

EFFECTIVE DATE: This section is effective for revenue for fiscal years beginning with 2001.

Sec. 19. Minnesota Statutes 1998, section 245A.14, subdivision 4, is amended to read:

Subd. 4. [SPECIAL FAMILY DAY CARE HOMES.] Nonresidential child care programs serving 14 or fewer children that are conducted at a location other than the license holder's own residence shall be licensed under this section and the rules governing family day care or group family day care if:

(a) the license holder is the primary provider of care and the nonresidential child care program is conducted in a dwelling that is located on a residential lot; or

(b) the license holder is an employer who may or may not be the primary provider of care, and the purpose for the child care program is to provide child care services to children of the license holder's employees; or

(c) the license holder is a church or religious organization.

Sec. 20. Minnesota Statutes 1998, section 245A.14, is amended by adding a subdivision to read:

Subd. 8. [EXPERIENCED AIDES; CHILD CARE CENTERS.] (a) An individual employed as an aide at a child care center may work with children without being directly supervised for up to 25 percent of the individual's daily work shift if:

(1) a teacher is in the building;

(2) the individual has received first aid training within the last three years; and

(3) the individual is at least 20 years old and has at least 4,160 hours of child care experience as defined in section 245A.02, subdivision 6b.

(b) The use of an experienced aide working without direct supervision under paragraph (a) is limited to 25 percent of each classrooms' daily hours of operation.

(c) A child care center that utilizes experienced aides under this subdivision must notify the parents or guardians of the children who are cared for under this subdivision, and must send a duplicate letter to the commissioner of human services, licensing division. The notice must provide the approximate number of hours per classroom per month that this subdivision is utilized.

(d) This subdivision sunsets June 30, 2002.

Sec. 21. Laws 1998, First Special Session chapter 1, article 1, section 10, is amended to read:

Sec. 10. [HOUSEHOLD ELIGIBILITY; PARTICIPATION.]

Subdivision 1. [INITIAL ELIGIBILITY.] To be eligible for state or TANF matching funds in the family assets for independence initiative, a household must have income at or below 185 percent of the federal poverty level and assets of \$15,000 or less. An individual who is a dependent of another person for federal income tax purposes may not be a separate eligible household for purposes of establishing a family asset account. An individual who is a debtor for a judgment resulting from nonpayment of a court-ordered child support obligation may not participate in this program. Households accessing TANF matching funds are subject to the MFIP definition of household under Minnesota Statutes, section 256J.08, subdivision 46. Income and assets are determined according to eligibility guidelines for the energy assistance program meet the eligibility requirements of the federal Assets for Independence Act, Public Law Number 105-285, in title IV, section 408, of that act.

Sec. 22. Laws 1998, First Special Session chapter 1, article 1, section 11, is amended to read:

Sec. 11. [WITHDRAWAL; MATCHING; PERMISSIBLE USES.]

Subdivision 1. [WITHDRAWAL OF FUNDS.] To receive a match, a participating household must transfer funds withdrawn from a family asset account to its matching fund custodial account held by the fiscal agent, according to the family asset agreement. ~~The fiduciary organization~~ fiscal agent must determine if the match request is for a permissible use consistent with the household's family asset agreement.

The fiscal agent must ensure the household's custodial account contains the applicable matching funds to match the balance in the household's account, including interest, on at least a quarterly basis and at the time of an approved withdrawal. Matches must be provided as follows:

(1) from state grant and TANF funds a matching contribution of \$1.50 for every \$1 of funds withdrawn from the family asset account equal to the lesser of \$720 per year or a \$3,000 lifetime limit; and

(2) from nonstate funds, a matching contribution of no less than \$1.50 for every \$1 of funds withdrawn from the family asset account equal to the lesser of \$720 per year or a \$3,000 lifetime limit.

Sec. 23. Laws 1999, chapter 205, article 1, section 65, is amended to read:

Sec. 65. [ADDITIONAL EARLY CHILDHOOD FAMILY EDUCATION AID; FISCAL YEAR 2000 AND FISCAL YEAR 2001.]

A district that complies with Minnesota Statutes, section 124D.13, shall receive additional early childhood family education aid for fiscal year 2000 and fiscal year 2001 equal to \$2.46 times the greater of:

(1) 150; or

(2) the number of people under five years of age residing in the school district on October 1 of the previous school year. The additional early childhood family education aid may be used only for early childhood family education programs.

Sec. 24. Laws 1999, chapter 205, article 1, section 71, subdivision 3, is amended to read:

Subd. 3. [EARLY CHILDHOOD FAMILY EDUCATION AID.] For early childhood family education aid according to Minnesota Statutes, section 124D.135:

\$20,485,000 <u>\$20,109,000</u>	.....	2000
\$19,420,000 <u>\$21,107,000</u>	.....	2001

The 2000 appropriation includes \$1,390,000 for 1999 and ~~\$19,095,000~~ \$18,719,000 for 2000.

The 2001 appropriation includes ~~\$2,122,000~~ \$2,079,000 for 2000 and ~~\$17,298,000~~ \$19,028,000 for 2001.

Any balance in the first year does not cancel but is available in the second year.

Sec. 25. Laws 1999, chapter 205, article 1, section 71, subdivision 7, is amended to read:

Subd. 7. [SCHOOL AGE CARE AID.] For extended day aid according to Minnesota Statutes, section 124D.22:

\$274,000	.....	2000
\$216,000 <u>\$245,000</u>	.....	2001

The 2000 appropriation includes \$30,000 for 1999 and \$244,000 for 2000.

The 2001 appropriation includes \$27,000 for 2000 and ~~\$189,000~~ \$218,000 for 2001.

Any balance in the first year does not cancel but is available in the second year.

Sec. 26. Laws 1999, chapter 205, article 1, section 71, subdivision 9, is amended to read:

Subd. 9. [MFIP CHILD CARE.] For child care assistance according to Minnesota Statutes, section 119B.05:

\$86,318,000	<u>\$66,524,000</u>	.....	2000
\$88,443,000	<u>\$78,606,000</u>	.....	2001

Any balance in the first year does not cancel but is available in the second year.

Sec. 27. Laws 1999, chapter 205, article 2, section 4, subdivision 3, is amended to read:

Subd. 3. [COMMUNITY EDUCATION AID.] For community education aid according to Minnesota Statutes, section 124D.20:

\$14,136,000	.....	2000
\$14,696,000	<u>\$15,274,000</u>	..... 2001

The 2000 appropriation includes \$160,000 for 1999 and \$13,976,000 for 2000.

The 2001 appropriation includes \$1,552,000 for 2000 and ~~\$13,144,000~~ \$13,722,000 for 2001.

Any balance in the first year does not cancel but is available in the second year.

Sec. 28. Laws 1999, chapter 205, article 4, section 12, subdivision 5, is amended to read:

Subd. 5. [ADULT BASIC EDUCATION AID.] For adult basic education aid according to Minnesota Statutes, section 124D.52, in fiscal year 2000 and Minnesota Statutes, section 124D.53 in fiscal year 2001:

\$20,132,000	.....	2000
\$22,477,000	<u>\$29,168,000</u>	..... 2001

The 2000 appropriation includes \$1,227,000 for 1999 and \$18,905,000 for 2000.

The 2001 appropriation includes \$2,101,000 for 2000 and ~~\$20,376,000~~ \$27,067,000 for 2001.

Sec. 29. Laws 1999, chapter 205, article 4, section 12, subdivision 6, is amended to read:

Subd. 6. [ADULT BASIC EDUCATION BASIC POPULATION AID.] For basic population aid for eligible districts under section 7:

\$1,960,000	<u>\$1,974,000</u>	2000
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Notwithstanding Minnesota Statutes, section 127A.45, subdivision 12, 100 percent of this appropriation is for fiscal year 2000.

