

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-THIRD LEGISLATURE

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SEVENTY-FIRST DAY

St. Paul, Minnesota, Monday, March 8, 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. William P. Donovan.

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

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

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

The President declared a quorum present.

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

## MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 885, 1737, 1944 and 2105.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 4, 2004

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 885:** A bill for an act relating to health; modifying and clarifying certain food licensing and inspection requirements; exempting certain food establishments from certain equipment design and construction rules; amending Minnesota Statutes 2002, sections 28A.15, by adding a subdivision; 157.011, by adding a subdivision; 157.20, subdivision 1.

Referred to the Committee on Health and Family Security.

**H.F. No. 1737:** A bill for an act relating to local government; permitting the city of Lake Elmo to adopt and implement a long-term comprehensive plan.

Referred to the Committee on State and Local Government Operations.

**H.F. No. 1944:** A bill for an act relating to domestic abuse; providing another ground for extending an order for protection; amending Minnesota Statutes 2002, section 518B.01.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1797, now on General Orders.

**H.F. No. 2105:** A bill for an act relating to Iron Range Resources and Rehabilitation; providing for the name of the agency; amending Minnesota Statutes 2002, section 298.22, subdivision 1.

Referred to the Committee on State and Local Government Operations.

### 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 Scheid from the Committee on Commerce, to which was referred

**S.F. No. 2412:** A bill for an act relating to mortgage foreclosure; providing for a new law to regulate foreclosure reconveyance; establishing licensure for foreclosure purchasers; adding a notice to homeowners in foreclosure; amending Minnesota Statutes 2002, section 580.03; proposing coding for new law in Minnesota Statutes, chapters 325E; 580.

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

Page 7, line 11, delete "rebuttal" and insert "rebuttable"

Page 7, line 25, delete "pays" and insert "provides consideration to the foreclosed homeowner of"

Page 7, line 35, before the semicolon, insert ". For purposes of this clause, the following applies: (A) there is a rebuttable presumption that an appraisal by a person licensed or certified by an agency of the federal government or this state to appraise real estate constitutes the fair market value of the property; (B) both the fair market value amount and the consideration amount paid to the homeowner can be determined at either the time of the initial transaction or at the time of a later event resulting in consideration paid to the foreclosed homeowner or transfer of title to the foreclosed homeowner; and (C) "consideration" shall mean any payment or thing of value provided to the foreclosed homeowner, including payment of money to satisfy a debt or legal obligation of the foreclosed homeowner"

Page 9, line 2, delete "to void" and insert "for damages as a result of"

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

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

**S.F. No. 1603:** A resolution urging the international Joint Commission to maintain its vigilance in opposing diversion of Great Lakes waters and to support the prompt resolution of all issues related to the finalization of Annex 2001.

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

Page 3, line 14, after the comma, insert "and"

Page 3, line 15, delete ", and the news media of Minnesota"

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

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

**S.F. No. 2125:** A bill for an act relating to natural resources; modifying the time that ice houses may be on the ice in certain areas; amending Minnesota Statutes 2002, section 97C.355, subdivision 7.

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

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

**S.F. No. 1653:** A bill for an act relating to real property; clarifying plat and survey approval requirements; amending Minnesota Statutes 2002, section 389.09.

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 160.15, is amended to read:

160.15 [PRESERVING SECTION OR QUARTER-SECTION CORNERS.]

Subdivision 1. [PERMANENT MARKING OF CORNERS.] Whenever the construction, reconstruction, or maintenance of a public street or highway, ~~including city streets,~~ causes the destruction or obliteration of a known section or quarter-section corner marking marker or monument, ~~it shall be the duty of the road authority having jurisdiction over the highway or street to shall provide for the permanent marking of such the corners and to place reference or witness monuments so that the corners can be readily located.~~

Subd. 2. [MANNER OF PLACEMENT.] The permanent marking of the corners and establishment of reference or witness monuments ~~shall~~ must be in the manner following: At the exact location of the corner there ~~shall~~ must be placed a durable stone, concrete, or metal marker not less than four inches in diameter at the top and not less than 18 inches deep. ~~In the case of a paved highway there shall also be placed over the marker and in the surface of the pavement a metallic plug not less than one inch in diameter and two inches in depth, placed so as not to be disturbed by routine maintenance activities. For a paved highway, a supplemental marker must be placed over the durable monument. The supplemental marker must be visible at the road surface and set in a manner so as not to be disturbed by routine snow plowing. When not practical or safe to set a corner marker in a highway surface, a durable metal marker may be set as a permanent witness monument on the section line or quarter-section line.~~

Subd. 3. [TIME OF PLACEMENT; MONUMENT OF DURABLE MATERIAL.] Reference or witness monuments evidencing the location of the corner ~~shall~~ must be established before the obliteration of the corner in at least two places most practicable and shall consist of stone, concrete, or cast iron.

Subd. 4. [FILING OF CERTIFICATE.] The ~~engineer or~~ land surveyor placing and establishing the markers or monuments shall file a certificate to that effect in the office of the county recorder, or in the office of the county surveyor where the county maintains a full-time office, in the county or counties wherein the markers or monuments were placed. Each certificate shall ~~shall~~ must contain only the record of markers and monuments at one corner. The county recorder may charge a fee of 50 cents for each certificate filed.

Subd. 5. [CONTENTS OF CERTIFICATE.] The certificates shall ~~shall~~ must be on sheets of durable material, which sheets ~~shall~~ must be in size 8-1/2 by 11 inches with a margin at the left for binding. The certificates shall ~~shall~~ must contain the following:

- (a) (1) identification of section, or quarter-section corner;
- (b) (2) description of monument removed;
- (c) (3) description of replacement monument;
- (d) (4) reference ties or witness monuments;
- (e) (5) statements relating to physical and parol evidence relating to history and authenticity of the corner monument;
- (f) (6) date of remonumentation; and
- (g) (7) certification by a registered land surveyor ~~or registered engineer~~.

Subd. 6. [COST OF PLACING MARKERS.] The cost of placing the markers and monuments, including filing fees, shall ~~shall~~ must be paid out of the respective funds provided by law, or set aside for highway or street purposes."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "clarifying the process for preserving section and quarter-section markers;"

Page 1, line 4, delete "section" and insert "sections 160.15;"

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

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

**S.F. No. 2181:** A bill for an act relating to the State Lottery; amending provisions relating to the director; providing for review and approval of lottery budget; creating a task force and requiring a report; providing for allocation and transfer of certain unclaimed prize money; amending Minnesota Statutes 2002, sections 349A.02, subdivision 1; 349A.10, subdivision 6; 349A.15; repealing Minnesota Statutes 2002, section 349A.02, subdivision 2.

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

Pages 1 and 2, delete sections 2 and 3

Page 2, line 23, delete "seven" and insert "nine"

Page 2, lines 29 and 31, delete "one member" and insert "two members" and after the comma, insert "one"

Page 2, lines 30 and 32, before the semicolon, insert "and one to be appointed by the minority leader"

Page 2, after line 34, insert:

"The governor shall appoint one member of the task force as the chair."

Page 3, line 7, before "The" insert "The task force shall consult with the commissioner of public safety, the commissioner of revenue, and the chair of the Citizens' Advisory Committee for the Legislative Commission on Minnesota Resources."

