

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-THIRD LEGISLATURE

SIXTEENTH DAY

St. Paul, Minnesota, Thursday, February 13, 2003

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Albert Gallmon, Jr.

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

Anderson	Gaither	Kubly	Nienow	Skoe
Bachmann	Hann	Langseth	Ortman	Skoglund
Bakk	Higgins	Larson	Pappas	Solon
Belanger	Hottinger	LeClair	Pogemiller	Sparks
Berglin	Johnson, D.E.	Lourey	Ranum	Stumpf
Betzold	Johnson, D.J.	Marko	Reiter	Tomassoni
Cohen	Jungbauer	Marty	Robling	Vickerman
Day	Kelley	McGinn	Rosen	Wergin
Dibble	Kierlin	Metzen	Ruud	Wiger
Dille	Kiscaden	Michel	Sams	
Fischbach	Kleis	Moua	Saxhaug	
Foley	Knutson	Murphy	Scheid	
Frederickson	Koering	Neuville	Senjem	

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committee indicated.

January 9, 2003

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

METROPOLITAN COUNCIL
CHAIR

Peter Bell, 3730 W. Calhoun Pkwy., Minneapolis, in the county of Hennepin, effective January 9, 2003, for a term that expires on January 1, 2007.

(Referred to the Committee on State and Local Government Operations.)

Sincerely,
Tim Pawlenty, Governor

February 11, 2003

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

As the Senate Minority Leader, I am hereby making the following appointments:

Pursuant to Minnesota Statutes 2002

3.8841: Legislative Commission on Metropolitan Government - Senator David Gaither, for a two-year term expiring upon appointment of a successor after the opening of the regular session of the Legislature in the next odd-numbered year; Senator Mike McGinn, for a similar two-year term; and Senator Mady Reiter, for a similar two-year term.

Respectfully,
Senator Dick Day
Republican Leader

February 11, 2003

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

As the Senate Minority Leader, I am hereby making the following appointments:

Pursuant to Minnesota Statutes 2002

3.97: Legislative Audit Commission - Senator David Hann, for a two-year term expiring upon appointment of a successor after the opening of the regular session of the Legislature in the next odd-numbered year; Senator Sheila Kiscaden, for a similar two-year term; Senator Tom Neuville, for a similar two-year term; and Senator Claire Robling, for a similar two-year term.

Respectfully,
Senator Dick Day
Republican Leader

February 11, 2003

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

As the Senate Minority Leader, I am hereby making the following appointment:

Pursuant to Minnesota Statutes 2002

3.303: Legislative Coordinating Commission - Senator Bill Belanger, to serve until a successor is named during a regular legislative session following appointment.

Respectfully,
Senator Dick Day
Republican Leader

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 95 and 120.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 10, 2003

FIRST READING OF HOUSE BILLS

Pursuant to Rule 45, the following bills were read the first time and placed on the Comparison Calendar.

H.F. No. 95: A bill for an act relating to commerce; eliminating an archaic prohibition on misrepresenting the size of certain items; repealing Minnesota Statutes 2002, section 325F.38.

Pursuant to Rule 45, placed on the Comparison Calendar.

H.F. No. 120: A bill for an act relating to education; eliminating a duplicative requirement that a teacher file a certified copy of the teacher's teaching license with the employing school district; enabling a school district to verify the status of a teacher's license using the Minnesota education license system available on the department of children, families, and learning Web site; amending Minnesota Statutes 2002, section 122A.22.

Pursuant to Rule 45, placed on the Comparison Calendar.

REPORTS OF COMMITTEES

Senator Hottinger moved that the Committee Reports at the Desk be now adopted, with the exception of the reports pertaining to appointments. The motion prevailed.

Senator Vickerman from the Committee on State and Local Government Operations, to which was referred

S.F. No. 151: A bill for an act relating to local government; establishing the lakes area economic development authority.

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

Senator Vickerman from the Committee on State and Local Government Operations, to which was referred

S.F. No. 231: A bill for an act relating to local government; establishing a retroactive effective date for St. Paul civil service separation.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Senator Vickerman from the Committee on State and Local Government Operations, to which was referred

S.F. No. 172: A bill for an act relating to Anoka county; allowing use of certain county facilities for commercial wireless service providers and allowing the lease of sites for public safety communications equipment.

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

Delete everything after the enacting clause and insert:

"Section 1. [375.87] [RADIO SYSTEMS.]

