

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-THIRD LEGISLATURE

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SEVENTY-FOURTH DAY

St. Paul, Minnesota, Monday, March 15, 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. Douglas Mitchell.

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

The President declared a quorum present.

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

## REPORTS OF COMMITTEES

Senator Rest moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 2077. The motion prevailed.

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

**S.F. No. 2131:** A bill for an act relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 2002, sections 3.971, subdivision 8; 13.07; 13.461, by adding a subdivision; 13.465, subdivision 1, by adding a subdivision; 13.475, subdivision 4; 13.4967, by adding a subdivision; 13.7411, subdivision 5; 15.0591, subdivision 2; 18F.02, subdivision 2a; 60A.23,

subdivision 5; 82.34, subdivision 15; 85.053, subdivision 2; 89.391; 97A.055, subdivision 4; 103B.101, subdivision 10; 115B.16, subdivision 4; 115B.18, subdivision 1; 116A.11, subdivision 1; 119A.05, subdivision 1; 126C.48, subdivision 8; 162.081, subdivision 4; 163.16, subdivision 1; 163.161; 164.05, subdivision 3; 164.08, subdivision 1; 168.12, subdivision 2d; 181.953, subdivision 1; 214.03, subdivision 1; 237.39; 256D.03, subdivision 8; 260B.175, subdivision 1; 270B.01, subdivision 8; 272.0212, subdivision 2; 273.1398, subdivisions 1, 2d, 3; 275.07, subdivision 1; 276.04, subdivision 2; 290.191, subdivision 5; 290C.04; 306.32; 325F.19, subdivision 3; 325F.69, subdivisions 1, 4; 326.10, subdivisions 1, 7; 326.12, subdivision 2; 326.13; 326.15; 336.9-531; 344.20; 348.02; 357.021, subdivision 5; 365.59; 366.17; 368.85, subdivision 9; 385.09; 395.14; 477A.011, subdivisions 21, 27, 35; 477A.015; 609.3452, subdivision 2; Minnesota Statutes 2003 Supplement, sections 13.4963, subdivision 2; 18G.14, subdivisions 1, 8; 37.31, subdivision 4; 62J.692, subdivision 10; 62J.694, subdivision 1; 97A.482; 115B.31, subdivision 1; 116J.966, subdivision 1; 119B.125, subdivision 2; 127A.45, subdivision 10; 144.395, subdivision 1; 192.501, subdivision 2; 216C.41, subdivision 1; 246.014; 256.954, subdivision 3; 270B.03, subdivision 6; 273.1392; 273.1398, subdivision 4c; 297A.668, subdivision 3; 297A.669, subdivision 16; 308B.201; 308B.311, subdivision 6; 308B.471, subdivision 2; 308B.735, subdivision 1; 365.52, subdivision 1; 469.177, subdivision 9; 469.339, subdivision 2; 473.253, subdivision 1; Laws 2003, First Special Session chapter 11, article 2, section 21; Laws 2003, First Special Session chapter 21, article 8, section 10; repealing Minnesota Statutes 2002, sections 18.79, subdivision 11; 115B.241; 273.1398, subdivisions 1a, 2e; 275.07, subdivisions 1a, 5; Laws 2001, chapter 161, section 29; Laws 2001, First Special Session chapter 5, article 3, section 9; Laws 2002, chapter 364, section 15; Laws 2002, chapter 380, article 4, section 1; Laws 2003, chapter 112, article 2, section 35; Laws 2003, chapter 127, article 5, section 19; Laws 2003, chapter 127, article 7, section 1; Laws 2003, chapter 128, article 2, section 13; Laws 2003, chapter 128, article 3, section 4; Laws 2003, First Special Session chapter 9, article 5, section 29; Minnesota Rules, parts 1220.0200; 1220.0300; 1220.0400; 1220.0500; 1220.0600; 1220.0700; 1220.0800; 1220.0900; 7380.0200; 7380.0210; 7380.0220; 7380.0230; 7380.0240.

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

Page 4, after line 20, insert:

"Sec. 8. Minnesota Statutes 2002, section 13.4965, is amended by adding a subdivision to read:

Subd. 2a. [UNIFORM ASSESSMENT DATA.] Data on property shared to promote uniform assessment is governed by section 273.061, subdivision 8a."

Page 30, after line 2, insert:

"Sec. 38. Minnesota Statutes 2003 Supplement, section 256B.0943, subdivision 5, is amended to read:

Subd. 5. [PROVIDER ENTITY ADMINISTRATIVE INFRASTRUCTURE REQUIREMENTS.] (a) To be an eligible provider entity under this section, a provider entity must have an administrative infrastructure that establishes authority and accountability for decision making and oversight of functions, including finance, personnel, system management, clinical practice, and performance measurement. The provider must have written policies and procedures that it reviews and updates every three years and distributes to staff initially and upon each subsequent update.

