

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-THIRD LEGISLATURE

THIRTIETH DAY

St. Paul, Minnesota, Monday, March 31, 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, Pastor Calvin Friend.

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

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 356, 512 and 726.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 27, 2003

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 441, 446, 770 and 1158.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 27, 2003

FIRST READING OF HOUSE BILLS

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

H.F. No. 441: A bill for an act relating to health; granting an exemption from the hospital construction moratorium for a hospital in Carver county; amending Minnesota Statutes 2002, section 144.551, subdivision 1.

Pursuant to Rule 45, placed on the Comparison Calendar.

H.F. No. 446: A bill for an act relating to child labor; exempting certain minors from minimum age restrictions for work as youth athletic program referees, umpires, or officials; amending Minnesota Statutes 2002, section 181A.07, by adding a subdivision.

Pursuant to Rule 45, placed on the Comparison Calendar.

H.F. No. 770: A bill for an act relating to Aitkin county; making the Long Lake conservation center fund a separate county enterprise fund; amending Laws 1965, chapter 616, section 1, as amended.

Pursuant to Rule 45, placed on the Comparison Calendar.

H.F. No. 1158: A bill for an act relating to human services; increasing an intergovernmental transfer payment; increasing the county nursing home payment adjustment; appropriating money; amending Minnesota Statutes 2002, sections 256B.19, subdivision 1d; 256B.431, subdivision 23.

Pursuant to Rule 45, placed on the Comparison Calendar.

REPORTS OF COMMITTEES

Senator Hottinger moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 633. The motion prevailed.

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

S.F. No. 1102: A bill for an act relating to drivers' licenses; limiting rulemaking authority concerning drivers' licenses; specifying personal information to be shown on driver's license; authorizing reissuance of certain drivers' licenses and identification cards; amending Minnesota Statutes 2002, sections 171.015, by adding a subdivision; 171.07, subdivisions 1, 3.

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

S.F. No. 980: A bill for an act relating to crime; providing reporting procedures and venue for identity theft; amending Minnesota Statutes 2002, section 609.527, by adding subdivisions.

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

Senator Marty from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 730: A bill for an act relating to the environment; increasing the license fee for individual sewage treatment system contractors; imposing a surcharge; requiring a report; increasing the number of positions administering the individual sewage treatment system program; amending Minnesota Statutes 2002, section 115.56, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 115.

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

Page 1, line 16, delete "and used to administer"

Page 1, line 17, delete "sections 115.55 to 115.58" and after the period, insert "This fee is exempt from section 16A.1285."

Page 1, line 20, delete "with" and insert "at the time" and after "tax" insert "is"

Page 2, line 10, delete "1" and insert "15"

Page 2, delete section 4 and insert:

"Sec. 4. [APPROPRIATION.]

\$...... is appropriated from the environmental fund to the commissioner of the pollution control agency to address the need for increased activity in the areas of new technology review, technical assistance for local governments, training individual sewage treatment system professionals, program planning, and enforcement under Minnesota Statutes, sections 115.55 to 115.58. Of this amount \$...... is available the first year and \$...... is available the second year for grants to counties to assist in the implementation of individual sewage treatment system requirements."

Amend the title as follows:

Page 1, delete line 5

Page 1, line 6, delete "individual sewage treatment system program" and insert "appropriating money"

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. 514: A bill for an act relating to crimes; prohibiting theft of mail; prescribing penalties; providing venue for identity theft and theft of mail; amending Minnesota Statutes 2002, section 609.527, subdivision 3, by adding subdivisions.

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 609.527, is amended by adding a subdivision to read:

Subd. 5. [VENUE.] Notwithstanding anything to the contrary in section 627.01, an offense committed under subdivision 2 may be prosecuted in:

(1) the county where the offense occurred; or

(2) the county of residence or place of business of the direct victim or indirect victim.

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

Sec. 2. Minnesota Statutes 2002, section 609.527, is amended by adding a subdivision to read:

Subd. 6. [AGGREGATION.] In any prosecution under subdivision 2, the value of the money or property or services the defendant receives or the number of direct or indirect victims within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of subdivision 3; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this subdivision.

[EFFECTIVE DATE.] This section is effective August 1, 2003, and applies to crimes committed on or after that date.

Sec. 3. [609.529] [MAIL THEFT.]

Subdivision 1. [DEFINITIONS.] (a) As used in this section, the following terms have the meanings given.

(b) "Mail" means a letter, postal card, package, bag, or other sealed article addressed to another.

(c) "Mail depository" means a mail box, letter box, or mail receptacle; a post office or station of a post office; a mail route; or a postal service vehicle.

Subd. 2. [CRIME.] Whoever does any of the following is guilty of mail theft and may be sentenced as provided in subdivision 3:

(1) intentionally and without claim of right removes mail from a mail depository;

(2) intentionally and without claim of right takes mail from a mail carrier;

(3) obtains custody of mail by intentionally deceiving a mail carrier, or other person who rightfully possesses or controls the mail, with a false representation which is known to be false, made with intent to deceive and which does deceive a mail carrier or other person who possesses or controls the mail;

(4) intentionally and without claim of right removes the contents of mail addressed to another;

(5) intentionally and without claim of right takes mail, or the contents of mail, that has been left for collection on or near a mail depository; or

(6) receives, possesses, transfers, buys, or conceals mail obtained by acts described in clauses (1) to (5), knowing or having reason to know the mail was obtained illegally.

Subd. 3. [PENALTIES.] A person convicted under subdivision 2 may be sentenced to imprisonment for not more than three years or to a payment of a fine of not more than \$5,000, or both.

Subd. 4. [VENUE.] Notwithstanding anything to the contrary in section 627.01, an offense committed under subdivision 2 may be prosecuted in:

(1) the county where the offense occurred; or

(2) the county of residence or place of business of the direct victim or indirect victim.

[EFFECTIVE DATE.] This section is effective August 1, 2003, and applies to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crimes; prohibiting theft of mail; prescribing penalties; providing venue for identity theft and theft of mail; amending Minnesota Statutes 2002, section 609.527, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 609."

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. 969: A bill for an act relating to crimes; prohibiting use of electronic scanning devices to capture encoded information from a credit or other financial transaction card, and placing it on another card, with intent to defraud; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Delete everything after the enacting clause and insert:

"Section 1. [609.822] [SKIMMING CARD FRAUD.]

Subdivision 1. [DEFINITIONS.] As used in this section, the following terms have the meanings given.

(a) "Issuer" means the financial institution or other entity that issues a payment card.

(b) "Merchant" means a person who receives from an authorized user of a payment card, or someone the person believes to be an authorized user, a payment card or information from a payment card, or what the person believes to be a payment card or information from a payment card, as the instrument for obtaining, purchasing, or receiving goods, services, money, or anything else of value from the user.

(c) "Payment card" means a credit card, charge card, debit card, or any other card that is issued to an authorized card user and that allows the user to obtain, purchase, or receive goods, services, money, or anything else of value from a merchant.

(d) "Reencoder" means an electronic device that places encoded information from the magnetic strip or stripe of a payment card onto the magnetic strip or stripe of a different payment card.

(e) "Scanning device" means a scanner, reader, or any other electronic device that is used to access, read, scan, obtain, memorize, or store, temporarily or permanently, information encoded on the magnetic strip or stripe of a payment card.

Subd. 2. [CRIME.] It is unlawful for a person, acting with the intent to defraud an authorized user, an issuer, or a merchant, to use:

(1) a scanning device to access, read, obtain, memorize, or store, temporarily or permanently, information encoded on the magnetic strip or stripe of a payment card without the permission of the card's authorized user; or

(2) a reencoder to place information encoded on the magnetic strip or stripe of a payment card onto the magnetic strip or stripe of a different card without the permission of the authorized user of the card from which the information is being reencoded.

Subd. 3. [PENALTIES.] A person who violates subdivision 2 commits skimming card fraud and may be sentenced as follows:

(1) if no money, property, or services was obtained, the person may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000, or both; or

(2) if money, property, or services was obtained, the value of the loss shall be determined as provided in section 609.52, subdivision 1, clause (3), and the person may be sentenced as provided in section 609.52, subdivision 3.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective August 1, 2003, and applies to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crimes; creating the crime of skimming card fraud; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 609."

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. 646: A bill for an act relating to crimes; prohibiting interfering with emergency communications; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Page 1, line 11, delete "new"

Page 1, line 20, delete the comma and insert "or" and after "a" insert "fine of not more than"

Page 1, line 21, delete "fine"

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 referred

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

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

Page 2, line 29, after "is" insert "not"

Page 2, line 31, after the period, insert "A levy by the authority under this section and a levy by any city under Minnesota Statutes, section 469.033, subdivision 6, may not together exceed the levy limits described therein."

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

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

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; 69.772, 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.

