

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-THIRD LEGISLATURE

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TWENTY-FIFTH DAY

St. Paul, Minnesota, Monday, March 17, 2003

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

## CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Bryan O'Rourke.

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

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

Anderson	Gaither	Larson	Ortman	Senjem
Bachmann	Hann	LeClair	Ourada	Skoe
Bakk	Higgins	Limmer	Pappas	Skoglund
Belanger	Hottinger	Lourey	Pariseau	Solon
Berglin	Johnson, D.J.	Marko	Pogemiller	Sparks
Betzold	Jungbauer	Marty	Ranum	Stumpf
Chaudhary	Kelley	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 communication was received and referred to the committee indicated.

February 4, 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:

BUREAU OF MEDIATION SERVICES  
COMMISSIONER

James Cunningham, Jr., 515 Westby Dr., Spring Lake Park, in the county of Anoka, effective February 10, 2003, for a term that expires on January 1, 2007.

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

Sincerely,  
Tim Pawlenty, Governor

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 61:** A bill for an act relating to state government; specifying certain contents for a statement of need and reasonableness for proposed administrative rules; amending Minnesota Statutes 2002, section 14.131.

Senate File No. 61 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 2003

### CONCURRENCE AND REPASSAGE

Senator Betzold moved that the Senate concur in the amendments by the House to S.F. No. 61 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 61 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 219, 259, 314, 348 and 394.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 2003

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 219:** A bill for an act relating to education; encouraging retired teachers to serve as short-call substitute teachers; amending Minnesota Statutes 2002, section 122A.18, subdivision 7a.

Pursuant to Rule 45, placed on the Comparison Calendar.

**H.F. No. 259:** A bill for an act relating to drivers' licenses; removing sunset provisions to allow certain school buses to continue to be operated by licensed child care providers and by holders of Class D drivers' licenses under limited conditions; amending Minnesota Statutes 2002, sections 169.448, subdivision 1; 171.02, subdivision 2a; Laws 2001, chapter 97, section 5.

Pursuant to Rule 45, placed on the Comparison Calendar.

**H.F. No. 314:** A bill for an act relating to traffic regulations; allowing display of flashing blue lights to the front of emergency vehicles; amending Minnesota Statutes 2002, section 169.64, subdivision 4.

Pursuant to Rule 45, placed on the Comparison Calendar.

**H.F. No. 348:** A bill for an act relating to education; extending the time period during which type III vehicles may be used to transport school children; amending Minnesota Statutes 2002, section 169.454, subdivision 2.

Pursuant to Rule 45, placed on the Comparison Calendar.

**H.F. No. 394:** A bill for an act relating to municipalities; extending the maximum length of guaranteed energy savings contracts from ten to 15 years; amending Minnesota Statutes 2002, section 471.345, subdivision 13.

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

**S.F. No. 229:** A bill for an act relating to health; expanding authority of physician assistants; directing the commissioner of health to amend certain rules; amending Minnesota Statutes 2002, sections 147A.09, subdivision 2; 169.345, subdivision 2a; 253B.02, subdivision 7.

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 147A.09, subdivision 2, is amended to read:

Subd. 2. [DELEGATION.] Patient services may include, but are not limited to, the following, as delegated by the supervising physician and authorized in the agreement:

- (1) taking patient histories and developing medical status reports;
- (2) performing physical examinations;
- (3) interpreting and evaluating patient data;
- (4) ordering or performing diagnostic procedures;
- (5) ordering or performing therapeutic procedures;
- (6) providing instructions regarding patient care, disease prevention, and health promotion;
- (7) assisting the supervising physician in patient care in the home and in health care facilities;
- (8) creating and maintaining appropriate patient records;
- (9) transmitting or executing specific orders at the direction of the supervising physician;
- (10) prescribing, administering, and dispensing legend drugs and medical devices if this function has been delegated by the supervising physician pursuant to and subject to the limitations of section 147.34 and chapter 151. Physician assistants who have been delegated the authority to prescribe controlled substances shall maintain a separate addendum to the delegation form which lists all schedules and categories of controlled substances which the physician assistant has the authority to prescribe. This addendum shall be maintained with the physician-physician assistant agreement, and the delegation form at the address of record;
- (11) for physician assistants not delegated prescribing authority, administering legend drugs and medical devices following prospective review for each patient by and upon direction of the supervising physician;
- (12) functioning as an emergency medical technician with permission of the ambulance service and in compliance with section 144E.127, and ambulance service rules adopted by the commissioner of health; ~~and~~
- (13) initiating evaluation and treatment procedures essential to providing an appropriate response to emergency situations; and
- (14) certifying a physical disability under section 169.345, subdivision 2a.

Orders of physician assistants shall be considered the orders of their supervising physicians in all practice-related activities, including, but not limited to, the ordering of diagnostic, therapeutic, and other medical services.

Sec. 2. Minnesota Statutes 2002, section 169.345, subdivision 2a, is amended to read:

Subd. 2a. [PHYSICIAN'S, PHYSICIAN ASSISTANT'S, ADVANCED PRACTICE REGISTERED NURSE'S, OR CHIROPRACTOR'S STATEMENT.] (a) The commissioner shall develop a form for the physician's, physician assistant's, advanced practice registered nurse's, or chiropractor's statement. The statement must be signed by a licensed physician, registered physician assistant, advanced practice registered nurse, or licensed chiropractor who certifies that the applicant is a physically disabled person as defined in subdivision 2. The commissioner may request additional information from the physician, physician assistant, advanced practice registered nurse, or chiropractor if needed to verify the applicant's eligibility. The statement that the applicant is a physically disabled person must specify whether the disability is permanent or temporary, and if temporary, the opinion of the physician, physician assistant, advanced practice registered nurse, or chiropractor as to the duration of the disability. A physician, physician assistant, advanced practice registered nurse, or chiropractor who fraudulently certifies to the commissioner that a person is a physically disabled person as defined in subdivision 2, and that the person is entitled to the license plates authorized by section 168.021 or to the certificate authorized by this section, is guilty of a misdemeanor and is subject to a fine of \$500.

(b) The commissioner may waive the requirement of providing a statement of a licensed

physician, registered physician assistant, advanced practice registered nurse, or licensed chiropractor, if the applicant has previously filed with the commissioner a statement of a licensed physician, registered physician assistant, advanced practice registered nurse, or licensed chiropractor certifying that the applicant has a permanent physical disability.

