

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-THIRD LEGISLATURE

SIXTY-SECOND DAY

St. Paul, Minnesota, Monday, February 9, 2004

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Craig Richter.

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

June 5, 2003

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF TEACHING

Lindsey Cartwright, 709 River Rd., Windom, in the county of Cottonwood, effective June 5, 2003, for a term that expires on January 1, 2007.

Deirdre Bird Kramer, 7100 Mid Oaks Ave. N., Stillwater, in the county of Washington, effective June 5, 2003, for a term that expires on January 1, 2007.

Stuart Lade, 725 N. 3rd St., Brainerd, in the county of Crow Wing, effective June 5, 2003, for a term that expires on January 1, 2007.

Heather Lindstrom, 31891 County 45 Blvd., Red Wing, in the county of Goodhue, effective June 5, 2003, for a term that expires on January 1, 2007.

(Referred to the Committee on Education.)

September 5, 2003

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

METROPOLITAN COUNCIL

District One: Roger Scherer, 12001 Bass Lake Rd., Plymouth, in the county of Hennepin.

District Two: Tony Pistilli, 4309 Edinbrook Terrace, Brooklyn Park, in the county of Hennepin.

District Three: Mary Smith, 515 N. Ferndale Rd., Wayzata, in the county of Hennepin.

District Four: Julius Smith, 1185 Gallery Ln., Chaska, in the county of Carver.

District Five: Russell Susag, 7305 - 1st Ave. S., Richfield, in the county of Hennepin.

District Six: Margaret "Peggy" Leppik, 7500 Western Ave., Golden Valley, in the county of Hennepin.

District Seven: Annette Meeks, 19 S. 1st St., B-1501, Minneapolis, in the county of Hennepin.

District Eight: Lynette Wittsack, 2322 Taylor St. N.E., Minneapolis, in the county of Hennepin.

District Nine: Natalie Steffen, 7007 - 164th Ave. N.W., Ramsey, in the county of Anoka.

District Ten: Marcel Eibensteiner, 14 Evergreen Ln., North Oaks, in the county of Ramsey.

District Eleven: Georgeanne Hilker, 4698 Banning Ave., White Bear Lake, in the county of Ramsey.

District Twelve: Christopher Georgacas, 309 - 69th St. N., Mahtomedi, in the county of Washington.

District Thirteen: Richard Aguilar, 204 Emerson Ave. E., West St. Paul, in the county of Dakota.

District Fourteen: Song Fawcett, 210 Woodlawn Ave., St. Paul, in the county of Ramsey.

District Fifteen: Thomas Egan, 864 Great Oaks Trl., Eagan, in the county of Dakota.

District Sixteen: Brian McDaniel, 13954 Flagstaff Ct., Apple Valley, in the county of Dakota.

The effective date of the above appointments is September 2, 2003. All sixteen members are appointed for terms that expire on January 1, 2007.

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

January 21, 2004

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

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

PUBLIC UTILITIES COMMISSION

LeRoy Koppendrayer, 6234 Davenport Rd., Princeton, in the county of Mille Lacs, effective January 26, 2004, for a term that expires on January 4, 2010.

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

Sincerely,
Tim Pawlenty, Governor

February 9, 2004

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

Pursuant to Senate Rule 8.2, the following appointments have been withdrawn from the following committees and placed on the Confirmation Calendar:

From the Committee on Finance, to which was referred the following appointment as reported in the Journal for February 6, 2003:

**DEPARTMENT OF TRANSPORTATION
COMMISSIONER**

Carol Molnau

From the Committee on State and Local Government Operations, to which was referred the following appointment as reported in the Journal for February 6, 2003:

**DEPARTMENT OF EMPLOYEE RELATIONS
COMMISSIONER**

Cal Ludeman

Sincerely,
Patrick E. Flahaven
Secretary of the Senate

MESSAGES FROM THE HOUSE

Mr. President:

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

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

Senate File No. 906 is herewith returned to the Senate.

Albin A. Mathiowetz, First Assistant Chief Clerk, House of Representatives

Returned May 19, 2003

CONCURRENCE AND REPASSAGE

Senator Skoglund moved that the Senate concur in the amendments by the House to S.F. No. 906 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 906 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

REPORTS OF COMMITTEES

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

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

S.F. No. 555: A bill for an act relating to highways; allowing two-way operation of snowmobiles on either side of highway right-of-way when authorized by commissioner of transportation; amending Minnesota Statutes 2002, section 84.87, subdivision 1.

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

Page 1, line 12, delete "state aid" and insert "state_aid"

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

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

S.F. No. 1626: A bill for an act relating to municipalities; making certain changes regarding storm and sanitary sewer authorizations; amending Minnesota Statutes 2002, section 444.075, subdivisions 1, 1a, 2, 3.

