

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-SECOND LEGISLATURE

FORTY-THIRD DAY

St. Paul, Minnesota, Monday, April 30, 2001

The Senate met at 10:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Mark Galbraith.

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

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

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

The President declared a quorum present.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2360 and 2361 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Johnson, Debbie moved that her name be stricken as a co-author to S.F. No. 1325. The motion prevailed.

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

CALENDAR

H.F. No. 1261: A bill for an act relating to the operation of state government; continuing a task force on agency purchases from correctional industries; requiring an annual report from the department of corrections; providing certification standards for juvenile facilities; requiring standards for chemical dependency treatment programs; requiring the commissioner of corrections to establish a health care peer review committee; requiring commissioner of corrections to contract with commissioner of human services for background studies of individuals providing services in certain facilities; removing certain obsolete provisions in correction law; clarifying responsibilities and updating language in law governing correctional psychiatric unit; authorizing a corrections agent to request a review of an offender's risk level based on offender behavior in the community; providing for investigation of deaths occurring in correctional facilities; requiring judges to determine if offenders are eligible for challenge incarceration programs based upon correctional department criteria; defining criminal sexual conduct to include certain employees working in correctional facilities; requiring mandatory sex offender assessments for repeat offenders; providing that human immunodeficiency virus testing data of sex offenders to be maintained in correctional medical records; amending Minnesota Statutes 2000, sections 16B.181, subdivision 2; 241.016, subdivision 1; 241.018; 241.021, subdivisions 1, 4, 4a, 6, by adding a subdivision; 241.67, subdivision 8; 241.69; 242.32, subdivision 1a; 243.05, subdivision 6; 243.51, subdivision 2; 243.53, subdivision 1; 244.052, subdivision 3; 244.17, subdivision 1; 244.173; 390.11, subdivision 1, by adding a subdivision; 390.32, by adding a subdivision; 609.105, by adding a subdivision; 609.341, subdivision 11; 609.344, subdivision 1; 609.345, subdivision 1; 609.3452, subdivision 1, by adding subdivisions; 611A.19; Laws 1996, chapter 463, section 16, subdivision 3, as amended; repealing Minnesota Statutes 2000, sections 241.016, subdivision 2; 241.018; 241.19; 241.272, subdivision 7; 242.51.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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 S.F. No. 2360 and that the rules of the Senate be so far suspended as to give S.F. No. 2360, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

S.F. No. 2360: A bill for an act relating to state government; appropriating money for the

general legislative, judicial, and administrative expenses of state government; modifying provisions relating to state and local government; providing for economic development; regulating various criminal justice, judiciary, housing, technology, and election provisions; authorizing local bonds and airport impact mitigations; providing for a credit enhancement program; authorizing contingency property tax levies in the metropolitan area; amending Minnesota Statutes 2000, sections 2.722, subdivision 1; 2.724, subdivision 3; 3.3005, subdivision 2, by adding a subdivision; 3.98, subdivision 2; 8.15, by adding a subdivision; 10A.01, subdivisions 9, 18; 10A.20, subdivision 6b, by adding a subdivision; 10A.25, subdivision 1, by adding subdivisions; 10A.27, subdivisions 1, 2, 10; 10A.275, subdivision 1; 10A.28, subdivision 1; 10A.31, subdivisions 3a, 5, 7, by adding a subdivision; 10A.322; 10A.323; 16A.10, subdivision 2; 16A.103, subdivisions 1, 1a; 16A.152, subdivision 7; 16B.25, subdivision 2; 16B.335, subdivision 3; 16B.61, subdivision 1; 16B.62, subdivision 1; 16B.63, by adding a subdivision; 16B.88, subdivision 2; 16C.22; 16E.04, subdivision 2; 116L.02; 116L.03; 116L.04, by adding a subdivision; 116L.05, by adding a subdivision; 116L.16; 181.945; 200.02, subdivisions 7, 23; 211A.12; 268.022, subdivision 2; 268.085, by adding a subdivision; 268.665, by adding subdivisions; 268.666, by adding a subdivision; 270A.07, subdivision 1; 290.06, subdivision 23; 326.90, subdivision 1; 349.165, subdivisions 1, 3; 357.18, subdivision 3; 403.11, subdivision 1; 403.113, subdivisions 1, 3; 462.353, subdivision 4; 462.358, subdivision 2b; 462A.01; 462A.03, subdivisions 1, 6, 10, by adding a subdivision; 462A.04, subdivision 6; 462A.05, subdivisions 14, 14a, 16, 22, 26; 462A.06, subdivisions 1, 4; 462A.07, subdivisions 10, 12; 462A.073, subdivision 1; 462A.15; 462A.17, subdivision 3; 462A.20, subdivision 3; 462A.201, subdivisions 2, 6; 462A.204, subdivision 3; 462A.205, subdivisions 4, 4a; 462A.209; 462A.2091, subdivision 3; 462A.2093, subdivision 1; 462A.2097; 462A.21, subdivisions 5, 10, by adding subdivisions; 462A.222, subdivision 1a; 462A.24; 462A.33, subdivisions 1, 2, 3, 5, by adding a subdivision; 473.195, by adding a subdivision; 473.255, subdivisions 1, 2; 473.517, subdivision 3; 473.901, subdivision 1; 480.182; 517.08, subdivisions 1b, 1c; Laws 1997, chapter 202, article 2, section 61, as amended; Laws 1998, chapter 366, section 80; Laws 1999, chapter 250, article 1, section 12, subdivision 3; Laws 1999, chapter 250, article 1, section 34; Laws 2000, chapter 488, article 8, section 2; proposing coding for new law in Minnesota Statutes, chapters 4A; 8; 11A; 15A; 16B; 16E; 116J; 137; 268; 336; 462; 462A; 473; repealing Minnesota Statutes 2000, sections 8.15, subdivision 2; 16E.08; 129D.06; 179A.07, subdivision 7; 462A.201, subdivision 4; 462A.207; 462A.209, subdivision 4; 462A.21, subdivision 17; 462A.221, subdivision 4; 462A.30, subdivision 2; 462A.33, subdivisions 4, 6, 7.

Senator Cohen moved to amend S.F. No. 2360 as follows:

Page 105, line 34, delete "\$5,000,000" and insert "\$4,700,000"

The motion prevailed. So the amendment was adopted.

Senator Berglin moved to amend S.F. No. 2360 as follows:

Page 14, after line 27, insert:

"Of the funds in the state employee insurance fund, \$1,690,000 the first year and \$3,379,000 the second year are appropriated for the patient protection provisions of Senate File No. 491, should that bill become law, as those provisions affect state employee insurance costs."

The motion prevailed. So the amendment was adopted.

Senator Pappas moved to amend S.F. No. 2360 as follows:

Page 6, after line 52, insert:

"Sec. 12. [URBAN RIVERS GUIDELINES.]

The office of strategic and long-range planning, in consultation with the department of natural

resources and appropriate and affected parties, must prepare urban rivers sustainable development draft guidelines along the central business districts of rivers in urban areas of the state. The office must:

- (1) evaluate existing state and municipal laws;
- (2) evaluate the need for the department of natural resources to have authority to adopt rules to implement the Mississippi river critical area order (executive order 79-19);
- (3) review federal legislation affecting urban rivers; and
- (4) identify the technical and administrative procedures to guide urban river development. The draft guidelines must be made available to the environmental and economic development policy committees of the legislature, and to interested parties, by January 15, 2002."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Hottinger moved to amend S.F. No. 2360 as follows:

Page 131, delete section 8 and insert:

"Sec. 8. Minnesota Statutes 2000, section 10A.27, subdivision 1, is amended to read:

Subdivision 1. [CONTRIBUTION LIMITS.] (a) Except as provided in subdivision 2, a candidate must not permit the candidate's principal campaign committee to accept aggregate contributions made or delivered by any individual, political committee, or political fund in excess of the following:

(1) to candidates for governor and lieutenant governor running together, \$2,000 in an election year for the office sought and \$500 in other years;

(2) to a candidate for attorney general, \$1,000 in an election year for the office sought and \$200 in other years;

(3) to a candidate for the office of secretary of state or state auditor, \$500 in an election year for the office sought and \$100 in other years;

(4) to a candidate for state senator, \$500 in an election year for the office sought and \$100 in other years; and

(5) to a candidate for state representative, \$500 in an election year for the office sought and \$100 in the other year.

(b) The following deliveries are not subject to the bundling limitation in this subdivision:

(1) delivery of contributions collected by a member of the candidate's principal campaign committee, ~~such as a block worker or a volunteer who hosts a fund raising event~~ other than a lobbyist, to the committee's treasurer; and

(2) a delivery made by an individual on behalf of the individual's spouse."

Pages 141 and 142, delete section 21 and insert:

"Sec. 21. Minnesota Statutes 2000, section 211A.12, is amended to read:

211A.12 [CONTRIBUTION LIMITS.]

A candidate or a candidate's committee may not accept aggregate contributions made or delivered by an individual or committee in excess of \$300 in an election year for the office sought and \$100 in other years; except that a candidate or a candidate's committee for an office whose territory has a population over 100,000 may not accept aggregate contributions made or delivered by an individual or committee in excess of \$500 in an election year for the office sought and \$100 in other years.

The following deliveries are not subject to the bundling limitation in this section:

(1) delivery of contributions collected by a member of the candidate's committee, ~~such as a block worker or a volunteer who hosts a fundraising event~~ other than a lobbyist as defined in section 10A.01, subdivision 21, to the committee's treasurer; and

(2) a delivery made by an individual on behalf of the individual's spouse.

Notwithstanding sections 211A.02, subdivision 3, and 410.21, this section supersedes any home rule charter."

The motion prevailed. So the amendment was adopted.

Senator Cohen moved to amend S.F. No. 2360 as follows:

Page 2, line 32, delete "\$334,075,000" and insert "\$332,125,000" and delete "\$.....,000" and insert "\$678,198,000"

Page 2, line 36, delete ".....,000" and insert "64,495,000"

Page 2, line 38, delete ".....,000" and insert "3,795,000"

Page 2, delete lines 39 to 43 and insert:

"TANF	1,900,000	1,950,000	3,850,000
Environmental	926,000	939,000	1,865,000
Lottery Prize Fund	750,000		750,000
Special Revenue	300,000		300,000"

Page 2, line 45, delete ".....,000" and insert "4,428,000"

Page 3, line 2, delete ".....,000" and insert "15,385,000"

Page 3, delete line 4 and insert:

"TOTAL	\$391,597,000	\$376,619,000	\$768,216,000"
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Page 3, line 11, delete "64,748,000" and insert "64,898,000"

Page 3, line 21, delete "16,335,000" and insert "16,395,000"

Page 3, line 25, delete "16,185,000" and insert "16,245,000"

Page 3, lines 36 and 37, delete "in new Minnesota Statutes, section 15A.0821" and insert "in other law"

Page 4, delete lines 24 to 31

Page 6, line 7, delete "\$4,000,000" and insert "\$3,500,000"

Page 7, line 3, delete "64,891,000" and insert "64,041,000"

Page 7, lines 10, 11, and 23, delete "...,000"

Page 7, line 28, delete "\$2,000,000" and insert "\$4,000,000" and delete "and"

Page 7, line 29, delete everything before "for" and insert "is"

Page 7, line 36, before the period, insert "and is a one-time appropriation. Funds not spent in the first year are available in the second year"

Page 8, delete line 22 and insert:

"3,074,000 3,335,000"

Page 8, delete lines 32 and 33

Page 10, delete lines 39 to 45

Page 10, lines 57 and 58, delete "judiciary economic development state government" and insert "state government, economic development and the judiciary"

Page 11, line 7, after the period, insert "This is a one-time appropriation."

Page 11, line 13, after "\$750,000" insert "in the first year"

Page 11, line 20, after "\$35,000" insert "in the first year"

Page 11, line 43, before the period, insert "equipment grants"

Page 13, lines 3 and 4, delete "and the cost of upgrades to the SEMA4 system"

Page 13, delete lines 22 to 28

Page 14, line 35, delete "101,538,000" and insert "101,738,000"

Page 15, line 9, after "\$200,000" insert "in the first year"

Page 15, delete lines 23 to 25

Page 15, after line 35, insert:

"Summary by Fund

General	10,786,000	10,786,000
Health Care Access	53,000	53,000"

Page 15, delete lines 42 to 50

Page 16, after line 13, insert:

"\$50,000 is to assist in the operation and staffing of the Minnesota national guard youth camp at Camp Ripley. Of this amount, \$25,000 is for the fiscal year ending June 30, 2002, and \$25,000 is for the fiscal year ending June 30, 2003. This appropriation is contingent on its being matched by money from other sources. This is a one-time appropriation."

Page 16, line 34, after "\$25,000" insert "the first year"

Page 17, line 11, delete the first "8,915,000" and insert "8,840,000"

Page 17, line 13, delete the first "3,910,000" and insert "3,835,000"

Page 17, line 20, before "\$500,000" insert "\$450,000 the first year and" and delete "each" and insert "the second" and delete "is" and and insert "are"

Page 22, after line 8, insert:

"FY 2001 - \$24,000"

Page 26, line 15, delete "July 1, 2002" and insert "April 1, 2003"

Page 26, line 30, delete "2001"

Page 26, line 31, delete "\$.,000" and delete "\$.....,000" and insert "\$182,514,000"

Page 26, line 32, delete ".,...,000" and insert "1,400,000"

Page 26, line 33, delete ".....,000" and insert "1,500,000"

Page 26, line 35, delete ".....,000" and insert "18,444,000"

Page 26, line 36, delete "...,000" and delete "\$119,944,000" and insert "\$117,719,000" and delete "\$86,689,000" and insert "\$86,139,000" and delete "\$.....,000" and insert "\$203,858,000"

Page 27, line 7, delete "75,141,000" and insert "65,665,000" and delete "42,412,000" and insert "37,188,000"

Page 27, line 9, delete "51,243,000" and insert "57,243,000"

Page 27, line 24, delete "\$14,700,000" and insert "\$12,700,000"

Page 27, line 28, delete "\$4,700,000" and insert "\$3,200,000"

Page 27, line 56, after the period, insert "It is the intention of the legislature that the base funding in fiscal year 2004 for the North Star Coalition be \$25,000,000. Of this amount, \$5,000,000 is for investment in the biomedical innovation and commercialization initiative."

Page 28, line 14, after "\$300,000" insert "the first year"

Page 28, line 33, before the period, insert "for livable communities grants"

Page 29, line 5, after "year" insert "from the workforce development fund"

Page 29, line 34, after "\$1,775,000" insert "the first year"

Page 29, line 60, delete "\$1,400,000" and insert "\$1,200,000"

Page 30, line 1, after "\$250,000" insert "the first year"

Page 30, line 8, after "\$200,000" insert "the first year"

Page 30, line 11, after "Education" insert "and Logging"

Page 31, line 2, delete "Fund" and insert "Division"

Page 31, line 34, after "\$600,000" insert "the first year is"

Page 32, line 2, after "year" insert "from the workforce development fund"

Page 32, line 4, after the period, insert "This is a one-time appropriation."

Page 32, line 39, delete ", snowbate,"

Page 34, line 7, delete "2,452,000" and insert "2,627,000"

Page 34, after line 7, insert:

"\$175,000 the first year is appropriated from the workforce development fund for purposes of workplace HIV education."

Page 34, lines 14 and 17, after the period, insert "This is a one-time appropriation."

Page 34, line 25, after "is" insert "one-time and"

Page 34, lines 37 and 42, after the period, insert "This is a one-time appropriation."

Page 34, delete lines 43 to 52

Page 35, line 3, delete "10,333,000" and insert "9,833,000" and delete "10,342,000" and insert "9,842,000"

Page 35, line 5, delete "4,250,000" and insert "4,075,000"

Page 35, line 20, after "year" insert "is a one-time appropriation"

Page 35, line 21, delete "are"

Page 35, line 24, delete everything after the period

Page 35, delete line 25

Page 35, lines 28 and 35, delete "Youthbuild" and insert "Youth Curfew/Truancy"

Page 35, delete lines 36 to 38

Page 35, line 45, after "is" insert "one-time and"

Page 35, line 49, after "fund" insert "in addition to the base"

Page 35, after line 54, insert:

"Subd. 5. Workforce Wage Assistance

500,000 500,000

\$500,000 the first year and \$500,000 the second year are for the voluntary paid parental leave pilot project. This is a one-time appropriation.

\$2,000,000 in each year of the biennium is canceled and returned to the general fund for the 2002-2003 biennium from the economic security contingent account created under Minnesota Statutes, section 268.196, subdivision 3."

Page 41, line 10, delete "section" and insert "subdivision"

Page 41, line 15, delete everything after the period

Page 41, delete line 16

Page 41, line 17, delete everything before "The"

Page 42, line 8, delete "\$...,...,000" and insert "\$80,664,000"

Page 42, delete line 9

Page 69, delete section 8

Page 103, line 12, delete "governor's council on developmental disabilities" and insert "Minnesota state council on disability"

Page 104, line 6, after "development" insert ", labor and industry,"

Page 104, line 13, after "security" insert ", labor and industry,"

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Cohen then moved to amend S.F. No. 2360 as follows:

Page 3, line 19, delete "24,902,000" and insert "27,402,000" and delete "25,581,000" and insert "28,081,000"

Page 8, line 22, delete the first "2,707,000" and insert "2,607,000"

Page 11, line 44, delete "\$2,000,000" and insert "\$1,500,000"

Page 13, delete lines 65 to 67

Page 14, delete lines 1 and 2

Page 14, line 7, delete "9,747,000" and insert "10,024,000" and delete "10,011,000" and insert "10,224,000"

Page 17, line 20, delete "\$500,000 each" and insert "\$350,000 the first year and \$500,000 the second"

Page 18, line 36, delete "\$1,022,000" and insert "947,000" and delete "1,027,000" and insert "951,000"

Page 20, line 26, delete "7,984,000" and insert "7,934,000" and delete "8,984,000" and insert "8,934,000"

Page 21, line 53, delete "123,919,000" and insert "123,894,000" and delete "133,791,000" and insert "133,766,000"

Page 28, line 7, delete "\$1,500,000" and insert "\$1,300,000"

Correct the subdivision and section totals and the summaries by fund accordingly

The motion prevailed. So the amendment was adopted.

Senator Oliver moved to amend S.F. No. 2360 as follows:

Page 50, delete section 11

Pages 55 to 58, delete sections 19 to 22

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Senator Cohen imposed a call of the Senate for the balance of the proceedings on S.F. No. 2360. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Oliver amendment. The motion did not prevail. So the amendment was not adopted.

Senator Tomassoni moved to amend S.F. No. 2360 as follows:

Page 30, after line 64, insert:

"The remaining \$200,000 of the match required under Laws 1998, chapter 404, for the United States Hockey Hall of Fame, may be met through in-kind contributions."

The motion prevailed. So the amendment was adopted.

Senator Pappas moved to amend S.F. No. 2360 as follows:

Page 73, after line 31, insert:

"Sec. 6. [16B.614] [CODE FOR REHABILITATION OF HISTORIC STRUCTURES.]

By July 1, 2002, the commissioner must adopt rules establishing a building code for the renovation and rehabilitation of historic structures, including properties listed on the National Register of Historic Places and properties designated by either a certified local government or a heritage preservation commission created under the National Preservation Act of 1966 and whose designation is approved by the state historic preservation officer. The commissioner may adopt a model code by reference, with necessary modifications for Minnesota conditions.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Higgins moved to amend S.F. No. 2360 as follows:

Page 103, after line 29, insert:

"In determining the placement in state government of state services for the blind, the head of the transition team shall consult with representatives from each of the following groups:

- (1) the rehabilitation council for the blind;
- (2) the national federation of the blind;
- (3) the American council for the blind; and
- (4) the united blind of Minnesota."

The motion prevailed. So the amendment was adopted.

Senator Lesewski moved to amend S.F. No. 2360 as follows:

Page 86, delete lines 31 to 36 and insert:

"Subd. 3. [LOCAL EXPENDITURES.] (a) Money distributed under subdivision 2 for enhanced 911 service may be spent:

- (1) on enhanced 911 system costs for the purposes stated in subdivision 1, paragraph (a).~~In addition, money may be spent;~~
- (2) to lease, purchase, lease-purchase, or maintain enhanced 911 equipment, including telephone equipment;
- (3) on recording equipment;

- (4) on computer hardware;
- (5) on computer software for database provisioning, addressing, mapping, and any other software necessary for automatic location identification or local location identification;
- (6) on trunk lines;
- (7) on selective routing equipment;
- (8) on the master street address guide;
- (9) on dispatcher public safety answering point equipment proficiency and operational skills;
- (10) on pay for long-distance charges incurred due to transferring 911 calls to other jurisdictions; ~~and the~~
- (11) on equipment necessary within the public safety answering point for community alert systems and to notify and communicate with the emergency services requested by the 911 caller; and
- (12) to address, install, or maintain, on a dollar-for-dollar matching basis with the county, any associated signs, posts, or other markers.

(b) Money distributed for enhanced 911 service may not be spent on:

- (1) purchasing or leasing of real estate or cosmetic additions to or remodeling of communications centers;
- (2) mobile communications vehicles, fire engines, ambulances, law enforcement vehicles, or other emergency vehicles; or
- (3) signs, posts, or other markers related to addressing or any costs associated with the installation or maintenance of signs, posts, or markers; except as provided in paragraph (a), clause (12)."

Page 87, delete lines 1 to 21

The motion prevailed. So the amendment was adopted.

Senator Pariseau moved to amend S.F. No. 2360 as follows:

Page 34, delete lines 43 to 45

Page 42, lines 30 and 31, delete "\$3,250,000" and insert "\$3,750,000"

Pages 96 to 98, delete section 31

Correct the subdivision and section totals and the summaries by fund accordingly

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 25 and nays 37, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, Debbie	Larson	Olson	Robertson
Berg	Kierlin	Lesewski	Ourada	Scheevel
Chaudhary	Kiscaden	Limmer	Pariseau	Schwab
Day	Kleis	Neuville	Reiter	Stevens
Dille	Knutson	Oliver	Rest	Terwilliger

Those who voted in the negative were:

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

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

Senator Limmer moved to amend S.F. No. 2360 as follows:

Pages 123 to 144, delete article 13

Re-number the articles 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 28 and nays 37, as follows:

Those who voted in the affirmative were:

Bachmann	Frederickson	Lesewski	Pariseau	Schwab
Belanger	Johnson, Debbie	Lessard	Reiter	Stevens
Berg	Kierlin	Limmer	Robling	Terwilliger
Day	Kiscaden	Neuville	Sams	Vickerman
Dille	Knutson	Olson	Samuelson	
Fischbach	Larson	Ourada	Scheevel	

Those who voted in the negative were:

Anderson	Hottinger	Langseth	Pappas	Scheid
Berglin	Johnson, Dave	Lourey	Pogemiller	Stumpf
Betzold	Johnson, Dean	Marty	Price	Tomassoni
Chaudhary	Kelley, S.P.	Metzen	Ranum	Wiener
Cohen	Kelly, R.C.	Moe, R.D.	Rest	Wiger
Foley	Kinkel	Murphy	Ring	
Fowler	Kleis	Oliver	Robertson	
Higgins	Krentz	Orfield	Sabo	

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

Senator Bachmann moved to amend S.F. No. 2360 as follows:

Pages 118 to 123, delete article 12

Re-number the articles 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 23 and nays 37, as follows:

Those who voted in the affirmative were:

Bachmann	Fischbach	Knutson	Olson	Schwab
Belanger	Johnson, Debbie	Lesewski	Pariseau	Stevens
Berg	Kierlin	Limmer	Reiter	Terwilliger
Day	Kiscaden	Neuville	Robling	
Dille	Kleis	Oliver	Scheevel	

Those who voted in the negative were:

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

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

Senator Hottinger moved to amend S.F. No. 2360 as follows:

Page 41, line 4, delete "tax-assessed" and insert "appraised"

The motion prevailed. So the amendment was adopted.

