, sections 125B.21, subdivision 1; 136A.125, subdivision 2; 136G.11, subdivisions 1, 3; 136G.13, subdivision 1; repealing Minnesota Statutes 2003 Supplement, section 136G.11, subdivision 2; Minnesota Rules, parts 4815.0100; 4815.0110; 4815.0120; 4815.0130; 4815.0140; 4815.0150; 4815.0160; 4830.8100; 4830.8110; 4830.8120; 4830.8130; 4830.8140; 4830.8150.

Referred to the Committee on Education.

Senators Pappas, Scheid, Solon, Ourada and Metzen introduced--

S.F. No. 2696: A bill for an act relating to liquor; clarifying restrictions on location of retail licenses in proximity to certain institutions; amending Minnesota Statutes 2002, section 340A.412, subdivision 4.

Referred to the Committee on Commerce.

Senator Scheid introduced--

S.F. No. 2697: A bill for an act relating to capital improvements; authorizing the sale of state bonds; appropriating money for shoreland stabilization along Shingle Creek in the city of Brooklyn Park.

Referred to the Committee on Finance.

Senator Kubly introduced--

S.F. No. 2698: A bill for an act relating to agriculture; establishing a wind turbine loan program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41B.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Kubly introduced--

S.F. No. 2699: A bill for an act relating to energy; requiring study on wind energy tax incentives.

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

Senators Jungbauer and Hann introduced--

S.F. No. 2700: A bill for an act relating to elections; eliminating the incumbency designation from judicial ballots; repealing Minnesota Statutes 2002, section 204B.36, subdivision 5.

Referred to the Committee on Elections.

Senators Rest, Scheid, Belanger, Pogemiller and Moua introduced--

S.F. No. 2701: A bill for an act relating to taxation; income; modifying alternative minimum taxable income; amending Minnesota Statutes 2002, section 290.091, subdivision 3; Minnesota Statutes 2003 Supplement, section 290.091, subdivision 2.

Referred to the Committee on Taxes.

Senators Ortman, Hann and Scheid introduced--

S.F. No. 2702: A bill for an act relating to taxation; income; amending provisions of the Minnesota education credit and education subtraction; amending Minnesota Statutes 2002, section 290.0674, subdivision 2; Minnesota Statutes 2003 Supplement, sections 290.01, subdivision 19b; 290.0674, subdivision 1.

Referred to the Committee on Taxes.

Senators Ranum and Knutson introduced--

S.F. No. 2703: A bill for an act relating to state employment; modifying state hiring process provisions; adding, modifying, and eliminating definitions; making technical changes; amending Minnesota Statutes 2002, sections 43A.02, subdivisions 4, 6, 11, 26, 32, 34, by adding subdivisions; 43A.04, subdivisions 3, 4; 43A.05, subdivision 1; 43A.10; 43A.11, subdivisions 5, 6, 7, 8, 9; 43A.15, subdivisions 1, 2, 4, 7, 10, 15; 43A.16, subdivision 1; 43A.191, subdivision 3; 43A.36, subdivision 1; 43A.39, subdivision 1; 197.455; Minnesota Statutes 2003 Supplement, section 43A.15, subdivision 14; proposing coding for new law in Minnesota Statutes, chapter 43A; repealing Minnesota Statutes 2002, sections 43A.02, subdivisions 7, 8, 15, 16, 19, 20, 37; 43A.11, subdivisions 3, 4; 43A.12; 43A.13, subdivisions 1, 2, 3, 4, 5, 6, 8; 43A.15, subdivisions 8, 9, 11; Minnesota Statutes 2003 Supplement, section 43A.13, subdivision 7; Minnesota Rules, parts 3900.3300; 3900.6100; 3900.6300; 3900.6400; 3900.6500; 3900.6600; 3900.7100; 3900.7200; 3900.7300; 3900.7400; 3900.8500; 3900.8600; 3900.8800.

Referred to the Committee on State and Local Government Operations.

Senators Sparks, Pogemiller and Tomassoni introduced--

S.F. No. 2704: A bill for an act relating to sales and use taxes; authorizing the city of Albert Lea to impose a sales tax.

Referred to the Committee on Taxes.

Senators Pappas, Johnson, D.E.; Cohen; Pogemiller and Solon introduced--

S.F. No. 2705: A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, by adding a section; requiring the state to pay two-thirds of the cost of instruction at public higher education institutions.

Referred to the Committee on Education.