(b) The administrative infrastructure written policies and procedures must include:

(1) personnel procedures, including a process for: (i) recruiting, hiring, training, and retention of culturally and linguistically competent providers; (ii) conducting a criminal background check on all direct service providers and volunteers; (iii) investigating, reporting, and acting on violations of ethical conduct standards; (iv) investigating, reporting, and acting on violations of data privacy policies that are compliant with federal and state laws; (v) utilizing volunteers, including screening applicants, training and supervising volunteers, and providing liability coverage for volunteers; and (vi) documenting that a each mental health professional, mental health practitioner, or mental health behavioral aide meets the applicable provider qualification

criteria, training criteria under subdivision 8, and clinical supervision or direction of a mental health behavioral aide requirements under subdivision 6;

(2) fiscal procedures, including internal fiscal control practices and a process for collecting revenue that is compliant with federal and state laws;

(3) if a client is receiving services from a case manager or other provider entity, a service coordination process that ensures services are provided in the most appropriate manner to achieve maximum benefit to the client. The provider entity must ensure coordination and nonduplication of services consistent with county board coordination procedures established under section 245.4881, subdivision 5;

(4) a performance measurement system, including monitoring to determine cultural appropriateness of services identified in the individual treatment plan, as determined by the client's culture, beliefs, values, and language, and family-driven services; and

(5) a process to establish and maintain individual client records. The client's records must include:

(i) the client's personal information;

(ii) forms applicable to data privacy;

(iii) the client's diagnostic assessment, updates, results of tests, individual treatment plan, and individual behavior plan, if necessary;

(iv) documentation of service delivery as specified under subdivision 6;

(v) telephone contacts;

(vi) discharge plan; and

(vii) if applicable, insurance information.

Sec. 39. Minnesota Statutes 2003 Supplement, section 256B.0943, subdivision 7, is amended to read:

Subd. 7. [QUALIFICATIONS OF INDIVIDUAL AND TEAM PROVIDERS.] (a) An individual or team provider working within the scope of the provider's practice or qualifications may provide service components of children's therapeutic services and supports that are identified as medically necessary in a client's individual treatment plan.

(b) An individual provider ~~and multidisciplinary team includes~~ must be qualified as:

(1) a mental health professional as defined in subdivision 1, paragraph (m); or

(2) a mental health practitioner as defined in section 245.4871, subdivision 26. The mental health practitioner must work under the clinical supervision of a mental health professional; or

(3) a mental health behavioral aide working under the direction of a mental health professional to implement the rehabilitative mental health services identified in the client's individual treatment plan. A level I mental health behavioral aide must:

(i) be at least 18 years old;

(ii) have a high school diploma or general equivalency diploma (GED) or two years of experience as a primary caregiver to a child with severe emotional disturbance within the previous ten years; and

(iii) meet preservice and continuing education requirements under subdivision 8. A level II mental health behavioral aide must:

(i) be at least 18 years old;

(ii) have an associate or bachelor's degree or 4,000 hours of experience in delivering clinical services in the treatment of mental illness concerning children or adolescents; and

(iii) meet preservice and continuing education requirements in subdivision 8;

(4) (c) A preschool program multidisciplinary team ~~that includes~~ must include at least one mental health professional and one or more of the following individuals under the clinical supervision of a mental health professional:

(i) a mental health practitioner; or

(ii) a program person, including a teacher, assistant teacher, or aide, who meets the qualifications and training standards of a level I mental health behavioral aide; ~~or.~~

~~(5)~~ (d) A day treatment multidisciplinary team ~~that includes~~ must include at least one mental health professional and one mental health practitioner.

Sec. 40. Minnesota Statutes 2003 Supplement, section 256B.0943, subdivision 9, is amended to read:

Subd. 9. [SERVICE DELIVERY CRITERIA.] (a) In delivering services under this section, a certified provider entity must ensure that:

(1) each individual provider's caseload size permits the provider to deliver services to both clients with severe, complex needs and clients with less intensive needs. The provider's caseload size should reasonably enable the provider to play an active role in service planning, monitoring, and delivering services to meet the client's and client's family's needs, as specified in each client's individual treatment plan;

(2) site-based programs, including day treatment and preschool programs, provide staffing and facilities to ensure the client's health, safety, and protection of rights, and that the programs are able to implement each client's individual treatment plan;

(3) a day treatment program is provided to a group of clients by a multidisciplinary staff team under the clinical supervision of a mental health professional. The day treatment program must be provided in and by: (i) an outpatient hospital accredited by the Joint Commission on Accreditation of Health Organizations and licensed under sections 144.50 to 144.55; (ii) a community mental health center under section 245.62; and (iii) an entity that is under contract with the county board to operate a program that meets the requirements of sections 245.4712, subdivision 2, and 245.4884, subdivision 2, and Minnesota Rules, parts 9505.0170 to 9505.0475. The day treatment program must stabilize the client's mental health status while developing and improving the client's independent living and socialization skills. The goal of the day treatment program must be to reduce or relieve the effects of mental illness and provide training to enable the client to live in the community. The program must be available at least one day a week for a minimum three-hour time block. The three-hour time block must include at least one hour, but no more than two hours, of individual or group psychotherapy. The remainder of the three-hour time block may include recreation therapy, socialization therapy, or independent living skills therapy, but only if the therapies are included in the client's individual treatment plan. Day treatment programs are not part of inpatient or residential treatment services; and