Subdivision 1. [ESTABLISHMENT.] A county may establish and rent, lease, construct, equip, and maintain a radio broadcasting station or stations, with land-fixed repeater stations and other necessary communication equipment, to be used for public safety communications. It may acquire land, towers, or equipment by gift, purchase, lease, exchange, condemnation, or other means for use as a site for public safety communications equipment. Public safety communications sites may be acquired by lease for a period of up to 25 years in duration. Public safety communications may include police, fire, highway maintenance, emergency medical service, local government, forestry conservation, and other communications as determined by the county board.

Subd. 2. [ANTENNA SITE USE AGREEMENTS.] Use of county-owned radio towers, building rooftops, lands, rights-of-way, and easements may be made available to commercial wireless service providers or other users for the purpose of installing antennas and equipment. The county may charge site use fees for the value of the real property or structure made available. In lieu of a site use fee, the county may make agreements with commercial wireless service providers or other tower owners to place county equipment on privately owned towers and may accept improvements such as tower reinforcement, reconstruction, site development, or other site improvements to the county's communications system facilities or real or personal property. Antenna site use agreements and leases may be entered into by any means available and in the manner determined by the county board, with or without advertisement for bids."

Delete the title and insert:

"A bill for an act relating to counties; allowing use of certain county facilities for commercial wireless service providers and allowing the lease of sites for public safety communications equipment; proposing coding for new law in Minnesota Statutes, chapter 375."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Murphy from the Committee on Agriculture, General Legislation and Veterans Affairs, to which was referred

S.F. No. 187: A bill for an act relating to the state agricultural society; eliminating a prohibition on circuses around state fair time; repealing Minnesota Statutes 2002, section 37.26.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Senator Betzold from the Committee on Judiciary, to which was referred

S.F. No. 112: A bill for an act relating to probate; adopting article 5 of the Uniform Probate Code relating to guardianship and conservatorship; amending Minnesota Statutes 2002, sections 245A.041; 524.2-502; 524.3-203; proposing coding for new law in Minnesota Statutes, chapter 524; repealing Minnesota Statutes 2002, sections 524.5-505; 525.539; 525.54; 525.541; 525.542; 525.543; 525.544; 525.545; 525.55; 525.5501; 525.551; 525.5515; 525.552; 525.56; 525.561; 525.562; 525.57; 525.58; 525.581; 525.582; 525.583; 525.59; 525.591; 525.60; 525.61; 525.615; 525.6155; 525.616; 525.6165; 525.617; 525.6175; 525.618; 525.6185; 525.619; 525.6192; 525.6194; 525.6195; 525.6196; 525.6197; 525.6198; 525.6199; 525.62; 525.63; 525.64; 525.641; 525.642; 525.65; 525.651; 525.652; 525.66; 525.661; 525.662; 525.67; 525.68; 525.69; 525.691; 525.692; 525.70; 525.702; 525.703; 525.705.

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

Page 2, delete lines 16 to 18

Page 2, line 19, delete "safety, or self-care" and insert "is impaired to the extent of lacking sufficient understanding or capacity to make or communicate responsible personal decisions, and who has demonstrated deficits in behavior which evidence an inability to meet personal needs for medical care, nutrition, clothing, shelter, or safety"

Page 9, line 22, delete "chapter 415" and insert "section 524.5-415"

Page 13, line 23, after the first "appointment" insert ", by designation of a standby guardian pursuant to chapter 257B,"

Page 13, line 27, after "will" insert ", by designation of a standby guardian pursuant to chapter 257B," and after "or" insert "by"

Page 16, line 2, delete "the parents consent" and insert "both parents are deceased"

Page 16, line 3, delete "suspended or" and after "terminated" insert "by court order"

Page 21, line 11, after "parent" insert ", legal custodian,"

Page 21, lines 20 and 21, delete "visitation rights" and insert "parenting time"

Page 21, line 24, after the second "parent" insert ", legal custodian, or guardian"

Page 21, line 26, after "parent" insert ", legal custodian, or guardian"

Page 27, after line 16, insert:

"(f) The county social service agency may create a screening committee to review a petition involving an indigent person. The screening committee must consist of individuals selected by the agency with knowledge of alternatives that are less restrictive than guardianship. If the agency has created a screening committee, the court shall make its decision after the screening committee has reviewed the petition. For an indigent person, the court may appoint a guardian under contract with the county to provide these services."

Page 30, line 15, after the period, insert "A county that is acting under section 626.557, subdivision 10, by petitioning for appointment of an emergency guardian on behalf of a vulnerable adult may be granted authority to act for a period not to exceed 90 days."

