

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-THIRD LEGISLATURE

EIGHTEENTH DAY

St. Paul, Minnesota, Thursday, February 20, 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 Senator Gary W. Kubly.

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

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

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 committees indicated.

January 23, 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:

### DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING COMMISSIONER

Cheri Pierson Yecke, 455 Herschel St., St. Paul, in the county of Ramsey, effective January 27, 2003, for a term that expires on January 1, 2007.

(Referred to the Committee on Education.)

January 27, 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:

DEPARTMENT OF HUMAN RIGHTS  
COMMISSIONER

Velma Korbel, 14801 Butternut St. N.W., Andover, in the county of Anoka, effective January 28, 2003, for a term that expires on January 1, 2007.

(Referred to the Committee on Judiciary.)

Sincerely,  
Tim Pawlenty, Governor

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution herewith transmitted:

**House Concurrent Resolution No. 1:** A House concurrent resolution providing for a Joint Convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

BE IT RESOLVED by the House of Representatives of the State of Minnesota, the Senate concurring, that the House of Representatives and the Senate shall meet in Joint Convention on Monday, March 3, 2003, at 12:00 p.m. in the chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 17, 2003

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

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 17, 2003

**FIRST READING OF HOUSE BILLS**

The following bill was read the first time.

**H.F. No. 2:** A bill for an act relating to education; repealing and replacing the profile of learning; providing for expedited rulemaking; repealing certain portions of Minnesota Rules, chapter 3501; proposing coding for new law in Minnesota Statutes, chapter 120B.

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. The motion prevailed.

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

**S.F. No. 92:** A bill for an act relating to real property; making various technical, clarifying, and conforming changes relating to registration of title, liens, and mortgages; amending Minnesota Statutes 2002, sections 481.13, subdivision 3; 508.08; 508.35; 508.52; 508.67, subdivision 1; 508.70, subdivisions 1, 2, by adding subdivisions; 559.17, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 507.

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

Page 9, after line 22, insert:

"Sec. 9. Minnesota Statutes 2002, section 508A.08, is amended to read:

508A.08 [APPLICATION; ~~CONTENTS~~ LAND INCLUDED.]

Subdivision 1. [~~ADJACENT LAND SEPARATE TRACTS; COMMON OWNER.~~] Any number of adjoining tracts of land in the same county and owned by the same person and in the same right, or any number of tracts of land in the same county having the same chain of title, and belonging to the same person may be included in one application. When approved by the examiner of titles, nonadjoining tracts of land owned by the same person or persons in the same right having different chains of title may be included in one application.

Subd. 2. [ADJACENT LAND; DIFFERENT OWNERS.] ~~When approved by the examiner of titles, Owners of two or more adjacent separate tracts of land in the same county may join in one application to register the title to their individual tracts. The application must list separately all of the information required by section 508A.06 for the owner or owners of each of the tracts included in the application.~~

Sec. 10. Minnesota Statutes 2002, section 508A.35, is amended to read:

508A.35 [FORMS OF CPT.]

The CPT shall contain the name and residence of the owner, a description of the land and of the estate of the owner, and shall by memorial contain a description of all encumbrances, liens, and interests to which the estate of the owner is subject. ~~It shall state whether the owner is 18 years of age or older and if under any legal incapacity, the nature of it. It shall also state whether or not the owner is married and if married, the name of the spouse.~~ In case the land is held in trust or subject to any condition or limitation, it shall state the nature and character of it. It shall be in substantially the following form:

**CERTIFICATE OF POSSESSORY TITLE (CPT)**

First Certificate of Possessory Title, pursuant to the Directive of the Examiner of Titles, County of ....., and State of Minnesota, date ....., .....

Registration of Possessory Title

State of Minnesota )  
 )ss  
County of.....)

This is to certify that ....., ~~of the~~ whose address is ..... in the ..... of

..... County of ....., and State of ....., is now the owner of a fee simple estate of and in the following described land situation situated in the county of ..... and state of Minnesota, ..... Subject to the encumbrances, liens, and interests noted by the memorial underwritten or endorsed hereon; and subject to the following rights or encumbrances subsisting, namely:

- (1) Liens, claims, or rights arising under the laws or the Constitution of the United States, which the statutes of this state cannot require to appear of record;
- (2) Any real property tax or special assessment;
- (3) Any lease for a period not exceeding three years, when there is actual occupation of the premises under the lease;
- (4) All rights in public highways upon the land;
- (5) The rights of any person in possession under deed or contract for deed from the owner of the CPT;
- (6) Any claims that may be made pursuant to section 508A.17 within five years from the date of the first CPT; and
- (7) Any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17.

In witness whereof, I have hereunto subscribed my name and affixed the seal of my office, this ..... day of ....., .....

.....  
Registrar of Titles, in and for the  
County of..... and  
State of Minnesota.

All CPTs issued subsequent to the first shall be in like form except that they shall be entitled "Transfer from number (here give the number of the next previous CPT relating to the same land)," and shall also contain the words "Originally registered (date, volume, and page of registration)."

CPTs shall be indexed and maintained in the same manner as provided for certificates of title under chapter 508.

Sec. 11. Minnesota Statutes 2002, section 508A.52, is amended to read:

508A.52 [CONVEYANCE; CANCELLATION OF OLD AND ISSUANCE OF NEW CPT.]