Sec. 3. Minnesota Statutes 2002, section 253B.05, subdivision 2, is amended to read:

Subd. 2. [PEACE OR HEALTH OFFICER AUTHORITY.] (a) A peace or health officer may take a person into custody and transport the person to a licensed physician or treatment facility if the officer has reason to believe, either through direct observation of the person's behavior, or upon reliable information of the person's recent behavior and knowledge of the person's past behavior or psychiatric treatment, that the person is mentally ill or mentally retarded and in danger of injuring self or others if not immediately detained. A peace or health officer or a person working under such officer's supervision, may take a person who is believed to be chemically dependent or is intoxicated in public into custody and transport the person to a treatment facility. If the person is intoxicated in public or is believed to be chemically dependent and is not in danger of causing self-harm or harm to any person or property, the peace or health officer may transport the person home. The peace or health officer shall make written application for admission of the person to the treatment facility. The application shall contain the peace or health officer's statement specifying the reasons for and circumstances under which the person was taken into custody. If danger to specific individuals is a basis for the emergency hold, the statement must include identifying information on those individuals, to the extent practicable. A copy of the statement shall be made available to the person taken into custody.

(b) As far as is practicable, a peace officer who provides transportation for a person placed in a facility under this subdivision may not be in uniform and may not use a vehicle visibly marked as a law enforcement vehicle.

(c) A person may be admitted to a treatment facility for emergency care and treatment under this subdivision with the consent of the head of the facility under the following circumstances: (1) a written statement is made by the medical officer ~~on duty at the facility, or the officer's designee on duty at the facility,~~ if the designee is a licensed physician, a registered physician assistant, or an advanced practice registered nurse who is knowledgeable, trained, and practicing in the diagnosis and treatment of mental illness or mental retardation, that after preliminary examination the person has symptoms of mental illness or mental retardation and appears to be in danger of harming self or others if not immediately detained; or (2) a written statement is made by the institution program director or the director's designee on duty at the facility after preliminary examination that the person has symptoms of chemical dependency and appears to be in danger of harming self or others if not immediately detained or is intoxicated in public."

Delete the title and insert:

"A bill for an act relating to health; expanding authority of physician assistants and advanced practice registered nurses; amending Minnesota Statutes 2002, sections 147A.09, subdivision 2; 169.345, subdivision 2a; 253B.05, subdivision 2."

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. 593:** A bill for an act relating to human services; modifying an adult foster care licensing provision; amending Minnesota Statutes 2002, sections 245A.11, subdivision 2b.

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. 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.

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

Delete everything after the enacting clause and insert:

"Section 1. [144.6503] [NURSING FACILITIES THAT SERVE PERSONS WITH ALZHEIMER'S DISEASE OR RELATED DISORDERS.]

(a) If a nursing facility markets or otherwise promotes services for persons with Alzheimer's disease or related disorders, whether in a segregated or general unit, the facility's direct care staff and their supervisors must be trained in dementia care.

(b) Areas of required training include:

- (1) an explanation of Alzheimer's disease and related disorders;
- (2) assistance with activities of daily living;
- (3) problem solving with challenging behaviors; and
- (4) communication skills.

(c) The facility shall provide to consumers in written or electronic form a description of the training program, the categories of employees trained, the frequency of training, and the basic topics covered.

Sec. 2. Minnesota Statutes 2002, section 144A.45, is amended by adding a subdivision to read:

Subd. 5. [HOME CARE PROVIDERS THAT SERVE PERSONS WITH ALZHEIMER'S DISEASE OR RELATED DISORDERS.] (a) If a home care provider licensed under section 144A.46 or 144A.4605 markets or otherwise promotes services for persons with Alzheimer's disease or related disorders, the facility's direct care staff and their supervisors must be trained in dementia care.

(b) Areas of required training include:

- (1) an explanation of Alzheimer's disease and related disorders;
- (2) assistance with activities of daily living;
- (3) problem solving with challenging behaviors; and
- (4) communication skills.

(c) The licensee shall provide to consumers in written or electronic form a description of the training program, the categories of employees trained, the frequency of training, and the basic topics covered.

Sec. 3. [144D.065] [ESTABLISHMENTS THAT SERVE PERSONS WITH ALZHEIMER'S DISEASE OR RELATED DISORDERS.]

(a) If a housing with services establishment registered under this chapter markets or otherwise promotes services for persons with Alzheimer's disease or related disorders, whether in a segregated or general unit, the facility's direct care staff and their supervisors must be trained in dementia care.

(b) Areas of required training include:

- (1) an explanation of Alzheimer's disease and related disorders;
- (2) assistance with activities of daily living;
- (3) problem solving with challenging behaviors; and
- (4) communication skills.

(c) The establishment shall provide to consumers in written or electronic form a description of the training program, the categories of employees trained, the frequency of training, and the basic topics covered. This information satisfies the disclosure requirements of section 325F.72, subdivision 2, clause (4).

Sec. 4. Minnesota Statutes 2002, section 245A.04, is amended by adding a subdivision to read:

Subd. 12. [ADULT DAY CARE FACILITIES THAT SERVE PERSONS WITH ALZHEIMER'S DISEASE OR RELATED DISORDERS.] (a) If an adult day care facility markets or otherwise promotes services for persons with Alzheimer's disease or related disorders, the facility's direct care staff and their supervisors must be trained in dementia care.

(b) Areas of required training include:

- (1) an explanation of Alzheimer's disease and related disorders;
- (2) assistance with activities of daily living;
- (3) problem solving with challenging behaviors; and
- (4) communication skills.

(c) The facility shall provide to consumers in written or electronic form a description of the training program, the categories of employees trained, the frequency of training, and the basic topics covered."

Delete the title and insert:

"A bill for an act relating to human services; requiring specialized Alzheimer's disease training in certain facilities and services; providing for consumer disclosure; amending Minnesota Statutes 2002, sections 144A.45, by adding a subdivision; 245A.04, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 144; 144D."

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. 179:** A bill for an act relating to health occupations; requiring the commissioner of health to license denturists; permitting the practice of denturism in this state; establishing licensure and examination requirements; establishing a denture technology advisory council; creating fees; authorizing rulemaking; providing a penalty; amending Minnesota Statutes 2002, sections 116J.70, subdivision 2a; 144.335, subdivision 1; 150A.05, subdivision 2; 319B.40; proposing coding for new law as Minnesota Statutes, chapter 150B.