Page 46, line 30, delete "and" and after "(v)" insert "any state agency to which an application for benefits has been submitted and any state or county agency that has prepared an asset assessment or could prepare an asset assessment under section 256B.059, subdivision 2, for the protected person or spouse, and (vi)"

Page 47, line 25, after "assistance" insert "with the goal of avoiding reliance on such programs"

Page 47, line 31, delete "and" and insert:

"(7) whether the protected person's needs can be met from the person's remaining assets after any transfer is made, taking into account the effect of any transfer on eligibility for medical assistance long term care services; and"

Page 47, line 32, delete "(7)" and insert "(8)"

Page 72, after line 12, insert:

"Section 1. Minnesota Statutes 2002, section 145C.09, is amended by adding a subdivision to read:

Subd. 3. [POWER OF A GUARDIAN.] The powers of a guardian to revoke the appointment of a health care agent in a health care directive of which the ward is the principal or to revoke the health care directive itself are specified in section 524.5-315.

Sec. 2. Minnesota Statutes 2002, section 201.014, subdivision 2, is amended to read:

Subd. 2. [NOT ELIGIBLE.] The following individuals are not eligible to vote. Any individual:

- (a) Convicted of treason or any felony whose civil rights have not been restored;
- (b) Under a guardianship of the person in which the court order provides that the ward does not retain the right to vote; or
- (c) Found by a court of law to be legally incompetent.

Sec. 3. Minnesota Statutes 2002, section 201.15, subdivision 1, is amended to read:

Subdivision 1. [GUARDIANSHIPS AND INCOMPETENTS.] The state court administrator shall report monthly to the secretary of state the name, address, and date of birth of each individual 18 years of age or over, who during the month preceding the date of the report:

- (a) was placed under a guardianship of the person in which the court order provides that the ward does not retain the right to vote; or
- (b) was adjudged legally incompetent.

The court administrator shall also report the same information for each individual transferred to the jurisdiction of the court who meets a condition specified in clause (a) or (b). The secretary of state shall determine if any of the persons in the report is registered to vote and shall prepare a list of those registrants for the county auditor. The county auditor shall change the status on the record in the statewide registration system of any individual named in the report to indicate that the individual is not eligible to reregister or vote."

Page 73, after line 21, insert:

"Sec. 5. Minnesota Statutes 2002, section 507.04, is amended to read:

507.04 [CONVEYANCE BY SPOUSE OF INSANE OR INCOMPETENT PERSON OF PROTECTED PERSON'S REAL PROPERTY.]

Subdivision 1. [~~WITH GUARDIAN'S NO CONVEYANCE EXCEPT BY COURT APPROVAL.~~] The spouse of any person who is adjudged by a court of competent jurisdiction to be insane or incompetent to transact business or manage that person's estate, and for whose person or estate, or both, a guardian is appointed by a district court of this state, may, with the guardian's approval, by separate deed convey any real estate, the title to which is in such spouse, as fully as the spouse could do if unmarried. A duly certified copy of the letters of guardianship of the guardian shall be recorded in the office of the county recorder of the county in which the real estate is situated. The approval of the conveyance by the guardian shall be in writing, after being first authorized to do so by an order of the district court, and shall be endorsed on the instrument of the conveyance. Without the approval of the guardian, Except as otherwise provided by this section, if a protected person's right to convey an interest in real property is restricted under sections 524.5-401 to 524.5-433, no conveyance of the interest is effective unless ordered by the court pursuant to section 524.5-418A. A conveyance of an interest in real property owned by the competent spouse does not affect of a protected person remains subject to the marital rights of the insane or incompetent spouse protected person unless the protected person's conservator joins in the conveyance on behalf of the protected person pursuant to a court order under section 524.5-418A. This section does not revive marital rights in real property extinguished as part of a property agreement or settlement between the spouses approved by a court of competent jurisdiction, including but not limited to a valid pre-nuptial or post-nuptial agreement, a legal separation, or any other court approved division of assets between the spouses.

Subd. 2. [~~DISABILITY FOR THREE YEARS.~~] Where no guardian has been appointed of the person or estate of such insane or incompetent spouse and such insanity or incompetency has existed or may exist for three years subsequent to the adjudication of the insanity or incompetency of the insane or incompetent spouse, the spouse of the insane or incompetent person may convey any real estate, the title to which is in the spouse, as fully as the spouse could do if unmarried.