An owner of land registered under sections 508A.01 to 508A.85 who desires to convey the land, or a portion of it, in fee, shall execute a deed of conveyance, and file the deed with the registrar. ~~The registrar shall require an affidavit by the grantee, or some person in the grantee's behalf, which affidavit shall set forth the name and residence of the grantee, whether the grantee is 18 years of age or older, and whether the grantee is or is not under legal incapacity, whether or not married, and if married, the name of the spouse.~~ The deed of conveyance shall be filed and endorsed with the number and place of registration of the CPT. Before canceling the outstanding CPT, the registrar shall show by memorial on it the registration of the deed on the basis of which it is canceled. The encumbrances, claims, or interests adverse to the title of the registered owner shall be stated upon the new CPT, except so far as they may be simultaneously released or discharged. The CPT shall be marked "Canceled" by the registrar, who shall enter in the register a new CPT to the grantee, and prepare and deliver to the grantee a copy of the new CPT. If a deed in fee is for a portion of the land described in a CPT, the memorial of the deed entered by the registrar shall include the legal description contained in the deed and the registrar shall enter a new CPT to the grantee for the portion of the land conveyed and, except as otherwise provided in this section, issue a residue CPT to the grantor for the portion of the land not conveyed. The registrar shall prepare and deliver to each of the parties a copy of their respective CPTs. In lieu of canceling

the grantor's CPT and issuing a residue CPT to the grantor for the portion of the land not conveyed, the registrar may if the grantor's deed does not divide a parcel of unplatted land, and in the absence of a request to the contrary by the registered owner, mark by the land description on the CPT "Part of land conveyed, see memorials." The fee for a residue CPT shall be paid to the registrar only when the grantor's CPT is canceled after the conveyance by the grantor of a portion of the land described in the grantor's CPT. When two or more successive conveyances of the same property are filed for registration on the same day the registrar may enter a CPT in favor of the grantee or grantees in the last of the successive conveyances, and the memorial of the previous deed or deeds entered on the prior CPT shall have the same force and effect as though the prior CPT had been entered in favor of the grantee or grantees in the earlier deed or deeds in the successive conveyances. The fees for the registration of the earlier deed or deeds shall be the same as the fees prescribed for the entry of memorials. The registrar of titles, with the consent of the transferee, may mark "See memorials for new owner(s)" by the names of the registered owners on the CPT and also add to the memorial of the transferring conveyance a statement that the memorial shall serve in lieu of a new CPT in favor of the grantee or grantees noted in it and may refrain from canceling the CPT until the time it is canceled by a subsequent transfer, and the memorial showing the transfer of title shall have the same effect as the entry of a new CPT for the land described in the CPT. The fee for the registration of a conveyance without cancellation of the CPT shall be the same as the fee prescribed for the entry of a memorial.

Sec. 12. Minnesota Statutes 2002, section 508A.70, is amended to read:

508A.70 [SUBSEQUENT ADVERSE CLAIM, HOW REGISTERED; COSTS.]

Subdivision 1. [PROCEDURE; COSTS.] (a) Any person claiming any right, title, or interest in land registered under sections 508A.01 to 508A.85 adverse to the registered owner of it arising subsequent to or created after the date of the first CPT, may, if no other provision is made in sections 508A.01 to 508A.85 for there is some impediment to registering the same claimed interest, file with the registrar of titles a verified statement in writing setting forth fully claim of unregistered interest, made by or at the instance of the claimant, stating:

- (1) the alleged right or interest, and;
- (2) how or from whom it was acquired, and a reference to the volume and page of;
- (3) the reason the interest cannot be registered;
- (4) the number of the affected CPT of the registered owner, together with;
- (5) a description of the affected land, the adverse claimant's residence, and designating;
- (6) a place at which all notices may be served upon the adverse claimant. The statement; and
- (7) that the claim is not made for the purpose of avoiding the payment of mortgage registry tax under section 287.01 or deed tax under section 287.21, or avoiding obtaining the auditor's statement on an instrument under section 272.12.

(b) If the claimant claims an interest in an unregistered mortgage that is subject to the imposition of mortgage registry tax upon recording, the notice must contain evidence satisfactory to the registrar of titles that the mortgage registry tax has been paid. A copy of the claim must be mailed to the persons whose registered interests are affected by the claim at their addresses shown on the CPT. An affidavit stating the names and addresses of the persons to whom copies of the claim were mailed must be attached to the claim. The claim with attached affidavit regarding mailing shall be entitled to registration as an adverse claim, and the court, upon the petition of any party in interest, shall grant a speedy hearing upon the validity of the adverse claim and enter a decision and decree therein an order as justice and equity may require. If the court determines that the adverse claim is adjudged to be invalid, the registration of it shall be canceled it shall order the cancellation of the memorial of the claim. The court may, in any case, award costs and damages, including a reasonable attorney's fee, as it may deem just.

Subd. 2. [DEMAND FOR DISCHARGE.] A person whose registered interest is affected by a

statement of adverse claim filed before August 1, 2003, or by a claim of unregistered interest, or the person's agent, may file a demand for discharge of the claim of unregistered interest. A copy of the demand must be mailed to the claimant at the address stated on the claim. An affidavit stating the name and address of the person to whom a copy of the demand was mailed must be attached to the demand. The demand must be substantially in the following form: "DEMAND FOR DISCHARGE OF CLAIM OF UNREGISTERED INTEREST.

Date: .....

