

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-SECOND LEGISLATURE

THIRTY-SEVENTH DAY

St. Paul, Minnesota, Friday, April 20, 2001

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. Roger D. Ezell.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Senators Kinkel, Olson, Pariseau, Rest and Solon were excused from the Session of today.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 779, 1192, 1219, 1487, 873 and 1507.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 19, 2001

FIRST READING OF HOUSE BILLS

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

H.F. No. 779: A bill for an act relating to commerce; modifying provisions dealing with motor vehicle dealer franchise transfers; amending Minnesota Statutes 2000, section 80E.13.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 823, now on General Orders.

H.F. No. 1192: A bill for an act relating to education; permitting applicants for a temporary limited teaching license or a personnel variance to submit their application by July 1 in any year; directing the board of teaching to amend its rules to conform with the July 1 date; amending Minnesota Statutes 2000, section 122A.18, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1979, now on General Orders.

H.F. No. 1219: A bill for an act relating to insurance; removing certain state involvement with the state fund mutual insurance company; repealing Minnesota Statutes 2000, sections 79.371; 176A.01; 176A.02; 176A.03; 176A.04; 176A.05; 176A.06; 176A.07; 176A.08; 176A.09; 176A.10; 176A.11; and 176A.12.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1678, now on General Orders.

H.F. No. 1487: A bill for an act relating to natural resources; modifying provisions rendered obsolete by the electronic licensing system; modifying the disposition of certain taxes and proceeds; clarifying certain licensing and training requirements; providing for removal of submerged vehicles; modifying watercraft license and title provisions; clarifying sale of live animals and animal portions; modifying rulemaking authority; modifying certain license revocation provisions; clarifying taxidermy and bow fishing provisions; modifying fish house requirements; repealing certain fleeing provisions; amending Minnesota Statutes 2000, sections 6.48; 84.788, subdivisions 3 and 4; 84.796; 84.798, subdivisions 3 and 5; 84.82, subdivision 2; 84.83, subdivisions 3 and 5; 84.862, subdivisions 1 and 2; 84.872, subdivision 1; 84.922, subdivisions 2 and 3; 86B.401, subdivisions 1, 3, and 4; 86B.705, subdivision 2; 86B.820, subdivision 13; 86B.825, subdivision 1; 86B.830, subdivision 1; 97A.065, subdivision 2; 97A.105, subdivisions 4 and 9; 97A.421, subdivision 1; 97A.425, subdivision 1; 97A.441, subdivision 1; 97A.512; 97B.055, subdivision 2; 97C.355, subdivision 1, and by adding a subdivision; and 297A.94; proposing coding for new law in Minnesota Statutes, chapter 86B; repealing Minnesota Statutes 2000, sections 84.792; and 84.801.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1346, now on General Orders.

H.F. No. 873: A bill for an act relating to public lands; allowing private easements across tax-forfeited land; changing certain exchange requirements; modifying county lease terms for tax-forfeited land; authorizing a conveyance of certain Benton county land; authorizing public and private sales and conveyances of certain tax-forfeited lands in Aitkin, Cook, Hubbard, Lake, Meeker, Ramsey, St. Louis, and Washington counties; amending Minnesota Statutes 2000, section 282.04, subdivision 1, and by adding a subdivision; Laws 1998, chapter 389, article 16, section 31, subdivisions 2, as amended, and 4, as amended.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1126, now on General Orders.

H.F. No. 1507: A bill for an act relating to municipal planning; zoning; clarifying the treatment of legal nonconforming uses; amending Minnesota Statutes 2000, section 462.357, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1572, now on General Orders.

REPORTS OF COMMITTEES

Senator Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 722. The motion prevailed.

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

H.F. No. 1248 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.
1248	1774				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

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

H.F. No. 1051 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.
1051	936				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

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

H.F. No. 489 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.
489	311				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

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

H.F. No. 1151 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.
1151	1187				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1151 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1151 and insert the language after the enacting clause of S.F. No. 1187, the first engrossment; further, delete the title of H.F. No. 1151 and insert the title of S.F. No. 1187, the first engrossment.

And when so amended H.F. No. 1151 will be identical to S.F. No. 1187, and further recommends that H.F. No. 1151 be given its second reading and substituted for S.F. No. 1187, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 2036 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.
2036	1685				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2036 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2036 and insert the language after the enacting clause of S.F. No. 1685; further, delete the title of H.F. No. 2036 and insert the title of S.F. No. 1685.

And when so amended H.F. No. 2036 will be identical to S.F. No. 1685, and further recommends that H.F. No. 2036 be given its second reading and substituted for S.F. No. 1685, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 995 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.
995	1214				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 995 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 995 and insert the language after the enacting clause of S.F. No. 1214, the first engrossment; further, delete the title of H.F. No. 995 and insert the title of S.F. No. 1214, the first engrossment.

And when so amended H.F. No. 995 will be identical to S.F. No. 1214, and further recommends that H.F. No. 995 be given its second reading and substituted for S.F. No. 1214, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 933 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.
933	983				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 933 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 933 and insert the language after the enacting clause of S.F. No. 983, the first engrossment; further, delete the title of H.F. No. 933 and insert the title of S.F. No. 983, the first engrossment.

And when so amended H.F. No. 933 will be identical to S.F. No. 983, and further recommends that H.F. No. 933 be given its second reading and substituted for S.F. No. 983, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 953 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.
953	1265				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 953 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 953 and insert the language after the enacting clause of S.F. No. 1265, the first engrossment; further, delete the title of H.F. No. 953 and insert the title of S.F. No. 1265, the first engrossment.

And when so amended H.F. No. 953 will be identical to S.F. No. 1265, and further recommends that H.F. No. 953 be given its second reading and substituted for S.F. No. 1265, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 2028 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.
2028	1785				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2028 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2028 and insert the language after the enacting clause of S.F. No. 1785; further, delete the title of H.F. No. 2028 and insert the title of S.F. No. 1785.

And when so amended H.F. No. 2028 will be identical to S.F. No. 1785, and further recommends that H.F. No. 2028 be given its second reading and substituted for S.F. No. 1785, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 1681 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.
1681	1622				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1681 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1681 and insert the language after the enacting clause of S.F. No. 1622, the first engrossment; further, delete the title of H.F. No. 1681 and insert the title of S.F. No. 1622, the first engrossment.

And when so amended H.F. No. 1681 will be identical to S.F. No. 1622, and further recommends that H.F. No. 1681 be given its second reading and substituted for S.F. No. 1622, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 2107 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.
2107	1329

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 45, the Committee on Rules and Administration recommends that H.F. No. 2107 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2107 and insert the language after the enacting clause of S.F. No. 1329, the first engrossment; further, delete the title of H.F. No. 2107 and insert the title of S.F. No. 1329, the first engrossment.

And when so amended H.F. No. 2107 will be identical to S.F. No. 1329, and further recommends that H.F. No. 2107 be given its second reading and substituted for S.F. No. 1329, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 1098 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.
1098	959

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 45, the Committee on Rules and Administration recommends that H.F. No. 1098 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1098 and insert the language after the enacting clause of S.F. No. 959; further, delete the title of H.F. No. 1098 and insert the title of S.F. No. 959.