Senator Sams introduced--

S.F. No. 2706: A bill for an act relating to conservation easements; limiting the duration of certain easements; amending Minnesota Statutes 2002, sections 84C.02; 500.20, subdivision 2a.

Referred to the Committee on Environment and Natural Resources.

Senators Anderson, Scheid, Belanger, Reiter and Gaither introduced--

S.F. No. 2707: A bill for an act relating to commerce; regulating foreclosure consultants and equity purchasers; regulating contract provisions and notice requirements; providing criminal penalties and civil remedies; amending Minnesota Statutes 2002, section 580.03; proposing coding for new law in Minnesota Statutes, chapter 580; proposing coding for new law as Minnesota Statutes, chapter 325N.

Referred to the Committee on Commerce.

Senator Ruud introduced--

S.F. No. 2708: A bill for an act relating to human services; requiring nursing facility case-mix payment rates to be based upon statewide averages; amending Minnesota Statutes 2002, sections 256B.431, by adding a subdivision; 256B.434, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Ranum, Dibble, Berglin and Skoglund introduced--

S.F. No. 2709: A bill for an act relating to airports; expanding scope of airport zoning provisions to include control of uses incompatible with present and future airport use; requiring a chapter on aviation planning in the state transportation plan; creating an advisory council on aviation planning; amending Minnesota Statutes 2002, sections 174.03, by adding a subdivision; 360.061, by adding subdivisions; 360.064, subdivision 1; 360.065; 360.066, subdivisions 1, 1a; 360.074; proposing coding for new law in Minnesota Statutes, chapters 174; 360.

Referred to the Committee on Finance.

Senators Vickerman and Johnson, D.E. introduced--

S.F. No. 2710: A bill for an act relating to education; requiring county extension office; amending Minnesota Statutes 2002, sections 38.331, subdivision 2; 38.35.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Vickerman and Johnson, D.E. introduced--

S.F. No. 2711: A bill for an act relating to education; making changes to county extension work; requiring county contributions for county extension offices; appropriating money; amending Minnesota Statutes 2002, section 38.35.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Vickerman and Johnson, D.E. introduced--

S.F. No. 2712: A bill for an act relating to education; making changes to county extension work; providing matching funds for county extension offices; amending Minnesota Statutes 2002, section 38.35.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Kelley, Scheid, Pappas, Belanger and Senjem introduced--

S.F. No. 2713: A bill for an act relating to local government; repealing the compensation limit for local government employees; amending Minnesota Statutes 2002, sections 356.611, subdivision 1; 465.719, subdivision 9; repealing Minnesota Statutes 2002, section 43A.17, subdivision 9.

Referred to the Committee on State and Local Government Operations.

Senators LeClair and Reiter introduced--

S.F. No. 2714: A bill for an act relating to insurance; making changes in regulation of health insurance; making changes in banking and insurance laws to accommodate health savings accounts; amending Minnesota Statutes 2002, sections 47.75; 48.15, subdivision 4; 62A.02, subdivision 2; 62A.65, subdivision 5; 62D.095, subdivision 4; 62E.06, subdivision 3; 62L.12, subdivisions 2, 3; Minnesota Statutes 2003 Supplement, sections 62A.65, subdivision 7; 62E.08, subdivision 1; 62E.12; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Commerce.

Senators Bachmann and Reiter introduced--

S.F. No. 2715: A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XIII; recognizing as marriage only a union between one man and one woman.

Referred to the Committee on Judiciary.

Senator Moua introduced--

S.F. No. 2716: A bill for an act relating to taxation; making policy and administrative changes to certain taxes and tax provisions, state debt collection procedures, sustainable forest incentive programs, and tax data provisions; amending Minnesota Statutes 2002, sections 16D.10; 270.02, subdivision 3; 270.69, subdivision 4; 270B.01, subdivision 8; 289A.31, subdivision 2; 289A.56, by adding a subdivision; 290.9705, subdivision 1; 295.50, subdivision 3; 469.1734, subdivision 6; Minnesota Statutes 2003 Supplement, sections 270B.12, subdivision 13; 272.02, subdivision 65; 290.01, subdivision 19d; 290C.10; 295.53, subdivision 1; 469.310, subdivision 11; 469.330, subdivision 11; 469.337; proposing coding for new law in Minnesota Statutes, chapter 270; repealing Laws 1975, chapter 287, section 5; Laws 2003, chapter 127, article 9, section 9, subdivision 4.

