

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

NINETY-SIXTH DAY

St. Paul, Minnesota, Monday, March 27, 2000

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Rodney Spidahl.

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

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

Anderson	Hottinger	Laidig	Ourada	Scheid
Belanger	Janezich	Langseth	Pappas	Solon
Berg	Johnson, D.E.	Larson	Pariseau	Spear
Berglin	Johnson, D.H.	Lesewski	Piper	Stevens
Betzold	Johnson, D.J.	Lessard	Pogemiller	Stumpf
Cohen	Junge	Limmer	Price	Terwilliger
Day	Kelley, S.P.	Lourey	Ranum	Vickerman
Dille	Kelly, R.C.	Marty	Ring	Wiener
Fischbach	Kierlin	Metzen	Robertson	Wiger
Flynn	Kinkel	Moe, R.D.	Robling	Ziegler
Foley	Kiscaden	Murphy	Runbeck	
Frederickson	Kleis	Neuville	Sams	
Hanson	Knutson	Novak	Samuelson	
Higgins	Krentz	Oliver	Scheevel	

The President declared a quorum present.

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

MEMBERS EXCUSED

Senator Olson was excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 23, 2000

The Honorable Allan H. Spear
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 2776 and 3355.

Sincerely,
Jesse Ventura, Governor

March 23, 2000

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2000 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2000	Date Filed 2000
	2723	266	10:38 a.m. March 23	March 23
	3236	267	10:40 a.m. March 23	March 23
	979	268	10:40 a.m. March 23	March 23
	1865	269	10:41 a.m. March 23	March 23
	2815	270	10:42 a.m. March 23	March 23
2776		271	10:43 a.m. March 23	March 23
3355		272	10:43 a.m. March 23	March 23
	2927	273	10:44 a.m. March 23	March 23
	3766	274	10:45 a.m. March 23	March 23
	2873	275	10:45 a.m. March 23	March 23

Sincerely,
Mary Kiffmeyer
Secretary of State

March 24, 2000

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2000 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2000	Date Filed 2000
	3113	276	10:40 a.m. March 24	March 24
	2505	278	10:42 a.m. March 24	March 24
	2502	279	10:43 a.m. March 24	March 24
	2824	280	10:45 a.m. March 24	March 24

3156	281	10:45 a.m. March 24	March 24
3132	282	10:47 a.m. March 24	March 24

Sincerely,
Mary Kiffmeyer
Secretary of State

REPORTS OF COMMITTEES

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

Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 3134 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3134	2857				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 3134 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3134 and insert the language after the enacting clause of S.F. No. 2857, the second engrossment; further, delete the title of H.F. No. 3134 and insert the title of S.F. No. 2857, the second engrossment.

And when so amended H.F. No. 3134 will be identical to S.F. No. 2857, and further recommends that H.F. No. 3134 be given its second reading and substituted for S.F. No. 2857, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, 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.

Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 2940 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2940	2735				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 3505 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3505	3092				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 3505 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3505 and insert the language after the enacting clause of S.F. No. 3092, the first engrossment; further, delete the title of H.F. No. 3505 and insert the title of S.F. No. 3092, the first engrossment.

And when so amended H.F. No. 3505 will be identical to S.F. No. 3092, and further recommends that H.F. No. 3505 be given its second reading and substituted for S.F. No. 3092, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, 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 HOUSE BILLS

H.F. Nos. 3134, 2940 and 3505 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Stevens introduced--

Senate Resolution No. 140: A Senate resolution recognizing April 1-8, 2000, as Lyme Disease Awareness Week in Minnesota.

Referred to the Committee on Rules and Administration.

SPECIAL ORDERS

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. Nos. 3410, 1038, 3198, 2499, H.F. No. 3209, S.F. No. 2683, H.F. No. 3169, S.F. Nos. 2796, 3156, 3216, 2806, H.F. No. 2671, S.F. Nos. 2968, 2949, 2803, 2761, 2795, H.F. No. 3510, S.F. Nos. 3020, 1126, H.F. No. 2656, S.F. Nos. 2785, 3169, 1896, H.F. Nos. 3122, 2670, 2719 and 2809.

SPECIAL ORDER

S.F. No. 3410: A bill for an act relating to child protection; modifying provisions relating to child neglect and domestic violence; adding a definition for a child exposed to domestic violence; amending Minnesota Statutes 1998, section 626.556, by adding a subdivision; Minnesota Statutes 1999 Supplement, section 626.556, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 626.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Krentz	Pappas	Scheid
Belanger	Hottinger	Langseth	Pariseau	Solon
Berg	Janezich	Lesewski	Piper	Spear
Berglin	Johnson, D.E.	Lessard	Pogemiller	Stevens
Betzold	Johnson, D.J.	Limmer	Price	Stumpf
Cohen	Junge	Lourey	Ranum	Terwilliger
Day	Kelley, S.P.	Marty	Ring	Vickerman
Dille	Kelly, R.C.	Metzen	Robertson	Ziegler
Flynn	Kierlin	Moe, R.D.	Robling	
Foley	Kinkel	Murphy	Sams	
Frederickson	Kleis	Neuville	Samuelson	
Hanson	Knutson	Oliver	Scheevel	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1038: A bill for an act relating to health occupations; establishing licensing requirements for occupational therapists and occupational therapy assistants; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Rules, parts 4666.0010; 4666.0020; 4666.0030; 4666.0040; 4666.0050; 4666.0060; 4666.0070; 4666.0080; 4666.0090; 4666.0100; 4666.0200; 4666.0300; 4666.0400; 4666.0500; 4666.0600; 4666.0700; 4666.0800; 4666.0900; 4666.1000; 4666.1100; 4666.1200; 4666.1300; and 4666.1400.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Krentz	Pariseau	Scheid
Belanger	Hottinger	Langseth	Piper	Solon
Berg	Janezich	Lesewski	Pogemiller	Spear
Berglin	Johnson, D.E.	Lessard	Price	Stevens
Betzold	Johnson, D.J.	Limmer	Ranum	Stumpf
Cohen	Junge	Lourey	Ring	Terwilliger
Day	Kelley, S.P.	Marty	Robertson	Vickerman
Dille	Kelly, R.C.	Metzen	Robling	Wiener
Flynn	Kierlin	Murphy	Runbeck	Ziegler
Foley	Kinkel	Neuville	Sams	
Frederickson	Kleis	Oliver	Samuelson	
Hanson	Knutson	Pappas	Scheevel	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 3198: A bill for an act relating to human services; establishing a process to close nursing facilities and reallocate the savings to other facilities; requiring budget neutrality; amending Minnesota Statutes 1999 Supplement, section 256L.07, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 256B.

Senator Berglin moved to amend S.F. No. 3198 as follows:

Page 7, delete lines 17 to 28

Page 7, line 29, delete "9" and insert "8"

Pages 7 to 9, delete section 2

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 3198 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Knutson	Pappas	Scheid
Belanger	Hottinger	Krentz	Pariseau	Solon
Berg	Janezich	Langseth	Piper	Spear
Berglin	Johnson, D.E.	Lesewski	Pogemiller	Stevens
Betzold	Johnson, D.H.	Lessard	Price	Stumpf
Cohen	Johnson, D.J.	Limmer	Ranum	Terwilliger
Day	Junge	Lourey	Ring	Vickerman
Dille	Kelley, S.P.	Marty	Robertson	Wiener
Fischbach	Kelly, R.C.	Metzen	Robling	Ziegler
Flynn	Kierlin	Moe, R.D.	Runbeck	
Foley	Kinkel	Murphy	Sams	
Frederickson	Kiscaden	Neuville	Samuelson	
Hanson	Kleis	Oliver	Scheevel	

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

SPECIAL ORDER

S.F. No. 2499: A bill for an act relating to human services; clarifying medical assistance reimbursement requirements for speech language pathologists; amending Minnesota Statutes 1999 Supplement, section 256B.0625, subdivision 8b.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kleis	Oliver	Scheevel
Belanger	Higgins	Knutson	Pappas	Scheid
Berg	Hottinger	Krentz	Pariseau	Solon
Berglin	Janezich	Langseth	Piper	Spear
Betzold	Johnson, D.E.	Lesewski	Pogemiller	Stevens
Cohen	Johnson, D.H.	Lessard	Price	Stumpf
Day	Junge	Limmer	Ranum	Terwilliger
Dille	Kelley, S.P.	Marty	Ring	Vickerman
Fischbach	Kelly, R.C.	Metzen	Robertson	Wiener
Flynn	Kierlin	Moe, R.D.	Robling	Ziegler
Foley	Kinkel	Murphy	Sams	
Frederickson	Kiscaden	Neuville	Samuelson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 3209: A bill for an act relating to health care; modifying the major commitment

expenditure report requirements; amending Minnesota Statutes 1998, section 62J.17, by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Higgins	Knutson	Novak	Sams
Berg	Hottinger	Krentz	Oliver	Samuelson
Berglin	Janezich	Langseth	Pappas	Scheevel
Betzold	Johnson, D.E.	Lesewski	Pariseau	Scheid
Cohen	Johnson, D.H.	Lessard	Piper	Solon
Day	Johnson, D.J.	Limmer	Pogemiller	Spear
Dille	Kelley, S.P.	Lourey	Price	Stevens
Fischbach	Kelly, R.C.	Marty	Ranum	Stumpf
Flynn	Kierlin	Metzen	Ring	Terwilliger
Foley	Kinkel	Moe, R.D.	Robertson	Vickerman
Frederickson	Kiscaden	Murphy	Robling	Wiener
Hanson	Kleis	Neuville	Runbeck	Ziegler

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2683: A bill for an act relating to game and fish; exempting archery bows used for bow fishing from casing requirement; authorizing disability permits for taking rough fish and hunting small game with a crossbow; amending Minnesota Statutes 1998, sections 97B.051; 97B.055, subdivision 2; and 97B.106.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Knutson	Oliver	Scheevel
Belanger	Hottinger	Krentz	Pappas	Scheid
Berg	Janezich	Langseth	Pariseau	Solon
Berglin	Johnson, D.E.	Lesewski	Piper	Spear
Betzold	Johnson, D.H.	Lessard	Pogemiller	Stevens
Cohen	Johnson, D.J.	Limmer	Price	Stumpf
Day	Junge	Lourey	Ranum	Terwilliger
Dille	Kelley, S.P.	Marty	Ring	Vickerman
Fischbach	Kelly, R.C.	Metzen	Robertson	Wiener
Flynn	Kierlin	Moe, R.D.	Robling	Ziegler
Foley	Kinkel	Murphy	Runbeck	
Frederickson	Kiscaden	Neuville	Sams	
Hanson	Kleis	Novak	Samuelson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 3169: A bill for an act relating to Dakota county; authorizing the county to appoint an additional member to its personnel board of appeals; amending Minnesota Statutes 1998, sections 383D.30, subdivision 1; and 383D.31.

Senator Metzen moved to amend H.F. No. 3169 as follows:

Page 2, after line 30, insert:

"Sec. 3. Minnesota Statutes 1998, section 383D.41, subdivision 5, is amended to read:

Subd. 5. The authority shall consist of seven commissioners who, except as otherwise provided in this subdivision, shall serve three-year terms, which shall begin on the first Tuesday following the first Monday in January of the first year of the term. A commissioner shall also serve after the expiration of a term until a successor is appointed and qualified.

The terms of office of persons who are commissioners of the housing and redevelopment authority on July 20, 1993, shall continue in accordance with the terms of their appointments, except that their appointments shall end on the first Tuesday following the first Monday in January of the year following the original termination date of their terms. Following July 20, 1993, two commissioners shall be appointed who shall reside in the fourth and sixth county commissioner districts, respectively. Those commissioners shall be appointed for a term commencing on the date of their appointment and ending on the first Tuesday following the first Monday in January 1996.

Each commissioner appointed following the date on which this subdivision takes effect shall be a resident of and shall represent the same county commissioner district as the commissioner who is replaced. A commissioner who ceases to maintain a principal residence in the district from which appointed shall cease to serve as a commissioner. A vacancy is created in the membership of the authority for a county commissioner district whenever the county commissioner for that district ends county board membership.

Sec. 4. Minnesota Statutes 1999 Supplement, section 383D.41, subdivision 7, is amended to read:

Subd. 7. [DAKOTA COUNTY COMMUNITY DEVELOPMENT AGENCY.] (a) After December 31, 1999, the Dakota county housing and redevelopment authority shall be known as the Dakota county community development agency. In addition to the other powers granted in this section, the Dakota county community development agency shall have the powers of an economic development authority under sections 469.090 to 469.1081 that are granted to the agency by resolution adopted by the Dakota county board of commissioners, except as provided in paragraph (b). The enabling resolution may impose the limits upon the actions of the agency that are listed in paragraph (c). The agency may exercise any of the powers granted to it under sections 469.001 to 469.047 and any of the powers of an economic development authority granted to it by the Dakota county board of commissioners for the purposes described in these sections.

(b) The Dakota county community development agency may not levy the tax described in section 469.107, but with the approval of the Dakota county board may increase its levy of the special tax described in section 469.033, subdivision 6, to an amount not exceeding 0.01813 percent of net tax capacity, or any higher limit authorized under section 469.107 or 469.033, subdivision 6.

(c) The enabling resolution may impose the limits upon the actions of the authority as may be imposed by a municipality under section 469.092, except that the resolution adopted under paragraph (a) may not impose any limitations on the authority's exercise of its powers under sections 469.001 to 469.047.

Sec. 5. Minnesota Statutes 1998, section 383D.41, is amended by adding a subdivision to read:

Subd. 9. [DECLARING RESOLUTION.] On or before December 31, 2000, the county board may make a onetime election to adopt a resolution declaring vacant the entire membership of the authority and appoint new members to fill the vacancies. A member appointed under this paragraph shall serve until the end of the term to which the member is appointed."