And when so amended H.F. No. 1098 will be identical to S.F. No. 959, and further recommends that H.F. No. 1098 be given its second reading and substituted for S.F. No. 959, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 967 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.
967	876

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 45, the Committee on Rules and Administration recommends that H.F. No. 967 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 967 and insert the language after the enacting clause of S.F. No. 876; further, delete the title of H.F. No. 967 and insert the title of S.F. No. 876.

And when so amended H.F. No. 967 will be identical to S.F. No. 876, and further recommends that H.F. No. 967 be given its second reading and substituted for S.F. No. 876, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 1261 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.
1261	1937				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1261 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1261 and insert the language after the enacting clause of S.F. No. 1937, the second engrossment; further, delete the title of H.F. No. 1261 and insert the title of S.F. No. 1937, the second engrossment.

And when so amended H.F. No. 1261 will be identical to S.F. No. 1937, and further recommends that H.F. No. 1261 be given its second reading and substituted for S.F. No. 1937, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 655 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.
655	1277				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 655 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 655 and insert the language after the enacting clause of S.F. No. 1277, the first engrossment; further, delete the title of H.F. No. 655 and insert the title of S.F. No. 1277, the first engrossment.

And when so amended H.F. No. 655 will be identical to S.F. No. 1277, and further recommends that H.F. No. 655 be given its second reading and substituted for S.F. No. 1277, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Pogemiller from the Committee on Taxes, to which was re-referred

S.F. No. 1743: A bill for an act relating to the environment; providing for revenues and

expenditures from the environmental fund; establishing a remediation fund; appropriating money; amending Minnesota Statutes 2000, sections 16A.531, subdivision 1, by adding subdivisions; 115.073; 115.56, subdivision 4; 115A.908, subdivisions 1, 2; 115A.9651, subdivision 6; 115B.17, subdivisions 6, 7, 14, 16; 115B.19; 115B.20; 115B.22, subdivision 7; 115B.25, subdivisions 1a, 4; 115B.26; 115B.30; 115B.31, subdivisions 1, 3, 4; 115B.32, subdivision 1; 115B.33, subdivision 1; 115B.34; 115B.36; 115B.40, subdivision 4; 115B.41, subdivisions 1, 2, 3; 115B.42, subdivision 2; 115B.421; 115B.445; 115B.48, subdivision 2; 115B.49, subdivisions 2, 3, 4; 115B.50, subdivision 3; 116.07, subdivisions 4d, 4h; 116.994; 116C.834, subdivision 1; 297H.13, subdivisions 1, 2; 325E.10, subdivision 1; 325E.112, subdivision 3; 469.175, subdivision 7; 473.843, subdivision 2; 473.844, subdivisions 1, 1a; 473.845, subdivisions 3, 7, 8; 473.846; proposing coding for new law in Minnesota Statutes, chapter 116; repealing Minnesota Statutes 2000, sections 115B.02, subdivision 1a; 115B.19; 115B.22, subdivision 8; 115B.42, subdivision 1; 115B.48, subdivision 2; 115B.49, subdivision 1; 116.12; 297H.13, subdivisions 3, 4; 325E.113; 473.845, subdivisions 1, 4; Minnesota Rules, parts 7002.0210; 7002.0220; 7002.0230; 7002.0240; 7002.0250; 7002.0270; 7002.0280; 7002.0290; 7002.0300; 7002.0305; 7002.0310.

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

Page 37, after line 34, insert:

"Sec. 46. [297H.14] [MIXED MUNICIPAL SOLID WASTE PROCESSING TAX CREDIT.]

Subdivision 1. [DEFINITIONS.] (a) "Commissioner" means the commissioner of revenue.

(b) "Processed" means mixed municipal solid waste that has been:

(1) burned for energy recovery; or

(2) processed into usable compost or refuse derived fuel.

(c) "Resource recovery facility" has the meaning given it in section 115A.03, subdivision 28.

Subd. 2. [TAX CREDIT.] (a) The commissioner shall pay counties a processing tax credit for each ton of mixed municipal solid waste that is generated in the county and processed at a resource recovery facility located in Minnesota. The processing tax credit shall be \$10 for each ton of mixed municipal solid waste processed.

(b) By the last day of October, January, April, and July, each county claiming the credit shall file a claim for payment with the commissioner for the three previous months certifying the number of tons of mixed municipal solid waste that were generated in the county and processed at a resource recovery facility. The commissioner shall pay the processing tax credits by November 15, February 15, May 15, and August 15 each year.

(c) If the total amount for which all counties are eligible in a quarter exceeds the amount available for payment, the commissioner shall make the payments on a pro rata basis.

(d) All of the credit received by a county must be used to pay for resource recovery services. At least 50 percent of the credit received by a county must be used to lower the tipping fee for waste to be processed at a resource recovery facility.

Subd. 3. [EXPIRATION DATE.] The tax credit in subdivision 2 expires on July 1, 2005. For waste delivered to a resource recovery facility from April 1, 2005, to June 30, 2005, a county must submit payment claims by July 31, 2005. The commissioner shall make the final mixed municipal solid waste processing tax credit payments by August 15, 2005."

Page 45, after line 20, insert:

"Sec. 59. [APPROPRIATION.]

\$12,000,000 in fiscal year 2002 and \$12,000,000 in fiscal year 2003 are appropriated from the environmental fund to the commissioner of revenue for mixed municipal solid waste processing tax credits under Minnesota Statutes, section 297H.14."

Page 45, line 33, delete "58" and insert "60" and after the period, insert "Section 46 is effective on July 1, 2001, and applies to waste delivered to a resource recovery facility beginning July 1, 2001."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the first semicolon, insert "creating a mixed municipal waste processing tax credit;"

Page 1, line 22, delete "chapter 116" and insert "chapters 116; 297H"

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

Senator Pogemiller from the Committee on Taxes, to which was re-referred

S.F. No. 23: A bill for an act relating to tornado relief; providing disaster relief and other assistance for counties designated a major disaster area due to the July 25, 2000, tornado; appropriating money.

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

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 2000, section 297H.06, is amended by adding a subdivision to read:

Subd. 3. [CONSTRUCTION DEBRIS IN A DISASTER AREA.] The tax is not imposed on construction debris generated from repair and demolition activities caused by a disaster occurring in a presidentially declared disaster area, provided that the construction debris is disposed of in a waste management facility designated by the commissioner of the pollution control agency. To be exempt, the debris must be disposed of within 18 months following the presidential declaration.

[EFFECTIVE DATE.] This section is effective for disaster area declarations made after April 15, 2001."

Page 2, line 45, delete "8" and insert "9"

Page 3, line 5, delete "11" and insert "12"

Page 3, lines 7 and 18, delete "Notwithstanding any law to the contrary,"

Page 3, lines 11 and 22, delete "1" and insert "2"

Page 5, line 14, delete "and"

Page 5, line 16, before the period, insert "; and

(8) the owner of the property received no more than 75 percent of the cost of the improvements from an insurance policy on the damaged building"

Page 6, line 2, delete "1" and insert "2"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, before the period, insert "; amending Minnesota Statutes 2000, section 297H.06, by adding a subdivision"

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

Senator Pogemiller from the Committee on Taxes, to which was re-referred

S.F. No. 153: A bill for an act relating to natural resources; increasing the dedication of revenues from the in lieu of sales tax on lottery tickets for natural resource purposes; amending Minnesota Statutes 2000, section 297A.94.

