

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-SECOND LEGISLATURE

THIRTY-NINTH DAY

St. Paul, Minnesota, Tuesday, April 24, 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, Dr. Paul Dovre.

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

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

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 Cohen and Lessard were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

February 27, 2001

The Honorable Don Samuelson
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF INVENTION

William Connelly, 9903 Johnson Circle, Bloomington, Minnesota 55437, in the county of Hennepin, effective March 6, 2001, for a four-year term expiring on January 5, 2004.

Weston Cutter, 1169 Veronica Lane, Mendota Heights, Minnesota 55118, in the county of Dakota, effective March 6, 2001, for a four-year term expiring on January 5, 2004.

Keith Dennehy, Rural Route 3, Box 81-B, Winona, Minnesota 55987, in the county of Winona, effective March 6, 2001, for a four-year term expiring on January 3, 2005.

Daniel Ferber, 4476 Woodgate Point, Eagan, Minnesota 55122-2448, in the county of Dakota, effective March 6, 2001, for a four-year term expiring on January 3, 2005.

Randall Olson, 3730 Ridgewood Drive, Eagan, Minnesota 55123, in the county of Dakota, effective March 6, 2001, for a four-year term expiring on January 5, 2004.

Daniel Pauly, 4117 Bryant Avenue South, Minneapolis, Minnesota 55409, in the county of Hennepin, effective March 6, 2001, for a four-year term expiring on January 3, 2005.

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

Sincerely,
Jesse Ventura, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

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.

There has been appointed as such committee on the part of the House:

Leppik; Knoblach; Johnson, J.; Pelowski and Opatz.

Senate File No. 1047 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 23, 2001

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 58, 1367, 1596, 1153, 1497 and 1954.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 23, 2001

FIRST READING OF HOUSE BILLS

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

H.F. No. 58: A bill for an act relating to alcoholic beverages; prescribing standards for identification of beer kegs; requiring retailers of beer to maintain records of sale of beer kegs and

to record the identification number of each beer keg sold; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce.

H.F. No. 1367: A bill for an act relating to energy; allowing owner-occupied residential housing to be served by an existing energy loan program.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1306, now on General Orders.

H.F. No. 1596: A bill for an act relating to transportation; expanding definition of small vehicle passenger service to include certain transportation provided in wheelchair-accessible vehicles; imposing restrictions on transfer of former metro mobility vehicles by the metropolitan council; amending Minnesota Statutes 2000, sections 221.011, subdivision 49; 473.386, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1599, now on General Orders.

H.F. No. 1153: A bill for an act relating to local government; exempting certain building projects from the requirement to employ an architect; amending Minnesota Statutes 2000, section 326.03, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1529, now on General Orders.

H.F. No. 1497: A bill for an act relating to natural resources; exempting certain charges from legislative approval; modifying terms for certain lakeshore land exchanges to include leased farmed wild rice lands; authorizing public and private sales of certain state lands in Lake county; authorizing conveyance of certain surplus state land in Mower county; authorizing conveyance of certain consolidated conservation land in Aitkin county; adding to a state forest; adding to and creating wildlife management areas; amending Minnesota Statutes 2000, section 16A.1283; Laws 1998, chapter 389, article 16, section 31, subdivision 2, as amended.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1580, now on General Orders.

H.F. No. 1954: A bill for an act relating to local government; allowing specified municipal contributions to the general fund of a volunteer firefighters relief association; amending Minnesota Statutes 2000, section 424A.06, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2066, now on General Orders.

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 re-referred

S.F. No. 1367: A bill for an act relating to counties; providing a new standard of market value for new counties; providing for signatures from both affected areas on a petition to change county boundaries; requiring the secretary of state to certify the validity of the signatures; providing for a special election to fill vacancies or add members to a county board after the change of county boundaries; amending Minnesota Statutes 2000, sections 370.01; 370.02; 370.03; 370.07; 370.10; 370.12; 370.13; repealing Minnesota Statutes 2000, section 370.11.