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

Page 2, delete lines 14 to 16 and insert:

"A licensed dentist may engage in the practice of denturism only on patients at facilities that serve individuals who are uninsured or who are Minnesota health care public program recipients and who are cared for at a hospital; nursing home; home health agency; group home serving the elderly or disabled; state-operated facility licensed by the commissioner of human services or the commissioner of corrections; federal, state, or local public health facility; or nonprofit organization."

Page 3, delete lines 11 to 27 and insert:

"Before providing any denturism services to a patient, a dentist must receive from the patient a certificate of oral health from a licensed dentist or physician certifying that a denture will pose no threat to the patient's health. The certificate must be dated within 60 days from the date the services are performed by the dentist."

Page 5, line 32, after "pathology" insert ", infection control, medical emergencies, and clinical experience"

Page 17, after line 14, insert:

"Sec. 17. [EVALUATION OF LICENSED DENTURISTS.]

The dental access advisory committee established under Minnesota Statutes, section 256B.55, shall evaluate the use of denturists in the public assistance programs. The evaluation shall include the quality of services provided by licensed denturists, the cost effectiveness of using licensed denturists, and the overall effect on dental access. Based on the evaluation, the advisory committee shall include in the report required to be submitted to the legislature on February 1, 2006, recommendations on repealing Minnesota Statutes, section 150B.02, and on the requirement specified in Minnesota Statutes, section 150B.05, that a patient present a dentist with a certificate of oral health from a licensed dentist or physician before receiving services from the dentist."

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

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

**S.F. No. 189:** A bill for an act relating to public safety; providing that a public safety officer death benefit is paid to the officer's estate if there is no eligible spouse or dependent; amending Minnesota Statutes 2002, section 299A.44, subdivision 1.

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

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

**S.F. No. 188:** A bill for an act relating to law enforcement; modifying the policy for reimbursing public employers for certain officer and firefighter health insurance benefits; requiring the commissioner of public safety to reimburse certain claims from other available funds; amending Minnesota Statutes 2002, sections 299A.42; 299A.465, subdivision 4.

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

Page 1, line 20, delete "July 1, 2002" and insert "the day following final enactment"

Page 2, line 6, delete "July 1, 2002" and insert "the day following final enactment"

Page 2, line 16, delete "July 1, 2002" and insert "the day following final enactment"

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. 381:** A bill for an act relating to fire protection industry licensing; requiring



certification for installers of multipurpose potable water piping systems; requiring licensing for multipurpose potable water piping system contractors; amending Minnesota Statutes 2002, sections 299M.01, by adding subdivisions; 299M.03, by adding subdivisions; 299M.04; 299M.11, subdivisions 1, 2.

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

Page 2, lines 12 and 24, delete "owner of an occupied" and insert "owner-occupant of a"

Page 4, lines 1 and 2, delete "the day following final enactment" and insert "July 1, 2004"

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

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

**S.F. No. 512:** A bill for an act relating to the metropolitan council; removing the city of Rockford from the jurisdiction of the metropolitan council; amending Minnesota Statutes 2002, sections 473.121, subdivision 2; 473.123, subdivision 3c.

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. 602:** A bill for an act relating to metropolitan government; providing for the confirmation of the chair of the metropolitan airports commission by the senate; clarifying the terms of office of the members of the metropolitan airports commission; amending Minnesota Statutes 2002, sections 473.601, subdivision 4; 473.604, subdivisions 1, 2, by adding a subdivision.

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

Page 3, line 16, strike "Except as provided in"

Page 3, line 17, strike "subdivision" and delete the new language and strike the comma

Page 3, line 32, after the period, insert "The members serving on the effective date of the redistricting of the districts of the metropolitan council continue to serve until a successor is duly appointed and has qualified."

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

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

**S.F. No. 316:** A bill for an act relating to the open meeting law; establishing an administrative remedy for violations of the law; prescribing civil penalties; amending Minnesota Statutes 2002, section 13D.06, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapter 13D.

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 13.072, subdivision 1, is amended to read:

Subdivision 1. [OPINION; WHEN REQUIRED.] (a) Upon request of a ~~state agency, statewide system, or political subdivision~~ government entity, the commissioner may give a written opinion on any question relating to public access to government data, rights of subjects of data, or classification of data under this chapter or other Minnesota statutes governing government data practices. Upon request of any person who disagrees with a determination regarding data practices made by a ~~state agency, statewide system, or political subdivision~~ government entity, the commissioner may give a written opinion regarding the person's rights as a subject of government data or right to have access to government data.

(b) Upon request of a body subject to chapter 13D, the commissioner may give a written opinion on any question relating to the body's duties under chapter 13D. Upon request of a person who disagrees with the manner in which members of a governing body perform their duties under chapter 13D, the commissioner may give a written opinion on compliance with chapter 13D. A governing body or person requesting an opinion under this paragraph must pay the commissioner a fee of \$.....

(c) If the commissioner determines that no opinion will be issued, the commissioner shall give the ~~state agency, statewide system, political subdivision,~~ government entity or body subject to chapter 13D or person requesting the opinion notice of the decision not to issue the opinion within five days of receipt of the request. If this notice is not given, the commissioner shall issue an opinion within 20 days of receipt of the request.

(d) For good cause and upon written notice to the person requesting the opinion, the commissioner may extend this deadline for one additional 30-day period. The notice must state the reason for extending the deadline. The ~~state agency, statewide system, government entity or political subdivision~~ members of a body subject to chapter 13D must be provided a reasonable opportunity to explain the reasons for its decision regarding the data or how they perform their duties under chapter 13D. The commissioner or the ~~state agency, statewide system, government entity or political subdivision~~ body subject to chapter 13D may choose to give notice to the subject of the data concerning the dispute regarding the data or compliance with chapter 13D.

~~(b)~~ (e) This section does not apply to a determination made by the commissioner of health under section 13.3805, subdivision 1, paragraph (b), or 144.6581.

(e) (f) A written opinion issued by the attorney general shall take precedence over an opinion issued by the commissioner under this section.