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

Pages 1 and 2, delete section 2

Page 2, line 15, delete the new language

Pages 2 and 3, delete sections 4 and 5

Page 5, line 17, delete "required" and insert "of the accrued liability for deferred members"

Page 7, line 30, after the semicolon, insert "6.77;"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "6.72,"

Page 1, line 6, delete "subdivision 1;" and delete "6.75; 6.77;"

Page 1, line 10, after "subdivision 8;" insert "6.77;"

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

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

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.

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

Page 1, line 10, delete "When" and delete "and a contractor" and insert "may"

Page 1, line 11, after the comma, insert "even if" and delete "who"

Page 1, line 12, delete "but who" and insert "as long as the supervisor" and after "in" insert "preparing"

Page 1, line 13, delete the comma and insert ". The supervisor"

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

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

S.F. No. 486: A bill for an act relating to zoning; modifying deadlines for agency actions; amending Minnesota Statutes 2002, section 15.99.

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 15.99, is amended to read:

15.99 [TIME DEADLINE FOR AGENCY ACTION.]

Subdivision 1. [~~DEFINITION~~ DEFINITIONS.] (a) For purposes of this section, the following terms shall have the meanings given.

(b) "Agency" means a department, agency, board, commission, or other group in the executive branch of state government; a statutory or home rule charter city, county, town, or school district; any metropolitan agency or regional entity; and any other political subdivision of the state.

(c) "Request" means a written application related to zoning, septic systems, or the expansion of the metropolitan urban service area, for a permit, license, or other governmental approval of an action. A request must be submitted in writing to the agency on an application form provided by the agency. If the agency does not have an application form available, the request may be submitted in writing by the applicant using any form so long as the written request clearly identifies on the first page the specific zoning, septic system, or expansion of the metropolitan urban services area-related permit, license, or other governmental approval being sought. No request shall be deemed made if not in compliance with this paragraph.

(d) "Applicant" means a person submitting a request under this section. An applicant may designate a person to act on the applicant's behalf regarding a request under this section and any action taken by or notice given to the applicant's designee related to the request shall be deemed taken by or given to the applicant.

Subd. 2. [DEADLINE FOR RESPONSE.] (a) Except as otherwise provided in this section, section 462.358, subdivision 3b, or chapter 505, and notwithstanding any other law to the contrary, an agency must approve or deny within 60 days a written request relating to zoning, septic systems, or expansion of the metropolitan urban service area for a permit, license, or other governmental approval of an action. Failure of an agency to deny a request within 60 days is approval of the request. If an agency denies the request, it must state in writing the reasons for the denial at the time that it denies the request.

(b) When a vote on a resolution or properly made motion to approve a request fails for any reason, the failure shall constitute a denial of the request provided that those voting against the motion state on the record the reasons why they oppose the request. A denial of a request because of a failure to approve a resolution or motion does not preclude an immediate submission of a same or similar request.

(c) Except as provided in paragraph (b), if an agency, other than a multimember governing body, denies the request, it must state in writing the reasons for the denial at the time that it denies the request. If a multimember governing body denies a request, it must state the reasons for denial on the record and provide the applicant in writing a statement of the reasons for the denial. The written statement may be provided at any time following the denial of the request but before the expiration of the time allowed for making a decision under this section. The written statement must be consistent with the reasons stated in the record at the time of the denial.

Subd. 3. [APPLICATION; EXTENSIONS.] (a) The time limit in subdivision 2 begins upon the agency's receipt of a written request containing all information required by law or by a previously adopted rule, ordinance, or policy of the agency, including the applicable application fee. If an agency receives a written request that does not contain all required information, the 60-day limit starts over only if the agency sends written notice within ~~ten~~ 15 business days of receipt of the request telling the requester what information is missing.

(b) If ~~an action~~ a request relating to zoning, septic systems, or expansion of the metropolitan urban service area requires the approval of more than one state agency in the executive branch, the 60-day period in subdivision 2 begins to run for all executive branch agencies on the day a request containing all required information is received by one state agency. The agency receiving the request must forward copies to other state agencies whose approval is required.

(c) An agency response meets the 60-day time limit if the agency can document that the response was sent within 60 days of receipt of the written request.

(d) The time limit in subdivision 2 is extended if a state statute, federal law, or court order requires a process to occur before the agency acts on the request, and the time periods prescribed in the state statute, federal law, or court order make it impossible to act on the request within 60 days. In cases described in this paragraph, the deadline is extended to 60 days after completion of the last process required in the applicable statute, law, or order. Final approval of an agency receiving a request is not considered a process for purposes of this paragraph.

(e) The time limit in subdivision 2 is extended if: (1) a request submitted to a state agency

requires prior approval of a federal agency; or (2) an application submitted to a city, county, town, school district, metropolitan or regional entity, or other political subdivision requires prior approval of a state or federal agency. In cases described in this paragraph, the deadline for agency action is extended to 60 days after the required prior approval is granted.

(f) An agency may extend the time limit in subdivision 2 before the end of the initial 60-day period by providing written notice of the extension to the applicant. The notification must state the reasons for the extension and its anticipated length, which may not exceed 60 days unless approved by the applicant.

(g) An applicant may by written notice to the agency request an extension of the time limit under this section.

Sec. 2. [EFFECTIVE DATE.]

This act is effective June 1, 2003, for requests submitted on or after that date."

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

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

S.F. No. 484: A bill for an act relating to counties; authorizing counties to require the dedication of land for public parks; amending Minnesota Statutes 2002, section 394.25, 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 394.25, subdivision 7, is amended to read:

Subd. 7. [SPECIFIC CONTROLS; OTHER SUBJECTS.] (a) Specific controls pertaining to other subjects incorporated in the comprehensive plan or establishing standards and procedures to be employed in land development including, but not limited to, subdividing of land and the approval of land plats and the preservation and dedication of streets and land for other public purposes and the general design of physical improvement.

(b) The controls may require that a portion of any proposed subdivision be dedicated to the public or preserved for public use as parks, recreational facilities, playgrounds, trails, wetlands, or open space. The requirement must be imposed by ordinance.

(c) If a county adopts the ordinance required by paragraph (b), the county must adopt a capital improvement program and adopt a parks and open space plan or have a parks and open space component in its comprehensive plan subject to the terms and conditions in this paragraph and in paragraphs (d) through (o).

(d) The county may choose to accept a per lot cash fee as set by ordinance from the applicant for some or all of the new lots created in the subdivision.

(e) In establishing the portion to be dedicated or preserved or the per lot cash fee, the controls must consider the open space, park, recreational, or common areas and facilities that the applicant proposes to reserve for the subdivision.

(f) The county must reasonably determine that it will need to acquire that portion of land for the purposes stated in this subdivision as a result of approval of the subdivision.

(g) The fees or dedication must be fair, reasonable, and proportionate to the need created.

(h) Any cash payments received must be placed by the county in a special fund to be used only for the purposes for which the money was obtained.

(i) Any cash payments received must be used only for the acquisition and development of parks, recreational facilities, playgrounds, trails, wetlands, or open space. Cash payments must not be used for ongoing operation, maintenance, or redevelopment of parks, recreational facilities, playgrounds, trails, wetlands, or open space.

(j) The county must not deny the approval of a subdivision based on an inadequate supply of parks, open spaces, trails, or recreational areas within the county.

(k) The county must not condition the approval of any proposed subdivision or development on an agreement to waive the right to challenge the validity of a fee or dedication.

(l) The county must use the funds collected under this subdivision according to the plan required in paragraph (c) in the township or city where the collection of funds occurs. However, the township board or city council may agree to allow the county to use the funds outside of the township or city in a manner consistent with the county parks and open space capital improvement plan or the county parks and open space component in its comprehensive plan.

(m) Previously subdivided property from which a park dedication has been received, being resubdivided with the same number of lots, is exempt from park dedication requirements. If, as a result of resubdividing the property, the number of lots is increased, then the park dedication or per lot cash fee must apply only to the net increase of lots.

(n) A county must not require a dedication of a portion of a proposed subdivision or a payment in lieu of dedication in a town or city that has adopted a requirement to dedicate or a payment in place of dedication as a provision of the town or city's subdivision regulations under section 462.358, subdivision 2b, or chapter 366.

(o) A county may negotiate an agreement with a town or city to share the revenue generated by dedicating a portion of a proposed subdivision or a payment in place of dedication."

Delete the title and insert:

"A bill for an act relating to counties; authorizing counties to require the dedication of land for public parks; providing certain terms and conditions for the dedication; amending Minnesota Statutes 2002, section 394.25, subdivision 7."

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

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

S.F. No. 633: A bill for an act relating to the metropolitan sports facilities commission; changing its name and membership; amending Minnesota Statutes 2002, sections 473.551, subdivision 3; 473.553, subdivisions 1, 2, 3, 4, 5, 7; 473.564, subdivision 3; 473.5995, subdivision 2; 473I.01, subdivision 3.