Any balance in the first year does not cancel but is available in the second year. This is a one-time appropriation.

Sec. 30. Laws 1999, chapter 205, article 4, section 12, subdivision 7, is amended to read:

Subd. 7. [ADULT GRADUATION AID.] For adult graduation aid according to Minnesota Statutes, section 124D.54:

\$3,184,000	<u>\$2,760,000</u>	.....	2000
\$4,732,000	<u>\$3,031,000</u>	.....	2001

The 2000 appropriation includes ~~\$258,000~~ \$258,000 for 1999 and ~~\$2,926,000~~ \$2,502,000 for 2000.

The 2001 appropriation includes ~~\$325,000~~ \$278,000 for 2000 and ~~\$4,407,000~~ \$2,753,000 for 2001.

Sec. 31. [COMPETENCY-BASED ADULT BASIC EDUCATION AND ENGLISH AS A SECOND LANGUAGE LICENSE.]

The board of teaching must convene a task force to develop a competency-based license for teachers of adult basic education classes and English as a second language class. The competency-based license must be an alternative to the current licensing requirements. By January 15, 2002, the board of teaching must present their recommendations to the committees of the legislature responsible for teacher licensing and funding of adult basic education programs, including recommendations for implementing competency-based licensing for teachers of adult learners.

Sec. 32. [ADULT BASIC EDUCATION CONSORTIUM DISTRIBUTION TO MEMBERS.]

Consortiums receiving additional funding based on population aid shall proportionately distribute that additional funding to noneducation institution members of the consortium based upon the percentage of contact hours each noneducation institution member provides. This provision shall be effective through June 30, 2001.

Sec. 33. [ENERGY ASSISTANCE PROGRAM.]

(a) The commissioner of economic security shall establish policies and procedures to address the findings in the department of administration's evaluation of Minnesota's energy assistance program published in December 1999.

(b) The commissioner of economic security shall develop:

(1) outcome measures, in accordance with federal recommendations, by which to evaluate subgrantee performance and the program as a whole;

(2) methods to identify the eligible population for the energy assistance program;

(3) procedures to improve program consistency across the state. This shall address program start and end dates, eligibility determination, eligibility verification, and application and payment processing times; and

(4) improved internal management practices. This includes program oversight, evaluation and auditing of the service delivery agencies, computer software system, and overall management. The report shall also include proposals for the utilization of technology to provide for the most cost-effective service delivery.

Sec. 34. [FEDERAL TANF APPROPRIATIONS.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.] The sums indicated in this section are appropriated from the federal TANF block grant fund to the commissioner of children, families, and learning for the fiscal years indicated. These amounts are available until expended and may be carried forward and spent in the 2002-2003 biennium.

Subd. 2. [TRANSITIONAL HOUSING PROGRAMS.] For transitional housing programs according to Minnesota Statutes, section 119A.43:

<u>\$3,700,000</u>	<u>.....</u>	<u>2001</u>
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The amount appropriated under this subdivision does not cancel, but is available until expended.

Sec. 35. [FEDERAL TANF TRANSFERS.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.] The sums indicated in this section are transferred from the federal TANF fund to the child care and development fund and appropriated to the commissioner of children, families, and learning for the fiscal year designated. The commissioner shall ensure that all transferred funds are expended in accordance with the child care and development fund regulations and that the maximum allowable transferred funds are used for the program in this section.

Subd. 2. [BASIC SLIDING FEE CHILD CARE.] For child care assistance according to Minnesota Statutes, section 119B.03:

<u>\$11,789,000</u>	.....	<u>2001</u>
<u>\$ 5,888,000</u>	.....	<u>2002</u>
<u>\$ 2,488,000</u>	.....	<u>2003</u>

The amounts appropriated under this subdivision do not cancel, but are available until expended.

Subd. 3. [MFIP SOCIAL SERVICE CHILD CARE.] For social service child care costs of eligible MFIP participants according to Minnesota Statutes, section 119B.05:

<u>\$3,233,000</u>	.....	<u>2001</u>
<u>\$3,297,000</u>	.....	<u>2002</u>
<u>\$2,865,000</u>	.....	<u>2003</u>

This amount shall be added to the federal TANF block grant base with regard to this program.

Subd. 4. [MFIP EDUCATION CHILD CARE.] For child care costs related to the possible modifications to Minnesota Statutes, section 256J.522, made in the 2000 legislative session in the health and family security omnibus bill, which allows 24 months of education to eligible MFIP participants under certain circumstances. If the changes to Minnesota Statutes, section 256J.522, relating to 24 months of education do not pass into law, the money appropriated under this subdivision shall revert to the basic sliding fee program under subdivision 2, for fiscal year 2001:

<u>\$600,000</u>	<u>2001</u>
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Subd. 5. [TRANSITION YEAR FAMILIES.] To provide uninterrupted assistance under Minnesota Statutes, section 119B.03, for families completing transition year child care assistance:

<u>\$1,080,000</u>	.....	<u>2001</u>
<u>\$3,620,000</u>	.....	<u>2002</u>
<u>\$4,040,000</u>	.....	<u>2003</u>

A balance may be carried forward one fiscal year. Any amount remaining in fiscal year 2003 that is not needed for uninterrupted child care must be used for assistance under Minnesota Statutes, section 119B.03.

Sec. 36. [GENERAL FUND APPROPRIATIONS.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.] The sums indicated in this section are appropriated from the general fund to the commissioner of children, families, and learning for the fiscal years designated. The amounts are available until expended and may be carried forward to the 2002-2003 biennium.

Subd. 2. [ADULT BASIC EDUCATION SUPPLEMENTAL SERVICE GRANTS.] For adult basic education supplemental service grants according to Minnesota Statutes, section 124D.522:

<u>\$700,000</u>	<u>2001</u>
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This appropriation is added to the base for fiscal years 2002 and 2003.

Subd. 3. [ADULT BASIC ADMINISTRATION.] For the adult basic policy review task force under Minnesota Statutes, section 124D.521, and for administration of the state adult basic education program including auditing, technical assistance, and reporting requirements under this act:

<u>\$100,000</u>	<u>2001</u>
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This appropriation is added to the fiscal year 2002 and 2003 base.

Subd. 4. [CITIZENSHIP PROMOTION.] For the citizenship promotion program under Laws 1997, chapter 162, article 2, section 32:

\$350,000 2001

Subd. 5. [ADULTS WITH DISABILITIES.] For purposes of the adults with disabilities pilot programs under Laws 1997, chapter 162, article 2, section 31, subdivision 4:

\$40,000 2001

Subd. 6. [EMERGENCY SERVICES.] For emergency services grants according to Laws 1997, chapter 162, article 3, section 7:

\$1,477,000 2001

Sec. 37. [REPORT.]

The commissioner of economic security shall submit a report to the legislature detailing the costs and benefits of operating the energy assistance program. The report shall be submitted to the senate jobs, energy and community development committee, and the house jobs and economic development policy committee by January 30, 2001.

Sec. 38. [TRANSFER OF ENERGY ASSISTANCE AND WEATHERIZATION RESPONSIBILITIES.]

Energy assistance and weatherization responsibilities under Minnesota Statutes, sections 119A.40, 119A.41, 119A.42, and 119A.425, are transferred from the department of children, families, and learning to the department of economic security.

Sec. 39. [INSTRUCTION TO REVISOR.]