Sec. 2. Minnesota Statutes 2002, section 13.072, subdivision 2, is amended to read:

Subd. 2. [EFFECT.] Opinions issued by the commissioner under this section are not binding on the ~~state agency, statewide system, government entity or political subdivision~~ members of a body subject to chapter 13D whose data or performance of duties is the subject of the opinion, but an opinion described in subdivision 1, paragraph (a), must be given deference by a court in a proceeding involving the data. The commissioner shall arrange for public dissemination of opinions issued under this section. This section does not preclude a person from bringing any other action under this chapter or other law in addition to or instead of requesting a written opinion. A government entity, members of a body subject to chapter 13D, or person that acts in conformity with a written opinion of the commissioner issued to the government entity, members, or person or to another party is not liable for compensatory or exemplary damages or awards of attorneys fees in actions under section 13.08 or for a penalty under section 13.09 or for fines, awards of attorneys fees, or any other penalty under chapter 13D. A member of a body subject to chapter 13D is not subject to forfeiture of office if the member was acting in reliance on an opinion."

Delete the title and insert:

"A bill for an act relating to the open meeting law; authorizing the commissioner of administration to issue written opinions regarding compliance with the law; amending Minnesota Statutes 2002, section 13.072, subdivisions 1, 2."

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

**Senator Anderson from the Committee on Commerce and Utilities, to which was referred**

**S.F. No. 83:** A bill for an act relating to commerce; regulating the issuance of financial transaction cards; proposing coding for new law in Minnesota Statutes, chapter 325G.

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

Page 1, line 9, after "card" insert "by the person in whose name the card is being issued"

Page 1, line 12, after the period, insert "This prohibition does not apply to the issuance of a financial transaction card by a state agency or political subdivision of the state for the purpose of delivering government benefits or services."

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

**Senator Anderson from the Committee on Commerce and Utilities, to which was referred**

**S.F. No. 521:** A bill for an act relating to commerce; regulating sales of American flags and related items; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

**Senator Anderson from the Committee on Commerce and Utilities to which was referred**

**S.F. No. 291:** 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.

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

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

**S.F. No. 155:** A bill for an act relating to insurance; regulating coverage for communication aids or devices; amending Minnesota Statutes 2002, sections 62E.06, subdivision 1; 62L.05, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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. 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.

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

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

**S.F. No. 269:** A bill for an act relating to insurance; requiring coverage for prescription contraceptives; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Page 2, line 4, after the period, insert "Nothing in this section shall be construed to require

coverage for any contraceptive drug or device that is available over the counter and is not prescribed by a health care provider."

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

### **SECOND READING OF SENATE BILLS**

S.F. Nos. 229, 433, 512, 83, 521, 291 and 269 were read the second time.

### **SECOND READING OF HOUSE BILLS**

H.F. Nos. 266 and 95 were read the second time.

### **MOTIONS AND RESOLUTIONS**

Senator Belanger moved that his name be stricken as a co-author to S.F. No. 35. The motion prevailed.

Senator Skoglund moved that the name of Senator Wiger be added as a co-author to S.F. No. 124. The motion prevailed.

Senator Belanger moved that his name be stricken as a co-author to S.F. No. 244. The motion prevailed.

Senator Belanger moved that his name be stricken as a co-author to S.F. No. 665. The motion prevailed.

Senator Betzold moved that the name of Senator Cohen be added as a co-author to S.F. No. 769. The motion prevailed.

Senator Anderson moved that the name of Senator Rosen be added as a co-author to S.F. No. 864. The motion prevailed.

Senator Vickerman moved that S.F. No. 18 be withdrawn from the Committee on Health and Family Security and returned to its author. The motion prevailed.

Senator Scheid moved that S.F. No. 147 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Kiscaden moved that S.F. No. 478 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Stumpf moved that S.F. No. 583 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Sparks moved that S.F. No. 626 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Tomassoni moved that S.F. No. 681 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Koering moved that S.F. No. 691 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Tomassoni moved that S.F. No. 694 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Jungbauer moved that S.F. No. 744 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Kelley moved that S.F. No. 766 be withdrawn from the Committee on Education and re-referred to the Committee on Commerce and Utilities. The motion prevailed.

Senator Lourey moved that S.F. No. 782 be withdrawn from the Committee on Agriculture, General Legislation and Veterans Affairs and re-referred to the Committee on Health and Family Security. The motion prevailed.

**Senator Lourey introduced--**

**Senate Resolution No. 42:** A Senate resolution congratulating Colt J. Edin of Askov, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Lourey introduced--**

**Senate Resolution No. 43:** A Senate resolution commemorating the 85th anniversary of the Fires of 1918.

Referred to the Committee on Rules and Administration.

Senator Berglin moved that her name be stricken as chief author, and the name of Senator Kiscaden be shown as chief author to S.F. No. 448. The motion prevailed.

Senator Sparks moved that S.F. No. 344 be withdrawn from the Committee on Finance and re-referred to the Committee on Judiciary. The motion prevailed.

Senator Wiger moved that S.F. No. 155 be withdrawn from the Committee on Finance, given a second reading, and placed on General Orders. The motion prevailed.

S.F. No. 155 was read the second time.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

**Senators Knutson, Pogemiller, Pappas, Ranum and Ourada introduced--**

**S.F. No. 865:** A bill for an act relating to utilities; providing for liability under the one call excavation notice system; amending Minnesota Statutes 2002, section 216D.06, subdivision 2.

Referred to the Committee on Commerce and Utilities.

**Senators Sams; Frederickson; Rosen; Johnson, D.E. and Tomassoni introduced--**

**S.F. No. 866:** A bill for an act relating to energy; exempting small municipal utilities from certain conservation reporting requirements; authorizing use of conservation funds for refurbishing municipal district heating and cooling systems; amending Minnesota Statutes 2002, section 216B.241, subdivision 1b.

Referred to the Committee on Commerce and Utilities.

**Senators Jungbauer, Olson and Pariseau introduced--**

**S.F. No. 867:** A bill for an act relating to education; providing that school districts need not comply with mandates unless revenue to comply is identified; proposing coding for new law in Minnesota Statutes, chapter 123B.

Referred to the Committee on Education.

**Senators Rest, Moua, Belanger, Marty and Tomassoni introduced--**

**S.F. No. 868:** A bill for an act relating to taxation; income tax administration; appropriating money for grants to nonprofit entities to facilitate the delivery of volunteer assistance to low-income taxpayers.

Referred to the Committee on Finance.