Referred to the Committee on Taxes.

Senators Lourey and Anderson introduced--

S.F. No. 2717: A bill for an act relating to health; increasing the required nursing hours in nursing homes under specified circumstances.

Referred to the Committee on Health and Family Security.

Senator Langseth introduced--

S.F. No. 2718: A bill for an act relating to human services; including community collaborative child care provider licensed under nonresidential child care programs; amending Minnesota Statutes 2002, section 245A.14, subdivision 4.

Referred to the Committee on Health and Family Security.

Senator Langseth introduced--

S.F. No. 2719: A bill for an act relating to tax increment financing; providing for establishment of redevelopment districts in the city of Detroit Lakes subject to certain rules.

Referred to the Committee on Taxes.

Senator Fischbach introduced--

S.F. No. 2720: A bill for an act relating to education; authorizing certain school districts to levy for school bus purchases.

Referred to the Committee on Taxes.

Senator Fischbach introduced--

S.F. No. 2721: A bill for an act relating to health care; modifying the co-payments for medical assistance; expanding general assistance medical care coverage to diabetic supplies and

equipment; amending Minnesota Statutes 2003 Supplement, sections 256B.0631, subdivision 2; 256L.035.

Referred to the Committee on Health and Family Security.

Senator Johnson, D.E. introduced--

S.F. No. 2722: A bill for an act relating to human services; allowing residents of adult foster care facilities to execute health care directives; amending Minnesota Statutes 2002, section 145C.01, subdivision 7.

Referred to the Committee on Health and Family Security.

Senator Kiscaden introduced--

S.F. No. 2723: A bill for an act relating to human services; modifying the maximum rate paid for child care assistance; limiting the number of absent days reimbursed under child care assistance; amending Minnesota Statutes 2002, section 119B.13, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 119B.13, subdivision 1.

Referred to the Committee on Health and Family Security.

Senator Kiscaden introduced--

S.F. No. 2724: A bill for an act relating to human services; adding coverage for diabetic supplies and equipment to the MinnesotaCare limited benefit set; amending Minnesota Statutes 2003 Supplement, section 256L.035.

Referred to the Committee on Health and Family Security.

Senator Koering introduced--

S.F. No. 2725: A bill for an act relating to game and fish; modifying annual payments to counties for game refuges; amending Minnesota Statutes 2002, section 97A.061, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senator Marty introduced--

S.F. No. 2726: A bill for an act relating to environment; extending certain environmental advisory councils; amending Minnesota Statutes 2002, section 115A.12; Minnesota Statutes 2003 Supplement, section 115A.072, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senator Foley introduced--

S.F. No. 2727: A bill for an act relating to public safety; making changes to the CrimNet law; amending Minnesota Statutes 2002, section 299C.65, subdivisions 1, 2, by adding a subdivision; repealing Minnesota Statutes 2002, section 299C.65, subdivisions 3, 4.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Vickerman introduced--

S.F. No. 2728: A bill for an act relating to gambling; making various changes to lawful gambling provisions; amending Minnesota Statutes 2002, sections 349.12, subdivision 31; 349.15, subdivision 2; 349.163, subdivision 9; 349.1711, by adding a subdivision; 349.18, subdivision 2;

349.19, subdivision 5; Minnesota Statutes 2003 Supplement, sections 349.12, subdivision 18; 349.167, subdivisions 2, 4; 349.18, subdivision 1; repealing Minnesota Statutes 2002, section 349.1711, subdivision 4.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Vickerman introduced--

S.F. No. 2729: A bill for an act relating to agriculture; eliminating a private manure applicator certification program; repealing Minnesota Statutes 2002, section 18C.433.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Vickerman introduced--

S.F. No. 2730: A bill for an act relating to agriculture; providing for a dairy upgrade pilot loan program; establishing an account; transferring balances; appropriating money; amending Minnesota Statutes 2002, sections 41B.046, subdivision 5; 41B.049, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 41B; repealing Minnesota Statutes 2002, section 41B.046, subdivision 3.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Vickerman introduced--

S.F. No. 2731: A bill for an act relating to agriculture; changing the amount of certain grain buyers' bonds; amending Minnesota Statutes 2003 Supplement, section 223.17, subdivision 4.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Cohen and Frederickson introduced--