(4) a preschool program is a structured treatment program offered to a child who is at least 33 months old, but who has not yet reached the first day of kindergarten, by a preschool multidisciplinary team in a day program licensed under Minnesota Rules, parts 9503.0005 to 9503.0175. The program must be available at least one day a week for a minimum two-hour time block. The structured treatment program may include individual or group psychotherapy and recreation therapy, socialization therapy, or independent living skills therapy, if included in the client's individual treatment plan.

(b) A provider entity must deliver the service components of children's therapeutic services and supports in compliance with the following requirements:

(1) individual, family, and group psychotherapy must be delivered as specified in Minnesota Rules, part 9505.0323;

(2) individual, family, or group skills training must be provided by a mental health professional or a mental health practitioner who has a consulting relationship with a mental health professional who accepts full professional responsibility for the training;

(3) crisis assistance must be ~~intense~~, time-limited, and designed to resolve or stabilize crisis through arrangements for direct intervention and support services to the child and the child's family. Crisis assistance must utilize resources designed to address abrupt or substantial changes in the functioning of the child or the child's family as evidenced by a sudden change in behavior with negative consequences for well being, a loss of usual coping mechanisms, or the presentation of danger to self or others;

(4) medically necessary services that are provided by a mental health behavioral aide must be designed to improve the functioning of the child and support the family in activities of daily and community living. A mental health behavioral aide must document the delivery of services in written progress notes. The mental health behavioral aide must implement goals in the treatment plan for the child's emotional disturbance that allow the child to acquire developmentally and therapeutically appropriate daily living skills, social skills, and leisure and recreational skills through targeted activities. These activities may include:

(i) assisting a child as needed with skills development in dressing, eating, and toileting;

(ii) assisting, monitoring, and guiding the child to complete tasks, including facilitating the child's participation in medical appointments;

(iii) observing the child and intervening to redirect the child's inappropriate behavior;

(iv) assisting the child in using age-appropriate self-management skills as related to the child's emotional disorder or mental illness, including problem solving, decision making, communication, conflict resolution, anger management, social skills, and recreational skills;

(v) implementing deescalation techniques as recommended by the mental health professional;

(vi) implementing any other mental health service that the mental health professional has approved as being within the scope of the behavioral aide's duties; or

(vii) assisting the parents to develop and use parenting skills that help the child achieve the goals outlined in the child's individual treatment plan or individual behavioral plan. Parenting skills must be directed exclusively to the child's treatment; and

(5) direction of a mental health behavioral aide must include the following:

(i) a total of one hour of on-site observation by a mental health professional during the first 12 hours of service provided to a child;

(ii) ongoing on-site observation by a mental health professional or mental health practitioner for at least a total of one hour during every 40 hours of service provided to a child; and

(iii) immediate accessibility of the mental health professional or mental health practitioner to the mental health behavioral aide during service provision.

Sec. 41. Minnesota Statutes 2003 Supplement, section 256B.0943, subdivision 12, is amended to read:

Subd. 12. [EXCLUDED SERVICES.] The following services are not eligible for medical assistance payment as children's therapeutic services and supports:

(1) service components of children's therapeutic services and supports simultaneously provided by more than one provider entity unless prior authorization is obtained;

(2) children's therapeutic services and supports provided in violation of medical assistance policy in Minnesota Rules, part 9505.0220;

(3) mental health behavioral aide services provided by a personal care assistant who is not qualified as a mental health behavioral aide and employed by a certified children's therapeutic services and supports provider entity;

(4) services that are the responsibility of a residential or program license holder, including foster care providers under the terms of a service agreement or administrative rules governing licensure; and

~~(5) up to 15 hours of children's therapeutic services and supports provided within a six-month period to a child with severe emotional disturbance who is residing in a hospital, a group home as defined in Minnesota Rules, part 9560.0520, subpart 4, a residential treatment facility licensed under Minnesota Rules, parts 9545.0900 to 9545.1090, a regional treatment center, or other institutional group setting or who is participating in a program of partial hospitalization are eligible for medical assistance payment if part of the discharge plan; and~~

~~(6) adjunctive activities that may be offered by a provider entity but are not otherwise covered by medical assistance, including:~~

~~(i) a service that is primarily recreation oriented or that is provided in a setting that is not medically supervised. This includes sports activities, exercise groups, activities such as craft hours, leisure time, social hours, meal or snack time, trips to community activities, and tours;~~

~~(ii) a social or educational service that does not have or cannot reasonably be expected to have a therapeutic outcome related to the client's emotional disturbance;~~