Page 2, line 32, delete "and 2" and insert "to 5"

Reorder the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 3169 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Krentz	Oliver	Scheevel
Belanger	Janezich	Laidig	Pappas	Scheid
Berg	Johnson, D.E.	Langseth	Pariseau	Solon
Berglin	Johnson, D.H.	Lesewski	Piper	Spear
Betzold	Johnson, D.J.	Lessard	Pogemiller	Stevens
Cohen	Junge	Limmer	Price	Stumpf
Day	Kelley, S.P.	Lourey	Ranum	Terwilliger
Dille	Kelly, R.C.	Marty	Ring	Vickerman
Fischbach	Kierlin	Metzen	Robertson	Wiener
Foley	Kinkel	Moe, R.D.	Robling	Wiger
Frederickson	Kiscaden	Murphy	Runbeck	Ziegler
Hanson	Kleis	Neuville	Sams	
Higgins	Knutson	Novak	Samuelson	

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

SPECIAL ORDER

S.F. No. 2796: A bill for an act relating to retirement; pension plan actuarial reporting; various public retirement plans; volunteer firefighter relief associations; Minneapolis firefighters relief association; modifying actuarial cost allocation by the legislative commission on pensions and retirement; changing the actuarial value of assets, actuarial assumptions and funding surplus recognition method; revising re-employed annuitant earnings limitations; adding certain prior correctional positions to correctional plan coverage; clarifying various former police and fire consolidation account merger provisions; authorizing certain optional annuity form elections by former consolidation account members; revising local correctional retirement plan membership eligibility; increasing local correctional retirement plan member and employer contribution rates; authorizing the purchase of nonprofit community-based corporation teaching service; expanding investment options for employer matching contribution tax sheltered annuities; modifying various volunteer firefighter relief association benefit and administration provisions; modifying judicial pension provision; modifying the marriage duration requirement for certain Minneapolis firefighter relief association survivor benefits; creating additional Minneapolis police and firefighter relief association post retirement adjustment mechanisms; resolving various individual and small group pension problems; amending Minnesota Statutes 1998, sections 16A.055, subdivision 5; 69.773, subdivision 1; 122A.46, subdivision 1, and by adding a subdivision; 136F.45, subdivision 1a; 352.115, subdivision 10; 352.15, subdivision 1a; 352.91, subdivisions 3c, 3d, and by adding a subdivision; 352B.01, subdivision 3, and by adding a subdivision; 352D.02, subdivision 1; 352D.04, subdivision 2; 352D.05, subdivision 3; 352D.06; 352D.09, subdivision 5a; 353.01, subdivisions 2, 6, 11a, 28, 32, and by adding a subdivision; 353.15, subdivision 2; 353.27, subdivisions 4 and 12; 353.33, subdivisions 2 and 6; 353.34, subdivision 1; 353.37, by adding a subdivision; 353.64, subdivisions 2, 3, 4, and by adding a subdivision; 353.656, subdivisions 1 and 3; 353.71, subdivision 2; 353B.11, subdivision 3; 354.05, subdivisions 2 and 35; 354.091; 354.092, subdivision 2; 354.093; 354.094, subdivision 1; 354.10, subdivision 2; 354.35; 354.44, subdivision 5; 354.46, subdivision 2a; 354.47, subdivision 1; 354.48, subdivision 6; 354.49, subdivision 1; 354.52, subdivisions 3, 4, 4a, and 4b; 354.63, subdivision 2; 354A.31, subdivisions 3 and 3a; 354B.23, subdivision 5a; 354C.12, subdivision 1a; 354C.165; 356.215, subdivisions 1, 2, and 4d; 356.24, by adding a subdivision; 356.30, subdivision 1; 356A.01, subdivision 8; 356A.02; 356A.06, subdivision 4, and by adding a subdivision; 423B.01; 424A.001, subdivision 9; 424A.02, subdivisions 3, 7, 9, 13, and by adding a subdivision; 424A.04, subdivision 1; 424A.05, subdivision 3; 490.121, subdivision 4, and by adding a subdivision; 490.123, subdivisions 1a and 1b; and 490.124, subdivision 1; Minnesota Statutes 1999

Supplement, sections 3.85, subdivision 12; 69.021, subdivision 7; 136F.48; 352.1155, subdivisions 1 and 4; 353.01, subdivisions 2b and 10; 353.64, subdivision 1; 353E.02; 353E.03; 353F.02, subdivision 5; 354.445; 354.536, subdivision 1; 354A.101, subdivision 1; 356.215, subdivision 4g; 356.24, subdivisions 1 and 1b; and 423A.02, subdivisions 1b, 4 and 5; Laws 1965, chapter 705, section 1, subdivision 4, as amended; proposing coding for new law in Minnesota Statutes, chapters 69; 352; 353; 354; 354A; 356; and 423B; proposing coding for new law as Minnesota Statutes, chapters 352G; and 424B; repealing Minnesota Statutes 1998, section 353.024; 354.52, subdivision 2; and 424A.02, subdivision 11; Minnesota Statutes 1999 Supplement, sections 356.24, subdivision 1a; and 356.61.

Senator Pogemiller moved to amend S.F. No. 2796 as follows:

Page 81, line 15, after "POSTRETIREMENT" insert "AND ACTIVE EMPLOYEE"

Page 81, lines 17, 18, and 21, after "postretirement" insert "and active employee"

Page 81, line 22, after "(b)" insert "One-half of the task force membership must be composed of employees and the other half of the membership must be composed of employers."

Page 82, line 5, after the first comma, insert "Minnesota service cooperatives,"

Page 82, line 14, delete "(i)" and insert "(1)"

Page 82, line 15, after "postretirement" insert "and active employee"

Page 82, line 16, delete "(ii)" and insert "(2)" and after "postretirement" insert "and active employee"

Page 82, line 17, before the semicolon, insert ", including statewide, regional, or market alternatives" and delete "and"

Page 82, line 18, delete "(iii)" and insert "(3)"

Page 82, line 19, after "postretirement" insert "and active employee" and before the period, insert "; and

(4) issues of adverse selection, cost containment, consumer choice, and consider options for dealing with other employee concerns"

Page 82, after line 19, insert:

"(d) The task force shall conduct the study and assemble data in a manner that will provide for the ability to conduct analysis for subsets of the groups being studied by employer and employee types."

The motion prevailed. So the amendment was adopted.

Senator Pogemiller then moved to amend S.F. No. 2796 as follows:

Page 167, line 23, delete "the department of revenue or the department" and insert "an executive agency of the state before"

Page 167, line 24, delete "of finance prior to"

Page 167, line 27, delete "department of revenue or the department of" and insert "executive agency"

Page 167, line 28, delete "finance"

Page 167, line 31, delete "department of revenue" and insert "agency"

Page 167, line 33, before the period, insert ", except that the amount transferred must include the actual employer and employee contribution together with interest for the employment period at a rate equal to the growth rate of the general fund during this period, compounded annually"

The motion prevailed. So the amendment was adopted.

Senator Kinkel moved to amend S.F. No. 2796 as follows:

Page 26, delete section 11

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Pogemiller moved to amend S.F. No. 2796 as follows:

Page 175, line 36, delete "Dakota" and insert "Hennepin"

Page 176, line 1, delete "Dakota" and insert "Hennepin"

The motion prevailed. So the amendment was adopted.

Senator Pogemiller then moved to amend S.F. No. 2796 as follows:

Page 90, line 30, after the second comma, insert "carpenters,"

Page 90, line 33, delete "or" and insert a comma

Page 90, line 34, after "plan" insert ", or carpenters local 87 pension plan"

Page 93, line 8, after "workers" insert ", carpenters,"

Page 93, line 9, after "plan" insert "or the carpenters local 87 pension plan"

Page 94, line 28, after the second comma, insert "carpenter,"

Page 94, line 31, delete "or" and insert a comma

Page 94, line 32, after "plan" insert ", or the carpenters local 87 pension plan"

The motion prevailed. So the amendment was adopted.

Senator Pogemiller then moved to amend S.F. No. 2796 as follows:

Page 72, line 35, after "490" insert ", or an employee of the Minnesota historical society, the Minnesota humanities commission, or the board of the arts contributing to a retirement plan under chapter 354B,"

Page 73, line 2, after "490," insert "or an employee of the Minnesota historical society, the Minnesota humanities commission, or the board of the arts contributing to a retirement plan under chapter 354B,"

Page 73, line 8, after the second comma, insert "354B,"

Page 73, line 23, after the period, insert "For an employee of the Minnesota historical society, the Minnesota humanities commission, or the board of the arts contributing to a retirement plan under chapter 354B, "allowable service" means service after the effective date of this section."

Page 74, line 14, after the comma, insert "354B,"

Page 74, line 23, after "490" insert ", or an employee of the Minnesota historical society, the Minnesota humanities commission, or the board of the arts contributing to a retirement plan under chapter 354B,"

Page 74, line 27, after "352D," insert "354B,"

Page 79, line 7, delete "or"

Page 79, line 9, after "490" insert "or an employee covered by chapter 354B who moves to a state position with an employer not listed in section 352G.01, subdivision 2,"

Page 80, line 11, after the comma, insert "or an employee of the Minnesota historical society, the Minnesota humanities commission, or the board of the arts contributing to a retirement plan under chapter 354B,"

The motion prevailed. So the amendment was adopted.

Pursuant to Rule 22, Senator Johnson, D.H. moved that he be excused from voting on all questions pertaining to S.F. No. 2796. The motion prevailed.

Senator Oliver moved to amend S.F. No. 2796 as follows:

Page 119, delete section 3

Reorder the sections in sequence and correct the internal references

Amend the title accordingly

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

S.F. No. 2796 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Krentz	Pappas	Scheid
Belanger	Hottinger	Laidig	Pariseau	Solon
Berg	Janezich	Langseth	Piper	Spear
Berglin	Johnson, D.E.	Larson	Pogemiller	Stevens
Betzold	Johnson, D.J.	Lesewski	Price	Stumpf
Cohen	Junge	Lessard	Ranum	Terwilliger
Day	Kelley, S.P.	Limmer	Ring	Vickerman
Dille	Kelly, R.C.	Lourey	Robertson	Wiener
Fischbach	Kierlin	Metzen	Robling	Wiger
Flynn	Kinkel	Moe, R.D.	Runbeck	Ziegler
Foley	Kiscaden	Murphy	Sams	
Frederickson	Kleis	Neville	Samuelson	
Hanson	Knutson	Novak	Scheevel	

Those who voted in the negative were:

Oliver

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

S.F. No. 3156: A bill for an act relating to health; providing patient protections; requiring coverage for medical clinical trials; amending Minnesota Statutes 1998, sections 62D.17, subdivision 1; 62J.38; 62Q.56; and 62Q.58; Minnesota Statutes 1999 Supplement, section 45.027, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Senator Berglin moved to amend S.F. No. 3156 as follows:

Page 1, line 19, after "violation" insert "or, unless the commissioner certifies in writing that the division and distribution to policy holders or certificate holders would be too administratively complex or that the number of policy holders or certificate holders affected by the penalty would result in a distribution of less than \$50 per individual"

Page 2, line 25, after "violation" insert "or, unless the commissioner certifies in writing that the division and distribution to enrollees would be too administratively complex or that the number of"

policy holders or certificate holders affected by the penalty would result in a distribution of less than \$50 per enrollee"

Page 3, line 14, before "direct" insert "provide"

Page 5, line 16, delete "an ongoing" and insert "a current"

Page 5, line 22, delete "or other related condition;" and insert "; or"

Page 5, line 24, delete the semicolon and insert a period

Page 5, delete lines 25 to 34 and insert:

"At the request of the enrollee coverage for the"

Page 6, line 18, delete "an ongoing" and insert "a current"

Page 7, line 28, delete "or other related conditions"

Page 8, line 3, reinstate the stricken language

Page 8, line 4, delete the new language and reinstate the stricken language

Page 8, lines 5 and 6, delete the new language

Page 8, lines 20 and 23, after "is" insert "reasonably"

The motion prevailed. So the amendment was adopted.

Senator Berglin then moved to amend S.F. No. 3156 as follows:

Page 9, delete lines 3 to 36 and insert:

"An enrollee's participation in a clinical trial does not negate a health plan company's obligation to provide medically necessary health care that would normally be provided to an enrollee under their health plan."

Page 10, delete lines 1 to 8

The motion prevailed. So the amendment was adopted.

Senator Kiscaden moved to amend S.F. No. 3156 as follows:

Pages 1 and 2, delete sections 1 and 2

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 40, as follows:

Those who voted in the affirmative were:

Belanger	Kierlin	Lessard	Robling	Stevens
Berg	Kiscaden	Neuville	Runbeck	Terwilliger
Day	Knutson	Oliver	Scheevel	Wiger
Dille	Laidig	Pariseau	Scheid	Ziegler
Frederickson	Larson	Robertson	Solon	

Those who voted in the negative were:

Anderson	Fischbach	Higgins	Johnson, D.H.	Kinkel
Berglin	Flynn	Hottinger	Johnson, D.J.	Kleis
Betzold	Foley	Janezich	Junge	Krentz
Cohen	Hanson	Johnson, D.E.	Kelley, S.P.	Langseth

Lesewski	Metzen	Pappas	Ranum	Spear
Limmer	Moe, R.D.	Piper	Ring	Stumpf
Lourey	Murphy	Pogemiller	Sams	Vickerman
Marty	Novak	Price	Samuelson	Wiener

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

Senator Oliver moved to amend S.F. No. 3156 as follows:

Page 5, line 36, delete "180" and insert "120"

Page 6, line 17, delete "180" and insert "120"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 43, as follows:

Those who voted in the affirmative were:

Belanger	Fischbach	Knutson	Oliver	Solon
Berg	Kierlin	Laidig	Robertson	Stevens
Day	Kiscaden	Larson	Runbeck	Terwilliger
Dille	Kleis	Limmer	Scheevel	Ziegler

Those who voted in the negative were:

Anderson	Hottinger	Langseth	Novak	Sams
Berglin	Janezich	Lesewski	Pappas	Scheid
Betzold	Johnson, D.E.	Lessard	Pariseau	Spear
Cohen	Johnson, D.H.	Lourey	Piper	Stumpf
Flynn	Johnson, D.J.	Marty	Pogemiller	Vickerman
Foley	Junge	Metzen	Price	Wiener
Frederickson	Kelley, S.P.	Moe, R.D.	Ranum	Wiger
Hanson	Kinkel	Murphy	Ring	
Higgins	Krentz	Neuville	Robling	

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

Senator Sams moved to amend S.F. No. 3156 as follows:

Page 10, after line 8, insert:

"Sec. 7. Minnesota Statutes 1999 Supplement, section 245.462, subdivision 18, is amended to read:

Subd. 18. [MENTAL HEALTH PROFESSIONAL.] "Mental health professional" means a person providing clinical services in the treatment of mental illness who is qualified in at least one of the following ways:

(1) in psychiatric nursing: a registered nurse who is licensed under sections 148.171 to 148.285, and who is certified as a clinical specialist in adult psychiatric and mental health nursing by a national nurse certification organization or who has a master's degree in nursing or one of the behavioral sciences or related fields from an accredited college or university or its equivalent, with at least 4,000 hours of post-master's supervised experience in the delivery of clinical services in the treatment of mental illness;

(2) in clinical social work: a person licensed as an independent clinical social worker under section 148B.21, subdivision 6, or a person with a master's degree in social work from an accredited college or university, with at least 4,000 hours of post-master's supervised experience in the delivery of clinical services in the treatment of mental illness;

(3) in psychology: a ~~psychologist~~ an individual licensed under sections 148.88 to 148.98 who has stated to the board of psychology competencies in the diagnosis and treatment of mental illness;

(4) in psychiatry: a physician licensed under chapter 147 and certified by the American board of psychiatry and neurology or eligible for board certification in psychiatry;

(5) in marriage and family therapy: the mental health professional must be a marriage and family therapist licensed under sections 148B.29 to 148B.39 with at least two years of post-master's supervised experience in the delivery of clinical services in the treatment of mental illness; or

(6) in allied fields: a person with a master's degree from an accredited college or university in one of the behavioral sciences or related fields, with at least 4,000 hours of post-master's supervised experience in the delivery of clinical services in the treatment of mental illness.