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

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

S.F. No. 722: A bill for an act relating to energy; providing for comprehensive energy conservation, production, and regulatory changes; amending Minnesota Statutes 2000, sections 16B.32, subdivision 2; 116C.52, subdivisions 4, 10; 116C.53, subdivisions 2, 3; 116C.57, subdivisions 1, 2, 4, by adding subdivisions; 116C.58; 116C.59, subdivisions 1, 4; 116C.60; 116C.61, subdivisions 1, 3; 116C.62; 116C.63, subdivision 2; 116C.645; 116C.65; 116C.66; 116C.69; 216B.095; 216B.097, subdivision 1; 216B.16, subdivision 15; 216B.241, subdivisions 1, 1a, 1b, 1c, 2; 216B.2421, subdivision 2; 216B.243, subdivisions 3, 4, 8; 216B.62, subdivision 5; 216C.41; proposing coding for new law in Minnesota Statutes, chapters 16B; 116C; 216B; 452; repealing Minnesota Statutes 2000, sections 116C.55, subdivisions 2, 3; 116C.57, subdivisions 3, 5, 5a; 116C.67; 216B.2421, subdivision 3.

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

Page 13, line 24, delete "that"

Page 13, delete line 25

Page 13, line 26, delete "commission" and after the period, insert "Each municipal utility and cooperative electric association may establish terms and conditions for the plans and agreements required under subdivisions 2, 3, and 4."

Page 14, line 9, delete the comma

Page 14, line 10, delete "including all cooperative electric associations,"

Page 14, line 20, delete "The commission, or staff" and insert "In addition to any other authority, the commission has the authority to resolve customer complaints against a public utility, as defined in section 216B.02, subdivision 4, whether or not the complaint involves a violation of this chapter. The commission may delegate this authority to commission staff as it deems appropriate."

Page 14, delete lines 21 to 24

Page 17, line 33, delete the first "or" and insert "and"

Page 46, line 26, delete "primarily within existing rights-of-way"

Page 58, line 20, delete "and energy"

And when so amended the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1248, 1051, 489, 1151, 2036, 995, 933, 953, 2028, 1681, 2107, 1098, 967, 1261 and 655 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Olson moved that the name of Senator Bachmann be added as a co-author to S.F. No. 2167. The motion prevailed.

Senator Wiger introduced--

Senate Resolution No. 115: A Senate resolution congratulating Micah Olson for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Wiger introduced--

Senate Resolution No. 116: A Senate resolution congratulating Jon Hagel for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Wiger introduced--

Senate Resolution No. 117: A Senate resolution congratulating Rick DeGayner for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Wiger introduced--

Senate Resolution No. 118: A Senate resolution congratulating Kevin Miller for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Wiger introduced--

Senate Resolution No. 119: A Senate resolution congratulating David Fladeboe for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Wiger introduced--

Senate Resolution No. 120: A Senate resolution congratulating Andrew Davis for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Wiger introduced--

Senate Resolution No. 121: A Senate resolution congratulating Matt Ruzek for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Wiger introduced--

Senate Resolution No. 122: A Senate resolution congratulating Jordan Fabyanske for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Day introduced--

Senate Resolution No. 123: A Senate resolution congratulating Lincoln Elementary School for being selected as a Minnesota School of Excellence.

Referred to the Committee on Rules and Administration.

Senator Bachmann introduced--

Senate Resolution No. 124: A Senate resolution congratulating Chris Clausen of Stillwater, Minnesota, for winning the first annual Minnesota VFW Eagle Scout of the Year Award.

Referred to the Committee on Rules and Administration.

Senator Bachmann introduced--

Senate Resolution No. 125: A Senate resolution congratulating Kenneth Brooks on receiving the 2000-2001 Graduate-Professional Teaching Award.

Referred to the Committee on Rules and Administration.

Senators Krentz, Frederickson, Ring, Price and Anderson introduced--

Senate Resolution No. 126: A Senate resolution proclaiming April 22, 2001, to be Earth Day in Minnesota.

WHEREAS, Earth Day was first designated in 1970 to give worldwide attention to the deteriorating condition of the environment; and

WHEREAS, Earth Day has become universally recognized as a state and national day of environmental action, serving as a renewal to a pledge of environmental commitment, and a public demonstration of the people's common voice for the earth; and

WHEREAS, the citizens of the state of Minnesota desire clean and clear air, fishable and swimmable lakes and rivers, uncontaminated drinking water, and sustainable land and ecosystems; and

WHEREAS, the state of Minnesota has demonstrated and acknowledged its commitment to the environment by the enactment of many strong environmental laws since the original Earth Day; and

WHEREAS, the Minnesota Legislature continues to demonstrate our state's dedication to environmental protection by providing direction and leadership in such areas as recycling, pollution prevention, conservation, the protection of wildlife, and proper resource management; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it hereby proclaims the day of April 22, 2001, as Earth Day in the state of Minnesota and encourages all citizens to continue their strong commitment to protecting the environment.

Senator Krentz moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Senator Lourey moved that S.F. No. 1358, No. 61 on General Orders, be stricken and returned to its author. The motion prevailed.

Senator Ring moved that S.F. No. 249 be taken from the table. The motion prevailed.

S.F. No. 249: A bill for an act relating to state government; health and human services; repealing obsolete rules; amending Minnesota Statutes 2000, section 144.99, subdivision 1; repealing Minnesota Statutes 2000, section 144.495; Minnesota Rules, parts 2500.2050; 2500.2060; 2500.2070; 4620.1800; 4635.0100; 4635.0200; and 4761.1230.

CONCURRENCE AND REPASSAGE

Senator Ring moved that the Senate concur in the amendments by the House to S.F. No. 249 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 249: A bill for an act relating to state government; health and human services; repealing obsolete rules; repealing Minnesota Rules, parts 2500.2050; 2500.2060; 2500.2070; 4635.0100; 4635.0200.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage 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	Fowler	Knutson	Neuville	Sams
Bachmann	Frederickson	Krentz	Oliver	Samuelson
Belanger	Higgins	Langseth	Ourada	Scheevel
Berg	Hottinger	Larson	Pappas	Scheid
Berglin	Johnson, Dave	Lesewski	Pogemiller	Schwab
Betzold	Johnson, Dean	Lessard	Price	Stevens
Chaudhary	Johnson, Debbie	Limmer	Ranum	Stumpf
Cohen	Johnson, Doug	Lourey	Reiter	Terwilliger
Day	Kelley, S.P.	Marty	Ring	Tomassoni
Dille	Kierlin	Metzen	Robertson	Vickerman
Fischbach	Kiscaden	Moe, R.D.	Robling	Wiener
Foley	Kleis	Murphy	Sabo	Wiger

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

MOTIONS AND RESOLUTIONS - CONTINUED

CALL OF THE SENATE

Senator Knutson imposed a call of the Senate for the balance of the proceedings on S.F. No. 1047. The Sergeant at Arms was instructed to bring in the absent members.

Senator Knutson moved that S.F. No. 1047 be taken from the table. The motion prevailed.

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

CONCURRENCE AND REPASSAGE

Senator Knutson moved that the Senate concur in the amendments by the House to S.F. No. 1047 and that the bill be placed on its repassage as amended.

Senator Moe, R.D. moved that the Senate do not concur in the amendments by the House to S.F. No. 1047, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House.

The question was taken on the adoption of the Moe, R.D. motion.