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

Page 3, line 12, after the comma, insert "and of obtaining and complying with permits required by law,"

Page 4, line 2, strike the first "and" and insert a comma

Page 4, line 3, after the comma, insert "and of obtaining and complying with permits required by law,"

Page 5, line 10, delete everything after "for" and insert "items for which charges are authorized in subdivision 3."

Page 6, line 1, before the period, insert "and the costs of obtaining and complying with permits required by law"

Page 7, after line 14, insert:

"Sec. 5. [EFFECTIVE DATE.]

Sections 2 to 4 are effective January 1, 2006."

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

Senator Pogemiller from the Committee on Taxes, to which was referred

S.F. No. 15: A bill for an act relating to taxation; adjusting long-term care insurance credit; amending Minnesota Statutes 2002, section 290.0672, subdivision 2.

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

Page 1, line 22, delete "2002" and insert "2003"

And when so amended the bill be re-referred to the Committee on Finance without recommendation. Amendments adopted. Report adopted.

Senator Pogemiller from the Committee on Taxes, to which was referred

S.F. No. 1602: A bill for an act relating to taxation; providing for partial conformity to the Medicare Prescription Drug, Improvement, and Modernization Act of 2003; amending Minnesota Statutes 2003 Supplement, section 290.01, subdivision 19.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Marty from the Committee on Environment and Natural Resources, to which was referred the following appointment as reported in the Journal for April 28, 2003:

DEPARTMENT OF NATURAL RESOURCES
COMMISSIONER

Gene Merriam

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

Senator Johnson, D.E. moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Marty from the Committee on Environment and Natural Resources, to which were referred the following appointments as reported in the Journal for May 16, 2003:

MINNESOTA POLLUTION CONTROL AGENCY

Keith H. Langmo
Marcus Marsh
Chester Wilander

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

Senator Johnson, D.E. moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. No. 1626 was read the second time.

MOTIONS AND RESOLUTIONS

Senator Sams moved that the name of Senator Pogemiller be added as a co-author to S.F. No. 401. The motion prevailed.

Senator Kleis moved that the names of Senators Kiscaden and Senjem be added as co-authors to S.F. No. 1638. The motion prevailed.

Senator Solon moved that the name of Senator Langseth be added as a co-author to S.F. No. 1646. The motion prevailed.

Senator Solon moved that the name of Senator Langseth be added as a co-author to S.F. No. 1647. The motion prevailed.

Senator Solon moved that the name of Senator Langseth be added as a co-author to S.F. No. 1648. The motion prevailed.

Senator Sparks moved that the name of Senator Scheid be added as a co-author to S.F. No. 1666. The motion prevailed.

Senator Solon moved that the name of Senator Langseth be added as a co-author to S.F. No. 1702. The motion prevailed.

Senator Koering moved that the name of Senator Sams be added as a co-author to S.F. No. 1751. The motion prevailed.

Senator Rest moved that the names of Senators Pariseau and Murphy be added as co-authors to S.F. No. 1801. The motion prevailed.

Senator Skoglund moved that S.F. No. 631 be withdrawn from the Committee on Commerce and re-referred to the Committee on Finance. The motion prevailed.

Senator Skoglund moved that S.F. No. 1710 be withdrawn from the Committee on Crime Prevention and Public Safety and returned to its author. The motion prevailed.

Senator Higgins moved that S.F. No. 1638 be withdrawn from the Committee on State and Local Government Operations and re-referred to the Committee on Finance. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Senator Johnson, D.E. moved that the Senate take up the Confirmation Calendar. The motion prevailed.

CONFIRMATION CALENDAR

Senator Rest moved that the appointments withdrawn from committees and placed on the Confirmation Calendar under Senate Rule 8.2, reported in the Journals for February 2, 2004 and February 9, 2004, be returned to the committees from which they were withdrawn with the exception of the following changes:

Public Utilities Commission - R. Marshall Johnson to Jobs, Energy and Community Development.

Gambling Control Board - William Barbknecht, Gerald E. Dexter, James Hynes, Donald McHale and Peggy Moon to Agriculture, Veterans and Gaming.

Minnesota Racing Commission - Scott LeDoux, Robert McNamara, Lynn Marvin Johnson and William Robinson to Agriculture, Veterans and Gaming.

CALL OF THE SENATE

Senator Betzold imposed a call of the Senate for the balance of the proceedings on the Rest motion. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Rest motion.

The roll was called, and there were yeas 34 and nays 31, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed.

CONFIRMATION

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

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

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

DEPARTMENT OF REVENUE COMMISSIONER

Daniel Salomone, 2734 Gerald Ave., North St. Paul, Ramsey County, effective January 6, 2003, for a term expiring on January 1, 2007.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Lourey moved that the reports from the Committee on Health and Family Security, reported May 2, 2003, pertaining to appointments, be taken from the table. The motion prevailed.