Sec. 8. Minnesota Statutes 1999 Supplement, section 245.4871, subdivision 27, is amended to read:

Subd. 27. [MENTAL HEALTH PROFESSIONAL.] "Mental health professional" means a person providing clinical services in the diagnosis and treatment of children's emotional disorders. A mental health professional must have training and experience in working with children consistent with the age group to which the mental health professional is assigned. A mental health professional must be qualified in at least one of the following ways:

(1) in psychiatric nursing, the mental health professional must be a registered nurse who is licensed under sections 148.171 to 148.285 and who is certified as a clinical specialist in child and adolescent psychiatric or mental health nursing by a national nurse certification organization or who has a master's degree in nursing or one of the behavioral sciences or related fields from an accredited college or university or its equivalent, with at least 4,000 hours of post-master's supervised experience in the delivery of clinical services in the treatment of mental illness;

(2) in clinical social work, the mental health professional must be a person licensed as an independent clinical social worker under section 148B.21, subdivision 6, or a person with a master's degree in social work from an accredited college or university, with at least 4,000 hours of post-master's supervised experience in the delivery of clinical services in the treatment of mental disorders;

(3) in psychology, the mental health professional must be a ~~psychologist~~ an individual licensed under sections 148.88 to 148.98 who has stated to the board of psychology competencies in the diagnosis and treatment of mental disorders;

(4) in psychiatry, the mental health professional must be a physician licensed under chapter 147 and certified by the American board of psychiatry and neurology or eligible for board certification in psychiatry;

(5) in marriage and family therapy, the mental health professional must be a marriage and family therapist licensed under sections 148B.29 to 148B.39 with at least two years of post-master's supervised experience in the delivery of clinical services in the treatment of mental disorders or emotional disturbances; or

(6) in allied fields, the mental health professional must be a person with a master's degree from an accredited college or university in one of the behavioral sciences or related fields, with at least 4,000 hours of post-master's supervised experience in the delivery of clinical services in the treatment of emotional disturbances."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Hottinger moved to amend S.F. No. 3156 as follows:

Page 7, line 22, after "if" insert "benefits for such treatment are provided under the health plan, the enrollee has a condition or disease of sufficient seriousness and complexity to require treatment by a specialist, and"

Page 7, delete lines 24 to 31 and insert:

"(1) has a life-threatening physical or mental condition;

(2) has a chronic health care condition outside of the primary care provider's training and expertise;

(3) has a degenerative disease or disability; or

(4) has entered the second trimester of pregnancy and the pregnancy has been assessed by the health plan company as high risk."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 36 and nays 27, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.H.	Larson	Robling	Vickerman
Berg	Kelley, S.P.	Lesewski	Runbeck	Wiener
Day	Kelly, R.C.	Neuville	Scheevel	Wiger
Dille	Kierlin	Oliver	Scheid	Ziegler
Fischbach	Kiscaden	Ourada	Solon	
Frederickson	Kleis	Pariseau	Stevens	
Hottinger	Knutson	Ring	Stumpf	
Johnson, D.E.	Laidig	Robertson	Terwilliger	

Those who voted in the negative were:

Anderson	Hanson	Krentz	Moe, R.D.	Ranum
Berglin	Higgins	Langseth	Murphy	Sams
Betzold	Janezich	Lessard	Pappas	Spear
Cohen	Johnson, D.J.	Lourey	Piper	
Flynn	Junge	Marty	Pogemiller	
Foley	Kinkel	Metzen	Price	

The motion prevailed. So the amendment was adopted.

Senator Scheid moved to amend S.F. No. 3156 as follows:

Page 10, delete lines 21 to 24 and insert:

"Sections 1 to 3 are effective January 1, 2001. Sections 4 to 6 are effective for all policies, contracts, or health benefit plans issued or renewed on or after January 1, 2001. Section 7 is effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

S.F. No. 3156 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 43 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kelly, R.C.	Murphy	Scheid
Belanger	Higgins	Kinkel	Pappas	Solon
Berg	Hottinger	Krentz	Piper	Spear
Berglin	Janezich	Langseth	Pogemiller	Stumpf
Betzold	Johnson, D.E.	Lessard	Price	Vickerman
Cohen	Johnson, D.H.	Lourey	Ranum	Wiener
Fischbach	Johnson, D.J.	Marty	Ring	Wiger
Flynn	Junge	Metzen	Sams	
Foley	Kelley, S.P.	Moe, R.D.	Samuelson	

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

RECONSIDERATION

Having voted on the prevailing side, Senator Johnson, D.E. moved that the vote whereby S.F. No. 3586 failed to pass the Senate on March 24, 2000, be now reconsidered. The motion prevailed. So the vote was reconsidered.

S.F. No. 3586: A bill for an act relating to game and fish; permitting angling with a lighted fishing lure; amending Minnesota Statutes 1998, section 97C.335.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 40 and nays 23, as follows:

Those who voted in the affirmative were:

Berg	Johnson, D.J.	Larson	Ourada	Solon
Day	Kelley, S.P.	Lesewski	Pariseau	Stevens
Dille	Kierlin	Lessard	Ring	Stumpf
Fischbach	Kinkel	Limmer	Robertson	Terwilliger
Frederickson	Kiscaden	Metzen	Runbeck	Vickerman
Janezich	Kleis	Murphy	Sams	Wiener
Johnson, D.E.	Knutson	Neuville	Samuelson	Wiger
Johnson, D.H.	Langseth	Oliver	Scheevel	Ziegler

Those who voted in the negative were:

Anderson	Flynn	Krentz	Pappas	Robling
Belanger	Foley	Laidig	Piper	Scheid
Berglin	Hanson	Lourey	Pogemiller	Spear
Betzold	Higgins	Marty	Price	
Cohen	Hottinger	Moe, R.D.	Ranum	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 3216: A bill for an act relating to education; repealing, modifying, and expanding certain provisions of the kindergarten through grade 12 education code; amending Minnesota Statutes 1998, sections 120A.05, by adding subdivisions; 120A.22, subdivisions 1 and 5; 120B.11, subdivision 5; 120B.22, subdivision 1; 121A.06; 121A.11, subdivision 1; 121A.15; 121A.26; 121A.27; 121A.28; 121A.29, subdivision 1; 121A.32, subdivision 1; 121A.34; 121A.55; 121A.69, subdivision 3; 122A.09, subdivision 6; 122A.15; 122A.22; 122A.40, subdivisions 3, 8, and 19; 122A.41, subdivision 15; 122A.51; 122A.68, subdivisions 1 and 7; 122A.69; 122A.70, subdivision 2; 122A.91; 122A.92; 123B.02, subdivisions 1 and 2; 123B.04, subdivisions 2 and 5; 123B.09, subdivision 8; 123B.143, subdivision 1; 123B.147, as amended; 123B.49, subdivision 1; 123B.51, subdivisions 1 and 5; 123B.83, subdivision 1; 123B.90, subdivision 1; 124D.02, subdivision 1; 124D.03, subdivision 3; 124D.09, subdivisions 5, 6, 7, and 12; 124D.10, subdivisions 1 and 19; 124D.115, subdivision 3; 124D.118, subdivisions 2 and 3; 124D.28, subdivision 1; 124D.29, by adding a subdivision; 124D.30, subdivision 3; 124D.34, subdivision 4; 124D.35; 124D.37; 124D.40, subdivision 2; 124D.41; 124D.42, subdivision 7; 124D.46, subdivision 1; 124D.47, subdivision 2; 124D.49, subdivision 3; 124D.50, subdivisions 2 and 3; 124D.65, subdivision 6; 124D.74, subdivision 1; 124D.88, subdivision 2; 124D.892; 124D.894; 124D.94, subdivision 4; 125B.05, subdivisions 1 and 2; 126C.17, subdivision 11; 126C.31; 127A.05, subdivisions 3 and 4; 127A.06; 127A.41, subdivision 7; Minnesota Statutes 1999 Supplement, sections 121A.23, subdivision 1; 122A.40, subdivision 5; 122A.58, subdivision 1; 122A.60, subdivision 1; 123A.06, subdivision 1; 123B.02, subdivision 3; 123B.36, subdivision 1; 123B.43; 123B.445; 123B.49, subdivision 4; 123B.73, subdivision 1; 123B.90, subdivision 2; 123B.91, subdivision 1; 124D.10, subdivisions 6 and 15; 124D.94, subdivision 2; 125B.20, subdivisions 1 and 4; 126C.05, subdivision 1; 126C.48, subdivision 8; 127A.05, subdivision 1; 127A.42, subdivision 2; 129C.10, subdivision 3; proposing coding for new law in Minnesota

Statutes, chapter 122A; repealing Minnesota Statutes 1998, sections 120A.41; 120B.10; 120B.11, subdivisions 3, 4, and 7; 120B.24; 121A.03, subdivision 3; 121A.11, subdivision 2; 121A.16; 121A.32, subdivisions 2, 4, and 5; 121A.41, subdivision 3; 122A.162; 122A.19, subdivision 2; 122A.32; 122A.33; 122A.40, subdivision 6; 122A.42; 122A.43, subdivisions 1, 2, 3, 4, and 6; 122A.45; 122A.49; 122A.52; 122A.53; 122A.54; 122A.55; 122A.56; 122A.57; 122A.71; 122A.72, subdivisions 1, 2, 3, and 5; 122A.75; 123A.07; 123A.15, subdivision 1; 123A.35; 123A.36, subdivisions 3, 4, 5, 6, 7, 8, 9, 10, and 11; 123A.37; 123A.38; 123A.39, subdivisions 1, 2, and 4; 123A.40; 123A.41, subdivisions 1 and 4; 123A.43; 123B.02, subdivisions 5, 6, 10, 11, 13, and 16; 123B.04, subdivision 4; 123B.11; 123B.147, subdivisions 1 and 3; 123B.15; 123B.16; 123B.17; 123B.18; 123B.19; 123B.40; 123B.49, subdivisions 2 and 3; 123B.51, subdivisions 2, 3, and 4; 123B.744; 123B.84; 123B.87; 123B.88, subdivisions 11, 13, 18, 20, and 22; 123B.93; 123B.95, subdivision 3; 124D.02, subdivisions 2, 3, and 4; 124D.03, subdivisions 5, 7, 9, and 10; 124D.06; 124D.07; 124D.081, subdivision 1; 124D.09, subdivisions 2, 8, 25, and 26; 124D.10, subdivision 13; 124D.115, subdivisions 1 and 2; 124D.118, subdivision 1; 124D.12; 124D.123; 124D.124; 124D.125; 124D.128, subdivisions 1, 3, 4, 5, and 6; 124D.31; 124D.34, subdivision 5; 124D.43; 124D.46, subdivision 3; 124D.47, subdivision 1; 124D.50, subdivisions 1, 2, and 3; 124D.60, subdivision 3; 124D.65, subdivisions 8, 9, and 10; 124D.68, subdivision 1; 124D.72; 124D.81, subdivision 7; 124D.88, subdivision 1; 124D.895; 124D.90, subdivision 5; 124D.91; 124D.92; 124D.93, subdivisions 2, 3, and 6; 125B.02; 125B.07, subdivisions 1 and 5; 125B.09; 125B.11; 127A.05, subdivision 5; and 127A.41, subdivision 4; Minnesota Statutes 1999 Supplement, sections 121A.23, subdivision 2; 122A.72, subdivision 4; 123A.06, subdivision 3; 123A.36, subdivisions 1 and 2; 123B.02, subdivision 9; 123B.88, subdivisions 12 and 21; 124D.121; 124D.122; 124D.126; 124D.127; 124D.128, subdivisions 2 and 7; 124D.93, subdivisions 1, 4, and 5; and 125B.07, subdivision 3; Minnesota Rules, parts 3505.4300; 3520.0400; 3530.2610; 3530.2612; 3530.2614; 3530.2616; 3530.2618; 3530.2620; 3530.2622; 3530.2624; 3530.2626; 3530.2628; 3530.2630; 3530.2632; 3530.2634; 3530.2636; 3530.2638; 3530.2640; 3530.2642; 3530.2644; 3545.0600; 3545.0700; 3545.0800; 3545.0900; and 3550.0100.

Senator Pogemiller moved to amend S.F. No. 3216 as follows:

Pages 16 and 17, delete section 4

Page 22, line 22, delete "(a)"

Page 22, delete lines 25 and 26

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Robling moved to amend S.F. No. 3216 as follows:

Page 83, delete section 3

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 3216 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson
Belanger

Berg
Berglin

Betzold
Cohen

Day
Dille

Fischbach
Flynn

Foley	Kierlin	Limmer	Piper	Spear
Frederickson	Kinkel	Lourey	Pogemiller	Stevens
Hanson	Kiscaden	Marty	Price	Stumpf
Higgins	Kleis	Metzen	Ranum	Terwilliger
Hottinger	Knutson	Moe, R.D.	Ring	Vickerman
Janezich	Krentz	Murphy	Robertson	Wiener
Johnson, D.E.	Laidig	Neuville	Robling	Wiger
Johnson, D.H.	Langseth	Oliver	Runbeck	Ziegler
Johnson, D.J.	Larson	Ourada	Sams	
Kelley, S.P.	Lesewski	Pappas	Scheevel	
Kelly, R.C.	Lessard	Pariseau	Scheid	

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

SPECIAL ORDER

S.F. No. 2806: A bill for an act relating to government data practices; classifying data; providing for access to and sharing of data; authorizing certain restrictions on access to data; clarifying definitions and application provisions; modifying penalty provisions; providing for electronic copies of data; limiting authority of local governments to disseminate private or confidential data; prohibiting monitoring of citizens requesting access to public data; requiring government entities to have a data practices compliance official; providing for administrative remedies; amending Minnesota Statutes 1998, sections 13.01, by adding subdivisions; 13.02, by adding a subdivision; 13.03, subdivision 5; 13.05, subdivision 3, and by adding subdivisions; 13.08, subdivision 4; 13.41, subdivision 2; 13.84, subdivisions 5 and 6; 119A.03, by adding a subdivision; 270B.14, subdivision 8; and 609.115, subdivision 5; Minnesota Statutes 1999 Supplement, sections 3.979, by adding a subdivision; 13.03, subdivision 3; 13.99, subdivision 3, and by adding a subdivision; 256.978, subdivision 1; and 268.19; Laws 1999, chapter 216, article 2, section 27, subdivision 1, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 13.

Senator Betzold moved to amend S.F. No. 2806 as follows:

Page 1, line 29, before "Data" insert "Upon request of the individual legislator,"

Page 1, line 30, delete "legislators" and insert "the legislator"

Page 1, lines 31 and 32, delete "or nonpublic data"

The motion prevailed. So the amendment was adopted.