Page 3, delete section 5

Page 3, line 27, delete "6" and insert "3"

Reorder the sections in sequence

Amend the title as follows:

Page 1, lines 3 and 4, delete "providing for review and approval of lottery budget;"

Page 1, lines 5 and 6, delete "providing for allocation and transfer of certain unclaimed prize money;"

Page 1, line 7, delete "sections" and insert "section"

Page 1, line 8, delete "349A.10, subdivision 6; 349A.15;"

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

**Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred**

**S.F. No. 2260:** A bill for an act relating to veterans; transferring responsibility for the veterans training program and general responsibility for veterans educational benefits to the commissioner of veterans affairs; appropriating money; amending Minnesota Statutes 2003 Supplement, section 197.78, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 197; repealing Minnesota Statutes 2002, section 124D.97.

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

Page 1, after line 10, insert:

"Section 1. Minnesota Statutes 2002, section 119B.09, is amended by adding a subdivision to read:

Subd. 4a. [TEMPORARY INELIGIBILITY OF MILITARY PERSONNEL.] Counties must reserve a family's position under the child care assistance fund if a family has been receiving child care assistance but is temporarily ineligible for assistance due to increased income from active military service. Activated military personnel may be temporarily ineligible until deactivation. A county must reserve a military family's position on the basic sliding fee waiting list under the child care assistance fund if a family is approved to receive child care assistance and reaches the top of the waiting list but is temporarily ineligible for assistance.

Sec. 2. [181.535] [ARMED FORCES RESERVES OR NATIONAL GUARD STATUS.]

(a) No person, whether acting directly or through an agent or as the agent or employee of another may:

(1) ask a person seeking employment with that person or the employer represented by that person whether the person seeking employment is a member of the National Guard or a reserve component of the United States Armed Forces; or

(2) require the person seeking employment to make any oral or written statement concerning National Guard or reserve status as a condition precedent to employment.

(b) The adjutant general and the commissioner of veterans affairs shall use reasonable means to publicize this section. This section does not apply to public employers asking a question or requesting a statement for the purpose of determining whether a veterans preference applies.

Sec. 3. Minnesota Statutes 2003 Supplement, section 192.501, subdivision 2, is amended to read:

Subd. 2. [TUITION AND TEXTBOOK REIMBURSEMENT GRANT PROGRAM.] (a) The adjutant general shall establish a program to provide tuition and textbook reimbursement grants to eligible members of the Minnesota National Guard within the limitations of this subdivision.

(b) Eligibility is limited to a member of the National Guard who:

(1) is serving satisfactorily as defined by the adjutant general;

(2) is attending a postsecondary educational institution, as defined by section 136A.15, subdivision 6, including a vocational or technical school operated or regulated by this state or another state or province; and

(3) provides proof of satisfactory completion of coursework, as defined by the adjutant general.

In addition, if a member of the Minnesota National Guard is killed in the line of state active service or federally funded state active service, as defined in section 190.05, subdivisions 5a and 5b, the member's surviving spouse, and any surviving dependent who has not yet reached 24 years of age, is eligible for a tuition and textbook reimbursement grant.

The adjutant general may, within the limitations of this paragraph and other applicable laws, determine additional eligibility criteria for the grant, and must specify the criteria in department regulations and publish changes as necessary.

(c) The amount of a tuition and textbook reimbursement grant must be specified on a schedule as determined and published in department regulations by the adjutant general, but is limited to a maximum of an amount equal to the greater of:

(1) ~~75~~ up to 100 percent of the cost of tuition for lower division programs in the College of Liberal Arts at the Twin Cities campus of the University of Minnesota in the most recent academic year; or

(2) ~~50~~ up to 100 percent of the cost of tuition for the program in which the person is enrolled at that Minnesota public institution, or if that public institution is outside the state of Minnesota, for the cost of a comparable program at the University of Minnesota, except that in the case of a survivor as defined in paragraph (b), the amount of the tuition and textbook reimbursement grant for coursework satisfactorily completed by the person is limited to 100 percent of the cost of tuition for postsecondary courses at a Minnesota public educational institution.

Paragraph (b) notwithstanding, a person is no longer eligible for a grant under this subdivision once the person has received grants under this subdivision for the equivalent of 208 quarter credits or 144 semester credits of coursework.

(d) Tuition and textbook reimbursement grants received under this subdivision may not be considered by the Minnesota Higher Education Services Office or by any other state board, commission, or entity in determining a person's eligibility for a scholarship or grant-in-aid under sections 136A.095 to 136A.1311.

(e) If a member fails to complete a term of enlistment during which a tuition and textbook reimbursement grant was paid, the adjutant general may seek to recoup a prorated amount as determined by the adjutant general."

Page 2, after line 9, insert:

"Sec. 6. Minnesota Statutes 2003 Supplement, section 471.975, is amended to read:

471.975 [MAY PAY SALARY DIFFERENTIAL OF NATIONAL GUARD OR OTHER RESERVE COMPONENT ON ACTIVE DUTY.]

(a) Except as provided in paragraph (b), a statutory or home rule charter city, county, town, school district, or other political subdivision may pay to each eligible member of the National Guard or other reserve component of the armed forces of the United States an amount equal to the difference between the member's basic active duty military salary and the salary the member would be paid as an active political subdivision employee, including any adjustments the member would have received if not on leave of absence. This payment may be made only to a person whose basic active duty military salary is less than the salary the person would be paid as an active political subdivision employee. Back pay authorized by this section may be paid in a lump sum. Payment under this section must not extend beyond four years from the date the employee reported for active service, plus any additional time the employee may be legally required to serve.

(b) Each school district shall pay to each eligible member of the National Guard or other reserve component of the armed forces of the United States an amount equal to the difference between the member's basic active duty military salary and the salary the member would be paid as an active school district employee, including any adjustments the member would have received if not on leave of absence. The pay differential must be based on a comparison between the member's monthly basic active duty military salary and the member's monthly school district salary if the member is paid monthly for the entire year or 1/12 of the member's annual school district salary if the member is paid less than 12 months a year. The member's salary as a school district employee must include the member's basic salary and any additional salary the member earns from the school district for cocurricular activities. This payment may be made only to a person whose basic active duty military salary is less than the salary the person would be paid as an active school district employee. Payments must be made at the intervals at which the member received pay as a school district employee. Payment under this section must not extend beyond four years from the date the employee reported for active service, plus any additional time the employee may be legally required to serve.

(c) An eligible member of the reserve components of the armed forces of the United States is a reservist or National Guard member who was an employee of a political subdivision at the time the member reported for active service on or after May 29, 2003, or who is on active service on May 29, 2003.

(e) (d) Notwithstanding other obligations under law and except as provided in paragraph (e), a statutory or home rule charter city, county, town, or other political subdivision has total discretion regarding employee benefit continuation for a member who reports for active service and the terms and conditions of any benefit.

(e) A school district must continue the employee's enrollment in health and dental coverage, and the employer contribution toward that coverage, until the employee is covered by health and dental coverage provided by the armed forces. If the employee had elected dependent coverage for health or dental coverage as of the time that the employee reported for active service, a school district must offer the employee the option to continue the dependent coverage at the employee's own expense. A school district must permit the employee to continue participating in any pretax account in which the employee participated when the employee reported for active service, to the extent of employee pay available for that purpose.