....., having a registered interest in (name of person having a registered interest) Certificate of Possessory Title (CPT) No. ...., hereby demands that ..... (name of claimant) either (1) discharge the claimant's claim of unregistered interest regarding the CPT, or (2) petition the court for a determination of the validity of the claim pursuant to Minnesota Statutes, section 508A.70, subdivision 1. If the claimant fails to do so the claim will terminate and be of no effect 90 days after this demand for discharge is filed with the registrar of titles of ..... county, Minnesota. ....(signature of person having registered interest or agent)"

Unless the claimant has petitioned the court as provided in subdivision 1 and filed with the registrar of titles a certified copy of the petition, the claim shall terminate and be of no effect 90 days after the filing of a demand for discharge with attached affidavit regarding mailing. The registrar of titles shall not carry forward to new CPTs the memorial of any claim that has terminated or has been discharged pursuant to this subdivision.

Subd. 3. [PRIORITY OF CLAIM.] The registration of a claim of unregistered interest has the same effect as to priority as the registration of any instrument under this chapter. If the instrument under which the claim is made is filed before the claim has been terminated or discharged, the instrument shall have the same priority as the claim and the registrar of titles shall include in the memorial of the instrument a reference to the document number of the claim."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "508A.08; 508A.35; 508A.52; 508A.70;"

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

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 215:** A bill for an act relating to health; clarifying the definition of the practice of psychology; amending Minnesota Statutes 2002, section 148.89, subdivision 5.

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

Page 2, line 8, delete "or"

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

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 216:** A bill for an act relating to health; providing for psychologist emeritus registration; proposing coding for new law in Minnesota Statutes, chapter 148.

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

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 217:** A bill for an act relating to health; modifying provisions relating to supervised practice by a psychologist; amending Minnesota Statutes 2002, section 148.925, subdivision 1.

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

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 233:** A bill for an act relating to health; modifying provisions relating to temporary licensure of nurses; use of titles; amending Minnesota Statutes 2002, sections 148.212; 148.281, subdivision 1.

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

Page 2, after line 32, insert:

"Sec. 2. Minnesota Statutes 2002, section 148.235, is amended by adding a subdivision to read:

Subd. 10. [ADMINISTRATION OF MEDICATIONS BY UNLICENSED PERSONNEL IN NURSING FACILITIES.] Notwithstanding the provisions of Minnesota Rules, part 4658.1360, subpart 2, a graduate of a foreign nursing school who has successfully completed an approved competency evaluation under the provisions of section 144A.61 is eligible to administer medications in a nursing facility upon completion of a medication training program for unlicensed personnel offered through a postsecondary educational institution, which meets the requirements specified in Minnesota Rules, part 4658.1360, subpart 2, item B."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "nurses;" insert "authorizing the administration of medications in nursing facilities;"

Page 1, line 4, after the semicolon, insert "148.235, by adding a subdivision;"

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

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 328:** A bill for an act relating to health; authorizing the board of psychology to require an independent examination of a practitioner; classifying such information; amending Minnesota Statutes 2002, sections 13.383, subdivision 8; 148.941, by adding a subdivision.

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

Page 2, line 5, delete "in writing" and insert "by written notice"

Page 2, after line 26, insert:

"(d) Information obtained under this subdivision is classified as private under section 13.02, subdivision 12."

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

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

**S.F. No. 293:** A bill for an act relating to state government; ratifying certain state employee labor agreements and compensation plans with certain exceptions; specifying terms and conditions of employment in certain circumstances.

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

Page 1, line 12, delete "on May 8, 2002, for unit 8 and"

Page 1, line 13, delete "for the other units"

Page 2, line 20, delete "MSUAAF" and insert "MSUAASF"

Page 3, line 14, after the period, insert "The insurance provisions for employees covered by this plan are those submitted to the legislative coordinating commission subcommittee on employee relations on November 14, 2001, and approved by the subcommittee on December 11, 2001, except as provided in subdivision 19."

Page 3, line 18, after the period, insert "The insurance provisions for employees covered by this plan are those submitted to the legislative coordinating commission subcommittee on employee relations on November 14, 2001, and approved by the subcommittee on December 11, 2001, except as provided in subdivision 19."

Page 3, line 24, delete everything before the period

Page 3, line 29, delete "except as provided in subdivision 19"

Page 4, line 21, after "employee" insert ", except a benefit relating to an employee's use of sick leave or bereavement leave,"

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

**Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred**

**S.F. No. 225:** A bill for an act relating to peace officers; authorizing the state fair police department to employ more part-time peace officers; amending Minnesota Statutes 2002, section 626.8468, subdivision 1.

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

**Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred**

**S.F. No. 256:** A bill for an act relating to crime prevention; making changes related to search warrants; amending Minnesota Statutes 2002, sections 626.11; 626.13.

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

Page 1, line 9, before "If" insert "(a)"

Page 1, line 22, before "If" insert:

"(b)"

Page 1, line 23, after "to" insert "applying for" and after "search" insert "warrant"

Page 2, after line 2, insert:

"(c) The notice required in paragraph (b) does not apply to the initial application for a telephonic warrant. However, in these instances, the officer shall provide the notification as soon as is practical following this initial application."



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

**Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred**

**S.F. No. 105:** A bill for an act relating to criminal justice; re-establishing the office, powers, and duties of a crime victim ombudsman; appropriating money; amending Minnesota Statutes 2002, sections 611A.72; 611A.73, subdivisions 2, 6; 611A.74.

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

Page 1, line 18, delete "crime victim"

Page 2, line 6, strike "AUTHORITY UNDER THIS ACT" and insert "CREATION"

Page 2, after line 17, insert:

"Subd. 1b. [ORGANIZATION OF OFFICE.] The ombudsman may appoint employees necessary to discharge responsibilities of the office. The ombudsman may delegate to staff members any of the ombudsman's authority or duties except the duties of formally making recommendations to appropriate authorities and reports to the office of the governor or to the legislature."