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

Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

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 report from the Committee on Environment and Natural Resources, shown in the Journal for April 20, 2001, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass". Amendments adopted. Report adopted.

Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 1004: A bill for an act relating to commerce; prohibiting tampering with clock-hour meters on farm tractors; prescribing criminal and civil penalties; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325E.

Reports the same back with the recommendation that the report from the Committee on Crime Prevention, shown in the Journal for April 5, 2001, be adopted; that committee recommendation being:

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

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

S.F. No. 2343: A bill for an act relating to education; appropriating money for education and related purposes to the higher education services office, board of trustees of the Minnesota state colleges and universities, board of regents of the University of Minnesota, and the Mayo Medical Foundation, with certain conditions; modifying state appropriations for certain enrollments; making school districts responsible for payment of certain costs; modifying collection procedures for certain fees; adjusting assigned family responsibility; modifying grant provisions; providing for acquisition of certain facilities by the board of trustees; clarifying tuition refund policy for certain students; requiring a single assessment plan to be submitted to the legislature; deleting obsolete references; making various technical and clarifying changes; amending Minnesota Statutes 2000, sections 135A.031, subdivision 2; 135A.52, subdivision 1; 136A.101, subdivision 5a; 136A.121, subdivisions 6, 9; 136A.1211; 136A.125, subdivision 4; 136F.13; 136F.60, subdivision 2; 137.10; 169.966; 354.094, subdivision 2; 354.69; 356.24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 135A; 136F; repealing Minnesota Statutes 2000, section 135A.081.

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

Page 2, line 6, delete "\$1,450,795,000" and insert "\$1,428,726,000" and delete "\$1,494,358,000" and insert "\$1,522,427,000" and delete "\$2,945,153,000" and insert "\$2,951,153,000"

Page 2, line 15, delete "631,392,000" and insert "613,691,000" and delete "637,180,000" and insert "657,881,000" and delete "1,268,572,000" and insert "1,271,572,000"

Page 2, line 18, delete "656,132,000" and insert "651,764,000" and delete "686,560,000" and insert "693,928,000" and delete "1,342,692,000" and insert "1,345,692,000"

Page 4, after line 8, insert:

"FY 2001 \$281,000

For expenditures pursuant to Laws 1999, chapter 214, article 1, section 2, subdivision 9."

Page 5, line 11, delete "631,392,000" and insert "613,691,000" and delete "637,180,000" and insert "657,881,000"

Page 5, after line 11, insert:

"FY 2001 \$33,059,000

For expenditures pursuant to Laws 1999, chapter 214, article 1, section 3, subdivision 2."

Page 5, line 18, delete "\$28,000,000" and insert "\$8,786,000"

Page 5, line 23, delete "\$835,405,000" and insert "\$811,962,000"

Page 5, line 24, delete "\$844,159,000" and insert "\$871,575,000"

Page 5, line 27, delete "\$74,455,000" and insert "\$72,382,000"

Page 5, line 28, delete "\$74,407,000" and insert "\$76,831,000"

Page 5, line 39, delete "\$5,857,000" and insert "\$4,870,000"

Page 5, line 40, delete "\$5,858,000" and insert "\$6,845,000"

Page 5, line 55, delete "higher education finance divisions" and insert "appropriate education committees"

Page 6, lines 19 and 20, delete "higher education finance divisions" and insert "appropriate education committees"

Page 7, lines 34 and 35, delete "higher education finance divisions" and insert "appropriate education committees"

Page 7, lines 54 and 55, delete "higher education finance divisions" and insert "appropriate education committees"

Page 8, line 31, delete "(c)"

Page 8, line 33, delete "higher education finance divisions" and insert "appropriate education committees"

Page 9, line 19, delete "656,132,000" and insert "651,764,000" and delete "686,560,000" and insert "693,928,000"

Page 9, after line 19, insert:

"FY 2001 \$16,660,000

For expenditures pursuant to Laws 1999, chapter 214, article 1, section 4, subdivision 2."