The revisor of statutes shall renumber each section of Minnesota Statutes listed in column A with the number listed in column B. The revisor shall also make necessary cross-reference changes consistent with the renumbering.

<u>column A</u>	<u>column B</u>
<u>119A.40</u>	<u>268.985</u>
<u>119A.41</u>	<u>268.986</u>
<u>119A.42</u>	<u>268.987</u>
<u>119A.425</u>	<u>268.989</u>

Sec. 40. [REPEALER.]

Minnesota Statutes 1998, section 124D.53, subdivisions 1, 2, and 5, are repealed. Minnesota Statutes 1999 Supplement, section 124D.53, subdivision 4, is repealed. Laws 1998, First Special Session chapter 1, article 1, section 10, subdivision 2, is repealed.

Sec. 41. [EFFECTIVE DATE.]

Sections 33 and 37 to 39 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to education; prekindergarten through grade 12; higher education; early childhood and family education; providing for general education, special programs, employment and other transitions, facilities and technology, education excellence and other policy, nutrition and other programs, libraries, and the department of children, families, and learning; making technical, conforming, and clarifying amendments; appropriating money; amending Minnesota Statutes 1998, sections 119B.03, by adding a subdivision; 120A.22, subdivision 3; 120B.13, subdivision 4; 121A.22, subdivisions 2 and 3; 121A.61, subdivision 3; 122A.25, subdivision 3, and by adding subdivisions; 122A.31, subdivision 4; 122A.68, subdivision 4;

123A.485, subdivision 4; 123B.02, by adding a subdivision; 123B.04, subdivision 2; 123B.143, subdivision 1; 123B.51, subdivision 6; 123B.52, by adding a subdivision; 123B.53, as amended; 123B.57, subdivision 1; 123B.58, subdivisions 3 and 4; 123B.59, as amended; 123B.63, subdivisions 3 and 4; 123B.71, subdivision 10; 123B.72, subdivision 3; 123B.75, subdivision 5; 123B.77, subdivision 3; 123B.79, subdivision 7; 123B.80, by adding a subdivision; 123B.85, subdivision 1; 123B.86, subdivision 1; 123B.88, subdivision 3; 123B.90, subdivision 1; 124D.03, subdivision 1; 124D.081, subdivision 6; 124D.10, subdivisions 9 and 20; 124D.111, subdivision 1; 124D.128, subdivision 4; 124D.16, subdivision 1; 124D.44; 124D.454, subdivisions 2, 4, 6, 7, and 10; 124D.52, subdivisions 1, 2, 3, and by adding a subdivision; 124D.86, subdivision 6, and by adding subdivisions; 124D.88, by adding a subdivision; 124D.892, subdivision 3; 125A.76, subdivision 7; 126C.10, by adding subdivisions; 126C.12, subdivision 2; 126C.40, subdivisions 1, 2, and 3; 126C.69, subdivision 15; 127A.05, subdivision 4; 127A.41, subdivisions 8 and 9; 128D.11, subdivision 3; 136A.125, by adding a subdivision; 169.447, by adding a subdivision; 169.448, subdivision 3; 171.06, subdivision 2; 171.321; 245A.14, subdivision 4, and by adding a subdivision; 354.05, subdivision 2; 354A.011, subdivision 27; and 471.15; Minnesota Statutes 1999 Supplement, sections 119B.011, subdivisions 12, 15, and 20; 119B.03, subdivision 4; 119B.05, subdivision 1; 120B.30, subdivision 1; 122A.18, subdivision 3; 122A.23; 122A.31, subdivisions 1 and 2; 122A.61, subdivision 1; 123A.05, subdivision 2; 123B.54; 123B.83, subdivision 4; 123B.90, subdivision 2; 123B.91, subdivision 1; 124D.10, subdivisions 3, 4, 8, 11, 15, and 23; 124D.11, subdivisions 1, 4, and 6; 124D.128, subdivision 2; 124D.221, subdivision 2; 124D.53, subdivision 3; 124D.84, subdivision 1; 124D.86, subdivisions 1 and 3; 124D.87; 124D.88, subdivision 3; 125A.023, subdivisions 3 and 5; 125A.027, subdivision 3; 125A.08; 125A.51; 125A.76, subdivisions 1 and 2; 125A.79, subdivisions 1, 2, 5, and 8; 125A.80; 125B.21, subdivision 3; 126C.05, subdivisions 3, 5, and 6; 126C.10, subdivisions 2, 5, 13, 14, 24, 25, and 26; 126C.17, subdivision 9; 126C.40, subdivision 6; 126C.44; 127A.05, subdivision 6; 127A.42, subdivision 3; 127A.45, subdivision 12a; 127A.51; 148.235, by adding a subdivision; and 181A.04, subdivision 6; Laws 1992, chapter 499, article 7, sections 31 and 32, as amended; Laws 1997, chapter 157, section 71, as amended; Laws 1997, First Special Session chapter 4, article 8, section 4, as amended; Laws 1998, chapter 404, section 5, subdivision 11, as amended; Laws 1998, First Special Session chapter 1, article 1, sections 10 and 11; Laws 1999, chapters 204, articles 1, sections 65 and 71, subdivisions 3, 7, and 9; 2, section 4, subdivision 3; 4, section 12, subdivisions 5, 6, and 7; 214, article 1, section 4, subdivision 2; 241, articles 1, sections 68; subdivisions 2, 4, and 5, and 69; 2, section 60, subdivisions 7, 9, 12, 13, 14, 17, and 19; 3, section 3, subdivisions 2 and 4; 4, section 27, subdivisions 2, 3, 4, and 5; 5, section 18, subdivisions 5 and 6; 6, section 14, subdivisions 2, 3, 4, and 5; 7, section 2, subdivisions 2 and 5; 8, section 4, subdivisions 4 and 5; 9, section 49; and 10, section 6; proposing coding for new law in Minnesota Statutes, chapters 121A; 123B; 124D; 125B; and 126C; repealing Minnesota Statutes 1998, sections 120A.41; and 124D.53, subdivisions 1, 2, and 5; Minnesota Statutes 1999 Supplement, sections 124D.1155, subdivision 5; and 124D.53, subdivision 4; Laws 1998, First Special Session chapter 1, article 1, section 10, subdivision 2; Laws 1999, chapters 241, article 9, sections 35 and 36; and 245, article 4, section 3; Minnesota Rules, parts 3535.9920; 4830.9005; 4830.9010; 4830.9015; 4830.9020; and 4830.9030."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1870, 2659, 3198 and 3730 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Murphy moved that the name of Senator Pariseau be added as a co-author to S.F. No. 2709. The motion prevailed.

Senator Ranum moved that the name of Senator Wiger be added as a co-author to S.F. No. 3211. The motion prevailed.

SPECIAL ORDERS

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

S.F. Nos. 2903, 1226, 434 and 689.

SPECIAL ORDER

S.F. No. 2903: A bill for an act relating to gambling; changing paddlewheel location and prize requirements; allowing lawful gambling organizations to pay for premises; expanding the definition of lawful purpose; requiring manufacturers to sell gambling supplies in certain cases; amending Minnesota Statutes 1998, sections 349.12, subdivisions 19 and 25; 349.15, by adding a subdivision; 349.163, by adding a subdivision; 349.18, subdivisions 1 and 2; 349.211, subdivision 4; and 349.213, subdivision 1.

Senator Vickerman moved to amend S.F. No. 2903 as follows:

Page 6, line 1, delete "gambling supplies, including" and delete the second comma

Page 6, line 4, delete "such gambling materials" and insert "pull-tab games"

Page 6, line 5, delete "other"

The motion prevailed. So the amendment was adopted.