Page 3, line 13, delete "crime victim"

Page 3, line 31, strike "commissioner's" and insert "ombudsman's"

Page 4, line 17, strike "commissioner's" and insert "ombudsman's"

Page 5, line 15, delete "\$370,000" and insert "\$....." in both places

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

**Senator Kelley from the Committee on Education, to which was referred**

**S.F. No. 287:** A bill for an act relating to education; requiring recitation of the pledge of allegiance in all public schools; providing for instruction in the proper etiquette, display, and respect of the United States flag; amending Minnesota Statutes 2002, sections 121A.11, by adding subdivisions; 124D.10, subdivision 8.

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

Page 2, line 11, delete "not be considered" and insert "others should respect the right to make that choice."

Page 2, delete line 12

Page 2, line 22, delete "annually"

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

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 224:** A bill for an act relating to human services; modifying the purchasing alliance stop-loss fund; amending Minnesota Statutes 2002, sections 256.956, subdivisions 1, 2, 3, 9.

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 256.956, subdivision 1, is amended to read:  
Subdivision 1. [DEFINITIONS.] For purposes of this section, the following definitions apply:

(a) "Commissioner" means the commissioner of human services.

(b) "Health plan" means a policy, contract, or certificate issued by a health plan company to a qualifying purchasing alliance. Any health plan issued to the members of a qualifying purchasing alliance must meet the requirements of chapter 62L.

(c) "Health plan company" means:

(1) a health carrier as defined under section 62A.011, subdivision 2;

(2) a community integrated service network operating under chapter 62N; or

(3) an accountable provider network operating under chapter 62T.

(d) "Qualifying employer" means an employer who:

(1) is a member of a qualifying purchasing alliance;

(2) has at least one employee but no more than ten employees at the time of initial membership to a qualifying purchasing alliance or is a sole proprietor or farmer;

(3) did not offer employer-subsidized health care coverage to its employees for at least 12 months prior to joining the purchasing alliance; and

(4) is offering health coverage through the purchasing alliance to all employees who work at least 20 hours per week unless the employee is eligible for Medicare.

For purposes of this subdivision, "employer-subsidized health coverage" means health coverage for which the employer pays at least 50 percent of the cost of coverage for the employee.

(e) "Qualifying enrollee" means an employee of a qualifying employer or the employee's dependent covered by a health plan.

(f) "Qualifying purchasing alliance" means a purchasing alliance as defined in section 62T.01, subdivision 2, that:

(1) meets the requirements of chapter 62T;

(2) services a geographic area located in outstate Minnesota, ~~excluding the city of Duluth~~; and

(3) is organized and operating before May 1, 2001.

The criteria used by the qualifying purchasing alliance for membership must be approved by the commissioner of health. The commissioner of health shall approve any criteria needed in order to receive grants from other public or private entities. A qualifying purchasing alliance may begin enrolling qualifying employers after July 1, 2001, with enrollment ending by December 31, 2003. The commissioner of health may waive the requirement described in clause (3) if this requirement inhibits the commissioner's ability to obtain grants from other public or private entities.

Sec. 2. Minnesota Statutes 2002, section 256.956, subdivision 2, is amended to read:

Subd. 2. [CREATION OF ACCOUNT.] (a) A purchasing alliance stop-loss fund account is established in the general fund. The commissioner shall use the money to establish a stop-loss fund from which a health plan company may receive reimbursement for claims paid for qualifying enrollees. The account consists of money appropriated by the legislature. Money from the account must be used for the stop-loss fund.

(b) The commissioner may accept grants from public or private entities for the purpose of expanding the stop-loss fund. Any money received by the commissioner must be deposited in the account and distributed in accordance with this section.

Sec. 3. Minnesota Statutes 2002, section 256.956, subdivision 3, is amended to read:

Subd. 3. [REIMBURSEMENT.] (a) A health plan company may receive reimbursement from the fund for 90 percent of the ~~portion of the claim that exceeds payments made, less any third-party recoveries, for claims incurred in a calendar year for a qualifying enrollee for services that in aggregate exceed \$30,000 but not of the portion that exceeds of the payments that exceed \$100,000 in a calendar year for a qualifying enrollee.~~

(b) Claims shall be reported and funds shall be distributed on a calendar-year basis. Claims incurred by a qualifying enrollee are eligible for reimbursement for a two-year period beginning from the date of enrollment. During this two-year period, claims shall be eligible for reimbursement only for the calendar year in which the claims were paid incurred.

(c) Once claims paid incurred on behalf of a qualifying enrollee reach \$100,000 in a given calendar year, no further claims may be submitted for reimbursement on behalf of that enrollee in that calendar year.

(d) A portion of third-party recoveries that are collected by a health plan company must be reimbursed by the health plan company to the stop-loss fund account if the health plan company received reimbursement under this subdivision for the original claim. The amount reimbursed must be 90 percent of the amount of the recovery that reduces the aggregate incurred claims to between \$100,000 and \$30,000 for the calendar year. This amount must also be reduced by any pro rata adjustment that was made under subdivision 5, paragraph (b), to the original distribution to the health plan company for that calendar year.

Sec. 4. Minnesota Statutes 2002, section 256.956, subdivision 4, is amended to read:

Subd. 4. [REQUEST PROCESS.] (a) Each health plan company must submit a request for reimbursement from the fund on a form prescribed by the commissioner. Requests for payment must be submitted no later than April 1 following the end of the calendar year for which the reimbursement request is being made, ~~beginning April 1, 2002.~~

(b) The commissioner may require a health plan company to submit claims data as needed in connection with the reimbursement request.