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

Senator Lourey moved that in accordance with the report from the Committee on Health and Family Security, reported May 2, 2003, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF HUMAN SERVICES
COMMISSIONER

Kevin Goodno, Box 478, Moorhead, Clay County, effective January 6, 2003, for a term expiring on January 1, 2007.

The motion prevailed. So the appointment was confirmed.

Senator Lourey moved that in accordance with the report from the Committee on Health and Family Security, reported May 2, 2003, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF HEALTH
COMMISSIONER

Dianne Mandernach, Rte. 2, Box 709, Sturgeon Lake, Pine County, effective February 18, 2003, for a term expiring on January 1, 2007.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 48 and nays 17, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, D.E.	LeClair	Ortman	Scheid
Bakk	Johnson, D.J.	Limmer	Ourada	Senjem
Belanger	Jungbauer	Lourey	Pariseau	Skoe
Cohen	Kelley	McGinn	Reiter	Sparks
Day	Kierlin	Metzen	Rest	Stumpf
Dille	Kleis	Michel	Robling	Vickerman
Fischbach	Knutson	Murphy	Rosen	Wergin
Frederickson	Koering	Neuville	Ruud	Wiger
Gaither	Kubly	Nienow	Sams	
Hann	Larson	Olson	Saxhaug	

Those who voted in the negative were:

Anderson	Dibble	Marko	Pogemiller	Tomassoni
Berglin	Foley	Marty	Ranum	
Betzold	Higgins	Moua	Skoglund	
Chaudhary	Hottinger	Pappas	Solon	

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Betzold moved that the reports from the Committee on Judiciary, reported May 5, 2003, pertaining to appointments, be taken from the table. The motion prevailed.

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

Senator Betzold moved that in accordance with the report from the Committee on Judiciary, reported May 5, 2003, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD ON JUDICIAL STANDARDS

Elizabeth Hepola, 19645 Skyview Cir., Hutchinson, McLeod County, effective April 11, 2003, for a term expiring on January 1, 2007.

Robert M. A. Johnson, 14820 Bowers Dr., Ramsey, Anoka County, effective April 11, 2003, for a term expiring on January 1, 2007.

The motion prevailed. So the appointments were confirmed.

Senator Betzold moved that in accordance with the report from the Committee on Judiciary, reported May 5, 2003, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF HUMAN RIGHTS
COMMISSIONER

Velma Korbel, 14801 Butternut St. N.W., Andover, Anoka County, effective January 28, 2003, for a term expiring on January 1, 2007.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Foley moved that S.F. No. 58 be taken from the table and placed on General Orders. The motion prevailed.

S.F. No. 58: A bill for an act relating to crimes; reducing from 0.10 to 0.08 the per se alcohol concentration level for impairment offenses involving driving a motor vehicle, criminal vehicular homicide and injury, operating recreational vehicles or watercraft, hunting, or operating military vehicles while impaired; appropriating money; amending Minnesota Statutes 2002, sections 97B.065, subdivision 1; 97B.066, subdivision 1; 169A.20, subdivision 1; 169A.51, subdivision 1; 169A.52, subdivisions 2, 4, 7; 169A.53, subdivision 3; 169A.54, subdivision 7; 169A.76; 192A.555; 609.21.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Ruud, Sams and Marty introduced--

S.F. No. 1804: A bill for an act relating to real property; Minnesota Common Interest Ownership Act; requiring county review and approval of subdivisions; amending Minnesota Statutes 2002, section 515B.2-112.

Referred to the Committee on Judiciary.

Senator Betzold introduced--

S.F. No. 1805: A bill for an act relating to commerce; enacting the revisions to the general provisions of the Uniform Commercial Code and enacting a revised Article 7 of the Uniform Commercial Code recommended by the National Conference of Commissioners on Uniform State Laws; making conforming changes; amending Minnesota Statutes 2002, sections 17.94; 84.787, subdivision 9; 84.797, subdivision 10; 84.92, subdivision 6; 86B.820, subdivision 12; 168A.01, subdivision 20; 234.27; 325L.03; 325L.16; 336.2-103; 336.2-104; 336.2-202; 336.2-310; 336.2-323; 336.2-401; 336.2-503; 336.2-505; 336.2-506; 336.2-509; 336.2-605; 336.2-705; 336.2A-103; 336.2A-501; 336.2A-514; 336.2A-518; 336.2A-519; 336.2A-526; 336.2A-527; 336.2A-528; 336.4-210; 336.4A-105; 336.4A-106; 336.4A-204; 336.5-103; 336.8-102; 336.8-103; 336.9-102; 336.9-203; 336.9-207; 336.9-208; 336.9-301; 336.9-310; 336.9-312; 336.9-313; 336.9-314; 336.9-317; 336.9-338; 336.9-601; 513.33, subdivision 1; 514.963, subdivision 9;