S.F. No. 2732: A bill for an act relating to state government; appropriating money for prekindergarten through grade 12 education, including general education, education excellence, special programs, and facilities and technology; early childhood and family education, including prevention and self-sufficiency and lifelong learning; and health and human services; amending Minnesota Statutes 2003 Supplement, section 123B.54; Laws 2003, First Special Session chapter 9, article 1, section 53, subdivisions 2, 3, 5, 6, 11, 12; Laws 2003, First Special Session chapter 9, article 2, section 55, subdivisions 2, 3, 4, 5, 7, 9, 12; Laws 2003, First Special Session chapter 9, article 3, section 20, subdivisions 4, 5, 6, 7, 8, 9; Laws 2003, First Special Session chapter 9, article 4, section 31, subdivisions 2, 3; Laws 2003, First Special Session chapter 9, article 5, section 35, subdivisions 2, 3; Laws 2003, First Special Session chapter 9, article 7, section 11, subdivision 3; Laws 2003, First Special Session chapter 9, article 8, section 7, subdivisions 2, 5; Laws 2003, First Special Session chapter 9, article 9, section 9, subdivision 2; Laws 2003, First Special Session chapter 14, article 13C, sections 1; 2, subdivisions 1, 3, 6, 7, 9, 11; 10, subdivisions 1, 2.

Referred to the Committee on Finance.

Senators Reiter, McGinn, Day, Dibble and Rosen introduced--

S.F. No. 2733: A bill for an act relating to state government; requiring flags in the Capitol area to be flown at half-staff following death of a firefighter killed in the line of duty; proposing coding for new law in Minnesota Statutes, chapter 1.

Referred to the Committee on State and Local Government Operations.

Senators Murphy, Belanger, Marty and Sams introduced--

S.F. No. 2734: A bill for an act relating to sales and use tax; allowing exempt occasional sales at flea markets and similar selling events; amending Minnesota Statutes 2002, section 297A.87, subdivisions 2, 3.

Referred to the Committee on Taxes.

Senator Hann introduced--

S.F. No. 2735: A bill for an act relating to education; increasing referendum allowance limit; amending Minnesota Statutes 2003 Supplement, section 126C.17, subdivision 2.

Referred to the Committee on Finance.

Senator Marty introduced--

S.F. No. 2736: A bill for an act relating to natural resources; modifying provisions for the operation of off-highway vehicles; providing for a certain rulemaking exemption; modifying provisions for reviewing forest classification status; amending Minnesota Statutes 2002, sections 84.798, subdivision 1; 84.9256, subdivision 1; 89.19; Minnesota Statutes 2003 Supplement, sections 84.773; 84.926; Laws 2003, chapter 128, article 1, section 167, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senator Saxhaug introduced--

S.F. No. 2737: A bill for an act relating to crimes; providing that certain records relating to driving while impaired must be destroyed after seven years; making clarifying changes; amending Minnesota Statutes 2002, section 171.12, subdivision 3.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Kelley introduced--

S.F. No. 2738: A bill for an act relating to commerce; regulating the notarization of electronic signatures and providing for electronically fixing the notary's official signature; prescribing criminal penalties; proposing coding for new law as Minnesota Statutes, chapter 358A.

Referred to the Committee on Commerce.

Senators Higgins, Dibble, Vickerman, Tomassoni and Moua introduced--

S.F. No. 2739: A bill for an act relating to the Metropolitan Airports Commission; requiring certain labor-related provisions in contracts with concession operators; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on State and Local Government Operations.

Senator Foley introduced--

S.F. No. 2740: A bill for an act relating to human services; modifying the availability of case management services for children with severe emotional disturbances; amending Minnesota Statutes 2002, section 245.4881, subdivision 1.

Referred to the Committee on Health and Family Security.

Senator Vickerman introduced--

S.F. No. 2741: A bill for an act relating to agriculture; changing certain restrictions on farming by business organizations; amending Minnesota Statutes 2002, section 500.24, subdivisions 2, 3a.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Ourada and Vickerman introduced--

S.F. No. 2742: A bill for an act relating to highway traffic regulations; restricting operation of grain carts on public streets and highways; requiring certain information on new grain carts; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Finance.

Senator Wiger introduced--

S.F. No. 2743: A bill for an act relating to the environment; requiring a study on compost facilities.

Referred to the Committee on Environment and Natural Resources.