Sec. 5. Minnesota Statutes 2002, section 256.956, subdivision 5, is amended to read:

Subd. 5. [DISTRIBUTION.] (a) The commissioner shall calculate the total claims reimbursement amount for all qualifying health plan companies for the calendar year for which claims are being reported and shall distribute the stop-loss funds ~~on an annual basis~~ before June 30 of the following calendar year.

(b) In the event that the total amount requested for reimbursement by the health plan companies for a calendar year exceeds the funds available for distribution for claims paid by all health plan companies during the same calendar year, the commissioner shall provide for the pro rata distribution of the available funds. Each health plan company shall be eligible to receive only a proportionate amount of the available funds as the health plan company's total eligible claims paid compares to the total eligible claims paid by all health plan companies.

(c) In the event that funds available for distribution for claims paid by all health plan companies during a calendar year exceed the total amount requested for reimbursement by all health plan companies during the same calendar year, any excess funds shall be reallocated for distribution in the next calendar year and may carry over into the next biennium.

Sec. 6. Minnesota Statutes 2002, section 256.956, subdivision 9, is amended to read:

Subd. 9. [SUNSET.] This section shall expire January 1, 2005, or when all funds deposited in the account have been distributed, whichever is later."

Delete the title and insert:

"A bill for an act relating to human services; modifying the purchasing alliance stop-loss fund; amending Minnesota Statutes 2002, section 256.956, subdivisions 1, 2, 3, 4, 5, 9."

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

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 134:** A bill for an act relating to professions; extending the expiration date of the acupuncture, respiratory care practitioner, licensed traditional midwifery, and health professionals services program advisory committees; amending Minnesota Statutes 2002, sections 147B.05, subdivision 2; 147C.35, subdivision 2; 147D.25, subdivision 2; 214.32, subdivision 1.

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

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 39:** A bill for an act relating to health; allowing application for designation as an essential community provider; amending Minnesota Statutes 2002, section 62Q.19, subdivision 2.

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 92, 215, 217, 233, 225, 256, 287, 224 and 39 were read the second time.

## MOTIONS AND RESOLUTIONS

Senator Ruud moved that the name of Senator Ourada be added as a co-author to S.F. No. 209. The motion prevailed.

Senator Fischbach moved that the names of Senators Lourey and Foley be added as co-authors to S.F. No. 229. The motion prevailed.

Senator Scheid moved that her name be stricken as a co-author to S.F. No. 292. The motion prevailed.

Senator Wiger moved that S.F. No. 163 be withdrawn from the Committee on State and Local Government Operations and re-referred to the Committee on Judiciary. The motion prevailed.

Senator Marty moved that S.F. No. 316 be withdrawn from the Committee on Judiciary and re-referred to the Committee on State and Local Government Operations. The motion prevailed.

Senator Bakk moved that S.F. No. 352 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Finance. The motion prevailed.

**Senators Tomassoni and Bakk introduced--**

**Senate Resolution No. 34:** A Senate resolution honoring Aurora, Minnesota, as it celebrates its centennial.

Referred to the Committee on Rules and Administration.

**Senator Scheid introduced--**

**Senate Resolution No. 35:** A Senate resolution congratulating Ashlee Kephart for receiving a Prudential Spirit of Community Award.

Referred to the Committee on Rules and Administration.

Pursuant to Rule 5.1, Senator Pariseau, first author, moved that S.F. No. 222 be withdrawn from the Committee on Crime Prevention and Public Safety, given a second reading, and placed on General Orders.

### CALL OF THE SENATE

Senator Pariseau imposed a call of the Senate for the balance of the proceedings on S.F. No. 222. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the motion.

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

Those who voted in the affirmative were:

Bachmann	Hann	Koering	Nienow	Rosen
Belanger	Johnson, D.J.	Larson	Olson	Ruud
Day	Jungbauer	LeClair	Ortman	Senjem
Dille	Kierlin	Limmer	Ourada	Wergin
Fischbach	Kiscaden	McGinn	Pariseau	
Frederickson	Kleis	Michel	Reiter	
Gaither	Knutson	Neuville	Robling	

Those who voted in the negative were:

Anderson	Foley	Marko	Ranum	Solon
Bakk	Higgins	Marty	Rest	Sparks
Berglin	Hottinger	Metzen	Sams	Stumpf
Betzold	Johnson, D.E.	Moua	Saxhaug	Tomassoni
Chaudhary	Kubly	Murphy	Scheid	Vickerman
Cohen	Langseth	Pappas	Skoe	Wiger
Dibble	Lourey	Pogemiller	Skoglund	

The motion did not prevail.

### MOTIONS AND RESOLUTIONS - CONTINUED

#### CONFIRMATION

Senator Pogemiller moved that the reports from the Committee on Taxes, reported February 13, 2003, pertaining to the Tax Court appointments, be taken from the table. The motion prevailed.

Senator Pogemiller moved that the foregoing reports be now adopted. The motion prevailed.

Senator Pogemiller moved that in accordance with the reports from the Committee on Taxes, reported February 13, 2003, the Senate, having given its advice, do now consent to and confirm the appointment of:

#### TAX COURT

Sheryl Ramstad, 12120 Golden Acre Dr., Minnetonka, Hennepin County, effective January 15, 2003, for a term expiring on January 5, 2009.

Kathleen Hvass Sanberg, 4509 Drexel Ave. S., Edina, Hennepin County, effective February 28, 2001, for a term expiring on January 1, 2007.

The motion prevailed. So the appointments were confirmed.