~~(iii) consultation with other providers or service agency staff about the care or progress of a client;~~

~~(iv) prevention or education programs provided to the community; and~~

~~(v) treatment for clients with primary diagnoses of alcohol or other drug abuse.~~

Sec. 42. Minnesota Statutes 2003 Supplement, section 256B.0943, is amended by adding a subdivision to read:

Subd. 13. [EXCEPTION TO EXCLUDED SERVICES.] Notwithstanding subdivision 12, up to 15 hours of children's therapeutic services and supports provided within a six-month period to a child with severe emotional disturbance who is residing in a hospital; a group home as defined in Minnesota Rules, part 9560.0520, subpart 4; a residential treatment facility licensed under Minnesota Rules, parts 9545.0900 to 9545.1090; a regional treatment center; or other institutional group setting or who is participating in a program of partial hospitalization are eligible for medical assistance payment if part of the discharge plan."

Page 34, line 24, strike "19(d)" and after the stricken "(11)" insert "19d"

Page 54, line 30, delete "4" and insert "44"

Renumber the sections in sequence

Amend the memorandum of explanation as follows:

Page 2, after line 2, insert:

"Sec. 8. Explanation. This amendment updates statutory references in Minnesota Statutes, chapter 13, under Laws 1999, chapter 227, section 22, to data practice laws codified outside chapter 13."

Page 4, line 6, delete "70" and insert "76"

Page 4, after line 18, insert:

"Sec. 38. Explanation. This amendment clarifies existing language.

Sec. 39. Explanation. This amendment clarifies existing language.

Sec. 40. Explanation. This amendment clarifies existing language.

Sec. 41. Explanation. This amendment clarifies existing language.

Sec. 42. Explanation. This amendment clarifies existing language."

Page 6, line 6, delete "65" and insert "63"

Renumber the sections of the memorandum of explanation in sequence

Amend the title as follows:

Page 1, line 10, after "4;" insert "13.4965, by adding a subdivision;"

Page 1, line 38, after "3;" insert "256B.0943, subdivisions 5, 7, 9, 12, by adding a subdivision;"

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. 2437:** A bill for an act relating to farm products; regulating liens and financing statements; establishing filing requirements; setting fees; amending Minnesota Statutes 2002, sections 336A.01; 336A.02; 336A.03; 336A.04; 336A.05; 336A.06; 336A.07; 336A.08; 336A.09; 336A.10; 336A.11, subdivisions 1, 2; 336A.12; 336A.13; proposing coding for new law in Minnesota Statutes, chapter 336A; repealing Minnesota Rules, parts 8265.0100; 8265.0200; 8265.0300; 8265.0400; 8265.0500; 8265.0600.

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

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

**S.F. No. 2366:** A bill for an act relating to the military; appropriating money to assist in the operation and staffing of the Minnesota National Guard Youth Camp at Camp Ripley.

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

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

**S.F. No. 2430:** A bill for an act relating to taxation; making technical, clarifying, and administrative changes to certain taxes and tax provisions, data disclosure provisions, local government aid provisions, and sustainable forest incentive provisions; changing civil penalties; repealing obsolete rules; amending Minnesota Statutes 2002, sections 270.65; 270B.12, subdivision 9; 272.01, subdivision 2; 272.02, subdivisions 1a, 7, by adding subdivisions; 273.124, subdivision 8; 273.19, subdivision 1a; 274.14; 275.065, subdivision 1a; 275.07, subdivisions 1, 4; 282.016; 282.21; 282.224; 282.301; 287.04; 289A.37, subdivision 5; 289A.38, subdivision 6; 289A.60, subdivision 6; 290.06, subdivision 22; 290.92, subdivision 1; 290C.05; 295.50, subdivision 4; 296A.22, by adding a subdivision; 297E.01, subdivisions 5, 7, by adding subdivisions; 297E.07; 297I.01, by adding a subdivision; 297I.05, subdivision 4; 325D.33, subdivision 6; 473.843, subdivision 5; Minnesota Statutes 2003 Supplement, sections 168A.05, subdivision 1a; 274.014, subdivision 3; 276.112; 289A.19, subdivision 4; 289A.40, subdivision 2;

290.01, subdivision 19a; 290.0674, subdivision 1; 297A.668, subdivisions 1, 3, 5; 297A.669, subdivision 16; 297A.68, subdivisions 2, 5, 39; 297F.08, subdivision 12; 297F.09, subdivisions 1, 2; 477A.011, subdivision 36; 477A.03, subdivision 2b; Laws 2003, First Special Session chapter 21, article 5, section 13; Laws 2003, First Special Session chapter 21, article 6, section 9; proposing coding for new law in Minnesota Statutes, chapter 290C; repealing Minnesota Statutes 2002, sections 273.19, subdivision 5; 275.15; 283.07; 297E.12, subdivision 10; Minnesota Rules, parts 8093.2000; 8093.3000; 8130.0110, subpart 4; 8130.0200, subparts 5, 6; 8130.0400, subpart 9; 8130.1200, subparts 5, 6; 8130.2900; 8130.3100, subpart 1; 8130.4000, subparts 1, 2; 8130.4200, subpart 1; 8130.4400, subpart 3; 8130.5200; 8130.5600, subpart 3; 8130.5800, subpart 5; 8130.7300, subpart 5; 8130.8800, subpart 4.