Senators Tomassoni, Bachmann, Pogemiller and Hottinger introduced--

S.F. No. 2744: A bill for an act relating to taxation; individual income; providing an income tax checkoff to fund benefits for survivors of law enforcement officers and firefighters, injured public safety officers, and providing for maintenance of peace officer and firefighter memorials; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senator Ourada introduced--

S.F. No. 2745: A bill for an act relating to property tax refunds; modifying the definition of property taxes payable; amending Minnesota Statutes 2002, section 290A.03, subdivision 13.

Referred to the Committee on Taxes.

Senator Sparks introduced--

S.F. No. 2746: A bill for an act relating to telecommunications; providing for nondiscriminatory intercarrier compensation; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Senators Kelley, Frederickson, Stumpf, Skoe and Jungbauer introduced--

S.F. No. 2747: A bill for an act relating to education; creating an education telecommunications fund; providing support for kindergarten through grade 12 schools and public library telecommunications networks; providing for an access fee; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 125B.

Referred to the Committee on Education.

Senators Murphy, Bakk, Langseth, Vickerman and Johnson, D.E. introduced--

S.F. No. 2748: A bill for an act relating to highways; imposing requirements on expenditure of certain trunk highway bond proceeds and advance construction authorizations.

Referred to the Committee on Finance.

Senators Larson and Rest introduced--

S.F. No. 2749: A bill for an act relating to liquor; authorizing the city of St. Paul to issue a liquor license for special events at the State Capitol.

Referred to the Committee on Commerce.

Senators Robling and Neuville introduced--

S.F. No. 2750: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to the Metropolitan Council for land banking grants.

Referred to the Committee on Finance.

Senator Day introduced--

S.F. No. 2751: A bill for an act relating to elections; prohibiting certain business entities from making campaign contributions; amending Minnesota Statutes 2002, section 211B.15, subdivision 1.

Referred to the Committee on Elections.

Senators Johnson, D.J.; Nienow and Jungbauer introduced--

S.F. No. 2752: A bill for an act relating to education finance; authorizing a grant to Independent School District No. 15, St. Francis, to support an alternative teacher compensation model and a teacher academy; appropriating money.

Referred to the Committee on Finance.

Senators Knutson and Fischbach introduced--

S.F. No. 2753: A bill for an act relating to health occupations; authorizing a licensed dentist who holds a medical degree to be identified by that degree; amending Minnesota Statutes 2002, sections 147.081, subdivision 3; 150A.11, subdivision 1.

Referred to the Committee on Health and Family Security.

Senators Kelley, Rosen, Kiscaden, Pappas and Chaudhary introduced--

S.F. No. 2754: A bill for an act relating to economic development; appropriating money for the joint partnership between the University of Minnesota and the Mayo Clinic for research in biotechnology and medical genomics.

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

Senators Kelley, Anderson, Berglin, Dibble and Pappas introduced--

S.F. No. 2755: A bill for an act relating to education finance; authorizing certain students over the age of 21 who attend a contract alternative program to continue to receive instruction at that school until graduation; amending Minnesota Statutes 2002, section 124D.68, subdivisions 2, 3.

Referred to the Committee on Education.

Senator Cohen introduced--

S.F. No. 2756: A bill for an act relating to food law; clarifying the basis on which food can be labeled as kosher; amending Minnesota Statutes 2002, sections 31.651, subdivision 1; 31.661.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Cohen introduced--

S.F. No. 2757: A bill for an act relating to economic development; providing funding for biotechnology and health science zone projects; authorizing the issuance of state bonds; appropriating money; amending Minnesota Statutes 2002, sections 116J.571; 116J.572, subdivisions 2, 4; 116J.573, subdivisions 1, 2, 4, 5; 116J.574, subdivision 2; 116J.575, subdivision 1.

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

Senator Cohen introduced--

S.F. No. 2758: A bill for an act relating to state government; the Office of Administrative Hearings; restricting the use of administrative law and workers' compensation judges to the division in which they were hired; regulating allocation of expenses between divisions; establishing goals; limiting the use of temporary judges in the workers' compensation division; requiring judges in Duluth; regulating the conducting of hearings; appropriating money; amending Minnesota Statutes 2002, sections 14.48, subdivision 3, by adding subdivisions; 14.49; 14.50; 176.306, subdivision 1.

Referred to the Committee on State and Local Government Operations.