Remaining on the Order of Business of Motions and Resolutions, Senator Hottinger moved that the Senate take up the Consent Calendar. The motion prevailed.

### CONSENT CALENDAR

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

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**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.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**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 145C.09, by adding a subdivision; 201.014, subdivision 2; 201.15, subdivision 1; 245A.041;

507.04; 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.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 174:** A bill for an act relating to St. Louis county; modifying political activity restrictions for certain officers and employees in the classified service; amending Minnesota Statutes 2002, section 383C.05.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**GENERAL ORDERS**

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

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

S.F. Nos. 61 and 30, which the committee recommends to pass.

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

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

**Senators Neuville, Sams, Stumpf, Ruud and Bachmann introduced--**

**S.F. No. 431:** A bill for an act relating to health; limiting use of family planning grant funds; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

**Senators Pappas, Berglin, Lourey, Gaither and Higgins introduced--**

**S.F. No. 432:** A bill for an act relating to insurance; requiring coverage for doula services; amending Minnesota Statutes 2002, section 256B.0625, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Health and Family Security.

**Senators Higgins, Pariseau, Foley, Solon and Koering introduced--**

**S.F. No. 433:** A bill for an act relating to human services; requiring specialized Alzheimer's disease training; providing for certain grants; requiring the development of nursing assistant training models; expanding Alzheimer's disease training for family caregivers; appropriating money; amending Minnesota Statutes 2002, sections 144A.04, by adding a subdivision; 144A.38, by adding a subdivision; 144A.45, by adding a subdivision; 144A.61, by adding a subdivision; 256B.0928; proposing coding for new law in Minnesota Statutes, chapter 144D.

Referred to the Committee on Health and Family Security.

**Senators Foley and Robling introduced--**

**S.F. No. 434:** A bill for an act relating to traffic regulations; making seat belt violation a primary offense; requiring all passengers to wear a seat belt; imposing petty misdemeanor penalty; amending Minnesota Statutes 2002, sections 169.686, subdivision 1; 171.055, subdivision 2.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Ortman, Bachmann, Hann and Olson introduced--**

**S.F. No. 435:** A bill for an act relating to education finance; adjusting school district financial reporting dates; creating a notification process for operating referenda and debt elections; regulating school district elections for obligations; amending Minnesota Statutes 2002, sections 123B.77, subdivision 3; 205A.07, by adding a subdivision; 475.58, by adding a subdivision.



Referred to the Committee on Finance.

**Senators Reiter, Ourada and Kleis introduced--**

**S.F. No. 436:** A bill for an act relating to public safety; enacting the Minnesota Citizens' Personal Protection Act of 2003; recognizing the inherent right of law-abiding citizens to self-protection through the lawful use of self-defense; providing a system under which responsible, competent adults can exercise their right to self-protection by authorizing them to obtain a permit to carry a pistol; providing criminal penalties; appropriating money; amending Minnesota Statutes 2002, sections 609.66, subdivision 1d; 624.714, subdivisions 2, 3, 4, 6, 7, 8, 10, 12, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 624; repealing Minnesota Statutes 2002, section 624.714, subdivisions 1, 5.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Larson, Pappas, Kierlin, Ruud and Solon introduced--**

**S.F. No. 437:** A bill for an act relating to higher education; raising the statutory debt limit for the higher education facility's authority; amending Minnesota Statutes 2002, section 136A.29, subdivision 9.

Referred to the Committee on Finance.

**Senator Pogemiller introduced--**

**S.F. No. 438:** A bill for an act relating to taxation; allowing motor vehicle dealers to elect to pay motor vehicle sales tax or use tax for use of a vehicle other than for demonstration purposes; exempting loaner vehicles from motor vehicle sales tax and use tax; amending Minnesota Statutes 2002, sections 168A.03; 297B.035, by adding subdivisions.

Referred to the Committee on Taxes.

**Senators Robling, Belanger, Dibble and Anderson introduced--**

**S.F. No. 439:** A bill for an act relating to traffic regulations; authorizing statutory cities, home rule charter cities, and urban towns to develop and implement programs for peace officers to detect and cite traffic signal violations by use of photographic evidence; providing penalties; amending Minnesota Statutes 2002, section 169.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Anderson, Berglin, Lourey and Sparks introduced--**

**S.F. No. 440:** A bill for an act relating to health maintenance organizations; modifying enrollee cost sharing; amending Minnesota Statutes 2002, section 62D.095, subdivisions 3, 4.

Referred to the Committee on Health and Family Security.

**Senator Fischbach introduced--**

**S.F. No. 441:** A bill for an act relating to taxation; property; prohibiting an increase in estimated market value for homesteads owned by persons at least 65 years of age and within certain income limits; amending Minnesota Statutes 2002, sections 273.11, subdivision 5, by adding a subdivision; 273.121; 276.04, subdivision 2.

Referred to the Committee on Taxes.

**Senators Fischbach and Kierlin introduced--**

**S.F. No. 442:** A bill for an act relating to occupational safety and health; clarifying that certain penalty provisions do not apply to certain business owners; amending Minnesota Statutes 2002, section 182.666, subdivision 2a.

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

**Senator Kiscaden introduced--**

**S.F. No. 443:** A bill for an act relating to human services; expanding adult foster care license capacity; amending Minnesota Statutes 2002, section 245A.11, subdivision 2a.

Referred to the Committee on Health and Family Security.