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

Pages 1 to 19, delete articles 1 and 2

Page 19, delete lines 24 and 25

Pages 19 and 20, delete section 1

Pages 20 to 41, delete sections 3 to 26

Pages 41 to 53, delete article 4

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete lines 3 to 6

Page 1, line 7, delete "repealing obsolete rules" and insert "authorizing the department of revenue to disclose certain information"

Page 1, delete line 8 and insert "2002, section 270B.12, subdivision 9."

Page 1, delete lines 9 to 41

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

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

**S.F. No. 2337:** A bill for an act relating to employee benefits; providing that Minnesota Humanities Commission employees are eligible for certain state benefit programs; amending Minnesota Statutes 2003 Supplement, section 43A.24, subdivision 2.

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

Page 4, after line 22, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

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 referred**

**S.F. No. 2386:** A bill for an act relating to economic development; providing a bidding exception for certain federally subsidized transit facilities; amending Minnesota Statutes 2002, section 469.015, subdivision 4.

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

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

**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.

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

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

**S.F. No. 2455:** A bill for an act relating to public safety; removing sunset date on propane education and research council established under federal law; repealing Laws 2001, chapter 130, sections 5, 6.

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 referred**

**S.F. No. 2343:** A bill for an act relating to the open meeting law; permitting closed meetings to discuss security information under certain circumstances; amending Minnesota Statutes 2002, section 13D.05, subdivision 3.

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

Page 1, delete lines 19 to 25

Page 2, delete lines 1 to 8 and insert:

"(c) Meetings may be closed to receive security briefings and reports, to discuss issues related to security systems, to discuss emergency response procedures, and to discuss security deficiencies in or recommendations regarding public services, infrastructure, and facilities, if disclosure of the information discussed would pose a danger to public safety or compromise security procedures or responses. Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting. A written record of issues discussed at a meeting closed under this section must be retained by the public body for a period of not less than two years after the date of the closed meeting."

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

**Senator Scheid from the Committee on Commerce, to which was referred**

**S.F. No. 2391:** A bill for an act relating to commerce; regulating the disclosure of certain information to certain investigatory entities; amending Minnesota Statutes 2002, sections 45.027, subdivision 7a; 60A.03, subdivision 9; 60A.031, subdivision 4.

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

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

**S.F. No. 2363:** A bill for an act relating to the environment; natural resources; wetlands; wetland delineations; providing specifications for review and waivers of 401 certification under the federal Clean Water Act; modifying environmental review to take into account relevant local plans; appropriating money; amending Minnesota Statutes 2002, sections 103G.2242, subdivision 2; 115.03, subdivision 4a; 116D.02, subdivision 2; 116D.04, subdivision 5a, by adding a subdivision.

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

Page 2, line 19, after "(c)" insert "By January 15, 2005, the board shall implement a voluntary professional wetland delineator certification program. By January 15, 2006, the board shall report to the legislature on the implementation of the voluntary professional wetland delineator certification program." and delete "June 1, 2006" and insert "January 15, 2007"

Page 2, line 24, delete everything after "of" and insert "up to \$75 for professional wetland delineator"

Page 6, line 30, strike "15" and insert "14"

Page 6, line 34, delete "1" and insert "15"

Page 7, line 3, after "action" insert "and, by January 15, 2005, relevant plans approved by local governmental units,"

Page 7, lines 4 and 5, delete the new language

Page 7, line 31, delete "1" and insert "15"

Page 8, line 10, delete "1" and insert "15"

Page 8, line 15, delete "3" and insert "2"

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

**Senator Scheid from the Committee on Commerce, to which was referred**

**S.F. No. 1922:** A bill for an act relating to insurance; regulating nonrenewals and underwriting of homeowner's insurance; prohibiting various discriminatory practices in automobile and homeowner's insurance; amending Minnesota Statutes 2002, sections 65A.29, subdivisions 8, 11; 65A.30; 72A.20, subdivisions 13, 23.

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

Pages 1 to 3, delete sections 1 and 2

Page 3, line 24, delete "homeowners'" and insert "homeowner's"

Page 3, line 26, delete "as defined in this section" and insert "for five or fewer children"

Pages 3 to 6, delete sections 4 to 6 and insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective January 1, 2005, and applies to coverage applied for, issued, or renewed on or after that date."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to insurance; regulating underwriting of homeowner's insurance; amending Minnesota Statutes 2002, section 65A.30."