Senator Knutson moved to amend S.F. No. 2806 as follows:

Page 12, after line 11, insert:

"Sec. 19. Minnesota Statutes 1999 Supplement, section 13.99, subdivision 19, is amended to read:

Subd. 19. [HMO EXAMINATIONS.] Data obtained by the commissioner of health in the course of an examination of the affairs of a health maintenance organization are classified under section 62D.14, subdivisions 1 and 4 4a."

Page 12, after line 18, insert:

"Sec. 21. Minnesota Statutes 1998, section 62D.14, is amended by adding a subdivision to read:

Subd. 4a. [CLASSIFICATION OF DATA.] Any data or information obtained by the commissioner under this section or section 62D.145 shall be classified as private data on individuals as defined in chapter 13. Such data shall be protected and may be released consistent with the provisions of section 60A.03, subdivision 9.

Sec. 22. [62D.145] [DISCLOSURE OF INFORMATION HELD BY HEALTH MAINTENANCE ORGANIZATIONS.]

Subdivision 1. [PERSONAL AND PRIVILEGED INFORMATION.] The ability of a health maintenance organization to disclose personal information, as defined in section 72A.491, subdivision 17, and privileged information, as defined in section 72A.491, subdivision 19, is governed by sections 72A.497, 72A.499, and 72A.502.

Subd. 2. [HEALTH DATA OR INFORMATION.] (a) A health maintenance organization is prohibited from disclosing to any person any individually identifiable data or information held by the health maintenance organization pertaining to the diagnosis, treatment, or health of any enrollee, or any application obtained from any person, except:

(1) to the extent necessary to carry out the purposes of this chapter, the commissioner and a designee shall have access to the above data or information but the data removed from the health maintenance organization or participating entity shall not identify any particular patient or client by name or contain any other unique personal identifier;

(2) upon the express consent of the enrollee or applicant;

(3) pursuant to statute or court order for the production of evidence or the discovery thereof;

(4) in the event of claim or litigation between the person and the provider or health maintenance organization wherein such data or information is pertinent;

(5) to meet the requirements of contracts for prepaid medical services with the commissioner of human services authorized under chapter 256B, 256D, or 256L;

(6) to meet the requirements of contracts for benefit plans with the commissioner of employee relations under chapter 43A; or

(7) as otherwise authorized pursuant to statute.

No provision in a contract for a benefit plan under chapter 43A shall authorize dissemination of individually identifiable health records, unless the dissemination of the health records is required to carry out the requirements of the contract and employees whose health records will be disseminated are fully informed of the dissemination by the department of employee relations at the time the employees are enrolling for or changing insurance coverage.

(b) In any case involving a suspected violation of a law applicable to health maintenance organizations in which access to health data maintained by the health maintenance organization or participating entity is necessary, the commissioner and agents, while maintaining the privacy rights of individuals and families, shall be permitted to obtain data that identifies any particular patient or client by name. A health maintenance organization shall be entitled to claim any statutory privileges against such disclosure which the provider who furnished the information to the health maintenance organization is entitled to claim.

Sec. 23. Minnesota Statutes 1998, section 72A.491, subdivision 17, is amended to read:

Subd. 17. [PERSONAL INFORMATION.] "Personal information" means any individually identifiable information gathered in connection with an insurance transaction from which judgments can be made about an individual's character, habits, avocations, finances, occupation, general reputation, credit, health, or any other personal characteristics. The term includes the individual's name and address and health record information, but does not include privileged information. Personal information does not include health record information maintained by a health maintenance organization as defined under section 62D.02, subdivision 4, in its capacity as a health provider."

Page 19, after line 4, insert:

"Sec. 33. [REPEALER.]

Minnesota Statutes 1998, section 62D.14, subdivision 4, is repealed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Larson moved to amend S.F. No. 2806 as follows:

Page 12, after line 18, insert:

"Sec. 20. Minnesota Statutes 1998, section 79.34, subdivision 1, is amended to read:

Subdivision 1. [CONDITIONS REQUIRING MEMBERSHIP.] The nonprofit association known as the workers' compensation reinsurance association may be incorporated under chapter 317A with all the powers of a corporation formed under that chapter, except that if the provisions of that chapter are inconsistent with sections 79.34 to 79.40, sections 79.34 to 79.40 govern. Each insurer as defined by section 79.01, subdivision 2, shall, as a condition of its authority to transact workers' compensation insurance in this state, be a member of the reinsurance association and is bound by the plan of operation of the reinsurance association; provided, that all affiliated insurers within a holding company system as defined in chapter 60D are considered a single entity for purposes of the exercise of all rights and duties of membership in the reinsurance association. Each self-insurer approved under section 176.181 and each political subdivision that self-insures shall, as a condition of its authority to self-insure workers' compensation liability in this state, be a member of the reinsurance association and is bound by its plan of operation; provided that:

(1) all affiliated companies within a holding company system, as determined by the commissioner of labor and industry in a manner consistent with the standards and definitions in chapter 60D, are considered a single entity for purposes of the exercise of all rights and duties of membership in the reinsurance association; and

(2) all group self-insurers granted authority to self-insure pursuant to section 176.181 are considered single entities for purposes of the exercise of all the rights and duties of membership in the reinsurance association. As a condition of its authority to self-insure workers' compensation liability, and for losses incurred after December 31, 1983, the state is a member of the reinsurance association and is bound by its plan of operation. The commissioner of employee relations represents the state in the exercise of all the rights and duties of membership in the reinsurance association. The state treasurer shall pay the premium to the reinsurance association from the state compensation revolving fund upon warrants of the commissioner of employee relations, except that the University of Minnesota shall pay its portion of workers' compensation reinsurance premiums directly to the workers' compensation reinsurance association. For the purposes of this section, "state" means the administrative branch of state government, the legislative branch, the judicial branch, the University of Minnesota, and any other entity whose workers' compensation liability is paid from the state revolving fund. The commissioner of finance may calculate, prorate, and charge a department or agency the portion of premiums paid to the reinsurance association for employees who are paid wholly or in part by federal funds, dedicated funds, or special revenue funds. The reinsurance association is not a state agency except that, for purposes of chapter 13, it is a state agency. Actions of the reinsurance association and its board of directors and actions of the commissioner of labor and industry with respect to the reinsurance association are not subject to ~~chapters 13 and chapter 15.~~ All property owned by the association is exempt from taxation. The reinsurance association is not obligated to make any payments or pay any assessments to any funds or pools established pursuant to this chapter or chapter 176 or any other law."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Senator Moe, R.D. imposed a call of the Senate for the balance of the proceedings on S.F. No. 2806. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Larson amendment.

The roll was called, and there were yeas 25 and nays 36, as follows:

Those who voted in the affirmative were:

Belanger	Fischbach	Knutson	Oliver	Runbeck
Berg	Frederickson	Larson	Ourada	Scheevel
Betzold	Kierlin	Lesewski	Pariseau	Stevens
Day	Kiscaden	Limmer	Robertson	Terwilliger
Dille	Kleis	Neuville	Robling	Ziegler

Those who voted in the negative were:

Anderson	Janezich	Krentz	Pogemiller	Stumpf
Berglin	Johnson, D.E.	Langseth	Price	Vickerman
Cohen	Johnson, D.H.	Lourey	Ranum	Wiener
Flynn	Johnson, D.J.	Marty	Ring	Wiger
Foley	Junge	Metzen	Samuelson	
Hanson	Kelley, S.P.	Moe, R.D.	Scheid	
Higgins	Kelly, R.C.	Pappas	Solon	
Hottinger	Kinkel	Piper	Spear	

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

Senator Lesewski moved to amend S.F. No. 2806 as follows:

Page 12, after line 4, insert:

"Sec. 18. Minnesota Statutes 1998, section 13.87, subdivision 2, is amended to read:

Subd. 2. [CLASSIFICATION.] Criminal history data maintained by agencies, political subdivisions and statewide systems are classified as private, pursuant to section 13.02, subdivision 12, except that data created, collected, or maintained by the bureau of criminal apprehension that identify an individual who was convicted of a crime and the offense of which the individual was convicted are public data for 15 years following the discharge of the sentence imposed for the offense.

The bureau of criminal apprehension shall provide to the public at the central office of the bureau the ability to inspect in person, at no charge, through a computer monitor the criminal conviction data classified as public under this subdivision. The bureau of criminal apprehension shall also make the public criminal conviction data available on the Internet."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Neuville moved to amend the Lesewski amendment to S.F. No. 2806 as follows:

Page 1, after line 19, insert:

"Page 19, line 6, delete "Section 11 is" and insert "Sections 11 and 18 are"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the Lesewski amendment, as amended.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Day	Higgins	Junge	Kleis
Belanger	Dille	Hottinger	Kelley, S.P.	Knutson
Berg	Fischbach	Janezich	Kelly, R.C.	Krentz
Berglin	Flynn	Johnson, D.E.	Kierlin	Laidig
Betzold	Foley	Johnson, D.H.	Kinkel	Langseth
Cohen	Frederickson	Johnson, D.J.	Kiscaden	Larson

Lesewski	Neuville	Price	Samuelson	Wiener
Lessard	Oliver	Ranum	Scheevel	Wiger
Limmer	Ourada	Ring	Solon	Ziegler
Lourey	Pappas	Robertson	Stevens	
Metzen	Pariseau	Robling	Stumpf	
Moe, R.D.	Piper	Runbeck	Terwilliger	
Murphy	Pogemiller	Sams	Vickerman	

The motion prevailed. So the Lesewski amendment, as amended, was adopted.

S.F. No. 2806 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Knutson	Neuville	Sams
Belanger	Hottinger	Krentz	Oliver	Samuelson
Berg	Janezich	Laidig	Ourada	Scheevel
Berglin	Johnson, D.E.	Langseth	Pappas	Scheid
Betzold	Johnson, D.H.	Larson	Pariseau	Solon
Cohen	Johnson, D.J.	Lesewski	Piper	Spear
Day	Junge	Lessard	Pogemiller	Stevens
Dille	Kelley, S.P.	Limmer	Price	Stumpf
Fischbach	Kelly, R.C.	Lourey	Ranum	Terwilliger
Flynn	Kierlin	Marty	Ring	Vickerman
Foley	Kinkel	Metzen	Robertson	Wiener
Frederickson	Kiscaden	Moe, R.D.	Robling	Wiger
Hanson	Kleis	Murphy	Runbeck	Ziegler

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

SPECIAL ORDER

H.F. No. 2671: A bill for an act relating to human services; mental retardation protection; requiring legislative recommendations.

Senator Samuelson moved to amend H.F. No. 2671, as amended pursuant to Rule 49, adopted by the Senate February 28, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 2567.)

Page 1, line 16, after the period, insert "To be eligible to perform these transferred duties, an entity must either be a multi-purpose agency that provides a broad range of social services to children, or a new or existing office within the department of human services that does not have operational or financial duties under chapter 252A."

The motion prevailed. So the amendment was adopted.

Senator Berglin moved to amend H.F. No. 2671 as follows:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 1999 Supplement, section 256B.056, subdivision 4, is amended to read:

Subd. 4. [INCOME.] To be eligible for medical assistance, a person eligible under section 256B.055, subdivision 7, not receiving supplemental security income program payments, and families and children may have an income up to 133-1/3 percent of the AFDC income standard in effect under the July 16, 1996, AFDC state plan. Effective July 1, 2000, the base AFDC standard in effect on July 16, 1996, shall be increased by three percent. Effective January 1, 2000, and each successive January, recipients of supplemental security income may have an income up to the

supplemental security income standard in effect on that date. In computing income to determine eligibility of persons who are not residents of long-term care facilities, the commissioner shall disregard increases in income as required by Public Law Numbers 94-566, section 503; 99-272; and 99-509. Veterans aid and attendance benefits and Veterans Administration unusual medical expense payments are considered income to the recipient. The earned income that temporary census employees receive from the United States Census Bureau during years that the census is taken is excluded from income.

Sec. 2. Minnesota Statutes 1999 Supplement, section 256D.03, subdivision 3, is amended to read:

Subd. 3. [GENERAL ASSISTANCE MEDICAL CARE; ELIGIBILITY.] (a) General assistance medical care may be paid for any person who is not eligible for medical assistance under chapter 256B, including eligibility for medical assistance based on a spenddown of excess income according to section 256B.056, subdivision 5, or MinnesotaCare as defined in paragraph (b), except as provided in paragraph (c); and:

(1) who is receiving assistance under section 256D.05, except for families with children who are eligible under Minnesota family investment program-statewide (MFIP-S), who is having a payment made on the person's behalf under sections 256I.01 to 256I.06, or who resides in group residential housing as defined in chapter 256I and can meet a spenddown using the cost of remedial services received through group residential housing; or

(2)(i) who is a resident of Minnesota; and whose equity in assets is not in excess of \$1,000 per assistance unit. Exempt assets, the reduction of excess assets, and the waiver of excess assets must conform to the medical assistance program in chapter 256B, with the following exception: the maximum amount of undistributed funds in a trust that could be distributed to or on behalf of the beneficiary by the trustee, assuming the full exercise of the trustee's discretion under the terms of the trust, must be applied toward the asset maximum; and

(ii) who has countable income not in excess of the assistance standards established in section 256B.056, subdivision 4, or whose excess income is spent down according to section 256B.056, subdivision 5, using a six-month budget period. The method for calculating earned income disregards and deductions for a person who resides with a dependent child under age 21 shall follow section 256B.056, subdivision 1a. However, if a disregard of \$30 and one-third of the remainder has been applied to the wage earner's income, the disregard shall not be applied again until the wage earner's income has not been considered in an eligibility determination for general assistance, general assistance medical care, medical assistance, or MFIP-S for 12 consecutive months. The earned income that temporary census employees receive from the United States Census Bureau during years that the census is taken is excluded from income. The earned income and work expense deductions for a person who does not reside with a dependent child under age 21 shall be the same as the method used to determine eligibility for a person under section 256D.06, subdivision 1, except the disregard of the first \$50 of earned income is not allowed;

(3) who would be eligible for medical assistance except that the person resides in a facility that is determined by the commissioner or the federal Health Care Financing Administration to be an institution for mental diseases; or

(4) who is ineligible for medical assistance under chapter 256B or general assistance medical care under any other provision of this section, and is receiving care and rehabilitation services from a nonprofit center established to serve victims of torture. These individuals are eligible for general assistance medical care only for the period during which they are receiving services from the center. During this period of eligibility, individuals eligible under this clause shall not be required to participate in prepaid general assistance medical care.

(b) Beginning January 1, 2000, applicants or recipients who meet all eligibility requirements of MinnesotaCare as defined in sections 256L.01 to 256L.16, and are:

(i) adults with dependent children under 21 whose gross family income is equal to or less than 275 percent of the federal poverty guidelines; or

(ii) adults without children with earned income and whose family gross income is between 75 percent of the federal poverty guidelines and the amount set by section 256L.04, subdivision 7, shall be terminated from general assistance medical care upon enrollment in MinnesotaCare.