Senator Berg moved to amend S.F. No. 2903 as follows:

Page 1, after line 11, insert:

"Section 1. Minnesota Statutes 1999 Supplement, section 240.25, subdivision 8, is amended to read:

Subd. 8. [~~AGE UNDER 18~~ 19.] A person under the age of ~~18~~ 19 may not place a bet or present a pari-mutuel ticket for payment with an approved pari-mutuel system or participate in card playing at a card club at a licensed racetrack."

Page 8, after line 15, insert:

"Sec. 9. Minnesota Statutes 1998, section 349.2127, subdivision 8, is amended to read:

Subd. 8. [~~MINIMUM AGE.~~] (a) A person under the age of ~~18~~ 19 years may not buy a pull-tab, tipboard ticket, paddlewheel ticket, or raffle ticket, or a chance to participate in a bingo game other than a bingo game exempt or excluded from licensing. Violation of this paragraph is a misdemeanor.

(b) A licensed organization or employee may not allow a person under age ~~18~~ 19 to participate in lawful gambling in violation of paragraph (a). Violation of this paragraph is a misdemeanor.

(c) In a prosecution under paragraph (b), it is a defense for the defendant to prove by a preponderance of the evidence that the defendant reasonably and in good faith relied upon representations of proof of age authorized in section 340A.503, subdivision 6, paragraph (a)."

Page 9, after line 35, insert:

"Sec. 11. Minnesota Statutes 1998, section 349A.12, subdivision 1, is amended to read:

Subdivision 1. [~~PURCHASE BY MINORS.~~] A person under the age of ~~18~~ 19 years may not buy or redeem for a prize a ticket in the state lottery.

Sec. 12. Minnesota Statutes 1998, section 349A.12, subdivision 2, is amended to read:

Subd. 2. [SALE TO MINORS.] A lottery retailer may not sell and a lottery retailer or other person may not furnish or redeem for a prize a ticket in the state lottery to any person under the age of 18 19 years. It is an affirmative defense to a charge under this subdivision for the lottery retailer or other person to prove by a preponderance of the evidence that the lottery retailer or other person reasonably and in good faith relied upon representation of proof of age described in section 340A.503, subdivision 6, in making the sale or furnishing or redeeming the ticket.

Sec. 13. Minnesota Statutes 1998, section 349A.12, subdivision 5, is amended to read:

Subd. 5. [EXCEPTIONS.] Nothing in this chapter prohibits giving a state lottery ticket as a gift, provided that a state lottery ticket may not be given to a person under the age of 18 19.

Sec. 14. [INDIAN GAMBLING.]

Upon signature of this act, the governor shall request, in writing, to each of the 11 tribal governments in Minnesota, that those tribal governments increase their legal gambling age to 19 years."

Page 10, delete lines 1 and 2 and insert:

"Sections 2 to 8 and 10 are effective the day following final enactment.

Sections 1, 9, and 11 to 14 shall go into effect one month after the governor has been notified by all 11 tribal governments in Minnesota, in writing, that they will increase their legal gambling age to 19 years, on a specified date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 32, as follows:

Those who voted in the affirmative were:

Berg	Hottinger	Kiscaden	Lourey	Ring
Berglin	Johnson, D.E.	Knutson	Marty	Robling
Dille	Johnson, D.J.	Krentz	Ourada	Samuelson
Flynn	Junge	Langseth	Pappas	Scheevel
Frederickson	Kelly, R.C.	Larson	Price	Spear
Hanson	Kinkel	Lesewski	Ranum	Terwilliger

Those who voted in the negative were:

Anderson	Higgins	Metzen	Pogemiller	Vickerman
Belanger	Janezich	Moe, R.D.	Robertson	Wiener
Betzold	Kierlin	Murphy	Runbeck	Wiger
Cohen	Kleis	Neuville	Scheid	Ziegler
Day	Laidig	Olson	Solon	
Fischbach	Lessard	Pariseau	Stevens	
Foley	Limmer	Piper	Stumpf	

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

Senator Frederickson moved to amend S.F. No. 2903 as follows:

Page 1, line 20, delete "such"

Page 6, lines 4 and 6, delete "such" and insert "the"

The motion prevailed. So the amendment was adopted.

S.F. No. 2903 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

S.F. No. 1226: A bill for an act relating to counties; authorizing county economic development authorities; proposing coding for new law in Minnesota Statutes, chapter 469.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 434: A bill for an act relating to transportation; making seat belt violation a primary offense; amending Minnesota Statutes 1998, section 169.686, subdivision 1.

Senator Foley moved to amend S.F. No. 434 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 169.686, subdivision 1, is amended to read:

Subdivision 1. [SEAT BELT REQUIREMENT.] (a) A properly adjusted and fastened seat belt, including both the shoulder and lap belt when the vehicle is so equipped, shall be worn by:

- (1) the driver of a passenger vehicle or commercial motor vehicle;
- (2) a passenger riding in the front seat of a passenger vehicle or commercial motor vehicle; and

(3) a passenger riding in any seat of a passenger vehicle who is older than three but younger than ~~14~~ 18 years of age.

(b) A person who is ~~15~~ 18 years of age or older and who violates clause (1) or (2) is subject to a fine of \$25. The driver of the passenger vehicle or commercial motor vehicle in which the violation occurred is subject to a \$25 fine for a violation of clause (2) or (3) by ~~a child of the driver under the age of 15 or any child under the age of 14~~ 18.

(c) Except as otherwise provided in paragraph (d), a peace officer may not issue a citation for a violation of this section unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation other than a violation involving motor vehicle equipment.

(d) Paragraph (c) does not apply to violators who are younger than 18 at the time of the violation.

(e) The department of public safety shall not record a violation of this subdivision on a person's driving record.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective June 1, 2000, and applies to violations committed on or after that date."

Delete the title and insert:

"A bill for an act relating to transportation; making seat belt violation a primary offense for violators who are younger than 18 years old; amending Minnesota Statutes 1998, section 169.686, subdivision 1."

Senator Scheevel moved to amend the Foley amendment to S.F. No. 434 as follows:

Page 1, line 20, delete "Except as otherwise provided in paragraph (d),"

Page 1, line 25, delete everything after "(d)"

Page 1, delete line 26

Page 1, line 27, delete "(e)"

The question was taken on the adoption of the Scheevel amendment to the Foley amendment.

The roll was called, and there were yeas 33 and nays 28, as follows:

Those who voted in the affirmative were:

Berg	Johnson, D.E.	Knutson	Olson	Stevens
Betzold	Johnson, D.J.	Larson	Ourada	Stumpf
Day	Junge	Lesewski	Pariseau	Wiener
Fischbach	Kierlin	Lessard	Robertson	Wiger
Frederickson	Kinkel	Limmer	Runbeck	Ziegler
Hanson	Kiscaden	Metzen	Samuelson	
Higgins	Kleis	Neuville	Scheevel	

Those who voted in the negative were:

Anderson	Foley	Lourey	Price	Solon
Belanger	Hottinger	Marty	Ranum	Spear
Berglin	Kelly, R.C.	Murphy	Ring	Terwilliger
Cohen	Krentz	Pappas	Robling	Vickerman
Dille	Laidig	Piper	Sams	
Flynn	Langseth	Pogemiller	Scheid	

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

Senator Foley moved that S.F. No. 434 be laid on the table. The motion prevailed.

SPECIAL ORDER

S.F. No. 689: A bill for an act relating to health; regulating complementary and alternative health care practitioners; establishing civil penalties; amending Minnesota Statutes 1999 Supplement, sections 13.99, by adding a subdivision; 147.09; and 214.01, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 146A.