(d) (f) For purposes of this section, "active service" has the meaning given in section 190.05, subdivision 5, but excludes service performed exclusively for purposes of:

(1) basic combat training, advanced individual training, annual training, and periodic inactive duty training;

(2) special training periodically made available to reserve members; and

(3) service performed in accordance with section 190.08, subdivision 3.

(g) A school district making payments under paragraph (b) shall place a sum equal to any

difference between the amount of salary that would have been paid to the employee who is receiving the payments and the amount of salary being paid to substitutes for that employee into a special fund that must be used to pay or partially pay the deployed employee's payments under paragraph (b).

Sec. 7. [GLOBAL WAR ON TERRORISM BONUS.]

By January 15, 2005, the commissioner of veterans affairs shall provide to legislative committees with jurisdiction over veterans affairs the information needed to implement a Global War on Terrorism bonus to veterans, including service eligibility dates, service medals, and a fiscal note."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to the military; reserving a military family's position under the child care assistance fund; prohibiting potential employers from inquiring about National Guard or reserve status; transferring responsibility for the veterans training program and general responsibility for veterans educational benefits to the commissioner of veterans affairs; requiring payment of a salary differential to school district employees who have reported to active military duty; requiring the commissioner of veterans affairs to provide information needed to implement a Global War on Terrorism bonus to veterans; amending Minnesota Statutes 2002, section 119B.09, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 192.501, subdivision 2; 197.78, subdivision 1; 471.975; proposing coding for new law in Minnesota Statutes, chapters 181; 197; repealing Minnesota Statutes 2002, section 124D.97."

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

**Senator Vickerman from the Committee on Agriculture, Veterans and Gaming**, to which were referred the following appointments as reported in the Journal for February 9, 2004:

DEPARTMENT OF VETERANS AFFAIRS  
COMMISSIONER

Jeffery Olson

MINNESOTA VETERANS HOMES BOARD OF DIRECTORS

Frank Budd, M.D.

Mel Euteneuer

Jeffery Johnson

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.

**Senator Vickerman from the Committee on Agriculture, Veterans and Gaming**, to which were referred the following appointments as reported in the Journal for February 5, 2004:

MINNESOTA VETERANS HOMES BOARD OF DIRECTORS

Lawrence Greenberg

Dan Williams

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.

**Senator Higgins from the Committee on State and Local Government Operations**, to which were referred the following appointments as reported in the Journal for February 9, 2004:

BOARD OF THE ARTS

Matthew Anderson  
Yvonne Condell  
William Miller  
Chris Osgood  
Pamela Perri Weaver

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.

**Senator Higgins from the Committee on State and Local Government Operations**, to which were referred the following appointments as reported in the Journal for February 2, 2004:

BOARD OF THE ARTS

Sarah Caruso  
Diana Lewis  
Edward Oliver

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.

**Senator Higgins from the Committee on State and Local Government Operations**, to which was referred the following appointment as reported in the Journal for February 5, 2004:

OFFICE OF ADMINISTRATIVE HEARINGS  
CHIEF ADMINISTRATIVE LAW JUDGE

Raymond R. Krause

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

**S.F. No. 1760:** A bill for an act relating to health care; modifying premium rate restrictions; modifying cost containment provisions; providing for an electronic medical record system; modifying certain loan forgiveness programs; modifying medical assistance, general assistance medical care and MinnesotaCare programs; authorizing the sale of bonds; requiring reports; appropriating money; amending Minnesota Statutes 2002, sections 62A.65, subdivision 3; 62J.04, by adding a subdivision; 62J.301, subdivision 3; 62J.38; 62L.08, subdivision 8; 256.9693; 256B.03, subdivision 3; 256B.0625, subdivision 3b, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 62J.04, subdivision 3; 62J.692, subdivision 3; 144.1501, subdivisions 2, 4; 256.954, subdivisions 4, 6, 10; 256B.061; 256B.0625, subdivision 9; 256B.69, subdivision 2; 256D.03, subdivisions 3, 4; 256L.03, subdivision 1; 256L.05, subdivision 4; 256L.07, subdivision 1; 256L.12, subdivision 6; Laws 2003, First Special Session chapter 14, article 6, section 65; proposing coding for new law in Minnesota Statutes, chapters 62J; 62Q; 256B; 256L; repealing Minnesota Statutes 2003 Supplement, sections 256.954, subdivision 12; 256B.0631; 256L.035.

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

Page 13, line 24, after "in" insert "case management and"

Page 26, line 6, delete everything after "needs"

Page 26, delete line 7

Page 26, line 8, delete everything before the period

Page 51, line 26, after "to" insert "study and"

Page 51, line 28, delete the first comma and insert ". In order to assess the health status of children, the task force shall determine the number of children who are currently obese and set a goal, including measurable outcomes for the state in terms of reducing the rate of childhood obesity. The task force shall make recommendations on how to achieve this goal,"

Page 51, line 33, before "products" insert "nutritional" and delete "vending machines located within"

Page 52, line 2, delete "Services" and insert "Service"

Page 52, line 3, after the semicolon, insert "the Minnesota School Boards Association; the Minnesota School Administrators Association; the Minnesota Secondary Principals Association; the vending industry;"

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 1603, 2125, 1653, 2181 and 2260 were read the second time.

## MOTIONS AND RESOLUTIONS

Senator Chaudhary moved that the name of Senator Sparks be added as a co-author to S.F. No. 597. The motion prevailed.

Senator Johnson, D.E. moved that the name of Senator Kelley be stricken as chief author, and the name of Senator Michel be shown as chief author to S.F. No. 1408. The motion prevailed.

Senator Michel moved that the name of Senator Scheid be added as a co-author to S.F. No. 1408. The motion prevailed.

Senator Lourey moved that her name be stricken as a co-author to S.F. No. 2146. The motion prevailed.

Senator Stumpf moved that the name of Senator Saxhaug be added as a co-author to S.F. No. 2487. The motion prevailed.

Senator Neuville moved that the name of Senator Hann be added as a co-author to S.F. No. 2553. The motion prevailed.

Senator Skoglund moved that his name be stricken as a co-author to S.F. No. 2575. The motion prevailed.

### Senator Stumpf introduced--

**Senate Resolution No. 115:** A Senate resolution congratulating Joel Olson of Thief River Falls, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Stumpf introduced--**

**Senate Resolution No. 116:** A Senate resolution congratulating Cory Braastad for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Stumpf introduced--**

**Senate Resolution No. 117:** A Senate resolution congratulating Derek Smith for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Stumpf introduced--**

**Senate Resolution No. 118:** A Senate resolution congratulating the community of Thief River Falls on the opening of the Ralph Engelstad Arena.

Referred to the Committee on Rules and Administration.

Senator Rest moved that the appointment withdrawn from the committee and placed on the Confirmation Calendar under Senate Rule 8.2, reported in the Journal for March 4, 2004, be returned to the committee from which it was withdrawn.

Department of Public Safety Commissioner - Richard Stanek to the Committee on Crime Prevention and Public Safety.

### 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 motion prevailed.

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

### GENERAL ORDERS

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

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

S.F. No. 1748, which the committee recommends to pass.

S.F. No. 1121, which the committee recommends to pass, after the following motion:

The question was taken on the recommendation to pass S.F. No. 1121.