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

Senator Pogemiller questioned the reference thereon and, under Rule 21, the bill was referred to the Committee on Rules and Administration.

Senator Scheid from the Committee on Jobs, Housing and Community Development, to which was referred

S.F. No. 864: A bill for an act relating to unemployment insurance; modifying provisions to increase the solvency of the trust fund; making policy and technical changes; amending Minnesota Statutes 2002, sections 268.035, subdivisions 15, 23; 268.044, subdivision 1, by adding a subdivision; 268.051, subdivisions 1, 2, 3, 5, 6, by adding a subdivision; 268.052, subdivision 1; 268.057, subdivision 5; 268.067; 268.07, subdivision 2; 268.085, subdivision 3; 268.086, subdivision 2; 268.095, subdivisions 1, 2, 6, 11; 268.105, subdivision 7; 268.18, subdivisions 1, 4;

proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Rules, part 3315.1015, subpart 4.

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

Page 2, line 2, after the first "the" insert "trust"

Page 9, line 11, strike "deductible"

Page 15, line 10, delete "competent and" and insert "a preponderance of the"

Page 15, line 11, delete "verifiable"

Page 18, line 27, delete "amounts to" and insert "evinces"

Page 23, line 3, delete "The"

Page 23, delete lines 4 to 11

Page 24, after line 23, insert:

"(1) The revisor of statutes shall change the term "fund" to "trust fund" in Minnesota Statutes, sections 268.029 to 268.23."

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

Senator Scheid from the Committee on Jobs, Housing and Community Development, to which was referred

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.

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

Amend the title as follows:

Page 1, line 2, delete "economic development" and insert "redevelopment"

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

Senator Scheid from the Committee on Jobs, Housing and Community Development, to which was referred

S.F. No. 1064: A bill for an act relating to child labor; exempting certain minors from minimum age restrictions for work as soccer assistant referees; amending Minnesota Statutes 2002, section 181A.07, by adding a subdivision.

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

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

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.

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

Page 4, line 23, after the comma, insert "on April 15, 2003,"

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

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

S.F. No. 1095: A bill for an act relating to veterans affairs; clarifying that certain benefits are limited to state residents; amending Minnesota Statutes 2002, section 197.05.

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

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

S.F. No. 1065: A bill for an act relating to agriculture; recodifying and clarifying plant pest, pest control, and seed laws; changing certain procedures, requirements, and fees; imposing penalties; appropriating money; amending Minnesota Statutes 2002, sections 21.81, subdivision 8, by adding subdivisions; 21.82; 21.83, subdivision 2; 21.84; 21.85, subdivisions 11, 13; 21.86; 21.88; 21.89, subdivisions 2, 4; 21.90, subdivisions 2, 3; 21.901; proposing coding for new law in Minnesota Statutes, chapter 21; proposing coding for new law as Minnesota Statutes, chapters 18G; 18H; 18J; repealing Minnesota Statutes 2002, sections 18.012; 18.021; 18.022; 18.0223; 18.0225; 18.0227; 18.0228; 18.0229; 18.023; 18.024; 18.041; 18.051; 18.061; 18.071; 18.081; 18.091; 18.101; 18.111; 18.121; 18.131; 18.141; 18.151; 18.161; 18.331; 18.332; 18.333; 18.334; 18.335; 18.44; 18.45; 18.46; 18.47; 18.48; 18.49; 18.50; 18.51; 18.52; 18.525; 18.53; 18.54; 18.55; 18.56; 18.57; 18.59; 18.60; 18.61; 21.85, subdivisions 1, 3, 4, 5, 6, 7, 8, 9.

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

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

S.F. No. 1088: A bill for an act relating to agriculture; changing certain ethanol development provisions; amending Minnesota Statutes 2002, section 41A.09, subdivisions 2a, 3a; repealing Minnesota Statutes 2002, section 41A.09, subdivisions 1, 1a, 6, 7, 8.

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

Pages 1 and 2, delete section 1

Page 2, lines 9 to 36, delete the new language and reinstate the stricken language

Page 3, lines 1 to 36, delete the new language and reinstate the stricken language

Page 4, lines 1 to 35, delete the new language and reinstate the stricken language

Page 5, lines 1 to 36, delete the new language and reinstate the stricken language

Page 6, lines 1 to 8, reinstate the stricken language

Page 6, line 9, delete "(e)" and insert "(l)"

Page 6, delete section 3

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "subdivisions 2a," and insert "subdivision" and delete "; repealing"

Page 1, delete line 5

Page 1, line 6, delete "1, 1a, 6, 7, 8"

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 993: A bill for an act relating to human services; increasing an intergovernmental transfer payment; increasing the county nursing home payment adjustment; amending Minnesota Statutes 2002, sections 256B.19, subdivision 1d; 256B.431, subdivision 23.

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

Page 2, lines 27 and 28, delete "the day following final enactment" and insert "retroactive to January 1, 2003"

Page 3, after line 31, insert:

"Sec. 3. [APPROPRIATION.]

\$1,529,000 is appropriated from the general fund to the commissioner of human services for the fiscal year beginning July 1, 2002, for the purposes of section 2.

[**EFFECTIVE DATE.**] This section is effective retroactive to January 1, 2003."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "appropriating money;"

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

Senator Scheid from the Committee on Jobs, Housing and Community Development, to which was referred

S.F. No. 951: 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; transferring world trade center duties; eliminating a report; 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.

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

Page 4, line 12, delete "166J.955" and insert "116J.955"

Page 6, after line 32, insert:

"Sec. 9. Minnesota Statutes 2002, section 116J.553, subdivision 2, is amended to read:

Subd. 2. [REQUIRED CONTENT.] (a) The commissioner shall prescribe and provide the application form. The application must include at least the following information:

- (1) identification of the site;
- (2) an approved response action plan for the site, including the results of engineering and other tests showing the nature and extent of the release or threatened release of contaminants at the site;
- (3) a detailed estimate, along with necessary supporting evidence, of the total cleanup costs for the site;
- (4) an appraisal of the current market value of the property, separately taking into account the

effect of the contaminants on the market value, prepared by a qualified independent appraiser licensed under chapter 82B using accepted appraisal methodology or, the estimated market value of the property for the latest year shown on the most recent valuation notice used under section 273.121;

(5) an assessment of the development potential or likely use of the site after completion of the response action plan, including any specific commitments from third parties to construct improvements on the site;

(6) the manner in which the municipality will meet the local match requirement; and

(7) any additional information or material that the commissioner prescribes.

(b) A response action plan is not required as a condition to receive a grant under section 116J.554, subdivision 1, paragraph (c).

Sec. 10. Minnesota Statutes 2002, section 116J.554, subdivision 2, is amended to read:

Subd. 2. [QUALIFYING SITES.] A site qualifies for a grant under this section, if the following criteria are met:

(1) the site is not scheduled for funding during the current or next fiscal year under the Comprehensive Environmental Response, Compensation, and Liability Act, United States Code, title 42, section 9601, et seq. or under the Environmental Response, and Liability Act under sections 115B.01 to 115B.24;

(2) the appraised value of the site after adjusting for the effect on the value of the presence or possible presence of contaminants using accepted appraisal methodology, or the current market value of the site as issued under section 273.121, separately taking into account the effect of the contaminants on the market value, (i) is less than 75 percent of the estimated project costs for the site or (ii) is less than or equal to the estimated cleanup costs for the site and the cleanup costs equal or exceed \$3 per square foot for the site; and

(3) if the proposed cleanup is completed, it is expected that the site will be improved with buildings or other improvements and these improvements will provide a substantial increase in the property tax base within a reasonable period of time or the site will be used for an important publicly owned or tax-exempt facility."

Page 8, lines 25 to 29, delete the new language

Page 8, line 33, delete the new language and reinstate the stricken language

Page 8, after line 36, insert:

"Sec. 13. Minnesota Statutes 2002, section 116L.02, is amended to read:

116L.02 [JOB SKILLS PARTNERSHIP PROGRAM.]

(a) The Minnesota job skills partnership program is created to act as a catalyst to bring together employers with specific training needs with educational or other nonprofit institutions which can design programs to fill those needs. The partnership shall work closely with employers to prepare, train, and place prospective or incumbent workers in identifiable positions as well as assisting educational or other nonprofit institutions in developing training programs that coincide with current and future employer requirements. The partnership shall provide grants to educational or other nonprofit institutions for the purpose of training workers. A participating business must match the grant-in-aid made by the Minnesota job skills partnership. The match may be in the form of funding, equipment, or faculty.

(b) The partnership program shall administer the health care and human services worker training and retention program under sections 116L.10 to 116L.15.