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

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

**S.F. No. 1900:** A bill for an act relating to the environment; clarifying analysis of water table level for purposes of individual sewage treatment design.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 115.55, subdivision 3, is amended to read:

Subd. 3. [RULES.] (a) The agency shall adopt rules containing minimum standards and criteria for the design, location, installation, use, and maintenance of individual sewage treatment systems. The rules must include:

- (1) how the agency will ensure compliance under subdivision 2;
  - (2) how local units of government shall enforce ordinances under subdivision 2, including requirements for permits and inspection programs;
  - (3) how the advisory committee will participate in review and implementation of the rules;
  - (4) provisions for alternative systems;
  - (5) provisions for handling and disposal of effluent;
  - (6) provisions for system abandonment; and
  - (7) procedures for variances, including the consideration of variances based on cost and variances that take into account proximity of a system to other systems.
- (b) The agency shall consult with the advisory committee before adopting rules under this subdivision.
- (c) Notwithstanding the repeal of the agency rule under which the commissioner has established a list of warrantied individual sewage treatment systems, the warranties for all systems so listed as of the effective date of the repeal shall continue to be valid for the remainder of the warranty period.

(d) By January 15, 2005, the agency shall amend the rules authorized under this section using the procedure under section 14.386 to include allowance for scattered redoximorphic inclusions that are no longer representative of the current conditions."

Amend the title as follows:

Page 1, line 4, after "design" insert "; amending Minnesota Statutes 2002, section 115.55, subdivision 3"

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

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

**S.F. No. 2154:** A bill for an act relating to fuel purchased for use in certain state-owned

vehicles; requiring the use of E85 fuel in flexible-fuel vehicles; requiring periodic reports; providing sanctions; amending Minnesota Statutes 2002, section 16C.135, by adding subdivisions.

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

Page 1, line 13, after "written" insert "or electronic"

Page 2, line 28, after "fuel" insert "that could be" and after "used" insert "in flexible fuel vehicles"

Page 2, line 29, after "fuel" insert "actually"

Page 3, after line 2, insert:

"Sec. 4. [EFFECTIVE DATE.]

This act is effective July 1, 2005."

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. 2522:** A bill for an act relating to state government; authorizing a pilot project under which the State Board of Investment may make certain additional investments in Minnesota financial institutions rated outstanding under the Federal Community Reinvestment Act.

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

Page 1, line 11, delete "certificates of" and insert "repurchase agreements"

Page 1, line 12, delete "deposit"

Page 1, line 14, before "For" insert "Notwithstanding Minnesota Statutes, section 11A.24, subdivision 4, paragraph (a), clause (5),"

Page 1, line 16, delete ", except that"

Page 1, delete line 17

Page 1, line 18, delete everything before the period

Page 1, line 24, delete "certificates of deposit" and insert "repurchase agreements"

Page 2, line 1, delete "certificate of deposit" and insert "repurchase agreement"

Page 2, line 2, delete "certificate of deposit or purchase" and insert "repurchase agreement or invest in"

Page 2, line 3, delete "certificates of deposit" and insert "repurchase agreements"

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

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

**S.F. No. 1928:** A bill for an act relating to commerce; making changes in the board membership of MCHA; requiring the association to post notice of the reasons for a change in writing carriers; amending Minnesota Statutes 2002, section 62E.10, subdivision 2; Minnesota Statutes 2003 Supplement, section 62E.13, subdivision 2.

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

Page 1, line 12, delete "11" and reinstate the stricken language

Page 1, line 14, delete "six" and reinstate the stricken language

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 referred**

**S.F. No. 2177:** A bill for an act relating to metropolitan government; modifying the method for determining each municipality's affordable and life-cycle housing opportunities amount; modifying the basis on which nonparticipating municipalities may elect to participate; making conforming changes; amending Minnesota Statutes 2002, section 473.254, subdivisions 2, 3, 4, 6, 7, 8, by adding a subdivision.

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

Page 3, delete lines 28 to 30 and insert:

"(3)(a) The council must also allocate to each municipality an amount related to the council levy in section 473.253, subdivision 1, in the manner specified in this clause. For the purposes of the allocation in this clause, the amount levied in the metropolitan area by the council and payable in calendar year 2004 pursuant to section 473.253, subdivision 1, is defined as the base levy amount.

(b) In determining a municipality's affordable and life-cycle housing opportunities amount for calendar years prior to 2005, the allocation amount under this clause for each municipality is equal to the amount levied for and payable in each municipality in the previous calendar year pursuant to the council levy in section 473.253, subdivision 1.

(c) In determining a municipality's affordable and life-cycle housing opportunities amount for calendar year 2005 and each succeeding calendar year, if the amount levied in the metropolitan area by the council and payable in the previous calendar year pursuant to section 473.253, subdivision 1, is equal to or greater than the base levy amount, then the allocation amount under this clause for each municipality is equal to the amount levied for and payable in each municipality in the previous calendar year pursuant to the council levy in section 473.253, subdivision 1.