**Senators Larson, Foley, McGinn, Pappas and Kierlin introduced--**

**S.F. No. 869:** A bill for an act relating to crime prevention; increasing the surcharge on criminal and traffic offenders and using this money to supplement the operating funds of the law enforcement agency responsible for the conviction; amending Minnesota Statutes 2002, section 357.021, subdivisions 6, 7.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Tomassoni introduced--**

**S.F. No. 870:** A bill for an act relating to education; directing the Minnesota state high school league to adopt a policy on corporate sponsorships; repealing league provisions that prohibit certain commercial relations, subject the league to budget instructions from the finance commissioner, permit the state board of investment to invest nonretirement funds of the league and direct the commissioner of children, families, and learning to annually review league information; amending Minnesota Statutes 2002, section 128C.02, subdivision 1; repealing Minnesota Statutes 2002, sections 128C.01, subdivision 5; 128C.02, subdivision 8; 128C.13.

Referred to the Committee on Education.

**Senators Metzen, McGinn and Knutson introduced--**

**S.F. No. 871:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for a senior assisted living facility in Dakota county.

Referred to the Committee on Finance.

**Senator Scheid introduced--**

**S.F. No. 872:** A bill for an act relating to real property; conveyances by spouses; purchase-money mortgages; amending Minnesota Statutes 2002, sections 507.02; 507.03.

Referred to the Committee on Judiciary.

**Senators Dille, Vickerman, Sams, Tomassoni and Michel introduced--**

**S.F. No. 873:** A bill for an act relating to public employment; exempting employees of public hospitals from any salary and wage rate freeze that may be imposed by law.

Referred to the Committee on State and Local Government Operations.

**Senators Higgins, Skoglund, Berglin, Limmer and Hann introduced--**

**S.F. No. 874:** A bill for an act relating to government data practices; providing for disclosure and sharing of certain data; amending Minnesota Statutes 2002, sections 13.46, subdivision 7; 144.335, by adding a subdivision; 626.556, by adding a subdivision; 626.557, subdivision 9a.

Referred to the Committee on Judiciary.

**Senators Stumpf and Kelley introduced--**

**S.F. No. 875:** A bill for an act relating to education; providing for the department of children, families, and learning administrative amendment and repeal of certain statutory provisions relating to kindergarten through grade 12; amending Minnesota Statutes 2002, sections 12.21, subdivision 3; 120A.05, subdivision 9; 122A.63, subdivision 3; 123A.06, subdivision 3; 123A.18, subdivision 2; 123A.73, subdivisions 3, 4, 5; 123B.51, subdivisions 3, 4; 123B.57, subdivision 4; 123B.63, subdivisions 1, 2, 3, 4; 123B.91, subdivision 1; 123B.92, subdivisions 1, 3; 124D.09, subdivisions 9, 10, 16; 124D.11, subdivisions 1, 2; 124D.135, subdivision 8; 124D.16, subdivision 6; 124D.19, subdivision 3; 124D.20, subdivision 5; 124D.22, subdivision 3; 124D.454, subdivisions 2, 8, 10, by adding a subdivision; 124D.65, subdivision 5; 124D.86, subdivisions 1a, 3, 6; 125A.21, subdivision 2; 126C.10, subdivision 6; 126C.15, subdivision 1; 126C.17, subdivisions 7a, 9; 126C.21, subdivision 3; 126C.42, subdivision 1; 126C.48, subdivision 3; 126C.63, subdivisions 5, 8; 126C.69, subdivisions 2, 9; 127A.47, subdivisions 7, 8; 127A.49, subdivisions 2, 3; 128D.11, subdivision 8; 169.26, subdivision 3; 169.973, subdivision 1; 178.02, subdivision 1; 273.138, subdivision 6; 298.28, subdivision 4; 475.61, subdivision 4; Laws 1965, chapter 705, as amended; repealing Minnesota Statutes 2002, sections 123A.73, subdivisions 7, 10, 11; 123B.81, subdivision 6; 124D.65, subdivision 4; 124D.84, subdivision 2; 125A.023, subdivision 5; 125A.47; 125B.11; 126C.01, subdivision 4; 126C.14; 127A.41, subdivision 6; Laws 2001, First Special Session chapter 6, article 5, section 12, as amended; Minnesota Rules, parts 3500.0600; 3520.0400; 3520.1400; 3520.3300; 3530.1500; 3530.2700; 3530.4400; 3530.4500; 3530.4700; 3545.2100; 3545.2200; 3545.2400; 3545.2500; 3545.2600; 3545.3008; 3545.3010; 3545.3018; 3545.3020; 3550.0100.

Referred to the Committee on Education.

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

**S.F. No. 876:** A bill for an act relating to human services; modifying eligibility requirements to the MinnesotaCare program; amending Minnesota Statutes 2002, sections 256L.05, subdivision 3a; 256L.07, subdivision 3; 256L.15, subdivision 1a.

Referred to the Committee on Health and Family Security.

**Senators Rest, Belanger, Limmer and Pogemiller introduced--**

**S.F. No. 877:** A bill for an act relating to taxation; providing for exemption from sales and use taxes on certain delivery or distribution charges for direct mail; amending Minnesota Statutes 2002, sections 297A.61, by adding a subdivision; 297A.68, subdivision 36.

Referred to the Committee on Taxes.

**Senators Metzen; Ourada; Hottinger; Johnson, D.E. and Kelley introduced--**

**S.F. No. 878:** A bill for an act relating to property; modifying provisions relating to certificates of title to manufactured homes; amending Minnesota Statutes 2002, section 168A.141.

Referred to the Committee on Commerce and Utilities.

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

**S.F. No. 879:** A bill for an act relating to higher education; making changes to the higher education services office; amending Minnesota Statutes 2002, sections 136A.03; 136A.031, subdivisions 2, 5; repealing Minnesota Statutes 2002, sections 15A.081, subdivision 7b; 136A.011; 136A.031, subdivisions 1, 3, 4; 136A.07.

Referred to the Committee on Education.

**Senators Belanger, Ruud, Kierlin and Metzen introduced--**

**S.F. No. 880:** A bill for an act relating to appropriations; appropriating money to the Mississippi river parkway commission.

Referred to the Committee on Finance.

**Senators Murphy; Johnson, D.E.; Ourada; Metzen and Langseth introduced--**

**S.F. No. 881:** A bill for an act relating to traffic regulations; removing sunset clauses on provisions relating to gross weight of utility vehicles; amending Laws 2000, chapter 433, section 4.