(c) The partnership program is authorized to use funds to provide vouchers for individuals who

have incomes at or below 200 percent of the federal poverty line. The board may grant funds to eligible recipients to pay for vouchers for board-certified training. Eligible recipients of grants may include public, private, or nonprofit entities that provide employment services to low-income individuals.

Sec. 14. Minnesota Statutes 2002, section 116L.04, subdivision 1, is amended to read:

Subdivision 1. [PARTNERSHIP PROGRAM.] (a) The partnership program may provide grants-in-aid to educational or other nonprofit educational institutions using the following guidelines:

(1) the educational or other nonprofit educational institution is a provider of training within the state in either the public or private sector;

(2) the program involves skills training that is an area of employment need; and

(3) preference will be given to educational or other nonprofit training institutions which serve economically disadvantaged people, minorities, or those who are victims of economic dislocation and to businesses located in rural areas.

(b) A single grant to any one institution shall not exceed \$400,000. Up to 25 percent of a grant may be used for preemployment training."

Page 9, line 31, after the period, insert "Up to 25 percent of a grant may be used for preemployment training."

Page 10, after line 1, insert:

"Sec. 16. Minnesota Statutes 2002, section 116M.14, subdivision 4, is amended to read:

Subd. 4. [LOW-INCOME AREA.] "Low-income area" means Minneapolis, St. Paul, and those cities in the metropolitan area as defined in section 473.121, subdivision 2, that have an average income that is below ~~60~~ 80 percent of the median income for a four-person family as of the latest report by the United States Census Bureau."

Page 10, line 5, delete "and" and insert "116J.693;" and after "116J.9665" insert "; and 116L.03, subdivision 7"

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "authorizing job training vouchers for low-income persons;"

Page 1, line 9, after the first semicolon, insert "116J.553, subdivision 2; 116J.554, subdivision 2;"

Page 1, line 10, delete "116L.04, subdivision 1a" and insert "116L.02; 116L.04, subdivisions 1, 1a; 116M.14, subdivision 4"

Page 1, line 12, after the second semicolon, insert "116J.693;"

Page 1, line 13, before the period, insert "; 116L.03, subdivision 7"

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

Senator Scheid from the Committee on Jobs, Housing and Community Development, to which was referred

S.F. No. 748: A bill for an act relating to finance; authorizing the establishment of job

opportunity building zones; providing for certain tax incentives in job opportunity building zones; providing job opportunity building zone aid; changing local government aids; providing for levy limits; making sales tax accelerated June liability provisions permanent; providing for deposit of certain sales and cigarette tax proceeds; providing for cash flow and budget reserve accounts; abolishing a contingent transfer from the budget reserve account; abolishing or providing for the expiration of certain funds and accounts; authorizing delay of certain payments to cities and counties; repealing a refund on used motor oil and filters; appropriating money; amending Minnesota Statutes 2002, sections 16A.152, subdivisions 1, 1b, 2, 7; 62J.694, subdivision 4; 144.395, subdivision 3; 272.02, by adding a subdivision; 272.029, by adding a subdivision; 273.1398, subdivisions 4a, 4c, 6, 8; 275.025, subdivision 1; 275.065, by adding a subdivision; 275.07, subdivision 1; 275.70, subdivisions 3, 5; 275.71, subdivisions 2, 4, 5, 6; 275.73, subdivision 2; 275.74, subdivisions 2, 3; 289A.20, subdivision 4; 290.01, subdivisions 19b, 29; 290.06, subdivision 2c, by adding a subdivision; 290.067, subdivision 1; 290.0671, subdivision 1; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivision 3; 297A.68, by adding a subdivision; 297A.94; 297B.03; 297F.10, subdivision 1; 477A.013, subdivision 9; 477A.03, subdivision 2; Laws 2001, First Special Session chapter 5, article 12, section 95, as amended; Laws 2002, chapter 377, article 12, section 17; proposing coding for new law in Minnesota Statutes, chapters 469; 477A; repealing Minnesota Statutes 2002, sections 273.138; 273.1398, subdivision 2; 273.166; 275.71, subdivision 5; 325E.112, subdivision 2a; 477A.011, subdivisions 36, 37; 477A.0121, subdivisions 1, 2, 3, 4, 5, 6; 477A.0122, subdivisions 1, 2, 3, 4, 5, 6; 477A.0123; 477A.03, subdivisions 3, 4; 477A.06; 477A.065; 477A.07.

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

Page 1, line 43, to page 37, line 6, delete article 1

Page 37, line 7, delete "2" and insert "1"

Page 43, line 16, delete "3" and insert "2"

Page 45, line 25, delete "4" and insert "3"

Page 51, line 20, delete "5" and insert "4"

Page 62, line 32, delete "6" and insert "5"

Page 63, line 16, delete "7" and insert "6"

Page 67, line 3, delete "8" and insert "7"

Amend the title as follows:

Page 1, line 2, delete "authorizing the establishment of"

Page 1, delete lines 3 and 4

Page 1, line 5, delete everything before "changing"

Page 1, line 18, delete everything after the semicolon

Page 1, delete line 19

Page 1, delete lines 25 to 28

Page 1, line 29, delete "297A.68, by adding a subdivision;" and delete "297B.03;"

Page 1, line 35, delete "chapters 469;" and insert "chapter"

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

Senator Scheid from the Committee on Jobs, Housing and Community Development, to which was referred

S.F. No. 1099: A bill for an act relating to employment; repealing laws governing entertainment agencies; repealing Minnesota Statutes 2002, sections 184A.01; 184A.02; 184A.03; 184A.04; 184A.05; 184A.06; 184A.07; 184A.08; 184A.09; 184A.10; 184A.11; 184A.12; 184A.13; 184A.14; 184A.15; 184A.16; 184A.17; 184A.18; 184A.19; 184A.20.

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

Senator Scheid from the Committee on Jobs, Housing and Community Development, to which was referred

S.F. No. 835: A bill for an act relating to employment; providing funding for the displaced homemaker program by increasing the marriage license fee; amending Minnesota Statutes 2002, section 517.08, subdivisions 1b, 1c.

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

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

S.F. No. 861: A bill for an act relating to libraries; establishing a Minnesota state library board; amending Minnesota Statutes 2002, sections 134.001, by adding a subdivision; 134.22; 134.32; proposing coding for new law in Minnesota Statutes, chapter 134.

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

Page 4, line 28, strike "the"

Page 4, line 29, delete "non-English" and insert "people who do not speak English"

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

S.F. No. 300: 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.

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

Page 3, after line 32, insert:

"Sec. 2. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

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

S.F. No. 301: A bill for an act relating to state government; authorizing capital cost avoidance for guaranteed savings contracts; proposing coding for new law in Minnesota Statutes, chapter 16C.

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

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2002, section 16C.14, subdivision 4, is amended to read:

Subd. 4. [ENERGY AND OPERATIONAL COSTS.] (a) The entire cost of an energy efficiency installment purchase contract must be a percentage of the resultant savings in energy and operational costs. Neither the state nor any agency is liable to make payments on the contract except to the extent that there are savings in energy and operational costs that must be shared with other parties to the contract.

(b) The state and the contract vendor may agree to a reasonable floor price for each type of energy used in the savings calculations at the time of contract execution. If the state and the vendor agree to a floor price, that floor price shall be used throughout the term of the contract.

(c) The contract vendor may assign payments due under the contract, provided that the commissioner shall not be required to make payments under the contract to more than one individual or entity at a time."

Page 3, line 26, after the period, insert "The guaranteed savings contract must be completed using a solicitation."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "amending Minnesota Statutes 2002, section 16C.14, subdivision 4;"

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.

SECOND READING OF SENATE BILLS

S.F. Nos. 980, 919, 911, 486, 484, 864, 891, 1064, 1095, 993 and 1099 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Wergin moved that the name of Senator Frederickson be added as a co-author to Senate Resolution No. 52. The motion prevailed.

Senator Marko moved that the name of Senator Dibble be added as a co-author to S.F. No. 325. The motion prevailed.

Senator Kelley moved that his name be stricken as a co-author to S.F. No. 450. The motion prevailed.

Senator Kiscaden moved that the name of Senator Marko be added as a co-author to S.F. No. 450. The motion prevailed.

Senator Wiger moved that the name of Senator Michel be added as a co-author to S.F. No. 469. The motion prevailed.

Senator Cohen moved that the name of Senator Lourey be added as a co-author to S.F. No. 755. The motion prevailed.

Senator Nienow moved that the names of Senators Koering and Murphy be added as co-authors to S.F. No. 1055. The motion prevailed.

Senator Langseth moved that the names of Senators Stumpf, Dille and Cohen be added as co-authors to S.F. No. 1082. The motion prevailed.

Senator Sams moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 1086. The motion prevailed.

Senator Dibble moved that the name of Senator Anderson be added as a co-author to S.F. No. 1089. The motion prevailed.