~~Subd. 3. [HOMESTEAD.] This section does not authorize the conveyance of a homestead unless the guardian of the person or estate of the insane or incompetent person appointed by the district court of the proper county consents in writing to the conveyance by endorsement thereon after being first authorized so to do by order of the district court.~~

~~Subd. 4. [NONRESIDENT WITH DISABILITY.] The provisions of subdivisions 2 and 3 do not apply to a nonresident insane or incompetent person.~~

~~Subd. 5. [INCHOATE INTEREST IN SPOUSE'S SHARE REAL PROPERTY OF PROTECTED PERSON'S SPOUSE.] In all cases where the district court under section 524.5-418A has directed ordered a sale conveyance of the interest of an insane or incompetent interest in real property owned by a protected person in real estate or has ordered a protected person's joinder in the conveyance of an interest in real property owned by the protected person's spouse, the sale conveyance includes the inchoate interest of the protected person in any share or part of the real estate property owned by such the protected person's spouse whether or not specifically mentioned in the proceedings or conveyance, when the interest of the spouse is also conveyed to the same grantee.~~

~~Subd. 6. [VALIDITY OF HOMESTEAD CONVEYANCE.] No conveyance of the homestead is valid unless made by both spouses in a joint deed each spouse or the duly authorized legal representative of each spouse joins in the conveyance by joint deed or by separate deeds."~~

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "sections" insert "145C.09, by adding a subdivision; 201.014, subdivision 2; 201.15, subdivision 1;" and after "245A.041;" insert "507.04;"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Senator Betzold from the Committee on Judiciary, to which was referred

S.F. No. 116: A bill for an act relating to trusts; providing for animal care and memorial fund trusts; changing an application provision; providing for agreements; clarifying procedures; providing an effective date; amending Minnesota Statutes 2002, section 501B.14, subdivision 3; Laws 2002, chapter 347, section 5; proposing coding for new law in Minnesota Statutes, chapter 501B.

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

Page 6, after line 13, insert:

"Sec. 6. Minnesota Statutes 2002, section 524.3-1201, is amended to read:

524.3-1201 [COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT.]

(a) Thirty days after the death of a decedent, (i) any person indebted to the decedent, (ii) any person having possession of tangible personal property or an instrument evidencing a debt, obligation, stock, or chose in action belonging to the decedent, or (iii) any safe deposit company, as defined in section 55.01, controlling the right of access to decedent's safe deposit box shall make payment of the indebtedness or deliver the tangible personal property or an instrument evidencing a debt, obligation, stock, or chose in action or deliver the entire contents of the safe deposit box to a person claiming to be the successor of the decedent, or a state or county agency with a claim authorized by section 256B.15, upon being presented a certified death record of the decedent and an affidavit, ~~in duplicate,~~ made by or on behalf of the successor stating that:

(1) the value of the entire probate estate, determined as of the date of death, wherever located, including specifically any contents of a safe deposit box, less liens and encumbrances, does not exceed \$20,000;

(2) 30 days have elapsed since the death of the decedent or, in the event the property to be delivered is the contents of a safe deposit box, 30 days have elapsed since the filing of an inventory of the contents of the box pursuant to section 55.10, paragraph (h);

(3) no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction;

(4) if presented, by a state or county agency with a claim authorized by section 256B.15, to a financial institution with a multiple-party account in which the decedent had an interest at the time of death, the amount of the affiant's claim and a good faith estimate of the extent to which the decedent was the source of funds or beneficial owner of the account; and

(5) the claiming successor is entitled to payment or delivery of the property.

(b) A transfer agent of any security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors upon the presentation of an affidavit as provided in subsection (a).

(c) The claiming successor or state or county agency shall disburse the proceeds collected under this section to any person with a superior claim under section 524.2-403 or 524.3-805.

(d) A motor vehicle registrar shall issue a new certificate of title in the name of the successor upon the presentation of an affidavit as provided in subsection (a).

(e) The person controlling access to decedent's safe deposit box need not open the box or deliver the contents of the box if:

(1) the person has received notice of a written or oral objection from any person or has reason to believe that there would be an objection; or

(2) the lessee's key or combination is not available."

Page 6, line 16, delete "7" and insert "5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "section" and insert "sections"

Page 1, line 7, after "3;" insert "524.3-1201;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Betzold from the Committee on Judiciary, to which was referred

S.F. No. 40: A bill for an act relating to civil actions; graffiti; allowing the recovery of damages for graffiti; proposing coding for new law in Minnesota Statutes, chapter 617.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 540.18, subdivision 1, is amended to read:

Subdivision 1. The parent or guardian of the person of a minor who is under the age of 18 and who is living with the parent or guardian and who willfully or maliciously causes injury to any person or damage to any property is jointly and severally liable with such minor for such injury or damage to an amount not exceeding ~~\$1,000~~ \$3,000, if such minor would have been liable for such injury or damage if the minor had been an adult. Nothing in this subdivision shall be construed to relieve such minor from personal liability for such injury or damage. The liability provided in this subdivision is in addition to and not in lieu of any other liability which may exist at law. Recovery under this section shall be limited to special damages.