Page 9, line 26, delete "\$29,000,000" and insert "\$22,132,000"

Page 9, line 29, delete "578,056,000" and insert "573,719,000" and delete "608,354,000" and insert "615,691,000"

Page 9, line 34, delete "\$506,896,000" and insert "\$503,058,000"

Page 9, line 35, delete "\$537,601,000" and insert "\$544,094,000"

Page 9, line 38, delete "\$240,125,000" and insert "\$238,347,000"

Page 9, line 39, delete "\$249,954,000" and insert "\$252,962,000"

Page 9, line 52, delete "higher education finance divisions" and insert "appropriate education committees"

Page 10, line 19, delete "75,539,000" and insert "75,508,000" and delete "75,669,000" and insert "75,700,000"

Page 10, line 25, delete "59,718,000" and insert "59,537,000" and delete "59,718,000" and insert "59,599,000"

Page 11, lines 33 and 34, delete "higher education finance divisions" and insert "appropriate education committees"

Page 11, lines 53 and 54, delete "higher education finance divisions" and insert "appropriate education committees"

Page 12, line 38, delete "(c)"

Page 12, line 40, delete "higher education finance divisions" and insert "appropriate education committees"

Page 12, line 44, delete "(d)" and insert "(c)"

Page 13, line 1, delete "(e)"

Page 13, lines 4 and 5, delete "higher education finance divisions" and insert "appropriate education committees"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1367 and 722 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Tomassoni moved that the name of Senator Marty be added as a co-author to S.F. No. 2213. The motion prevailed.

Senator Stumpf moved that the name of Senator Marty be added as a co-author to S.F. No. 2275. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Senator Samuelson in the chair.

After some time spent therein, the committee arose, and Senator Samuelson reported that the committee had considered the following:

S.F. Nos. 860 and 891, which the committee recommends be re-referred to the Committee on State and Local Government Operations.

S.F. No. 357, which the committee recommends be re-referred to the Committee on Education.

S.F. No. 1271, which the committee recommends be re-referred to the Committee on Commerce.

S.F. No. 44, which the committee recommends be re-referred to the Committee on Judiciary.

S.F. Nos. 407, 560, 508, 574, 912, 1429, 665, 1490, 1855, 427, 1437, 1104, 1613, 1528, 1464, 1894, 997, 1772, 1968, 1475 and H.F. Nos. 1383, 1151, 525, 1681, 1247, which the committee recommends to pass.

H.F. No. 995, which the committee recommends to pass, subject to the following motion:

Senator Tomassoni moved that the amendment made to H.F. No. 995 by the Committee on Rules and Administration in the report adopted April 20, 2001, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

S.F. No. 1344, which the committee recommends to pass with the following amendment offered by Senator Higgins:

Page 2, delete lines 9 to 16 and insert:

"Except as provided by section 123B.03 or as otherwise specifically provided by law, an employer, as defined in section 181.931, or a prospective employer may not require an employee or job applicant to pay for expenses incurred in criminal or background checks, credit checks, testing of any sort, or orientation. An employer or prospective employer may not require an employee or prospective employee to pay for the expenses of training that is required by federal or state law or is required by the employer for the employee to maintain the employee's current position, unless the training is required to obtain or maintain a license, registration, or certification for the employee."

The motion prevailed. So the amendment was adopted.