Senator Stevens moved to amend S.F. No. 689 as follows:

Page 4, after line 18, insert:

"Subd. 3. [STANDARDS AND DEFINITIONS.] The commissioner may adopt rules establishing minimum education, training, and experience standards for complementary and alternative health care practitioners. The commissioner shall make recommendations to the legislature for any additions to or changes in the definitions in section 146A.01."

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

Senator Betzold moved to amend S.F. No. 689 as follows:

Page 3, line 14, after the semicolon, insert "or"

Page 3, line 22, after the semicolon, insert "and"

The motion prevailed. So the amendment was adopted.

Senator Stevens moved to amend S.F. No. 689 as follows:

Page 3, line 26, delete "right" and insert "privilege"

Page 16, lines 22 and 23, delete "right" and insert "privilege"

Page 18, line 1, delete "right" and insert "privilege"

The motion prevailed. So the amendment was adopted.

S.F. No. 689 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 47 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Johnson, D.E.	Langseth	Pariseau	Samuelson
Berglin	Johnson, D.J.	Lesewski	Piper	Scheevel
Cohen	Junge	Lourey	Pogemiller	Scheid
Fischbach	Kelly, R.C.	Marty	Price	Solon
Flynn	Kierlin	Metzen	Ranum	Terwilliger
Foley	Kinkel	Moe, R.D.	Ring	Wiener
Hanson	Kiscaden	Murphy	Robertson	Wiger
Higgins	Kleis	Olson	Robling	
Hottinger	Krentz	Ourada	Runbeck	
Janezich	Laidig	Pappas	Sams	

Those who voted in the negative were:

Belanger	Day	Larson	Stevens	Ziegler
Berg	Dille	Limmer	Stumpf	
Betzold	Frederickson	Spear	Vickerman	

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

SUSPENSION OF RULES

Senator Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2688 and that the rules of the Senate be so far suspended as to give H.F. No. 2688, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 2688: A bill for an act relating to crime prevention; authorizing disclosure of information about sex offenders; imposing additional registration requirements on sex offenders; establishing procedures for felony offenders who seek name changes; eliminating the statute of limitations for certain offenses; expanding the crime of solicitation to engage in sexual conduct; providing criminal penalties; clarifying the expungement law; making certain data about sex offenders available to law enforcement; clarifying the scope of the community notification law; authorizing release of information about sex offenders residing in treatment facilities; providing for criminal justice information systems technology; changing the membership of the criminal and juvenile justice information policy group; authorizing the purchase and distribution of criminal justice technology infrastructure; appropriating money; amending Minnesota Statutes 1998, sections 13.54, subdivision 6; 243.166, subdivisions 3, 5, 7, and by adding subdivisions; 244.052, as amended; 244.10, subdivision 2a; 259.11; 299C.65, subdivision 1, and by adding a subdivision; 517.08, subdivisions 1a and 1b; 518.27; 609.035, by adding a subdivision; 609.352, subdivisions 1 and 2; 609.749, subdivision 2; 609.795, subdivision 1; 609A.03; and 628.26; Minnesota Statutes 1999 Supplement, sections 13.46, subdivision 2; 243.166, subdivisions 1, 2, 4, and 6; and 299C.65, subdivisions 2 and 8; proposing coding for new law in Minnesota Statutes, chapters 176; 243; 259; 299C; and 609.

Senator Ranum moved to amend H.F. No. 2688, as amended pursuant to Rule 49, adopted by the Senate March 20, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 2974.)

Page 1, after line 44, insert:

"ARTICLE 1 APPROPRIATIONS

Section 1. [CRIMINAL JUSTICE APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another fund named, to the agencies and for the purposes specified in this article to be available for fiscal year 2001.

	APPROPRIATIONS	
	Available for the Year	
	Ending June 30, 2001	
Sec. 2. CORRECTIONS	-0-	\$5,162,000

\$1,000,000 is to increase the number of probation officers managing intensive supervised release caseloads. The commissioner shall distribute these funds proportionately based on current unmet needs including areas of the state that are not currently served by an intensive supervised release caseload.

\$4,000,000 is for enhanced supervision of adult felony sex offenders by employing additional probation officers to reduce the caseloads of probation officers supervising sex offenders on probation or supervised release. The

commissioner shall determine statewide eligibility for these funds according to the formula contained in Minnesota Statutes, section 401.10. Each Community Corrections Act jurisdiction and the department's probation and supervised release unit shall submit to the commissioner an analysis of need along with a plan to meet these needs and reduce adult felony sex offender caseloads. Upon approval of the plans, the non-Community Corrections Act portion of these funds shall be appropriated to the department and the distribution shall be based on statewide need. The Community Corrections Act funds shall be disbursed as grants to each Community Corrections Act jurisdiction. These appropriations may not be used to supplant existing state or county probation officer positions.

\$162,000 is for costs associated with complying with Minnesota Statutes, section 244.052.

Sec. 3. PUBLIC SAFETY

9,659,000

Subdivision 1. General

\$7,388,000 is for criminal justice technology infrastructure improvements under Minnesota Statutes, section 299C.65, subdivision 8a, for the purchase and distribution of:

- (1) electronic fingerprint capture technology;
- (2) electronic photographic identification technology; and
- (3) additional bandwidth to transfer and access electronic photographic identification data and electronic fingerprint data to the state's central database.

\$1,000,000 is for grants to government agencies to transfer and access data from the agencies to the statewide hot file probation and pretrial release data system. The criminal and juvenile justice information policy group shall review grant applications and the commissioner shall make the grants approved by the policy group within the limits of the appropriation. Up to \$200,000 of this appropriation may be used for grants to pay the costs of developing or implementing a criminal justice information integration plan as described in Minnesota Statutes, section 299C.65, subdivisions 5, 6, and 7.

The appropriations in this subdivision are not subject to the requirements of Minnesota Statutes, section 299C.65, subdivision 8.

Subd. 2. Criminal Apprehension

\$80,000 is for a technology systems position.

\$50,000 is for a criminal justice information systems training position.

\$234,000 is for three additional criminal assessment unit agents.

\$160,000 is for three criminal intelligence analyst positions.

\$200,000 is for five clerical positions.

\$547,000 is for costs related to interfacing the state system with the national sex offender registry, software development and implementation, a system design consultant, office supplies and expenses, and sex offender registration costs. Positions funded by this appropriation may not supplant existing services.

The superintendent of the bureau of criminal apprehension shall transfer two agents from the gang strike force to perform general investigative duties within the bureau, decreasing the gang strike force's complement by two positions.

Sec. 4. SENTENCING GUIDELINES COMMISSION

100,000

This appropriation is to establish a pilot project in Ramsey county to use the statewide statute table to insure accurate and uniform charging on criminal complaints.

Sec. 5. SUPREME COURT

3,512,000

This appropriation is to begin redevelopment of the court information system to be used by all counties to integrate court information with other criminal justice information. This money may not be used by the supreme court for any other purpose."

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

Page 6, line 13, after the period, insert "The registration information also must include a written consent form signed by the person allowing a treatment facility to release information to a law enforcement officer about the person's admission to, or residence in, a treatment facility."

Page 6, line 23, after the period, insert "This documentation shall be limited to a statement of how far the person progressed in treatment during commitment."

Page 7, after line 27, insert:

"(f) When sending out a verification form, the bureau of criminal apprehension must determine whether the person to whom the verification form is being sent has signed a written consent form as provided for in paragraph (a). If the person has not signed such a consent form, the bureau of criminal apprehension must send a written consent form to the person along with the verification form. A person who receives this written consent form must sign and return it to the bureau of criminal apprehension at the same time as the verification form.