Senator Kleis moved to amend S.F. No. 2360 as follows:

Page 6, delete lines 7 to 9

Page 27, delete lines 24 to 56

Page 28, delete lines 7 to 31

Page 28, line 49, delete "\$150,000" and insert "\$75,000"

Page 28, delete lines 58 to 63

Page 29, delete lines 5 to 10

Page 29, line 11, delete "\$500,000" and insert "\$300,000"

Page 29, delete lines 60 to 64

Page 30, delete lines 8 to 22

Page 31, delete lines 34 to 42

Page 32, delete lines 9 to 19

Page 44, line 1, delete "\$13,004,000" and insert "\$25,004,000"

Page 44, line 2, delete "\$12,004,000" and insert "\$24,004,000"

Pages 104 to 109, delete article 10

ReNUMBER the articles 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 27 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Chaudhary	Fowler	Johnson, Dave	Kelly, R.C.
Berglin	Cohen	Higgins	Johnson, Dean	Kinkel
Betzold	Foley	Hottinger	Kelley, S.P.	Krentz

Langseth	Orfield	Rest	Scheid	Wiener
Lourey	Pappas	Ring	Solon	
Marty	Pogemiller	Sabo	Stumpf	
Metzen	Price	Sams	Tomassoni	
Moe, R.D.	Ranum	Samuelson	Vickerman	

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

Senator Limmer moved to amend S.F. No. 2360 as follows:

Page 77, after line 29, insert:

"Sec. 10. Minnesota Statutes 2000, section 43A.24, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] Employees, including persons on layoff from a civil service position, and employees who are employed less than full time, shall be eligible for state paid life insurance and hospital, medical and dental benefits as provided in collective bargaining agreements or plans established pursuant to section 43A.18.

A collective bargaining agreement or plan may provide state-paid benefits only to an employee or the spouse or dependent child or dependent grandchild of an employee. A collective bargaining agreement or compensation plan may define a dependent child to include a biological child, a child legally adopted or placed for adoption with the employee, a foster child, or a step-child. A collective bargaining agreement or compensation plan may provide conditions and limitations on coverage for employees, spouses, and dependent children or grandchildren."

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 35 and nays 31, as follows:

Those who voted in the affirmative were:

Bachmann	Frederickson	Knutson	Olson	Scheevel
Belanger	Johnson, Dean	Larson	Ourada	Schwab
Berg	Johnson, Debbie	Lesewski	Pariseau	Solon
Day	Johnson, Doug	Lessard	Reiter	Stevens
Dille	Kierlin	Limmer	Robling	Terwilliger
Fischbach	Kinkel	Neuville	Sams	Tomassoni
Fowler	Kleis	Oliver	Samuelson	Vickerman

Those who voted in the negative were:

Anderson	Hottinger	Lourey	Price	Stumpf
Berglin	Johnson, Dave	Marty	Ranum	Wiener
Betzold	Kelley, S.P.	Metzen	Rest	Wiger
Chaudhary	Kelly, R.C.	Moe, R.D.	Ring	
Cohen	Kiscaden	Orfield	Robertson	
Foley	Krentz	Pappas	Sabo	
Higgins	Langseth	Pogemiller	Scheid	

The motion prevailed. So the amendment was adopted.

Senator Moe, R.D. moved to amend S.F. No. 2360 as follows:

Page 28, delete lines 14 to 31

Correct the subdivision and section totals and the summaries by fund accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 39 and nays 25, as follows:

Those who voted in the affirmative were:

Bachmann	Fowler	Lesewski	Orfield	Scheevel
Belanger	Johnson, Dean	Lessard	Ourada	Scheid
Berg	Johnson, Debbie	Limmer	Pariseau	Schwab
Betzold	Kierlin	Marty	Price	Stevens
Chaudhary	Kiscaden	Moe, R.D.	Robertson	Stumpf
Day	Kleis	Neuville	Robling	Terwilliger
Fischbach	Knutson	Oliver	Sams	Tomassoni
Foley	Langseth	Olson	Samuelson	

Those who voted in the negative were:

Anderson	Hottinger	Krentz	Pogemiller	Sabo
Berglin	Johnson, Dave	Larson	Ranum	Solon
Cohen	Kelley, S.P.	Lourey	Reiter	Vickerman
Frederickson	Kelly, R.C.	Metzen	Rest	Wiener
Higgins	Kinkel	Pappas	Ring	Wiger

The motion prevailed. So the amendment was adopted.

RECONSIDERATION

Having voted on the prevailing side, Senator Kinkel moved that the vote whereby the second Limmer amendment to S.F. No. 2360 was adopted on April 30, 2001, be now reconsidered. The motion prevailed. So the vote was reconsidered.

The question was taken on the adoption of the second Limmer amendment.

The roll was called, and there were yeas 37 and nays 29, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, Dean	Larson	Pariseau	Stevens
Belanger	Johnson, Debbie	Lesewski	Reiter	Stumpf
Berg	Johnson, Doug	Lessard	Robling	Terwilliger
Day	Kierlin	Limmer	Sams	Tomassoni
Dille	Kinkel	Metzen	Samuelson	Vickerman
Fischbach	Kleis	Neuville	Scheevel	
Fowler	Knutson	Oliver	Schwab	
Frederickson	Langseth	Olson	Solon	

Those who voted in the negative were:

Anderson	Higgins	Krentz	Pappas	Robertson
Berglin	Hottinger	Lourey	Pogemiller	Sabo
Betzold	Johnson, Dave	Marty	Price	Scheid
Chaudhary	Kelley, S.P.	Moe, R.D.	Ranum	Wiener
Cohen	Kelly, R.C.	Orfield	Rest	Wiger
Foley	Kiscaden	Ourada	Ring	

The motion prevailed. So the amendment was adopted.

Senator Cohen moved to amend S.F. No. 2360 as follows:

Page 28, delete lines 1 to 6 and insert:

"\$250,000 the first year and \$250,000 the second year from the workforce development fund are for a grant to WomenVenture for women's business development programs."

Page 31, delete lines 18 to 33 and insert:

"\$250,000 the first year and \$250,000 the second year from the workforce development fund are for a grant to metropolitan economic development association for continuing minority

business development programs in the metropolitan area and encouraging minority business development throughout the state."

The motion prevailed. So the amendment was adopted.

Senator Cohen then moved to amend S.F. No. 2360 as follows:

Page 68, line 23, reinstate the stricken language

Page 68, line 27, delete "Consumer Price Index" and insert " rate of inflation"

The motion prevailed. So the amendment was adopted.

Senator Cohen then moved to amend S.F. No. 2360 as follows:

Page 3, after line 19, insert:

"Of amounts previously appropriated to the house of representatives and carried forward into the biennium beginning July 1, 2001, \$2,500,000 is canceled to the general fund."

The motion prevailed. So the amendment was adopted.

Senator Price moved to amend S.F. No. 2360 as follows:

Page 71, line 7, delete everything after "[TRANSFERS.]"

Page 71, delete lines 8 to 21

Page 72, line 11, delete "July 1, 2001, and"

Page 72, line 18, delete "2001" and insert "2002"

Page 72, line 25, delete "years" and insert "year" and delete "2002 and"

The motion prevailed. So the amendment was adopted.

Senator Lesewski moved to amend S.F. No. 2360 as follows:

Page 142, after line 11, insert:

"Sec. 22. [211B.205] [PARTICIPATION IN PUBLIC PARADES.]

A candidate must be allowed to participate in a public parade for a fee that is not greater than the amount that is charged to all other units participating in the parade."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Wiener moved to amend the Lesewski amendment to S.F. No. 2360 as follows:

Page 1, line 4, before "A" insert "If a public parade allows candidates," and delete "in a public"

Page 1, line 5, delete "parade"

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

Senator Scheid moved to amend the Lesewski amendment to S.F. No. 2360 as follows:

Page 1, line 6, delete "all"

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

The question recurred on the adoption of the Lesewski amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Senator Pappas moved to amend S.F. No. 2360 as follows:

Page 142, line 1, strike "\$500" and insert "\$1,000"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 9 and nays 52, as follows:

Those who voted in the affirmative were:

Anderson	Kelley, S.P.	Metzen	Robertson	Wiener
Higgins	Kierlin	Pappas	Tomassoni	

Those who voted in the negative were:

Bachmann	Fowler	Larson	Pariseau	Scheid
Belanger	Frederickson	Lesewski	Price	Schwab
Berg	Johnson, Dave	Lessard	Ranum	Solon
Berglin	Johnson, Dean	Limmer	Reiter	Stevens
Betzold	Johnson, Debbie	Lourey	Rest	Stumpf
Chaudhary	Johnson, Doug	Marty	Ring	Terwilliger
Cohen	Kinkel	Neuville	Robling	Vickerman
Day	Kleis	Oliver	Sabo	Wiger
Dille	Knutson	Olson	Sams	
Fischbach	Krentz	Orfield	Samuelson	
Foley	Langseth	Ourada	Scheevel	

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

Senator Ourada moved to amend S.F. No. 2360 as follows:

Page 132, line 36, after "candidates" insert "in a year that is not an election year for any of them" and reinstate the stricken language

Page 133, lines 1 to 3, reinstate the stricken language and delete the new language

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 41 and nays 21, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, Dean	Lesewski	Robling	Terwilliger
Berg	Johnson, Debbie	Lessard	Sabo	Tomassoni
Berglin	Kelley, S.P.	Metzen	Sams	Vickerman
Day	Kierlin	Neuville	Samuelson	Wiener
Dille	Kinkel	Olson	Scheevel	Wiger
Fischbach	Kiscaden	Ourada	Scheid	
Frederickson	Knutson	Pariseau	Schwab	
Higgins	Langseth	Reiter	Solon	
Johnson, Dave	Larson	Ring	Stumpf	

Those who voted in the negative were:

Anderson	Foley	Limmer	Pappas	Robertson
Bachmann	Fowler	Lourey	Pogemiller	
Betzold	Kelly, R.C.	Marty	Price	
Chaudhary	Kleis	Oliver	Ranum	
Cohen	Krentz	Orfield	Rest	

The motion prevailed. So the amendment was adopted.

Senator Neuville moved to amend S.F. No. 2360 as follows:

Page 137, line 30, strike "and" and before the period, insert "; and 10A.355"

Page 140, after line 14, insert:

"Sec. 19. [10A.355] [AGREEMENT TO ANSWER QUESTIONS.]

Subdivision 1. [AGREEMENT.] As a condition of receiving a public subsidy, a major party candidate must agree to answer in writing questions asked in writing by the candidate's major party opponents for the same office as provided in this section.

Subd. 2. [QUESTIONS AND ANSWERS.] (a) Within seven days after the primary, a major party candidate may serve up to 20 written questions on any other major party candidate for the same office. The candidate upon whom the questions were served must respond within seven days after service by serving upon the candidate who asked the questions written answers to them.

(b) Each question must embrace only one issue or subject. A candidate may not ask questions relating to privileged information or data. The answer must respond directly to the question. A candidate may refuse to answer any question, but must state a reason for the refusal. All answers must be signed by the candidate.

(c) Service of questions and answers must be by first class mail on the opposing candidate at either the candidate's home or campaign committee address. Service and filing by mail is complete on mailing to the proper address."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Senator Kleis moved to amend S.F. No. 2360 as follows:

Page 132, line 13, after "a" insert "political committee, political fund, or"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 34, as follows:

Those who voted in the affirmative were:

Bachmann	Fischbach	Kleis	Neuville	Scheevel
Belanger	Fowler	Larson	Olson	Scheid
Berg	Frederickson	Lesewski	Pariseau	Schwab
Betzold	Johnson, Debbie	Lessard	Reiter	Stevens
Day	Kierlin	Limmer	Ring	Terwilliger
Dille	Kiscaden	Marty	Robling	Wiger

Those who voted in the negative were:

Anderson	Johnson, Dean	Lourey	Pappas	Sams
Berglin	Kelley, S.P.	Metzen	Pogemiller	Samuelson
Chaudhary	Kelly, R.C.	Moe, R.D.	Price	Stumpf
Cohen	Kinkel	Murphy	Ranum	Tomassoni
Foley	Knutson	Oliver	Rest	Vickerman
Higgins	Krentz	Orfield	Robertson	Wiener
Hottinger	Langseth	Ourada	Sabo	

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

Senator Cohen moved to amend S.F. No. 2360 as follows:

Page 5, line 14, delete the first "\$883,000" and insert "\$533,000" and delete the second "\$883,000" and insert "\$533,000"

The motion prevailed. So the amendment was adopted.

S.F. No. 2360 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 40 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Knutson	Murphy	Sams
Berglin	Higgins	Krentz	Orfield	Scheid
Betzold	Hottinger	Langseth	Pogemiller	Schwab
Chaudhary	Johnson, Dave	Lesewski	Price	Stumpf
Cohen	Johnson, Dean	Lourey	Ranum	Terwilliger
Dille	Johnson, Doug	Marty	Rest	Vickerman
Foley	Kelley, S.P.	Metzen	Robertson	Wiener
Fowler	Kinkel	Moe, R.D.	Sabo	Wiger

Those who voted in the negative were:

Bachmann	Johnson, Debbie	Lessard	Ourada	Scheevel
Belanger	Kierlin	Limmer	Pariseau	Stevens
Berg	Kiscaden	Neuville	Reiter	
Day	Kleis	Oliver	Robling	
Fischbach	Larson	Olson	Samuelson	

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 S.F. No. 2361 and that the rules of the Senate be so far suspended as to give S.F. No. 2361, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

S.F. No. 2361: A bill for an act relating to the operation of state government; modifying provisions relating to health; health department; human services; human services department; long-term care; medical assistance; general assistance medical care; MinnesotaCare; prescription drug program; home and community-based waivers; services for persons with disabilities; group residential housing; state-operated services; chemical dependency; mental health; Minnesota family investment program; general assistance program; child support enforcement; adoption; children in need of protection or services; termination of parental rights; child protection; veterans nursing homes board; health-related licensing boards; emergency medical services regulatory board; Minnesota state council on disability; ombudsman for mental health and mental retardation; ombudsman for families; requiring reports; appropriating money; amending Minnesota Statutes 2000, sections 13.46, subdivision 4; 13.461, subdivision 17; 13B.06, subdivision 7; 15A.083, subdivision 4; 16A.06, by adding a subdivision; 16A.87; 62A.095, subdivision 1; 62A.48, subdivision 4, by adding subdivisions; 62J.152, subdivision 8; 62J.451, subdivision 5; 62J.692, subdivision 7; 62J.694, subdivision 2; 62Q.19, subdivision 1; 62S.01, by adding subdivisions; 62S.26; 103I.101, subdivision 6; 103I.112; 103I.208, subdivisions 1, 2; 103I.235, subdivision 1; 103I.525, subdivisions 2, 6, 8, 9; 103I.531, subdivisions 2, 6, 8, 9; 103I.535, subdivisions 2, 6, 8, 9; 103I.541, subdivisions 2b, 4, 5; 103I.545; 116L.11, subdivision 4; 116L.12, subdivisions 4, 5; 116L.13, subdivision 1; 121A.15, by adding subdivisions; 144.057; 144.0721, subdivision 1; 144.1202, subdivision 4; 144.122; 144.1464; 144.1494, subdivisions 1, 3, 4; 144.1496; 144.226, subdivision 4; 144.396, subdivision 7; 144.98, subdivision 3; 144A.071, subdivisions 1, 1a, 2, 4a; 144A.073, subdivision 2; 144D.01, subdivision 4; 145.881, subdivision 2; 145.882, subdivision 7, by adding a subdivision; 145.885, subdivision 2; 148.212; 148.263, subdivision 2; 148.284; 150A.10, by adding a subdivision; 157.16, subdivision 3; 157.22; 214.001, by adding a subdivision; 214.002, subdivision 1; 214.01, by adding a subdivision; 214.104; 241.272, subdivision 6; 242.192; 245.462, subdivision 18, by adding subdivisions; 245.466, subdivision 2; 245.470, by adding a subdivision; 245.474, subdivision 2, by adding a subdivision; 245.4871, subdivision 27, by adding subdivisions; 245.4875, subdivision 2; 245.4876, subdivision 1, by adding a subdivision; 245.488, by adding a subdivision; 245.4885, subdivision 1; 245.4886,

subdivision 1; 245.98, by adding a subdivision; 245.982; 245.99, subdivision 4; 245A.03, subdivision 2b; 245A.04, subdivisions 3, 3a, 3b, 3c, 3d; 245A.05; 245A.06; 245A.07; 245A.08; 245A.13, subdivisions 7, 8; 245A.16, subdivision 1; 245B.08, subdivision 3; 252.275, subdivision 4b; 253.28, by adding a subdivision; 253B.02, subdivision 10; 253B.03, subdivisions 5, 10, by adding a subdivision; 253B.04, subdivisions 1, 1a, by adding a subdivision; 253B.045, subdivision 6; 253B.05, subdivision 1; 253B.07, subdivision 1; 253B.09, subdivision 1; 253B.10, subdivision 4; 254B.03, subdivision 1; 254B.09, by adding a subdivision; 256.01, subdivision 2, by adding a subdivision; 256.045, subdivisions 3, 3b, 4; 256.476, subdivisions 1, 2, 3, 4, 5, 8, by adding a subdivision; 256.741, subdivisions 1, 5, 8; 256.955, subdivisions 2, 2a, 7, by adding a subdivision; 256.9657, subdivision 2; 256.969, subdivision 3a, by adding a subdivision; 256.975, by adding subdivisions; 256.979, subdivisions 5, 6; 256.98, subdivision 8; 256B.04, by adding a subdivision; 256B.055, subdivision 3a; 256B.056, subdivisions 1a, 4b; 256B.057, subdivisions 2, 9, by adding subdivisions; 256B.061; 256B.0625, subdivisions 7, 13, 13a, 17, 17a, 18a, 19a, 19c, 20, 30, 34, by adding subdivisions; 256B.0627, subdivisions 1, 2, 4, 5, 7, 8, 10, 11, by adding subdivisions; 256B.0635, subdivisions 1, 2; 256B.0644; 256B.0911, subdivisions 1, 3, 5, 6, 7, by adding subdivisions; 256B.0913, subdivisions 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14; 256B.0915, subdivisions 1d, 3, 5; 256B.0917, by adding a subdivision; 256B.093, subdivision 3; 256B.431, subdivision 2e, by adding subdivisions; 256B.433, subdivision 3a; 256B.434, subdivision 4; 256B.49, by adding subdivisions; 256B.5012, subdivision 3, by adding subdivisions; 256B.69, subdivisions 4, 5c, 23, by adding a subdivision; 256B.75; 256B.76; 256D.053, subdivision 1; 256D.35, by adding subdivisions; 256D.425, subdivision 1; 256D.44, subdivision 5; 256I.05, subdivisions 1d, 1e, by adding a subdivision; 256J.08, subdivision 55a, by adding a subdivision; 256J.21, subdivision 2; 256J.24, subdivisions 2, 9, 10; 256J.31, subdivision 12; 256J.32, subdivision 4; 256J.37, subdivision 9; 256J.39, subdivision 2; 256J.42, subdivisions 1, 3, 4, 5; 256J.45, subdivisions 1, 2; 256J.46, subdivision 1; 256J.48, subdivision 1, by adding a subdivision; 256J.49, subdivisions 2, 13, by adding a subdivision; 256J.50, subdivisions 5, 10, by adding a subdivision; 256J.515; 256J.52, subdivisions 2, 3, 6; 256J.53, subdivisions 1, 2, 3; 256J.56; 256J.62, subdivisions 2a, 9; 256J.625; 256J.645; 256K.03, subdivisions 1, 5; 256K.07; 256L.01, subdivision 4; 256L.02, subdivision 4; 256L.04, subdivision 2; 256L.05, subdivision 2; 256L.06, subdivision 3; 256L.07, subdivisions 1, 2, 3, by adding subdivisions; 256L.12, by adding a subdivision; 256L.15, subdivisions 1, 2; 256L.16; 260C.201, subdivision 1; 326.38; 393.07, by adding a subdivision; 518.551, subdivision 13; 518.5513, subdivision 5; 518.575, subdivision 1; 518.5851, by adding a subdivision; 518.5853, by adding a subdivision; 518.6111, subdivision 5; 518.6195; 518.64, subdivision 2; 518.641, subdivisions 1, 2, 3, by adding a subdivision; 548.091, subdivision 1a; 609.115, subdivision 9; 611.23; 626.556, subdivisions 2, 10, 10b, 10d, 10e, 10f, 10i, 11, 12, by adding a subdivision; 626.557, subdivisions 3, 9d, 12b; 626.5572, subdivision 17; 626.559, subdivision 2; Laws 1998, chapter 404, section 18, subdivision 4; Laws 1998, chapter 407, article 8, section 9; Laws 1999, chapter 152, section 4; Laws 1999, chapter 216, article 1, section 13, subdivision 4; Laws 1999, chapter 245, article 3, section 45, as amended; Laws 1999, chapter 245, article 4, section 110; Laws 1999, chapter 245, article 10, section 10, as amended; Laws 2000, chapter 364, section 2; proposing coding for new law in Minnesota Statutes, chapters 62Q; 62S; 116L; 144; 144A; 144D; 145; 214; 244; 246; 256; 256B; 256J; 299A; repealing Minnesota Statutes 2000, sections 116L.12, subdivisions 2, 7; 144.148, subdivision 8; 144A.16; 145.882, subdivisions 3, 4; 145.9245; 145.927; 256.01, subdivision 18; 256.476, subdivision 7; 256.955, subdivision 2b; 256B.0635, subdivision 3; 256B.0911, subdivisions 2, 2a, 4, 8, 9; 256B.0912; 256B.0913, subdivisions 3, 15a, 15b, 15c, 16; 256B.0915, subdivisions 3a, 3b, 3c; 256B.434, subdivision 5; 256B.49, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10; 256D.066; 256E.06, subdivision 2b; 256J.08, subdivision 50a; 256J.12, subdivision 3; 256J.32, subdivision 7a; 256J.43; 256J.49, subdivision 11; 256J.53, subdivision 4; 256L.15, subdivision 3; 518.641, subdivisions 4, 5; Laws 1997, chapter 203, article 9, section 21; Laws 1998, chapter 407, article 6, section 111; Laws 2000, chapter 488, article 10, section 28; Laws 2000, chapter 488, article 10, section 30; Minnesota Rules, parts 4655.6810; 4655.6820; 4655.6830; 4658.1600; 4658.1605; 4658.1610; 4658.1690; 9505.2390; 9505.2395; 9505.2396; 9505.2400; 9505.2405; 9505.2410; 9505.2413; 9505.2415; 9505.2420; 9505.2425; 9505.2426; 9505.2430; 9505.2435; 9505.2440; 9505.2445; 9505.2450; 9505.2455; 9505.2458; 9505.2460; 9505.2465; 9505.2470; 9505.2473; 9505.2475; 9505.2480; 9505.2485; 9505.2486; 9505.2490; 9505.2495; 9505.2496; 9505.2500; 9505.3010; 9505.3015; 9505.3020; 9505.3025; 9505.3030; 9505.3035; 9505.3040; 9505.3065; 9505.3085; 9505.3135; 9505.3500; 9505.3510; 9505.3520; 9505.3530; 9505.3535; 9505.3540;

9505.3545; 9505.3550; 9505.3560; 9505.3570; 9505.3575; 9505.3580; 9505.3585; 9505.3600; 9505.3610; 9505.3620; 9505.3622; 9505.3624; 9505.3626; 9505.3630; 9505.3635; 9505.3640; 9505.3645; 9505.3650; 9505.3660; 9505.3670; 9546.0010; 9546.0020; 9546.0030; 9546.0040; 9546.0050; 9546.0060.