Sec. 2. [617.90] [GRAFFITI DAMAGE ACTION.]

Subdivision 1. [DEFINITION.] For purposes of this section "graffiti" means unauthorized markings of paint, dye, or other similar substance that have been placed on real or personal property such as buildings, fences, transportation equipment, or other structures, or the unauthorized etching or scratching of the surfaces of this real or personal property, any of which markings, scratchings, or etchings are visible from premises open to the public.

Subd. 2. [CAUSE OF ACTION.] An action for damage to property caused by graffiti may be brought by the owner of public or private property on which graffiti has been placed or by the owner's agent. Damages may be recovered for three times the cost of restoring the property, or the court may order an indigent defendant to perform the work of restoring the property. Damages may be recovered from an individual who placed graffiti on public or private real or personal property or from the parent of a minor individual, as provided in section 540.18. The court may award reasonable attorney fees and costs to a prevailing plaintiff.

Sec. 3. [EFFECTIVE DATE; APPLICATION.]

This act is effective August 1, 2003, and applies to causes of action arising on or after that date."

Delete the title and insert:

"A bill for an act relating to civil actions; increasing the limit for parental liability for certain damage caused by a minor; providing for the recovery of damages resulting from graffiti; amending Minnesota Statutes 2002, section 540.18, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 617."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Pogemiller from the Committee on Taxes, to which was referred the following appointment as reported in the Journal for February 6, 2003:

DEPARTMENT OF REVENUE
COMMISSIONER
Daniel Salomone

Reports the same back with the recommendation that the appointment be confirmed.

Senator Hottinger moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Pogemiller from the Committee on Taxes, to which was referred the following appointment as reported in the Journal for January 30, 2003:

TAX COURT
Sheryl Ramstad

Reports the same back with the recommendation that the appointment be confirmed.

Senator Hottinger moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Pogemiller from the Committee on Taxes, to which was referred the following appointment as reported in the Journal for January 9, 2003:

TAX COURT
Kathleen Hvass Sanberg

Reports the same back with the recommendation that the appointment be confirmed.

Senator Hottinger moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. Nos. 231, 172, 187, 112, 116 and 40 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Marty moved that the name of Senator Higgins be added as a co-author to S.F. No. 7. The motion prevailed.

Senator Marty moved that the name of Senator Higgins be added as a co-author to S.F. No. 10. The motion prevailed.

Senator Berglin moved that the name of Senator Neuville be added as a co-author to S.F. No. 40. The motion prevailed.

Senator Berglin moved that the name of Senator Higgins be added as a co-author to S.F. No. 253. The motion prevailed.

Senator Pariseau moved that the name of Senator Wiger be added as a co-author to S.F. No. 303. The motion prevailed.

Senator Betzold moved that S.F. No. 54 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Kubly moved that S.F. No. 64 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Hottinger, for Senator Rest, moved that S.F. No. 74 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Skoe moved that S.F. No. 205 be withdrawn from the Committee on Taxes and re-referred to the Committee on Finance. The motion prevailed.

Senator Ruud moved that S.F. No. 209 be withdrawn from the Committee on Taxes and re-referred to the Committee on Finance. The motion prevailed.

Senators Higgins, Pogemiller, Dibble and Berglin introduced--

Senate Resolution No. 27: A Senate resolution recognizing February 20, 2003, as Alpha Kappa Alpha Day at the State Capitol.

Referred to the Committee on Rules and Administration.

Senator Cohen introduced--

Senate Resolution No. 28: A Senate resolution congratulating Nathaniel Lundby Fox for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Cohen introduced--

Senate Resolution No. 29: A Senate resolution congratulating Eric Lyth Hartz for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Cohen introduced--

Senate Resolution No. 30: A Senate resolution congratulating Sean Russell Schulte for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Higgins; Scheid; Johnson, D.E. and Sparks introduced--

S.F. No. 334: A bill for an act relating to elections; requiring an affidavit of candidacy to include the candidate's residence address; providing for rejection of an affidavit that indicates the candidate does not reside in the district from which election is sought; amending Minnesota Statutes 2002, section 204B.06, subdivision 1.

Referred to the Committee on Rules and Administration.