(g) For the purposes of this subdivision, "treatment facility" means a residential facility, as defined in section 244.052, subdivision 1, and residential chemical dependency treatment programs and halfway houses licensed under chapter 245A, including, but not limited to, those facilities directly or indirectly assisted by any department or agency of the United States."

Page 7, line 36, delete everything before "used" and insert ", including all addresses"

Page 8, after line 1, insert:

"(3) the addresses of all property owned, leased, or rented by the person;"

Page 8, line 2, delete "(3)" and insert "(4)" and delete "the location" and insert "all locations"

Page 8, line 3, delete "and"

Page 8, delete lines 4 and 5 and insert:

"(5) the addresses of all residences where the person resides while attending school; and

(6) the year, model, make, license plate number, and color of all motor vehicles owned or regularly driven by the person."

Page 8, line 7, delete "clause" and insert "clauses (2) to (6)"

Page 8, line 8, delete "(2), (3), or (4)"

Page 8, line 28, delete everything after the period

Page 8, delete lines 29 to 36

Page 9, delete line 1

Page 9, line 6, delete everything after the period

Page 9, delete lines 7 and 8 and insert:

"(d) Prior to the time of sentencing, the prosecutor may file a motion to have the person sentenced without regard to the mandatory minimum sentence established by this subdivision. The motion shall be accompanied by a statement on the record of the reasons for it. When presented with the motion, or on its own motion, the court may sentence the person without regard to the mandatory minimum sentence if the court finds substantial and compelling reasons to do so. Sentencing a person in the manner described in this paragraph is a departure from the sentencing guidelines."

Page 9, line 9, delete "(d)" and insert "(e)"

Page 9, delete line 33 and insert "subsequently incarcerated following a revocation of probation, supervised release, or conditional release for that offense, or a conviction for any new offense, the person shall continue to register"

Page 11, delete lines 30 to 36 and insert:

"Subd. 10. [APPLICATION.] (a) All provisions of this section shall apply to a predatory offender convicted of or adjudicated delinquent for an offense described in subdivision 1 that requires registration if the offender is incarcerated or on any form of supervision for that offense as of the effective date of this subdivision, regardless of the date of the predatory offender's conviction or delinquency adjudication.

(b) Paragraph (a) does not change the obligation of any offender to register who began to register under this section before the effective date of this subdivision."

Page 12, delete lines 1 to 4 and insert:

"Sec. 11. [243.167] [REGISTRATION UNDER THE PREDATORY OFFENDER REGISTRATION LAW FOR OTHER OFFENSES.]

Subdivision 1. [DEFINITION.] As used in this section, "crime against the person" means a violation of any of the following: section 609.165; 609.185; 609.19; 609.195; 609.20; 609.205; 609.221; 609.222; 609.223; 609.224, subdivision 2; 609.2242, subdivision 2 or 4; 609.235; 609.245, subdivision 1; 609.25; 609.255; 609.3451, subdivision 2; 609.498, subdivision 1; 609.582, subdivision 1; or 617.23, subdivision 2; or any felony-level violation of section 609.229; 609.377; 609.749; or 624.713.

Subd. 2. [WHEN REQUIRED.] (a) In addition to the requirements of section 243.166, a person also shall register under section 243.166 if:

(1) the person is convicted of a crime against the person; and

(2) the person was previously convicted of or adjudicated delinquent for an offense listed in section 243.166, subdivision 1, paragraph (a), but was not required to register for the offense because the registration requirements of that section did not apply to the person at the time the offense was committed or at the time the person was released from imprisonment.

(b) A person who was previously required to register under section 243.166 and who has completed the registration requirements of that section shall again register under section 243.166 if the person commits a crime against the person."

Page 26, delete section 15

Page 27, line 25, delete "2" and insert "3"

Page 28, line 17, delete the new language and reinstate the stricken language

Page 28, lines 18 and 19, delete the new language

Page 28, lines 20 and 21, reinstate the stricken language

Page 28, line 32, delete "a pending felony charge or"

Page 29, line 8, delete "PENDING" and delete "CHARGE OR"

Page 29, line 11, delete "a pending felony charge or"

Page 29, line 14, delete "responsible for the pending"

Page 29, line 15, delete "charge or" and after "person" insert "or Minnesota attorney general"

Page 29, line 22, delete "pending charge or"

Page 30, after line 23, insert:

"Subd. 5. [COSTS.] A person seeking a name change under this section may proceed in forma pauperis only when the failure to allow the name change would infringe upon a constitutional right."

Page 30, line 24, delete "5" and insert "6"

Page 31, lines 20 and 25, delete "a pending felony charge or"

Page 32, line 27, delete "pending felony charge or"

Page 33, line 20, delete "3" and insert "4"

Page 33, after line 21, insert:

"Section 1. Minnesota Statutes 1998, section 609.035, is amended by adding a subdivision to read:

Subd. 6. [EXCEPTION; CRIMINAL SEXUAL CONDUCT OFFENSES.] Notwithstanding subdivision 1, a prosecution or conviction for committing a violation of sections 609.342 to 609.345 with force or violence is not a bar to conviction of or punishment for any other crime committed by the defendant as part of the same conduct. If an offender is punished for more than one crime as authorized by this subdivision and the court imposes consecutive sentences for the crimes, the consecutive sentences are not a departure from the sentencing guidelines."

Page 40, line 1, delete "homicide" and insert "any crime resulting in the death of the victim"

Page 40, line 3, before "Indictments" insert:

"(b)"

Page 33, line 20, delete "3" and insert "4"

Page 40, line 5, strike "(b)" and insert "(c)"

Page 40, line 9, strike "(c)" and insert "(d)"

Page 40, line 16, strike "(d)" and insert "(e)"

Page 40, line 26, strike "(e)" and insert "(f)"

Page 40, line 30, strike "(f)" and insert "(g)"

Page 40, line 36, strike "(g)" and insert "(h)"

Page 41, line 6, strike "(h)" and insert "(i)"

Page 41, line 10, strike "(i)" and insert "(j)"

Page 41, line 13, strike "(j)" and insert "(k)"

Page 41, line 16, strike "(k)" and insert "(l)"

Page 41, line 20, strike "(1)" and insert "(m)"

Page 41, line 34, delete "4" and insert "5"

Page 42, line 6, after the second comma, insert "the commissioner of administration, the commissioner of finance,"

Page 42, line 7, delete "two" and insert "four"

Page 45, after line 23, insert:

"Sec. 4. Minnesota Statutes 1999 Supplement, section 299C.65, subdivision 8, is amended to read:

Subd. 8. [LOCAL MATCH.] (a) The policy group may approve grants only if the applicant provides an appropriate share of matching funds as determined by the policy group to help pay up to one-half of the costs of developing or implementing the integration plan. The matching requirement must be a constant for all counties. The policy group shall adopt policies concerning the use of in-kind resources to satisfy a portion of the match requirement and the sources from which matching funds may be obtained. Local operational or technology staffing costs may be considered as meeting this match requirement.

(b) The policy group shall consult with the task force when carrying out its powers and duties under paragraph (a).

(c) Each grant recipient shall certify to the policy group that it has not reduced funds from local, county, federal, or other sources which, in the absence of the grant, would have been made available to the grant recipient to improve or integrate criminal justice technology."