(c) For services rendered on or after July 1, 1997, eligibility is limited to one month prior to application if the person is determined eligible in the prior month. A redetermination of eligibility must occur every 12 months. Beginning January 1, 2000, Minnesota health care program applications completed by recipients and applicants who are persons described in paragraph (b), may be returned to the county agency to be forwarded to the department of human services or sent directly to the department of human services for enrollment in MinnesotaCare. If all other eligibility requirements of this subdivision are met, eligibility for general assistance medical care shall be available in any month during which a MinnesotaCare eligibility determination and enrollment are pending. Upon notification of eligibility for MinnesotaCare, notice of termination for eligibility for general assistance medical care shall be sent to an applicant or recipient. If all other eligibility requirements of this subdivision are met, eligibility for general assistance medical care shall be available until enrollment in MinnesotaCare subject to the provisions of paragraph (e).

(d) The date of an initial Minnesota health care program application necessary to begin a determination of eligibility shall be the date the applicant has provided a name, address, and social security number, signed and dated, to the county agency or the department of human services. If the applicant is unable to provide an initial application when health care is delivered due to a medical condition or disability, a health care provider may act on the person's behalf to complete the initial application. The applicant must complete the remainder of the application and provide necessary verification before eligibility can be determined. The county agency must assist the applicant in obtaining verification if necessary. On the basis of information provided on the completed application, an applicant who meets the following criteria shall be determined eligible beginning in the month of application:

- (1) has gross income less than 90 percent of the applicable income standard;
- (2) has liquid assets that total within \$300 of the asset standard;
- (3) does not reside in a long-term care facility; and
- (4) meets all other eligibility requirements.

The applicant must provide all required verifications within 30 days' notice of the eligibility determination or eligibility shall be terminated.

(e) County agencies are authorized to use all automated databases containing information regarding recipients' or applicants' income in order to determine eligibility for general assistance medical care or MinnesotaCare. Such use shall be considered sufficient in order to determine eligibility and premium payments by the county agency.

(f) General assistance medical care is not available for a person in a correctional facility unless the person is detained by law for less than one year in a county correctional or detention facility as a person accused or convicted of a crime, or admitted as an inpatient to a hospital on a criminal hold order, and the person is a recipient of general assistance medical care at the time the person is detained by law or admitted on a criminal hold order and as long as the person continues to meet other eligibility requirements of this subdivision.

(g) General assistance medical care is not available for applicants or recipients who do not cooperate with the county agency to meet the requirements of medical assistance. General assistance medical care is limited to payment of emergency services only for applicants or recipients as described in paragraph (b), whose MinnesotaCare coverage is denied or terminated for nonpayment of premiums as required by sections 256L.06 and 256L.07.

(h) In determining the amount of assets of an individual, there shall be included any asset or interest in an asset, including an asset excluded under paragraph (a), that was given away, sold, or disposed of for less than fair market value within the 60 months preceding application for general

assistance medical care or during the period of eligibility. Any transfer described in this paragraph shall be presumed to have been for the purpose of establishing eligibility for general assistance medical care, unless the individual furnishes convincing evidence to establish that the transaction was exclusively for another purpose. For purposes of this paragraph, the value of the asset or interest shall be the fair market value at the time it was given away, sold, or disposed of, less the amount of compensation received. For any uncompensated transfer, the number of months of ineligibility, including partial months, shall be calculated by dividing the uncompensated transfer amount by the average monthly per person payment made by the medical assistance program to skilled nursing facilities for the previous calendar year. The individual shall remain ineligible until this fixed period has expired. The period of ineligibility may exceed 30 months, and a reapplication for benefits after 30 months from the date of the transfer shall not result in eligibility unless and until the period of ineligibility has expired. The period of ineligibility begins in the month the transfer was reported to the county agency, or if the transfer was not reported, the month in which the county agency discovered the transfer, whichever comes first. For applicants, the period of ineligibility begins on the date of the first approved application.

(i) When determining eligibility for any state benefits under this subdivision, the income and resources of all noncitizens shall be deemed to include their sponsor's income and resources as defined in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, title IV, Public Law Number 104-193, sections 421 and 422, and subsequently set out in federal rules.

(j)(1) An undocumented noncitizen or a nonimmigrant is ineligible for general assistance medical care other than emergency services. For purposes of this subdivision, a nonimmigrant is an individual in one or more of the classes listed in United States Code, title 8, section 1101(a)(15), and an undocumented noncitizen is an individual who resides in the United States without the approval or acquiescence of the Immigration and Naturalization Service.

(2) This paragraph does not apply to a child under age 18, to a Cuban or Haitian entrant as defined in Public Law Number 96-422, section 501(e)(1) or (2)(a), or to a noncitizen who is aged, blind, or disabled as defined in Code of Federal Regulations, title 42, sections 435.520, 435.530, 435.531, 435.540, and 435.541, or effective October 1, 1998, to an individual eligible for general assistance medical care under paragraph (a), clause (4), who cooperates with the Immigration and Naturalization Service to pursue any applicable immigration status, including citizenship, that would qualify the individual for medical assistance with federal financial participation.

(3) For purposes of this paragraph, "emergency services" has the meaning given in Code of Federal Regulations, title 42, section 440.255(b)(1), except that it also means services rendered because of suspected or actual pesticide poisoning.

(k) Notwithstanding any other provision of law, a noncitizen who is ineligible for medical assistance due to the deeming of a sponsor's income and resources, is ineligible for general assistance medical care.

Sec. 3. Minnesota Statutes 1998, section 256D.06, subdivision 1, is amended to read:

Subdivision 1. General assistance shall be granted in an amount that when added to the nonexempt income actually available to the assistance unit, the total amount equals the applicable standard of assistance for general assistance. In determining eligibility for and the amount of assistance for an individual or married couple, the county agency shall disregard the first \$50 of earned income per month, and shall disregard earned income that temporary census employees receive from the United States Census Bureau during years that the census is taken.

Sec. 4. Minnesota Statutes 1998, section 256D.435, subdivision 5, is amended to read:

Subd. 5. [GENERAL INCOME DISREGARD.] The county agency shall disregard the first \$20 of the assistance unit's unearned or earned income, and shall disregard earned income that temporary census employees receive from the United States Census Bureau during years that the census is taken.

Sec. 5. Minnesota Statutes 1999 Supplement, section 256J.21, subdivision 2, is amended to read:

Subd. 2. [INCOME EXCLUSIONS.] (a) The following must be excluded in determining a family's available income:

(1) payments for basic care, difficulty of care, and clothing allowances received for providing family foster care to children or adults under Minnesota Rules, parts 9545.0010 to 9545.0260 and 9555.5050 to 9555.6265, and payments received and used for care and maintenance of a third-party beneficiary who is not a household member;

(2) reimbursements for employment training received through the Job Training Partnership Act, United States Code, title 29, chapter 19, sections 1501 to 1792b;

(3) reimbursement for out-of-pocket expenses incurred while performing volunteer services, jury duty, employment, or informal carpooling arrangements directly related to employment;

(4) all educational assistance, except the county agency must count graduate student teaching assistantships, fellowships, and other similar paid work as earned income and, after allowing deductions for any unmet and necessary educational expenses, shall count scholarships or grants awarded to graduate students that do not require teaching or research as unearned income;

(5) loans, regardless of purpose, from public or private lending institutions, governmental lending institutions, or governmental agencies;

(6) loans from private individuals, regardless of purpose, provided an applicant or participant documents that the lender expects repayment;

(7)(i) state income tax refunds; and

(ii) federal income tax refunds;

(8)(i) federal earned income credits;

(ii) Minnesota working family credits;

(iii) state homeowners and renters credits under chapter 290A; and

(iv) federal or state tax rebates;

(9) funds received for reimbursement, replacement, or rebate of personal or real property when these payments are made by public agencies, awarded by a court, solicited through public appeal, or made as a grant by a federal agency, state or local government, or disaster assistance organizations, subsequent to a presidential declaration of disaster;

(10) the portion of an insurance settlement that is used to pay medical, funeral, and burial expenses, or to repair or replace insured property;

(11) reimbursements for medical expenses that cannot be paid by medical assistance;

(12) payments by a vocational rehabilitation program administered by the state under chapter 268A, except those payments that are for current living expenses;

(13) in-kind income, including any payments directly made by a third party to a provider of goods and services;

(14) assistance payments to correct underpayments, but only for the month in which the payment is received;

(15) emergency assistance payments;

(16) funeral and cemetery payments as provided by section 256.935;

(17) nonrecurring cash gifts of \$30 or less, not exceeding \$30 per participant in a calendar month;

(18) any form of energy assistance payment made through Public Law Number 97-35, Low-Income Home Energy Assistance Act of 1981, payments made directly to energy providers by other public and private agencies, and any form of credit or rebate payment issued by energy providers;

(19) Supplemental Security Income, including retroactive payments;

(20) Minnesota supplemental aid, including retroactive payments;

(21) proceeds from the sale of real or personal property;

(22) adoption assistance payments under section 259.67;

(23) state-funded family subsidy program payments made under section 252.32 to help families care for children with mental retardation or related conditions;

(24) interest payments and dividends from property that is not excluded from and that does not exceed the asset limit;

(25) rent rebates;

(26) income earned by a minor caregiver, minor child through age 6, or a minor child who is at least a half-time student in an approved elementary or secondary education program;

(27) income earned by a caregiver under age 20 who is at least a half-time student in an approved elementary or secondary education program;

(28) MFIP child care payments under section 119B.05;

(29) all other payments made through MFIP to support a caregiver's pursuit of greater self-support;

(30) income a participant receives related to shared living expenses;

(31) reverse mortgages;

(32) benefits provided by the Child Nutrition Act of 1966, United States Code, title 42, chapter 13A, sections 1771 to 1790;

(33) benefits provided by the women, infants, and children (WIC) nutrition program, United States Code, title 42, chapter 13A, section 1786;

(34) benefits from the National School Lunch Act, United States Code, title 42, chapter 13, sections 1751 to 1769e;

(35) relocation assistance for displaced persons under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, United States Code, title 42, chapter 61, subchapter II, section 4636, or the National Housing Act, United States Code, title 12, chapter 13, sections 1701 to 1750jj;

(36) benefits from the Trade Act of 1974, United States Code, title 19, chapter 12, part 2, sections 2271 to 2322;

(37) war reparations payments to Japanese Americans and Aleuts under United States Code, title 50, sections 1989 to 1989d;

(38) payments to veterans or their dependents as a result of legal settlements regarding Agent Orange or other chemical exposure under Public Law Number 101-239, section 10405, paragraph (a)(2)(E);

(39) income that is otherwise specifically excluded from MFIP consideration in federal law, state law, or federal regulation;

(40) security and utility deposit refunds;

(41) American Indian tribal land settlements excluded under Public Law Numbers 98-123, 98-124, and 99-377 to the Mississippi Band Chippewa Indians of White Earth, Leech Lake, and Mille Lacs reservations and payments to members of the White Earth Band, under United States Code, title 25, chapter 9, section 331, and chapter 16, section 1407;

(42) all income of the minor parent's parents and stepparents when determining the grant for the minor parent in households that include a minor parent living with parents or stepparents on MFIP with other children; and

(43) income of the minor parent's parents and stepparents equal to 200 percent of the federal poverty guideline for a family size not including the minor parent and the minor parent's child in households that include a minor parent living with parents or stepparents not on MFIP when determining the grant for the minor parent. The remainder of income is deemed as specified in section 256J.37, subdivision 1b;

(44) payments made to children eligible for relative custody assistance under section 257.85;

(45) vendor payments for goods and services made on behalf of a client unless the client has the option of receiving the payment in cash; and

(46) the principal portion of a contract for deed payment; and

(47) earned income that temporary census employees receive from the United States Census Bureau during years that the census is taken.

Sec. 6. Minnesota Statutes 1998, section 256L.01, subdivision 5, is amended to read:

Subd. 5. [INCOME.] "Income" has the meaning given for earned and unearned income for families and children in the medical assistance program, according to the state's aid to families with dependent children plan in effect as of July 16, 1996. The definition does not include medical assistance income methodologies and deeming requirements. The earned income of full-time and part-time students under age 19 is not counted as income. Public assistance payments and supplemental security income are not excluded income. The earned income that temporary census employees receive from the United States Census Bureau during years that the census is taken is excluded from income."

Page 1, after line 20, insert:

"Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 6 are effective retroactively to January 1, 2000."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 2671 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

- | | | | | |
|----------|--------------|---------------|--------------|----------|
| Anderson | Day | Higgins | Junge | Kleis |
| Belanger | Dille | Hottinger | Kelley, S.P. | Knutson |
| Berg | Flynn | Janezich | Kelly, R.C. | Krentz |
| Berglin | Foley | Johnson, D.E. | Kierlin | Langseth |
| Betzold | Frederickson | Johnson, D.H. | Kinkel | Larson |
| Cohen | Hanson | Johnson, D.J. | Kiscaden | Lesewski |

Lessard	Neuville	Price	Scheid	Wiener
Limmer	Oliver	Ring	Solon	Wiger
Lourey	Ourada	Robertson	Spear	Ziegler
Marty	Pappas	Runbeck	Stevens	
Metzen	Pariseau	Sams	Stumpf	
Moe, R.D.	Piper	Samuelson	Terwilliger	
Murphy	Pogemiller	Scheevel	Vickerman	

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

SPECIAL ORDER

S.F. No. 2968: A bill for an act relating to lake improvement districts; modifying provisions relating to lake improvement districts; amending Minnesota Statutes 1998, sections 103B.535; 103B.545, subdivision 1; 103B.551, subdivision 1; 103B.555, subdivision 1; and 103B.571, subdivision 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Higgins	Knutson	Neuville	Sams
Belanger	Hottinger	Krentz	Oliver	Samuelson
Berg	Janezich	Laidig	Ourada	Scheevel
Berglin	Johnson, D.E.	Langseth	Pappas	Scheid
Betzold	Johnson, D.H.	Larson	Pariseau	Solon
Cohen	Junge	Lesewski	Piper	Stevens
Day	Kelley, S.P.	Lessard	Pogemiller	Stumpf
Fischbach	Kelly, R.C.	Limmer	Price	Terwilliger
Flynn	Kierlin	Lourey	Ranum	Vickerman
Foley	Kinkel	Marty	Ring	Wiener
Frederickson	Kiscaden	Metzen	Robertson	Wiger
Hanson	Kleis	Murphy	Robling	Ziegler

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2949: A bill for an act relating to natural resources; providing for the establishment of heritage forest areas in specified counties; amending Minnesota Statutes 1998, section 84.944, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 89.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Knutson	Oliver	Samuelson
Belanger	Hottinger	Krentz	Pappas	Scheevel
Berg	Janezich	Langseth	Pariseau	Scheid
Berglin	Johnson, D.E.	Larson	Piper	Solon
Betzold	Johnson, D.H.	Lesewski	Pogemiller	Stevens
Cohen	Junge	Lessard	Price	Stumpf
Day	Kelley, S.P.	Limmer	Ranum	Terwilliger
Fischbach	Kelly, R.C.	Lourey	Ring	Vickerman
Flynn	Kierlin	Marty	Robertson	Wiener
Foley	Kinkel	Metzen	Robling	Wiger
Frederickson	Kiscaden	Murphy	Runbeck	Ziegler
Hanson	Kleis	Neuville	Sams	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2803: A bill for an act relating to accountants; modifying licensing requirements; requiring the board of accountancy to implement a voluntary registration of accounting practitioners; amending Minnesota Statutes 1998, section 326.19, subdivisions 1, 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 326.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 44 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Kelley, S.P.	Moe, R.D.	Runbeck
Belanger	Frederickson	Kelly, R.C.	Murphy	Sams
Berg	Hanson	Kinkel	Oliver	Samuelson
Berglin	Higgins	Kleis	Pappas	Scheid
Betzold	Hottinger	Krentz	Pogemiller	Solon
Cohen	Janezich	Langseth	Price	Stumpf
Day	Johnson, D.E.	Lessard	Ranum	Wiener
Fischbach	Johnson, D.H.	Lourey	Ring	Wiger
Flynn	Johnson, D.J.	Metzen	Robertson	

Those who voted in the negative were:

Kierlin	Larson	Marty	Robling	Stevens
Kiscaden	Lesewski	Neuville	Scheevel	Terwilliger
Knutson	Limmer	Pariseau	Spear	Ziegler

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2761: A bill for an act relating to municipalities; limiting tort liability for geographic information systems information; amending Minnesota Statutes 1998, section 466.03, by adding a subdivision.