The roll was called, and there were yeas 35 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson  
Bakk

Berglin  
Betzold

Chaudhary  
Cohen

Dibble  
Foley

Higgins  
Hottinger

Johnson, D.E.	Marko	Pappas	Saxhaug	Sparks
Kelley	Marty	Pogemiller	Scheid	Stumpf
Kubly	Metzen	Ranum	Skoe	Tomassoni
Langseth	Moua	Rest	Skoglund	Vickerman
Lourey	Murphy	Sams	Solon	Wiger

Those who voted in the negative were:

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

The motion prevailed. So S.F. No. 1121 was recommended to pass.

H.F. No. 1064, which the committee recommends to pass with the following amendment offered by Senator Ranum:

Senator Ranum moved to amend H.F. No. 1064, the unofficial engrossment, as follows:

Pages 1 and 2, delete section 1

Re-number the sections in sequence

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 34 and nays 27, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed. So the amendment was adopted.

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

## INTRODUCTION AND FIRST READING OF SENATE BILLS

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

### Senators Sparks, Scheid, Belanger, Metzen and Gaither introduced--

**S.F. No. 2587:** A bill for an act relating to insurance; establishing risk-based capital requirements for health organizations; establishing the minimum standard of valuation for health insurance; enacting model regulations of the National Association of Insurance Commissioners; regulating loss revenue certifications; amending Minnesota Statutes 2002, section 60A.129, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 60A.

Referred to the Committee on Commerce.

**Senator Skoe introduced--**

**S.F. No. 2588:** A bill for an act relating to state lands; authorizing the public sale of certain tax-forfeited land that borders public water in Mahnomen County.

Referred to the Committee on Environment and Natural Resources.

**Senator Betzold introduced--**

**S.F. No. 2589:** A bill for an act relating to natural resources; classifying specific location data; amending Minnesota Statutes 2002, section 13.7931, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Judiciary.

**Senators Dibble, Sams and Bakk introduced--**

**S.F. No. 2590:** A bill for an act relating to employment; restoring funding cuts for a program of supported employment for persons with severe and persistent mental illness; appropriating money.

Referred to the Committee on Finance.

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

**S.F. No. 2591:** A bill for an act relating to economic development; creating a program to retain and create jobs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

**Senator Dibble introduced--**

**S.F. No. 2592:** A bill for an act relating to probate; allowing certain individuals to serve as a guardian or conservator under limited circumstances; amending Minnesota Statutes 2003 Supplement, sections 524.5-309; 524.5-413.

Referred to the Committee on Judiciary.

**Senator Betzold introduced--**

**S.F. No. 2593:** A bill for an act relating to real estate; prohibiting restrictions on real estate use that restrict display of flags; making attorney fees for foreclosure of association assessment liens consistent with those permitted for mortgage foreclosures; amending Minnesota Statutes 2002, sections 515.07; 515A.2-103; 515A.3-102; 515A.3-115; 515B.2-103; 515B.3-102; Minnesota Statutes 2003 Supplement, section 515B.3-116; proposing coding for new law in Minnesota Statutes, chapter 500.

Referred to the Committee on Judiciary.

**Senator Betzold introduced--**

**S.F. No. 2594:** A bill for an act relating to retirement; increasing contribution rates for the correctional employees retirement fund; amending Minnesota Statutes 2002, section 352.92, subdivisions 1, 2.

Referred to the Committee on State and Local Government Operations.

**Senators Hottinger, Skoglund, Metzen, Tomassoni and Murphy introduced--**

**S.F. No. 2595:** A bill for an act relating to public employment labor relations; including certain teachers in the definition of public employee; modifying the definition of teacher; amending Minnesota Statutes 2002, section 179A.03, subdivision 14; Minnesota Statutes 2003 Supplement, section 179A.03, subdivision 18.

Referred to the Committee on State and Local Government Operations.

**Senators Tomassoni and Bakk introduced--**

**S.F. No. 2596:** A bill for an act relating to education; authorizing school districts with care and treatment facilities to bill resident school district of students in care and treatment facilities; amending Minnesota Statutes 2002, section 125A.515, by adding a subdivision.

Referred to the Committee on Education.

**Senator Wiger introduced--**

**S.F. No. 2597:** A bill for an act relating to transit; requiring Metropolitan Council to spend a percentage of its fiscal year 2005 expenditures for Metro Mobility on a taxi fare subsidy program for certified Metro Mobility users; amending Laws 2003, First Special Session chapter 19, article 1, section 3.

Referred to the Committee on Finance.

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

**S.F. No. 2598:** A bill for an act relating to corrections; requiring the commissioner of corrections to issue a request for proposals for housing individuals committed to the custody of the commissioner in private prisons; amending Minnesota Statutes 2002, section 241.01, subdivision 3a.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Pogemiller introduced--**

**S.F. No. 2599:** A bill for an act relating to retirement; Public Employees Retirement Association; creating a postsentencing officers and emergency dispatchers retirement plan; appropriating money; amending Minnesota Statutes 2002, sections 3.85, subdivisions 11, 12; 353.01, subdivision 2b; 355.01, by adding subdivisions; 355.02, subdivision 3; 356.20, subdivision 2; 356.215, subdivisions 8, 11; 356.30, subdivision 3; 356.302, subdivision 7; 356.303, subdivision 4; 356.315, by adding a subdivision; 356.465, subdivision 3; 356.555, subdivision 4; Minnesota Statutes 2003 Supplement, section 352.01, subdivision 2b; proposing coding for new law as Minnesota Statutes, chapter 353G.

Referred to the Committee on State and Local Government Operations.

**Senators Ourada and Ortman introduced--**

**S.F. No. 2600:** A bill for an act relating to highways; providing for county board approval of certain preliminary plats and initial plat filings; amending Minnesota Statutes 2002, section 505.03, subdivision 2; repealing Minnesota Statutes 2002, section 162.02, subdivisions 8, 8a.

Referred to the Committee on Finance.

**Senators Marty, Lourey and Hottinger introduced--**

**S.F. No. 2601:** A bill for an act relating to health; requiring a certificate of authority for pharmacy benefits managers; requiring the disclosure of financial information and arrangements related to prescription drug purchasing; providing for enforcement; requiring rulemaking; amending Minnesota Statutes 2002, section 151.061, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 151A.

Referred to the Committee on Health and Family Security.

**Senators Lourey, Kiscaden, Dibble and Solon introduced--**

**S.F. No. 2602:** A bill for an act relating to health care; modifying medical assistance, general assistance medical care, and MinnesotaCare programs; providing for determination of health care provider tax rates; increasing the tax on tobacco products; appropriating money; amending Minnesota Statutes 2002, sections 256B.055, by adding a subdivision; 256B.057, by adding a subdivision; 295.52, subdivisions 1, 1a, 2, 3, by adding a subdivision; 297F.05, subdivisions 3, 4; 297F.10, subdivision 2; Minnesota Statutes 2003 Supplement, sections 256B.057, subdivisions 1, 2; 256B.0625, subdivisions 9, 13e; 256B.76; 256D.03, subdivision 4; 256L.03, subdivision 1; 256L.07, subdivisions 1, 3; 297F.05, subdivision 1; 297F.10, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 2003 Supplement, section 256L.035.

Referred to the Committee on Health and Family Security.