Senator Berglin moved to amend S.F. No. 2361 as follows:

Page 26, line 23, delete "grants to"

Page 26, delete lines 24 to 26 and insert "distribution to the community health boards in accordance with Minnesota Statutes, section 145.9269, subdivision 9, for health screening and follow-up services for foreign-born persons; and"

Page 33, line 13, delete "\$284,000" and insert "\$515,000" and delete "\$292,000" and insert "\$546,000"

Page 33, line 17, delete the second "200,000" and insert "198,000"

Page 33, line 21, delete "\$68,000" and insert "\$354,000"

Page 33, line 22, delete "\$69,000" and insert "\$359,000"

Pages 48 to 50, delete sections 24 to 27

Page 89, delete lines 20 to 22 and insert:

"Subd. 9. [REFUGEE AND IMMIGRANT HEALTH.] The commissioner shall distribute funds to community health boards for health screening and follow-up services for foreign-born persons. Distribution shall be based on the following criteria:

(1) cases of pulmonary tuberculosis;

(2) cases of extrapulmonary tuberculosis;

(3) the number of months providing directly observed therapy to cases of uninsured tuberculosis or extrapulmonary tuberculosis; and

(4) the number of new refugees in the service area within the fiscal year.

The commissioner, in cooperation with the affected local public health departments, shall determine reimbursement rates within the given appropriations."

Page 95, delete section 55

Pages 171 and 172, delete section 61

Page 183, after line 16, insert:

"(a) Minnesota Statutes, section 16A.76, is repealed effective July 1, 2001."

Page 183, line 17, delete "(a)" and insert "(b)"

Page 183, line 19, delete "(b)" and insert "(c)"

Page 670, line 31, delete "23" and insert "25"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Berglin then moved to amend S.F. No. 2361 as follows:

Page 22, delete lines 46 to 64

Page 23, delete line 1

Page 23, line 30, delete "\$1,500,000" and insert "\$35,743,000"

Page 23, line 31, delete "\$5,070,000" and insert "\$39,125,000"

Page 23, line 32, delete "\$11,763,000" and insert "\$37,720,000"

Page 23, line 33, delete "\$23,714,000" and insert "\$40,149,000"

The motion prevailed. So the amendment was adopted.

Senator Berglin then moved to amend S.F. No. 2361 as follows:

Page 674, line 1, delete everything after the period

Page 674, delete lines 2 to 4

Page 674, line 5, delete everything before "Counties" and insert "Counties receiving grants under this appropriation shall continue to spend the local matching funds required in Minnesota Statutes, section 401.12."

The motion prevailed. So the amendment was adopted.

Senator Berglin moved to amend S.F. No. 2361 as follows:

Page 122, after line 10, insert:

"Sec. 19. Minnesota Statutes 2000, section 256B.02, subdivision 7, is amended to read:

Subd. 7. "Vendor of medical care" means any person or persons furnishing, within the scope of the vendor's respective license, any or all of the following goods or services: medical, surgical, hospital, optical, visual, dental and nursing services; drugs and medical supplies; appliances; laboratory, diagnostic, and therapeutic services; nursing home and convalescent care; screening and health assessment services provided by public health nurses as defined in section 145A.02, subdivision 18; health care services provided at the residence of the patient if the services are performed by a public health nurse and the nurse indicates in a statement submitted under oath that the services were actually provided; oral language interpreter services for persons of limited English proficiency when necessary to access health care; and such other medical services or supplies provided or prescribed by persons authorized by state law to give such services and supplies. The term includes, but is not limited to, directors and officers of corporations or members of partnerships who, either individually or jointly with another or others, have the legal control, supervision, or responsibility of submitting claims for reimbursement to the medical assistance program. The term only includes directors and officers of corporations who personally receive a portion of the distributed assets upon liquidation or dissolution, and their liability is limited to the portion of the claim that bears the same proportion to the total claim as their share of the distributed assets bears to the total distributed assets."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Berglin then moved to amend S.F. No. 2361 as follows:

Page 3, delete lines 48 and 49

Pages 3 to 36, delete sections 1 to 18

Pages 390 to 411, delete sections 7 to 10

Page 608, after line 23, insert:

"Sec. 5. Minnesota Statutes 2000, section 245A.04, subdivision 3, is amended to read:

Subd. 3. [BACKGROUND STUDY OF THE APPLICANT; DEFINITIONS.] (a) Before the commissioner issues a license, the commissioner shall conduct a study of the individuals specified in paragraph (e) (d), clauses (1) to (5), according to rules of the commissioner.

Beginning January 1, 1997, the commissioner shall also conduct a study of employees providing direct contact services for nonlicensed personal care provider organizations described in paragraph (e) (d), clause (5).

The commissioner shall recover the cost of these background studies through a fee of no more than \$12 per study charged to the personal care provider organization.

Beginning August 1, 1997, the commissioner shall conduct all background studies required under this chapter for adult foster care providers who are licensed by the commissioner of human services and registered under chapter 144D. The commissioner shall conduct these background studies in accordance with this chapter. The commissioner shall initiate a pilot project to conduct up to 5,000 background studies under this chapter in programs with joint licensure as home and community-based services and adult foster care for people with developmental disabilities when the license holder does not reside in the foster care residence.

(b) Beginning July 1, 1998, the commissioner shall conduct a background study on individuals specified in paragraph (e) (d), clauses (1) to (5), who perform direct contact services in a nursing home or a home care agency licensed under chapter 144A or a boarding care home licensed under sections 144.50 to 144.58, when the subject of the study resides outside Minnesota; the study must be at least as comprehensive as that of a Minnesota resident and include a search of information from the criminal justice data communications network in the state where the subject of the study resides.

(c) Beginning August 1, 2001, the commissioner shall conduct all background studies required under this chapter and initiated by supplemental nursing services agencies registered under section 144A.71, subdivision 1. Studies for the agencies must be initiated annually by each agency. The commissioner shall conduct the background studies according to this chapter. The commissioner shall recover the cost of the background studies through a fee of no more than \$8 per study, charged to the supplemental nursing services agency. Money collected under this paragraph is appropriated to the commissioner to pay the costs of background studies.

(d) The applicant, license holder, ~~the registrant~~ under section 144A.71, subdivision 1, bureau of criminal apprehension, ~~the commissioner of health,~~ and county agencies, after written notice to the individual who is the subject of the study, shall help with the study by giving the commissioner criminal conviction data and reports about the maltreatment of adults substantiated under section 626.557 and the maltreatment of minors in licensed programs substantiated under section 626.556. The individuals to be studied shall include:

- (1) the applicant;
- (2) persons over the age of 13 living in the household where the licensed program will be provided;
- (3) current employees or contractors of the applicant who will have direct contact with persons served by the facility, agency, or program;
- (4) volunteers or student volunteers who have direct contact with persons served by the program to provide program services, if the contact is not directly supervised by the individuals listed in clause (1) or (3); and
- (5) any person who, as an individual or as a member of an organization, exclusively offers, provides, or arranges for personal care assistant services under the medical assistance program as authorized under sections 256B.04, subdivision 16, and 256B.0625, subdivision 19a.

The juvenile courts shall also help with the study by giving the commissioner existing juvenile court records on individuals described in clause (2) relating to delinquency proceedings held within either the five years immediately preceding the application or the five years immediately preceding the individual's 18th birthday, whichever time period is longer. The commissioner shall destroy juvenile records obtained pursuant to this subdivision when the subject of the records reaches age 23.

For purposes of this section and Minnesota Rules, part 9543.3070, a finding that a delinquency petition is proven in juvenile court shall be considered a conviction in state district court.

For purposes of this subdivision, "direct contact" means providing face-to-face care, training, supervision, counseling, consultation, or medication assistance to persons served by a program. For purposes of this subdivision, "directly supervised" means an individual listed in clause (1), (3), or (5) is within sight or hearing of a volunteer to the extent that the individual listed in clause (1), (3), or (5) is capable at all times of intervening to protect the health and safety of the persons served by the program who have direct contact with the volunteer.

A study of an individual in clauses (1) to (5) shall be conducted at least upon application for initial license or registration under section 144A.71, subdivision 1, and reapplication for a license or registration. The commissioner is not required to conduct a study of an individual at the time of reapplication for a license or if the individual has been continuously affiliated with a foster care provider licensed by the commissioner of human services and registered under chapter 144D, other than a family day care or foster care license, if: (i) a study of the individual was conducted either at the time of initial licensure or when the individual became affiliated with the license holder; (ii) the individual has been continuously affiliated with the license holder since the last study was conducted; and (iii) the procedure described in paragraph ~~(d)~~ (e) has been implemented and was in effect continuously since the last study was conducted. For the purposes of this section, a physician licensed under chapter 147 is considered to be continuously affiliated upon the license holder's receipt from the commissioner of health or human services of the physician's background study results. For individuals who are required to have background studies under clauses (1) to (5) and who have been continuously affiliated with a foster care provider that is licensed in more than one county, criminal conviction data may be shared among those counties in which the foster care programs are licensed. A county agency's receipt of criminal conviction data from another county agency shall meet the criminal data background study requirements of this section.

The commissioner may also conduct studies on individuals specified in clauses (3) and (4) when the studies are initiated by:

- (i) personnel pool agencies;
- (ii) temporary personnel agencies;
- (iii) educational programs that train persons by providing direct contact services in licensed programs; and
- (iv) professional services agencies that are not licensed and which contract with licensed programs to provide direct contact services or individuals who provide direct contact services.

Studies on individuals in items (i) to (iv) must be initiated annually by these agencies, programs, and individuals. Except for personal care provider organizations and supplemental nursing services agencies, no applicant, license holder, or individual who is the subject of the study shall pay any fees required to conduct the study.

(1) At the option of the licensed facility, rather than initiating another background study on an individual required to be studied who has indicated to the licensed facility that a background study by the commissioner was previously completed, the facility may make a request to the commissioner for documentation of the individual's background study status, provided that:

- (i) the facility makes this request using a form provided by the commissioner;
- (ii) in making the request the facility informs the commissioner that either:

(A) the individual has been continuously affiliated with a licensed facility since the individual's previous background study was completed, or since October 1, 1995, whichever is shorter; or

(B) the individual is affiliated only with a personnel pool agency, a temporary personnel agency, an educational program that trains persons by providing direct contact services in licensed programs, or a professional services agency that is not licensed and which contracts with licensed programs to provide direct contact services or individuals who provide direct contact services; and

(iii) the facility provides notices to the individual as required in paragraphs (a) to ~~(d)~~ (e), and that the facility is requesting written notification of the individual's background study status from the commissioner.

(2) The commissioner shall respond to each request under paragraph (1) with a written or electronic notice to the facility and the study subject. If the commissioner determines that a background study is necessary, the study shall be completed without further request from a licensed agency or notifications to the study subject.

(3) When a background study is being initiated by a licensed facility or a foster care provider that is also registered under chapter 144D, a study subject affiliated with multiple licensed facilities may attach to the background study form a cover letter indicating the additional facilities' names, addresses, and background study identification numbers. When the commissioner receives such notices, each facility identified by the background study subject shall be notified of the study results. The background study notice sent to the subsequent agencies shall satisfy those facilities' responsibilities for initiating a background study on that individual.

~~(d)~~ (e) If an individual who is affiliated with a program or facility regulated by the department of human services or department of health or who is affiliated with a nonlicensed personal care provider organization, is convicted of a crime constituting a disqualification under subdivision 3d, the probation officer or corrections agent shall notify the commissioner of the conviction. The commissioner, in consultation with the commissioner of corrections, shall develop forms and information necessary to implement this paragraph and shall provide the forms and information to the commissioner of corrections for distribution to local probation officers and corrections agents. The commissioner shall inform individuals subject to a background study that criminal convictions for disqualifying crimes will be reported to the commissioner by the corrections system. A probation officer, corrections agent, or corrections agency is not civilly or criminally liable for disclosing or failing to disclose the information required by this paragraph. Upon receipt of disqualifying information, the commissioner shall provide the notifications required in subdivision 3a, as appropriate to agencies on record as having initiated a background study or making a request for documentation of the background study status of the individual. This paragraph does not apply to family day care and child foster care programs.

~~(e)~~ (f) The individual who is the subject of the study must provide the applicant or license holder with sufficient information to ensure an accurate study including the individual's first, middle, and last name; home address, city, county, and state of residence for the past five years; zip code; sex; date of birth; and driver's license number. The applicant or license holder shall provide this information about an individual in paragraph ~~(e)~~ (d), clauses (1) to (5), on forms prescribed by the commissioner. By January 1, 2000, for background studies conducted by the department of human services, the commissioner shall implement a system for the electronic transmission of: (1) background study information to the commissioner; and (2) background study results to the license holder. The commissioner may request additional information of the individual, which shall be optional for the individual to provide, such as the individual's social security number or race.

~~(f)~~ (g) Except for child foster care, adult foster care, and family day care homes, a study must include information related to names of substantiated perpetrators of maltreatment of vulnerable adults that has been received by the commissioner as required under section 626.557, subdivision 9c, paragraph (i), and the commissioner's records relating to the maltreatment of minors in licensed programs, information from juvenile courts as required in paragraph ~~(e)~~ (d) for persons listed in paragraph ~~(e)~~ (d), clause (2), and information from the bureau of criminal apprehension. For child foster care, adult foster care, and family day care homes, the study must include

information from the county agency's record of substantiated maltreatment of adults, and the maltreatment of minors, information from juvenile courts as required in paragraph ~~(e)~~ (d) for persons listed in paragraph ~~(e)~~ (d), clause (2), and information from the bureau of criminal apprehension. The commissioner may also review arrest and investigative information from the bureau of criminal apprehension, the commissioner of health, a county attorney, county sheriff, county agency, local chief of police, other states, the courts, or the Federal Bureau of Investigation if the commissioner has reasonable cause to believe the information is pertinent to the disqualification of an individual listed in paragraph ~~(e)~~ (d), clauses (1) to (5). The commissioner is not required to conduct more than one review of a subject's records from the Federal Bureau of Investigation if a review of the subject's criminal history with the Federal Bureau of Investigation has already been completed by the commissioner and there has been no break in the subject's affiliation with the license holder who initiated the background studies.

When the commissioner has reasonable cause to believe that further pertinent information may exist on the subject, the subject shall provide a set of classifiable fingerprints obtained from an authorized law enforcement agency. For purposes of requiring fingerprints, the commissioner shall be considered to have reasonable cause under, but not limited to, the following circumstances:

(1) information from the bureau of criminal apprehension indicates that the subject is a multistate offender;

(2) information from the bureau of criminal apprehension indicates that multistate offender status is undetermined; or

(3) the commissioner has received a report from the subject or a third party indicating that the subject has a criminal history in a jurisdiction other than Minnesota.

~~(g)~~ (h) ~~The failure or refusal of an applicant's or license holder's failure or refusal applicant, license holder, or registrant under section 144A.71, subdivision 1, to cooperate with the commissioner is reasonable cause to disqualify a subject, deny a license application or immediately suspend, suspend, or revoke a license or registration. Failure or refusal of an individual to cooperate with the study is just cause for denying or terminating employment of the individual if the individual's failure or refusal to cooperate could cause the applicant's application to be denied or the license holder's license to be immediately suspended, suspended, or revoked.~~

~~(h)~~ (i) The commissioner shall not consider an application to be complete until all of the information required to be provided under this subdivision has been received.

~~(i)~~ (j) No person in paragraph ~~(e)~~ (d), clause (1), (2), (3), (4), or (5), who is disqualified as a result of this section may be retained by the agency in a position involving direct contact with persons served by the program.

~~(j)~~ (k) Termination of persons in paragraph ~~(e)~~ (d), clause (1), (2), (3), (4), or (5), made in good faith reliance on a notice of disqualification provided by the commissioner shall not subject the applicant or license holder to civil liability.

~~(k)~~ (l) The commissioner may establish records to fulfill the requirements of this section.

~~(l)~~ (m) The commissioner may not disqualify an individual subject to a study under this section because that person has, or has had, a mental illness as defined in section 245.462, subdivision 20.

~~(m)~~ (n) An individual subject to disqualification under this subdivision has the applicable rights in subdivision 3a, 3b, or 3c.

~~(n)~~ (o) For the purposes of background studies completed by tribal organizations performing licensing activities otherwise required of the commissioner under this chapter, after obtaining consent from the background study subject, tribal licensing agencies shall have access to criminal history data in the same manner as county licensing agencies and private licensing agencies under this chapter."

Page 608, line 28, strike "or" and insert a comma and after "holder" insert ", or registrant under section 144A.71, subdivision 1"

Page 612, line 36, strike "or" and insert a comma and after "holder" insert ", or registrant under section 144A.71, subdivision 1"

Page 613, line 7, strike "or" and insert a comma and after "holder" insert ", or registrant under section 144A.71, subdivision 1"

Page 613, line 18, strike "or" and insert a comma

Page 613, line 19, after the first "applicant" insert ", or registrant under section 144A.71, subdivision 1," and strike "or" and insert a comma and after the second "applicant" insert ", or registrant under section 144A.71, subdivision 1"

Page 615, line 35, strike "or" and insert a comma and after "holder" insert ", or registrant under section 144A.71, subdivision 1,"

Page 615, line 36, after the comma, insert "or the home of a registrant under section 144A.71, subdivision 1," and strike the second "or" and insert a comma

Page 616, line 1, after "holder" insert ", or registrant under section 144A.71, subdivision 1,"

Page 616, line 6, after "licensure" insert "or registration under section 144A.71, subdivision 1,"

Page 616, line 7, strike "or" and insert a comma and after "applicant" insert ", or registrant under section 144A.71, subdivision 1,"

Page 619, line 31, after "holder" insert ", or registrant under section 144A.71, subdivision 1,"

Page 670, after line 31, insert:

"ARTICLE 15

APPROPRIATIONS

Section 1. [HEALTH AND HUMAN SERVICES APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or any other fund named, to the agencies and for the purposes specified in the following sections of this article, to be available for the fiscal years indicated for each purpose. The figures "2002" and "2003" where used in this article, mean that the appropriation or appropriations listed under them are available for the fiscal year ending June 30, 2002, or June 30, 2003, respectively. Where a dollar amount appears in parentheses, it means a reduction of an appropriation.

SUMMARY BY FUND

APPROPRIATIONS	2002	2003	BIENNIAL TOTAL
General	\$3,193,708,000	\$3,538,372,000	\$6,732,080,000
State Government Special Revenue	38,548,000	40,671,000	79,219,000
Health Care Access	233,995,000	307,873,000	541,868,000
Federal TANF	295,060,000	302,841,000	597,901,000
Lottery Cash Flow	4,090,000	3,540,000	7,630,000
TOTAL	\$3,765,401,000	\$4,193,297,000	\$7,958,698,000

APPROPRIATIONS

Available for the Year
Ending June 30

2002

2003

Sec. 2. COMMISSIONER OF
HUMAN SERVICES

Subdivision 1. Total Appropriation		\$3,586,384,000	\$4,014,475,000
	Summary by Fund		
General	3,073,644,000	3,413,594,000	
State Government Special Revenue	520,000	534,000	
Health Care Access	222,060,000	300,506,000	
Federal TANF	288,520,000	296,301,000	
Lottery Cash Flow	4,090,000	3,540,000	
TOTAL	3,586,384,000	4,014,475,000	

[RECEIPTS FOR SYSTEMS PROJECTS.] Appropriations and federal receipts for information system projects for MAXIS, PRISM, MMIS, and SSIS must be deposited in the state system account authorized in Minnesota Statutes, section 256.014. Money appropriated for computer projects approved by the Minnesota office of technology, funded by the legislature, and approved by the commissioner of finance may be transferred from one project to another and from development to operations as the commissioner of human services considers necessary. Any unexpended balance in the appropriation for these projects does not cancel but is available for ongoing development and operations.

[GIFTS.] Notwithstanding Minnesota Statutes, chapter 7, the commissioner may accept on behalf of the state additional funding from sources other than state funds for the purpose of financing the cost of assistance program grants or nongrant administration. All additional funding is appropriated to the commissioner for use as designated by the grantor of funding.

[SYSTEMS CONTINUITY.] In the event of disruption of technical systems or computer operations, the commissioner may use available grant appropriations to ensure continuity of payments for maintaining the health, safety, and well-being of clients served by programs administered by the department of human services. Grant funds must be used in a manner consistent with the original intent of the appropriation.

[SPECIAL REVENUE FUND
INFORMATION.] On December 1, 2001, and

December 1, 2002, the commissioner shall provide the chairs of the house health and human services finance committee and the senate health, human services, and corrections budget division with detailed fund balance information for each special revenue fund account.