Senator Hottinger moved that S.F. No. 2761 be laid on the table. The motion prevailed.

SPECIAL ORDER

S.F. No. 2795: A bill for an act relating to state government; regulating investments; eliminating the annual disclosure of expense reimbursements; modifying investment options for the medical education endowment fund and the tobacco use prevention and local public health endowment fund; amending Minnesota Statutes 1998, section 11A.24, subdivisions 5 and 6; Minnesota Statutes 1999 Supplement, sections 62J.694, subdivisions 1 and 2; and 144.395, subdivisions 1 and 2; repealing Minnesota Statutes 1998, section 11A.241.

Senator Metzen moved to amend S.F. No. 2795 as follows:

Page 2, line 13, after the first comma, insert "limited liability corporations,"

Page 2, line 27, after the second comma, insert "limited liability corporations,"

Page 3, line 16, reinstate the stricken "The"

Page 3, line 17, reinstate the stricken language and before the reinstated period, insert ", except

that the principal may be used to make expenditures from the fund for the purposes specified in this section when the market value of the fund falls below 105 percent of the cumulative total of the tobacco settlement payments received by the state and credited to the tobacco settlement fund under section 16A.87, subdivision 2. For purposes of this section, "principal" means an amount equal to the cumulative total of the tobacco settlement payments received by the state and credited to the tobacco settlement fund under section 16A.87, subdivision 2"

Page 4, line 20, reinstate the stricken language

Page 4, line 21, reinstate the stricken "inviolable." and before the reinstated period, insert ", except that the principal may be used to make expenditures from the fund for the purposes specified in this section when the market value of the fund falls below 105 percent of the cumulative total of the tobacco settlement payments received by the state and credited to the tobacco settlement fund under section 16A.87, subdivision 2. For purposes of this section, "principal" means an amount equal to the cumulative total of the tobacco settlement payments received by the state and credited to the tobacco settlement fund under section 16A.87, subdivision 2"

Page 5, delete section 7

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 2795 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Laidig	Ourada	Scheid
Belanger	Janezich	Langseth	Pariseau	Solon
Berg	Johnson, D.E.	Larson	Piper	Spear
Berglin	Johnson, D.H.	Lesewski	Pogemiller	Stevens
Betzold	Johnson, D.J.	Lessard	Price	Stumpf
Cohen	Junge	Limmer	Ranum	Terwilliger
Day	Kelley, S.P.	Lourey	Ring	Vickerman
Fischbach	Kelly, R.C.	Marty	Robertson	Wiener
Flynn	Kierlin	Metzen	Robling	Wiger
Foley	Kiscaden	Moe, R.D.	Runbeck	Ziegler
Frederickson	Kleis	Murphy	Sams	
Hanson	Knutson	Neuville	Samuelson	
Higgins	Krentz	Oliver	Scheevel	

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

SPECIAL ORDER

H.F. No. 3510: A bill for an act relating to game and fish; extending authorization to take two deer in certain counties; amending Laws 1993, chapter 273, section 1, as amended.

Senator Pariseau moved to amend H.F. No. 3510, as amended pursuant to Rule 49, adopted by the Senate March 15, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3378.)

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1998, section 97A.071, subdivision 2, is amended to read:

Subd. 2. [REVENUE FROM THE SMALL GAME LICENSE SURCHARGE.] Revenue from the small game surcharge and \$4 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivisions 3 and 5, and 97A.474, subdivision 3, shall be credited to the wildlife acquisition account and the money in the account shall be used by the commissioner only for the purposes of this section, and acquisition and development of wildlife lands under section 97A.145 and maintenance of the lands, in accordance with appropriations made by the legislature.

Sec. 2. Minnesota Statutes 1999 Supplement, section 97A.075, subdivision 1, is amended to read:

Subdivision 1. [DEER AND BEAR LICENSES.] (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (4), (5), and (9), and 3, clauses (2), (3), and (7), and licenses issued under section 97B.301, subdivision 4.

(b) At least \$2 from each annual deer license and \$2 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be used for deer habitat improvement or deer management programs.

(c) At least \$1 from each annual deer license and each bear license and \$1 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be used for deer and bear management programs, including a computerized licensing system. Fifty cents from each deer license is appropriated for emergency deer feeding. Money appropriated for emergency deer feeding is available until expended. When the unencumbered balance in the appropriation for emergency deer feeding at the end of a fiscal year exceeds \$1,500,000 for the first time, \$750,000, is canceled to the unappropriated balance of the game and fish fund.

Thereafter, when the unencumbered balance in the appropriation for emergency deer feeding exceeds \$1,500,000 at the end of a fiscal year, the unencumbered balance in excess of \$1,500,000 is canceled and available for deer and bear management programs and computerized licensing.

Sec. 3. Minnesota Statutes 1998, section 97A.411, subdivision 1, is amended to read:

Subdivision 1. [LICENSE PERIOD.] (a) Except as provided in paragraphs (b) and (c), and (d), a license is valid during the lawful time within the license year that the licensed activity may be performed. A license year begins on the first day of March and ends on the last day of February.

(b) A license issued under section 97A.475, subdivision 6, clause (5), 97A.475, subdivision 7, clause (2), (3), (5), or (6), or 97A.475, subdivision 12, clause (2), is valid for the full license period even if this period extends into the next license year, provided that the license period selected by the licensee begins at the time of issuance.

(c) When the last day of February falls on a Saturday, an annual resident or nonresident fish house or dark house license, including a rental fish house or dark house license, obtained for the license year covering the last day of February, is valid through Sunday, March 1 and the angling license of the fish house licensee is extended through March 1.

(d) A lifetime license issued under section 97A.473 or 97A.474 is valid during the lawful time within the license year that the licensed activity may be performed for the lifetime of the licensee.

Sec. 4. Minnesota Statutes 1998, section 97A.421, is amended to read:

97A.421 [VALIDITY AND ISSUANCE OF LICENSES AFTER CONVICTION.]

Subdivision 1. [GENERAL.] (a) The annual license of a person convicted of a violation of the game and fish laws relating to the license or wild animals covered by the license is void when:

(1) a second conviction occurs within three years under a license to take small game or to take fish by angling or spearing;

(2) a third conviction occurs within one year under a minnow dealer's license;

(3) a second conviction occurs within three years for violations of section 97A.425 that do not involve falsifications or intentional omissions of information required to be recorded, or attempts to conceal unlawful acts within the records;

(4) two or more misdemeanor convictions occur within a three-year period under a private fish hatchery license; or

(5) the conviction occurs under a license not described in clause (1), (2), or (4) or is for a violation of section 97A.425 not described in clause (3).

(b) Except for big game licenses and as otherwise provided in this section, for one year after the conviction the person may not obtain the kind of license or take wild animals under a lifetime license, issued under section 97A.473 or 97A.474, relating to the game and fish law violation.

Subd. 2. [ISSUANCE OF LICENSE AFTER CONVICTION FOR BUYING AND SELLING WILD ANIMALS.] A person may not obtain a license to take any wild animal or take wild animals under a lifetime license, issued under section 97A.473 or 97A.474, for a period of three years after being convicted of buying or selling game fish, big game, or small game, and the total amount of the sale is \$300 or more.

Subd. 3. [ISSUANCE OF A BIG GAME LICENSE AFTER CONVICTION.] A person may not obtain any big game license or take big game under a lifetime license, issued under section 97A.473, for three years after the person is convicted of:

(1) a gross misdemeanor violation under the game and fish laws relating to big game;

(2) doing an act without a required big game license; or

(3) the second violation within three years under the game and fish laws relating to big game.

Subd. 4. [ISSUANCE AFTER INTOXICATION OR NARCOTICS CONVICTION.] A person convicted of a violation under section 97B.065, relating to hunting while intoxicated or using narcotics, may not obtain a license to hunt with a firearm or by archery or hunt with a firearm under a lifetime license, issued under section 97A.473 or 97A.474, for five years after conviction.

Subd. 5. [COMMISSIONER MAY REINSTATE CERTAIN LICENSES AFTER CONVICTION.] If the commissioner determines that the public welfare will not be injured, the commissioner may reinstate licenses voided under subdivision 1 and issue licenses to persons ineligible under subdivision 2. The commissioner's authority applies only to licenses to:

(1) maintain and operate fur or game farms or private fish hatcheries;

(2) take fish commercially in Lake of the Woods, Rainy Lake, Namakan Lake, or Lake Superior;

(3) buy fish from Lake of the Woods, Rainy Lake, Namakan Lake, or Lake Superior commercial fishing licensees; and

(4) sell live minnows.

Subd. 6. [APPLICABILITY TO MOOSE OR ELK LICENSES.] In this section the term "license" includes an application for a license to take either moose or elk.

Sec. 5. [97A.473] [RESIDENT LIFETIME LICENSES.]

Subdivision 1. [RESIDENT LIFETIME LICENSES AUTHORIZED.] (a) The commissioner may issue a lifetime angling license, a lifetime small game hunting license, a lifetime firearms deer license, or a lifetime sporting license to a person who is a resident of the state for at least one year or who is under age 21 and the child of a person who is a resident of the state for at least one year. The license fees paid for a lifetime license are nonrefundable.

(b) The commissioner may require the holder of a lifetime license issued under this section to notify the department each year that the license is used, by:

- (1) telephone or Internet notification, as specified by the commissioner;
- (2) the purchase of stamps for the license; or
- (3) registration and tag issuance, in the case of the resident lifetime deer license.

Subd. 2. [LIFETIME ANGLING LICENSE; FEE.] (a) A resident lifetime angling license authorizes a person to take fish by angling in the state. The license authorizes those activities authorized by the annual resident angling license. The license does not include a trout and salmon stamp or other stamps required by law.

(b) The fees for a resident lifetime angling license are:

- (1) age 3 and under, \$227;
- (2) age 4 to age 15, \$300;
- (3) age 16 to age 50, \$383; and
- (4) age 51 and over, \$203.

Subd. 3. [LIFETIME SMALL GAME HUNTING LICENSE; FEE.] (a) A resident lifetime small game hunting license authorizes a person to hunt small game in the state. The license authorizes those hunting activities authorized by the annual resident small game hunting license. The license does not include any of the hunting stamps required by law.

(b) The fees for a resident lifetime small game hunting license are:

- (1) age 3 and under, \$217;
- (2) age 4 to age 15, \$290;
- (3) age 16 to age 50, \$363; and
- (4) age 51 and over, \$213.

Subd. 4. [LIFETIME FIREARM DEER HUNTING LICENSE; FEE.] (a) A resident lifetime firearm deer hunting license authorizes a person to take deer with firearms in the state. The license authorizes those activities authorized by the annual resident firearm deer hunting license. The licensee must register and receive tags each year that the license is used. The tags shall be issued at no charge to the licensee.

(b) The fees for a resident lifetime firearm deer hunting license are:

- (1) age 3 and under, \$337;
- (2) age 4 to age 15, \$450;
- (3) age 16 to age 50, \$573; and
- (4) age 51 and over, \$383.

Subd. 5. [LIFETIME SPORTING LICENSE; FEE.] (a) A resident lifetime sporting license authorizes a person to take fish by angling and hunt small game in the state. The license authorizes those activities authorized by the annual resident angling and resident small game hunting licenses. The license does not include a trout and salmon stamp or any of the hunting stamps required by law.

(b) The fees for a resident lifetime sporting license are:

- (1) age 3 and under, \$357;
- (2) age 4 to age 15, \$480;
- (3) age 16 to age 50, \$613; and
- (4) age 51 and over, \$413.

Sec. 6. [97A.474] [NONRESIDENT LIFETIME LICENSES.]

Subdivision 1. [NONRESIDENT LIFETIME LICENSES AUTHORIZED.] (a) The commissioner may issue a lifetime angling license or a lifetime small game hunting license to a nonresident. The license fees paid for a lifetime license are nonrefundable.

(b) The commissioner may require the holder of a lifetime license issued under this section to notify the department each year that the license is used, by:

- (1) telephone or Internet notification, as specified by the commissioner; or
- (2) the purchase of stamps for the license.

Subd. 2. [NONRESIDENT LIFETIME ANGLING LICENSE; FEE.] (a) A nonresident lifetime angling license authorizes a person to take fish by angling in the state. The license authorizes those activities authorized by the annual nonresident angling license. The license does not include a trout and salmon stamp or other stamps required by law.

(b) The fees for a nonresident lifetime angling license are:

- (1) age 3 and under, \$447;
- (2) age 4 to age 15, \$600;
- (3) age 16 to age 50, \$773; and
- (4) age 51 and over, \$513.

Subd. 3. [NONRESIDENT LIFETIME SMALL GAME HUNTING LICENSE; FEE.] (a) A nonresident lifetime small game hunting license authorizes a person to hunt small game in the state. The license authorizes those hunting activities authorized by the annual nonresident small game hunting license. The license does not include any of the hunting stamps required by law.

(b) The fees for a nonresident lifetime small game hunting license are:

- (1) age 3 and under, \$947;
- (2) age 4 to age 15, \$1,280;
- (3) age 16 to age 50, \$1,633; and
- (4) age 51 and over, \$1,083.