S.F. No. 518, which the committee recommends to pass with the following amendment offered by Senator Wiger:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 2000, section 168.12, subdivision 1, is amended to read:

Subdivision 1. [NUMBER PLATES; DESIGN, VISIBILITY, PERIODS OF ISSUANCE.] (a) The registrar, upon the approval and payment, shall issue to the applicant the number plates required by law, bearing the state name and the number assigned. The number assigned may be a combination of a letter or sign with figures. The color of the plates and the color of the abbreviation of the state name and the number assigned shall be in marked contrast. The plates shall be lettered, spaced, or distinguished to suitably indicate the registration of the vehicle according to the rules of the registrar, and when a vehicle is registered on the basis of total gross weight, the plates issued shall clearly indicate by letters or other suitable insignia the maximum gross weight for which the tax has been paid. These number plates shall be so treated as to be at least 100 times brighter than the conventional painted number plates. When properly mounted on an unlighted vehicle, these number plates, when viewed from a vehicle equipped with standard headlights, shall be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet.

(b) The registrar shall issue these number plates for the following periods:

(1) New number plates issued pursuant to section 168.012, subdivision 1, shall be issued to a vehicle for as long as it is owned by the exempt agency and shall not be transferable from one vehicle to another but may be transferred with the vehicle from one tax-exempt agency to another.

(2) Plates issued for passenger automobiles as defined in section 168.011, subdivision 7, shall be issued for a seven-year period. All plates issued under this paragraph must be replaced if they are seven years old or older at the time of annual registration or will become so during the registration period.

(3) Number plates issued under sections 168.053 and 168.27, subdivisions 16 and 17, shall be for a seven-year period.

(4) Number plates issued under sections 168.12, subdivisions 2c and 2d; and 168.123 shall be issued for the life of the veteran under section 169.79.

(5) Plates for any vehicle not specified in clauses (1) to (3), except for trailers as hereafter provided, shall be issued for the life of the vehicle. Beginning with number plates issued for the year 1981, plates issued for trailers with a total gross weight of 3,000 pounds or less shall be issued for the life of the trailer and shall be not more than seven inches in length and four inches in width.

(c) In a year in which plates are not issued, the registrar shall issue for each registration a tab or sticker to designate the year of registration. This tab or sticker shall show the calendar year or years for which issued, and is valid only for that period. The number plates, number tabs, or stickers issued for a motor vehicle may not be transferred to another motor vehicle during the period for which it is issued, except a motor vehicle registered under section 168.187.

(d) Notwithstanding any other provision of this subdivision, number plates issued to a vehicle which is used for behind-the-wheel instruction in a driver education course in a public school may be transferred to another vehicle used for the same purpose without payment of any additional fee. The registrar shall be notified of each transfer of number plates under this paragraph and may prescribe a form for notification."

Page 3, line 14, strike "to" and insert "and"

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. 1522, which the committee recommends to pass with the following amendment offered by Senator Stevens:

Amend H.F. No. 1522, as amended pursuant to Rule 45, adopted by the Senate April 19, 2001, as follows:

(The text of the amended House File is identical to S.F. No. 1421.)

Page 3, line 15, delete "subdivision 5a" and insert "subdivisions 5a and 7a"

Amend the title as follows:

Page 1, line 6, delete "subdivision 5a; and" and insert "subdivisions 5a, 7a;"

The motion prevailed. So the amendment was adopted.

S.F. No. 1295, which the committee recommends to pass with the following amendment offered by Senator Neville:

Page 1, lines 13 and 23, before "town" insert "city halls,"

Page 2, after line 6, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Amend the title as follows:

Page 1, line 5, after "include" insert "city halls and"

The motion prevailed. So the amendment was adopted.

H.F. No. 967, which the committee recommends to pass, subject to the following motions:

Senator Lesewski moved that the amendment made to H.F. No. 967 by the Committee on Rules and Administration in the report adopted April 20, 2001, pursuant to Rule 45, be stricken. The motion prevailed.

Senator Lesewski then moved to amend H.F. No. 967 as follows:

Page 2, line 6, delete "or" and insert a comma and after "501(c)(4)" insert ", 501(c)(6), 501(c)(7), 501(c)(10), or 501(c)(19)"

The motion prevailed. So the amendment was adopted.