Senators Berglin, Lourey, Foley and Solon introduced--

S.F. No. 335: A bill for an act relating to welfare; extending food assistance for certain noncitizens; modifying MFIP exemptions and extensions; modifying MFIP sanctions; amending Minnesota Statutes 2002, sections 256D.053, subdivision 1; 256J.37, subdivision 9; 256J.42, subdivision 5; 256J.425, subdivisions 4, 6, by adding a subdivision; repealing Minnesota Statutes 2002, section 256J.425, subdivision 7; Laws 1997, chapter 203, article 9, section 21, as amended.

Referred to the Committee on Health and Family Security.

Senators Sams, Murphy, Frederickson, Dille and Rosen introduced--

S.F. No. 336: A bill for an act relating to natural resources; moving the Minnesota conservation corps to the friends of the Minnesota conservation corps, an existing nonprofit corporation; transferring assets to the Minnesota conservation corps; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 2002, sections 84.0887; 84.98; 84.99.

Referred to the Committee on Environment and Natural Resources.

Senators Bakk, Saxhaug and Tomassoni introduced--

S.F. No. 337: A bill for an act relating to education finance; modifying the levy for retired employee health benefits; amending Minnesota Statutes 2002, section 126C.41, subdivision 2.

Referred to the Committee on Finance.

Senators Chaudhary, Betzold and Marty introduced--

S.F. No. 338: A bill for an act relating to local government; establishing a multicounty housing authority including the cities of Arden Hills, Blaine, Circle Pines, Mounds View, New Brighton, Roseville, and Shoreview.

Referred to the Committee on State and Local Government Operations.

Senators Foley, Lourey and Marty introduced--

S.F. No. 339: A bill for an act relating to health; establishing the Minnesota universal health board; creating the Minnesota universal health program; establishing the Minnesota health care trust fund; establishing statewide and regional health care budgets; abolishing the Minnesota health care commission; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 62J; proposing coding for new law as Minnesota Statutes, chapter 62K; repealing Minnesota Statutes 2002, section 62J.212.

Referred to the Committee on Health and Family Security.

Senator Murphy introduced--

S.F. No. 340: A bill for an act relating to agriculture; exempting Minnesota-produced wine from the prohibition on the sale, possession, and consumption of liquor on the state fairgrounds; amending Minnesota Statutes 2002, section 37.21, subdivision 2.

Referred to the Committee on Commerce and Utilities.

Senator Murphy introduced--

S.F. No. 341: A bill for an act relating to public safety; imposing fine surcharge on traffic violators apprehended by state patrol; creating trooper training account; appropriating money; amending Minnesota Statutes 2002, sections 169.89, by adding a subdivision; 299D.03, subdivisions 5, 6, by adding a subdivision.

Referred to the Committee on Finance.

Senators Kleis, Wergin and Fischbach introduced--

S.F. No. 342: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for land acquisition to enable increased operations at the St. Cloud Regional Airport.

Referred to the Committee on Finance.

Senators Sparks, Foley, Anderson, Murphy and Kelley introduced--

S.F. No. 343: A bill for an act relating to insurance; requiring certain insurers to provide information on certain costs; proposing coding for new law in Minnesota Statutes, chapter 62D.

Referred to the Committee on Commerce and Utilities.

Senators Sparks; Metzen; Ranum; Johnson, D.E. and Dibble introduced--

S.F. No. 344: A bill for an act relating to state government; placing limits on use of consultants; making changes in laws governing contracts, including contracts for professional or technical services; amending Minnesota Statutes 2002, sections 16A.11, subdivision 3; 16C.05, subdivision 2, by adding a subdivision; 16C.06, subdivision 1, by adding a subdivision; 16C.07; 16C.08, subdivisions 2, 3, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16C.

Referred to the Committee on State and Local Government Operations.

Senators Ranum, Skoglund, Stumpf and Knutson introduced--

S.F. No. 345: A bill for an act relating to domestic abuse; modifying provisions relating to the admissibility of testimony; amending Minnesota Statutes 2002, section 518B.01, subdivision 15.

Referred to the Committee on Judiciary.

Senators Higgins, Pappas, Moua and Tomassoni introduced--

S.F. No. 346: A bill for an act relating to education; providing for a pilot project for the independent review of parental involvement programs; proposing coding for new law in Minnesota Statutes, chapter 124D.

Referred to the Committee on Education.

Senator Saxhaug introduced--

S.F. No. 347: A bill for an act relating to the county of Itasca; authorizing issuance of bonds for construction of a nursing home facility.

Referred to the Committee on State and Local Government Operations.

Senators Knutson and Metzen introduced--

S.F. No. 348: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 21; prohibiting passage of bills on the last day the legislature meets in regular session each year.

Referred to the Committee on Rules and Administration.

Senators Metzen, Larson and Rest introduced--

S.F. No. 349: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 3; modifying reapportionment requirements once each 20 years to provide for uninterrupted four-year senate terms.