Senator Marty moved that the name of Senator Berglin be added as a co-author to S.F. No. 1094. The motion prevailed.

Senator Fischbach moved that the name of Senator Wergin be added as a co-author to S.F. No. 1152. The motion prevailed.

Senator Higgins moved that the names of Senators Dibble and Pappas be added as a co-authors to S.F. No. 1168. The motion prevailed.

Senator Marty moved that the name of Senator Berglin be added as a co-author to S.F. No. 1194. The motion prevailed.

Senator Kelley moved that the name of Senator Scheid be added as a co-author to S.F. No. 1210. The motion prevailed.

Senator Cohen moved that the names of Senators Pappas, Anderson and Moua be added as co-authors to S.F. No. 1222. The motion prevailed.

Senator Berglin moved that S.F. No. 1060 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Hottinger introduced--

Senate Resolution No. 55: A Senate resolution congratulating the Mankato Loyola High School Boys basketball team on winning the 2003 State High School Class A Boys Basketball Tournament.

Referred to the Committee on Rules and Administration.

Senator Skoglund moved that S.F. No. 515 be withdrawn from the Committee on Commerce and Utilities and re-referred to the Committee on Crime Prevention and Public Safety. The motion prevailed.

Senator Pogemiller introduced--

Senate Concurrent Resolution No. 5: A Senate concurrent resolution relating to adoption of revenue targets under Minnesota Statutes 2002, section 16A.102, subdivision 2.

BE IT RESOLVED, by the Senate, the House of Representatives concurring, that the following revenue targets be adopted under the requirements of Minnesota Statutes 2002, section 16A.102:

	Fiscal Years 2004 and 2005	Fiscal Years 2006 and 2007
(1) the maximum share of personal income to be collected in taxes and other revenues	15.6 percent	15.4 percent
(2) the division of the share between		
state services	63 percent	63 percent
local services	37 percent	37 percent

(3) the appropriate mix of rates

This resolution assumes no change in the appropriate mix and rates of state and local taxes.

Senator Pogemiller moved that Senate Concurrent Resolution No. 5 be laid on the table and printed in the Journal. The motion prevailed.

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

H.F. No. 536: A bill for an act relating to insurance; regulating the joint underwriting association; modifying coverage; modifying the market assistance responsibilities of the association; amending Minnesota Statutes 2002, sections 62I.02, subdivision 1; 62I.03, by adding a subdivision; 62I.04; 62I.05; 62I.08; 62I.13, subdivisions 1, 2; 62I.14; 62I.21; 62I.22, subdivision 1; repealing Minnesota Statutes 2002, sections 62I.09; 62I.10; 62I.11; 62I.13, subdivision 4.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 267: A bill for an act relating to insurance; modifying the standard fire insurance policy; amending Minnesota Statutes 2002, section 65A.01, subdivision 3.

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	Dille	Jungbauer	LeClair	Neuville
Bachmann	Fischbach	Kelley	Limmer	Nienow
Bakk	Foley	Kierlin	Lourey	Olson
Belanger	Frederickson	Kiscaden	Marko	Ortman
Berglin	Gaither	Kleis	Marty	Ourada
Betzold	Hann	Knutson	McGinn	Pappas
Chaudhary	Higgins	Koering	Metzen	Pariseau
Cohen	Hottinger	Kubly	Michel	Pogemiller
Day	Johnson, D.E.	Langseth	Moua	Ranum
Dibble	Johnson, D.J.	Larson	Murphy	Reiter

Rest	Sams	Senjem	Sparks	Vickerman
Robling	Saxhaug	Skoe	Stumpf	Wergin
Rosen	Scheid	Solon	Tomassoni	Wiger
Ruud				

So the bill passed and its title was agreed to.

S.F. No. 693: A bill for an act relating to the metropolitan council; authorizing the use of energy forward pricing mechanisms; proposing coding for new law in Minnesota Statutes, chapter 473.

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

So the bill passed and its title was agreed to.

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.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 790: A bill for an act relating to human services; recodifying and reorganizing the background study provisions in the Human Services Licensing Act; making conforming changes; amending Minnesota Statutes 2002, sections 245A.04, subdivisions 1, 3, 3a, 3b, 3c, 3d, 3e, 3f; 245A.041; proposing coding for new law as Minnesota Statutes, chapter 245C.

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	Hann	Larson	Ortman	Senjem
Bachmann	Higgins	LeClair	Ourada	Skoe
Bakk	Hottinger	Limmer	Pappas	Skoglund
Belanger	Johnson, D.E.	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	
Foley	Koering	Neuville	Sams	
Frederickson	Kubly	Nienow	Saxhaug	
Gaither	Langseth	Olson	Scheid	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Hottinger moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1158 and that the rules of the Senate be so far suspended as to give H.F. No. 1158 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1158 was read the second time.

H.F. No. 1158: A bill for an act relating to human services; increasing an intergovernmental transfer payment; increasing the county nursing home payment adjustment; appropriating money; amending Minnesota Statutes 2002, sections 256B.19, subdivision 1d; 256B.431, subdivision 23.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Berglin moved that S.F. No. 993, on the Consent Calendar, be stricken and laid on the table. The motion prevailed.

SPECIAL ORDERS

Pursuant to Rule 26, Senator Hottinger, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. Nos. 422, 215, 217, 328, 155, 39 and 625.

SPECIAL ORDER

S.F. No. 422: A bill for an act relating to examiners of titles; providing for alternative means of compensation; amending Minnesota Statutes 2002, section 508.12, subdivision 1.

Senator Robling moved to amend S.F. No. 422 as follows:

Page 2, after line 8, insert:

"The decision of which method of compensation applies to the examiner and the examiner's deputies shall be made by the county board and notice of that decision must be served on the chief judge of the district court within ten days of the county board's decision. The county board's decision and notice to the chief judge must be given only when the board decides to change the existing method of compensation."

The motion prevailed. So the amendment was adopted.

S.F. No. 422 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bachmann	Jungbauer	LeClair	Reiter
----------	-----------	---------	--------

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bachmann	Jungbauer	LeClair	Reiter
----------	-----------	---------	--------

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

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 61 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Hann	Jungbauer	LeClair	Limmer	Reiter
------	-----------	---------	--------	--------

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

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 57 and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bachmann	Hann	LeClair	Olson	Reiter
Gaither	Jungbauer	Nienow	Pariseau	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 625: A bill for an act relating to crimes; requiring notice of right to obtain judicial review of DWI-related vehicle forfeiture and controlled substance-related forfeitures to be printed in Somali in addition to other languages; amending Minnesota Statutes 2002, sections 169A.63, subdivision 8; 609.5314, subdivision 2.

Senator Kleis moved to amend S.F. No. 625 as follows:

Page 2, delete line 15 and insert "review, printed in English, ~~Hmong, and Spanish.~~"

Page 4, delete line 23 and insert "review, printed in English, ~~Hmong, and Spanish.~~"

CALL OF THE SENATE

Senator Berglin imposed a call of the Senate for the balance of the proceedings on S.F. No. 625. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Berglin moved to amend S.F. No. 625 as follows:

Page 4, after line 33, insert:

"Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective March 1, 2004."

The motion prevailed. So the amendment was adopted.

Senator Day moved to amend S.F. No. 625 as follows:

Page 3, after line 35, insert:

"Sec. 2. Minnesota Statutes 2002, section 171.13, subdivision 1, is amended to read:

Subdivision 1. [SUBJECTS TESTED IN ENGLISH; LOCATION.] (a) Except as otherwise provided in this section, the commissioner shall examine each applicant for a driver's license by such agency as the commissioner directs. The examination must be written only in English, and an applicant shall complete the examination without the assistance of an interpreter to translate the examination into a language other than English. This examination must include (1) a test of applicant's eyesight; ability to read and understand highway signs regulating, warning, and directing traffic; knowledge of traffic laws; knowledge of the effects of alcohol and drugs on a driver's ability to operate a motor vehicle safely and legally, and of the legal penalties and financial consequences resulting from violations of laws prohibiting the operation of a motor vehicle while under the influence of alcohol or drugs; knowledge of railroad grade crossing safety; knowledge of slow-moving vehicle safety; knowledge of traffic laws related to bicycles; (2) an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle; and (3) other physical and mental examinations as the commissioner finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways; ~~provided, further however, no that a driver's license shall must not be denied an applicant on the exclusive grounds that the applicant's eyesight is deficient in color perception;~~ and provided further, however, that war veterans operating motor vehicles especially equipped for handicapped persons, shall, if otherwise entitled to a license, must be granted such the license.

(b) The commissioner shall make provision for giving these examinations either in the county where the applicant resides or at a place adjacent thereto to that county and reasonably convenient to the applicant."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Berglin moved that S.F. No. 625 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Murphy moved that S.F. No. 392 be withdrawn from the Committee on Finance and re-referred to the Committee on Taxes. The motion prevailed.