514.965, subdivision 10; 514.973; Minnesota Statutes 2003 Supplement, sections 336.3-103; 336.4-104; proposing coding for new law in Minnesota Statutes, chapter 336; repealing Minnesota Statutes 2002, sections 336.1-101; 336.1-102; 336.1-103; 336.1-104; 336.1-105; 336.1-106; 336.1-107; 336.1-108; 336.1-109; 336.1-110; 336.1-201; 336.1-202; 336.1-203; 336.1-204; 336.1-205; 336.1-206; 336.1-207; 336.1-208; 336.1-209; 336.2-208; 336.2A-207; 336.7-101; 336.7-102; 336.7-103; 336.7-104; 336.7-105; 336.7-201; 336.7-202; 336.7-203; 336.7-204; 336.7-205; 336.7-206; 336.7-207; 336.7-208; 336.7-209; 336.7-210; 336.7-301; 336.7-302; 336.7-303; 336.7-304; 336.7-305; 336.7-306; 336.7-307; 336.7-308; 336.7-309; 336.7-401; 336.7-402; 336.7-403; 336.7-404; 336.7-501; 336.7-502; 336.7-503; 336.7-504; 336.7-505; 336.7-506; 336.7-507; 336.7-508; 336.7-509; 336.7-601; 336.7-602; 336.7-603; 336.10-104.

Referred to the Committee on Judiciary.

Senators Kubly, Metzen and Pogemiller introduced--

S.F. No. 1806: A bill for an act relating to retirement; adding annuities to the list of qualified investments for certain public pension plans; amending Minnesota Statutes 2002, section 356A.06, subdivision 7.

Referred to the Committee on State and Local Government Operations.

Senator Wiger introduced--

S.F. No. 1807: A bill for an act relating to education; improving school building repairs related to mold abatement; amending Minnesota Statutes 2003 Supplement, section 123B.57, subdivision 6.

Referred to the Committee on Education.

Senator Vickerman introduced--

S.F. No. 1808: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for an Alzheimer's addition to the Luverne Veterans Home.

Referred to the Committee on Finance.

Senators Foley, Skoglund, Knutson and Kleis introduced--

S.F. No. 1809: A bill for an act relating to criminal justice; expanding collection of booking fees; changing procedures for return of booking fees; amending Minnesota Statutes 2002, section 641.12, subdivision 1.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Bakk and Saxhaug introduced--

S.F. No. 1810: A bill for an act relating to natural resources; modifying types of snowmobile trails eligible for grants-in-aid; providing for certain immunity; amending Minnesota Statutes 2002, section 84.83, subdivisions 3, 4.

Referred to the Committee on Environment and Natural Resources.

Senators Bakk, Saxhaug and Knutson introduced--

S.F. No. 1811: A bill for an act relating to capital investment; appropriating money for a grant to the city of Two Harbors for a wastewater treatment plant equalization basin and chlorine-contact tank; authorizing the issuance of state general obligation bonds.

Referred to the Committee on Finance.

Senators Bakk, Tomassoni and Knutson introduced--

S.F. No. 1812: A bill for an act relating to capital improvements; appropriating money for Forest Highway 11 in Lake County; authorizing state bonds.

Referred to the Committee on Finance.

Senators Wergin; Johnson, D.J. and Ruud introduced--

S.F. No. 1813: A bill for an act relating to motor vehicles; allowing volunteer firefighter to display blue lights on private motor vehicle under certain circumstances; amending Minnesota Statutes 2003 Supplement, section 169.64, subdivision 4.

Referred to the Committee on Finance.

Senator Wiger introduced--

S.F. No. 1814: A bill for an act relating to metropolitan government; providing for the use of electronic funds transfer; amending Minnesota Statutes 2002, section 473.13, subdivision 4.

Referred to the Committee on State and Local Government Operations.

Senator Wiger introduced--

S.F. No. 1815: A bill for an act relating to metropolitan government; authorizing the State Board of Investment to invest certain funds or assets of the Metropolitan Council upon request; amending Minnesota Statutes 2002, section 473.13, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

Senators Stumpf and Pogemiller introduced--

S.F. No. 1816: A bill for an act relating to property taxation; dedicating a portion of the state property tax to an education reserve; amending Minnesota Statutes 2003 Supplement, section 275.025, subdivision 1.

Referred to the Committee on Taxes.

Senators Marty and Chaudhary introduced--

S.F. No. 1817: A bill for an act relating to education finance; modifying the referendum aid adjustment for open enrollment students; altering the statewide property tax; amending Minnesota Statutes 2003 Supplement, sections 127A.47, subdivision 7; 275.025, subdivision 1.

Referred to the Committee on Finance.

Senator Limmer introduced--

S.F. No. 1818: A bill for an act relating to employment; requiring locks or other security devices to ensure privacy for nursing mothers in the workplace; amending Minnesota Statutes 2002, section 181.939.