**Senators Ortman, Belanger, Gaither and Rest introduced--**

**S.F. No. 2603:** A bill for an act relating to taxation; increasing the weight of the sales factor in the apportionment formula used in the corporate franchise tax; amending Minnesota Statutes 2002, section 290.191, subdivisions 2, 3; repealing Minnesota Statutes 2002, section 290.191, subdivision 4.

Referred to the Committee on Taxes.

**Senator Wiger introduced--**

**S.F. No. 2604:** A bill for an act relating to metropolitan government; requiring the state demographer to provide certain demographic data to the Metropolitan Council; amending Minnesota Statutes 2002, sections 47.52; 145A.02, subdivision 16; 275.62, subdivision 3; 469.174, subdivision 26; 477A.011, subdivision 3; Minnesota Statutes 2003 Supplement, sections 4A.02; 134.201, subdivision 5; 275.14; 373.40, subdivision 1; 473.146, subdivision 1; 477A.0124, subdivision 2; repealing Minnesota Statutes 2002, section 473.241.

Referred to the Committee on State and Local Government Operations.

**Senators Ranum and Kelley introduced--**

**S.F. No. 2605:** A bill for an act relating to education; requiring a mental health screening when a student is suspended from school for more than ten school days in a school year; amending Minnesota Statutes 2003 Supplement, section 121A.61, subdivision 3.

Referred to the Committee on Education.

**Senator Pappas introduced--**

**S.F. No. 2606:** A bill for an act relating to higher education; providing reserve funding for the state grant program; amending Minnesota Statutes 2002, section 16A.152, subdivision 3; Minnesota Statutes 2003 Supplement, section 136A.121, subdivision 7.

Referred to the Committee on Finance.

**Senators Scheid, Belanger, Sparks, Cohen and Gaither introduced--**

**S.F. No. 2607:** A bill for an act relating to insurance; creating a law enforcement agency to deal with insurance fraud; prescribing its powers and duties; establishing insurance assessments to fund the insurance fraud prevention account; amending Minnesota Statutes 2002, sections 45.0135, subdivision 6, by adding subdivisions; 626.84, subdivision 1; repealing Minnesota Statutes 2002, section 45.0135, subdivisions 1, 2.

Referred to the Committee on Commerce.

**Senator Anderson introduced--**

**S.F. No. 2608:** A bill for an act relating to telecommunications; modifying cable communications laws; making technical and clarifying revisions; amending Minnesota Statutes 2002, sections 238.02, subdivision 3; 238.03; 238.08, subdivisions 3, 4; 238.081; 238.083, subdivisions 2, 4; 238.084, subdivision 1; 238.11, subdivision 2; 238.22, subdivision 13; 238.23; 238.24, subdivisions 3, 4, 6, 9, 10; 238.242, subdivisions 1, 3; 238.25, subdivisions 5, 10; 238.35, subdivisions 1, 4; 238.36, subdivision 2; 238.39; 238.40; 238.43, subdivision 1; repealing Minnesota Statutes 2002, sections 238.01; 238.02, subdivisions 2, 17, 18, 19, 25; 238.082; 238.083, subdivisions 3, 5; 238.084, subdivisions 2, 3, 5; 238.12, subdivision 1a; 238.15; 238.35, subdivisions 2, 3; 238.36, subdivision 1.

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

**Senators Ranum, Olson and Kelley introduced--**

**S.F. No. 2609:** A bill for an act relating to education; including a mental health community representative on a community transition team; amending Minnesota Statutes 2002, section 125A.22.

Referred to the Committee on Education.

**Senator Kiscaden introduced--**

**S.F. No. 2610:** A bill for an act relating to health; requiring a study of alternatives for providing regulatory oversight of nursing homes.

Referred to the Committee on Health and Family Security.

**Senators Knutson, Dille, McGinn and Foley introduced--**

**S.F. No. 2611:** A bill for an act relating to traffic regulations; prohibiting operation of motor vehicle with child between ages of four and eight not properly fastened in a booster seat; making conforming changes; amending Minnesota Statutes 2002, section 169.685, subdivisions 4, 5, 6, 7.

Referred to the Committee on Finance.

**Senator Metzen introduced--**

**S.F. No. 2612:** A bill for an act relating to human services; changing an eligibility provision in the prescription drug discount program; amending Minnesota Statutes 2003 Supplement, section 256.954, subdivisions 4, 6, 10; repealing Minnesota Statutes 2003 Supplement, section 256.954, subdivision 12.

Referred to the Committee on Health and Family Security.

**Senators Kiscaden, Scheid, Reiter, Gaither and Lourey introduced--**

**S.F. No. 2613:** A bill for an act relating to Minnesota Comprehensive Health Association; increasing the minimum premium rate; authorizing a reduced premium rate for participation in a disease management program; phasing out Medicare-extended basic supplement plans; requiring two rejections before eligible for a state plan; clarifying eligibility if employer-sponsored coverage is available; amending Minnesota Statutes 2002, sections 62E.02, subdivision 13; 62E.10, subdivisions 2, 10; 62E.141; Minnesota Statutes 2003 Supplement, sections 62E.08, subdivision 1; 62E.091; 62E.12; 62E.14, subdivision 1.

Referred to the Committee on Commerce.

**Senators Tomassoni and Bakk introduced--**

**S.F. No. 2614:** A bill for an act relating to counties; requiring a county to provide funding for a museum in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 373.

Referred to the Committee on State and Local Government Operations.

**Senators Lourey and Berglin introduced--**

**S.F. No. 2615:** A bill for an act relating to human services; repealing the Minnesota family investment plan family cap; repealing Laws 2003, First Special Session chapter 14, article 1, sections 37, 38.

Referred to the Committee on Health and Family Security.

**Senator Hottinger introduced--**

**S.F. No. 2616:** A bill for an act relating to landlords and tenants; requiring landlords to notify tenants if a rental unit may have been the site of unlawful controlled substance manufacture; providing a remedy for tenants who do not receive such notice; requiring law enforcement to notify landlords of certain controlled substance law enforcement activity; proposing coding for new law in Minnesota Statutes, chapters 152, 504B.

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

**Senators Sams, Lourey, Sparks, Higgins and Dille introduced--**

**S.F. No. 2617:** A bill for an act relating to health; providing for patient protections; amending Minnesota Statutes 2002, sections 62A.60; 62J.71, subdivision 3; 62J.80; 62M.05, subdivisions 3a, 3b; 62M.07; 62M.09, subdivision 3; 62Q.53, subdivisions 1, 2; 62Q.58, subdivision 3, by adding subdivisions; 62Q.73, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Health and Family Security.

**Senators Kiscaden, Kierlin, Senjem, Belanger and Ortman introduced--**

**S.F. No. 2618:** A bill for an act relating to taxation; authorizing local option sales taxes; limiting scope; amending Minnesota Statutes 2002, sections 297A.99, subdivisions 1, 2, 3; 477A.016; Minnesota Statutes 2003 Supplement, section 297A.99, subdivisions 5, 12; repealing Minnesota Statutes 2002, section 297A.99, subdivision 13.

Referred to the Committee on Taxes.