Senators Marty, Ranum and Foley introduced--

S.F. No. 2759: A bill for an act relating to criminal justice; re-establishing the office, powers, and duties of a crime victim ombudsman; appropriating money; amending Minnesota Statutes 2002, sections 611A.72; 611A.73, subdivisions 2, 6; 611A.74.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Marty and Hottinger introduced--

S.F. No. 2760: A bill for an act relating to human services; restoring reductions to child care assistance; appropriating money; amending Minnesota Statutes 2002, section 119B.13, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 119B.09, subdivision 1; 119B.12, subdivision 2; 119B.13, subdivision 1a; repealing Laws 2003, First Special Session chapter 14, article 9, sections 36, 37.

Referred to the Committee on Health and Family Security.

Senators Marty, Ruud, Frederickson and Hottinger introduced--

S.F. No. 2761: A bill for an act relating to natural resources; modifying provisions for motorized trail grants-in-aid; requiring implementation of recommendations for state-funded motorized recreational trails; requiring rulemaking; amending Minnesota Statutes 2003 Supplement, section 84.930.

Referred to the Committee on Environment and Natural Resources.

Senators Kelley, Gaither and Day introduced--

S.F. No. 2762: A bill for an act relating to state government; modifying the provision of telecommunications and information services by the commissioner of administration; amending Minnesota Statutes 2002, section 16B.465, as amended.

Referred to the Committee on State and Local Government Operations.

Senators Frederickson, Sams, Foley and Marty introduced--

S.F. No. 2763: A bill for an act relating to the environment; providing for issuance of pipeline routing permits by the Environmental Quality Board; ratifying the authority of the board to impose conditions, to suspend permits, and to pursue enforcement of permits; amending Minnesota Statutes 2002, section 116I.015, subdivision 3, by adding subdivisions.

Referred to the Committee on Environment and Natural Resources.

Senator Vickerman introduced--

S.F. No. 2764: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Rock County.

Referred to the Committee on Environment and Natural Resources.

Senators Dibble and Lourey introduced--

S.F. No. 2765: A bill for an act relating to human services; limiting medical assistance liens and claims against certain joint tenancies; amending Minnesota Statutes 2003 Supplement, sections 256B.15, subdivision 1; 514.981, subdivision 6; 514.992, subdivision 6.

Referred to the Committee on Health and Family Security.

Senators Dibble, Anderson, Pappas, Ranum and Kelley introduced--

S.F. No. 2766: A bill for an act relating to health; establishing a right to reproductive privacy; proposing coding for new law as Minnesota Statutes, chapter 145D.

Referred to the Committee on Health and Family Security.

Senator Berglin introduced--

S.F. No. 2767: A bill for an act relating to human services; clarifying medical assistance coverage for public health nursing services; amending Minnesota Statutes, section 256B.0625, subdivision 29.

Referred to the Committee on Health and Family Security.

Senator Skoglund introduced--

S.F. No. 2768: A bill for an act relating to education finance; expanding the definition of net debt limit for school districts; amending Minnesota Statutes 2002, section 128D.11, subdivision 9.

Referred to the Committee on Finance.

Senators Marty, Moua, Murphy, Betzold and Hottinger introduced--

S.F. No. 2769: A bill for an act relating to taxation; replacing the additional sales tax on alcoholic beverages on its expiration with an equivalent gross earnings tax on alcoholic beverages; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 295.

Referred to the Committee on Taxes.

Senators Marty, Lourey and Higgins introduced--

S.F. No. 2770: A bill for an act relating to health; requiring agencies to report contaminants to the Department of Health; requiring public notification when drinking water contaminants exceed

certain levels; amending Minnesota Statutes 2002, sections 103A.204; 103H.201, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senator Higgins introduced--

S.F. No. 2771: A bill for an act relating to retirement; Minneapolis Teachers Retirement Association; permitting a service credit purchase for prior school district employment.

Referred to the Committee on State and Local Government Operations.

Senators Tomassoni and Bakk introduced--

S.F. No. 2772: A bill for an act relating to local government; authorizing the city of Hoyt Lakes to extend its zoning and subdivision regulations within part of the town of White subject to the town of White's consent.

Referred to the Committee on State and Local Government Operations.

Senators Moua, Cohen, Anderson and Pappas introduced--

S.F. No. 2773: A bill for an act relating to education finance; reinstating the after-school enrichment grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

Referred to the Committee on Finance.