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

Senators Knutson and Larson introduced--

S.F. No. 1819: A bill for an act relating to retirement; Minneapolis Teachers Retirement Fund Association; authorizing the purchase of service credit for four years of an extended leave of absence wrongly reported by the school district to the retirement plan as a resignation.

Referred to the Committee on State and Local Government Operations.

Senators Kelley, Skoe and Pappas introduced--

S.F. No. 1820: A bill for an act relating to elections; proposing an amendment to the Minnesota Constitution, article VII, section 1; lowering the voting age to 17 years; amending Minnesota Statutes 2002, sections 201.014, subdivision 1; 201.13, subdivision 1; 201.14; 204C.10; Minnesota Statutes 2003 Supplement, section 201.15, subdivision 1.

Referred to the Committee on Elections.

Senators Pappas, Cohen, Anderson, Moua and Wiger introduced--

S.F. No. 1821: A bill for an act relating to Ramsey County; changing the issuer of a certain license at the state fair; amending Laws 2003, chapter 126, section 29.

Referred to the Committee on Commerce.

Senators Solon, Scheid, Sams, Rest and Metzen introduced--

S.F. No. 1822: A bill for an act relating to debtor exemptions; modifying provisions relating to exemptions for workers' compensation claims, personal injury claims, and certain employee benefits; amending Minnesota Statutes 2002, sections 176.175, subdivision 2; 550.37, subdivisions 20, 22, 24.

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

Senators Pariseau, Nienow, Bakk and Saxhaug introduced--

S.F. No. 1823: A bill for an act relating to natural resources; making fishing licenses issued to nonresidents who are domiciled in certain states invalid for game fish species during the first 14 days of the fishing season; amending Minnesota Statutes 2002, section 97A.411, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senator Rest introduced--

S.F. No. 1824: A bill for an act relating to local government; authorizing the use of reverse auction and electronic bidding; amending Minnesota Statutes 2002, section 471.345, by adding subdivisions.

Referred to the Committee on State and Local Government Operations.

Senator Rest introduced--

S.F. No. 1825: A bill for an act relating to higher education; changing certain requirements of the tuition reciprocity program; providing for the collection of data; amending Minnesota Statutes 2002, sections 13.322, subdivision 3; 136A.08, subdivision 2, by adding subdivisions; 270B.12, by adding a subdivision.

Referred to the Committee on Finance.

Senator Rest introduced--

S.F. No. 1826: A bill for an act relating to taxation; authorizing expenditures of tax increments for job training for employees of businesses located in tax increment financing districts; amending Minnesota Statutes 2002, section 469.176, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 469.175, subdivisions 1, 4, 6.

Referred to the Committee on Taxes.

Senator Betzold introduced--

S.F. No. 1827: A bill for an act relating to health; permitting tobacco use in certain public institutions; amending Minnesota Statutes 2003 Supplement, section 144.414, subdivision 3; repealing Minnesota Statutes 2003 Supplement, section 246.0141.

Referred to the Committee on Health and Family Security.

Senators Limmer, Scheid, Ourada, Kleis and Betzold introduced--

S.F. No. 1828: A bill for an act relating to highways; authorizing issuance of \$30,000,000 in state trunk highway bonds for completion of a segment of Marked Trunk Highway 610 as a four-lane freeway; appropriating money.

Referred to the Committee on Finance.

Senators Kelley and Michel introduced--

S.F. No. 1829: A bill for an act relating to business organizations; regulating the organization, structure, and governance of business corporations, nonprofit corporations, and limited liability companies; amending Minnesota Statutes 2002, sections 302A.011, subdivisions 21, 31, 49, 51, by adding subdivisions; 302A.111, subdivision 2; 302A.137; 302A.215; 302A.231, subdivisions 4, 6; 302A.401, subdivision 3; 302A.402, subdivision 2; 302A.437, subdivision 1; 302A.441; 302A.471, subdivisions 1, 3; 302A.473, subdivisions 3, 4; 302A.521, subdivision 1; 302A.651, subdivision 1; 302A.661, subdivision 2; 302A.723, subdivision 1; 317A.011, subdivision 14, by adding a subdivision; 317A.231, subdivisions 4, 5; 317A.447; 322B.03, subdivisions 36a, 45a; 322B.115, subdivision 2; 322B.155; 322B.346, subdivision 1; 322B.383, subdivision 1; 322B.386, subdivisions 3, 4; 322B.40, subdivision 6; 322B.63; 322B.643, subdivisions 4, 6; 322B.77, subdivision 2; Minnesota Statutes 2003 Supplement, section 317A.443, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 302A; 322B.

Referred to the Committee on Judiciary.