The roll was called, and there were yeas 35 and nays 26, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDERS

Pursuant to Rule 26, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

H.F. Nos. 274, 550, S.F. No. 1449, H.F. Nos. 323, 486, S.F. No. 2022, H.F. No. 1160, S.F. No. 511, H.F. No. 239, S.F. Nos. 1965, 750, 866, 333 and 1264.

SPECIAL ORDER

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

Senator Marty moved that the amendment made to H.F. No. 274 by the Committee on Rules and Administration in the report adopted March 26, 2001, pursuant to Rule 45, be stricken. The motion prevailed.

H.F. 274 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	Frederickson	Knutson	Oliver	Samuelson
Bachmann	Higgins	Krentz	Ourada	Scheevel
Belanger	Hottinger	Langseth	Pappas	Scheid
Berg	Johnson, Dave	Larson	Pogemiller	Schwab
Betzold	Johnson, Dean	Lesewski	Price	Stevens
Chaudhary	Johnson, Debbie	Lessard	Ranum	Stumpf
Cohen	Johnson, Doug	Limmer	Reiter	Terwilliger
Day	Kelley, S.P.	Lourey	Ring	Tomassoni
Dille	Kelly, R.C.	Marty	Robertson	Vickerman
Fischbach	Kierlin	Metzen	Robling	Wiener
Foley	Kiscaden	Moe, R.D.	Sabo	Wiger
Fowler	Kleis	Neuville	Sams	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1449: A bill for an act relating to local government; modifying provisions relating to community-based planning; amending Minnesota Statutes 2000, sections 4A.08; 394.22, subdivision 9, and by adding a subdivision; 394.232, subdivisions 1, 2, 3, 4, 5, 6, and by adding subdivisions; 462.352, subdivision 5; 462.3535, subdivisions 1, 2, 3, 4, 6, 7, 8, and 9; Laws 1999, chapter 250, article 1, section 115; proposing coding for new law in Minnesota Statutes, chapter 4A; repealing Minnesota Statutes 2000, sections 394.232, subdivisions 7 and 8; and 462.3535, subdivisions 5 and 10.

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 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bachmann	Kierlin	Ourada	Reiter
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So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 486: A bill for an act relating to elections; requiring disclaimers in newspaper ads to be legible; amending Minnesota Statutes 2000, section 211B.05, subdivision 1.

Senator Lesewski moved to amend H.F. No. 486, the unofficial engrossment, as follows:

Page 1, line 14, delete "ten-point" and insert "eight-point"

The motion prevailed. So the amendment was adopted.

H.F. No. 486 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

S.F. No. 2022: A bill for an act relating to family law; clarifying crediting of support payments; modifying implementation of enforcement remedies to accommodate timing of support payments; amending Minnesota Statutes 2000, sections 518.551, subdivision 1; 518.6111, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 518.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Kiscaden	Oliver	Sams
Bachmann	Fowler	Kleis	Ourada	Scheevel
Belanger	Frederickson	Krentz	Pappas	Scheid
Berg	Higgins	Langseth	Pogemiller	Schwab
Berglin	Hottinger	Larson	Price	Stevens
Betzold	Johnson, Dean	Lesewski	Ranum	Stumpf
Chaudhary	Johnson, Debbie	Lessard	Reiter	Terwilliger
Cohen	Johnson, Doug	Lourey	Ring	Tomassoni
Day	Kelley, S.P.	Marty	Robertson	Vickerman
Dille	Kelly, R.C.	Metzen	Robling	Wiener
Fischbach	Kierlin	Neuville	Sabo	Wiger

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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	Fowler	Krentz	Pappas	Schwab
Bachmann	Frederickson	Langseth	Pogemiller	Stevens
Belanger	Higgins	Larson	Price	Stumpf
Berg	Hottinger	Lesewski	Ranum	Terwilliger
Berglin	Johnson, Dean	Lessard	Reiter	Tomassoni
Betzold	Johnson, Debbie	Lourey	Ring	Vickerman
Chaudhary	Johnson, Doug	Marty	Robertson	Wiener
Cohen	Kelley, S.P.	Metzen	Robling	Wiger
Day	Kelly, R.C.	Murphy	Sabo	
Dille	Kierlin	Neuville	Sams	
Fischbach	Kiscaden	Oliver	Scheevel	
Foley	Kleis	Ourada	Scheid	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 511: A bill for an act relating to the state agricultural society; authorizing establishment of a nonprofit corporation; changing certain membership provisions; amending Minnesota Statutes 2000, section 37.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 37.

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 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Foley

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1965: A bill for an act relating to state government; repealing certain obsolete and redundant trade and economic development department programs and duties; repealing Minnesota Statutes 2000, sections 41A.066; 116J.541; 116J.542; 116J.8755; 116J.9671; 116J.980, subdivision 4; 116J.992.

Senator Anderson moved to amend S.F. No. 1965 as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 2000, section 116J.552, is amended by adding a subdivision to read:

Subd. 6a. [NONPROFIT DEVELOPMENT ORGANIZATION.] "Nonprofit development organization" means a nonprofit organization whose work includes acquiring and rehabilitating commercial or industrial properties in a first-class city in the metropolitan area.

Sec. 2. Minnesota Statutes 2000, section 116J.553, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION REQUIRED.] To obtain a contamination cleanup development grant, the development authority or nonprofit development organization shall apply to the commissioner. The governing body of the municipality must approve, by resolution, the application.

Sec. 3. Minnesota Statutes 2000, section 116J.554, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY.] (a) The commissioner may make a grant to an applicant development authority or nonprofit development organization to pay for up to 75 percent of the project costs for a qualifying site.

(b) The commissioner may also make a grant to an applicant development authority or nonprofit development organization to pay up to 75 percent or \$50,000, whichever is less, toward the cost of performing contaminant investigations and the development of a response action plan for a qualifying site.

(c) The commissioner may also make a grant to an applicant to fill a site that would represent more than 50 percent of the remaining land in a city suitable for industrial development if it were properly filled.

(d) The determination of whether to make a grant for a qualifying site is within the sole discretion of the commissioner, subject to the process provided by this section, and available unencumbered money in the appropriation. The commissioner's decisions and application of the priorities under section 116J.555 are not subject to judicial review, except for abuse of discretion.

(e) The total amount of money provided in grants under paragraph (b) may not exceed \$250,000 per fiscal year.

(f) In making grants under paragraph (b), the commissioner shall give priority to applicants that have not received a grant under paragraph (a) or section 473.252 during the year ending on the date of application.

Sec. 4. Minnesota Statutes 2000, section 116J.554, subdivision 1a, is amended to read:

Subd. 1a. [METROPOLITAN LIVABLE COMMUNITIES.] The commissioner may not make a grant to a development authority or a nonprofit development organization for a site in a municipality in the metropolitan area unless it the municipality is participating in the local housing incentives program under section 473.254.

Sec. 5. Minnesota Statutes 2000, section 116J.556, is amended to read:

116J.556 [LOCAL MATCH REQUIREMENT.]

(a) In order for a development authority or nonprofit development organization to qualify for a grant under sections 116J.551 to 116J.557, the municipality must pay for at least one-quarter of the project costs as a local match. The municipality shall pay an amount of the project costs equal to at least 12 percent of the cleanup costs from the municipality's general fund, a property tax levy for that purpose, or other unrestricted money available to the municipality (excluding tax increments). These unrestricted moneys may be spent for project costs, other than cleanup costs, and qualify for the local match payment equal to 12 percent of cleanup costs. The rest of the local match may be paid with tax increments, regional, state, or federal money available for the redevelopment of brownfields or any other money available to the municipality.