Sec. 7. [97A.4742] [LIFETIME FISH AND WILDLIFE TRUST FUND.]

Subdivision 1. [ESTABLISHMENT; PURPOSE.] The lifetime fish and wildlife trust fund is established as a fund in the state treasury. All money received from the issuance of lifetime angling, small game hunting, firearm deer hunting, and sporting licenses and earnings on the fund shall be credited to the lifetime fish and wildlife trust fund.

Subd. 2. [INVESTMENT OF FUND; USE OF INCOME FROM FUND.] Money in the lifetime fish and wildlife trust fund shall be invested by the state investment board to secure the maximum return consistent with the maintenance of the perpetuity of the fund. The income received and accruing from investments of the fund shall be deposited in the lifetime fish and wildlife trust fund. Each year the commissioner of finance shall transfer from the lifetime fish and

wildlife trust fund to the game and fish fund an amount equal to the amount that would otherwise have been collected from annual license fees for each lifetime license. Surcharge amounts shall be transferred based on sections 97A.071, subdivision 2, and 97A.075, subdivision 1.

Subd. 3. [LIFETIME LICENSE FEES.] By October 15 of each even-numbered year, the commissioner shall report on the adequacy of lifetime license fees and make specific requests for fee adjustments for the lifetime licenses to the legislative committees with jurisdiction over environment and natural resources finance and the commissioner of finance. The commissioner of finance shall review the fee report and make recommendations to the governor and legislature for each fee category under sections 97A.473 and 97A.474, as part of the biennial budget, under sections 16A.10 and 16A.11.

Subd. 4. [ANNUAL REPORT.] By November 15 each year, the commissioner shall submit a report to the legislative committees having jurisdiction over environment and natural resources appropriations and environment and natural resources policy. The report shall state the amount of revenue received in and expenditures made from revenue transferred from the lifetime fish and wildlife trust fund to the game and fish fund and shall describe projects funded, locations of the projects, and results and benefits from the projects. The report may be included in the game and fish fund report required by section 97A.055, subdivision 4. The commissioner shall make the annual report available to the public.

Sec. 8. Minnesota Statutes 1998, section 97A.475, subdivision 4, is amended to read:

Subd. 4. [SMALL GAME SURCHARGE.] Fees for annual licenses to take small game must be increased by a surcharge of \$4. An additional commission may not be assessed on the surcharge and this must be stated on the back of the license with the following statement: "This \$4 surcharge is being paid by hunters for the acquisition and development of wildlife lands."

Sec. 9. Minnesota Statutes 1999 Supplement, section 97B.020, is amended to read:

97B.020 [FIREARMS SAFETY CERTIFICATE REQUIRED.]

(a) Except as provided in this section, a person born after December 31, 1979, may not obtain an annual license to take wild animals by firearms unless the person has a firearms safety certificate or equivalent certificate, driver's license or identification card with a valid firearms safety qualification indicator issued under section 171.07, subdivision 13, previous hunting license, or other evidence indicating that the person has completed in this state or in another state a hunter safety course recognized by the department under a reciprocity agreement. A person who is on active duty and has successfully completed basic training in the United States armed forces, reserve component, or national guard may obtain a hunting license or approval authorizing hunting regardless of whether the person is issued a firearms safety certificate.

(b) A person born after December 31, 1979, may not use a lifetime license to take wild animals by firearms, unless the person meets the requirements for obtaining an annual license under paragraph (a)."

Page 1, delete section 2 and insert:

"Sec. 11. [APPROPRIATION.]

\$60,000 is appropriated in fiscal year 2001 from the game and fish fund to the commissioner of natural resources to administer and market lifetime licenses.

Sec. 12. [EFFECTIVE DATE.]

Sections 1 to 11 are effective the day following final enactment. The resident licenses under section 5 shall be made available by March 1, 2001, and apply to taking game and fish for the 2001 license year. The nonresident licenses under section 6 shall be made available by March 1, 2002, and apply to taking game and fish for the 2002 license year."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 3510 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Laidig	Ourada	Scheevel
Belanger	Janezich	Langseth	Pappas	Scheid
Berg	Johnson, D.E.	Larson	Pariseau	Solon
Berglin	Johnson, D.H.	Lesewski	Piper	Stevens
Betzold	Johnson, D.J.	Lessard	Pogemiller	Stumpf
Cohen	Junge	Limmer	Price	Terwilliger
Dille	Kelly, R.C.	Lourey	Ranum	Vickerman
Fischbach	Kierlin	Marty	Ring	Wiener
Flynn	Kinkel	Metzen	Robertson	Wiger
Foley	Kiscaden	Moe, R.D.	Robling	Ziegler
Frederickson	Kleis	Murphy	Runbeck	
Hanson	Knutson	Neuville	Sams	
Higgins	Krentz	Oliver	Samuelson	

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

Senator Hottinger moved that S.F. No. 2761 be taken from the table. The motion prevailed.

S.F. No. 2761: A bill for an act relating to municipalities; limiting tort liability for geographic information systems information; amending Minnesota Statutes 1998, section 466.03, by adding a subdivision.

Senator Hottinger moved to amend S.F. No. 2761 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 466.03, is amended by adding a subdivision to read:

Subd. 21. [GEOGRAPHIC INFORMATION SYSTEMS (GIS) DATA.] (a) Any claim against a municipality, based on alleged or actual inaccuracies in geographic information systems data, arising from the public's use of GIS data, if the municipality provides a disclaimer of the accuracy of the information at any point of initial contact with a geographic information system to which the public has general access.

(b) Geographic information systems data is government data subject to the presumption of section 13.01, subdivision 3. GIS data is data generated by a computer database or system that is designed to electronically capture, organize, store, update, manipulate, analyze, and display all forms of geographically referenced information that is compiled, from private or public sources, either alone or in cooperation with other public or private entities, for use by a municipality. GIS data is accurate for its intended use by a municipality and may be inaccurate for other uses.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment and applies to causes of action arising on or after that date."

The motion prevailed. So the amendment was adopted.

S.F. No. 2761 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Laidig	Oliver	Scheevel
Belanger	Janezich	Langseth	Ourada	Scheid
Berg	Johnson, D.E.	Larson	Piper	Solon
Berglin	Johnson, D.H.	Lesewski	Pogemiller	Stevens
Betzold	Johnson, D.J.	Lessard	Price	Stumpf
Cohen	Junge	Limmer	Ranum	Terwilliger
Dille	Kelly, R.C.	Lourey	Ring	Vickerman
Fischbach	Kierlin	Marty	Robertson	Wiener
Foley	Kinkel	Metzen	Robling	Wiger
Frederickson	Kleis	Moe, R.D.	Runbeck	Ziegler
Hanson	Knutson	Murphy	Sams	
Higgins	Krentz	Neuville	Samuelson	

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

SPECIAL ORDER

S.F. No. 3020: A bill for an act relating to insurance; fire; regulating proof of loss; amending Minnesota Statutes 1998, section 65A.01, by adding a subdivision.

Senator Hottinger moved to amend S.F. No. 3020 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 65A.01, is amended by adding a subdivision to read:

Subd. 7. [ADDITIONAL TIME TO AMEND OR SUBMIT PROOF OF LOSS STATEMENT.] (a) The insurer shall allow the insured to amend or extend submission of the proof of loss statement for good cause for an additional 60 days.

(b) This subdivision does not apply to claims subject to section 65A.296."

The motion prevailed. So the amendment was adopted.

Senator Hottinger moved that S.F. No. 3020 be laid on the table. The motion prevailed.

SPECIAL ORDER

S.F. No. 1126: A bill for an act relating to civil actions; clarifying the economic loss doctrine; providing for a comprehensive statute governing economic loss; proposing coding for new law in Minnesota Statutes, chapter 604.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Kiscaden	Marty	Piper
Belanger	Frederickson	Kleis	Metzen	Pogemiller
Berg	Hanson	Knutson	Moe, R.D.	Price
Berglin	Higgins	Krentz	Murphy	Ranum
Betzold	Hottinger	Laidig	Neuville	Ring
Cohen	Janezich	Larson	Oliver	Robertson
Day	Johnson, D.H.	Lessard	Ourada	Robling
Dille	Kierlin	Limmer	Pappas	Sams
Fischbach	Kinkel	Lourey	Pariseau	Samuelson

Scheevel
Scheid
Solon

Spear
Stevens

Stumpf
Terwilliger

Vickerman
Wiener

Wiger
Ziegler

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2656: A bill for an act relating to consumer protection; regulating auto glass repair and replacement; restricting certain rebates and incentives; appropriating money; amending Minnesota Statutes 1998, section 72A.201, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 325F.

Senator Sams moved to amend H.F. No. 2656, as amended pursuant to Rule 49, adopted by the Senate March 24, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3441.)

Page 5, after line 33, insert:

"Sec. 2. [72A.202] [AUTO GLASS MARKET SURVEY REVOLVING ACCOUNT.]

The commissioner shall deposit in a separate account in the state treasury all money voluntarily contributed by insurance companies and the auto glass industry for purposes of conducting the market survey referenced in section 72A.201, subdivision 6, clause (14). Money in the account is appropriated to the commissioner for that purpose."

Page 6, delete section 3

Page 6, line 24, delete "Section 2 is" and insert "Sections 2 and 3 are"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. NO. 2656 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Anderson	Janezich	Langseth	Ourada	Samuelson
Belanger	Johnson, D.E.	Larson	Pappas	Scheevel
Berg	Johnson, D.H.	Lesewski	Pariseau	Scheid
Betzold	Johnson, D.J.	Lessard	Piper	Solon
Day	Junge	Limmer	Pogemiller	Spear
Dille	Kierlin	Lourey	Price	Stevens
Fischbach	Kinkel	Marty	Ranum	Stumpf
Foley	Kiscaden	Metzen	Ring	Terwilliger
Frederickson	Kleis	Moe, R.D.	Robertson	Vickerman
Hanson	Knutson	Murphy	Robling	Wiener
Higgins	Krentz	Neuville	Runbeck	Wiger
Hottinger	Laidig	Oliver	Sams	Ziegler

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

SPECIAL ORDER

S.F. No. 2785: A bill for an act relating to motor vehicles; exempting utility-owned vehicles from certain weight restrictions; amending Minnesota Statutes 1998, sections 169.825, by adding a subdivision; and 169.87, by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Krentz	Ourada	Scheevel
Belanger	Hottinger	Laidig	Pappas	Scheid
Berg	Janezich	Langseth	Pariseau	Solon
Berglin	Johnson, D.E.	Larson	Piper	Stevens
Betzold	Johnson, D.H.	Lessard	Pogemiller	Stumpf
Cohen	Johnson, D.J.	Limmer	Price	Terwilliger
Day	Junge	Lourey	Ranum	Vickerman
Dille	Kierlin	Marty	Ring	Wiener
Fischbach	Kinkel	Metzen	Robertson	Wiger
Foley	Kiscaden	Murphy	Robling	Ziegler
Frederickson	Kleis	Neuville	Runbeck	
Hanson	Knutson	Oliver	Sams	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 3169: A bill for an act relating to family law; providing for parenting plans; changing certain terminology; appropriating money; amending Minnesota Statutes 1998, sections 15.87; 119A.37; 124D.23, subdivision 8; 256L.01, subdivision 3a; 257.541; 257.75, subdivision 3; 257A.01, subdivision 2; 257A.03, subdivision 2; 480.30, subdivision 1; 494.015, subdivision 1; 517.08, subdivision 1c; 518.003, subdivision 3, and by adding a subdivision; 518.131, subdivisions 1, 2, 3, 7, and by adding a subdivision; 518.156; 518.157, subdivisions 1 and 3; 518.165, subdivision 1; 518.17, subdivision 1; 518.175, subdivisions 1, 1a, 2, 3, 5, 6, and 8; 518.1751; 518.176, subdivision 2; 518.177; 518.179, subdivision 1; 518.18; 518.612; 518.619, subdivision 1; 518.68, subdivisions 1 and 2; 518B.01, subdivisions 4, 6, and 8; 519.11, subdivision 1a; 609.26, subdivision 2; 629.341, subdivision 3; and 631.52, subdivision 1; Minnesota Statutes 1999 Supplement, sections 119A.45; 257.66, subdivision 3; 494.03; 518.155; 518.165, subdivision 2; 518.178; 518.551, subdivision 5; and 609.26, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 518.

Senator Kiscaden moved to amend S.F. No. 3169 as follows:

Page 4, line 20, delete "interstate" and insert "state, interstate,"

The motion prevailed. So the amendment was adopted.

S.F. No. 3169 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Betzold	Fischbach	Hottinger	Kelly, R.C.
Belanger	Cohen	Foley	Janezich	Kierlin
Berg	Day	Frederickson	Johnson, D.E.	Kinkel
Berglin	Dille	Higgins	Junge	Kiscaden

Kleis	Limmer	Ourada	Robertson	Stevens
Knutson	Lourey	Pappas	Robling	Stumpf
Krentz	Marty	Pariseau	Runbeck	Terwilliger
Laidig	Metzen	Piper	Sams	Vickerman
Langseth	Moe, R.D.	Pogemiller	Samuelson	Wiener
Larson	Murphy	Price	Scheevel	Wiger
Lesewski	Neuville	Ranum	Solon	Ziegler
Lessard	Oliver	Ring	Spear	

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

SPECIAL ORDER

S.F. No. 1896: A bill for an act relating to human services; changing provisions for erroneous payment of medical assistance money; changing probate provisions for estates subject to medical assistance claims and medical assistance liens; amending Minnesota Statutes 1998, sections 256B.064; 256B.15, subdivisions 1a and 4; 514.981, subdivision 6; 524.3-801; and 525.312; proposing coding for new law in Minnesota Statutes, chapters 524; and 525.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Laidig	Pappas	Scheid
Belanger	Janezich	Langseth	Pariseau	Solon
Berg	Johnson, D.E.	Larson	Piper	Spear
Berglin	Johnson, D.H.	Lesewski	Pogemiller	Stevens
Betzold	Junge	Lessard	Price	Stumpf
Cohen	Kelly, R.C.	Limmer	Ring	Terwilliger
Day	Kierlin	Lourey	Robertson	Vickerman
Dille	Kinkel	Marty	Robling	Wiener
Fischbach	Kiscaden	Metzen	Runbeck	Wiger
Foley	Kleis	Moe, R.D.	Sams	Ziegler
Frederickson	Knutson	Oliver	Samuelson	
Higgins	Krentz	Ourada	Scheevel	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 3122: A bill for an act relating to human services; modifying provisions in health care programs; requiring group residential review; amending Minnesota Statutes 1999 Supplement, sections 256B.0945, subdivisions 1, 2, 4, 5, 6, 7, 8, and 9; 256D.03, subdivision 3; and 256L.03, subdivision 5; Laws 1999, chapter 245, article 8, section 84; repealing Laws 1998, chapter 407, article 5, section 44.