Senator Larson introduced--

S.F. No. 1830: A bill for an act relating to local government; increasing the amount a county or city may appropriate for the prevention of cruelty to animals; providing that a property tax levy to fund the appropriation is exempt from levy limits; amending Minnesota Statutes 2002, section 343.11; Minnesota Statutes 2003 Supplement, section 275.70, subdivision 5.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Neuville introduced--

S.F. No. 1831: A bill for an act proposing an amendment to the Minnesota Constitution, article VI, sections 6, 7, and 8; changing the procedure for judicial selection.

Referred to the Committee on Elections.

Senators Wiger, Knutson, Kleis, Scheid and Higgins introduced--

S.F. No. 1832: A bill for an act relating to elections; presidential electors; providing for designation of certain presidential electors and specifying the duties of presidential electors; amending Minnesota Statutes 2002, sections 208.03; 208.08.

Referred to the Committee on Elections.

Senators Ranum, Chaudhary, Neuville, Foley and Stumpf introduced--

S.F. No. 1833: A bill for an act relating to crime prevention; public safety; authorizing and appropriating money for the use of polygraphic examinations for sex offenders under community supervision; requesting the development by the courts of a protocol for the use of these examinations; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Pappas, Stumpf, Wergin and Anderson introduced--

S.F. No. 1834: A bill for an act relating to education finance; expanding the health and safety revenue program to include arsenic remediation expenses; amending Minnesota Statutes 2002, section 123B.57, subdivision 2; Minnesota Statutes 2003 Supplement, section 123B.57, subdivisions 1, 6.

Referred to the Committee on Finance.

Senators Fischbach, Wergin, Kleis and Koering introduced--

S.F. No. 1835: A bill for an act relating to health; providing for review of hospital moratorium exceptions; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Family Security.

Senators Knutson, Rest, Betzold and Neuville introduced--

S.F. No. 1836: A bill for an act relating to state government; the Office of the Secretary of State; simplifying filing procedures; eliminating certain filing requirements; requiring electronic registration after December 31, 2004; appropriating money; amending Minnesota Statutes 2002, sections 184.30; 302A.821, subdivisions 1, 2, 4; 317A.823, subdivision 1, by adding a subdivision; 322B.960, subdivisions 1, 2, 5; 325A.06, subdivision 1; 326.40, subdivision 2; 326.48, subdivision 3; 330.01, subdivision 1; 330.08; 330.09; 336.9-525; 340A.416, subdivision 4; 359.01; 359.071; 398.10.

Referred to the Committee on Judiciary.

Senators Knutson, Kiscaden, Murphy and Belanger introduced--

S.F. No. 1837: A bill for an act relating to taxation; income; providing a refundable credit for certain military service; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Knutson, Kiscaden, Murphy and McGinn introduced--

S.F. No. 1838: A bill for an act relating to military affairs; increasing the tuition reimbursement level for members of the Minnesota National Guard who are attending postsecondary educational institutions; appropriating money; amending Minnesota Statutes 2003 Supplement, section 192.501, subdivision 2.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Knutson, Kiscaden, Murphy and McGinn introduced--

S.F. No. 1839: A bill for an act relating to the military; clarifying the civil and criminal protections provided to members of the Minnesota National Guard or other United States armed forces who apply reasonable force while acting in accordance with official military orders; amending Minnesota Statutes 2002, section 192.27.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Limmer, Kleis, Moua, Foley and Chaudhary introduced--

S.F. No. 1840: A bill for an act relating to crimes; prohibiting unauthorized use or sale of electronic device that changes traffic signal; imposing gross misdemeanor penalty; amending Minnesota Statutes 2002, section 609.851, by adding a subdivision.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Dille, Neuville, Marty, Robling and Lourey introduced--

S.F. No. 1841: A bill for an act relating to marriage; changing certain administrative responsibilities; requiring a report; amending Minnesota Statutes 2002, sections 517.07; 517.08, by adding a subdivision; 517.10; 517.13; 517.18, subdivision 1; Minnesota Statutes 2003 Supplement, section 517.08, subdivisions 1b, 1c; proposing coding for new law in Minnesota Statutes, chapter 517.

Referred to the Committee on Judiciary.

Senator Kelley introduced--

S.F. No. 1842: A bill for an act relating to capital improvements; authorizing the sale of state bonds; appropriating money for a pedestrian and trail crossing in St. Louis Park.

Referred to the Committee on Environment and Natural Resources.

Senator Saxhaug introduced--

S.F. No. 1843: A bill for an act relating to state lands; authorizing the public and private sales of certain state lands in Aitkin County.

Referred to the Committee on Environment and Natural Resources.

Senators Saxhaug, Stumpf and Kelley introduced--

S.F. No. 1844: A bill for an act relating to education; providing for employee recognition programs; amending Minnesota Statutes 2002, section 123B.02, by adding a subdivision.

Referred to the Committee on Education.