Pages 47 and 48, delete section 7

Page 48, after line 30, insert:

"ARTICLE 6
DATA PRACTICES PROVISIONS

Section 1. Minnesota Statutes 1999 Supplement, section 13.46, subdivision 2, is amended to read:

Subd. 2. [GENERAL.] (a) Unless the data is summary data or a statute specifically provides a different classification, data on individuals collected, maintained, used, or disseminated by the welfare system is private data on individuals, and shall not be disclosed except:

- (1) according to section 13.05;
- (2) according to court order;
- (3) according to a statute specifically authorizing access to the private data;
- (4) to an agent of the welfare system, including a law enforcement person, attorney, or investigator acting for it in the investigation or prosecution of a criminal or civil proceeding relating to the administration of a program;
- (5) to personnel of the welfare system who require the data to determine eligibility, amount of assistance, and the need to provide services of additional programs to the individual;
- (6) to administer federal funds or programs;
- (7) between personnel of the welfare system working in the same program;
- (8) the amounts of cash public assistance and relief paid to welfare recipients in this state, including their names, social security numbers, income, addresses, and other data as required, upon request by the department of revenue to administer the property tax refund law, supplemental housing allowance, early refund of refundable tax credits, and the income tax. "Refundable tax credits" means the dependent care credit under section 290.067, the Minnesota working family credit under section 290.0671, the property tax refund under section 290A.04, and, if the required federal waiver or waivers are granted, the federal earned income tax credit under section 32 of the Internal Revenue Code;
- (9) between the department of human services, the department of children, families, and learning, and the department of economic security for the purpose of monitoring the eligibility of the data subject for reemployment compensation, for any employment or training program administered, supervised, or certified by that agency, for the purpose of administering any rehabilitation program or child care assistance program, whether alone or in conjunction with the welfare system, or to monitor and evaluate the Minnesota family investment program by exchanging data on recipients and former recipients of food stamps, cash assistance under chapter 256, 256D, 256J, or 256K, child care assistance under chapter 119B, or medical programs under chapter 256B, 256D, or 256L;
- (10) to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the individual or other individuals or persons;
- (11) data maintained by residential programs as defined in section 245A.02 may be disclosed to the protection and advocacy system established in this state according to Part C of Public Law Number 98-527 to protect the legal and human rights of persons with mental retardation or other related conditions who live in residential facilities for these persons if the protection and advocacy system receives a complaint by or on behalf of that person and the person does not have a legal guardian or the state or a designee of the state is the legal guardian of the person;
- (12) to the county medical examiner or the county coroner for identifying or locating relatives or friends of a deceased person;

(13) data on a child support obligor who makes payments to the public agency may be disclosed to the higher education services office to the extent necessary to determine eligibility under section 136A.121, subdivision 2, clause (5);

(14) participant social security numbers and names collected by the telephone assistance program may be disclosed to the department of revenue to conduct an electronic data match with the property tax refund database to determine eligibility under section 237.70, subdivision 4a;

(15) the current address of a Minnesota family investment program participant may be disclosed to law enforcement officers who provide the name of the participant and notify the agency that:

(i) the participant:

(A) is a fugitive felon fleeing to avoid prosecution, or custody or confinement after conviction, for a crime or attempt to commit a crime that is a felony under the laws of the jurisdiction from which the individual is fleeing; or

(B) is violating a condition of probation or parole imposed under state or federal law;

(ii) the location or apprehension of the felon is within the law enforcement officer's official duties; and

(iii) the request is made in writing and in the proper exercise of those duties;

(16) the current address of a recipient of general assistance or general assistance medical care may be disclosed to probation officers and corrections agents who are supervising the recipient and to law enforcement officers who are investigating the recipient in connection with a felony level offense;

(17) information obtained from food stamp applicant or recipient households may be disclosed to local, state, or federal law enforcement officials, upon their written request, for the purpose of investigating an alleged violation of the Food Stamp Act, according to Code of Federal Regulations, title 7, section 272.1(c);

(18) the address, social security number, and, if available, photograph of any member of a household receiving food stamps shall be made available, on request, to a local, state, or federal law enforcement officer if the officer furnishes the agency with the name of the member and notifies the agency that:

(i) the member:

(A) is fleeing to avoid prosecution, or custody or confinement after conviction, for a crime or attempt to commit a crime that is a felony in the jurisdiction the member is fleeing;

(B) is violating a condition of probation or parole imposed under state or federal law; or

(C) has information that is necessary for the officer to conduct an official duty related to conduct described in subitem (A) or (B);

(ii) locating or apprehending the member is within the officer's official duties; and

(iii) the request is made in writing and in the proper exercise of the officer's official duty;

(19) the current address of a recipient of Minnesota family investment program, general assistance, general assistance medical care, or food stamps may be disclosed to law enforcement officers who, in writing, provide the name of the recipient and notify the agency that the recipient is a person required to register under section 243.166, but is not residing at the address at which the recipient is registered under section 243.166;

(20) certain information regarding child support obligors who are in arrears may be made public according to section 518.575;

~~(20)~~ (21) data on child support payments made by a child support obligor and data on the distribution of those payments excluding identifying information on obligees may be disclosed to all obligees to whom the obligor owes support, and data on the enforcement actions undertaken by the public authority, the status of those actions, and data on the income of the obligor or obligee may be disclosed to the other party;

~~(21)~~ (22) data in the work reporting system may be disclosed under section 256.998, subdivision 7;

~~(22)~~ (23) to the department of children, families, and learning for the purpose of matching department of children, families, and learning student data with public assistance data to determine students eligible for free and reduced price meals, meal supplements, and free milk according to United States Code, title 42, sections 1758, 1761, 1766, 1766a, 1772, and 1773; to allocate federal and state funds that are distributed based on income of the student's family; and to verify receipt of energy assistance for the telephone assistance plan;

~~(23)~~ (24) the current address and telephone number of program recipients and emergency contacts may be released to the commissioner of health or a local board of health as defined in section 145A.02, subdivision 2, when the commissioner or local board of health has reason to believe that a program recipient is a disease case, carrier, suspect case, or at risk of illness, and the data are necessary to locate the person;

~~(24)~~ (25) to other state agencies, statewide systems, and political subdivisions of this state, including the attorney general, and agencies of other states, interstate information networks, federal agencies, and other entities as required by federal regulation or law for the administration of the child support enforcement program;

~~(25)~~ (26) to personnel of public assistance programs as defined in section 256.741, for access to the child support system database for the purpose of administration, including monitoring and evaluation of those public assistance programs;

~~(26)~~ (27) to monitor and evaluate the Minnesota family investment program by exchanging data between the departments of human services and children, families, and learning, on recipients and former recipients of food stamps, cash assistance under chapter 256, 256D, 256J, or 256K, child care assistance under chapter 119B, or medical programs under chapter 256B, 256D, or 256L; or

~~(27)~~ (28) to evaluate child support program performance and to identify and prevent fraud in the child support program by exchanging data between the department of human services, department of revenue under section 270B.14, subdivision 1, paragraphs (a) and (b), without regard to the limitation of use in paragraph (c), department of health, department of economic security, and other state agencies as is reasonably necessary to perform these functions.

(b) Information on persons who have been treated for drug or alcohol abuse may only be disclosed according to the requirements of Code of Federal Regulations, title 42, sections 2.1 to 2.67.

(c) Data provided to law enforcement agencies under paragraph (a), clause (15), (16), (17), or (18), or paragraph (b), are investigative data and are confidential or protected nonpublic while the investigation is active. The data are private after the investigation becomes inactive under section 13.82, subdivision 5, paragraph (a) or (b).

(d) Mental health data shall be treated as provided in subdivisions 7, 8, and 9, but is not subject to the access provisions of subdivision 10, paragraph (b).