Senator Berglin moved to amend H.F. No. 3122, as amended pursuant to Rule 49, adopted by the Senate March 24, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 2901.)

Page 14, line 8, delete "STUDY AND REPORT" and insert "REVIEW"

Page 14, line 11, delete everything after "shall"

Page 14, line 12, delete everything before "group" and insert "review"

Page 14, line 16, delete "report shall" and insert "review may"

Page 15, line 3, delete "Prior to submission of the"

Page 15, line 4, delete "report,"

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Berglin then moved to amend H.F. No. 3122, as amended pursuant to Rule 49, adopted by the Senate March 24, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 2901.)

Page 15, after line 12, insert:

"Sec. 15. [ALTERNATIVE CARE PILOT PROJECTS.]

(a) Expenditures for housing with services and adult foster care shall be excluded when determining average monthly expenditures per client for alternative care pilot projects authorized in Laws 1993, First Special Session chapter 1, article 5, section 133.

(b) Alternative care pilot projects shall not expire on June 30, 2001, but shall continue until June 30, 2005."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Berglin then moved to amend H.F. No. 3122, as amended pursuant to Rule 49, adopted by the Senate March 24, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 2901.)

Page 6, after line 30, insert:

"Sec. 10. Minnesota Statutes 1999 Supplement, section 256B.69, subdivision 6b, is amended to read:

Subd. 6b. [HOME AND COMMUNITY-BASED WAIVER SERVICES.] (a) For individuals enrolled in the Minnesota senior health options project authorized under subdivision 23, elderly waiver services shall be covered according to the terms and conditions of the federal agreement governing that demonstration project.

~~(b) For individuals under age 65 with physical disabilities but without a primary diagnosis of mental illness or developmental disabilities, except for related conditions, enrolled in the Minnesota senior health options project demonstrations authorized under subdivision 23, home and community-based waiver services shall be covered according to the terms and conditions of the federal agreement governing that demonstration project.~~

Sec. 11. Minnesota Statutes 1998, section 256B.69, subdivision 23, is amended to read:

Subd. 23. [ALTERNATIVE INTEGRATED LONG-TERM CARE SERVICES; ELDERLY AND DISABLED PERSONS.] (a) The commissioner may implement demonstration projects to create alternative integrated delivery systems for acute and long-term care services to elderly persons and disabled persons with disabilities as defined in section 256B.77, subdivision 7a, that provide increased coordination, improve access to quality services, and mitigate future cost increases. The commissioner may seek federal authority to combine Medicare and Medicaid capitation payments for the purpose of such demonstrations. Medicare funds and services shall be administered according to the terms and conditions of the federal waiver and demonstration provisions. For the purpose of administering medical assistance funds, demonstrations under this subdivision are subject to subdivisions 1 to 47 22. The provisions of Minnesota Rules, parts

9500.1450 to 9500.1464, apply to these demonstrations, with the exceptions of parts 9500.1452, subpart 2, item B; and 9500.1457, subpart 1, items B and C, which do not apply to elderly persons enrolling in demonstrations under this section. An initial open enrollment period may be provided. Persons who disenroll from demonstrations under this subdivision remain subject to Minnesota Rules, parts 9500.1450 to 9500.1464. When a person is enrolled in a health plan under these demonstrations and the health plan's participation is subsequently terminated for any reason, the person shall be provided an opportunity to select a new health plan and shall have the right to change health plans within the first 60 days of enrollment in the second health plan. Persons required to participate in health plans under this section who fail to make a choice of health plan shall not be randomly assigned to health plans under these demonstrations. Notwithstanding section 256L.12, subdivision 5, and Minnesota Rules, part 9505.5220, subpart 1, item A, if adopted, for the purpose of demonstrations under this subdivision, the commissioner may contract with managed care organizations, including counties, to serve only elderly persons eligible for medical assistance, elderly and disabled persons, or disabled persons only. For persons with primary diagnoses of mental retardation or a related condition, serious and persistent mental illness, or serious emotional disturbance, the commissioner must ensure that the county authority has approved the demonstration and contracting design. Enrollment in these projects shall be voluntary until July 1, 2001. The commissioner shall not implement any demonstration project under this subdivision for persons with primary diagnoses of mental retardation or a related condition, serious and persistent mental illness, or serious emotional disturbance, without approval of the county board of the county in which the demonstration is being implemented.

Before implementation of a demonstration project for disabled persons, the commissioner must provide information to appropriate committees of the house of representatives and senate and must involve representatives of affected disability groups in the design of the demonstration projects.

(b) A nursing facility reimbursed under the alternative reimbursement methodology in section 256B.434 may, in collaboration with a hospital, clinic, or other health care entity provide services under paragraph (a). The commissioner shall amend the state plan and seek any federal waivers necessary to implement this paragraph."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Berglin then moved to amend H.F. No. 3122, as amended pursuant to Rule 49, adopted by the Senate March 24, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 2901.)

Page 1, after line 12, insert:

"Section 1. Minnesota Statutes 1998, section 62Q.19, subdivision 2, is amended to read:

Subd. 2. [APPLICATION.] (a) Any provider may apply to the commissioner for designation as an essential community provider by submitting an application form developed by the commissioner. Except as provided in paragraph (d), applications must be accepted within two years after the effective date of the rules adopted by the commissioner to implement this section.

(b) Each application submitted must be accompanied by an application fee in an amount determined by the commissioner. The fee shall be no more than what is needed to cover the administrative costs of processing the application.

(c) The name, address, contact person, and the date by which the commissioner's decision is expected to be made shall be classified as public data under section 13.41. All other information contained in the application form shall be classified as private data under section 13.41 until the application has been approved, approved as modified, or denied by the commissioner. Once the decision has been made, all information shall be classified as public data unless the applicant designates and the commissioner determines that the information contains trade secret information.

(d) The commissioner shall accept an application for designation as an essential community provider until June 30, 2001, from:

(1) one applicant that is a nonprofit community health care facility, certified as a medical assistance provider effective April 1, 1998, that provides culturally competent health care to an underserved Southeast Asian immigrant and refugee population residing in the immediate neighborhood of the facility;

(2) one applicant that is a nonprofit home health care provider, certified as a Medicare and a medical assistance provider that provides culturally competent home health care services to a low-income culturally diverse population;

(3) up to five applicants that are nonprofit community mental health centers certified as medical assistance providers that provide mental health services to children with serious emotional disturbance and their families or to adults with serious and persistent mental illness; and

(4) one applicant that is a nonprofit provider certified as a medical assistance provider that provides mental health, child development, and family services to children with physical and mental health disorders and their families.

Sec. 2. Minnesota Statutes 1998, section 62Q.19, subdivision 6, is amended to read:

Subd. 6. [~~TERMINATION OR RENEWAL OF DESIGNATION; COMMISSIONER REVIEW.~~] The designation as an essential community provider shall be valid for a five-year period from the date of designation. Five years after the designation of essential community provider is granted, or when universal coverage as defined under section 62Q.165 is achieved, whichever is later to a provider, the commissioner shall review the need for and appropriateness of continuing the designation for that provider. The commissioner may require a provider whose designation is to be reviewed to submit an application to the commissioner for renewal of the designation and may require an application fee to be submitted with the application to cover the administrative costs of processing the application. Based on that review, the commissioner may renew a provider's essential community provider designation for an additional five-year period or terminate the designation. Once the designation terminates, the former essential community provider has no rights or privileges beyond those of any other health care provider. The commissioner shall make a recommendation to the legislature on whether an essential community provider designation should be longer than five years."

Page 15, line 16, after "Sections" insert "1 [62Q.19, s.2]," and after "11" insert a comma

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 3122 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kleis	Metzen	Ring
Belanger	Higgins	Knutson	Moe, R.D.	Robertson
Berg	Hottinger	Krentz	Murphy	Robling
Berglin	Johnson, D.E.	Laidig	Neuville	Runbeck
Betzold	Johnson, D.H.	Langseth	Oliver	Sams
Cohen	Johnson, D.J.	Larson	Ourada	Samuelson
Day	Junge	Lesewski	Pappas	Scheevel
Dille	Kelly, R.C.	Lessard	Pariseau	Scheid
Fischbach	Kierlin	Limmer	Piper	Solon
Flynn	Kinkel	Lourey	Pogemiller	Spear
Foley	Kiscaden	Marty	Ranum	Stevens

Stumpf
Terwilliger

Vickerman

Wiener

Wiger

Ziegler

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

SPECIAL ORDER

H.F. No. 2670: A bill for an act relating to human services; allowing certain individuals to simultaneously receive a one-time family support grant and community-based waived services; setting a maximum for family support grants; amending Minnesota Statutes 1998, section 252.32, subdivisions 1a and 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Laidig	Pappas	Scheid
Belanger	Janezich	Langseth	Pariseau	Solon
Berg	Johnson, D.E.	Larson	Piper	Spear
Berglin	Johnson, D.H.	Lesewski	Pogemiller	Stevens
Betzold	Johnson, D.J.	Lessard	Price	Stumpf
Cohen	Junge	Limmer	Ranum	Terwilliger
Day	Kelly, R.C.	Lourey	Ring	Vickerman
Dille	Kierlin	Marty	Robertson	Wiener
Fischbach	Kinkel	Metzen	Robling	Wiger
Flynn	Kiscaden	Moe, R.D.	Runbeck	Ziegler
Foley	Kleis	Neuville	Sams	
Frederickson	Knutson	Oliver	Samuelson	
Higgins	Krentz	Ourada	Scheevel	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2719: A bill for an act relating to insurance; auto; regulating rental vehicle coverages; amending Minnesota Statutes 1998, section 65B.49, subdivision 5a.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Langseth	Pariseau	Solon
Belanger	Janezich	Larson	Piper	Spear
Berg	Johnson, D.E.	Lesewski	Pogemiller	Stevens
Berglin	Johnson, D.H.	Lessard	Price	Stumpf
Betzold	Junge	Limmer	Ranum	Terwilliger
Cohen	Kelly, R.C.	Lourey	Ring	Vickerman
Day	Kierlin	Marty	Robertson	Wiener
Dille	Kinkel	Metzen	Robling	Wiger
Fischbach	Kiscaden	Moe, R.D.	Runbeck	Ziegler
Flynn	Kleis	Neuville	Sams	
Foley	Knutson	Oliver	Samuelson	
Frederickson	Krentz	Ourada	Scheevel	
Higgins	Laidig	Pappas	Scheid	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2809: A bill for an act relating to human services; clarifying admissions criteria for the Ah-Gwah-Ching center; requiring the center to provide information on and promote the use of the geriatric rapid assessment stabilization program; proposing coding for new law in Minnesota Statutes, chapter 251.

Senator Kinkel moved that the amendment made to H.F. No. 2809 by the Committee on Rules and Administration in the report adopted March 17, 2000, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 2809 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 46 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Langseth	Piper	Solon
Belanger	Janezich	Larson	Pogemiller	Spear
Berg	Johnson, D.E.	Lessard	Price	Stumpf
Betzold	Johnson, D.H.	Limmer	Ranum	Vickerman
Cohen	Junge	Lourey	Ring	Wiener
Fischbach	Kelly, R.C.	Marty	Robling	Wiger
Flynn	Kinkel	Metzen	Sams	
Foley	Kleis	Moe, R.D.	Samuelson	
Frederickson	Knutson	Novak	Scheevel	
Higgins	Krentz	Pappas	Scheid	

Those who voted in the negative were:

Day	Kiscaden	Neuville	Pariseau	Stevens
Dille	Laidig	Oliver	Robertson	Terwilliger
Kierlin	Lesewski	Ourada	Runbeck	Ziegler

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees and Second Reading of House Bills.

REPORTS OF COMMITTEES

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

Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 3409 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.
3409	2841

CONSENT CALENDAR

H.F. No.	S.F. No.
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CALENDAR

H.F. No.	S.F. No.
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Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 3409 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3409 and insert the language after the enacting clause of S.F. No. 2841, the first engrossment; further, delete the title of H.F. No. 3409 and insert the title of S.F. No. 2841, the first engrossment.

And when so amended H.F. No. 3409 will be identical to S.F. No. 2841, and further recommends that H.F. No. 3409 be given its second reading and substituted for S.F. No. 2841, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, 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

H.F. No. 3409 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Piper moved that S.F. No. 3485, No. 70 on General Orders, be stricken and re-referred to the Committee on Health and Family Security. The motion prevailed.

MEMBERS EXCUSED

Senator Wiener was excused from the Session of today from 9:00 to 9:40 a.m. Senators Fischbach, Kiscaden and Runbeck were excused from the Session of today from 9:00 to 9:45 a.m. Senator Laidig was excused from the Session of today from 9:00 to 10:00 a.m. Senator Ourada was excused from the Session of today from 9:00 to 11:20 a.m. Senator Wiger was excused from the Session of today from 9:15 to 9:50 a.m. Senator Larson was excused from the Session of today from 9:35 to 9:55 a.m. Senator Novak was excused from the Session of today from 11:25 a.m. to 3:00 p.m. Senator Sams was excused from the Session of today from 11:35 to 11:45 a.m. Senator Junge was excused from the Session of today from 11:45 a.m. to 12:10 p.m. Senator Ranum was excused from the Session of today from 1:00 to 1:15 p.m. Senator Lessard was excused from the Session of today from 1:00 to 1:30 p.m. Senator Kelley, S.P. was excused from the session of today at 1:45 p.m. Senator Johnson, D.J. was excused from the Session of today at 2:30 p.m. Senator Murphy was excused from the Session of today at 3:10 p.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Tuesday, March 28, 2000. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Monday, March 27, 2000

EXECUTIVE AND OFFICIAL COMMUNICATIONS

Pages 5931 to 5933

CHAPTER LAWS

S.F. Nos.	H.F. Nos.	Session Laws Chapter No.	Page
	2723	266	5932
	3236	267	5932
	979	268	5932
	1865	269	5932
	2815	270	5932
2776		271	5932
3355		272	5932
	2927	273	5932
	3766	274	5932
	2873	275	5932
	3113	276	5932
	2505	278	5932
	2502	279	5932
	2824	280	5932
	3156	281	5933
	3132	282	5933

REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
			2940	5933	5934
			3134	5933	5934
			3409	5977	
			3505	5934	5934

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
3485	5978		
Sen. Res. No. 140	5934		

SPECIAL ORDERS

S.F. Nos.	Page	H.F. Nos.	Page
1038	5935	2656	5970
1126	5969	2670	5976
1896	5972	2671	5953
2499	5936	2719	5976
2683	5937	2809	5977
2761	5961	3122	5972
2761	5968	3169	5937
2785	5971	3209	5936
2795	5961	3510	5962
2796	5939		
2803	5961		
2806	5949		
2949	5960		
2968	5960		
3020	5969		
3156	5942		
3169	5971		
3198	5935		
3216	5947		
3410	5934		

RECONSIDERATION

S.F. Nos.	Page	H.F. Nos.	Page
3586	5947		