Senator Robling moved that S.F. No. 1232 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Finance. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Higgins and Solon introduced--

S.F. No. 1234: A bill for an act relating to health occupations; modifying licensure requirements for occupational therapists whose licenses have lapsed for more than four years; amending Minnesota Statutes 2002, section 148.6425, subdivision 3.

Referred to the Committee on Health and Family Security.

Senators Belanger, McGinn and Knutson introduced--

S.F. No. 1235: A bill for an act relating to retirement; authorizing a service credit purchase in the teachers retirement association for certain sabbatical leaves.

Referred to the Committee on State and Local Government Operations.

Senators Higgins, Senjem, Marko, Sparks and Fischbach introduced--

S.F. No. 1236: A bill for an act relating to property taxation; providing a valuation exclusion for lead paint removal; amending Minnesota Statutes 2002, section 273.11, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Kierlin and Olson introduced--

S.F. No. 1237: A bill for an act relating to education finance; authorizing a pilot project to demonstrate the effectiveness of a care and treatment facility operating a charter school.

Referred to the Committee on Finance.

Senators Foley and Neuville introduced--

S.F. No. 1238: A bill for an act relating to corrections; establishing a parole board; prescribing its membership, duties, and powers; prescribing when an individual is eligible for parole; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 244A.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Metzen, Scheid, Sparks and Pappas introduced--

S.F. No. 1239: A bill for an act relating to liquor; modifying a posting requirement; amending Minnesota Statutes 2002, section 340A.318, subdivision 3.

Referred to the Committee on Commerce and Utilities.

Senators Anderson, Murphy and Reiter introduced--

S.F. No. 1240: A bill for an act relating to insurance; making various changes in enforcement of mandatory automobile insurance; amending Minnesota Statutes 2002, sections 169.791, subdivision 1; 169.792, subdivision 5; 169.796, by adding a subdivision; 169.797, subdivisions 4, 4a; 169.798, subdivision 1, by adding a subdivision; 171.20, subdivision 4; 171.182, subdivision 2; repealing Minnesota Statutes 2002, sections 169.792, subdivision 12; 169.794; 169.799; Minnesota Rules, part 7413.0400.

Referred to the Committee on Commerce and Utilities.

Senator Pogemiller introduced--

S.F. No. 1241: A bill for an act relating to metropolitan government; providing for the financing of metropolitan area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; amending Minnesota Statutes 2002, section 473.39, by adding a subdivision.

Referred to the Committee on Finance.

Senators Moua, Rest, Belanger, Senjem and Pogemiller introduced--

S.F. No. 1242: A bill for an act relating to taxation; property; providing for the valuation of certain rental housing; amending Minnesota Statutes 2002, section 273.11, by adding a subdivision; Laws 2001, First Special Session chapter 5, article 3, section 96.

Referred to the Committee on Taxes.

Senators Cohen and Pogemiller introduced--

S.F. No. 1243: A bill for an act relating to state agencies; abolishing positions of deputy commissioner and unclassified assistant commissioner; amending Minnesota Statutes 2002, sections 15.06, subdivisions 6, 9; 16A.01, subdivision 3; 16B.03; 17.01; 43A.03, subdivision 3; 45.013; 84.01, subdivisions 2, 3; 116.03, subdivision 1; 116J.01, subdivision 5; 174.02, subdivision 2; 175.001, subdivision 1; 241.01, subdivision 2; 245.03, subdivision 1; 268.0121, subdivision 4; 270.02, subdivision 3; 299A.01, subdivision 1; repealing Minnesota Statutes 2002, sections 15.06, subdivisions 7, 8; 17.013; 43A.03, subdivision 4; 116J.01, subdivision 4; 190.08, subdivision 1; 196.021; 363.04, subdivision 2.

Referred to the Committee on State and Local Government Operations.

Senator Kubly introduced--

S.F. No. 1244: A bill for an act relating to the city of Bird Island; authorizing a temporary exception to sewer extension permit requirements.

Referred to the Committee on Environment and Natural Resources.

Senator Scheid introduced--

S.F. No. 1245: A bill for an act relating to the metropolitan council; providing for local approval process for certain capital improvement projects for which easements will be acquired by eminent domain; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on State and Local Government Operations.

Senator Scheid introduced--

S.F. No. 1246: A bill for an act relating to the metropolitan council; providing for local approval process for certain capital improvement projects for which real property will be acquired by eminent domain; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on State and Local Government Operations.

Senator Dibble introduced--

S.F. No. 1247: A bill for an act relating to retirement; Minneapolis teachers retirement

association; authorizing a certain prior Minneapolis teachers retirement fund association member to repay a refund without interest.

Referred to the Committee on State and Local Government Operations.

Senators Tomassoni, Day and Metzen introduced--

S.F. No. 1248: A bill for an act relating to traffic regulations; providing for speed limits of 65 miles per hour during daytime and 55 miles per hour during nighttime on paved two-lane highways; amending Minnesota Statutes 2002, sections 169.14, subdivision 2; 169.99, subdivision 1b; 171.12, subdivision 6.

Referred to the Committee on Finance.

Senators Higgins, Larson, Pariseau, Tomassoni and Bakk introduced--

S.F. No. 1249: A bill for an act relating to elections; requiring candidates to receive a certain percentage of votes in the general election to be eligible to receive payments from the general account in the state elections campaign fund; permitting a political party to lose major party status every two years, rather than every four years; amending Minnesota Statutes 2002, sections 10A.31, subdivision 7; 10A.322, subdivision 1; 200.02, subdivision 7.

Referred to the Committee on Rules and Administration.

Senators Ortman, Ourada, McGinn, Murphy and Sparks introduced--

S.F. No. 1250: A bill for an act relating to highways; prohibiting expenditures of money from dedicated highway funds to purchase native grass seeds; proposing coding for new law in Minnesota Statutes, chapter 160.

Referred to the Committee on Finance.

Senator Stumpf introduced--

S.F. No. 1251: A bill for an act relating to education finance; authorizing a fund transfer for independent school district No. 628, Plummer.

Referred to the Committee on Finance.

Senator Day introduced--

S.F. No. 1252: A bill for an act relating to cemeteries; providing for correction of interment errors; proposing coding for new law in Minnesota Statutes, chapters 306; 307.

Referred to the Committee on Commerce and Utilities.

Senators Saxhaug and Ruud introduced--

S.F. No. 1253: A bill for an act relating to natural resources; modifying provisions for the sale of timber on tax-forfeited land; amending Minnesota Statutes 2002, section 282.04, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senator Lourey introduced--

S.F. No. 1254: A bill for an act relating to health; modifying immunization requirements; amending Minnesota Statutes 2002, sections 121A.15, subdivisions 3, 3a; 135A.14, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 245A.

Referred to the Committee on Health and Family Security.

Senator Cohen introduced--

S.F. No. 1255: A bill for an act relating to health occupations; modifying supervision requirements for drug and alcohol counselor temporary practice; amending Minnesota Statutes 2002, section 148C.04, subdivision 6.

Referred to the Committee on Health and Family Security.

Senators McGinn, Murphy and Marko introduced--

S.F. No. 1256: A bill for an act relating to public employment; exempting essential employees from any salary and wage rate freeze that may be imposed by law.

Referred to the Committee on State and Local Government Operations.

Senator McGinn introduced--

S.F. No. 1257: A bill for an act relating to higher education; requiring legislative approval for certain fees; amending Minnesota Statutes 2002, sections 16A.1283; 136F.70, subdivision 2; 137.02, by adding a subdivision.

Referred to the Committee on Education.

Senators Senjem, Vickerman, Wiger, Marko and Dibble introduced--

S.F. No. 1258: A bill for an act relating to local government; establishing a legislative commission on unnecessary mandates; amending Minnesota Statutes 2002, sections 3.842, subdivision 4a; 3.843; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on State and Local Government Operations.

Senator Vickerman introduced--

S.F. No. 1259: A bill for an act relating to taxation; clarifying the corporate status of Lewis and Clark Rural Water System, Inc. for purposes of certain federal tax law.

Referred to the Committee on Judiciary.

Senator Kelley introduced--

S.F. No. 1260: A bill for an act relating to public utilities; making changes to the telephone assistance plan; amending Minnesota Statutes 2002, sections 237.70, subdivisions 2, 3, 4a, 5, 6, 7; 237.701, subdivision 1.

Referred to the Committee on Commerce and Utilities.

Senator Michel introduced--

S.F. No. 1261: A bill for an act relating to education; allowing charter school students to fully participate in the extracurricular activities of a resident school district on the same basis as other public school students; amending Minnesota Statutes 2002, section 123B.49, subdivision 4.

Referred to the Committee on Education.