Senators Sams and Wergin introduced--

S.F. No. 1845: A bill for an act relating to education finance; lowering the maximum effort capital loan tax rate; amending Minnesota Statutes 2003 Supplement, section 126C.63, subdivision 8.

Referred to the Committee on Finance.

Senators Dille, Marty, Robling, Lourey and Kiscaden introduced--

S.F. No. 1846: A bill for an act relating to family law; requiring a minimum of ten hours participation in a parent education program in contested custody or parenting time cases; amending Minnesota Statutes 2002, section 518.157, subdivision 3.

Referred to the Committee on Judiciary.

Senators Kubly and Vickerman introduced--

S.F. No. 1847: A bill for an act relating to commerce; prohibiting tampering with clock-hour meters on farm tractors; prescribing criminal and civil penalties; allowing for treble damages; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce.

Senator Betzold introduced--

S.F. No. 1848: A bill for an act relating to civil commitment; establishing a Predatory Offender Screening Committee to make recommendations to the commissioner of corrections regarding referral of sex offenders to civil commitment proceedings; providing for access to data in making these determinations; amending Minnesota Statutes 2002, sections 13.851, subdivision 5; 244.05, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 244.

Referred to the Committee on Judiciary.

Senator Kelley introduced--

S.F. No. 1849: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for a flood hazard mitigation grant to the city of St. Louis Park.

Referred to the Committee on Finance.

Senators Kelley, Scheid and Limmer introduced--

S.F. No. 1850: A bill for an act relating to real property; the electronic real estate recording task force created by Laws 2000, chapter 391; amending uncoded laws relating to that task force; extending the period of existence of the task force and the surcharge on filings appropriated to the task force; appropriating money; amending Laws 2000, chapter 391, section 1, subdivision 2; Laws 2001, First Special Session chapter 10, article 2, section 77; Laws 2002, chapter 365, section 9; Laws 2003, First Special Session chapter 1, article 2, section 123.

Referred to the Committee on Judiciary.

Senator Metzen introduced--

S.F. No. 1851: A bill for an act relating to capital investment; appropriating money for flood hazard mitigation in the city of Inver Grove Heights; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

Senators Reiter, Murphy, Larson, Limmer and McGinn introduced--

S.F. No. 1852: A bill for an act relating to traffic regulations; requiring vehicles to wait at railroad crossings until roadway is clear; amending Minnesota Statutes 2002, section 169.26, subdivision 1; Minnesota Statutes 2003 Supplement, section 169.28, subdivision 1.

Referred to the Committee on Finance.

Senators Stumpf, Kelley, Skoe, Bachmann and Marko introduced--

S.F. No. 1853: A resolution memorializing the Congress of the United States to amend the No Child Left Behind Act immediately to provide more flexibility for states and to include a mechanism for an automatic waiver from provisions for school accountability for states such as Minnesota that have successfully increased student achievement through their own standards and accountability reforms.

Referred to the Committee on Education.

Senator Lourey introduced--

S.F. No. 1854: A bill for an act relating to the Minnesota family investment program; adding county adoption assistance payments up to amount equal to state adoption assistance payments to income exclusions for purposes of MFIP-S eligibility; amending Minnesota Statutes 2003 Supplement, section 256J.21, subdivision 2.

Referred to the Committee on Health and Family Security.

Senators Bachmann, Reiter and Johnson, D.J. introduced--

S.F. No. 1855: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for Century College.

Referred to the Committee on Finance.

Senator Bachmann introduced--

S.F. No. 1856: A bill for an act relating to retirement; Marine on St. Croix Volunteer Firefighters Relief Association; providing for an earlier vesting schedule.

Referred to the Committee on State and Local Government Operations.

Senator Berglin introduced--

S.F. No. 1857: A bill for an act relating to human services; eliminating the requirement that prescription drug program applicants and enrollees be referred to the prescription drug assistance program; amending Minnesota Statutes 2003 Supplement, sections 256.955, subdivision 3; 256.975, subdivision 9; repealing Minnesota Statutes 2003 Supplement, section 256.955, subdivision 4a.

Referred to the Committee on Health and Family Security.

Senator Berglin introduced--

S.F. No. 1858: A bill for an act relating to capital improvements; authorizing state bonds; appropriating money for the East Phillips Cultural and Community Center.

Referred to the Committee on Finance.