[FEDERAL ADMINISTRATIVE REIMBURSEMENT.] Federal administrative reimbursement resulting from MinnesotaCare outreach grants and the Minnesota senior health options project are appropriated to the commissioner for these activities.

[NONFEDERAL SHARE TRANSFERS.] The nonfederal share of activities for which federal administrative reimbursement is appropriated to the commissioner may be transferred to the special revenue fund.

[MAJOR SYSTEMS ONE-TIME TRANSFER.] \$29,000,000 of funds available in the state systems account authorized in Minnesota Statutes, section 256.014, is transferred in fiscal year 2002 to the general fund.

[TANF FUNDS APPROPRIATED TO OTHER ENTITIES.] Any expenditures from the TANF block grant shall be expended in accordance with the requirements and limitations of part A of title IV of the Social Security Act, as amended, and any other applicable federal requirement or limitation. Prior to any expenditure of these funds, the commissioner shall assure that funds are expended in compliance with the requirements and limitations of federal law and that any reporting requirements of federal law are met. It shall be the responsibility of any entity to which these funds are appropriated to implement a memorandum of understanding with the commissioner that provides the necessary assurance of compliance prior to any expenditure of funds. The commissioner shall receipt TANF funds appropriated to other state agencies and coordinate all related interagency accounting transactions necessary to implement these appropriations. Unexpended TANF funds appropriated to any state, local, or nonprofit entity cancel at the end of the state fiscal year unless appropriating language permits otherwise.

[TANF FUNDS TRANSFERRED TO OTHER FEDERAL GRANTS.] The commissioner must authorize transfers from TANF to other federal block grants so that funds are available to meet the annual expenditure needs as appropriated. Transfers may be authorized prior to the

expenditure year with the agreement of the receiving entity. Transferred funds must be expended in the year for which the funds were appropriated unless appropriation language permits otherwise. In accelerating transfer authorizations, the commissioner must aim to preserve the future potential transfer capacity from TANF to other block grants.

[TANF MAINTENANCE OF EFFORT.] (a) In order to meet the basic maintenance of effort (MOE) requirements of the TANF block grant specified under Code of Federal Regulations, title 45, section 263.1, the commissioner may only report nonfederal money expended for allowable activities listed in the following clauses as TANF MOE expenditures:

(1) MFIP cash and food assistance benefits under Minnesota Statutes, chapter 256J;

(2) the child care assistance programs under Minnesota Statutes, sections 119B.03 and 119B.05, and county child care administrative costs under Minnesota Statutes, section 119B.15;

(3) state and county MFIP administrative costs under Minnesota Statutes, chapters 256J and 256K;

(4) state, county, and tribal MFIP employment services under Minnesota Statutes, chapters 256J and 256K; and

(5) expenditures made on behalf of noncitizen MFIP recipients who qualify for the medical assistance without federal financial participation program under Minnesota Statutes, section 256B.06, subdivision 4, paragraphs (d), (e), and (j).

(b) The commissioner shall ensure that sufficient qualified nonfederal expenditures are made each year to meet the state's TANF MOE requirements. For the activities listed in paragraph (a), clauses (2) to (5), the commissioner may only report expenditures that are excluded from the definition of assistance under Code of Federal Regulations, title 45, section 260.31.

(c) By August 31 of each year, the commissioner shall make a preliminary calculation to determine the likelihood that the state will meet its annual federal work participation requirement under Code of Federal Regulations, title 45, sections 261.21 and 261.23, after adjustment for any caseload reduction credit under Code of Federal Regulations, title 45, section 261.41. If

the commissioner determines that the state will meet its federal work participation rate for the federal fiscal year ending that September, the commissioner may reduce the expenditure under paragraph (a), clause (1), to the extent allowed under Code of Federal Regulations, title 45, section 263.1(a)(2).

(d) For fiscal years beginning with state fiscal year 2003, the commissioner shall assure that the maintenance of effort used by the commissioner of finance for the February and November forecasts required under Minnesota Statutes, section 16A.103, contains expenditures under paragraph (a), clause (1), equal to at least 25 percent of the total required under Code of Federal Regulations, title 45, section 263.1.

(e) If nonfederal expenditures for the programs and purposes listed in paragraph (a) are insufficient to meet the state's TANF MOE requirements, the commissioner shall recommend additional allowable sources of nonfederal expenditures to the legislature, if the legislature is or will be in session to take action to specify additional sources of nonfederal expenditures for TANF MOE before a federal penalty is imposed. The commissioner shall otherwise provide notice to the legislative commission on planning and fiscal policy under paragraph (g).

(f) If the commissioner uses authority granted under Laws 1999, chapter 245, article 1, section 10, or similar authority granted by a subsequent legislature, to meet the state's TANF MOE requirements in a reporting period, the commissioner shall inform the chairs of the appropriate legislative committees about all transfers made under that authority for this purpose.

(g) If the commissioner determines that nonfederal expenditures for the programs under paragraph (a), are insufficient to meet TANF MOE expenditure requirements, and if the legislature is not or will not be in session to take timely action to avoid a federal penalty, the commissioner may report nonfederal expenditures from other allowable sources as TANF MOE expenditures after the requirements of this paragraph are met. The commissioner may report nonfederal expenditures in addition to those specified under paragraph (a) as nonfederal TANF MOE expenditures, but only ten days after the commissioner of finance has

first submitted the commissioner's recommendations for additional allowable sources of nonfederal TANF MOE expenditures to the members of the legislative commission on planning and fiscal policy for their review.

(h) The commissioner of finance shall not incorporate any changes in federal TANF expenditures or nonfederal expenditures for TANF MOE that may result from reporting additional allowable sources of nonfederal TANF MOE expenditures under the interim procedures in paragraph (g) into the February or November forecasts required under Minnesota Statutes, section 16A.103, unless the commissioner of finance has approved the additional sources of expenditures under paragraph (g).

(i) The provisions of Minnesota Statutes, section 256.011, subdivision 3, which require that federal grants or aids secured or obtained under that subdivision be used to reduce any direct appropriations provided by law, do not apply if the grants or aids are federal TANF funds.

(j) Notwithstanding section 14 of this article, paragraphs (a) to (j) expire June 30, 2005.

Subd. 2. Agency Management

General	38,519,000	38,053,000
State Government Special Revenue	403,000	415,000
Health Care Access	3,631,000	3,673,000
Federal TANF	165,000	165,000

The amounts that may be spent from the appropriation for each purpose are as follows:

(a) Financial Operations

General	6,872,000	7,041,000
Health Care Access	815,000	828,000
Federal TANF	165,000	165,000

(b) Legal & Regulation Operations

General	8,405,000	8,239,000
State Government Special Revenue	403,000	415,000
Health Care Access	239,000	244,000

(c) Management Operations

43RD DAY] MONDAY, APRIL 30, 2001 2041

General 23,242,000 22,773,000

Health Care
Access 2,577,000 2,601,000

Subd. 3. Administrative Reimbursement/
Passthrough

Federal TANF 58,605 56,992

Subd. 4. Children's Services Grants

General 66,147,000 71,129,000

Federal TANF 6,290,000 6,290,000

[ADOPTION ASSISTANCE INCENTIVE GRANTS.] Federal funds available during the biennium ending June 30, 2003, for adoption incentive grants are appropriated to the commissioner for these purposes.

[TANF TRANSFER TO SOCIAL SERVICES.] \$4,650,000 is appropriated to the commissioner in fiscal year 2002 and in fiscal year 2003 for purposes of increasing services for families with children whose incomes are at or below 200 percent of the federal poverty guidelines. The commissioner shall authorize a sufficient transfer of funds from the state's federal TANF block grant to the state's federal social services block grant to meet this appropriation.

[SOCIAL SERVICES BLOCK GRANT FUNDS FOR CONCURRENT PERMANENCY PLANNING.] Notwithstanding Minnesota Statutes, section 256E.07, \$4,650,000 in fiscal year 2002 and \$4,650,000 in fiscal year 2003 in social services block grant funds allocated to the commissioner under title XX of the Social Security Act are available for distribution to counties under the formula in Minnesota Statutes, section 260C.213, for the purposes of concurrent permanency planning.

[CHILDREN'S MENTAL HEALTH GRANTS.] Of the general fund appropriation, \$1,000,000 in fiscal year 2002 and \$1,000,000 in fiscal year 2003 is for children's mental health grants under Minnesota Statutes, section 245.4886.

Subd. 5. Children's Services Management

General 5,645,000 5,724,000

[FEDERAL FINANCIAL PARTICIPATION MAXIMIZATION FOR OUT-OF-HOME CARE.] The commissioner of human services and the commissioner of corrections shall cooperate in efforts to maximize federal financial participation in the costs of providing out-of-home placements for juveniles.

Subd. 6. Basic Health Care Grants

Summary by Fund

General	1,164,615,000	1,387,879,000
Health Care Access	198,568,000	277,349,000

The amounts that may be spent from this appropriation for each purpose are as follows:

(a) MinnesotaCare Grants

Health Care

Access	197,818,000	276,599,000
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[MINNESOTACARE FEDERAL RECEIPTS.]

Receipts received as a result of federal participation pertaining to administrative costs of the Minnesota health care reform waiver shall be deposited as nondedicated revenue in the health care access fund. Receipts received as a result of federal participation pertaining to grants shall be deposited in the federal fund and shall offset health care access funds for payments to providers.

[MINNESOTACARE FUNDING.] The commissioner may expend money appropriated from the health care access fund for MinnesotaCare in either fiscal year of the biennium.

[DENTAL ACCESS GRANTS.] Of this appropriation, \$1,000,000 in fiscal year 2002 is to be distributed as dental access grants in accordance with Minnesota Statutes, section 256B.53. If the amount appropriated is not used within the fiscal year, the commissioner of finance shall transfer any remaining amount to the commissioner of health to be distributed as rural hospital capital improvement grants for fiscal year 2003.

[HEALTH CARE SAFETY NET ENDOWMENT FUND.] The commissioner of finance shall transfer \$150,000,000 from the health care access fund to the health care safety net endowment fund.

(b) MA Basic Health Care Grants - Families and Children

General	475,611,000	577,293,000
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[INDIAN HEALTH SERVICES FEDERAL MATCH.] In the event the federal medical assistance percentage rate increases to 100 percent for services provided as a result of a referral by the federal Indian health service or a tribal provider, the commissioner is authorized to

increase the payment rate for referrals by ten percent as an incentive for the completion of documentation required for increased federal participation. Unspent state medical assistance appropriations resulting from the increase in the federal medical assistance percentage rate shall be transferred to the appropriate account and are available to the commissioner for covering the costs of out-stationed health care program eligibility services on reservations. The base appropriation for the 2004-2005 biennium for these services must not exceed the state medical assistance savings. These actions are intended to improve access to health care and assist in eliminating disparities in health status for American Indian people.

[PROVIDER SURCHARGE OFFSET.] The commissioner shall reduce future billings under Minnesota Statutes, section 256.9657, to offset \$1,600,000 in excess provider surcharges erroneously collected from a health care system established in 1994. The future billings must be reduced by \$400,000 in each of the fiscal years beginning with fiscal year 2002 through fiscal year 2005, for a total reduction of \$1,600,000. Notwithstanding section 14, this provision expires on June 30, 2005.

[PMAP RATES.] Prepaid medical assistance, general assistance medical care, and MinnesotaCare program rates set by the commissioner under Minnesota Statutes, section 256B.69, effective on or after January 1, 2002, shall not reflect any increase in cost due to changes made to Minnesota Statutes, sections 62Q.56 and 62Q.58, by the 2001 legislature. Notwithstanding section 14, this paragraph shall not expire.

[COLLECTION OF HOSPITAL OVERPAYMENTS.] (a) The commissioner shall not commence collection of hospital overpayments resulting from a determination that medical assistance and general assistance payments exceeded the charge limit during the period from 1994 to 1997 until after any available appeals have been exhausted.

(b) For small rural hospitals, as defined in Minnesota Statutes, section 144.148, any amounts then due to the state may be funded through the grant program provided in section 3 for those hospitals.

(c) MA Basic Health Care Grants -
Elderly and Disabled

General	520,190,000	609,372,000
(d) General Assistance Medical Care		
General	157,384,000	179,229,000
(e) Health Care Grants - Other Assistance		
General	11,430,000	21,985,000
Health Care Access	750,000	750,000

[STOP-LOSS FUND ACCOUNT.] Of the general fund appropriation, \$200,000 in fiscal year 2002 and \$385,000 in fiscal year 2003 is to the commissioner to be deposited in the stop-loss fund account to be distributed in accordance with Minnesota Statutes, section 256.956.

Subd. 7. Basic Health Care Management

General	21,967,000	21,341,000
Health Care Access	16,528,000	18,135,000

The amounts that may be spent from this appropriation for each purpose are as follows:

(a) Health Care Policy Administration

General	3,095,000	3,188,000
Health Care Access	578,000	595,000

[OUTREACH EFFORTS.] (a) Of the general fund appropriation, \$120,000 each year is to the commissioner to:

(1) coordinate a public/private partnership to provide a statewide outreach campaign on the importance of health coverage and the availability of coverage through both public assistance health care programs and the private health insurance market. The campaign shall include messages directed to the general population as well as culturally specific and community-based messages; and

(2) award grants to public or private organizations to provide local community-based outreach to assist families with children in obtaining health coverage. In awarding these grants, the commissioner shall consider the following:

(i) the ability to contact or serve non-English-speaking families;

(ii) the ability to provide trained workers at accessible outreach centers to assist families with children by offering services ranging from providing information up to on-site enrollment in a health care program; and

(iii) the ability to serve geographic areas and populations with the greatest disparity in health coverage and health status.

(b) The commissioner shall include specific performance expectations that will require grantees to track the number of enrollees in state programs, monitor these grants, and may terminate a grant if the outreach effort does not increase enrollment in the state health care programs.

(c) The commissioner shall provide applications and other health care program information to provider offices, hospitals, local human services agencies, community health sites, and elementary schools to encourage and assist these sites in conducting outreach efforts. These sites may assist families with children by offering services ranging from providing information up to on-site enrollment in public assistance programs.

(b) Health Care Operations

General	18,872,000	19,153,000
Health Care Access	15,950,000	17,540,000

[PREPAID MEDICAL PROGRAMS.] The nonfederal share of the prepaid medical assistance program fund, which has been appropriated to fund county managed care advocacy and enrollment operating costs, shall be disbursed as grants using either a reimbursement or block grant mechanism and may also be transferred between grants and nongrant administration costs with approval of the commissioner of finance.

Subd. 8. State-Operated Services

General	211,440,000	206,465,000
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[MITIGATION RELATED TO STATE-OPERATED SERVICES RESTRUCTURING.] Money appropriated to finance mitigation expenses related to restructuring state-operated services programs and administrative services may be transferred between fiscal years within the biennium.

[STATE-OPERATED SERVICES CHEMICAL DEPENDENCY PROGRAMS.] When the operations of the state-operated services chemical dependency fund created in Minnesota Statutes, section 246.18, subdivision 2, are impeded by projected cash deficiencies resulting from delays in the receipt of grants, dedicated

income, or other similar receivables, and when the deficiencies would be corrected within the budget period involved, the commissioner of finance may transfer general fund cash reserves into this account as necessary to meet cash demands. The cash flow transfers must be returned to the general fund in the fiscal year that the transfer was made. Any interest earned on general fund cash flow transfers accrues to the general fund and not the state-operated services chemical dependency fund.

[STATE-OPERATED SERVICES RESTRUCTURING.] For purposes of restructuring state-operated services, any state-operated services employee whose position is to be eliminated shall be afforded the options provided in applicable collective bargaining agreements. All salary and mitigation allocations from fiscal year 2002 shall be carried forward into fiscal year 2003. Provided there is no conflict with any collective bargaining agreement, any state-operated services position reduction must only be accomplished through mitigation, attrition, transfer, and other measures as provided in state or applicable collective bargaining agreements and in Minnesota Statutes, section 252.50, subdivision 11, and not through layoff.

[REPAIRS AND BETTERMENTS.] The commissioner may transfer unencumbered appropriation balances between fiscal years for the state residential facilities repairs and betterments account and special equipment.

[NAMES REQUIRED ON GRAVES.] (a) Of this appropriation, \$300,000 in fiscal year 2002 is to replace numbers with the names of individuals at all graves located at regional treatment centers operated or formerly operated by the commissioner.

(b) Twenty percent of this appropriation must be transferred to a consumer run disability rights organization located in St. Paul for community organizing, coordination, fundraising, and administrative costs.

(c) Any unexpended portion of this appropriation shall not cancel but shall be available in fiscal year 2003 for these purposes. This is a one-time appropriation and shall not become part of the base level funding for the 2004-2005 biennium.

[BUILDING REMODELING.] The commissioner shall use \$400,000 from the

appropriation for repairs and betterments to remodel building 6 at the Brainerd regional human services center to make the structure suitable for school programs. The Brainerd school district shall reimburse the commissioner \$200,000 in fiscal year 2002 and \$200,000 in fiscal year 2003 through a lease agreement for these remodeling costs.

Subd. 9. Continuing Care Grants

General	1,363,147,000	1,474,989,000
Lottery Cash Flow	3,850,000	3,300,000

The amounts that may be spent from this appropriation for each purpose are as follows:

(a) Community Social Services

Block Grants

48,910,000	49,836,000
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[CSSA TRADITIONAL APPROPRIATION.]

Notwithstanding Minnesota Statutes, section 256E.06, subdivisions 1 and 2, the appropriations available under that section in fiscal years 2002 and 2003 must be distributed to each county proportionately to the aid received by the county in calendar year 2000.

(b) Aging Adult Service Grants

14,117,000	13,788,000
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[AGING AND ADULT SERVICE GRANT CARRYFORWARD AUTHORITY.]

Unexpended funds appropriated for Senior LinkAge line, community services grants, and access demonstration project grants for fiscal year 2002 do not cancel but are available to the commissioner for these purposes for fiscal year 2003.

[HOME-SHARING GRANTS.] Of this appropriation, \$225,000 in fiscal year 2002 and \$400,000 in fiscal year 2003 is for the home-sharing grant program under Minnesota Statutes, section 256.973. This appropriation shall become part of the base level funding for the 2004-2005 biennium.

[THE CENTER FOR VICTIMS OF TORTURE.] Of the appropriation for fiscal year 2002, \$450,000 is for a grant to the center for victims of torture. The grant is to be used to conduct continuing education and training of health care and human service workers on how to identify torture survivors, provide appropriate care and make referrals, and to establish a network of care providers who will offer pro

bono services for survivors of politically motivated torture. This is a one-time appropriation requiring a one-to-one, nonstate, in-kind match, and is available until expended.

(c) Deaf and Hard-of-Hearing Services Grants

2,169,000	1,943,000
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[SERVICES TO DEAF PERSONS WITH MENTAL ILLNESS.] (a) Of this appropriation, \$125,000 in fiscal year 2002 and \$60,000 in fiscal year 2003 is for a grant to a nonprofit agency that currently serves deaf and hard-of-hearing adults with mental illness through residential programs and supportive housing outreach activities. The grant must be used to continue and maintain community support services for deaf and hard-of-hearing adults with mental illness who use or wish to use sign language as their primary means of communication.

(b) The grant for fiscal year 2003 shall be increased by \$65,000 minus earnings achieved by the grantee through participation in the medical assistance rehabilitation option for persons with mental illness under Minnesota Statutes, section 256B.0623. The grant shall not be less than \$60,000.

(c) The base level funding for the 2004-2005 biennium shall be \$125,000 minus earnings achieved by the grantee through participation in the medical assistance rehabilitation option for persons with mental illness under Minnesota Statutes, section 256B.0623.

[COMMISSION SERVING DEAF AND HARD-OF-HEARING PEOPLE.] Of this appropriation, \$5,000 in fiscal year 2002 is to the commissioner for the Minnesota commission serving deaf and hard-of-hearing people to carry out the duties under Minnesota Statutes, section 256C.28.

[DEAF-BLIND SERVICES.] Of this appropriation, \$212,000 in fiscal year 2002 and \$150,000 in fiscal year 2003 are for grants to providers to provide deaf-blind persons with residential training and self-sufficiency supports.

(d) Mental Health Grants

General	52,694,000	54,386,000
Lottery Cash Flow	3,850,000	3,300,000

[MENTAL HEALTH COUNSELING FOR

FARM FAMILIES.] Of the general fund appropriation, \$150,000 in fiscal year 2002 and \$150,000 in fiscal year 2003 is to be transferred to the board of trustees of the Minnesota state colleges and universities for mental health counseling support to farm families and business operators through the farm business management program at Central Lakes College and Ridgewater College. This appropriation is available until June 30, 2003.

[COSTS ASSOCIATED WITH STATE INMATES WITH MENTAL ILLNESS.] (a) Of the general fund appropriation, \$125,000 in fiscal year 2002 and \$185,000 in fiscal year 2003 is for evaluation and support staff to do discharge planning under Minnesota Statutes, section 244.054, for persons with serious and persistent mental illness being discharged from prison. These staff shall be employed by the commissioner but assigned at the direction of the commissioner of corrections.

(b) Of the general fund appropriation, the following amounts shall be transferred to the commissioner of corrections for the purposes indicated:

(1) \$258,000 in fiscal year 2002 and \$258,000 in fiscal year 2003 for the staff and travel costs associated with discharge planning under Minnesota Statutes, section 244.054, for persons with serious and persistent mental illness;

(2) \$769,000 in fiscal year 2002 and \$638,000 in fiscal year 2003 for grants to counties under the transitional housing and community support program for former state inmates with serious and persistent mental illness; and

(3) \$24,000 in fiscal year 2002 and \$24,000 in fiscal year 2003 for the cost of medications for state inmates with serious and persistent mental illness.

[ADULT MENTAL HEALTH EMERGENCY SERVICES.] Of the general fund appropriation, \$1,000,000 in fiscal year 2002 and \$1,000,000 in fiscal year 2003 is for adult mental health emergency services under Minnesota Statutes, section 245.469.