Senator Murphy introduced--

S.F. No. 1262: A bill for an act relating to taxation; exempting certain game farm and hunting preserve fees from the sales and use tax; amending Minnesota Statutes 2002, section 297A.61, subdivision 3.

Referred to the Committee on Taxes.

Senators Murphy, Sams, Dille and Kubly introduced--

S.F. No. 1263: A bill for an act relating to agriculture; providing for the headquarters of the department of agriculture to be named after Orville L. Freeman.

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

Senators Dibble, Marko, Moua, Chaudhary and Rest introduced--

S.F. No. 1264: A bill for an act relating to transportation; requiring creation of interagency environmental review streamlining committee, specifying duties; requiring development of model environmental review memorandum of understanding and specifying its content; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Finance.

Senators Tomassoni, Berglin, Lourey, Sams and Kiscaden introduced--

S.F. No. 1265: A bill for an act relating to education; coordinating crisis services with removal of certain students; providing for district student removal reports to department of children, families, and learning; increasing graduation rates of students with emotional or behavioral disturbance; requiring warning signs of mental illness to be included in continuing education requirements for teachers; providing for rulemaking; amending Minnesota Statutes 2002, sections 121A.55; 121A.61, subdivision 3; 122A.09, subdivision 4; 125A.08.

Referred to the Committee on Education.

Senator Kiscaden introduced--

S.F. No. 1266: A bill for an act relating to health; permitting single background study for home care provider employees; excluding licensed home care agencies from supplemental nursing services law; excluding certain home care agencies from state survey requirements; amending Minnesota Statutes 2002, sections 144.057, subdivision 1; 144A.46, by adding a subdivision; 144A.70, subdivision 6.

Referred to the Committee on Health and Family Security.

Senators Langseth, Dille, Ortman and Ourada introduced--

S.F. No. 1267: A bill for an act relating to natural resources; wetlands; modifying wetland replacement requirements for public transportation projects; amending Minnesota Statutes 2002, sections 103G.222, subdivisions 1, 3; 103G.2241, subdivision 9.

Referred to the Committee on Environment and Natural Resources.

Senators Sparks, Sams and Metzen introduced--

S.F. No. 1268: A bill for an act relating to utilities; modifying notice and plan requirements before excavating around utility facilities; allowing notice exception for emergency; requiring rules for damage reports; making technical and clarifying changes; amending Minnesota Statutes 2002, sections 216D.04, subdivisions 1, 1a, 2, 3, 4; 216D.05; 216D.06, subdivision 3, by adding a subdivision; 216D.08, subdivision 1.

Referred to the Committee on Commerce and Utilities.

Senators Day, Ortman, Jungbauer, McGinn and Ourada introduced--

S.F. No. 1269: A bill for an act relating to transportation; authorizing state bonds for highway purposes; appropriating money.

Referred to the Committee on Finance.

Senator Ourada introduced--

S.F. No. 1270: A bill for an act relating to the city of Buffalo; authorizing it to issue general obligation bonds to pay for the city's share of highway 55 reconstruction and upgrading.

Referred to the Committee on Finance.

Senators Ourada, Dille, Limmer and Gaither introduced--

S.F. No. 1271: A bill for an act relating to transportation; establishing trunk highway corridor-protection revolving loan account; appropriating money; amending Minnesota Statutes 2002, sections 161.04, by adding a subdivision; 174.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 161.

Referred to the Committee on Finance.

Senator Nienow introduced--

S.F. No. 1272: A bill for an act relating to natural resources; appropriating money for fire and rescue operations support for Interstate park.

Referred to the Committee on Environment and Natural Resources.

Senator Nienow introduced--

S.F. No. 1273: A bill for an act relating to drivers' licenses; allowing government agencies to act as commercial driver training schools; amending Minnesota Statutes 2002, section 171.33, subdivision 1.

Referred to the Committee on Finance.

Senator Metzen introduced--

S.F. No. 1274: A bill for an act relating to education; authorizing an early retirement levy for school districts.

Referred to the Committee on Education.

Senators Kubly, Murphy, Saxhaug and Foley introduced--

S.F. No. 1275: A bill for an act relating to evidence; establishing a domestic violence victims' advocate privilege; amending Minnesota Statutes 2002, section 595.02, by adding a subdivision.

Referred to the Committee on Judiciary.

Senators Kubly, Murphy and Saxhaug introduced--

S.F. No. 1276: A bill for an act relating to education; increasing revenue for certain secondary schools; amending Minnesota Statutes 2002, section 126C.10, by adding a subdivision.

Referred to the Committee on Education.

Senators Wergin, Pariseau and Limmer introduced--

S.F. No. 1277: A bill for an act relating to public safety; modifying 911 emergency telecommunications provisions governing fee submission procedures and audits; amending Minnesota Statutes 2002, section 403.11, subdivisions 1, 3c.

Referred to the Committee on Commerce and Utilities.

Senator Foley introduced--

S.F. No. 1278: A bill for an act relating to crime prevention; clarifying the reporting requirements of the predatory offender registration law; amending Minnesota Statutes 2002, section 243.166, subdivisions 3, 4a.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Wergin, Ruud and Tomassoni introduced--

S.F. No. 1279: A bill for an act relating to capital improvements; appropriating money to commissioner of transportation for state's matching amount for recreational bridge over highway 169 in Mille Lacs county; authorizing sale of state bonds.

Referred to the Committee on Finance.

Senator Knutson introduced--

S.F. No. 1280: A bill for an act relating to taxation; providing that certain personal property at an electric generation facility is exempt from taxation; amending Minnesota Statutes 2002, section 272.02, by adding a subdivision.

Referred to the Committee on Commerce and Utilities.

Senators Sams, Dille, Rosen, Stumpf and Vickerman introduced--

S.F. No. 1281: A bill for an act relating to the environment; modifying environmental review for animal feedlots; amending Minnesota Statutes 2002, section 116D.04, subdivisions 2a, 10, 11, 13.

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

Senators Murphy and Moua introduced--

S.F. No. 1282: A bill for an act relating to veterans; providing for placement in the capitol area of a statue commemorating Hmong veterans of the campaign in Laos during the Vietnam War.

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

Senators Kelley, Kierlin and Olson introduced--

S.F. No. 1283: A bill for an act relating to education finance; providing funding mechanisms for virtual schools; proposing coding for new law in Minnesota Statutes, chapter 125B.

Referred to the Committee on Education.

Senators Johnson, D.E.; Ourada; Langseth; Rest and Moua introduced--

S.F. No. 1284: A bill for an act relating to transportation; increasing maximum license taxes on passenger automobiles; providing for deposit of revenues from motor vehicle sales tax; requiring reductions in department of transportation trunk highway fund budget base; authorizing issuance of state trunk highway bonds and appropriating proceeds for trunk highway improvements; authorizing issuance of state general obligation bonds for public transit capital improvements; proposing an amendment to the Minnesota Constitution by adding a section to article XIV to dedicate all revenue from the motor vehicle sales tax to highway and transit purposes beginning July 1, 2007; appropriating money; amending Minnesota Statutes 2002, sections 168.013, subdivision 1a; 297B.09, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 161.

Referred to the Committee on Finance.

Senator Kubly introduced--

S.F. No. 1285: A bill for an act relating to appropriations; reinstating funding for Minnesota economic opportunity grants.

Referred to the Committee on Finance.

Senator Kiscaden introduced--

S.F. No. 1286: A bill for an act relating to transportation; providing for high-speed rail transportation under authority of commissioner of transportation; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Finance.

Senator Nienow introduced--

S.F. No. 1287: A bill for an act relating to government data; extending sunset for disclosure of certain taxpayer data; amending Laws 1997, First Special Session chapter 3, section 27, as amended.

Referred to the Committee on State and Local Government Operations.

Senators Marty and Chaudhary introduced--

S.F. No. 1288: A bill for an act relating to education finance; authorizing continuing levy authority for certain community education activities jointly sponsored by a city and a school district; proposing coding for new law in Minnesota Statutes, chapter 124D.

Referred to the Committee on Finance.

Senators Ourada, Gaither, Metzen and Scheid introduced--

S.F. No. 1289: A bill for an act relating to utility regulation; amending the interest utilities pay on consumer deposits; amending Minnesota Statutes 2002, section 325E.02.

Referred to the Committee on Commerce and Utilities.

Senators Ourada, Langseth, Robling and Ortman introduced--

S.F. No. 1290: A bill for an act relating to transportation; regulating utility relocations necessitated by design-build transportation projects; proposing coding for new law in Minnesota Statutes, chapter 161.

Referred to the Committee on Finance.

Senators Kleis, Day, Gaither, Michel and Knutson introduced--

S.F. No. 1291: A bill for an act relating to labor; modifying prevailing wage rate determination method; amending Minnesota Statutes 2002, section 177.42, subdivision 6.