Referred to the Committee on Rules and Administration.

Senators Scheid, Reiter, Belanger and Metzen introduced--

S.F. No. 350: A bill for an act relating to insurance; regulating the FAIR plan; amending Minnesota Statutes 2002, sections 65A.29, subdivision 4; 65A.32; 65A.33, subdivisions 4, 6, 9, by adding subdivisions; 65A.34; 65A.35; 65A.36; 65A.37; 65A.375; 65A.38, subdivisions 1, 5; 65A.40; 65A.41; 65A.42; repealing Minnesota Statutes 2002, section 65A.33, subdivision 5.

Referred to the Committee on Commerce and Utilities.

Senators Bakk and Knutson introduced--

S.F. No. 351: A bill for an act relating to crime prevention; providing that in certain cases authorized representatives of entities possessing a permit to use radio equipment capable of receiving police emergency transmissions may use and possess the equipment without a permit; amending Minnesota Statutes 2002, section 299C.37, subdivisions 1, 3.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Bakk and Hann introduced--

S.F. No. 352: A bill for an act relating to state lands; providing for the reconveyance of land to Cook county free of a reversionary clause.

Referred to the Committee on Environment and Natural Resources.

Senators Higgins, Berglin and Limmer introduced--

S.F. No. 353: A bill for an act relating to Hennepin county; making explicit an exception to a conflict of interest provision; amending Minnesota Statutes 2002, section 383B.151.

Referred to the Committee on State and Local Government Operations.

Senator Betzold introduced--

S.F. No. 354: A bill for an act relating to cities; authorizing a city to collect unpaid emergency service charges by special assessment; proposing coding for new law in Minnesota Statutes, chapter 415.

Referred to the Committee on State and Local Government Operations.

Senator Skoglund introduced--

S.F. No. 355: A bill for an act relating to judiciary; providing a gross misdemeanor penalty for fifth degree arson when the conduct results in bodily harm to a person; updating the fine amount for a misdemeanor penalty; amending Minnesota Statutes 2002, section 609.5632.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Cohen introduced--

S.F. No. 356: A bill for an act relating to family law; changing certain provisions of the de facto custodian law; amending Minnesota Statutes 2002, sections 257C.01, subdivision 2; 257C.07.

Referred to the Committee on Judiciary.

Senators Lourey, Higgins, Berglin, Kiscaden and Ruud introduced--

S.F. No. 357: A bill for an act relating to health; modifying dental practice provisions; amending Minnesota Statutes 2002, sections 144.1502, subdivisions 3, 4; 150A.06, by adding a subdivision; 150A.10, subdivision 1a; 256B.037, by adding a subdivision; 256B.76; proposing coding for new law in Minnesota Statutes, chapters 150A; 256B.

Referred to the Committee on Health and Family Security.

Senator Limmer introduced--

S.F. No. 358: A bill for an act relating to liquor; authorizing 12 additional on-sale liquor licenses in Maple Grove.

Referred to the Committee on Commerce and Utilities.

Senators Vickerman, Frederickson, Metzen, Sams and Anderson introduced--

S.F. No. 359: A bill for an act relating to appropriations; appropriating money for environmental and natural resources projects approved by the legislative commission on Minnesota resources; amending Minnesota Statutes 2002, sections 116P.09, subdivision 5; 116P.13, subdivision 1; 116P.14, subdivision 1.

Referred to the Committee on Finance.

Senators Higgins, Pappas, Sams, Murphy and Sparks introduced--

S.F. No. 360: A bill for an act relating to elections; providing that uncontested judicial offices must appear after all contested judicial offices on the canary ballot; amending Minnesota Statutes 2002, section 204D.14, by adding a subdivision.

Referred to the Committee on Rules and Administration.

Senators Kubly; Johnson, D.E.; Dille; Frederickson and Vickerman introduced--

S.F. No. 361: A bill for an act relating to taxation; income; providing for economic growth in rural counties of the state by allowing a credit against the income tax of an employer for the creation and retention of certain jobs; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senators Saxhaug, Ruud, Skoe, Sams and Koering introduced--

S.F. No. 362: A bill for an act relating to natural resources; appropriating money for the Mississippi headwaters board.

Referred to the Committee on Finance.

Senators Ruud, Michel, Reiter and Larson introduced--

S.F. No. 363: A bill for an act relating to education; requiring Veterans' Day to be a school holiday; amending Minnesota Statutes 2002, section 120A.42.

Referred to the Committee on Education.