Senators Kelley, Gaither, Saxhaug and Anderson introduced--

S.F. No. 2774: A bill for an act relating to telecommunications; requiring instant credit for wrong information from directory assistance; amending Minnesota Statutes 2002, section 237.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Senator Kubly introduced--

S.F. No. 2775: A bill for an act relating to appropriations; appropriating money for the pilot marketing program of the West Central Growth Alliance.

Referred to the Committee on Finance.

Senators Chaudhary, Kelley, Anderson and Pappas introduced--

S.F. No. 2776: A bill for an act relating to economic development; providing state support for endowed chairs in the biosciences; appropriating money.

Referred to the Committee on Finance.

Senators Chaudhary, Kelley, Anderson, Pappas and Rosen introduced--

S.F. No. 2777: A bill for an act relating to economic development; providing for a partnership between the Minnesota State Colleges and Universities and the biosciences industries; appropriating money.

Referred to the Committee on Finance.

Senator Rest introduced--

S.F. No. 2778: A bill for an act relating to Hennepin County; eliminating duplicate campaign finance filings; making other technical changes to the county campaign finance provisions; amending Minnesota Statutes 2002, sections 383B.042, subdivisions 13, 14, 16; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.053, subdivision 1.

Referred to the Committee on Elections.

Senator Lourey introduced--

S.F. No. 2779: A bill for an act relating to human services; establishing an additional priority category for home and community-based waiver services; continuing funding for certain persons using the consumer-directed community supports service option; amending Minnesota Statutes 2002, section 256B.0916, subdivisions 2, 6a.

Referred to the Committee on Health and Family Security.

Senators Hann and Michel introduced--

S.F. No. 2780: A bill for an act relating to education; authorizing rulemaking and implementing the rigorous core academic standards in social studies and science; amending Minnesota Statutes 2003 Supplement, section 120B.021, subdivision 3.

Referred to the Committee on Education.

Senators Marty, Scheid, Anderson and Higgins introduced--

S.F. No. 2781: A bill for an act relating to integrity and fairness in medical examinations; regulating certain medical examinations; amending Minnesota Statutes 2002, sections 65B.56, subdivision 1; 176.136, subdivision 1c; 176.155, subdivision 1, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senator Sparks introduced--

S.F. No. 2782: A bill for an act relating to elections; giving students who are eligible voters the right to time off from school to vote; amending Minnesota Statutes 2002, section 204C.04, subdivision 1.

Referred to the Committee on Elections.

Senators Metzen, Tomassoni, Sparks and Day introduced--

S.F. No. 2783: A bill for an act relating to gambling; card clubs; eliminating the maximum table requirement; amending Minnesota Statutes 2002, section 240.30, subdivision 8.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Knutson, Belanger, Hottinger and Ranum introduced--

S.F. No. 2784: A bill for an act relating to education; continuing research of kindergarten programs; providing a grant to Independent School District No. 191, Burnsville; appropriating money.

Referred to the Committee on Finance.

Senator Pappas introduced--

S.F. No. 2785: A bill for an act relating to education finance; authorizing a grant to establish supportive community partnerships; appropriating money.

Referred to the Committee on Finance.

Senator Pappas introduced--

S.F. No. 2786: A bill for an act relating to human services; creating an exception to the intermediate care facility for persons with mental retardation and related conditions payment system; amending Minnesota Statutes 2002, section 256B.5012, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senator Betzold introduced--

S.F. No. 2787: A bill for an act relating to community education; establishing a school district levy to pay for the colocation of government services; proposing coding for new law in Minnesota Statutes, chapter 124D.

Referred to the Committee on Taxes.

Senator Fischbach introduced--

S.F. No. 2788: A bill for an act relating to health; providing for health coverage for Minnesota children with special health needs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

Senator Dibble introduced--

S.F. No. 2789: A bill for an act relating to capital investment; appropriating money for the Cedar Lake Trail extension; authorizing the issuance of state general obligation bonds.

Referred to the Committee on Finance.

Senator Foley introduced--

S.F. No. 2790: A bill for an act relating to corrections; authorizing the Fugitive Apprehension Unit to share in certain asset forfeitures under the forfeiture law; amending Minnesota Statutes 2002, sections 609.531, subdivision 1; 609.5311, subdivisions 2, 3; 609.5312, subdivision 1; 609.5314, subdivision 1; 609.5318, subdivision 1; Minnesota Statutes 2003 Supplement, sections 609.5312, subdivisions 3, 4; 609.5317, subdivision 1.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Wergin introduced--

S.F. No. 2791: A bill for an act relating to education; providing for enhanced reading requirements for certain teachers; providing for literacy specialist licensure; providing for rulemaking; amending Minnesota Statutes 2002, sections 122A.06, subdivision 4; 122A.18, subdivision 2a, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 122A.09, subdivision 4.