(d) In determining a municipality's affordable and life-cycle housing opportunities amount for calendar year 2005 and each succeeding calendar year, if the amount levied in the metropolitan area by the council and payable in the previous calendar year pursuant to section 473.253, subdivision 1, is less than the base levy amount, then the allocation amount under this clause for each municipality must be calculated by determining the amount levied for and payable in each municipality in the previous calendar year pursuant to the council levy in section 473.253, subdivision 1, divided by the total amount levied for and payable in the metropolitan area in the previous calendar year pursuant to such levy and multiplying that result by the base levy amount."

Page 3, line 33, delete "determined" and insert "allocated to the municipality"

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

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

**S.F. No. 1792:** A bill for an act relating to state government; requiring that state agency contracts for services be performed by United States citizens or by individuals authorized to work in the United States; proposing coding for new law in Minnesota Statutes, chapter 16C.

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 2002, section 16C.03, subdivision 3, is amended to read:

Subd. 3. [ACQUISITION AUTHORITY.] The commissioner shall acquire all goods, services, and utilities needed by agencies. The commissioner shall acquire goods, services, and utilities by requests for bids, requests for proposals, reverse auctions as provided in section 16C.10, subdivision 7, or other methods provided by law, unless a section of law requires a particular method of acquisition to be used. The commissioner shall make all decisions regarding acquisition activities. The commissioner may not acquire goods, services, or otherwise approve any contract with an employer while the employer is subject to the sanctions provided in section 268.974, subdivision 2. The determination of the acquisition method and all decisions involved in the acquisition process, unless otherwise provided for by law, shall be based on best value which includes an evaluation of price and may include other considerations including, but not limited to, environmental considerations, quality, and vendor performance. A best value determination must be based on the evaluation criteria detailed in the solicitation document. If criteria other than price are used, the solicitation document must state the relative importance of price and other factors. Unless it is determined by the commissioner that an alternative solicitation method provided by law should be used to determine best value, a request for bid must be used to solicit formal responses for all building and construction contracts. Any or all responses may be rejected. When using the request for bid process, the bid must be awarded to the lowest responsive and responsible bidder, taking into consideration conformity with the specifications, terms of delivery, the purpose for which the contract or purchase is intended, the status and capability of the vendor, and other considerations imposed in the request for bids. The commissioner may decide which is the lowest responsible bidder for all purchases and may use the principles of life-cycle costing, where appropriate, in determining the lowest overall bid. The duties set forth in this subdivision are subject to delegation pursuant to this section."

Page 2, after line 4, insert:

"Sec. 3. [268.974] [JOB RELOCATION REPORTING.]

Subdivision 1. [JOB LOSSES.] On or before January 31 of each year, an employer that has reduced the number of its Minnesota jobs by more than 100 employees during the previous calendar year must report the reduction to the commissioner. An employer reporting job losses under this section must complete a survey prepared by the commissioner. In addition to the other information required by the commissioner, the survey must include:

- (1) the name and principal place of business of the employer;
- (2) identification of any contracts the employer has with the state or a local unit of government in the state;
- (3) identification of any grants or loans the employer has received from the state or a local unit of government;
- (4) the number of Minnesota employees of the employer who lost jobs in the preceding calendar year;
- (5) the number of jobs in Minnesota added by the employer in the previous year; and
- (6) the number of jobs lost in Minnesota as a result of the employer outsourcing the jobs to employees located outside of the United States.

The employer must complete and return the survey to the commissioner within 30 days after receiving it. An employer failing to complete and return the survey within the 30-day deadline is subject to the sanctions in subdivision 2 if the commissioner notifies the employer of the failure and the employer does not complete and return the survey within 30 days of notice. The commissioner must determine within 30 days after receiving the survey whether an employer

reporting under this subdivision has outsourced more than 100 jobs outside the United States within the previous calendar year, and whether the outsourcing caused a net loss of more than 100 jobs provided by the employer in Minnesota.

A person who believes that an employer has outsourced Minnesota jobs outside the United States may report the information to the commissioner.

Subd. 2. [SANCTIONS.] If the commissioner determines that an employer has a net loss of 100 or more jobs in Minnesota during the previous calendar year caused by outsourcing 100 or more jobs outside the United States, the employer, for a period of seven years commencing from the date the commissioner complies with subdivision 3, may not:

(1) provide goods or services to the state under a contract subject to chapter 16C;

(2) provide goods or services to a local unit of government under a contract with the local unit of government; or

(3) receive any grants or loans from the state or a local unit of government.

Subd. 3. [NOTICE.] After determining that an employer is subject to the sanctions in subdivision 2, the commissioner must notify the commissioner of administration and the commissioner of finance, and then publish the determination in the State Register. The commissioner of administration and the commissioner of finance shall administer the sanctions provided in subdivision 2, clauses (1) and (3), and the applicable local units of government shall administer the sanction in clause (2)."