For the purposes of this subdivision, a request will be deemed to be made in writing if made through a computer interface system.

Sec. 2. Minnesota Statutes 1998, section 13.54, subdivision 6, is amended to read:

Subd. 6. [LAW ENFORCEMENT ACCESS TO CERTAIN DATA.] A public housing agency that enters a contract for assistance under United States Code, title 42, sections 1437 to 1440, shall

furnish a local, state, or federal law enforcement officer, upon the officer's request, with the current address, social security number, and photograph, if available, of a recipient of assistance under United States Code, title 42, sections 1437 to 1440, if the officer:

(1) provides the name of the recipient to the housing agency; and

(2) notifies the agency that:

(i) the recipient:

(A) is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the jurisdiction from which the individual is fleeing, for a crime which is a felony under the laws of that jurisdiction;

(B) is violating a condition of probation or parole imposed under state or federal law; or

(C) is a person required to register under section 243.166 and is not residing at the address at which the person is registered under section 243.166; or

(D) has information necessary for the officer to conduct the officer's official duties;

(ii) the location or apprehension of the individual is within the officer's official duties; and

(iii) the request is made in writing and in the proper exercise of the officer's official duties.

Sec. 3. [176.862] [DISCLOSURE TO LAW ENFORCEMENT.]

The commissioner must disclose the current address of an employee collected or maintained under this chapter to law enforcement officers who provide the name of the employee and notify the commissioner that the employee is a person required to register under section 243.166 and is not residing at the address at which the employee is registered under section 243.166."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Kleis moved to amend the Ranum amendment to H.F. No. 2688 as follows:

Page 6, delete lines 13 to 21

Page 6, delete lines 27 to 30

The question was taken on the adoption of the Kleis amendment to the Ranum amendment.

The roll was called, and there were yeas 25 and nays 31, as follows:

Those who voted in the affirmative were:

Belanger	Fischbach	Knutson	Olson	Scheevel
Berg	Frederickson	Laidig	Pariseau	Stevens
Betzold	Kierlin	Larson	Robertson	Terwilliger
Day	Kiscaden	Lesewski	Robling	Wiger
Dille	Kleis	Neuville	Runbeck	Ziegler

Those who voted in the negative were:

Anderson	Johnson, D.J.	Lourey	Price	Stumpf
Berglin	Junge	Metzen	Ranum	Vickerman
Cohen	Kelly, R.C.	Moe, R.D.	Ring	Wiener
Flynn	Kinkel	Novak	Sams	
Higgins	Krentz	Pappas	Samuelson	
Hottinger	Langseth	Piper	Solon	
Johnson, D.E.	Lessard	Pogemiller	Spear	

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

The question recurred on the adoption of the Ranum amendment. The motion prevailed. So the amendment was adopted.

Senator Robling moved to amend H.F. No. 2688, as amended pursuant to Rule 49, adopted by the Senate March 20, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 2974.)

Page 33, after line 21, insert:

"Section 1. Minnesota Statutes 1998, section 609.342, subdivision 2, is amended to read:

Subd. 2. [PENALTY.] ~~Except as otherwise provided in section 609.109~~ Unless a longer mandatory minimum sentence is otherwise required by law or the court imposes a longer aggravated durational departure, a person convicted under subdivision 1 may be sentenced to imprisonment for not more than 30 years or to a payment of a fine of not more than \$40,000, or both shall be committed to the custody of the commissioner of corrections for a term of imprisonment of not less than 20 years nor more than 40 years, and may be sentenced to payment of a fine of not more than \$75,000.

Sec. 2. Minnesota Statutes 1998, section 609.343, subdivision 2, is amended to read:

Subd. 2. [PENALTY.] ~~Except as otherwise provided in section 609.109~~ Unless a longer mandatory minimum sentence is otherwise required by law or the court imposes a longer aggravated durational departure, a person convicted under subdivision 1 may be sentenced to imprisonment for not more than 25 years or to a payment of a fine of not more than \$35,000, or both shall be committed to the custody of the commissioner of corrections for a term of imprisonment of not less than 15 years nor more than 30 years, and may be sentenced to payment of a fine of not more than \$60,000."

Page 41, after line 24, insert:

"Sec. 10. [REPEALER.]

Minnesota Statutes 1998, sections 609.342, subdivision 3; and 609.343, subdivision 3, are repealed."

Page 41, line 26, delete "3, 5, and 6" and insert "5, 7, 8, and 10"

Page 41, line 28, delete "4" and insert "6"

Page 41, line 30, delete "7" and insert "9"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Ranum questioned whether the amendment was germane. <IN1> The President ruled that the amendment was germane.

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

The roll was called, and there were yeas 31 and nays 26, as follows:

Those who voted in the affirmative were:

Belanger
Berg

Day
Dille

Fischbach
Frederickson

Janezich
Johnson, D.E.

Johnson, D.J.
Kierlin

Kiscaden	Lesewski	Ring	Scheid	Ziegler
Kleis	Neuville	Robertson	Stevens	
Knutson	Olson	Robling	Terwilliger	
Laidig	Ourada	Runbeck	Vickerman	
Larson	Pariseau	Scheevel	Wiger	

Those who voted in the negative were:

Berglin	Hottinger	Lessard	Piper	Spear
Betzold	Junge	Lourey	Pogemiller	Stumpf
Cohen	Kelly, R.C.	Marty	Price	
Flynn	Kinkel	Metzen	Ranum	
Foley	Krentz	Moe, R.D.	Samuelson	
Higgins	Langseth	Pappas	Solon	

The motion prevailed. So the amendment was adopted.

Pursuant to Rule 35, Senator Spear moved that H.F. No. 2688, be re-referred to the Committee on Crime Prevention.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 34 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Krentz	Novak	Samuelson
Berglin	Janezich	Langseth	Pappas	Solon
Betzold	Johnson, D.E.	Lessard	Pogemiller	Spear
Cohen	Johnson, D.J.	Lourey	Price	Stumpf
Flynn	Junge	Marty	Ranum	Vickerman
Foley	Kelly, R.C.	Metzen	Ring	Wiger
Higgins	Kinkel	Moe, R.D.	Sams	

Those who voted in the negative were:

Belanger	Frederickson	Laidig	Pariseau	Stevens
Berg	Kierlin	Larson	Robertson	Terwilliger
Day	Kiscaden	Lesewski	Robling	Ziegler
Dille	Kleis	Neuville	Runbeck	
Fischbach	Knutson	Olson	Scheevel	

The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Stumpf moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Pogemiller be added as chief author to S.F. No. 3801. The motion prevailed.

MEMBERS EXCUSED

Senators Johnson, D.H. and Oliver were excused from the Session of today. Senators Kelly, R.C.; Laidig and Lessard were excused from the Session of today from 9:00 to 10:30 a.m. Senator Novak was excused from the Session of today from 9:00 a.m. to 1:50 p.m. and from 2:20 to 5:30 p.m. Senator Wiger was excused from the Session of today from 11:50 to 11:55 a.m. Senator Kelley, S.P. was excused from the Session of today at 2:25 p.m. Senator Sams was excused from the Session of today from 2:35 to 2:45 and from 6:10 to 6:20 p.m. Senator Murphy was excused from the Session of today at 4:30 p.m. Senator Limmer was excused from the Session of today at 5:05 p.m. Senator Wiener was excused from the Session of today at 5:30 p.m. Senator Hanson was excused from the Session of today from 5:40 to 6:25 p.m. Senators Ourada and Piper were excused from the Session of today at 6:15 p.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Tuesday, March 21, 2000. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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