(b) If the development authority establishes a tax increment financing district or hazardous substance subdistrict on the site to pay for part of the local match requirement, the district or subdistrict is not subject to the state aid reductions under section 273.1399. In order to qualify for the exemption from the state aid reductions, the municipality must elect, by resolution, on or before the request for certification is filed that all tax increments from the district or subdistrict will be used exclusively to pay (1) for project costs for the site and (2) administrative costs for the district or subdistrict. The district or subdistrict must be decertified when an amount of tax increments equal to no more than three times the costs of implementing the response action plan for the site and the administrative costs for the district or subdistrict have been received, after deducting the amount of the state grant.

Sec. 6. Minnesota Statutes 2000, section 116J.557, subdivision 1, is amended to read:

Subdivision 1. [CAUSE OF ACTION.] The attorney general or a development authority, nonprofit development organization, or municipality that incurs cleanup costs to implement an approved response action plan pursuant to sections 116J.551 to 116J.557, may bring an action under section 115B.04 or other law to recover the reasonable and necessary cleanup costs incurred by the development authority, nonprofit development organization, or municipality. The attorney general, development authority, or municipality may recover all cleanup costs incurred whether paid from the proceeds of a grant under sections 116J.551 to 116J.557 or funds of the development authority, nonprofit development organization, or municipality. Recoverable costs include administrative and legal costs related to the development and implementation of the response action plan but do not include any cost associated with development or redevelopment of property. A development authority, nonprofit development organization, or municipality must have the consent of the attorney general to bring or settle an action under this subdivision to recover cleanup costs paid from the proceeds of a grant.

Sec. 7. Minnesota Statutes 2000, section 116J.557, subdivision 2, is amended to read:

Subd. 2. [PROCEDURES.] The commissioner shall notify the attorney general when a grant is awarded under sections 116J.551 to 116J.557. Upon request of the attorney general the development authority or nonprofit development organization shall prepare and submit a certification of the cleanup costs and shall cooperate in any cost recovery action brought by the attorney general under subdivision 1. Certification by the development authority or nonprofit development organization of the cleanup costs incurred to develop and implement the approved response action plan is prima facie evidence that the costs are reasonable and necessary in any action brought under this section.

Sec. 8. Minnesota Statutes 2000, section 116J.557, subdivision 3, is amended to read:

Subd. 3. [ATTORNEY GENERAL ASSISTANCE AND COSTS.] (a) The attorney general may assist a development authority, nonprofit development organization, or municipality, if requested to do so, in bringing an action under subdivision 1 by providing legal and technical advice or other appropriate assistance. The attorney general shall not assess any fee to the development authority, nonprofit development organization, or municipality for the assistance but may recover the cost of the assistance as provided in paragraph (b).

(b) If the attorney general brings or assists in an action brought under subdivision 1, the reasonable litigation expenses or other costs of legal or technical assistance incurred by the attorney general must be deducted from any recovery and paid to the attorney general before proceeds of the recovery are otherwise distributed. The attorney general shall deposit any money so deducted in the general fund.

Sec. 9. Minnesota Statutes 2000, section 473.252, is amended by adding a subdivision to read:

Subd. 1b. [NONPROFIT DEVELOPMENT ORGANIZATION.] For the purpose of this section, "nonprofit development organization" means a nonprofit organization whose work includes acquiring and rehabilitating commercial or industrial properties in a first-class city in the metropolitan area.

Sec. 10. Minnesota Statutes 2000, section 473.252, subdivision 3, is amended to read:

Subd. 3. [DISTRIBUTION OF FUNDS.] (a) The council must use the funds in the account to make grants to municipalities, nonprofit development organizations, or development authorities for the cleanup of polluted land in the metropolitan area. A grant to a metropolitan county, a nonprofit development organization, or a development authority must be used for a project in a participating municipality. The council shall prescribe and provide the grant application form to municipalities. The council must consider the probability of funding from other sources when making grants under this section. No less than ten days before submitting its application to the council, a nonprofit development organization must notify the city in which the project will be located of its intention to apply for funds. This city may submit to the council its written comments on the nonprofit development organization's application and the council shall consider the city's comments in reviewing the application.

(b)(1) The legislature expects that applications for grants will exceed the available funds and the council will be able to provide grants to only some of the applicant municipalities. If applications for grants for qualified sites exceed the available funds, the council shall make grants that provide the highest return in public benefits for the public costs incurred, that encourage commercial and industrial development that will lead to the preservation or growth of living-wage jobs and that enhance the tax base of the recipient municipality.

(2) In making grants, the council shall establish regular application deadlines in which grants will be awarded from the available money in the account. If the council provides for application cycles of less than six-month intervals, the council must reserve at least 40 percent of the receipts of the account for a year for application deadlines that occur in the second half of the year. If the applications for grants exceed the available funds for an application cycle, no more than one-half of the funds may be granted to projects in a statutory or home rule charter city and no more than three-quarters of the funds may be granted to projects located in cities of the first class.

(c) A municipality or a nonprofit development organization may use the grant to provide a portion of the local match requirement for project costs that qualify for a grant under sections 116J.551 to 116J.557.

Sec. 11. Minnesota Statutes 2000, section 473.253, subdivision 2, is amended to read:

Subd. 2. [DISTRIBUTION OF FUNDS.] The council shall use the funds in the livable communities demonstration account to make grants or loans to municipalities participating in the local housing incentives program under section 473.254 or to metropolitan area counties or to nonprofit development organizations as defined under section 473.252, subdivision 1b, to fund the initiatives specified in section 473.25, paragraph (b), in participating municipalities. No less than ten days before submitting its application to the council, a nonprofit development organization must notify the city in which the project will be located of its intention to apply for funds. The city may submit to the council its written comments on the nonprofit development organization's application and the council shall consider the city's comments in reviewing the application."

Page 2, after line 2, insert:

"Subd. 7. [BUREAU OF BUSINESS LICENSES.] Minnesota Statutes 2000, section 116J.75, is repealed."

Renumber the sections in sequence and correct the internal references

Delete the title and insert:

"A bill for an act relating to economic development; allowing nonprofit organizations to receive funding under the contamination cleanup, livable communities tax base revitalization, and livable communities demonstration account programs; repealing certain obsolete and redundant trade and economic development department programs and duties; amending Minnesota Statutes 2000, sections 116J.552, by adding a subdivision; 116J.553, subdivision 1; 116J.554, subdivisions 1, 1a; 116J.556; 116J.557, subdivisions 1, 2, 3; 473.252, subdivision 3, by adding a subdivision; 473.253, subdivision 2; repealing Minnesota Statutes 2000, sections 41A.066; 116J.541; 116J.542; 116J.75; 116J.8755; 116J.9671; 116J.980, subdivision 4; 116J.992."

The motion prevailed. So the amendment was adopted.