**Senators Kiscaden, Senjem, Murphy, Ourada and Johnson, D.E. introduced--**

**S.F. No. 2619:** A bill for an act relating to highways; requiring commissioner of transportation

to make available certain appraisals in eminent domain actions; amending Minnesota Statutes 2003 Supplement, section 117.036, subdivision 2.

Referred to the Committee on Finance.

**Senators Sams, Scheid, Larson, Michel and Frederickson introduced--**

**S.F. No. 2620:** A bill for an act relating to fire insurance; prescribing certain notice requirements; amending provisions regulating township mutual combination policies; amending Minnesota Statutes 2002, sections 65A.01, subdivision 3c; 67A.191.

Referred to the Committee on Commerce.

**Senators Rosen, Sams, Dille, Langseth and Vickerman introduced--**

**S.F. No. 2621:** A bill for an act relating to the environment; providing for exemptions from environmental review for ethanol plants; amending Minnesota Statutes 2003 Supplement, section 116D.04, subdivision 2a.

Referred to the Committee on Environment and Natural Resources.

**Senators Sparks, Metzen and Anderson introduced--**

**S.F. No. 2622:** A bill for an act relating to consumer protection; providing criminal penalties involving the transmission of certain e-mail messages; classifying a violation of this provision as a designated offense in the forfeiture laws; amending Minnesota Statutes 2002, section 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

**Senators Kiscaden, Stumpf and Hann introduced--**

**S.F. No. 2623:** A bill for an act relating to education; amending the length of teacher contracts; amending Minnesota Statutes 2002, sections 122A.40, subdivisions 7, 8; 122A.41, subdivisions 4, 5.

Referred to the Committee on Education.

**Senators Rosen, Hann, Hottinger, Larson and Johnson, D.E. introduced--**

**S.F. No. 2624:** A bill for an act relating to education; providing for immunity from liability for school district and district employee notification of students with a history of violent behavior; amending Minnesota Statutes 2002, section 121A.75, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 121A.64.

Referred to the Committee on Education.

**Senator Rosen introduced--**

**S.F. No. 2625:** A bill for an act relating to counties; providing for a rate increase determination for the Martin County nursing facility; amending Minnesota Statutes 2002, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Senators Marko, Murphy and Vickerman introduced--**

**S.F. No. 2626:** A bill for an act relating to veterans homes; extending certain leasing authority.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senator Marko introduced--**

**S.F. No. 2627:** A bill for an act relating to taxation; individual income; allowing a subtraction for military pensions; amending Minnesota Statutes 2002, section 290.01, subdivision 19b.

Referred to the Committee on Taxes.

**Senator Marko introduced--**

**S.F. No. 2628:** A bill for an act relating to motor vehicles; authorizing imposition of county wheelage tax following voter approval; limiting wheelage tax to \$20 annually per motor vehicle; eliminating property tax levy reduction for each county imposing a wheelage tax; amending Minnesota Statutes 2002, sections 163.051, subdivisions 1, 2a, 3, 4, 7; 168.011, subdivision 6; 168.013, subdivision 1; Minnesota Statutes 2003 Supplement, section 163.051, subdivision 2; repealing Minnesota Statutes 2002, section 163.051, subdivisions 5, 6.

Referred to the Committee on Finance.

**Senators Kelley and Rest introduced--**

**S.F. No. 2629:** A bill for an act relating to education; establishing a State Board of Education; amending Minnesota Statutes 2002, section 120A.05, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 127A.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 127A.

Referred to the Committee on Education.

**Senators Sams, Vickerman, Langseth, Stumpf and Dille introduced--**

**S.F. No. 2630:** A bill for an act relating to water; appropriating money for water and soil resource management.

Referred to the Committee on Finance.

**Senators Chaudhary and Anderson introduced--**

**S.F. No. 2631:** A bill for an act relating to labor relations; establishing certain rights for workers in the meatpacking industry; proposing coding for new law in Minnesota Statutes, chapter 179.

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

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

**S.F. No. 2632:** A bill for an act relating to Iron Range Resources and Rehabilitation; providing for the name of the agency; amending Minnesota Statutes 2002, section 298.22, subdivision 1.

Referred to the Committee on State and Local Government Operations.

**Senators Belanger, Michel, Knutson, Ortman and Gaither introduced--**

**S.F. No. 2633:** A bill for an act relating to property taxation; requiring the commissioner of revenue to conduct a study of the metropolitan fiscal disparities program.

Referred to the Committee on Taxes.

**Senator Kelley introduced--**

**S.F. No. 2634:** A bill for an act relating to education finance; granting flexibility in the uses of revenue for the advanced placement and international baccalaureate programs; amending Laws 2003, First Special Session chapter 9, article 2, section 55, subdivision 17.

Referred to the Committee on Finance.

**Senators Cohen, Wiger, Kelley, Lourey and Kiscaden introduced--**

**S.F. No. 2635:** A bill for an act relating to health; establishing state policy for stem cell research; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapters 137; 145.

Referred to the Committee on Health and Family Security.

**Senator Vickerman introduced--**

**S.F. No. 2636:** A bill for an act relating to human services; changing a nursing facility payment rate; amending Minnesota 2002, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Senator Wiger introduced--**

**S.F. No. 2637:** A bill for an act relating to traffic regulations; requiring vehicles to be driven in right-hand lane with exceptions; amending Minnesota Statutes 2002, sections 169.18, subdivisions 7, 10; 171.13, by adding a subdivision.

Referred to the Committee on Finance.

**Senator Stumpf introduced--**

**S.F. No. 2638:** A bill for an act relating to education; amending prekindergarten through grade 12 education and early childhood and family education budget provisions; appropriating money; amending Minnesota Statutes 2002, sections 119A.46, subdivisions 2, 3, 8; 123A.05, subdivision 2; 124D.68, subdivision 9; 124D.69, subdivision 1; 125A.79, subdivisions 5, 7, by adding subdivisions; Minnesota Statutes 2003 Supplement, sections 119A.46, subdivision 1; 124D.095, subdivision 8; 124D.11, subdivisions 1, 2; 125A.79, subdivision 1; 127A.47, subdivisions 7, 8; Laws 2003, First Special Session chapter 9, article 2, section 55, subdivision 16; Laws 2003, First Special Session chapter 9, article 6, section 4; proposing coding for new law in Minnesota Statutes, chapter 122A.

Referred to the Committee on Finance.

**Senator Higgins introduced--**

**S.F. No. 2639:** A bill for an act relating to human services; council on disability; permitting the council to meet by telephone or electronic means if certain conditions are met; amending Minnesota Statutes 2002, section 256.482, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Senators Foley, Knutson, Murphy and McGinn introduced--**

**S.F. No. 2640:** A bill for an act relating to correctional officer safety; establishing an expedited process for the nonconsensual collection of a blood sample from an inmate when a corrections employee is significantly exposed to the potential transfer of a bloodborne pathogen; amending Minnesota Statutes 2002, section 241.336, by adding a subdivision.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Kelley and Stumpf introduced--**

**S.F. No. 2641:** A bill for an act relating to education; authorizing a task force to study the delivery and funding of special education.

Referred to the Committee on Education.