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

Senators Kleis; McGinn; Pariseau; Johnson, D.J. and Knutson introduced--

S.F. No. 1292: A bill for an act relating to firearms; providing that a person who is convicted of a felony-level crime of violence is prohibited from possessing, receiving, shipping, or transporting a firearm for the remainder of the person's lifetime; authorizing a court upon a showing of good cause to restore the person's ability to possess, receive, ship, or transport firearms; making technical changes to the definition of "crime of violence"; amending Minnesota Statutes 2002, sections 242.31, subdivision 2a; 260B.245, subdivision 1; 609.165, subdivisions 1a, 1b, by adding a subdivision; 609A.03, subdivision 5a; 624.712, subdivision 5; 624.713, subdivisions 1, 2, 3; 638.02, subdivision 2.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Dibble introduced--

S.F. No. 1293: A bill for an act relating to retirement; teachers retirement association; authorizing the teachers retirement association to use a salary for pension purposes for a certain teacher which is in excess of actual earnings.

Referred to the Committee on State and Local Government Operations.

Senators Lourey, Cohen, Marko and Senjem introduced--

S.F. No. 1294: A bill for an act relating to natural resources; requiring an analysis of management options for school trust land in the boundary waters canoe area; temporarily suspending the disposal of school trust land in the boundary waters canoe area.

Referred to the Committee on Environment and Natural Resources.

Senator Kleis introduced--

S.F. No. 1295: A bill for an act relating to transportation; regulating information on drivers' licenses, identification cards, and permits, and applications for them; adopting certain federal laws and regulations; making technical and clarifying changes; amending Minnesota Statutes 2002, sections 171.06, subdivision 3; 171.07, subdivisions 1, 3; 171.14; proposing coding for new law in Minnesota Statutes, chapter 171; repealing Minnesota Rules, parts 7410.0400, subparts 1, 1a, 1b; 7410.1800.

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

Senator Neville introduced--

S.F. No. 1296: A bill for an act relating to corrections; authorizing certain commitments to the commissioner of corrections to be served in local correctional facilities; requiring the commissioner to issue a request for proposals to provide facilities for persons committed to the commissioner; amending Minnesota Statutes 2002, section 609.105, subdivision 1, by adding subdivisions; repealing Laws 2002, chapter 220, article 6, section 6.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Neuville introduced--

S.F. No. 1297: A bill for an act relating to state government; removing legislators from certain executive branch boards; amending Minnesota Statutes 2002, sections 15.50, subdivision 1; 41D.01, subdivisions 1, 3; 116O.09, subdivision 1a; 138.763, subdivision 1; 240A.02, subdivision 1; 298.22, subdivision 2.

Referred to the Committee on State and Local Government Operations.

Senators Sparks, Metzen and Scheid introduced--

S.F. No. 1298: A bill for an act relating to insurance; prohibiting certain insurers from transacting business in the state; proposing coding for new law in Minnesota Statutes, chapter 60A.

Referred to the Committee on Commerce and Utilities.

Senators Ruud and Belanger introduced--

S.F. No. 1299: A bill for an act relating to taxation; providing for homestead classification for certain resorts owned by a limited liability company; amending Minnesota Statutes 2002, section 273.13, subdivision 22.

Referred to the Committee on Taxes.

Senator Scheid introduced--

S.F. No. 1300: A bill for an act relating to education; establishing requirements for qualified teachers and paraprofessionals; amending Minnesota Statutes 2002, section 122A.22; proposing coding for new law in Minnesota Statutes, chapter 122A.

Referred to the Committee on Education.

Senator Skoe introduced--

S.F. No. 1301: A bill for an act relating to education; directing the board of teaching to adopt rules granting a license to chemistry, physics, and biology teachers; allowing science teachers with continuing licenses to be certified to teach other subjects after receiving a qualifying score on a Praxis II test; amending Minnesota Statutes 2002, section 122A.09, subdivision 4.

Referred to the Committee on Education.

Senator Knutson introduced--

S.F. No. 1302: A bill for an act relating to campaign finance; providing for the campaign finance and public disclosure board to administer the law on corporate political contributions; expanding permitted activities under the corporate political contribution law; modifying penalties for corporate political contributions; eliminating certain criminal penalties; requiring labor organizations to allow employees to indicate agreement to use certain fees for certain political purposes; amending Minnesota Statutes 2002, sections 10A.071, subdivision 3; 10A.16; 10A.17, subdivision 5; 10A.20, subdivision 6b; 10A.29; 10A.37; 211B.15, subdivisions 1, 6, 7, 11, 12, 16, 17, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 211B.

Referred to the Committee on Rules and Administration.

Senators Lourey and Dibble introduced--

S.F. No. 1303: A bill for an act relating to human services; appropriating funds to the

commissioner of human services to place markers at cemeteries located at regional treatment centers.

Referred to the Committee on Finance.

Senator Pogemiller introduced--

S.F. No. 1304: A bill for an act relating to retirement; requiring an actuarial study to determine the costs to restructure the four Minnesota teacher retirement plans.

Referred to the Committee on State and Local Government Operations.

Senator Olson introduced--

S.F. No. 1305: A bill for an act relating to education; authorizing a fund transfer for independent school district No. 277, Westonka.

Referred to the Committee on Finance.

Senators Foley, Skoglund and Kleis introduced--

S.F. No. 1306: A bill for an act relating to crime; creating a sanctions conference procedure to allow probation officers to impose, with district court confirmation, probation sanctions for technical violations of probation; requesting the chief judge of each judicial district to develop procedures for sanctions conferences and a sanctions conference form; amending Minnesota Statutes 2002, sections 243.05, subdivision 1; 609.135, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 243; 244; 401; repealing Minnesota Statutes 2002, sections 244.19, subdivision 3a; 401.02, subdivision 5.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Murphy, Tomassoni, Scheid and Vickerman introduced--

S.F. No. 1307: A bill for an act removing a limitation for regional library basic system support grants; amending Minnesota Statutes 2002, section 134.201, subdivision 5; repealing Minnesota Statutes 2002, section 134.34, subdivision 4.

Referred to the Committee on Finance.

Senator Kelley introduced--

S.F. No. 1308: A bill for an act relating to public safety; increasing the 911 emergency telephone service fee to cover the cost of the third phase of the public safety radio communication system; transferring responsibility for the 911 emergency telephone system and public safety radio system to the commissioner of public safety; authorizing the sale of revenue bonds by the metropolitan council; appropriating money; amending Minnesota Statutes 2002, sections 403.02, subdivision 10; 403.06; 403.07, subdivisions 1, 2, 3; 403.09, subdivision 1; 403.11; 403.113; 473.891, subdivision 10, by adding a subdivision; 473.898, subdivisions 1, 3; 473.901; 473.902, by adding a subdivision; 473.907, subdivision 1.

Referred to the Committee on State and Local Government Operations.

MEMBERS EXCUSED

Senator Koering was excused from the Session of today at 11:30 a.m. Senator Moua was excused from the Session of today from 11:40 to 11:45 a.m.

ADJOURNMENT

Senator Hottinger moved that the Senate do now adjourn until 12:00 noon, Wednesday, April 2, 2003. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Monday, March 31, 2003

MESSAGES FROM THE HOUSE AND FIRST READINGS OF HOUSE FILES

S.F. Nos.	Message Page	H.F. Nos.	Message Page	1st Reading Page
356	493	441	493	494
512	493	446	493	494
726	493	770	493	494
		1158	493	494

SUSPENSION OF RULES

S.F. Nos.	Page	H.F. Nos.	Page
		1158	514

REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
300	509				
301	509				
338	498				
484	501	510			
486	499	510			
514	495				
633	502				
646	498				
730	495				
748	507				
835	509				
861	509				
864	502	510			
891	503	510			
905	503				
911	499	510			
919	498	510			
951	505				
969	497				
980	494	510			
993	505	510			
1064	503	510			
1065	504				
1088	504				
1095	504	510			
1099	509	510			
1102	494				

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
325	510	1158	514
392	519		
450	510		
469	510		
515	511		
755	510		
1055	510		
1060	511		
1082	510		
1086	511		
1089	511		
1094	511		
1152	511		
1194	511		
1210	511		
1222	511		
1232	519		
Sen. Con.			
Res. No. 5	511		
Sen. Res.			
No. 52	510		
Sen. Res.			
No. 55	511		

CONSENT CALENDAR

S.F. Nos.	Page	H.F. Nos.	Page
693	513	267	512
790	513	536	512
926	513		

SPECIAL ORDERS

S.F. Nos.	Page	H.F. Nos.	Page
39	517		
155	517		
215	515		
217	516		
328	516		
422	515		
625	518		

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F. Nos. 1234 to 1308 Pages 520 to 530

30TH DAY]

MONDAY, MARCH 31, 2003

3