S.F. No. 1965 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	Frederickson	Krentz	Oliver	Scheevel
Bachmann	Higgins	Langseth	Ourada	Scheid
Belanger	Hottinger	Larson	Pogemiller	Schwab
Berg	Johnson, Dave	Lesewski	Price	Stevens
Berglin	Johnson, Dean	Lessard	Ranum	Stumpf
Betzold	Johnson, Debbie	Limmer	Reiter	Terwilliger
Chaudhary	Johnson, Doug	Lourey	Ring	Tomassoni
Cohen	Kelley, S.P.	Marty	Robertson	Vickerman
Day	Kelly, R.C.	Metzen	Robling	Wiener
Fischbach	Kierlin	Moe, R.D.	Sabo	Wiger
Foley	Kiscaden	Murphy	Sams	
Fowler	Kleis	Neuville	Samuelson	

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

SPECIAL ORDER

S.F. No. 750: A bill for an act relating to education; requiring evaluation of programs and services for children with attention deficit disorder or attention deficit hyperactivity disorder; clarifying the definition of educational neglect; determining the number of Minnesota children diagnosed with attention deficit disorder or attention deficit hyperactivity disorder currently taking sympathomimetic medications; appropriating money; amending Minnesota Statutes 2000, sections 121A.41, subdivision 10; 122A.18, by adding a subdivision; 122A.61, subdivision 1; 125A.08; 125A.09, subdivision 3; 260A.01; 260C.163, subdivision 11; 626.556, subdivision 2.

Senator Neuville moved to amend S.F. No. 750 as follows:

Page 12, delete section 9

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 750 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	Fowler	Krentz	Oliver	Samuelson
Bachmann	Frederickson	Langseth	Ourada	Scheevel
Belanger	Higgins	Larson	Pappas	Scheid
Berg	Hottinger	Lesewski	Pogemiller	Schwab
Berglin	Johnson, Dave	Lessard	Price	Stevens
Betzold	Johnson, Dean	Limmer	Ranum	Stumpf
Chaudhary	Johnson, Debbie	Lourey	Reiter	Terwilliger
Cohen	Kelley, S.P.	Marty	Ring	Vickerman
Day	Kelly, R.C.	Metzen	Robertson	Wiener
Dille	Kierlin	Moe, R.D.	Robling	Wiger
Fischbach	Kiscaden	Murphy	Sabo	
Foley	Kleis	Neuville	Sams	

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

SPECIAL ORDER

S.F. No. 866: A bill for an act relating to education; providing for family and early childhood education, children and family support programs, prevention, and self-sufficiency and lifelong learning; providing for kindergarten through grade 12 general education, education excellence, special programs, facilities and technology, libraries; and advisory committees and miscellaneous kindergarten through grade 12 education provisions; providing for rulemaking; repealing, modifying, and expanding certain provisions of the kindergarten through grade 12 education code; amending Minnesota Statutes 2000, sections 13.319, by adding a subdivision; 13.32, subdivision 3; 13.43, by adding a subdivision; 13.46, subdivision 2; 16B.616, subdivision 4; 119A.05, subdivision 2; 119A.15, subdivision 5a; 119A.43, subdivisions 1, 11; 119B.011, subdivisions 7, 19; 119B.02, subdivision 1, by adding a subdivision; 119B.26; 120A.22, subdivision 7; 120B.11, subdivision 5; 120B.22, subdivision 1; 120B.30, 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.24, subdivision 3; 122A.25, by adding a subdivision; 122A.31, subdivision 2; 122A.40, subdivisions 5, 8, 19; 122A.41, subdivisions 7, 13, 15, by adding a subdivision; 122A.51; 122A.58, subdivision 1; 122A.60, subdivision 1; 122A.64; 122A.68, subdivisions 1, 7; 122A.69; 122A.70, subdivision 2; 122A.91; 122A.92; 123A.06, subdivision 1; 123A.442, subdivision 2; 123B.02, subdivisions 1, 2, 3; 123B.04, subdivisions 2, 5; 123B.09, subdivision 8; 123B.143, subdivision 1; 123B.147; 123B.36, subdivision 1; 123B.42, subdivision 3; 123B.43; 123B.44, subdivision 6; 123B.445; 123B.49, subdivision 1; 123B.51, subdivisions 1, 5; 123B.71, subdivisions 1, 4, 8, 9; 123B.73, subdivision 1; 123B.75, subdivision 5, by adding a subdivision; 123B.83, subdivision 1; 123B.90, subdivision 2; 123B.91, subdivision 1; 124D.02, subdivision 1; 124D.03, subdivisions 3, 4; 124D.09, subdivisions 5, 6, 7, 12; 124D.10, subdivisions 1, 4, 6, 8, 15, 19; 124D.115, subdivision 3; 124D.118, subdivisions 2, 3; 124D.28, subdivision 1; 124D.30, subdivision 3; 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, 3; 124D.59, subdivision 2; 124D.65, subdivision 6; 124D.74, subdivision 1; 124D.80, subdivisions 1, 2, 3; 124D.84, subdivision 1; 124D.88, subdivision 2; 124D.892; 124D.894; 124D.94, subdivisions 2, 4; 125A.023, subdivision 4; 125A.027, by adding a subdivision; 125A.09, subdivision 11; 125A.11, subdivision 3; 125A.27, subdivision 15; 125A.28; 125A.515; 125A.76, subdivisions 1, 2; 125B.05, subdivisions 1, 2; 125B.20, subdivisions 1, 4; 126C.05, subdivision 1; 126C.10, subdivisions 1, 9; 126C.17, subdivisions 1, 6, 9, 10, 11; 126C.23, subdivision 5; 126C.31; 126C.41, subdivision 3; 126C.43, subdivision 3; 126C.48, subdivision 8; 127A.05, subdivisions 1, 3; 127A.06; 127A.30; 127A.41, subdivisions 5, 7; 127A.42; 127A.50, subdivision 2; 129C.10, subdivision 3; 134.31, subdivision 5; 179A.20, subdivision 3; 256.045, subdivision 3b; 626.556, subdivisions 2, 3, 4, 7, 10, 10b, 10d, 10e, 10i, 10j, 11; Laws 2000, chapter 489, article 2, section 39, subdivision 2; Laws 2000, chapter 489, article 3, section 25, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2000, sections 119A.43, subdivision 6; 120B.10; 120B.11, subdivisions 3, 4, 7; 120B.24; 121A.03, subdivision 3; 121A.16; 121A.32, subdivisions 2, 4, 5; 121A.41, subdivision 3; 122A.19, subdivision 2; 122A.32; 122A.33; 122A.40, subdivision 6; 122A.42; 122A.52; 122A.53; 122A.71; 122A.72; 122A.75; 123A.06, subdivision 3; 123A.07; 123A.15, subdivision 1; 123A.35; 123A.36; 123A.37;

123A.38; 123A.39, subdivisions 1, 2, 4; 123A.40; 123A.41, subdivisions 1, 4; 123A.43; 123B.02, subdivisions 5, 6, 9, 10, 11, 13, 16; 123B.04, subdivision 4; 123B.11; 123B.15; 123B.16; 123B.17; 123B.18; 123B.19; 123B.40; 123B.51, subdivisions 2, 3, 4; 123B.71, subdivisions 3, 10; 123B.744; 123B.84; 123B.87; 123B.88, subdivisions 11, 12, 13, 18, 20, 21, 22; 123B.93; 123B.95, subdivision 3; 124D.02, subdivisions 2, 3, 4; 124D.06; 124D.07; 124D.081, subdivision 1; 124D.09, subdivisions 2, 8, 25, 26; 124D.10, subdivision 13; 124D.115, subdivisions 1, 2; 124D.118, subdivision 1; 124D.12; 124D.121; 124D.122; 124D.123; 124D.124; 124D.125; 124D.126; 124D.127; 124D.128, subdivisions 1, 3, 5, 6; 124D.23, subdivision 9; 124D.31; 124D.34, subdivision 5; 124D.43; 124D.46, subdivision 3; 124D.47, subdivision 1; 124D.50, subdivisions 1, 2, 3; 124D.60, subdivision 3; 124D.65, subdivisions 8, 9, 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; 125B.02; 125B.07, subdivisions 1, 3, 5; 125B.09; 125B.11; 126C.01, subdivision 10; 126C.10, subdivisions 12, 23; 126C.16, subdivision 2; 126C.17, subdivision 12; 126C.18; 126C.22; 126C.42, subdivisions 2, 3; 126C.47; 127A.05, subdivision 5; 127A.41, subdivision 4; 127A.44; Minnesota Rules, parts 3501.0280, subpart 3; 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; 3550.0100.