**Senators Wiger, Dibble, Pappas, Scheid and Vickerman introduced--**

**S.F. No. 2642:** A bill for an act relating to metropolitan government; providing for the election of the Metropolitan Council; amending Minnesota Statutes 2002, sections 10A.01, subdivision 10; 10A.09, subdivision 6a; 10A.25, subdivision 2; 10A.27, subdivision 1; 10A.315; 10A.323; 10A.324, subdivision 1; 15.0597, subdivision 1; 204B.06, subdivision 4; 204B.09, subdivisions 1, 1a; 204B.11, as amended; 204B.135, subdivision 2; 204B.32, subdivision 2; 204D.02, subdivision 1; 204D.08, subdivision 6; 204D.27, by adding a subdivision; 209.02, subdivision 1; 211A.01, subdivision 3; 211B.01, subdivision 3; 375.09, subdivision 1; 473.123, subdivisions 1, 4, 7, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 353D.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 10A; 204D; 473; repealing Minnesota Statutes 2002, section 473.123, subdivisions 2a, 3a; Minnesota Statutes 2003 Supplement, section 473.123, subdivision 3; Laws 1994, chapter 628, article 1, section 8; Laws 2003, chapter 8, section 2.

Referred to the Committee on State and Local Government Operations.

**Senator Rest introduced--**

**S.F. No. 2643:** A bill for an act relating to transportation; providing for acquisition of property for transportation purposes; modifying provisions relating to section and quarter-section markers; providing for conveyances of certain lands; acquiring right-of-way from common interest ownership communities; turning back Route No. 268 of the trunk highway system; amending Minnesota Statutes 2002, sections 117.085; 160.15; 161.442; 515B.1-107; 515B.3-102; 515B.3-112; Minnesota Statutes 2003 Supplement, section 13.44, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 161; 174; repealing Minnesota Statutes 2002, sections 117.036; 161.115, subdivision 199.

Referred to the Committee on Finance.

**Senators Kubly, Vickerman, Stumpf and Pariseau introduced--**

**S.F. No. 2644:** A bill for an act relating to water; requiring the Department of Natural Resources to obtain permits for construction activities in watershed districts; amending Minnesota Statutes 2002, section 103D.345, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

**Senators Murphy, Dille, Koering and Sparks introduced--**

**S.F. No. 2645:** A bill for an act relating to agriculture; modifying interest rates and priority for the agricultural shared savings loan program; amending Minnesota Statutes 2002, section 17.115, subdivisions 2, 3.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Anderson, Bakk and Rosen introduced--**

**S.F. No. 2646:** A bill for an act relating to employment; modifying state dislocated worker

program provisions; amending Minnesota Statutes 2002, section 116L.17, subdivisions 1, 4, 5, 6; Minnesota Statutes 2003 Supplement, section 116L.17, subdivisions 2, 3; repealing Minnesota Statutes 2002, section 116L.17, subdivision 7.

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

**Senator Wiger introduced--**

**S.F. No. 2647:** A bill for an act relating to local government; authorizing the city of St. Paul to participate in the creation of, and to contract with, a nonprofit organization for management and operation of the RiverCentre complex.

Referred to the Committee on State and Local Government Operations.

**Senator Murphy introduced--**

**S.F. No. 2648:** A bill for an act relating to education finance; authorizing a fund transfer for Independent School District No. 2172, Kenyon-Wanamingo.

Referred to the Committee on Finance.

**Senator Pogemiller introduced--**

**S.F. No. 2649:** A bill for an act relating to higher education; creating a postsecondary study-abroad grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Finance.

**Senators Sparks, Sams and Reiter introduced--**

**S.F. No. 2650:** A bill for an act relating to commerce; requiring debt collection agency employees to be registered instead of licensed; amending Minnesota Statutes 2002, sections 332.33; 332.335, subdivision 1; 332.35; 332.37; 332.395; 332.40; 332.41; 332.42; 332.43, subdivision 1.

Referred to the Committee on Commerce.

**Senator Pogemiller introduced--**

**S.F. No. 2651:** A bill for an act relating to tax shelters; limiting the property tax exemption for property used in certain tax shelter transactions; prohibiting political subdivisions from engaging in tax shelter transactions; amending Minnesota Statutes 2002, section 272.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 465.

Referred to the Committee on Taxes.

**Senator Pogemiller introduced--**

**S.F. No. 2652:** A bill for an act relating to property taxation; providing a valuation exclusion for new or refurbished individual sewage treatment systems; amending Minnesota Statutes 2002, section 273.11, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Marty and Scheid introduced--**

**S.F. No. 2653:** A bill for an act relating to insurance; amending retaliatory provisions; amending Minnesota Statutes 2002, sections 60A.14, subdivision 2; 297I.05, subdivision 11.

Referred to the Committee on Commerce.

**Senators Stumpf, Anderson and Sparks introduced--**

**S.F. No. 2654:** A bill for an act relating to taxation; providing an exemption from sales tax for geothermal equipment; amending Minnesota Statutes 2002, section 297A.67, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Dibble, Hottinger, Anderson and Marty introduced--**

**S.F. No. 2655:** A bill for an act relating to taxation; income; providing a credit for carsharing; amending Minnesota Statutes 2002, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Lourey and Dille introduced--**

**S.F. No. 2656:** A bill for an act relating to agriculture; providing milk producer payments to beginning milk producers; establishing a dairy modernization grant program; proposing coding for new law in Minnesota Statutes, chapter 41A.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Lourey and Skoglund introduced--**

**S.F. No. 2657:** A bill for an act relating to human services; decreasing the county share of financial responsibility for precommitment confinement costs for sexually dangerous persons and persons with sexual psychopathic personalities; appropriating money for reimbursements to counties for these costs; amending Minnesota Statutes 2002, section 253B.185, subdivision 5.

Referred to the Committee on Health and Family Security.

**Senators Moua, Rest, Foley and Langseth introduced--**

**S.F. No. 2658:** A bill for an act relating to prevention of abortion, unintended pregnancies, and sexually transmitted infection; increasing access to family planning services; expanding educational efforts to prevent unintended pregnancies; increasing wholesome after-school activities for youth; requiring development of a plan to ensure comprehensive family life and sexuality education; creating after-school enrichment programs; requiring the provision of contraceptive information; creating a family planning Web site; modifying the ENABL program; establishing regional training sites for comprehensive family life and sexuality education in schools; requiring family planning information be provided to MFIP recipients; appropriating money; amending Minnesota Statutes 2002, section 145.925, subdivision 9; Minnesota Statutes 2003 Supplement, sections 145.4243; 145.9255, subdivisions 1, 4; 256J.45, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 121A; 124D; 145.

Referred to the Committee on Health and Family Security.

**Senators Chaudhary, Scheid, Marko, Metzen and Pogemiller introduced--**

**S.F. No. 2659:** A bill for an act relating to prevention of abortion, unintended pregnancies, and sexually transmitted infection; increasing access to family planning services; expanding educational efforts to prevent unintended pregnancies; increasing wholesome after-school activities for youth; requiring development of a plan to ensure comprehensive family life and sexuality education; creating after-school enrichment programs; requiring the provision of contraceptive information; creating a family planning Web site; modifying the ENABL program;

establishing regional training sites for comprehensive family life and sexuality education in schools; requiring family planning information be provided to MFIP recipients; appropriating money; amending Minnesota Statutes 2002, section 145.925, subdivision 9; Minnesota Statutes 2003 Supplement, sections 145.4243; 145.9255, subdivisions 1, 4; 256J.45, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 121A; 124D; 145.