S.F. No. 1558, which the committee recommends to pass with the following amendment offered by Senator Metzen:

Page 2, line 25, after the period, insert "The council shall maintain the current service availability charge (SAC) credit system, which recognizes reductions in connections or capacity for local governmental units with current SAC credit balances who choose to remain on the current SAC credit system."

The motion prevailed. So the amendment was adopted.

S.F. No. 1043, which the committee recommends to pass with the following amendment offered by Senator Chaudhary:

Page 3, line 12, delete "minority recruiting by MNSCU" and insert "recruitment information and enrollment statistics from MNSCU institutions that provide the Professional Peace Officer Education Program"

The motion prevailed. So the amendment was adopted.

S.F. No. 1507, which the committee recommends to pass with the following amendment offered by Senator Knutson:

Page 3, line 36, strike "(a) Only the"

Page 4, strike lines 1 to 17

Page 4, delete lines 18 to 25 and insert "(a) Data submitted by a business to the commissioner in response to a request for bids are private or nonpublic until the bids are opened. Once the bids are opened, the name of the bidder and the dollar amount specified in the response are read and become public. All other data in a bidder's response to a bid are private or nonpublic data until completion of the selection process. For purposes of this section, "completion of the selection process" means that the commissioner has completed the evaluation and has ranked the responses. After the commissioner has completed the selection process, all remaining data submitted by all bidders are public with the exception of trade secret data as defined and classified in section 13.37. A statement by a bidder that submitted data are copyrighted or otherwise protected does not prevent public access to the data contained in the bid. If all responses to a request for bids are rejected prior to completion of the selection process, all data, other than that made public at the bid opening, remain private or nonpublic until a resolicitation of bids results in completion of the selection process or a determination is made to abandon the purchase. If the rejection occurs after the completion of the selection process, the data remain public. If a resolicitation of bids does not occur within one year of the bid opening date, the remaining data become public.

(b) Data submitted by a business to the commissioner in response to a request for proposals are

private or nonpublic until the responses are opened. Once the responses are opened, the name of the responder is read and becomes public. All other data in a responder's response to a request for a proposal are private or nonpublic data until completion of the evaluation process. For purposes of this section, "completion of the evaluation process" means that the commissioner has completed negotiating the contract with the selected vendor. After the commissioner has completed the evaluation process, all remaining data submitted by all responders are public with the exception of trade secret data as defined and classified in section 13.37. A statement by a responder that submitted data are copyrighted or otherwise protected does not prevent public access to the data contained in the response. If all responses to a request for proposals are rejected prior to completion of the evaluation process, all data, other than that made public at the response opening, remain private or nonpublic until a resolicitation of the requests for proposal results in completion of the evaluation process or a determination is made to abandon the purchase. If the rejection occurs after the completion of the evaluation process, the data remain public. If a resolicitation of proposals does not occur within one year of the proposal opening date, the remaining data become public."

The motion prevailed. So the amendment was adopted.

S.F. No. 1434, which the committee recommends to pass with the following amendment offered by Senator Stevens:

Page 1, line 15, before "the" insert "wetlands or"

The motion prevailed. So the amendment was adopted.

H.F. No. 2107, which the committee recommends to pass with the following amendment offered by Senator Neuville:

Amend H.F. No. 2107, as amended pursuant to Rule 45, adopted by the Senate April 20, 2001, as follows:

(The text of the amended House File is identical to S.F. No. 1329.)

Page 1, delete lines 24 and 25

Page 2, delete lines 1 to 7 and insert:

"Subd. 3. [PARENT NOTIFICATION AND MEETING.] If a pupil's total days of removal from school exceeds ten cumulative days in a school year, the school district must make reasonable attempts to convene a meeting with the pupil and their parent prior to subsequently removing the pupil from school. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services."

The motion prevailed. So the amendment was adopted.