Senator Pappas moved to amend S.F. No. 866 as follows:

Pages 11 and 12, delete section 4

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Pappas then moved to amend S.F. No. 866 as follows:

Page 8, after line 20, insert:

"Sec. 3. Minnesota Statutes 2000, section 124D.531, subdivision 7, is amended to read:

Subd. 7. [PROGRAM AUDITS.] Programs that receive aid under this section must maintain records that support the aid payments. The commissioner may audit these records upon request. The commissioner must establish procedures for conducting fiscal audits of adult basic education programs according to the schedule in this subdivision. In calendar year ~~2002~~ 2003, the commissioner must audit one-half of approved adult basic education programs that received aid for fiscal year ~~2001~~ 2002, and in calendar year ~~2003~~ 2004, the commissioner must audit the remaining unaudited programs for aid received in fiscal year ~~2002~~ 2003. Beginning with fiscal year ~~2004~~ 2005, the commissioner must, at a minimum, audit each adult basic education program once every five years. The commissioner must establish procedures to reconcile any discrepancies between aid payments based on information reported to the commissioner and aid estimates based on a program audit."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Pappas then moved to amend S.F. No. 866 as follows:

Page 84, lines 30 to 32, delete the new language

Page 88, line 13, after the period, insert "All records concerning determinations of maltreatment by a facility shall be nonpublic data as maintained by the department of children, families, and learning, except insofar as copies of reports are required by subdivision 7 to be sent to the local police department or the county sheriff."

The motion prevailed. So the amendment was adopted.

Senator Pappas then moved to amend S.F. No. 866 as follows:

Page 173, line 14, strike "contract for other services" and insert "enter into contracts and agreements"

Page 173, line 35, strike "and clause (2)"

Page 173, line 36, strike everything after "(2)"

Page 174, strike lines 1 to 4

Page 174, line 5, strike "(3)" and strike "for one or two weeks"

Page 174, line 6, strike "9" and insert "7"

Page 174, line 7, strike "(4)" and insert "(3)" and strike "9" and insert "7"

Page 174, line 8, strike "(5)" and insert "(4)"

Page 174, line 10, strike "(6)" and insert "(5)" and strike everything after "programs"

Page 174, line 11, strike everything before the period

Page 175, line 28, after stricken "(p)" insert "(i)" and reinstate the stricken language

Page 175, lines 29 and 30, reinstate the stricken language

The motion prevailed. So the amendment was adopted.

Senator Pappas then moved to amend S.F. No. 866 as follows:

Page 50, line 25, after "data" insert "that are relevant to a report of maltreatment"

Page 51, line 6, after "data" insert "that are relevant to a report of maltreatment"

Page 67, line 27, strike "and" and insert "or" and after "procedures" insert ", or regulated interventions,"

Page 67, line 28, after "section" insert "121A.67 or"

Page 79, line 31, after "data" insert "that are relevant to a report of maltreatment"

Page 82, line 2, before the first "in" insert "that are relevant to a report of maltreatment"

Page 84, line 8, delete everything after "notification"

Page 84, line 9, delete everything before the period and insert "to the parent, guardian, or legal custodian of any student alleged to have been maltreated or involved as a witness to alleged maltreatment"

Page 89, line 20, after "data" insert "that are relevant to a report of maltreatment"

The motion prevailed. So the amendment was adopted.

Senator Pappas then moved to amend S.F. No. 866 as follows:

Page 48, line 9, strike "of each odd-numbered year" and insert a comma and delete "four" and insert "five"

The motion prevailed. So the amendment was adopted.

Senator Pappas moved to amend S.F. No. 866 as follows:

Page 10, line 5, reinstate the stricken language

Page 10, line 6, reinstate the stricken "that the district requires to ensure an 80 percent"

Page 10, line 7, reinstate the stricken "student passage rate on the basic standards test taken"

Page 10, line 8, reinstate the stricken language

The motion prevailed. So the amendment was adopted.

Senator Pappas moved to amend S.F. No. 866 as follows:

Page 48, after line 22, insert:

"Sec. 21. [PROCESS TO ALLOW STUDENTS TO TAKE THE BASIC SKILLS TEST AS EARLY AS FIFTH GRADE.]

The commissioner of children, families, and learning shall develop a process to allow students to take the test of basic requirements in reading, math, or writing beginning in grade 5. The recommended process must include the parental or guardian consent, a recommendation from the student's teacher to take a test, and a policy that would limit the number of students who take the test to only those that are likely to pass the test. The commissioner shall consider options of an alternative test or other methods that would preserve the statistical integrity of the current scoring and sampling methods. The commissioner shall report its recommendations to the education committees of the legislature by February 1, 2002."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Pappas then moved that S.F. No. 866 be laid on the table. The motion prevailed.

SPECIAL ORDER

S.F. No. 333: A bill for an act relating to veterinary medicine; authorizing certain cease and desist orders; proposing coding for new law in Minnesota Statutes, chapter 156.

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1264: A bill for an act relating to insurance; no-fault auto; regulating income loss benefits to senior citizens; amending Minnesota Statutes 2000, section 65B.491.

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED**RECESS**

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

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

APPOINTMENTS

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

S.F. No. 1047: Senators Knutson; Hottinger; Neuville; Johnson, Dave and Ranum.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of the Consent Calendar.

CONSENT CALENDAR

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

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

So the bill passed and its title was agreed to.

H.F. No. 1889: A bill for an act relating to filings with the secretary of state; providing for the orderly revocation of delinquent foreign corporations; regulating certain transition issues under the Uniform Partnership Act of 1994; amending Minnesota Statutes 2000, sections 303.17, subdivisions 2, 3, 4; 323A.12-02.

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

So the bill passed and its title was agreed to.

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

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	Chaudhary	Fowler	Kelley, S.P.	Krentz
Bachmann	Cohen	Frederickson	Kelly, R.C.	Langseth
Belanger	Day	Higgins	Kierlin	Larson
Berg	Dille	Johnson, Dean	Kiscaden	Lesewski
Berglin	Fischbach	Johnson, Debbie	Kleis	Lessard
Betzold	Foley	Johnson, Doug	Knutson	Limmer

Lourey	Pappas	Robling	Schwab	Wiener
Metzen	Pogemiller	Sabo	Stevens	Wiger
Moe, R.D.	Price	Sams	Stumpf	
Neuville	Ranum	Samuelson	Terwilliger	
Oliver	Reiter	Scheevel	Tomassoni	
Ourada	Robertson	Scheid	Vickerman	

So the bill passed and its title was agreed to.