Referred to the Committee on Health and Family Security.

**Senators Skoglund, Betzold, Kelley, Higgins and Cohen introduced--**

**S.F. No. 2660:** A bill for an act relating to prevention of abortion, unintended pregnancies, and sexually transmitted infection; increasing access to family planning services; expanding educational efforts to prevent unintended pregnancies; increasing wholesome after-school activities for youth; requiring development of a plan to ensure comprehensive family life and sexuality education; creating after-school enrichment programs; requiring the provision of contraceptive information; creating a family planning Web site; modifying the ENABL program; establishing regional training sites for comprehensive family life and sexuality education in schools; requiring family planning information be provided to MFIP recipients; appropriating money; amending Minnesota Statutes 2002, section 145.925, subdivision 9; Minnesota Statutes 2003 Supplement, sections 145.4243; 145.9255, subdivisions 1, 4; 256J.45, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 121A; 124D; 145.

Referred to the Committee on Health and Family Security.

**Senators Hottinger, Ranum, Wiger, Berglin and Kiscaden introduced--**

**S.F. No. 2661:** A bill for an act relating to prevention of abortion, unintended pregnancies, and sexually transmitted infection; increasing access to family planning services; expanding educational efforts to prevent unintended pregnancies; increasing wholesome after-school activities for youth; requiring development of a plan to ensure comprehensive family life and sexuality education; creating after-school enrichment programs; requiring the provision of contraceptive information; creating a family planning Web site; modifying the ENABL program; establishing regional training sites for comprehensive family life and sexuality education in schools; requiring family planning information be provided to MFIP recipients; appropriating money; amending Minnesota Statutes 2002, section 145.925, subdivision 9; Minnesota Statutes 2003 Supplement, sections 145.4243; 145.9255, subdivisions 1, 4; 256J.45, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 121A; 124D; 145.

Referred to the Committee on Health and Family Security.

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

**S.F. No. 2662:** A bill for an act relating to prevention of abortion, unintended pregnancies, and sexually transmitted infection; increasing access to family planning services; expanding educational efforts to prevent unintended pregnancies; increasing wholesome after-school activities for youth; requiring development of a plan to ensure comprehensive family life and sexuality education; creating after-school enrichment programs; requiring the provision of contraceptive information; creating a family planning Web site; modifying the ENABL program; establishing regional training sites for comprehensive family life and sexuality education in schools; requiring family planning information be provided to MFIP recipients; appropriating money; amending Minnesota Statutes 2002, section 145.925, subdivision 9; Minnesota Statutes 2003 Supplement, sections 145.4243; 145.9255, subdivisions 1, 4; 256J.45, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 121A; 124D; 145.

Referred to the Committee on Health and Family Security.

**Senator Murphy introduced--**

**S.F. No. 2663:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the design and construction of a new vocational education building at MCF-Red Wing.

Referred to the Committee on Finance.

**Senator Kubly introduced--**

**S.F. No. 2664:** A bill for an act relating to regional development commissions; requiring a regional development commission to contract with local units of government and another commission in order to conduct services in another region; amending Minnesota Statutes 2002, section 462.391, subdivisions 10, 11.

Referred to the Committee on State and Local Government Operations.

**Senators Dibble and Marty introduced--**

**S.F. No. 2665:** A bill for an act relating to natural resources; modifying restrictions on off-highway vehicle trail designation; modifying restitution requirements; appropriating money; amending Minnesota Statutes 2003 Supplement, section 84.780; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources.

**Senator Marty introduced--**

**S.F. No. 2666:** A bill for an act relating to human rights; changing provisions for charge processing; allowing the department to seek sanctions; authorizing release of protected data in certain cases; repealing the 180-day hearing; amending Minnesota Statutes 2003 Supplement, sections 363A.28, subdivision 6; 363A.35, subdivision 3; repealing Minnesota Statutes 2003 Supplement, section 363A.29, subdivision 2.

Referred to the Committee on Judiciary.

**Senator Kiscaden introduced--**

**S.F. No. 2667:** A bill for an act relating to human services; changing the effective date for provisions allowing the continuation of a recipient's life estate or joint tenancy interests for purposes of medical assistance recoveries; requiring the commissioner of human services to refund money recovered; amending Minnesota Statutes 2003 Supplement, sections 256B.15, subdivision 1; 514.981, subdivision 6.

Referred to the Committee on Health and Family Security.

**Senator Hottinger introduced--**

**S.F. No. 2668:** A bill for an act relating to criminal justice; adopting certain model penal code provisions relating to criminal responsibility of persons with a mental disease or defect; amending Minnesota Statutes 2002, section 611.026.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Metzen introduced--**

**S.F. No. 2669:** A bill for an act relating to state government; transferring certain duties of the Minnesota Zoological Board to the Minnesota Zoo Foundation; amending Minnesota Statutes 2002, section 85A.02, subdivision 5a; Minnesota Statutes 2003 Supplement, sections 43A.24, subdivision 2; 352D.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 85A.

Referred to the Committee on State and Local Government Operations.

**Senator Dille introduced--**

**S.F. No. 2670:** A bill for an act relating to capital investment; appropriating money for the Joint Plant Pathology Center at the University of Minnesota; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

**Senators Nienow, Wergin, Lourey and Anderson introduced--**

**S.F. No. 2671:** A bill for an act relating to energy; expanding definition of qualified on-farm biogas recovery facility; amending Minnesota Statutes 2003 Supplement, section 216C.41, subdivision 1.

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

**Senators Lourey and Berglin introduced--**

**S.F. No. 2672:** A bill for an act relating to human services; requiring the commissioner of human services to implement the pharmaceutical care demonstration project upon federal approval; appropriating money; amending Laws 2003, First Special Session chapter 14, article 12, section 99.

Referred to the Committee on Health and Family Security.

**Senator Anderson introduced--**

**S.F. No. 2673:** A bill for an act relating to prevention of abortion, unintended pregnancies, and sexually transmitted infection; increasing access to family planning services; expanding educational efforts to prevent unintended pregnancies; increasing wholesome after-school activities for youth; requiring development of a plan to ensure comprehensive family life and sexuality education; creating after-school enrichment programs; requiring the provision of contraceptive information; creating a family planning Web site; modifying the ENABL program; establishing regional training sites for comprehensive family life and sexuality education in schools; requiring family planning information be provided to MFIP recipients; appropriating money; amending Minnesota Statutes 2002, section 145.925, subdivision 9; Minnesota Statutes 2003 Supplement, sections 145.4243; 145.9255, subdivisions 1, 4; 256J.45, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 121A; 124D; 145.

Referred to the Committee on Health and Family Security.

**Senator Hottinger introduced--**

**S.F. No. 2674:** A bill for an act relating to economic development; regulating business subsidies; amending Minnesota Statutes 2002, section 116J.994, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 116J.994, subdivisions 4, 9.

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

**MEMBERS EXCUSED**

Senators Frederickson, Jungbauer, Koering, Limmer and Rosen were excused from the Session of today. Senator Ourada was excused from the Session of today from 11:00 to 11:45 a.m. Senator Dille was excused from the Session of today at 11:50 a.m.

**ADJOURNMENT**

Senator Johnson, D.E. moved that the Senate do now adjourn until 9:00 a.m., Thursday, March 11, 2004. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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