**Senator Langseth introduced--**

**S.F. No. 444:** A bill for an act relating to health; establishing the senior citizen health benefit fund; modifying the use of funds in the medical education endowment and the tobacco prevention and local public health endowment; expanding eligibility for the prescription drug program; requiring recommendations for providing prescription drug assistance to senior citizens; appropriating money; amending Minnesota Statutes 2002, sections 62J.694, subdivision 2; 144.395, subdivision 2; 256.955, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Health and Family Security.

**Senator Langseth introduced--**

**S.F. No. 445:** A bill for an act relating to education finance; increasing funding for school districts with declining enrollment; amending Minnesota Statutes 2002, section 126C.05, subdivisions 5, 6.

Referred to the Committee on Finance.

**Senators Langseth and Skoe introduced--**

**S.F. No. 446:** A bill for an act relating to the city of Detroit Lakes; authorizing pooling of tax increments to meet certain debt service obligations of a tax increment financing district.

Referred to the Committee on Taxes.

**Senators Wergin and Jungbauer introduced--**

**S.F. No. 447:** A bill for an act relating to highways; authorizing issuance of \$5,000,000 in state trunk highway bonds for design for the reconstruction of a segment of marked trunk highway 10; appropriating money.

Referred to the Committee on Finance.

**Senators Berglin, Hottinger, Lourey, Kiscaden and Fischbach introduced--**

**S.F. No. 448:** A bill for an act relating to health; modifying regulatory requirements and standards for nursing facilities; amending Minnesota Statutes 2002, sections 144A.04, subdivision 3, by adding a subdivision; 144A.10, by adding a subdivision; 256B.434, subdivision 10; repealing Minnesota Statutes 2002, sections 256B.0915, subdivision 7; 256B.439; 256B.69, subdivision 6a.

Referred to the Committee on Health and Family Security.

**Senators Johnson, D.E. and Betzold introduced--**

**S.F. No. 449:** A bill for an act relating to retirement; volunteer firefighter relief associations; creating a task force to study the advantages and disadvantages of the creation of a statewide volunteer firefighter retirement plan; appropriating money.

Referred to the Committee on State and Local Government Operations.

**Senators Kiscaden, Michel, Scheid, Kelley and Olson introduced--**

**S.F. No. 450:** A bill for an act relating to education; revising charter school leave provisions; amending Minnesota Statutes 2002, section 124D.10, subdivision 20.

Referred to the Committee on Education.

**Senators Saxhaug, Stumpf, Scheid, Kelley and Olson introduced--**

**S.F. No. 451:** A bill for an act relating to elections; providing for elections for school districts to convert from election of school board members by election district to election at large; amending Minnesota Statutes 2002, section 205A.12, by adding a subdivision.

Referred to the Committee on Rules and Administration.

**Senators Scheid, Kelley, Neuville and Olson introduced--**

**S.F. No. 452:** A bill for an act relating to elections; eliminating the requirement for approval by the county auditor of an election conducted by mail; amending Minnesota Statutes 2002, section 204B.46.

Referred to the Committee on Rules and Administration.

**Senators Marty, Chaudhary and Dille introduced--**

**S.F. No. 453:** A bill for an act relating to fire safety; requiring commissioner of public safety to adopt rules for fire-retardant standard for cigarettes; prohibiting sale of cigarettes not meeting these standards; proposing coding for new law in Minnesota Statutes, chapter 299F.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Foley introduced--**

**S.F. No. 454:** A bill for an act relating to crime prevention; providing that the adult court has jurisdiction over traffic offenses committed by juveniles age 16 and above; amending Minnesota Statutes 2002, sections 260B.007, subdivisions 3, 6, 16; 260B.101, subdivision 1; 260B.103, subdivision 1; 260B.105, subdivision 3; 260B.171, subdivision 5; 260B.225, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9; 260C.007, subdivision 11.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Scheid, Kelley, Kiscaden, Anderson and Foley introduced--**

**S.F. No. 455:** A bill for an act relating to health; modifying prompt payment requirements; amending Minnesota Statutes 2002, section 62Q.75, subdivision 2.

Referred to the Committee on Commerce and Utilities.

**Senators Wiger; Johnson, D.E. and Langseth introduced--**

**S.F. No. 456:** A bill for an act relating to traffic regulations; exempting certain garbage trucks from seat belt law; amending Minnesota Statutes 2002, section 169.686, subdivision 2.

Referred to the Committee on Finance.

**Senators Belanger; Johnson, D.E.; Langseth and Dille introduced--**

**S.F. No. 457:** A bill for an act relating to traffic regulations; exempting garbage trucks and recycling vehicles from certain weight restrictions; amending Minnesota Statutes 2002, section 169.87, subdivision 6.

Referred to the Committee on Finance.

**Senators Rosen, Senjem, Vickerman, Larson and Murphy introduced--**

**S.F. No. 458:** A bill for an act relating to taxation; individual income; allowing a subtraction for certain military pension income; amending Minnesota Statutes 2002, section 290.01, subdivision 19b.

Referred to the Committee on Taxes.

**Senators Michel, LeClair and Kiscaden introduced--**

**S.F. No. 459:** A bill for an act relating to civil actions; regulating certain health care provider actions; providing for periodic payments of judgments; providing for certain jury instructions; limiting contingency fees; limiting the amount of damages for noneconomic loss; amending Minnesota Statutes 2002, sections 549.01; 549.25; proposing coding for new law in Minnesota Statutes, chapters 546; 548; 549.

Referred to the Committee on Judiciary.

**Senators Kiscaden, Saxhaug, LeClair and Michel introduced--**

**S.F. No. 460:** A bill for an act relating to civil actions; regulating certain actions against health care providers and employees; limiting recovery for noneconomic damages; proposing coding for new law in Minnesota Statutes, chapter 549.