S.F. No. 1552: A bill for an act relating to crimes; defining the level of negligence required for the crime of causing negligent fires; amending Minnesota Statutes 2000, section 609.576, subdivision 1.

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:

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

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 Order of Business of Messages from the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1419: A bill for an act relating to payment bonds; regulating notices of claims; amending Minnesota Statutes 2000, section 574.31, subdivision 2.

Senate File No. 1419 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 17, 2001

CONCURRENCE AND REPASSAGE

Senator Scheid moved that the Senate concur in the amendments by the House to S.F. No. 1419 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1419 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage 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:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Lessard moved that the name of Senator Schwab be added as a co-author to S.F. No. 1318. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Murphy; Fowler; Moe, R.D.; Scheid and Schwab introduced--

S.F. No. 2337: A bill for an act relating to taxation; individual income; allowing a credit for certain higher education expenses; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senator Johnson, Doug introduced--

S.F. No. 2338: A bill for an act relating to public facilities authority; removing certain wastewater infrastructure program funding limits for municipalities bordering Lake Superior; amending Minnesota Statutes 2000, section 446A.072, subdivision 4.

Referred to the Committee on Finance.

Senator Johnson, Doug introduced--

S.F. No. 2339: A bill for an act relating to capital investments; appropriating money for a school building in independent school district No. 381, Lake Superior; authorizing state bonds.

Referred to the Committee on Finance.

Senators Johnson, Dean; Terwilliger; Sabo; Langseth and Kelly, R.C. introduced--

S.F. No. 2340: A bill for an act relating to appropriations; appropriating money for the department of transportation and other government agencies with certain conditions; establishing,

funding, or regulating certain policies, programs, duties, activities, or practices; funding and regulating criminal justice and prevention programs; modifying public safety and law enforcement provisions; modifying certain tax provisions; providing funding for economic, energy, transportation, infrastructure, and recreational development, with certain conditions; proposing an amendment to the Minnesota Constitution by adding a section to article XIV to dedicate proceeds of the tax on the sale of motor vehicles to highway and transit purposes; requiring studies and reports; making technical, conforming, and clarifying changes; imposing penalties; setting fees; amending Minnesota Statutes 2000, sections 13.87, by adding a subdivision; 16A.641, subdivision 8; 16C.05, subdivision 2; 16C.06, subdivisions 1, 2; 16C.08, subdivision 2; 138.664, by adding a subdivision; 161.082, subdivision 2a; 161.14, by adding a subdivision; 161.23, subdivision 3; 161.32, subdivisions 1, 1b, 1e; 167.51, subdivision 2; 168.012, by adding a subdivision; 168.013, subdivision 1d; 168.33, subdivision 7; 168.381; 169.06, by adding a subdivision; 169.09, subdivision 13; 169.18, subdivision 1, by adding a subdivision; 169.825, subdivision 11; 169.87, subdivision 4; 170.23; 171.06, subdivision 2a; 171.07, subdivision 11; 171.12, subdivision 6; 171.13, subdivision 6; 171.185; 171.26; 171.29, subdivision 2; 171.36; 174.03, by adding a subdivision; 174.24, subdivision 3b; 174.32, subdivision 5; 174.70, subdivisions 2, 3; 184.29; 184.30, subdivision 1; 184.38, subdivisions 6, 8, 9, 10, 11, 17, 18, 20; 184.41; 216C.41; 296A.07, subdivisions 3, 4, by adding a subdivision; 296A.08, subdivisions 2, 3, by adding a subdivision; 297A.68, subdivision 19; 297A.70, subdivision 2; 297B.09, subdivision 1; 299C.10, subdivision 1; 299C.11; 299C.147, subdivision 2; 299D.03, subdivisions 5, 6, by adding a subdivision; 299M.10; 299M.11, subdivision 5; 446A.085; 473.859, subdivision 2; Laws 1999, chapter 238, article 1, section 2, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 161; 167; 169; 174; 240A; 270; 299A; 299C; 473; 609; repealing Minnesota Statutes 2000, sections 174.22, subdivision 9; 174.32, subdivisions 2, 4; 184.22, subdivisions 2, 3, 4, 5; 184.37, subdivision 2.

Referred to the Committee on Taxes.

MEMBERS EXCUSED

Senator Orfield was excused from the Session of today from 9:00 a.m to 12:00 noon. Senator Limmer was excused from the Session of today from 10:40 to 11:40 a.m. Senator Knutson was excused from the Session of today from 10:45 to 11:30 a.m. Senator Johnson, Dave was excused from the Session of today at 11:15 a.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Monday, April 23, 2001. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Friday, April 20, 2001

MESSAGES FROM THE HOUSE AND FIRST READINGS OF HOUSE FILES

S.F. Nos.	Message Page	H.F. Nos.	Message Page	1st Reading Page
1419	..... 1818	779	.....1789	1790
		873	.....1789	1790
		1192	.....1789	1790
		1219	.....1789	1790
		1487	.....1789	1790
		1507	.....1789	1790

CONCURRENCE AND REPASSAGE

S.F. Nos.	Page	H.F. Nos.	Page
249	.....1802		
1047	.....1802		
1419	.....1818		

REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
23	..... 1798		489	.....1791	1799
153	..... 1799		655	.....1796	1799
722	..... 1799		933	.....1793	1799
1743	..... 1796		953	.....1793	1799
			967	.....1795	1799
			995	.....1792	1799
			1051	.....1791	1799
			1098	.....1795	1799
			1151	.....1792	1799
			1248	.....1791	1799
			1261	.....1796	1799
			1681	.....1794	1799
			2028	.....1794	1799
			2036	.....1792	1799
			2107	.....1794	1799

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
249	.....1801		
249	.....1802		
1047	.....1802		

1318	.....	1819
1358	.....	1801
2167	.....	1800
Sen. Res.		
No . 115	.....	1800
Sen. Res.		
No . 116	.....	1800
Sen. Res.		
No . 117	.....	1800
Sen. Res.		
No . 118	.....	1800
Sen. Res.		
No . 119	.....	1800
Sen. Res.		
No . 120	.....	1800
Sen. Res.		
No . 121	.....	1800
Sen. Res.		
No . 122	.....	1800
Sen. Res.		
No . 123	.....	1801
Sen. Res.		
No . 124	.....	1801
Sen. Res.		
No . 125	.....	1801
Sen. Res.		
No . 126	.....	1801

APPOINTMENTS TO CONFERENCE COMMITTEES

S.F. Nos.	Page	H.F. Nos.	Page
1047	1816	

CONSENT CALENDAR

S.F. Nos.	Page	H.F. Nos.	Page
1552	1818	
		1260	..... 1816
		1391	..... 1817
		1889	..... 1817

SPECIAL ORDERS

S.F. Nos.	Page	H.F. Nos.	Page
333	1815	
511	1806	
750	1811	
866	1812	
1264	1816	
1449	1804	
1965	1808	
2022	1806	
		239	..... 1807
		274	..... 1803
		323	..... 1805
		486	..... 1805
		550	..... 1804
		1160	..... 1806

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F. Nos. 2337 to 2340Page 1819