Referred to the Committee on Finance.

**Senators Langseth, Frederickson, Gaither, Sams and Murphy introduced--**

**S.F. No. 882:** A bill for an act relating to capital investment; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; appropriating money for natural resource and environment projects; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

**Senators Berglin, Higgins, Marty and Cohen introduced--**

**S.F. No. 883:** A bill for an act relating to landlords and tenants; modifying provisions relating to expungement of eviction information; amending Minnesota Statutes 2002, section 484.014, subdivision 2, by adding a subdivision.

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

**Senators Dibble, Sams, Dille and Scheid introduced--**

**S.F. No. 884:** A bill for an act relating to economic development; providing assistance to Minnesota businesses seeking federal contracts; appropriating money.

Referred to the Committee on Finance.

**Senator Saxhaug introduced--**

**S.F. No. 885:** A bill for an act relating to counties; authorizing counties to transfer jurisdiction and ownership of vacated county highway; amending Minnesota Statutes 2002, section 163.11, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

**Senator Saxhaug introduced--**

**S.F. No. 886:** A bill for an act relating to counties; expanding authority to acquire real property by exchange; amending Minnesota Statutes 2002, section 373.01, subdivision 1.

Referred to the Committee on State and Local Government Operations.

**Senators Saxhaug, Langseth, Frederickson and Pariseau introduced--**



**S.F. No. 887:** A bill for an act relating to natural resources; modifying game and migratory waterfowl refuge provisions; providing for suspension of game and fish license and permit privileges under certain circumstances; modifying certain game license provisions; modifying certain fish possession restrictions; amending Minnesota Statutes 2002, sections 97A.085, subdivisions 2, 3, 4; 97A.095, subdivisions 1, 2; 97A.421, by adding a subdivision; 97A.435, subdivision 4; 97B.721; 97C.401, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

**Senators Saxhaug, Bakk, Skoe and Ruud introduced--**

**S.F. No. 888:** A bill for an act relating to natural resources; modifying provisions for the sale of state timber; providing criminal penalties; amending Minnesota Statutes 2002, sections 90.01, by adding a subdivision; 90.101; 90.121; 90.14; 90.151, subdivisions 1, 2; 90.161, subdivision 1; 90.173; 90.191, subdivisions 3, 4; 90.251, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 90.

Referred to the Committee on Environment and Natural Resources.

**Senator Rest introduced--**

**S.F. No. 889:** A bill for an act relating to retirement; Minneapolis teachers retirement fund association; mandating employer payment on a previously authorized purchase of service credit in accordance with legislative commission on pensions and retirement policy that retirement benefits should be financed on a shared basis between the public employee and the public employer; repealing Laws 2000, chapter 461, article 19, section 6.

Referred to the Committee on State and Local Government Operations.

**Senators Chaudhary, Langseth and Higgins introduced--**

**S.F. No. 890:** A bill for an act relating to health; establishing an automatic external defibrillator acquisition and distribution program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144E.

Referred to the Committee on Health and Family Security.

**Senator Rest introduced--**

**S.F. No. 891:** A bill for an act relating to housing and economic development authorities; authorizing an authority to create certain legal entities to engage in housing activities; amending Minnesota Statutes 2002, section 469.012, subdivision 1.

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

**Senators Stumpf, Langseth and Skoe introduced--**

**S.F. No. 892:** A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing sale of state bonds; appropriating money.

Referred to the Committee on Finance.

**Senators Limmer, Cohen, Neuville, Marty and Wiger introduced--**

**S.F. No. 893:** A bill for an act relating to marriage dissolution; requiring attendance at certain orientation programs; amending Minnesota Statutes 2002, sections 518.091; 518.10.

Referred to the Committee on Judiciary.

**Senators Chaudhary, Ranum, Skoe, Tomassoni and Stumpf introduced--**

**S.F. No. 894:** A bill for an act relating to children; providing for an advisory task force on placement of high-risk youth; requiring a report.

Referred to the Committee on Health and Family Security.

**Senators Rosen, Senjem, Sparks, Dille and Vickerman introduced--**

**S.F. No. 895:** A bill for an act relating to motor fuels; requiring that certain gasoline to contain ten percent denatured ethanol; amending Minnesota Statutes 2002, section 239.791, subdivision 1.

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

**Senators Anderson, Moua and Cohen introduced--**

**S.F. No. 896:** A bill for an act relating to capital improvements; appropriating money for the Como Park Conservatory restoration project; authorizing the sale of state bonds.

Referred to the Committee on Finance.

**Senators Lourey, Vickerman and Langseth introduced--**

**S.F. No. 897:** A bill for an act relating to agriculture; restricting sales of ethanol plants; amending Minnesota Statutes 2002, section 41A.09, by adding a subdivision.

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

**Senators Moua, Higgins, Anderson, Solon and Lourey introduced--**

**S.F. No. 898:** A bill for an act relating to taxes; providing a tax credit for a qualifying affordable housing contribution; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senators Bachmann, LeClair, Jungbauer and Ourada introduced--**

**S.F. No. 899:** A bill for an act relating to elections; fair campaign practices; prohibiting distorted photographs of candidates in campaign materials; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 211B.

Referred to the Committee on Rules and Administration.

**Senators Berglin and Dibble introduced--**

**S.F. No. 900:** A bill for an act relating to civil law; exempting harassment restraining order actions from mandatory alternative dispute resolution requirements; amending Minnesota Statutes 2002, section 484.76, subdivision 1.

Referred to the Committee on Judiciary.

**Senators Bachmann, Kubly, Senjem, Wiger and McGinn introduced--**

**S.F. No. 901:** A bill for an act relating to taxation; property; providing for physical appraisal of property every five years; amending Minnesota Statutes 2002, sections 273.01; 273.08.

Referred to the Committee on Taxes.

**Senators Rosen, Scheid, Sams and Bachmann introduced--**

**S.F. No. 902:** A bill for an act relating to economic development; modifying the rural challenge grant program; increasing the amount that may be used to administer the contamination cleanup grant program; eliminating a report and obsolete references; amending Minnesota Statutes 2002, sections 17.101, subdivision 1; 115C.08, subdivision 4; 116J.415, subdivisions 1, 2, 4, 5, 7, 11; 116J.955, subdivision 2; 116J.966, subdivision 1; 116L.04, subdivision 1a; repealing Minnesota Statutes 2002, sections 13.598, subdivision 2; 116J.411, subdivision 3; 116J.415, subdivisions 6, 9, 10; 116J.9665.