[COMPULSIVE GAMBLING.] Of the appropriation from the lottery prize fund to the commissioner for the compulsive gambling treatment program:

(1) \$1,500,000 in fiscal year 2002 and \$1,500,000 in fiscal year 2003 is for treatment of

pathological and problem gambling as specified under Minnesota Statutes, section 245.98, subdivision 6;

(2) \$100,000 in fiscal year 2002 and \$200,000 in fiscal year 2003 is for compulsive gambling treatment for minority groups or persons with disabilities on a grant basis to at least two different providers serving different populations;

(3) \$500,000 in fiscal year 2003 is for grants to be used as start-up funding for new treatment programs in underserved areas of the state. This is a one-time appropriation and shall not become part of the base level funding for the 2004-2005 biennium;

(4) \$300,000 in fiscal year 2002 is for a prevalence study required by Laws 1998, chapter 407, article 8, section 9, paragraph (a). This is a one-time appropriation and shall not become part of the base appropriation for the 2004-2005 biennium;

(5) \$100,000 for fiscal year 2002 is for study on the impact of problem gambling as required by Laws 1998, chapter 407, article 8, section 9, paragraph (b). This is a one-time appropriation and shall not become part of the base level funding for the 2004-2005 biennium;

(6) \$50,000 in fiscal year 2002 and \$50,000 in fiscal year 2003 is for the purposes of assessing the results of treatment provided through the compulsive gambling program. This is a one-time appropriation and shall not become part of the base level funding for the 2004-2005 biennium;

(7) \$100,000 in fiscal year 2002 and \$100,000 in fiscal year 2003 is for a grant to the University of Minnesota medical school for research on the effectiveness of pharmaceutical treatment of pathological gambling. This is a one-time appropriation and shall not become part of the base appropriation for the 2004-2005 biennium;

(8) \$600,000 in fiscal year 2002 and \$600,000 in fiscal year 2003 is for the state problem gambling help line and for initiatives to increase public awareness of problem and pathological gambling and to assist in its prevention;

(9) \$150,000 in fiscal year 2002 and \$150,000 in fiscal year 2003 is for grants for educating and training in the the identification of individuals who may need treatment for problem or pathological gambling and counseling individuals or families on treatment options. This

is a one-time appropriation and shall not become part of the base level funding for the 2004-2005 biennium;

(10) \$50,000 in fiscal year 2002 and \$50,000 in fiscal year 2003 is for training of individuals who will provide treatment and prevention for minority or underserved populations. This is a one-time appropriation and shall not become part of the base level funding for the 2004-2005 biennium;

(11) \$750,000 in fiscal year 2002 is for a grant to reconstruct project turnout in Granite Falls that was destroyed by the Granite Falls tornado. This is a one-time appropriation and shall not become part of the base appropriation for the 2004-2005 biennium; and

(12) \$150,000 in fiscal year 2002 and \$150,000 in fiscal year 2003 is for a grant to a compulsive gambling council located in St. Louis county. The gambling council shall provide a statewide compulsive gambling prevention and education project for adolescents. This is a one-time appropriation and shall not become part of the base appropriation for the 2004-2005 biennium.

The unencumbered balance of the appropriation from the lottery prize fund in the first year of the biennium does not cancel but is available for the second year.

(e) Community Support Grants

12,555,000	12,815,000
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(f) Medical Assistance Long-Term
Care Waivers and Home Care

452,925,000	536,099,000
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[NURSING FACILITY OPERATED BY THE RED LAKE BAND OF CHIPPEWA INDIANS.] (1) The medical assistance payment rates for the 47-bed nursing facility operated by the Red Lake Band of Chippewa Indians must be calculated according to allowable reimbursement costs under the medical assistance program, as specified in Minnesota Statutes, section 246.50, and are subject to the facility-specific Medicare upper limits.

(2) In addition, the commissioner shall make available rate adjustments for the biennium beginning July 1, 2001, on the same basis as the adjustments provided to nursing facilities under Minnesota Statutes, section 256B.431. The commissioner must use the facility's final 2000 and 2001 Medicare cost reports to calculate the

adjustments. This rate increase shall become part of the facility's base rate for future rate years.

(g) Medical Assistance Long-Term Care Facilities

	574,687,000	575,318,000
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[LONG-TERM CARE CONSULTATION SERVICES.] Long-term care consultation services payments to all counties shall continue at the payment amount in effect for preadmission screening in fiscal year 2001, as adjusted for county participation in the access demonstration project.

[MORATORIUM EXCEPTION ADMINISTRATIVE PROCESS.] Of this appropriation, \$350,000 in fiscal year 2002 and \$650,000 in fiscal year 2003 is for the moratorium exception administrative process under Minnesota Statutes, section 144A.073. The annualized state share of medical assistance costs for projects approved during each year of the biennium must not exceed \$1,400,000.

[RATE INCREASE APPLICABILITY.] The nursing facility rate increase provided under Minnesota Statutes, section 256B.431, subdivision 32, for the first 90 paid days of an admission shall apply only to admissions occurring on or after July 1, 2001.

(h) Alternative Care Grants

General	76,204,000	90,680,000
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[ALTERNATIVE CARE TRANSFER.] Any money allocated to the alternative care program that is not spent for the purposes indicated does not cancel but shall be transferred to the medical assistance account.

[ALTERNATIVE CARE APPROPRIATION.] The commissioner may expend the money appropriated for the alternative care program for that purpose in either year of the biennium.

(i) Group Residential Housing

General	80,228,000	88,583,000
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(j) Chemical Dependency Entitlement Grants

General	42,330,000	45,213,000
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(k) Chemical Dependency Nonentitlement Grants

General	6,328,000	6,328,000
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Subd. 10. Continuing Care Management

General	22,215,000	22,421,000
State Government		
Special Revenue	117,000	119,000
Lottery Cash Flow	240,000	240,000

[COUNTY INVOLVEMENT COSTS.] Of the general fund appropriation, up to \$384,000 in fiscal year 2002 and up to \$514,000 in fiscal year 2003 is for the commissioner to allocate to counties for resident relocation costs resulting from planned closures under Minnesota Statutes, section 256B.437, and resident relocations under Minnesota Statutes, section 144A.161. Unexpended funds for fiscal year 2002 do not cancel but are available to the commissioner for this purpose in fiscal year 2003.

[COMPULSIVE GAMBLING ADMINISTRATION.] Of the lottery cash flow appropriation, \$240,000 in fiscal year 2002 and \$240,000 in fiscal year 2003 is for administration of the compulsive gambling treatment program.

Subd. 11. Economic Support Grants

General	134,006,000	137,928,000
Federal TANF	223,257,000	232,111,000

The amounts that may be spent from this appropriation for each purpose are as follows:

(a) Assistance to Families Grants

General	69,932,000	72,531,000
Federal TANF	115,732,000	107,116,000

(b) Work Grants

General	9,844,000	9,844,000
Federal TANF	68,513,000	68,513,000

[LOCAL INTERVENTION GRANTS FOR SELF-SUFFICIENCY CARRYFORWARD.] Unexpended funds appropriated for local intervention grants under Minnesota Statutes, section 256J.625, for fiscal year 2002 do not cancel but are available to the commissioner for these purposes in fiscal year 2003.

[SOUTHEAST ASIAN TRANSITIONAL EMPLOYMENT TRAINING PROJECT.] (a) Federal TANF funds, as specified in this paragraph, are appropriated to the commissioner for a grant to a nonprofit collaborative in Hennepin county specializing in services to Southeast Asians for an "intensive intervention" transitional employment training project to move refugee and immigrant welfare recipients into

unsubsidized employment leading to self-sufficiency. \$800,000 in fiscal year 2002 and \$800,000 in fiscal year 2003 is appropriated to the commissioner for a grant to a nonprofit collaborative in Hennepin county specializing in services to Southeast Asians. This is a one-time appropriation and shall not become part of the base level funding for the 2004-2005 biennium.

(b) One of the five partners in the collaborative shall be chosen as the fiscal agent by the commissioner. The primary effort must be on intensive employment skills training, including workplace English and overcoming cultural barriers, and on specialized training in fields of work which involve a credit-based curriculum. For recipients without a high school diploma or a GED, extra effort shall be made to help the recipient meet the "ability to benefit test" so the recipient can receive financial aid for further training. During the specialized training, efforts shall be made to involve the recipients with an internship program and retention specialist. Up to ten percent of the grant shall be used for other efforts to make the recipient families more self-sufficient as provided within TANF rules.

(c) Economic Support Grants -
Other Assistance

General	2,907,000	3,065,000
Federal TANF	38,752,000	56,222,000

[TANF TRANSFER TO CHILD CARE BLOCK GRANT.] \$2,009,000 for fiscal year 2002 and \$16,097,000 for fiscal year 2003 is appropriated to the commissioner of children, families, and learning for the purposes of Minnesota Statutes, section 119B.05. The commissioner of human services shall authorize a sufficient transfer of funds from the state's federal TANF block grant to the state's child care development fund block grant to meet this appropriation.

[CHILD CARE APPROPRIATION.] (a) General funds appropriated for child care in the 2001 E-12 Omnibus Appropriations Act are reduced by \$34,243,000 in fiscal year 2002 and by \$34,055,000 in fiscal year 2003. General fund base level funding for child care is reduced by \$25,957,000 in fiscal year 2004 and by \$16,435,000 in fiscal year 2005.

(b) \$34,243,000 in fiscal year 2002 and \$34,055,000 in fiscal year 2003 is appropriated from the state's federal TANF block grant to the

commissioner of children, families, and learning for child care purposes. The base level funding for this purpose from the state's federal TANF block grant is increased by \$25,957,000 in fiscal year 2004 and by \$16,435,000 in fiscal year 2005.

[WORKING FAMILY CREDIT.] (a) On a regular basis, the commissioner of revenue, with the assistance of the commissioner of human services, shall calculate the value of the refundable portion of the Minnesota working family credits provided under Minnesota Statutes, section 290.0671, that qualifies for federal reimbursement from the TANF block grant. The commissioner of revenue shall provide the commissioner of human services with such expenditure records and information as are necessary to support draw-down of federal funds.

(b) Federal TANF funds, as specified in this paragraph, are appropriated to the commissioner of human services on calculations under paragraph (a) of working family tax credit expenditures that qualify for reimbursement from the TANF block grant for income tax refunds payable in federal fiscal years beginning October 1, 2001. The draw-down of federal TANF funds shall be made on a regular basis based on calculations of credit expenditures by the commissioner of revenue. \$1,500,000 in fiscal year 2002, \$5,070,000 in fiscal year 2003, \$11,763,000 in fiscal year 2004, and \$23,714,000 in fiscal year 2005 are appropriated to the commissioner of human services. These funds shall be transferred to the commissioner of revenue to deposit into the general fund.

[PRIOR YEAR APPROPRIATION REPEALED.] Notwithstanding Laws 2000, chapter 488, article 8, section 2, subdivision 6, as amended by Laws 2000, chapter 499, sections 22 and 39, the commissioner shall not transfer \$7,500,000 from the state's federal TANF block grant to the state's federal Title XX block grant in fiscal year 2002 for purposes of increasing services for families with children whose incomes are at or below 200 percent of the federal poverty guidelines.

[MINNESOTA FOOD ASSISTANCE PROGRAM.] Of the general fund appropriation, \$225,000 in fiscal year 2002 and \$1,134,000 in fiscal year 2003 is for the Minnesota food assistance program.

(d) Child Support Enforcement

General	4,239,000	4,239,000
Federal TANF	260,000	260,000

[CHILD SUPPORT PAYMENT CENTER.]

Payments to the commissioner from other governmental units, private enterprises, and individuals for services performed by the child support payment center must be deposited in the state systems account authorized under Minnesota Statutes, section 256.014. These payments are appropriated to the commissioner for the operation of the child support payment center or system, according to Minnesota Statutes, section 256.014.

(e) General Assistance

General	17,156,000	16,648,000
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[GENERAL ASSISTANCE STANDARD.] The commissioner shall set the monthly standard of assistance for general assistance units consisting of an adult recipient who is childless and unmarried or living apart from his or her parents or a legal guardian at \$203. The commissioner may reduce this amount in accordance with Laws 1997, chapter 85, article 3, section 54.

(f) Minnesota Supplemental Aid

General	29,678,000	31,351,000
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(g) Refugee Services

General	250,000	250,000
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Subd. 12. Economic Support Management

General	45,943,000	46,665,000
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Health Care Access	1,333,000	1,349,000
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Federal TANF	743,000	743,000
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The amounts that may be spent from this appropriation for each purpose are as follows:

(a) Economic Support Policy Administration

General	8,655,000	8,789,000
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Federal TANF	743,000	743,000
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[FOOD STAMP ADMINISTRATIVE REIMBURSEMENT.] The commissioner shall reduce quarterly food stamp administrative reimbursement to counties in fiscal years 2002 and 2003 by the amount that the United States Department of Health and Human Services

determines to be the county random moment study share of the food stamp adjustment under Public Law Number 105-185. The reductions shall be allocated to each county in proportion to each county's contribution, if any, to the amount of the adjustment. Any adjustment to medical assistance administrative reimbursement that is based on the United States Department of Health and Human Services' determinations under Public Law Number 105-185 shall be distributed to counties in the same manner.

(b) Economic Support Operations

General	37,288,000	37,876,000
Health Care Access	1,333,000	1,349,000

[SPENDING AUTHORITY FOR FOOD STAMP ENHANCED FUNDING.] In the event that Minnesota qualifies for United States Department of Agriculture Food and Nutrition Services Food Stamp Program enhanced funding beginning in federal fiscal year 1998, the money is appropriated to the commissioner for the purposes of the program. The commissioner may retain 25 percent of the enhanced funding, with the remaining 75 percent divided among the counties according to a formula that takes into account each county's impact on the statewide food stamp error rate.

[FINANCIAL INSTITUTION DATA MATCH AND PAYMENT OF FEES.] The commissioner is authorized to allocate up to \$310,000 in each year of the biennium from the PRISM special revenue account to make payments to financial institutions in exchange for performing data matches between account information held by financial institutions and the public authority's database of child support obligors as authorized by Minnesota Statutes, section 13B.06, subdivision 7.

Sec. 3. COMMISSIONER OF HEALTH

Subdivision 1. Total Appropriation		131,062,000	130,155,000
	Summary by Fund		
General	83,758,000	87,535,000	
State Government Special Revenue	26,829,000	28,713,000	
Health Care Access	13,935,000	7,367,000	
Federal TANF	6,540,000	6,540,000	

Subd. 2. Family and Community Health	68,329,000	72,485,000
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Summary by Fund

General	57,146,000	60,246,000
State Government		
Special Revenue	961,000	1,987,000
Health Care		
Access	3,682,000	3,712,000
Federal TANF	6,540,000	6,540,000

[HEALTH DISPARITIES.] (a) Of the general fund appropriation, \$6,450,000 in fiscal year 2002 and \$7,450,000 in fiscal year 2003 is for reducing health disparities to be spent as follows:

(1) \$3,400,000 the first year and \$4,150,000 the second year for grants to community organizations for prevention services targeted to populations affected by health disparities;

(2) \$2,150,000 the first year and \$2,350,000 the second year for grants to community health boards.

(3) \$500,000 each year for grants to tribal governments to support efforts to identify and implement culturally based community interventions that reduce health disparities for American Indians;

(4) \$200,000 the first year and \$250,000 the second year for grants to local public health agencies to fund access to health screenings and follow-up services; and

(5) \$200,000 each year for state administrative costs.

[IMMUNIZATION INFORMATION SERVICE.] Of the general fund appropriation, \$1,000,000 the first year and \$2,000,000 the second year is available to the commissioner for grants to community health boards as defined in Minnesota Statutes, section 145A.02, to support the development of a statewide immunization information service and to support maintenance of current registry activities related to tracking medical assistance-eligible children.

[PROMOTING HEALTHY LIFESTYLES.] \$6,540,000 from the TANF fund in fiscal years 2002 and 2003 is appropriated to the commissioner to award grants to promote healthy behaviors among youth in accordance with Minnesota Statutes, section 145.9263.

Of this amount, \$3,000,000 is for local grants

under Minnesota Statutes, section 145.9263, subdivision 2; \$3,000,000 is for community youth grants under Minnesota Statutes, section 145.9263, subdivision 3; \$480,000 is for a statewide outreach campaign under Minnesota Statutes, section 145.9263, subdivision 4; and \$60,000 is for training and technical assistance.

[PROMOTING HEALTHY LIFESTYLES CARRYFORWARD.] Any unexpended balance of the TANF funds appropriated for the promoting healthy lifestyles grant program established under Minnesota Statutes, section 145.9263, in the first fiscal year of the biennium does not cancel but is available for the second year.

[HEALTH WORKFORCE DEVELOPMENT.] Of the general fund appropriation, \$1,003,000 in the first year and \$1,967,000 in the second year is to expand the health professionals loan program, of which \$963,000 in the first year and \$1,927,000 in the second year is for direct grants to increase the placement of physicians, dentists, pharmacists, mental health providers, health care technicians in rural communities, and nurses in nursing homes, ICFs/MR, and home health care agencies statewide.

[POISON INFORMATION SYSTEM.] Of the general fund appropriation, \$1,360,000 each fiscal year is for poison control system grants under Minnesota Statutes, section 145.93.

[WIC TRANSFERS.] The general fund appropriation for the women, infants, and children (WIC) food supplement program is available for either year of the biennium. Transfers of these funds between fiscal years must be either to maximize federal funds or to minimize fluctuations in the number of program participants.

[MINNESOTA CHILDREN WITH SPECIAL HEALTH NEEDS CARRYFORWARD.] General fund appropriations for treatment services in the services for Minnesota children with special health needs program are available for either year of the biennium.

[HOME VISITING PROGRAM.] Of the general fund appropriation, \$7,000,000 each year is for distribution to county boards according to the formula in Minnesota Statutes, section 256J.625, subdivision 3, to be used by county public health boards to serve families with incomes at or below 200 percent of the federal poverty

guidelines, in the manner specified by Minnesota Statutes, section 145A.16, subdivision 3, clauses (2), (3), (4), (5), and (6). Training, evaluation, and technical assistance shall be provided in accordance with Minnesota Statutes, section 145A.16, subdivisions 5, 6, and 7. This appropriation shall not become a part of the agency's base funding for the 2004-2005 biennium.

[HOME VISITING TANF BASE REDUCTION.] Notwithstanding Laws 2000, chapter 488, article 8, section 2, subdivision 6, as amended by Laws 2000, chapter 499, sections 22 and 39, base level funding from the state's federal TANF block grant for the home visiting program under Minnesota Statutes, section 145A.16, for fiscal year 2002 and fiscal year 2003 is zero.

[SUICIDE PREVENTION.] Of the general fund appropriation, \$1,025,000 each year is to fund community-based suicide prevention programs under Minnesota Statutes, section 145.56, subdivision 2, and \$75,000 each year is for the commissioner for suicide prevention activities under Minnesota Statutes, section 145.56, subdivisions 1, 3, 4, and 5.

Subd. 3. Access and Quality
Improvement

27,028,000

20,480,000

Summary by Fund

General	8,263,000	8,231,000
State Government		
Special Revenue	8,512,000	8,594,000
Health Care		
Access	10,253,000	3,655,000

[STOP-LOSS FUND.] Of the health care access fund appropriation, \$200,000 the first year and \$50,000 the second year is for grants to organizations developing health care purchasing alliances established under Minnesota Statutes, chapter 62T. Of this appropriation, \$50,000 the first year is for a grant to the University of Minnesota-Crookston to support the northwest purchasing alliance; \$50,000 the first year is for a grant to the southwest regional development commission to support the southwest purchasing alliance; \$50,000 the first year is for a grant to the arrowhead regional development commission to support the development of a northeast Minnesota purchasing alliance; and \$50,000 each year is for a grant to the Brainerd lakes area chamber of commerce education association to

support the north central purchasing alliance. The state grants must be matched on a one-to-one basis by nonstate funds. This is a one-time appropriation and shall not become part of the base level funding for the 2004-2005 biennium.

[HEALTH CARE SAFETY NET.] Of the health care access fund appropriation, \$6,500,000 the first year is to provide financial support to Minnesota health care safety net providers. This appropriation shall not become part of base funding for the agency for the 2004-2005 biennium. Of the amounts available:

- (1) \$2,000,000 is for a grant program to aid safety net community clinics;
- (2) \$2,000,000 is to be transferred to the Minnesota comprehensive health association (MCHA); and
- (3) \$2,500,000 is for a grant program to provide rural hospital capital improvement grants described in Minnesota Statutes, section 144.148.

[GRANTS TO COMMUNITY CLINICS.] Of the general fund appropriation, \$2,000,000 each year is for grants to eligible community clinics under Minnesota Statutes, section 145.9268, to improve the ongoing viability of Minnesota's clinic-based safety net providers. This appropriation is contingent on federal approval of the intergovernmental transfers and payments to safety net hospitals authorized under Minnesota Statutes, section 256B.195. This appropriation shall become part of base level funding for the 2004-2005 biennium.

[HOME CARE PROVIDERS FEE WAIVER.] Notwithstanding the provisions of Minnesota Rules, chapter 4669, and Minnesota Statutes, section 144A.4605, subdivision 5, the commissioner of health may, during the biennium beginning July 1, 2001, waive license fees for all home care providers who hold a current license as of June 30, 2001, for the purpose of reducing surplus home care fees in the state government special revenue fund.

[RURAL AMBULANCE STUDY.] (a) The commissioner shall direct the rural health advisory committee to conduct a study and make recommendations regarding the challenges faced by rural ambulance services related to: personnel shortages for volunteer ambulance services; personnel shortages for full-time, paid

ambulance services; funding for ambulance operations; and the impact on rural ambulance services from changes in ambulance reimbursement as a result of the federal Balanced Budget Act of 1997, Public Law Number 105-33.

(b) The advisory committee may also examine and make recommendations on:

(1) whether state law allows adequate flexibility to address operational and staffing problems encountered by rural ambulance services; and

(2) whether current incentive programs, such as the volunteer ambulance recruitment program and state reimbursement for volunteer training, are adequate to ensure ambulance service volunteers will be available in rural areas.

(c) The advisory committee shall identify existing state, regional, and local resources supporting the provision of local ambulance services in rural areas.

(d) The advisory committee shall, if appropriate, make recommendations for addressing alternative delivery models for rural volunteer ambulance services. Such alternatives may include, but are not limited to, multiprovider service coalitions, purchasing cooperatives, regional response strategies, and different utilization of first responder and rescue squads.

(e) In conducting its study, the advisory committee shall consult with groups broadly representative of rural health and emergency medical services. Such groups may include: local elected officials; ambulance and emergency medical services associations; hospitals and nursing homes; physicians, nurses, and mid-level practitioners; rural health groups; the emergency medical services regulatory board and regional emergency medical services boards; and fire and sheriff's departments.

(f) The advisory committee shall report its findings and recommendations to the commissioner by September 1, 2002.

Subd. 4. Health Protection		30,250,000	31,323,000
	Summary by Fund		
General	13,045,000	13,346,000	
State Government			
Special Revenue	17,205,000	17,977,000	

[EMERGING HEALTH THREATS.] (a) Of the general fund appropriation, \$750,000 in the first

year and \$850,000 in the second year is to maintain the state capacity to identify and respond to emerging health threats.