S.F. No. 1430, which the committee recommends to pass with the following amendment offered by Senator Anderson:

Page 5, after line 25, insert:

"Sec. 3. Minnesota Statutes 2000, section 148C.11, subdivision 1, is amended to read:

Subdivision 1. [OTHER PROFESSIONALS.] Nothing in sections 148C.01 to 148C.10 shall prevent members of other professions or occupations from performing functions for which they are qualified or licensed. This exception includes, but is not limited to, licensed physicians, registered nurses, licensed practical nurses, licensed psychological practitioners, members of the clergy, American Indian medicine men and women, licensed attorneys, probation officers, licensed marriage and family therapists, licensed social workers, licensed professional counselors, licensed school counselors employed by a school district while acting within the scope of ~~employment as school counselors~~, and registered occupational therapists or occupational therapy assistants. These persons must not, however, use a title incorporating the words "alcohol and drug

counselor" or "licensed alcohol and drug counselor" or otherwise hold themselves out to the public by any title or description stating or implying that they are engaged in the practice of alcohol and drug counseling, or that they are licensed to engage in the practice of alcohol and drug counseling. Persons engaged in the practice of alcohol and drug counseling are not exempt from the commissioner's jurisdiction solely by the use of one of the above titles."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 953, which the committee recommends to pass with the following amendment offered by Senator Kinkel:

Amend H.F. No. 953, as amended pursuant to Rule 45, adopted by the Senate April 20, 2001, as follows:

(The text of the amended House File is identical to S.F. No. 1265.)

Page 1, line 13, after "that" insert "involves a minor victim and"

Page 1, line 14, delete "the" and insert "these"

Page 1, line 15, delete "the" and insert "this"

The motion prevailed. So the amendment was adopted.

On motion of Senator Moe, R.D., the report of the Committee of the Whole, as kept by the Secretary, was adopted.

Without objection, the Senate reverted to the Orders of Business of Reports of Committees and Motions and Resolutions.

REPORTS OF COMMITTEES

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

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

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.

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

Page 2, delete lines 26 to 36 and insert:

"General	\$ 104,865,000	\$104,397,000	\$209,262,000
For 2001 - \$283,700,000			
Airports	20,807,000	20,548,000	41,355,000
C.S.A.H.	405,330,000	418,113,000	823,443,000
Highway User	11,553,000	11,186,000	22,739,000
For 2001 - \$875,000			
M.S.A.S.	106,469,000	109,827,000	216,296,000
Workers'			
Compensation	100,000	100,000	200,000
Special Revenue	23,250,000	22,009,000	45,259,000
Trunk			
Highway	1,105,115,000	1,116,374,000	2,221,489,000
For 2001 - \$445,000			
TOTAL	\$1,777,489,000	\$1,802,554,000	\$3,580,043,000
For 2001 - \$285,020,000"			

Page 3, delete lines 2 and 3 and insert:

"Subdivision 1. Total			
Appropriation		\$1,592,880,000	\$1,615,328,000
For 2001 - \$212,000,000"			

Page 3, delete line 8 and insert:

"General	19,307,000	19,083,000
For 2001 - \$212,000,000"		

Page 3, delete line 17 and insert:

"Subd. 2. Aeronautics	20,748,000	20,489,000
For 2001 - \$10,000,000"		

Page 3, delete line 20 and insert:

"General	50,000	50,000
For 2001 - \$10,000,000"		

Page 4, delete line 8 and insert "For 2001 - \$10,000,000"

Page 4, delete lines 34 to 36 and insert:

"Subd. 3. Transit	18,389,000	18,410,000
For 2001 - \$10,000,000		

Summary by Fund

General	18,049,000	18,062,000
For 2001 - \$10,000,000"		

Page 5, delete line 3 and insert "For 2001 - \$10,000,000"

Page 5, delete lines 11 to 13 and insert:

"Subd. 4. Railroads and Waterways For 2001 - \$6,000,000"	1,758,000	1,804,000
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Summary by Fund