Referred to the Committee on Judiciary.

**Senator Skoe introduced--**

**S.F. No. 461:** A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Norman county.

Referred to the Committee on Environment and Natural Resources.

**Senator Vickerman introduced--**

**S.F. No. 462:** A bill for an act relating to local government; shooting ranges; defining generally accepted operation practices; providing for relation to ordinances, closing and relocation, and nuisance liability; proposing coding for new law as Minnesota Statutes, chapter 87A.

Referred to the Committee on State and Local Government Operations.

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

**S.F. No. 463:** A bill for an act relating to education; providing for the payment of all special education aid directly to the serving district; amending Minnesota Statutes 2002, sections 124D.11, subdivision 5; 125A.11, subdivisions 1, 3; 125A.15.

Referred to the Committee on Finance.

**Senators Tomassoni; Wiger; Johnson, D.E.; Wergin and Senjem introduced--**

**S.F. No. 464:** A bill for an act relating to towns; permitting certain town officers to serve concurrently as firefighters; proposing coding for new law in Minnesota Statutes, chapter 365.

Referred to the Committee on State and Local Government Operations.

**Senators Bakk and Murphy introduced--**

**S.F. No. 465:** A bill for an act relating to state lands; modifying lease rates for certain leased state lands.

Referred to the Committee on Environment and Natural Resources.

**Senators Neuville, Rosen, Day and Koering introduced--**

**S.F. No. 466:** A bill for an act relating to motor vehicles; providing for special license plates for alternative fuel vehicles powered by E85 fuel; directing commissioner of transportation to authorize use of high-occupancy vehicle lanes by E85-fueled vehicles; proposing coding for new law in Minnesota Statutes, chapter 168.

Referred to the Committee on Finance.

**Senator Betzold introduced--**

**S.F. No. 467:** A bill for an act relating to civil actions; eliminating the prohibition on admissibility of certain evidence regarding seat belts and child passenger restraint systems in civil actions; repealing Minnesota Statutes 2002, section 169.685, subdivision 4.

Referred to the Committee on Judiciary.

**Senator Neuville introduced--**

**S.F. No. 468:** A bill for an act relating to state government; making permanent the requirement that certain litigation and settlement proceeds be deposited in the general fund; repealing Minnesota Statutes 2002, section 16A.151, subdivision 5.

Referred to the Committee on Finance.

**Senator Wiger introduced--**

**S.F. No. 469:** A bill for an act relating to traffic regulations; enacting the Safe School Zone Law; amending Minnesota Statutes 2002, section 169.14, subdivision 5a.

Referred to the Committee on Finance.

**Senators Scheid, Foley, Stumpf, Sams and Betzold introduced--**

**S.F. No. 470:** A bill for an act relating to education finance; defining a locally controlled process for establishing hazardous traffic condition pupil transportation zones; authorizing a levy for certain hazardous pupil transportation services; amending Minnesota Statutes 2002, sections 123B.88, by adding a subdivision; 123B.92, by adding a subdivision.

Referred to the Committee on Finance.

**Senator Neuville introduced--**

**S.F. No. 471:** A bill for an act relating to local government; extending a grant contract with the city of Arlington.

Referred to the Committee on Finance.

**Senators Neuville, Ourada and Sams introduced--**

**S.F. No. 472:** A bill for an act relating to local government; specifying that a township has the authority to require a natural gas utility to obtain a franchise from the township; amending Minnesota Statutes 2002, section 300.03.

Referred to the Committee on Commerce and Utilities.

**Senators Higgins, Vickerman, Solon and Frederickson introduced--**

**S.F. No. 473:** A bill for an act relating to human services; changing a council on disability provision; amending Minnesota Statutes 2002, section 256.482, subdivision 8.

Referred to the Committee on Health and Family Security.

**Senator Koering introduced--**

**S.F. No. 474:** A bill for an act relating to game and fish; providing a licensing exemption to supply turtles for nonprofit turtle racing; amending Minnesota Statutes 2002, section 97C.605, subdivision 2c.

Referred to the Committee on Environment and Natural Resources.

**Senator Neuville introduced--**

**S.F. No. 475:** A bill for an act relating to mortgages; regulating foreclosures by advertisement; modifying certain filing requirements; amending Minnesota Statutes 2002, sections 580.24; 580.25.

Referred to the Committee on Judiciary.

**Senators Bakk, Saxhaug and Tomassoni introduced--**

**S.F. No. 476:** A bill for an act relating to taxation; changing rate and computation of the mining occupation tax; delaying implementation of taconite production tax inflation adjustment; amending Minnesota Statutes 2002, sections 298.01, subdivisions 3, 4; 298.24, subdivision 1; repealing Minnesota Statutes 2002, section 298.01, subdivisions 3c, 3d, 4d, 4e.

Referred to the Committee on Taxes.

**Senators Tomassoni, Fischbach, Bakk and Ruud introduced--**

**S.F. No. 477:** A bill for an act relating to local government; providing procedures and criteria for municipal annexation of unincorporated land; providing certain exceptions; amending Minnesota Statutes 2002, sections 414.011, subdivision 5; 414.031; 414.033, subdivision 2; 414.0335, subdivisions 1, 2; 414.035; 414.036; proposing coding for new law in Minnesota Statutes, chapter 414.

Referred to the Committee on State and Local Government Operations.

**MEMBERS EXCUSED**

Senator Kelley was excused from the Session of today.

**ADJOURNMENT**

Senator Rest moved that the Senate do now adjourn until 10:00 a.m., Monday, February 24, 2003. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate





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