Senators Foley, Kleis, Knutson and Skoglund introduced--

S.F. No. 364: A bill for an act relating to the judiciary; creating a task force to study and make recommendations on judicial selection and retention.

Referred to the Committee on Judiciary.

Senators Dille and Stumpf introduced--

S.F. No. 365: A bill for an act relating to wetlands; creating a moratorium on wetland replacement for transportation projects; amending Minnesota Statutes 2002, section 103G.222, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senator Dille introduced--

S.F. No. 366: A bill for an act relating to taxation; repealing proposed property tax notices and hearings; amending Minnesota Statutes 2002, sections 126C.55, subdivision 6; 273.124, subdivision 13; 275.07, subdivisions 1, 4, 5; 276.04, subdivision 2; 354A.12, subdivision 3b; 373.45, subdivision 8; 375.194, subdivisions 4, 5; 383A.75, subdivision 3; 465.719, subdivision 9; 469.1791, subdivision 10; 469.1815, subdivision 1; 473.13, subdivision 1; repealing Minnesota Statutes 2002, section 275.065.

Referred to the Committee on Taxes.

Senators Sams, Langseth, Murphy, Skoe and Senjem introduced--

S.F. No. 367: A bill for an act relating to taxation; providing for a regional investment credit; amending Minnesota Statutes 2002, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Rest, Dille, Ruud, Langseth and Sams introduced--

S.F. No. 368: A bill for an act relating to taxation; providing a reduced class rate for certain property bordering public waters; amending Minnesota Statutes 2002, section 273.13, subdivision 23.

Referred to the Committee on Taxes.

Senators Murphy, Foley and Betzold introduced--

S.F. No. 369: A bill for an act relating to crime prevention; amending the pistol permit law; amending Minnesota Statutes 2002, section 624.714, subdivisions 5, 6, 12, by adding subdivisions.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Rest, Betzold, Hann, Hottinger and Ortman introduced--

S.F. No. 370: A bill for an act relating to civil actions; regulating limitation periods of certain actions; enacting the Uniform Conflict of Laws-Limitations Act adopted by the National Conference of Commissioners on Uniform State Laws; proposing coding for new law in Minnesota Statutes, chapter 541.

Referred to the Committee on Judiciary.

Senators Cohen and Moua introduced--

S.F. No. 371: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for asset preservation of the Roy Wilkins Center in St. Paul.

Referred to the Committee on Finance.

Senators Dille, Frederickson, Kierlin, Sams and Sparks introduced--

S.F. No. 372: A bill for an act relating to capital improvements; funding for the RIM conservation reserve program.

Referred to the Committee on Finance.

Senators Dille, Frederickson, Koering, Murphy and Langseth introduced--

S.F. No. 373: A bill for an act relating to natural resources; appropriating money for state park and recreation area acquisition; authorizing the sale of state bonds.

Referred to the Committee on Finance.

Senators Pappas, Moua, Anderson and Cohen introduced--

S.F. No. 374: A bill for an act relating to the city of St. Paul; making technical changes to the civic center authority powers and duties; amending Laws 1967, chapter 459, section 8, subdivisions 1, 3, 4, as amended.

Referred to the Committee on State and Local Government Operations.

Senators Foley, Sparks and Chaudhary introduced--

S.F. No. 375: A bill for an act relating to crimes; clarifying when seizure of a motor vehicle

used to flee a peace officer occurs for purposes of the law; amending Minnesota Statutes 2002, section 609.5312, subdivision 4.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Dille and Johnson, D.E. introduced--

S.F. No. 376: A bill for an act relating to agriculture; adding turkey and turkey products under the corporate farm law; restricting farming and the ownership of farmland by certain entities; amending Minnesota Statutes 2002, section 500.24, subdivision 2.

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

Senators Anderson, Pappas and Sparks introduced--

S.F. No. 377: A bill for an act relating to child safety; prohibiting the sale and commercial use of certain cribs; providing enforcement; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce and Utilities.

Senators Dille, Murphy, Kubly and Wergin introduced--

S.F. No. 378: A bill for an act relating to agriculture; reducing ethanol producer payments after five years of production; establishing counter-cyclical ethanol producer payments after five years of production; extending the time period for eligibility for certain ethanol producers; providing funding for feedlot cost-share grants; appropriating money; amending Minnesota Statutes 2002, section 41A.09, subdivisions 3a, 5a, by adding subdivisions.

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

MEMBERS EXCUSED

Senators Limmer, Pariseau and Rest were excused from the Session of today.

ADJOURNMENT

Senator Hottinger moved that the Senate do now adjourn until 10:00 a.m., Monday, February 17, 2003. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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