(b) Of these amounts, \$450,000 in the first year and \$550,000 in the second year is to expand state laboratory capacity to identify infectious disease organisms, evaluate environmental contaminants, and develop new analytical techniques to deal with biological and chemical health threats.

(c) \$300,000 each year is to train, consult, and otherwise assist local officials responding to clandestine drug laboratories and minimizing health risks to responders and the public. The commissioner is authorized to bill local governments to reimburse the general fund for the costs incurred.

[SEXUALLY TRANSMITTED INFECTIONS.] Of the general fund appropriation, \$150,000 each year is to increase access to free screening for sexually transmitted infections, including efforts to provide screening to members of high-risk communities, and \$250,000 each year is for grants to community-based organizations and local public health entities to increase the screening of members of high-risk communities. These appropriations shall become part of the base level funding for the 2004-2005 biennium.

[BASE FUNDING TRANSFER.] \$250,000 each fiscal year is transferred from the base appropriation for sexually transmitted disease program operations to the HIV grants program and shall become part of base level funding for the HIV grants program for the 2004-2005 biennium.

[COMMUNITY HEALTH EDUCATION AND PROMOTION PROGRAM ON FOOD SAFETY.] (a) Of the general fund appropriation, \$200,000 each year is for a grant to the city of Minneapolis to establish a community-based health education and promotion program on food safety in the Latino, Somali, and Southeast Asian communities.

(b) The program shall consist of direct training of food industry operators and workers on safe handling of food and proper operation of food establishments and a community consumer awareness campaign to increase community awareness of food safety and access to food regulatory services.

(c) This is a one-time appropriation and shall not

become part of the base level funding for the 2004-2005 biennium.

Subd. 5. Management and Support Services

5,455,000 5,867,000

Summary by Fund

General 5,304,000 5,712,000

State Government
Special Revenue 151,000 155,000

Sec. 4. VETERANS NURSING HOMES BOARD

30,948,000 32,030,000

[VETERANS HOMES SPECIAL REVENUE ACCOUNT.] The general fund appropriations made to the board may be transferred to a veterans homes special revenue account in the special revenue fund in the same manner as other receipts are deposited according to Minnesota Statutes, section 198.34, and are appropriated to the board for the operation of board facilities and programs.

[SETTING COST OF CARE.] The cost of care for the domiciliary residents at the Minneapolis veterans home for fiscal year 2002 and fiscal year 2003 shall be calculated based on 100 percent occupancy.

[DEFICIENCY FUNDING.] Of the general fund appropriation in fiscal year 2002, \$2,000,000 is available with the approval of the commissioner of finance. Approval of the commissioner of finance is contingent upon review of the board's submittal of a report outlining the following:

- (1) a long-term revenue outlook for the homes;
- (2) a review and recommendation of alternative funding sources for the homes' operations; and
- (3) administrative and service options to bring cost growth in line with revenues.

Sec. 5. HEALTH-RELATED BOARDS

Subdivision 1. Total Appropriation

11,199,000 11,424,000

[STATE GOVERNMENT SPECIAL REVENUE FUND.] The appropriations in this section are from the state government special revenue fund.

[NO SPENDING IN EXCESS OF REVENUES.] The commissioner of finance shall not permit the allotment, encumbrance, or expenditure of money appropriated in this section in excess of the anticipated biennial revenues or accumulated surplus revenues from

fees collected by the boards. Neither this provision nor Minnesota Statutes, section 214.06, applies to transfers from the general contingent account.

Subd. 2. Board of Chiropractic Examiners	372,000	384,000
Subd. 3. Board of Dentistry	946,000	855,000

[EXPANDED DUTIES.] Of this appropriation, \$115,000 in fiscal year 2002 is to the board for the costs associated with the expanded duties relative to the regulation of dental hygienists and foreign-trained dentists. This is a one-time appropriation and shall not become part of the base level funding for the 2004-2005 biennium.

Subd. 4. Board of Dietetic and Nutrition Practice	98,000	101,000
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Subd. 5. Board of Marriage and Family Therapy	114,000	118,000
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Subd. 6. Board of Medical Practice	3,334,000	3,400,000
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Subd. 7. Board of Nursing	2,789,000	2,902,000
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[DEVELOPMENT OF POSTERS.] Of this appropriation, \$20,000 in fiscal year 2002 is for the board to develop and distribute posters that may be used by facilities to satisfy the requirements of Minnesota Statutes, section 144.582, subdivision 4.

[HEALTH PROFESSIONAL SERVICES ACTIVITY.] Of these appropriations, \$284,000 the first year and \$292,000 the second year are for the health professional services activity.

Subd. 8. Board of Nursing Home Administrators	200,000	200,000
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Subd. 9. Board of Optometry	93,000	96,000
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Subd. 10. Board of Pharmacy	1,336,000	1,386,000
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[ADMINISTRATIVE SERVICES UNIT.] Of this appropriation, \$68,000 the first year and \$69,000 the second year are for the health boards administrative services unit. The administrative services unit may receive and expend reimbursements for services performed for other agencies.

Subd. 11. Board of Physical Therapy	191,000	197,000
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Subd. 12. Board of Podiatry	53,000	45,000
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Subd. 13. Board of Psychology	669,000	680,000
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Subd. 14. Board of Social Work	846,000	873,000
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Subd. 15. Board of Veterinary Medicine	158,000	189,000
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Sec. 6. EMERGENCY MEDICAL SERVICES BOARD	2,663,000	2,675,000
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[COMPREHENSIVE ADVANCED LIFE SUPPORT EDUCATIONAL PROGRAM.] Of this appropriation, \$200,000 in fiscal year 2002 and \$200,000 in fiscal year 2003 is to increase funding for the comprehensive advanced life support educational program under Minnesota Statutes, section 144E.37. This appropriation shall become part of base level funding for the 2004-2005 biennium.

[AUTOMATIC DEFIBRILLATOR STUDY.] Of this appropriation, \$25,000 in fiscal year 2002 is to the board to study, in consultation with the commissioner of public safety, and report to the legislature by December 15, 2002, regarding the availability of automatic defibrillators outside the seven-county metropolitan area. The report shall include recommendations to make these devices accessible within a reasonable distance through the nonmetropolitan area, including recommendations for funding their acquisition and distribution.

Sec. 7. COUNCIL ON DISABILITY	692,000	714,000
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Sec. 8. OMBUDSMAN FOR MENTAL HEALTH AND MENTAL RETARDATION	1,752,000	1,568,000
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[CENTER FOR OMBUDSMAN SERVICES.] (a) Of this appropriation, \$250,000 in fiscal year 2002 is for the one-time costs of establishing a center for Minnesota ombudsman services. Unexpended funds for fiscal year 2002 do not cancel but are available for this purpose in fiscal year 2003.

(b) The following agencies shall collocate to establish the center: the ombudsman for corrections, the crime victims ombudsman, the ombudsman for mental health and mental retardation, the ombudsman for older Minnesotans, the ombudsman for state-managed health care programs, and the ombudsman for families.

(c) Each agency described in paragraph (b) shall retain its statutory authority and funding for the special populations served.

(d) Each agency described in paragraph (b) shall contribute to the shared operational expenses and shall pool administrative capabilities and resources as appropriate in at least the following

areas: purchasing, payroll, human resources, information technology, inventory, leasing, contracts, and telecommunications.

(e) The functions described in paragraph (d) shall be administered by a board composed of the six ombudspersons referenced in paragraph (b).

(f) The center shall make a preliminary report to the legislature by January 15, 2003, and a final report by January 15, 2004, on implementation of the colocation requirement.

Sec. 9. OMBUDSMAN
FOR FAMILIES

251,000

256,000

Sec. 10. TRANSFERS

Subdivision 1. Grants

The commissioner of human services, with the approval of the commissioner of finance, and after notification of the chair of the senate health and family security budget division and the chair of the house health and human services finance committee, may transfer unencumbered appropriation balances for the biennium ending June 30, 2003, within fiscal years among the MFIP, general assistance, general assistance medical care, medical assistance, Minnesota supplemental aid, and group residential housing programs, and the entitlement portion of the chemical dependency consolidated treatment fund, and between fiscal years of the biennium.

Subd. 2. Administration

Positions, salary money, and nonsalary administrative money may be transferred within the departments of human services and health and within the programs operated by the veterans nursing homes board as the commissioners and the board consider necessary, with the advance approval of the commissioner of finance. The commissioner or the board shall inform the chairs of the house health and human services finance committee and the senate health and family security budget division quarterly about transfers made under this provision.

Subd. 3. Prohibited Transfers

Grant money shall not be transferred to operations within the departments of human services and health and within the programs operated by the veterans nursing homes board without the approval of the legislature.

Sec. 11. MINNESOTACARE AVAILABILITY

Of the appropriation for MinnesotaCare for fiscal year 2002, an amount sufficient to fund a fiscal year 2001 deficiency is available in fiscal year 2001. This amount shall be determined by the commissioner of human services with the approval of the commissioner of finance.

Sec. 12. INDIRECT COSTS NOT TO FUND PROGRAMS.

The commissioners of health and of human services shall not use indirect cost allocations to pay for the operational costs of any program for which they are responsible.

Sec. 13. CARRYOVER LIMITATION

None of the appropriations in this act which are allowed to be carried forward from fiscal year 2002 to fiscal year 2003 shall become part of the base level funding for the 2004-2005 biennial budget, unless specifically directed by the legislature.

Sec. 14. SUNSET OF UNCODIFIED LANGUAGE

All uncodified language contained in this article expires on June 30, 2003, unless a different expiration date is explicit.

Sec. 15. Minnesota Statutes 2000, section 16A.06, is amended by adding a subdivision to read:

Subd. 10. [TRANSFERS TO HEALTH CARE ACCESS FUND.] For fiscal years beginning on or after July 1, 2002, the commissioner shall transfer from the general fund to the health care access fund an amount equal to the state share of the cost of covering children in families with income under 185 percent of the federal poverty guidelines. In determining the amount of this transfer, the commissioner shall disregard MinnesotaCare program changes enacted after July 1, 2001.

Sec. 16. [246.141] [PROJECT LABOR.]

Wages for project labor may be paid by the commissioner out of repairs and betterments money if the individual is to be engaged in a construction project or a repair project of short-term and nonrecurring nature. Compensation for project labor shall be based on the prevailing wage rates, as defined in section 177.42, subdivision 6. Project laborers are excluded from the provisions of sections 43A.22 to 43A.30, and shall not be eligible for state-paid insurance and benefits.

Sec. 17. Laws 1998, chapter 404, section 18, subdivision 4, is amended to read:

Subd. 4. People, Inc. North Side Community Support Program

375,000

For a grant to ~~Hennepin county~~ People, Inc. to purchase, remodel, and complete accessibility upgrades to an existing building or to acquire land or construct a building to be used by the People, Inc. North Side Community Support Program which may provide office space for state employees.

This appropriation is from the general fund.

Sec. 18. [EFFECTIVE DATE.]

Section 11 is effective the day following final enactment.

Renumber the articles and sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Kiscaden moved to amend S.F. No. 2361 as follows:

Page 525, line 30, delete "it is"

Page 525, line 31, delete "evident that"

Page 541, line 26, delete everything after "county" and insert "agency"

Page 541, line 27, delete "need for"

The motion prevailed. So the amendment was adopted.

Senator Kiscaden then moved to amend S.F. No. 2361 as follows:

Page 544, after line 16, insert:

"Sec. 3. Minnesota Statutes 2000, section 257.0725, is amended to read:

257.0725 [ANNUAL REPORT.]

The commissioner of human services shall publish an annual report on child maltreatment and on children in out-of-home placement. The commissioner shall confer with counties, child welfare organizations, child advocacy organizations, the courts, and other groups on how to improve the content and utility of the department's annual report. In regard to child maltreatment, the report shall include the number and kinds of maltreatment reports received and any other data that the commissioner determines is appropriate to include in a report on child maltreatment. In regard to children in out-of-home placement, the report shall include, by county and statewide, information on legal status, living arrangement, age, sex, race, accumulated length of time in placement, reason for most recent placement, race of family with whom placed, and other information deemed appropriate on all children in out-of-home placement. Out-of-home placement includes placement in any facility by an authorized child-placing agency."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Kiscaden then moved to amend S.F. No. 2361 as follows:

Page 567, after line 31, insert:

"Sec. 14. [CHILD WELFARE COST CONSOLIDATION REPORT.]

By January 15, 2002, the commissioner of human services shall report to the chairs and ranking minority members of appropriate legislative committees the feasibility and cost of creating a single benefit package for all children removed from the care of a parent or guardian pursuant to a court order under Minnesota Statutes, chapter 260C, regardless of a particular child's legal status. Legal status includes any placement away from the parent or guardian, including foster or other residential care, guardianship with the commissioner, adoption, or legal custody with a relative except a birth or adoptive parent. The report shall be prepared after consultation with public and private child-placing agencies, foster and adoptive parents, relatives who are legal custodians, judges, county attorneys, attorneys for children and parents, guardians ad litem, representatives of

the councils on Asian-Pacific, African American, American Indian, and Spanish-speaking Minnesotans, and other appropriate child protection system stakeholders. The benefit package addressed in the report shall include the cost of room and board, additional monthly payments associated with special efforts a caretaker must make or special skills or training a caretaker must have in order to adequately address the daily needs of the child, the availability of respite care, and any other costs associated with safely maintaining a particular child in a legally secure home and adequately addressing any special needs the child may have."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Oliver moved to amend S.F. No. 2361 as follows:

Page 654, after line 2, insert:

"Section 1. Minnesota Statutes 2000, section 62L.055, is amended to read:

62L.055 [SMALL EMPLOYER ALTERNATIVE BENEFIT PLANS; PILOT PROJECT.]

(a) Notwithstanding any provision of this chapter, chapter 363, or other law to the contrary, the commissioner of commerce shall develop a pilot project by January 1, ~~2000~~ 2002, to authorize health carriers to offer alternative health benefit plans to small employers if the following requirements are satisfied:

(1) the health carrier is assessed less than three percent of the total amount assessed by the Minnesota comprehensive health association;

(2) the health plans must be offered in compliance with this chapter, except as otherwise permitted in this section;

(3) the health plans to be offered must be designed to enable employers and covered persons to better manage costs and coverage options through the use of copays, deductibles, and other cost-sharing arrangements;

(4) the health plans must be issued and administered in compliance with sections 62E.141; 62L.03, subdivision 6; and 62L.12, subdivisions 3 and 4, relating to prohibitions against enrolling in the Minnesota comprehensive health association persons eligible for employer group coverage;

(5) the health plans must meet a 71 percent loss ratio for small employers with fewer than ten employees, and a 75 percent loss ratio for all other plans;

(6) the health plans may alter or eliminate coverages that would otherwise be required by chapter 363 or other law, other than the requirement that care provided for covered services by osteopaths, optometrists, and chiropractors, or registered nurses meeting the requirements of section 62A.15, subdivision 3a, be reimbursed on a nondiscriminatory basis; and

(7) each health plan must be approved by the commissioner of commerce.

(b) The definitions in section 62L.02 apply to this section as modified by this section.

(c) Notwithstanding any provision of chapter 363 or other law to the contrary, small employers may purchase alternative health benefit plans authorized under this section.

(d) This section expires August 1, ~~2003~~ 2005."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Senator Berglin imposed a call of the Senate for the balance of the proceedings on S.F. No. 2361. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 30 and nays 34, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Hottinger	Langsteh	Pogemiller	Samuelson
Berglin	Johnson, Dean	Lourey	Price	Solon
Betzold	Johnson, Doug	Marty	Ranum	Stumpf
Chaudhary	Kelley, S.P.	Moe, R.D.	Rest	Tomassoni
Cohen	Kelly, R.C.	Murphy	Ring	Wiener
Foley	Kinkel	Orfield	Sabo	Wiger
Higgins	Krentz	Pappas	Sams	

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

Senator Bachmann moved to amend S.F. No. 2361 as follows:

Pages 510 to 512, delete sections 17 and 18 and insert:

"Sec. 17. Minnesota Statutes 2000, section 256J.42, is amended by adding a subdivision to read:

Subd. 6. [COMPLIANCE.] For purposes of determining eligibility for a hardship extension under subdivisions 7, 8, and 9, a caregiver is in compliance in any month that the caregiver has not been sanctioned under section 256J.46, subdivision 1.

Sec. 18. Minnesota Statutes 2000, section 256J.42, is amended by adding a subdivision to read:

Subd. 7. [HARDSHIP EXTENSIONS.] (a) An assistance unit subject to the time limit in subdivision 1 in which any caregiver has received 60 counted months of cash assistance is eligible to receive assistance under a MFIP hardship extension, if the caregiver meets the following criteria. If there is more than one caregiver in the assistance unit, each caregiver must meet the criteria for the case to be extended:

(1) the caregiver is in compliance; and

(2) the caregiver has been in compliance for more than 30 months during the first 60 months on MFIP.

(b) If any caregiver in the assistance unit is sanctioned for noncompliance under section 256J.46, subdivision 1, in the 60th month, the assistance unit's MFIP case must be closed. The assistance unit's case must be reopened if the caregiver complies with the requirements in sections 256J.52 to 256J.55 and no other caregiver in the assistance unit was sanctioned for noncompliance under section 256J.45, subdivision 1, for 30 or more months during the first 60 months.

(c) If any caregiver in the assistance unit was sanctioned for noncompliance under section 256J.46, subdivision 1, for 30 or more months during the first 60 months, the assistance unit is no longer eligible to receive MFIP unless the caregiver qualifies for a special exemption under subdivision 9.

(d) A caregiver who received months of TANF assistance counted toward the federal 60-month time limit while the caregiver met the state time limit exemption criteria in subdivisions 4 and 5 is eligible for a hardship extension for a period of time equal to the number of months counted toward the federal 60-month time limit while the caregiver met the state time limit exemption criteria in subdivisions 4 and 5.

Sec. 19. Minnesota Statutes 2000, section 256J.42, is amended by adding a subdivision to read:

Subd. 8. [TREATMENT OF MONTHS IN ANOTHER STATE.] To be eligible for a hardship extension under subdivision 7, any caregiver who received TANF assistance from another state must meet the following criteria. If there is more than one caregiver in the assistance unit who received TANF assistance from another state, each caregiver must meet the following criteria:

(1) the caregiver is in compliance; and

(2) the caregiver has been in compliance for more than half of the months that the caregiver received TANF assistance in Minnesota.

Sec. 20. Minnesota Statutes 2000, section 256J.42, is amended by adding a subdivision to read:

Subd. 9. [SPECIAL EXEMPTION.] A caregiver whose case is closed under subdivision 6, paragraph (c), may request a special exemption. The county, upon review of the request, must approve a hardship extension for an assistance unit with a caregiver who was sanctioned for noncompliance under section 256J.46, subdivision 1, for 30 or more months during the first 60 months, if the caregiver demonstrates that:

(a) the caregiver is working on the barriers which resulted in the noncompliance and is in compliance in the 60th month and was in compliance the preceding five calendar months. If the caregiver was not on MFIP for one or more months during the five calendar months preceding the 60th month, the month or months when the caregiver was not on MFIP count as months in compliance; or

(b) the caregiver qualifies for an exemption under section 256J.56, paragraph (a), clauses (2), (3), (4), and (9).

Sec. 21. Minnesota Statutes 2000, section 256J.42, is amended by adding a subdivision to read:

Subd. 10. [CASE REVIEW.] (a) Within 60 days of the end of the participant's 60th month on MFIP, the job counselor must review the participant's employment services plan to determine if the plan is still appropriate.

(b) Before a participant's case is closed under this section, the county must ensure that:

(i) the case has been reviewed by the job counselor's supervisor or the review team designated in the county's approved local service unit plan to determine if the criteria for an extension or special exemption, if requested, were appropriately applied; and

(ii) a county representative attempted to meet with the participant face-to-face.

(c) During the face-to-face meeting, the county representative must:

(i) explain the extension criteria in subdivision 6, the special exemption criteria in subdivision 7, and what the participant should do if the participant thinks an extension or special exemption applies;

(ii) identify other resources that may be available to the participant to meet the needs of the family; and

(iii) inform the participant of the right to appeal the case closure under section 256J.40.

(d) All cases extended beyond 60 months must be reviewed every six months by the job counselor's supervisor or the review team designated in the county's approved local service unit plan to determine if the participant's employment services plan is still appropriate.

Sec. 22. Minnesota Statutes 2000, section 256J.42, is amended by adding a subdivision to read:

Subd. 11. [LENGTH OF EXTENSIONS.] (a) Assistance units granted a hardship extension under subdivision 7, 8, or 9 may continue to receive assistance under MFIP, as long as all caregivers in the assistance unit remain in compliance with, or are exempt from, the requirements in sections 256J.52 to 256J.55. If any caregiver does not comply with the requirements in sections 256J.52 to 256J.55, and is not exempt, the case must be closed. The first time a case that was granted a hardship extension under subdivision 7, 8, or 9 is closed for noncompliance, the case may be reopened if the noncompliant caregiver complies with the requirements in sections 256J.52 to 256J.55. The second or subsequent time a case that was granted a hardship extension under subdivision 7, 8, or 9 is closed for noncompliance the assistance unit is no longer eligible to receive MFIP unless the noncompliant caregiver demonstrates that:

(1) the caregiver is working on the barriers which resulted in the noncompliance; and

(2) the caregiver is working with a MFIP job counselor and has been in compliance with the employment services plan for the last six calendar months.

(b) If the caregiver is participating in FSET, months of compliance with the FSET employability development plan may be used to meet the requirements in paragraph (a), clause (1). If a case granted a hardship extension under subdivision 7, 8, or 9 is closed for reasons other than noncompliance, the assistance unit may reapply for MFIP. If the assistance unit meets the criteria in sections 256J.10 and 256J.42, the case must be reopened."

Pages 514 to 517, delete section 21 and insert:

"Sec. 25. Minnesota Statutes 2000, section 256J.46, subdivision 1, is amended to read:

Subdivision 1. [SANCTIONS FOR PARTICIPANTS NOT COMPLYING WITH PROGRAM REQUIREMENTS.] (a) A participant who fails without good cause to comply with the requirements of this chapter, and who is not subject to a sanction under subdivision 2, shall be subject to a sanction as provided in this subdivision.

(b) A participant who fails to comply with an alternative employment plan must have the plan reviewed by a person trained in domestic violence and a job counselor to determine if components of the alternative employment plan are still appropriate. If the activities are no longer appropriate, the plan must be revised with a person trained in domestic violence and approved by a job counselor. A participant who fails to comply with a plan that is determined not to need revision will lose their exemption and be required to comply with regular employment services activities.