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

**Senators Lourey, Sams, Langseth, Murphy and Dille introduced--**

**S.F. No. 903:** A bill for an act relating to agriculture; enhancing markets for dairy and other nutritional products; regulating the availability and sale of certain beverages in public schools; prohibiting certain provisions in contracts between beverage vendors and schools or school districts; amending Minnesota Statutes 2002, section 123B.02, by adding a subdivision.

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

**Senator Cohen introduced--**

**S.F. No. 904:** A bill for an act relating to state government; state vehicles; regulating the leasing or other acquisition of motor vehicles for the use of state officials and employees; amending Minnesota Statutes 2002, section 16B.54, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

**Senators Murphy, Sams and Dille introduced--**

**S.F. No. 905:** A bill for an act relating to environment; modifying expenditure limits for upgrading feedlots; amending Minnesota Statutes 2002, section 116.07, subdivision 7.

Referred to the Committee on Environment and Natural Resources.

**Senator Skoglund introduced--**

**S.F. No. 906:** A bill for an act relating to corrections; authorizing collection of treatment co-pays from offenders I; amending Minnesota Statutes 2002, section 241.272, by adding a subdivision.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Skoglund introduced--**

**S.F. No. 907:** A bill for an act relating to corrections; authorizing Department of Corrections forensic pathologists to issue death certificates; amending Minnesota Statutes 2002, section 390.23.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Sams, Ruud, Ourada, Sparks and Skoe introduced--**

**S.F. No. 908:** A bill for an act relating to telecommunications; deregulating independent telephone companies; amending Minnesota Statutes 2002, section 237.01, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 237.

Referred to the Committee on Commerce and Utilities.

**Senators Scheid, Metzen, Betzold, Ourada and Johnson, D.J. introduced--**

**S.F. No. 909:** A bill for an act relating to gambling; proposing an amendment to the Minnesota Constitution, article X, section 8; allowing casino gaming at licensed pari-mutuel racetracks; authorizing licensed racetracks to operate casinos on the licensed premises; appropriating money; amending Minnesota Statutes 2002, sections 240.01, by adding a subdivision; 240.03; 240.07, subdivisions 2, 3, 4, 6; 240.08, subdivision 1; 240.10; 240.13, subdivision 6; 240.15, subdivision 3, by adding a subdivision; 240.22; 240.23; 240.27, subdivisions 1, 5; 240.35, subdivision 1; 299L.07, subdivision 2a; 541.20; 541.21; 609.75, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 240.

Referred to the Committee on State and Local Government Operations.

**Senators Robling, Ourada, Wergin and Jungbauer introduced--**

**S.F. No. 910:** A bill for an act relating to state government; putting a limit on the amount to be spent on art in state-financed buildings; amending Minnesota Statutes 2002, section 16B.35, subdivision 1.

Referred to the Committee on State and Local Government Operations.

**Senator Sams introduced--**

**S.F. No. 911:** A bill for an act relating to local government; providing an exception to the conflict of interest law for township officers; amending Minnesota Statutes 2002, section 471.88, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

**Senators Kiscaden, Kierlin and Metzen introduced--**

**S.F. No. 912:** A bill for an act relating to human services; requiring biennial information on asset diversion; expanding information available through the senior linkage line; applying excess homestead equity towards the cost of long-term care; extending the prohibition on certain transfers of income and assets to 72 months prior to application for medical assistance; providing a period of ineligibility; providing exceptions; requiring the commissioner of human services to seek a waiver; amending Minnesota Statutes 2002, sections 256.01, by adding a subdivision; 256.975, subdivision 7; 256B.0595, by adding subdivisions.

Referred to the Committee on Health and Family Security.

**Senators Kelley, Foley, Sams, Lourey and Higgins introduced--**

**S.F. No. 913:** A bill for an act relating to health; establishing qualified eligibility clearinghouses to provide eligibility data to health care providers; proposing coding for new law in Minnesota Statutes, chapter 62J.

Referred to the Committee on Health and Family Security.

**Senators Scheid, Kelley, Larson, Dibble and Kierlin introduced--**

**S.F. No. 914:** A bill for an act relating to alcoholic beverages; authorizing off-sale wine licenses for supermarkets; amending Minnesota Statutes 2002, sections 340A.101, by adding a subdivision; 340A.408, subdivision 3; 340A.412, subdivision 3; 340A.413, subdivision 5; 340A.503, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce and Utilities.

**Senators Chaudhary and Neuville introduced--**

**S.F. No. 915:** A bill for an act relating to drivers' licenses; restricting use of provisional driver's license; requiring all passengers in vehicle operated by provisional license holder to use seat belts; requiring behind-the-wheel training to obtain full driver's license before age 18 after certain violations; amending Minnesota Statutes 2002, sections 169.686, subdivision 1; 171.04, subdivision 1; 171.055, subdivision 2.

Referred to the Committee on Crime Prevention and Public Safety.

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

**S.F. No. 916:** A bill for an act relating to children; appropriating money for the lead hazard reduction project.

Referred to the Committee on Finance.

**Senators Higgins, Hottinger, Rest and Marty introduced--**

**S.F. No. 917:** A bill for an act relating to campaign finance; prohibiting party units from accepting contributions indirectly they could not accept directly; amending Minnesota Statutes 2002, section 10A.27, by adding a subdivision.

Referred to the Committee on Rules and Administration.

**Senator Ruud introduced--**

**S.F. No. 918:** A bill for an act relating to education; providing that school districts need not comply with mandates unless revenue to comply is identified; proposing coding for new law in Minnesota Statutes, chapter 123B.

Referred to the Committee on Education.

**Senators Robling and Day introduced--**

**S.F. No. 919:** A bill for an act relating to the state auditor; changing outdated language; modifying duties of the state auditor; clarifying accrued liability determination; amending Minnesota Statutes 2002, sections 6.71; 6.72, subdivision 1; 6.74; 6.75; 6.77; 6.772, subdivision 2; 115A.929; 306.95; 458D.17, subdivision 5; 471.696; 477A.014, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 6; repealing Minnesota Statutes 2002, sections 3.971, subdivision 8; 149A.97, subdivision 8; 163.10; 306.97.