Referred to the Committee on Education.

Senator Anderson introduced--

S.F. No. 2792: A bill for an act relating to energy; providing competitive bid exemption for wind energy; amending Minnesota Statutes 2002, section 216B.2422, by adding a subdivision.

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

Senators Frederickson, Ruud and Marty introduced--

S.F. No. 2793: A bill for an act relating to the environment; requiring a study on the impact of off-highway vehicle use on wetlands; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Senator Michel introduced--

S.F. No. 2794: A bill for an act relating to education; allowing certain charter schools to limit admission to chemically dependent students; amending Minnesota Statutes 2002, sections 124D.10, subdivision 9; 124D.69, subdivision 3.

Referred to the Committee on Education.

Senators Murphy, Lourey and Robling introduced--

S.F. No. 2795: A bill for an act relating to traffic regulations; safety of emergency workers on highways; defining "appropriate reduced speed" when approaching or passing stopped emergency vehicle in certain circumstances; increasing surcharge on failure to drive at appropriate reduced speed when approaching or passing stopped emergency vehicle; authorizing citation within four hours of offense; proscribing a penalty on owner or lessee of vehicle when driver fails to drive at appropriate reduced speed at the scene of an emergency; requiring certain information to be included in driver education curriculum and driver's manual; amending Minnesota Statutes 2002, sections 169.14, subdivision 3, by adding subdivisions; 171.13, by adding a subdivision.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Betzold; Johnson, D.E. and Larson introduced--

S.F. No. 2796: A bill for an act relating to retirement; volunteer firefighter relief associations; creating a task force to study the advantages and disadvantages of the creation of a statewide volunteer firefighter retirement plan; appropriating money.

Referred to the Committee on State and Local Government Operations.

Senators Metzen, Bakk, Anderson and Murphy introduced--

S.F. No. 2797: A bill for an act relating to employment; requiring payment of the prevailing wage on tax-subsidized power plant construction projects; proposing coding for new law in Minnesota Statutes, chapter 177.

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

MEMBERS EXCUSED

Senators Bachmann and Marko were excused from the Session of today.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 11:00 a.m., Monday, March 15, 2004. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Thursday, March 11, 2004

EXECUTIVE AND OFFICIAL COMMUNICATIONS

Pages 2671 to 2672

CHAPTER LAWS

S.F. Nos.	H.F. Nos.	Session Laws Chapter No.	Page
	1794	136	2672

REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
998	2714		778	2701	
1206	2724		1944	2729	2730
1249	2696	2730			
1384	2677	2730			
1530	2678	2730			
1559	2701				
1662	2699	2730			
1665	2700				
1716	2690	2730			
1760	2719				
1789	2681				
1836	2680				
1841	2691				
1848	2678				
1866	2697				
1875	2722				
1934	2673				
1988	2699	2730			
1990	2700	2730			
2020	2690				
2065	2714	2730			
2090	2690				
2141	2697	2730			
2165	2678	2730			
2179	2682	2730			
2183	2713				
2196	2722				
2201	2698				
2204	2690	2730			
2216	2699				
2218	2691				
2222	2699	2730			
2236	2699				
2242	2723				
2257	2701	2730			

2266	2698	2730
2269	2675	
2298	2676	
2308	2722	2730
2313	2677	
2332	2714	2730
2350	2696	
2376	2697	2730
2381	2723	2730
2412	2714	2730
2418	2701	2730
2426	2731	
2428	2691	
2429	2695	2730
2443	2713	
2457	2695	
2474	2695	2730
2477	2722	
2498	2714	2730
2537	2691	2730
2580	2695	
2615	2722	
2674	2735	

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
492	2730	2052	2731
1045	2730		
1530	2730		
1565	2730		
1600	2731		
1876	2731		
1988	2730		
1992	2731		
2012	2731		
2225	2731		
2298	2730		
2329	2731		
2372	2731		
2496	2731		
2513	2731		
2566	2730		
2570	2730		
2595	2731		
2598	2730		
2636	2731		
2657	2731		
Sen. Res. No. 119	2736		
Sen. Res. No. 120	2736		

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F. Nos. 2675 to 2797 Pages 2737 to 2754