(c) A sanction under this subdivision becomes effective the month following the month in which a required notice is given. A sanction must not be imposed when a participant comes into compliance with the requirements for orientation under section 256J.45 or third-party liability for medical services under section 256J.30, subdivision 10, prior to the effective date of the sanction. A sanction must not be imposed when a participant comes into compliance with the requirements for employment and training services under sections 256J.49 to 256J.72 ten days prior to the effective date of the sanction. For purposes of this subdivision, each month that a participant fails to comply with a requirement of this chapter shall be considered a separate occurrence of noncompliance. A participant who has had one or more sanctions imposed must remain in compliance with the provisions of this chapter for six months in order for a subsequent occurrence of noncompliance to be considered a first occurrence.

(b) (d) Sanctions for noncompliance shall be imposed as follows:

(1) For the first occurrence of noncompliance by a participant in a single-parent household or by one participant in a two-parent household, the assistance unit's grant shall be reduced by ten percent of the MFIP standard of need for an assistance unit of the same size with the residual grant paid to the participant. The reduction in the grant amount must be in effect for a minimum of one month and shall be removed in the month following the month that the participant returns to compliance.

~~(2) For a second or subsequent, third, fourth, fifth, or sixth occurrence of noncompliance, or when both participants in a two-parent household are out of compliance at the same time, the assistance unit's shelter costs shall be vendor paid up to the amount of the cash portion of the MFIP grant for which the participant's assistance unit is eligible. At county option, the assistance unit's utilities may also be vendor paid up to the amount of the cash portion of the MFIP grant remaining after vendor payment of the assistance unit's shelter costs. The residual amount of the grant after vendor payment, if any, must be reduced by an amount equal to 30 percent of the MFIP standard of need for an assistance unit of the same size before the residual grant is paid to the assistance unit. The reduction in the grant amount must be in effect for a minimum of one month and shall be removed in the month following the month that a participant in a one-parent household returns to compliance. In a two-parent household, the grant reduction must be in effect for a minimum of one month and shall be removed in the month following the month both participants return to compliance. The vendor payment of shelter costs and, if applicable, utilities shall be removed six months after the month in which the participant or participants return to compliance.~~

~~(3) For a seventh or subsequent occurrence of noncompliance, the amount of the MFIP grant for which the participant's assistance unit is eligible must be reduced by an amount equal to 50 percent of the MFIP standard of need for an assistance unit of the same size before the residual grant is paid to the assistance unit. The reduction in the grant amount must be in effect for a minimum of one month and shall be removed in the month following the month that a participant in a one-parent household returns to compliance. In a two-parent household, the grant reduction must be in effect for a minimum of one month and shall be removed in the month following the month both participants return to compliance.~~

~~(e) (e) No later than during the second month that a sanction under paragraph ~~(b)~~ (d), clause (2), is in effect due to noncompliance with employment services, the participant's case file must be reviewed to determine if:~~

~~(i) the continued noncompliance can be explained and mitigated by providing a needed preemployment activity, as defined in section 256J.49, subdivision 13, clause (16) or services under a local intervention grant for self-sufficiency;~~

~~(ii) the participant qualifies for a good cause exception under section 256J.57; or~~

~~(iii) the participant qualifies for an exemption under section 256J.56; or~~

~~(iv) the participant qualifies for a waiver under section 256J.52, subdivision 6.~~

~~If the lack of an identified activity can explain the noncompliance, the county must work with the participant to provide the identified activity, and the county must restore the participant's grant amount to the full amount for which the assistance unit is eligible. The grant must be restored retroactively to the first day of the month in which the participant was found to lack preemployment activities or to qualify for an exemption or, a good cause exception, or a family violence waiver.~~

~~(f) If the participant is found to qualify for a good cause exception or an exemption, or a family violence waiver, the county must restore the participant's grant to the full amount for which the assistance unit is eligible.~~

~~(g) The county must ensure that before a 50 percent sanction is imposed:~~

~~(i) the case has been reviewed by the job counselor's supervisor or the review team designated in the county's approved local service unit plan to determine if the sanction was appropriately applied and the case review required in paragraph (e) has been completed; and~~

~~(ii) a county representative attempted to meet with the participant face-to-face.~~

~~(h) During the face-to-face meeting required in paragraph (g), the county representative must:~~

~~(i) identify the specific employment services requirements the participant is not complying with and what the participant must do to comply;~~

(ii) explain the exemption provisions in section 256J.56, the good cause provisions in section 256J.57, and what the participant should do if the participant thinks he or she is eligible for an exemption or has good cause for noncompliance;

(iii) explain the potential effect on the assistance unit if the participant remains out of compliance with employment services requirements;

(iv) identify other resources that may be available to the participant to meet the needs of his or her family; and

(v) inform the participant of the right to appeal the sanction under section 256J.40.

(i) For the purposes of applying the 50 percent sanction in paragraph (d), clause (3), only occurrences of noncompliance that occur after the effective date of this section shall be considered. If the caregiver is in 30 percent sanction in the month this section takes effect, that month counts as the first occurrence for purposes of applying the 50 percent sanction, but the sanction remains at 30 percent for that month.

(j) When both parents in a two-parent household are out of compliance, the first month of noncompliance counts as two occurrences of noncompliance. Each subsequent month of noncompliance, either by one or both parents, counts as one occurrence of noncompliance.

[EFFECTIVE DATE.] The family violence waiver provisions in paragraphs (e) and (f) are effective October 1, 2001.

Sec. 26. Minnesota Statutes 2000, section 256J.46, subdivision 2a, is amended to read:

Subd. 2a. [DUAL SANCTIONS.] (a) Notwithstanding the provisions of subdivisions 1 and 2, for a participant subject to a sanction for refusal to comply with child support requirements under subdivision 2 and subject to a concurrent sanction for refusal to cooperate with other program requirements under subdivision 1, sanctions shall be imposed in the manner prescribed in this subdivision.

A participant who has had one or more sanctions imposed under this subdivision must remain in compliance with the provisions of this chapter for six months in order for a subsequent occurrence of noncompliance to be considered a first occurrence. Any vendor payment of shelter costs or utilities under this subdivision must remain in effect for six months after the month in which the participant is no longer subject to sanction under subdivision 1.

(b) If the participant was subject to sanction for:

(i) noncompliance under subdivision 1 before being subject to sanction for noncooperation under subdivision 2; or

(ii) noncooperation under subdivision 2 before being subject to sanction for noncompliance under subdivision 1;

the participant shall be sanctioned as provided in subdivision 1, paragraph (b), clause (2), and the requirement that the county conduct a review as specified in subdivision 1, paragraph (c), remains in effect.

(c) A participant who first becomes subject to sanction under both subdivisions 1 and 2 in the same month is subject to sanction as follows:

(i) in the first month of noncompliance and noncooperation, the participant's grant must be reduced by 25 percent of the applicable MFIP standard of need, with any residual amount paid to the participant;

(ii) in the second and subsequent months of noncompliance and noncooperation, the participant shall be sanctioned as provided in subdivision 1, paragraph ~~(b)~~ (d), ~~clause~~ clauses (2) and (3).

The requirement that the county conduct a review as specified in subdivision 1, paragraph (c), remains in effect.

(d) A participant remains subject to sanction under subdivision 2 if the participant:

(i) returns to compliance and is no longer subject to sanction under subdivision 1; or

(ii) has the sanction under subdivision 1, paragraph (b), removed upon completion of the review under subdivision 1, paragraph (c).

A participant remains subject to sanction under subdivision 1, paragraph (b), if the participant cooperates and is no longer subject to sanction under subdivision 2."

Page 525, line 9, delete the new language and reinstate the stricken language

Page 525, lines 10 to 12, delete the new language

Page 525, line 14, delete the new language and reinstate the stricken language

Pages 529 and 530, delete sections 34 and 35

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 26 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Ranum moved to amend S.F. No. 2361 as follows:

Page 674, delete lines 43 to 47 and insert:

"\$750,000 the first year and \$750,000 the second year are for:

- (1) detention grants for the statewide supervision system;
- (2) out-of-home placement system development;
- (3) electronic probation file transfers; and
- (4) maintaining and conforming the department's systems to the CriMNet standards and backbone, including the Corrections Operational Management System (COMS), Statewide Supervision System (SSS), Detention

Information System (DIS), Court Services Tracking System (CSTS), and the sentencing guidelines worksheet system.

This money may not be used by the commissioner for any other purpose."

The motion prevailed. So the amendment was adopted.

Senator Vickerman moved to amend S.F. No. 2361 as follows:

Page 81, after line 25, insert:

"Sec. 49. Minnesota Statutes 2000, section 145.925, subdivision 1, is amended to read:

Subdivision 1. [ELIGIBLE ORGANIZATIONS; PURPOSE.] The commissioner of health may make special grants to cities, counties, groups of cities or counties, or nonprofit corporations to provide pre-pregnancy family planning services. No funds received under this section shall be used to provide abortion services."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Samuelson moved to amend S.F. No. 2631 as follows:

Page 654, after line 2, insert:

"Section 1. Minnesota Statutes 2000, section 62J.17, subdivision 8, is amended to read:

Subd. 8. [RADIATION THERAPY FACILITIES.] This subdivision shall apply only to those major spending commitments that are related to the purchase, construction, or leasing of a radiation therapy facility.

(a) The term "provider" shall mean:

(1) a provider as defined in section 62J.03, subdivision 8;

(2) a person or organization that, upon engaging in an activity related to a major spending commitment, will become a provider as defined in section 62J.03, subdivision 8;

(3) an organization under common control with an organization described in clause (1) or (2);
or

(4) an organization that manages a person or organization described in clause (1), (2), or (3).

(b) No provider shall make a major spending commitment as identified in this subdivision without complying with the prospective review and approval under subdivision 6a. In conducting the retrospective or prospective review, the commissioner shall consider the criteria described in subdivision 5a, paragraph (a), in determining whether the major spending commitment was is appropriate. In addition, the commissioner shall consider the following criteria:

(1) the alternatives available to patients in terms of avoiding an unwarranted duplication based on whether additional capacity is needed of services, facilities, or equipment in and around the location of the major spending commitment; and

(2) the best interests of the patients, including conflicts of interest that may be present in influencing the utilization of the services, facility, or equipment relating to the major spending commitment.

(c) In addition to subdivision 6a, paragraph (e) (d), the commissioner has the authority to pursue the following remedies:

(1) assessment of fines against providers violating subdivision 6a, paragraph (a), of up to triple the amount of the major spending commitment;

(2) securing a permanent injunction against providers violating subdivision 6a, paragraph (a), halting the purchase or construction of a facility, prohibiting the operation of a facility, or the providing of a service related to the major spending commitment; and

(3) obtaining a court order to invalidate any purchase agreement, management agreement, lease, or other contract relating to the major spending commitment or the conduct of any activity relating to the major spending commitment.

~~(d) If a provider fails the retrospective review of a major spending commitment that is identified under this subdivision, the prospective review and approval required under subdivision 6a shall be limited to major spending commitments that are identified under this subdivision.~~

(e)

The provisions of this subdivision do not apply to radiation therapy facilities owned and operated or managed by a hospital licensed under chapter 144.

[EFFECTIVE DATE.] This section is effective September 1, 2003."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Senator Stevens moved to amend S.F. No. 2361 as follows:

Page 29, line 4, delete "\$2,500,000" and insert "\$8,500,000"

Page 179, line 4, delete "225" and insert "185"

Correct the subdivision and section totals and the summaries by fund accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Neuville moved to amend S.F. No. 2361 as follows:

Page 79, line 21, strike "including" and insert "excluding"

Page 80, line 2, strike "family planning and" and after "care" insert "excluding pre-pregnancy family planning services"

Page 80, line 4, strike "decrease the"

Page 80, line 5, strike "occurrence of inappropriate pregnancy and"

Page 81, after line 25, insert:

"Sec. 49. Minnesota Statutes 2000, section 145.925, subdivision 1, is amended to read:

Subdivision 1. [ELIGIBLE ORGANIZATIONS; PURPOSE.] The commissioner of health may make special grants to cities, counties, tribal governments, or groups of cities ~~or~~, counties, ~~or~~ nonprofit corporations or tribal governments to provide pre-pregnancy family planning services targeted to low-income and minority populations. A city, county, tribal government, or group of cities, counties, or tribal governments that receives a grant is responsible for ensuring that the grant funds are used for services targeted to low-income and minority populations, and must establish a goal for reducing specific pregnancy rates in the service area. In determining populations to serve and services to provide, a city, county, tribal government, or group of cities, counties, or tribal governments must consider the spacing of pregnancies in low-income and minority populations in the service area, teen birth rates in the service area, and the needs of populations of color in the service area. A city, county, or tribal government, or group of cities, counties, or tribal governments may contract for the provision of pre-pregnancy family planning services using grant funds provided under this section only if the contract is specifically authorized by the governing body of the city, county, or tribal government that is contracting for the services.

Sec. 50. Minnesota Statutes 2000, section 145.925, subdivision 1a, is amended to read:

Subd. 1a. [FAMILY PLANNING SERVICES; DEFINED.] "Family planning services" means counseling by trained personnel regarding family planning; distribution of information relating to family planning, referral to licensed physicians or local health agencies for consultation, examination, medical treatment, genetic counseling, and prescriptions for the purpose of family planning; and the distribution of family planning products, such as charts, thermometers, drugs, medical preparations, and contraceptive devices. Family planning services do not include services that, directly or indirectly, encourage, counsel, refer, or provide abortions or abortion referrals. For purposes of sections 145A.01 to 145A.14, family planning shall mean voluntary action by individuals to prevent or aid conception but does not include the performance, or make referrals for encouragement of voluntary termination of pregnancy services that, directly or indirectly, encourage, counsel, refer, or provide abortions or abortion referrals. Any organization or an affiliate of an organization which provides abortions, promotes abortions, or directly refers for abortions, shall be ineligible to receive funds under this section."

Page 83, line 17, after the period, insert "No funds awarded under this section may be used for medical services or family planning services or for services that, directly or indirectly, encourage, counsel, refer, or provide abortions or abortion referrals. Any organization or an affiliate of an organization which provides abortions, promotes abortions, or directly refers for abortions, shall be ineligible to receive funds under this section."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

Senator Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 32 and nays 34, as follows:

Those who voted in the affirmative were:

Bachmann
Belanger

Berg
Day

Dille
Fischbach

Fowler
Frederickson

Johnson, Dean
Johnson, Doug

Kierlin	Lesewski	Olson	Sams	Stumpf
Kleis	Lessard	Ourada	Samuelson	Vickerman
Knutson	Limmer	Pariseau	Scheevel	
Langseth	Metzen	Reiter	Schwab	
Larson	Neuville	Robling	Stevens	

Those who voted in the negative were:

Anderson	Hottinger	Lourey	Pogemiller	Scheid
Berglin	Johnson, Dave	Marty	Price	Solon
Betzold	Kelley, S.P.	Moe, R.D.	Ranum	Terwilliger
Chaudhary	Kelly, R.C.	Murphy	Rest	Tomassoni
Cohen	Kinkel	Oliver	Ring	Wiener
Foley	Kiscaden	Orfield	Robertson	Wiger
Higgins	Krentz	Pappas	Sabo	

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

Senator Cohen moved to amend S.F. No. 2361 as follows:

Page 674, after line 47, insert:

"\$10,000 the first year and \$10,000 the second year are for clergy reimbursements under Minnesota Statutes, section 241.052."

Page 675, after line 20, insert:

"Sec. 7. [241.052] [CLERGY COMPENSATION.]

Subject to the availability of money specifically appropriated for this purpose, the commissioner of corrections shall reimburse, upon request, the instate travel and lodging expenses of members of the clergy of good standing in any church or denomination for imparting religious rites or instruction at correctional facilities under the commissioner's control."

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 62 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Limmer

The motion prevailed. So the amendment was adopted.

Senator Limmer moved to amend S.F. No. 2361 as follows:

Page 87, line 5, after the period, insert "Data collected and used for assessment must not identify an individual according to section 13.05, subdivision 7."

The motion prevailed. So the amendment was adopted.

Senator Frederickson moved to amend S.F. No. 2361 as follows:

Page 59, after line 10, insert:

"Sec. 32. Minnesota Statutes 2000, section 144.148, subdivision 2, is amended to read:

Subd. 2. [PROGRAM.] The commissioner of health shall award rural hospital capital improvement grants to eligible rural hospitals. A grant shall not exceed ~~\$300,000~~ \$1,000,000 per hospital. Prior to the receipt of any grant, the hospital must certify to the commissioner that at least one-quarter of the grant amount, which may include in-kind services, is available for the same purposes from nonstate resources."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Kiscaden moved to amend S.F. No. 2361 as follows:

Page 669, after line 14, insert:

"Sec. 21. [DEAF/BLIND SERVICES STUDY.]

The department of human services shall convene and lead an interagency workgroup for the purpose of studying and developing recommendations regarding:

(1) how the state can most effectively and efficiently use state appropriations and other resources to provide needed services to deaf/blind children, adults, and their families;

(2) how state agencies can work together to enhance and ensure that a seamless service delivery system exists across agency lines for persons who are deaf/blind; and

(3) how other existing barriers to the effective and efficient delivery of service for deaf/blind Minnesotans can be removed.

The workgroup shall include representatives from the departments of human services, economic security, children, families, and learning; the state academy for the deaf; the state academy for the blind; the Minnesota commission serving deaf and hard-of-hearing; a consumer who is deaf/blind; a parent of a deaf/blind child from the metro area and a parent of a deaf/blind child from greater Minnesota; and anyone else that the workgroup finds necessary to complete its work.

The departments of human services, economic security, and children, families, and learning shall share equally in the costs of the workgroup.

The workgroup shall report its findings and recommendations to the legislature by February 1, 2002."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Neuville moved to amend S.F. No. 2361 as follows:

Page 14, delete lines 56 to 61 and insert:

"(b) The appropriation in paragraph (a) is for grants to county- or community-based

organizations for the purpose of purchasing and placing cemetery monuments or memorial monuments on graves of former residents buried at regional treatment centers operated or formerly operated by the commissioner. The grant recipients must include family members of deceased residents of the regional center, members of local service or charitable organizations, members of the local Chamber of Commerce, and former employees of the regional centers.

If there is not a county- or community-based organization available for purposes of this section, grants must be provided to a consumer-run disability rights organization located in St. Paul for purposes of placing names on graves at those regional treatment center cemeteries."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, Debbie	Larson	Olson	Samuelson
Belanger	Kelly, R.C.	Lesewski	Ourada	Scheevel
Day	Kierlin	Lessard	Pariseau	Schwab
Dille	Kiscaden	Limmer	Reiter	Stevens
Fischbach	Kleis	Neuville	Robertson	Terwilliger
Frederickson	Knutson	Oliver	Robling	

Those who voted in the negative were:

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

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

Senator Limmer moved to amend S.F. No. 2361 as follows:

Page 26, line 40, after the period, insert "Patient or parent/guardian consent must be obtained prior to entry of identifying, demographic, or immunization data on an immunization registry."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 15 and nays 50, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, Debbie	Limmer	Ourada	Robling
Belanger	Kleis	Neuville	Pariseau	Scheevel
Fischbach	Larson	Olson	Reiter	Stevens

Those who voted in the negative were:

Anderson	Berglin	Chaudhary	Dille	Fowler
Berg	Betzold	Cohen	Foley	Frederickson

Higgins	Kinkel	Marty	Price	Schwab
Hottinger	Kiscaden	Metzen	Ranum	Solon
Johnson, Dave	Knutson	Moe, R.D.	Rest	Stumpf
Johnson, Dean	Krentz	Murphy	Ring	Terwilliger
Johnson, Doug	Langseth	Oliver	Robertson	Tomassoni
Kelley, S.P.	Lesewski	Orfield	Sabo	Vickerman
Kelly, R.C.	Lessard	Pappas	Sams	Wiener
Kierlin	Lourey	Pogemiller	Scheid	Wiger

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

Senator Lourey moved to amend S.F. No. 2361 as follows:

Page 31, after line 42, insert:

"[SAFE DRINKING WATER STANDARDS.]
Of the general fund appropriations, \$113,000 the first year and \$108,000 the second year is for the commissioner to establish safe drinking water standards under Minnesota Statutes, section 144.3805."

Page 73, after line 19, insert:

"Sec. 42. [144.3805] [HEALTH STANDARDS.]

Subdivision 1. [CRITERIA.] When establishing or revising safe drinking water standards, the commissioner of health shall adopt standards that adequately protect children and adults with a margin of safety that provides a reasonable certainty of no harm to child and adult health, by taking into account the risk of cancer and effects on each of the following health outcomes:

- (1) general infant and child development;
- (2) development of the brain and nervous system;
- (3) respiratory function;
- (4) immunologic suppression or hypersensitization;
- (5) endocrine (hormonal) function; and
- (6) any other important health outcomes identified by the commissioner.

Subd. 2. [MARGIN OF SAFETY.] If there is insufficient information to establish with reasonable certainty, for cancer or any health outcome under subdivision 1, that child health will not be harmed, the commissioner shall adopt a specific margin of safety for that health outcome or risk that shall be included in the overall margin of safety to protect human health."

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

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Limmer moved to amend S.F. No. 2361 as follows:

Page 568, after line 34, insert:

"Section 1. Minnesota Statutes 2000, section 13B.06, subdivision 4, is amended to read:

Subd. 4. [METHOD TO PROVIDE DATA.] To comply with the requirements of this section, a financial institution ~~may either:~~

- ~~(1) provide to the public authority a list containing only the names and other necessary personal~~

~~identifying information of all account holders for the public authority to compare against its list of child support obligors for the purpose of identifying which obligors maintain an account at the financial institution; the names of the obligors who maintain an account at the institution shall then be transmitted to the financial institution which shall provide the public authority with account information on those obligors; or~~

(2) must obtain a list of child support obligors from the public authority and compare that data to the data maintained at the financial institution to identify which of the identified obligors maintains an account at the financial institution.

~~A financial institution shall elect either method in writing upon written request of the public authority, and the election remains in effect unless the public authority agrees in writing to a change.~~

~~The commissioner shall keep track of the number of financial institutions that elect to report under clauses (1) and (2) respectively and shall report this information to the legislature by December 1, 1999."~~

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 42 and nays 23, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, Dean	Larson	Pariseau	Schwab
Belanger	Johnson, Debbie	Lesewski	Reiter	Stevens
Berg	Kelley, S.P.	Limmer	Rest	Terwilliger
Day	Kelly, R.C.	Metzen	Robertson	Vickerman
Dille	Kierlin	Murphy	Robling	Wiener
Fischbach	Kiscaden	Neuville	Sams	Wiger
Fowler	Kleis	Oliver	Samuelson	
Frederickson	Knutson	Olson	Scheevel	
Johnson, Dave	Langseth	Ourada	Scheid	

Those who voted in the negative were:

Anderson	Foley	Lessard	Pogemiller	Solon
Berglin	Higgins	Lourey	Price	Stumpf
Betzold	Hottinger	Marty	Ranum	Tomassoni
Chaudhary	Johnson, Doug	Orfield	Ring	
Cohen	Krentz	Pappas	Sabo	

The motion prevailed. So the amendment was adopted.