Referred to the Committee on State and Local Government Operations.

**Senator Pogemiller introduced--**

**S.F. No. 920:** A bill for an act relating to education; providing for performance bonds for certain school district contracts; amending Minnesota Statutes 2002, section 574.26, subdivision 2.

Referred to the Committee on Education.

**Senators Scheid, Sams, Rest, Anderson and Hottinger introduced--**

**S.F. No. 921:** A bill for an act relating to jobs; providing for grants to qualified job training programs; appropriating money.

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

**Senators Berglin and Scheid introduced--**

**S.F. No. 922:** A bill for an act relating to liquor; authorizing the city of Minneapolis to issue an on-sale wine license and an on-sale malt liquor license to the Jungle Theater; amending Minnesota Statutes 2002, section 340A.404, subdivision 2.

Referred to the Committee on Commerce and Utilities.

**Senator Dille introduced--**

**S.F. No. 923:** A bill for an act relating to economic development; establishing an economic development advisory committee; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

**Senators Nienow, Dille, Bachmann, Senjem and Ruud introduced--**

**S.F. No. 924:** A bill for an act relating to public employment; eliminating equitable compensation relationships reporting requirements; amending Minnesota Statutes 2002, section 471.992, by adding a subdivision; repealing Minnesota Statutes 2002, section 471.999; Minnesota Rules, part 3920.1300.

Referred to the Committee on State and Local Government Operations.

**Senators Marty, Higgins and Anderson introduced--**

**S.F. No. 925:** A bill for an act relating to taxation; sales and use; providing an exemption for rerefined motor oils; providing an exemption for certain recycled paper; amending Minnesota Statutes 2002, section 297A.67, subdivision 18, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Marty introduced--**

**S.F. No. 926:** A bill for an act relating to public safety; providing for property manager background checks on the Minnesota computerized criminal history system; amending Minnesota Statutes 2002, section 299C.68, subdivision 5.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Marty introduced--**

**S.F. No. 927:** A bill for an act relating to the environment; preventing littering within the state outdoor recreation system; imposing penalties; amending Minnesota Statutes 2002, sections 85.20, subdivision 6; 169.42, subdivision 1; 169.421, subdivision 3; 609.68.

Referred to the Committee on Environment and Natural Resources.

**Senators Anderson, Hottinger, Pappas, Higgins and Moua introduced--**

**S.F. No. 928:** A bill for an act relating to utilities; modifying definition of public utility; prohibiting disconnection during heat advisories; enacting residential customer protections; amending Minnesota Statutes 2002, sections 216B.02, subdivision 4; 216B.07; 216B.098, subdivisions 1, 3, by adding subdivisions; 216B.81, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216B.

Referred to the Committee on Commerce and Utilities.

**Senators Anderson, Pappas, Pogemiller and Cohen introduced--**

**S.F. No. 929:** A bill for an act relating to energy; providing for the phaseout of nuclear reactors; replacement of nuclear energy with alternative sources; acceleration with respect to the metropolitan emissions reduction plan; increasing funding for conservation improvements; amending Minnesota Statutes 2002, sections 216B.241, subdivisions 1a, 2; 216B.50, by adding a subdivision.

Referred to the Committee on Commerce and Utilities.

**Senators Anderson, Hottinger and Kubly introduced--**

**S.F. No. 930:** A bill for an act relating to energy; establishing renewable energy standard; increasing funding for renewable energy development and conservation improvement; requiring rulemaking; repealing green pricing; making clarifying changes; amending Minnesota Statutes 2002, sections 116C.779; 216B.02, by adding a subdivision; 216B.1611, subdivision 2; 216B.1645, subdivision 1; 216B.241, subdivisions 1a, 2; proposing coding for new law in Minnesota Statutes, chapter 216B; repealing Minnesota Statutes 2002, sections 216B.169; 216B.1691.

Referred to the Committee on Commerce and Utilities.

**Senators Higgins and Hottinger introduced--**

**S.F. No. 931:** A bill for an act relating to campaign finance; clarifying certain terms; requiring assumption of certain obligations; changing certain expenditure, contribution, and reporting requirements; providing additional civil penalties; repealing obsolete and duplicative rules; amending Minnesota Statutes 2002, sections 10A.01, subdivision 18; 10A.08; 10A.20, subdivision 5; 10A.24, subdivision 2; 10A.25, subdivision 2; 10A.27, subdivision 1; 10A.28, subdivision 2; 10A.31, subdivisions 6, 7; 10A.323; repealing Minnesota Rules, parts 4501.0300, subpart 4; 4501.0600; 4503.0200, subpart 4; 4503.0300, subpart 2; 4503.0400, subpart 2; 4503.0500, subpart 9; 4503.0800, subpart 1.

Referred to the Committee on Rules and Administration.

**Senator Vickerman introduced--**

**S.F. No. 932:** A bill for an act relating to crime prevention; changing the pistol permit issuing law from a discretionary to a nondiscretionary standard; making other changes to the pistol permitting law; providing criminal penalties; appropriating money; amending Minnesota Statutes 2002, sections 609.66, subdivision 1d; 624.714, subdivisions 1, 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, subdivision 5.

Referred to the Committee on Crime Prevention and Public Safety. Senator Pariseau questioned the reference thereon and, under Rule 4, the bill was referred to the Committee on Rules and Administration.

Without objection, the Senate reverted to the Order of Business of the Calendar.

**CALENDAR**

**S.F. No. 40:** 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.

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 62 and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

LeClair	Ortman	Stumpf
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So the bill passed and its title was agreed to.

**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.

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.J.	Marko	Pogemiller	Sparks
Betzold	Jungbauer	Marty	Ranum	Stumpf
Chaudhary	Kelley	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. 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.

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 56 and nays 10, as follows:

Those who voted in the affirmative were:



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

Those who voted in the negative were:

Berglin	Cohen	Foley	Marty	Ranum
Betzold	Dibble	Kelley	Pappas	Skoglund

So the bill passed and its title was agreed to.

### MEMBERS EXCUSED

Senator Johnson, D.E. was excused from the Session of today.

### ADJOURNMENT

Senator Hottinger moved that the Senate do now adjourn until 9:00 a.m., Thursday, March 20, 2003. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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