General For 2001 - \$6,000,000"	273,000	280,000
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Page 5, line 15, delete "the first year" and insert "in fiscal year 2001"

Page 5, delete line 29 and insert:

"Subd. 5. Passenger Rail Transit For 2001 - \$23,000,000"	500,000	500,000
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Page 6, delete line 3 and insert "For 2001 - \$23,000,000"

Page 6, delete lines 51 and 52 and insert:

"Subd. 7. Local Roads	512,049,000	527,940,000
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Summary by Fund

General For 2001 - \$63,000,000"		
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Page 7, delete line 1

Page 7, delete line 34 and insert:

"250,000 For 2001 - \$10,000,000"	-0-	
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Page 8, delete line 14 and insert "For 2001 - \$3,000,000"

Page 8, delete line 23 and insert "For 2001 - \$50,000,000"

Page 8, delete lines 47 to 49 and insert:

"Subd. 8. State Roads	974,735,000	988,138,000
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Summary by Fund

General For 2001 - \$100,000,000"	9,000	9,000
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Page 9, delete line 34 and insert "For 2001 - \$100,000,000"

Page 13, delete lines 60 and 61 and insert:

"Sec. 3. METROPOLITAN COUNCIL TRANSIT For 2001 - \$60,000,000"	68,101,000	68,101,000
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Page 14, delete line 8 and insert:

"Subd. 2. Bus Garages For 2001 - \$12,000,000"		
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Page 14, delete lines 12 and 13 and insert:

"Subd. 3. Bus Purchases and Capital Facilities For 2001 - \$20,000,000"		
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Page 14, delete lines 27 and 28 and insert:

"Subd. 4. Fare Increase
Replacement
For 2001 - \$18,000,000"

Page 14, delete line 41 and insert:

"Subd. 5. Transit Ways
For 2001 - \$10,000,000"

Page 15, delete lines 31 to 34 and insert:

"Subdivision 1. Total Appropriation For 2001 - \$3,020,000	110,466,000	113,083,000
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Summary by Fund

General For 2001 - \$1,700,000"	12,290,000	12,046,000
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Page 16, delete lines 38 to 41 and insert:

"(a) Patrolling Highways 50,905,000	54,111,000
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Summary by Fund

General For 2001 - \$1,625,000"	37,000	37,000
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Page 17, line 1, delete "the first year" and insert "in fiscal year 2001"

Page 17, line 4, before the period, insert "and is available until June 30, 2003"

Page 17, after line 49, insert:

"For 2001 - \$75,000"

Page 17, after line 51, insert:

"For 2001 - \$75,000"

Page 18, delete lines 16 to 18 and insert:

"21,026,000	20,671,000
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Summary by Fund

General For 2001 - \$75,000"	55,000	56,000
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Page 18, line 28, delete "the first year" and insert "in fiscal year 2001"

Page 18, delete line 41 and insert:

"Sec. 6. FINANCE
For 2001 - \$10,000,000"

Page 19, line 24, before the period, insert "and is added to the appropriation in Laws 1999, chapter 216, article 1, section 7, subdivision 2, for the state match of federal disaster assistance money under Minnesota Statutes, section 12.221. This appropriation is available to fund state obligations incurred through the receipt of federal disaster assistance grants and is available the day following final enactment"

Page 20, delete lines 5 to 12 and insert:

	"2002	2003	TOTAL
General	\$ 85,426,000	\$ 83,660,000	\$ 169,086,000
For 2001 - \$16,300,000			
Special Revenue	5,983,000	5,421,000	11,404,000
Environmental	47,000	49,000	96,000
State Government			
Special Revenue	7,000	7,000	14,000
Trunk Highway	354,000	361,000	715,000
TOTAL	\$ 91,817,000	\$ 89,498,000	\$ 181,315,000
For 2001 - \$16,300,000"			

Page 20, after line 21, insert:

"For 2001 - \$16,300,000"

Page 20, delete line 24 and insert:

"General	84,874,000	83,093,000
For 2001 - \$16,300,000"		

Page 20, delete line 35 and insert:

"General	7,591,000	7,633,000
For 2001 - \$6,000,000"		

Page 21, line 5, delete "the first year" and insert "in fiscal year 2001"

Page 21, line 18, before the period, insert ", and is available until June 30, 2003"

Page 21, delete line 26 and insert:

"General	31,500,000	31,786,000
For 2001 - \$8,000,000"		

Page 22, line 1, delete "\$5,000,000" and insert "\$8,000,000 in fiscal year 2001, \$1,000,000"

Page 22, line 2, delete "\$5,000,000" and insert "\$1,000,000"

Page 22, line 10, before the period, insert ", and are available until June 30, 2003"

Page 22, delete lines 32 and 33 and insert:

"32,682,000	32,536,000
For 2001 - \$300,000	

(a) \$300,000 in fiscal year 2001 and"

Page 22, line 34, delete "\$250,000" and insert "\$100,000"

Page 22, line 45, delete "15" and insert "14"

Page 23, delete line 43 and insert:

"7,999,000	5,911,000
For 2001 - \$2,000,000"	

Page 24, delete lines 40 and 41 and insert:

"(d) \$2,000,000 in fiscal year 2001 is a onetime appropriation"

Page 24, line 42, delete "appropriations"

Page 24, line 44, before the period, insert ", and is available until June 30, 2003"

Page 26, delete section 6

Page 61, delete section 19

Pages 83 to 87, delete sections 47 to 55

Page 98, line 28, delete "67" and insert "57"

Page 99, lines 13 and 24, delete "67" and insert "57"

Page 100, line 24, delete "67" and insert "57"

Page 105, line 11, delete "69" and insert "59"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, delete everything after the first semicolon

Page 1, line 26, delete everything before "168.013"

Page 1, line 37, delete "296A.07,"

Page 1, delete lines 38 and 39

Page 1, line 40, delete everything before "297B.09"

Page 2, line 1, delete "270;"

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

MOTIONS AND RESOLUTIONS

Senator Wiger moved that S.F. No. 3, No. 111 on General Orders, be stricken and re-referred to the Committee on Education. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senator Tomassoni introduced--

S.F. No. 2344: A bill for an act relating to education finance; modifying the alternative facilities program; amending Minnesota Statutes 2000, section 123B.59, subdivision 1; repealing Minnesota Statutes 2000, section 123B.59, subdivision 6.

Referred to the Committee on Education.

Senator Pogemiller introduced--

S.F. No. 2345: A bill for an act relating to finance; updating and changing the Minnesota Bond Allocation Act; amending Minnesota Statutes 2000, sections 474A.02, subdivisions 8, 13a, 22a, 22b, 23a; 474A.03, subdivisions 1, 2a, 4; 474A.04, subdivisions 1a, 5; 474A.045; 474A.047, subdivisions 1, 2; 474A.061, subdivisions 1, 2a, 2b, 2c, 4; 474A.091, subdivisions 2, 3, 4, 5, 6, by

adding a subdivision; 474A.131, subdivisions 1, 2, by adding a subdivision; 474A.14; proposing coding for new law in Minnesota Statutes, chapter 474A; repealing Minnesota Statutes 2000, section 474A.061, subdivision 6.

Referred to the Committee on Taxes.

Senator Lourey introduced--

S.F. No. 2346: A bill for an act relating to taxation; providing a sales tax rebate payable in 2001; expanding eligibility for the 2000 sales tax rebate; appropriating money; amending Laws 2000, chapter 490, article 1, section 2.

Referred to the Committee on Taxes.

Senator Pogemiller introduced--

S.F. No. 2347: A bill for an act relating to veterans affairs; appropriating money for a grant to plan a veterans' memorial on the banks of the Mississippi river.

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

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Wednesday, April 25, 2001. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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