Senator Robling moved to amend S.F. No. 2361 as follows:

Page 674, line 36, delete "\$4,283,000" and insert "\$6,000,000"

Page 676, line 2, strike "65" and insert "80"

Page 676, line 18, strike "35" and insert "20"

Correct the subdivision and section totals and the summaries by fund accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 45, as follows:

Those who voted in the affirmative were:

Bachmann	Fischbach	Lesewski	Olson	Robling
Belanger	Frederickson	Limmer	Ourada	Scheevel
Day	Johnson, Debbie	Neuville	Pariseau	Schwab
Dille	Kleis	Oliver	Reiter	Stevens

Those who voted in the negative were:

Anderson	Hottinger	Krentz	Pappas	Samuelson
Berg	Johnson, Dave	Langseth	Pogemiller	Scheid
Berglin	Johnson, Dean	Larson	Price	Solon
Betzold	Johnson, Doug	Lessard	Ranum	Stumpf
Chaudhary	Kelley, S.P.	Lourey	Rest	Terwilliger
Cohen	Kelly, R.C.	Metzen	Ring	Tomassoni
Foley	Kierlin	Moe, R.D.	Robertson	Vickerman
Fowler	Kinkel	Murphy	Sabo	Wiener
Higgins	Knutson	Orfield	Sams	Wiger

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

Senator Fischbach moved to amend S.F. No. 2361 as follows:

Page 9, line 10, delete "23,242,000" and insert "23,070,000" and delete "22,773,000" and insert "22,589,000"

Page 9, after line 10, insert:

"[ELECTRONIC GOVERNMENT SERVICES.] The general fund appropriation for electronic government services shall be reduced by \$172,000 in fiscal year 2002 and \$184,000 in fiscal year 2003."

Page 28, after line 14, insert:

"[INFORMED CONSENT.] \$172,000 in fiscal year 2002 and \$184,000 in fiscal year 2003 are for the commissioner to implement Minnesota Statutes, sections 145.4241 to 145.4247."

Page 75, after line 18, insert:

"Sec. 44. [145.4241] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] As used in sections 145.4241 to 145.4246, the following terms have the meaning given them.

Subd. 2. [ABORTION.] "Abortion" includes an act, procedure, or use of any instrument, medicine, or drug which is supplied or prescribed for or administered to a woman known to be pregnant with the intention to terminate the pregnancy with an intention other than to increase the probability of live birth, to preserve the life or health of the child after live birth, or to remove a dead fetus.

Subd. 3. [ATTEMPT TO PERFORM AN ABORTION.] "Attempt to perform an abortion" means an act, or an omission of a statutorily required act, that, under the circumstances as the actor believes them to be, constitutes a substantial step in a course of conduct planned to culminate in the performance of an abortion in Minnesota in violation of sections 145.4241 to 145.4246.

Subd. 4. [MEDICAL EMERGENCY.] "Medical emergency" means any condition that, on the basis of the physician's good faith clinical judgment, complicates the medical condition of a pregnant female to the extent that:

- (1) an immediate abortion of her pregnancy is necessary to avert her death; or
- (2) a 24-hour delay in performing an abortion creates a serious risk of substantial injury or impairment of a major bodily function.

Subd. 5. [PHYSICIAN.] "Physician" means a person licensed under chapter 147.

Subd. 6. [PROBABLE GESTATIONAL AGE OF THE FETUS.] "Probable gestational age of

the fetus" means what will, in the judgment of the physician, with reasonable probability, be the gestational age of the fetus at the time the abortion is planned to be performed.

Sec. 45. [145.4242] [INFORMED CONSENT.]

(a) No abortion shall be performed in this state except with the voluntary and informed consent of the female upon whom the abortion is to be performed. Except in the case of a medical emergency, consent to an abortion is voluntary and informed only if the female is told the following, by telephone or in person, by the physician who is to perform the abortion, the referring physician, a registered nurse, or a licensed practical nurse, at least 24 hours prior to the abortion:

(1) the particular medical risks associated with the particular abortion procedure to be employed including, when medically accurate, the risks of infection, hemorrhage, breast cancer, danger to subsequent pregnancies, and infertility;

(2) the probable gestational age of the fetus at the time the abortion is to be performed;

(3) the medical risks associated with carrying to term;

(4) that medical assistance benefits may be available for prenatal care, childbirth, and neonatal care;

(5) that the father is liable to assist in the support of her child, even in instances when the father has offered to pay for the abortion;

(6) the availability of a toll-free number and Web site that can provide information on support services during pregnancy and while the child is dependent and offer alternatives to abortion; and

(7) that she has the right to review the printed materials described in section 145.4243, and the printed materials are available on the state Web site.

(b) The physician or the physician's agent shall orally inform the female that the materials have been provided by the state of Minnesota and that they describe the unborn child and list agencies that offer alternatives to abortion.

(c) The physician or the physician's agent shall orally inform the female of the Web site address and toll-free number.

(d) If the female chooses to view the materials, they shall either be given to her at least 24 hours before the abortion or mailed to her at least 72 hours before the abortion by first class mail, or at the woman's request, by certified mail, restricted delivery to addressee, which means the postal employee may only deliver the mail to the addressee. The envelope used by the physician shall not identify the name of the physician or the physician's clinic or business.

(e) If a physical examination, tests, or the availability of other information to the physician subsequently indicates, in the medical judgment of the physician, a revision of the information previously supplied to the patient, that revised information may be communicated to the patient at any time prior to the performance of the abortion.

Sec. 46. [145.4243] [PRINTED INFORMATION.]

Subdivision 1. [MATERIALS.] (a) Within 90 days after the effective date of sections 145.4241 to 145.4246, the department of health shall cause to be published, in English and in each language that is the primary language of two percent or more of the state's population, the printed materials described in paragraphs (b) and (c) in such a way as to ensure that the information is easily comprehensible.

(b) The materials must be designed to inform the female of the probable anatomical and physiological characteristics of the fetus at two-week gestational increments from the time when a female can be known to be pregnant to full term, including any relevant information on the possibility of the fetus' survival and pictures or drawings representing the development of the fetus at two-week gestational increments, provided that any such pictures or drawings must

contain the dimensions of the fetus and must be realistic and appropriate for the stage of pregnancy depicted. The materials must be objective, nonjudgmental, and designed to convey only accurate scientific information about the fetus at the various gestational ages.

(c) The materials must contain objective information describing the methods of abortion procedures commonly employed, the medical risks commonly associated with each procedure, the possible detrimental psychological effects of abortion, and the medical risks commonly associated with carrying a child to term.

Subd. 2. [TYPEFACE; AVAILABILITY.] The materials referred to in this section must be printed in a typeface large enough to be clearly legible. The materials required under this section must be available from the department of health upon request and in appropriate number to any person, facility, or hospital at no cost.

Sec. 47. [145.4244] [PROCEDURE IN CASE OF MEDICAL EMERGENCY.]

When a medical emergency compels the performance of an abortion, the physician shall inform the female, prior to the abortion if possible, of the medical indications supporting the physician's judgment that an abortion is necessary to avert her death or that a 24-hour delay in conformance with section 145.4242 creates a serious risk of substantial injury or impairment of a major bodily function.

Sec. 48. [145.4245] [TOLL-FREE TELEPHONE NUMBER AND WEB SITE.]

Subdivision 1. [RIGHT TO KNOW.] All pregnant women have the right to know information about resources available to assist them and their families. The commissioner of health shall establish and maintain a statewide toll-free telephone number available seven days a week to provide information and referrals to local community resources to assist women and families through pregnancy and childbirth and while the child is dependent.

Subd. 2. [INFORMATION.] The toll-free telephone number must provide information regarding community resources on the following topics:

- (1) information regarding avoiding unplanned pregnancies;
- (2) prenatal care, including the need for an initial risk screening and assessment;
- (3) adoption;
- (4) health education, including the importance of good nutrition during pregnancy and the risks associated with alcohol and tobacco use during pregnancy;
- (5) available social services, including medical assistance benefits for prenatal care, childbirth, and neonatal care;
- (6) legal assistance in obtaining child support; and
- (7) community support services and other resources to enhance family strengths and reduce the possibility of family violence.

Subd. 3. [WEB SITE.] The commissioner shall design and maintain a secure Web site to provide the information described under subdivision 2 and section 145.4243 with a minimum resolution of 72 PPI. The Web site shall provide the toll-free information and referral telephone number described under subdivision 2.

Sec. 49. [145.4246] [ENFORCEMENT PENALTIES.]

Subdivision 1. [STANDING.] A person with standing may maintain an action against the performance or attempted performance of abortions in violation of section 145.4242. Those with standing are:

- (1) a woman upon whom an abortion in violation of section 145.4242 has been performed or attempted to be performed; and

(2) the parent of an unemancipated minor upon whom an abortion in violation of section 145.4242 has been, is about to be, or was attempted to be performed; and

(3) attorney general of the state of Minnesota.

Subd. 2. [INJUNCTIONS.] Parties bringing actions against the performance or attempted performance of abortions in violation of section 145.4242 may seek temporary restraining orders, preliminary injunctions, and injunctions related only to the physician or facility where the violation occurred in accordance with the Rules of Civil Procedure. Persons with standing must bring any actions within six months of the date of the performed or attempted performance of abortions in violation of section 145.4242.

Subd. 3. [CONTEMPT.] Any person knowingly violating the terms of an injunction against the performance or attempted performance of abortions in violation of section 145.4242 is subject to civil contempt, and shall be fined no more than \$1,000 for the first violation, no more than \$5,000 for the second violation, no more than \$10,000 for the third violation, and for each successive violation an amount sufficient to deter future violations. The fine shall be the exclusive penalty for a violation. Each performance or attempted performance of abortion in violation of section 145.4242 is a separate violation. No fine shall be assessed against the woman on whom an abortion is performed or attempted.

Subd. 4. [REALLOCATION OF THE FINE.] Any fines collected under this section must be sent to a special account at the Minnesota department of health to be used for materials cited in section 145.4243.

Sec. 50. [145.4247] [CUMULATIVE RIGHTS.]

The provisions of sections 145.4241 to 145.4246 are cumulative with existing law regarding an individual's right to consent to medical treatment and shall not impair any existing right any patient may have under the common law or statutes of this state."

Correct the subdivision and section totals and the summaries by fund accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Berglin questioned whether the amendment was germane.

The President ruled that the amendment was germane.

Senator Berglin appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 38 and nays 29, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, Dean	Langseth	Olson	Schwab
Belanger	Johnson, Debbie	Larson	Ourada	Solon
Berg	Johnson, Doug	Lesewski	Pariseau	Stevens
Day	Kelly, R.C.	Lessard	Reiter	Stumpf
Dille	Kierlin	Limmer	Robling	Terwilliger
Fischbach	Kinkel	Metzen	Sams	Vickerman
Fowler	Kleis	Murphy	Samuelson	
Frederickson	Knutson	Neuville	Scheevel	

Those who voted in the negative were:

Anderson	Higgins	Lourey	Pogemiller	Sabo
Berglin	Hottinger	Marty	Price	Scheid
Betzold	Johnson, Dave	Moe, R.D.	Ranum	Tomassoni
Chaudhary	Kelley, S.P.	Oliver	Rest	Wiener
Cohen	Kiscaden	Orfield	Ring	Wiger
Foley	Krentz	Pappas	Robertson	

So the decision of the President was sustained.

Senator Fischbach moved to amend the Fischbach amendment to S.F. No. 2361 as follows:

Page 1, line 8, delete "\$172,000" and insert "\$307,000"

Page 1, line 9, delete "\$184,000" and insert "\$359,000"

The question was taken on the adoption of the Fischbach amendment to the Fischbach amendment.

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Bachmann	Frederickson	Knutson	Oliver	Samuelson
Belanger	Johnson, Debbie	Langseth	Olson	Scheevel
Berg	Johnson, Doug	Larson	Ourada	Schwab
Day	Kelly, R.C.	Lesewski	Pariseau	Stevens
Dille	Kierlin	Lessard	Reiter	Stumpf
Fischbach	Kinkel	Limmer	Robling	Vickerman
Fowler	Kleis	Neuville	Sams	

Those who voted in the negative were:

Anderson	Hottinger	Marty	Price	Solon
Berglin	Johnson, Dave	Metzen	Ranum	Terwilliger
Betzold	Johnson, Dean	Moe, R.D.	Rest	Tomassoni
Chaudhary	Kelley, S.P.	Murphy	Ring	Wiener
Cohen	Kiscaden	Orfield	Robertson	Wiger
Foley	Krentz	Pappas	Sabo	
Higgins	Lourey	Pogemiller	Scheid	

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

Senator Wiener moved to amend the first Fischbach amendment to S.F. No. 2361 as follows:

Page 1, lines 22 and 23, delete ", medicine, or drug which is supplied or prescribed for or administered to" and insert "on"

The question was taken on the adoption of the Wiener amendment to the first Fischbach amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Metzen	Price	Solon
Berglin	Johnson, Dave	Moe, R.D.	Ranum	Terwilliger
Betzold	Kelley, S.P.	Murphy	Rest	Tomassoni
Chaudhary	Kiscaden	Oliver	Ring	Wiener
Cohen	Krentz	Orfield	Robertson	Wiger
Foley	Lourey	Pappas	Sabo	
Higgins	Marty	Pogemiller	Scheid	

Those who voted in the negative were:

Bachmann	Frederickson	Kleis	Neuville	Samuelson
Belanger	Johnson, Dean	Knutson	Olson	Scheevel
Berg	Johnson, Debbie	Langseth	Ourada	Schwab
Day	Johnson, Doug	Larson	Pariseau	Stevens
Dille	Kelly, R.C.	Lesewski	Reiter	Stumpf
Fischbach	Kierlin	Lessard	Robling	Vickerman
Fowler	Kinkel	Limmer	Sams	

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

Senator Robertson moved to amend the first Fischbach amendment to S.F. No. 2361 as follows:

Page 3, line 10, delete "or" and insert a comma

Page 3, line 14, before the period, insert ", or the female shall certify in writing that she has viewed the materials on the Web site"

The question was taken on the adoption of the Robertson amendment to the first Fischbach amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Metzen	Price	Solon
Berglin	Johnson, Dave	Moe, R.D.	Ranum	Terwilliger
Betzold	Kelley, S.P.	Murphy	Rest	Tomassoni
Chaudhary	Kiscaden	Oliver	Ring	Wiener
Cohen	Krentz	Orfield	Robertson	Wiger
Foley	Lourey	Pappas	Sabo	
Higgins	Marty	Pogemiller	Scheid	

Those who voted in the negative were:

Bachmann	Frederickson	Kleis	Neuville	Samuelson
Belanger	Johnson, Dean	Knutson	Olson	Scheevel
Berg	Johnson, Debbie	Langseth	Ourada	Schwab
Day	Johnson, Doug	Larson	Pariseau	Stevens
Dille	Kelly, R.C.	Lesewski	Reiter	Stumpf
Fischbach	Kierlin	Lessard	Robling	Vickerman
Fowler	Kinkel	Limmer	Sams	

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

Senator Ranum moved to amend the first Fischbach amendment to S.F. No. 2361 as follows:

Page 2, line 30, before the comma, insert "except under certain circumstances"

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

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Marty	Pogemiller	Scheid
Berglin	Johnson, Dave	Metzen	Price	Solon
Betzold	Kelley, S.P.	Moe, R.D.	Ranum	Terwilliger
Chaudhary	Kinkel	Murphy	Rest	Tomassoni
Cohen	Kiscaden	Oliver	Ring	Wiener
Foley	Krentz	Orfield	Robertson	Wiger
Higgins	Lourey	Pappas	Sabo	

Those who voted in the negative were:

Bachmann	Frederickson	Knutson	Olson	Scheevel
Belanger	Johnson, Dean	Langseth	Ourada	Schwab
Berg	Johnson, Debbie	Larson	Pariseau	Stevens
Day	Johnson, Doug	Lesewski	Reiter	Stumpf
Dille	Kelly, R.C.	Lessard	Robling	Vickerman
Fischbach	Kierlin	Limmer	Sams	
Fowler	Kleis	Neuville	Samuelson	

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

Senator Kiscaden moved to amend the first Fischbach amendment to S.F. No. 2361 as follows:

Page 2, line 15, after "emergency" insert "or, if the female has experienced a previous stillborn birth or miscarriage"

Page 3, line 6, after the period, insert "The physician or the physician's agent shall not require a female to review the materials."

The question was taken on the adoption of the Kiscaden amendment to the first Fischbach amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Metzen	Price	Solon
Berglin	Johnson, Dave	Moe, R.D.	Ranum	Terwilliger
Betzold	Kelley, S.P.	Murphy	Rest	Tomassoni
Chaudhary	Kiscaden	Oliver	Ring	Wiener
Cohen	Krentz	Orfield	Robertson	Wiger
Foley	Lourey	Pappas	Sabo	
Higgins	Marty	Pogemiller	Scheid	

Those who voted in the negative were:

Bachmann	Frederickson	Kleis	Neuville	Samuelson
Belanger	Johnson, Dean	Knutson	Olson	Scheevel
Berg	Johnson, Debbie	Langseth	Ourada	Schwab
Day	Johnson, Doug	Larson	Pariseau	Stevens
Dille	Kelly, R.C.	Lesewski	Reiter	Stumpf
Fischbach	Kierlin	Lessard	Robling	Vickerman
Fowler	Kinkel	Limmer	Sams	

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

Senator Wiener moved to amend the first Fischbach amendment to S.F. No. 2361 as follows:

Page 1, delete lines 28 to 34

Renumber the subdivisions in sequence

Page 5, lines 25 and 26, delete "or attempted performance"

Page 5, line 29, delete "or attempted to be performed"

Page 5, line 31, delete the comma and insert "or"

Page 5, line 32, delete ", or was attempted to be"

Page 5, line 35, delete "or attempted performance"

Page 6, line 5, delete "or attempted performance of"

Page 6, lines 8 and 9, delete "or attempted performance"

Page 6, line 15, delete "or attempted performance"

Page 6, line 18, delete "or attempted"

The question was taken on the adoption of the Wiener amendment to the first Fischbach amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Metzen	Price	Solon
Berglin	Johnson, Dave	Moe, R.D.	Ranum	Terwilliger
Betzold	Kelley, S.P.	Murphy	Rest	Tomassoni
Chaudhary	Kiscaden	Oliver	Ring	Wiener
Cohen	Krentz	Orfield	Robertson	Wiger
Foley	Lourey	Pappas	Sabo	
Higgins	Marty	Pogemiller	Scheid	

Those who voted in the negative were:

Bachmann	Belanger	Berg	Day	Dille
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Fischbach	Kelly, R.C.	Larson	Ourada	Scheevel
Fowler	Kierlin	Lesewski	Pariseau	Schwab
Frederickson	Kinkel	Lessard	Reiter	Stevens
Johnson, Dean	Kleis	Limmer	Robling	Stumpf
Johnson, Debbie	Knutson	Neuville	Sams	Vickerman
Johnson, Doug	Langseth	Olson	Samuelson	

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

Senator Ring moved to amend the first Fischbach amendment to S.F. No. 2361 as follows:

Page 1, lines 19 and 34, delete "145.4246" and insert "145.4245"

Page 3, line 25, delete "145.4246" and insert "145.4245"

Pages 5 and 6, delete sections 49 and 50

The question was taken on the adoption of the Ring amendment to the first Fischbach amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Metzen	Price	Solon
Berglin	Johnson, Dave	Moe, R.D.	Ranum	Terwilliger
Betzold	Kelley, S.P.	Murphy	Rest	Tomassoni
Chaudhary	Kiscaden	Oliver	Ring	Wiener
Cohen	Krentz	Orfield	Robertson	Wiger
Foley	Lourey	Pappas	Sabo	
Higgins	Marty	Pogemiller	Scheid	

Those who voted in the negative were:

Bachmann	Frederickson	Kleis	Neuville	Samuelson
Belanger	Johnson, Dean	Knutson	Olson	Scheevel
Berg	Johnson, Debbie	Langseth	Ourada	Schwab
Day	Johnson, Doug	Larson	Pariseau	Stevens
Dille	Kelly, R.C.	Lesewski	Reiter	Stumpf
Fischbach	Kierlin	Lessard	Robling	Vickerman
Fowler	Kinkel	Limmer	Sams	

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

The question recurred on the first Fischbach amendment, as amended.

The roll was called, and there were yeas 36 and nays 31, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, Dean	Langseth	Ourada	Stevens
Belanger	Johnson, Debbie	Larson	Pariseau	Stumpf
Berg	Johnson, Doug	Lesewski	Reiter	Terwilliger
Day	Kelly, R.C.	Lessard	Robling	Vickerman
Dille	Kierlin	Limmer	Sams	
Fischbach	Kinkel	Neuville	Samuelson	
Fowler	Kleis	Oliver	Scheevel	
Frederickson	Knutson	Olson	Schwab	

Those who voted in the negative were:

Anderson	Hottinger	Metzen	Ranum	Tomassoni
Berglin	Johnson, Dave	Moe, R.D.	Rest	Wiener
Betzold	Kelley, S.P.	Murphy	Ring	Wiger
Chaudhary	Kiscaden	Orfield	Robertson	
Cohen	Krentz	Pappas	Sabo	
Foley	Lourey	Pogemiller	Scheid	
Higgins	Marty	Price	Solon	

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

Senator Berglin moved that S.F. No. 2361 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages from the House.

MESSAGES FROM THE HOUSE

Mr. President:

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

S.F. No. 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.

Senate File No. 2343 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 30, 2001

Senator Wiener moved that the Senate do not concur in the amendments by the House to S.F. No. 2343, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

RECESS

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

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

APPOINTMENTS

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

S.F. No. 2343: Senators Wiener, Scheid, Murphy, Larson and Kierlin.

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

NOTICE OF RECONSIDERATION

Senator Moe, R.D. gave notice of his intention to move for reconsideration of the vote whereby S.F. No. 2360 was passed by the Senate on Monday, April 30, 2001.

MEMBERS EXCUSED

Senator Oliver was excused from the Session of today at 10:00 to 10:30 a.m. Senator Robling was excused from the Session of today from 12:00 to 12:30 p.m. Senator Murphy was excused from the Session of today from 1:00 to 2:50 p.m. Senator Lessard was excused from the Session of today from 3:40 to 4:00 p.m. Senator Anderson was excused from the Session of today from 4:10 to 4:20 p.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Tuesday, May 1, 2001. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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