Senators Sams and Stumpf introduced--

S.F. No. 1859: A bill for an act relating to state government; authorizing agency heads to contract with national purchasing organizations for the purchase of goods; amending Minnesota Statutes 2002, section 16C.03, subdivision 3, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

Senators Reiter, Jungbauer, Ruud and McGinn introduced--

S.F. No. 1860: A bill for an act relating to crimes; authorizing imposition of the death penalty for first degree murder under certain aggravating circumstances; providing a statutory framework, including procedures and criteria, consistent with due process for determining when the imposition of the death penalty is appropriate; providing for automatic appellate review of death penalty cases; providing for appointment of attorneys in death penalty cases; providing an administrative framework for implementing the death penalty; establishing a capital punishment policy commission and a prosecution task force to adopt death penalty charge guidelines; creating a best practices capital punishment policy model to provide a just, cost-effective death penalty sanction; establishing defense, prosecution, and judicial task forces to help develop best practices capitol punishment recommendations; appropriating money; amending Minnesota Statutes 2002, sections 243.05, subdivision 1; 609.10, subdivision 1; 609.106, by adding a subdivision; 609.12, subdivision 1; 609.135, subdivision 1; 609.185; proposing coding for new law as Minnesota Statutes, chapter 244A.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Koering introduced--

S.F. No. 1861: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for extension of the Paul Bunyan Trail.

Referred to the Committee on Finance.

Senators Bachmann, Robling, Nienow and Senjem introduced--

S.F. No. 1862: A bill for an act relating to telecommunications; providing consumer protections for wireless customers; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Senators Foley, Ranum and Skoglund introduced--

S.F. No. 1863: A bill for an act relating to crime prevention and public safety; increasing the statutory maximum sentences for sex and sex-related offenses; providing for indeterminate sentences with lifetime maximums for repeat sex and sex-related offenses; streamlining the patterned and predatory offender sentencing law; amending Minnesota Statutes 2002, sections 244.05, subdivisions 4, 5; 609.108, subdivisions 1, 3; 609.109, subdivision 7; 609.341, by adding subdivisions; 609.342, subdivisions 2, 3; 609.343, subdivisions 2, 3; 609.344, subdivisions 2, 3; 609.345, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 2002, section 609.108, subdivision 2.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Foley, Chaudhary, Limmer and Skoglund introduced--

S.F. No. 1864: A bill for an act relating to crime prevention; expanding the crime of causing death while committing child abuse; amending Minnesota Statutes 2002, section 609.185.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Higgins, Sams, Fischbach and Lourey introduced--

S.F. No. 1865: A bill for an act relating to health; creating certification for speech-language

pathology assistants; modifying provisions for speech-language pathology and audiology; amending Minnesota Statutes 2002, section 148.512, subdivisions 9, 19, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 148.511; 148.512, subdivisions 4, 12, 13, 14, 15, 16; 148.513, subdivisions 1, 2; 148.5161, subdivisions 1, 6; 148.517; 148.5175; 148.518; 148.519, subdivisions 2, 3; 148.5191, subdivisions 1, 3, 4; 148.5193, subdivisions 1, 4, 6, 6a, 7, 8; 148.5194, subdivisions 1, 2; 148.5195, subdivisions 2, 3, 4, 5, 6; 148.5196, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Family Security.

Senators Scheid, Pappas, Kelley, Wergin and Gaither introduced--

S.F. No. 1866: A bill for an act relating to state employment; ratifying certain labor agreements and compensation plans.

Referred to the Committee on State and Local Government Operations.

Senators Robling and Ourada introduced--

S.F. No. 1867: A bill for an act relating to motor vehicles; requiring trailers with lifetime registration to display license plate and sticker; amending Minnesota Statutes 2002, sections 168.013, subdivision 1d; 169.79, subdivisions 3, 3a.

Referred to the Committee on Finance.

Senator Skoe introduced--

S.F. No. 1868: A bill for an act relating to education finance; making adjustments to the Department of Education's treatment of the Fertile-Beltrami tax base when making levy adjustments.

Referred to the Committee on Finance.

Senator Skoe introduced--

S.F. No. 1869: A bill for an act relating to education finance; making certain school districts eligible for the advance final payment; amending Minnesota Statutes 2003 Supplement, section 127A.45, subdivision 7a.

Referred to the Committee on Finance.

Senators Skoglund, Foley and Ranum introduced--

S.F. No. 1870: A bill for an act relating to criminal justice; creating indeterminate sentences and mandatory life sentences for certain criminal sexual conduct crimes; restructuring the patterned and predatory sex offender law; requiring the Department of Corrections to establish release criteria for sex offenders committed to the commissioner's custody with indeterminate sentences; establishing a sex offender release review board; instructing the revisor to make technical, conforming changes; providing criminal penalties; amending Minnesota Statutes 2002, sections 244.05, subdivisions 4, 5, 6, 7; 244.052, subdivision 3; 609.108; 609.109; 609.1351; 609.341, by adding subdivisions; 609.342; 609.343; 609.344; 609.345; 609.3452, subdivision 4; 609.347; 609.3471; 609.348; 609.353; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 2002, section 609.108, subdivisions 2, 3, 6, 7.

Referred to the Committee on Crime Prevention and Public Safety.

MEMBERS EXCUSED

Senators Kiscaden and Langseth were excused from the Session of today.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 9:00 a.m., Thursday, February 12, 2004. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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