Page 2, delete lines 6 and 7 and insert:

"This act is effective the day following final enactment. Section 2 applies to a contract entered into on or after that date."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "modifying the acquisition authority of the commissioner of administration; imposing sanctions on employers outsourcing jobs outside the United States; amending Minnesota Statutes 2002, section 16C.03, subdivision 3;"

Page 1, line 6, delete "chapter 16C" and insert "chapters 16C; 268"

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

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

**S.F. No. 2491:** A bill for an act relating to insurance; creating a statewide health insurance pool for school district employees; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Page 2, line 6, delete "and"

Page 2, line 8, after "Association" insert "; and

(3) three members appointed by the governor"

Page 2, line 13, delete "State" and insert "School"

Page 2, line 17, before the period, insert ", by filing a notice of the appointment with the commissioner of commerce. Notices of subsequent appointments must be filed with the board. An entity entitled to appoint a board member may replace the board member at any time"

Page 2, line 29, delete "optional" and insert "optimal"

Page 2, line 32, delete "may" and insert "must"

Page 3, delete lines 13 to 20 and insert:

"Subd. 5. [REPORT.] (a) The board shall report to the legislature by January 15, 2005, on a final plan for the pool that complies with subdivision 4.

(b) The pool may not provide coverage until authorized by law.

Subd. 6. [PERIODIC EVALUATION.] (a) The board must submit a written report to the legislature, in compliance with sections 3.195 and 3.197, on or before December 15, 2008, summarizing and evaluating the performance of the pool during its first three years of operation.

(b) The board must submit a report described in paragraph (a) to the legislature on or before December 15 of each even-numbered year beginning in 2010, covering the pool's experience in the preceding two fiscal years."

And when so amended the bill be re-referred to the Committee on State and Local Government Operations without recommendation. Amendments adopted. Report adopted.

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

**S.F. No. 2438:** A bill for an act relating to human services; requiring the Department of Human Services to increase nursing facility and community services payment rates; appropriating money; amending Minnesota Statutes 2002, section 256B.431, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 256B.431, subdivision 39.

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

Page 1, line 12, after "For" insert "the" and strike "years" and insert "year"

Page 2, line 2, delete "or"

Page 2, line 4, after "year" insert "; or

(3) any combination of clauses (1) and (2)"

Page 2, line 6, delete "must" and insert "is to"

Page 2, line 7, after "(b)" insert ", clause (1)"

Page 2, line 10, delete "portions of the"

Page 2, lines 11 and 12, delete ", which must be used as provided in paragraph (b)"

Page 2, line 25, delete "the portion of"

Page 2, line 26, delete ", which must be used as provided in paragraph (b),"

Page 2, line 32, after "adjustment" insert ", if any,"

Page 3, lines 8 and 9, delete ", which must be used as provided in paragraph (b),"

Page 5, line 3, delete "or"

Page 5, line 5, after "year" insert "; or

(3) any combination of clauses (1) and (2)"

Page 5, line 19, after "adjustment" insert ", if any,"

Page 5, delete line 28

Page 5, line 29, delete "256.9657, subdivision 1, paragraph (d)," and insert "general fund"

Page 5, line 30, delete "1" and insert "2"

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

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

**S.F. No. 2077:** A bill for an act relating to health; establishing state policy for stem cell research; providing criminal penalties; amending Minnesota Statutes 2002, section 145.422, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Page 1, line 24, delete "transportation" and insert "transplantation"

Page 4, line 11, delete "gross"

And when so amended the bill do pass. Senator Pappas questioned the reference thereon and, under Rule 21, the bill was referred to the Committee on Rules and Administration.

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

**S.F. No. 2026:** A bill for an act relating to education; providing for prekindergarten through grade 12 education, including general education, education excellence, special programs, libraries, and state agencies; providing for rulemaking; amending Minnesota Statutes 2002, sections 13.321, subdivision 1, by adding a subdivision; 13.46, subdivision 1; 122A.20, subdivision 2; 123B.143, subdivision 1; 123B.49, subdivision 4; 123B.53, subdivision 6; 123B.76, by adding a subdivision; 123B.82; 124D.59, as amended; 124D.61; 125A.023, subdivision 3; 125A.03; 127A.42, subdivision 6; 127A.47, subdivision 3; 134.31, by adding a subdivision; 134.45, subdivision 5; Minnesota Statutes 2003 Supplement, sections 120B.021, subdivision 3; 120B.024; 120B.36; 123B.77, subdivision 4; 124D.095, subdivision 4; 124D.11, subdivision 1; 124D.454, subdivision 2; 125A.023, subdivision 4; 127A.05, subdivision 4; 127A.42, subdivision 2; 275.065, subdivision 1; 475.61, subdivision 4; Laws 2003, First Special Session chapter 9, article 3, section 19; proposing coding for new law in Minnesota Statutes, chapters 120B; 127A; repealing Minnesota Statutes 2002, section 126C.23.

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

Page 5, line 34, after "(3)" insert "secondary sparsity revenue and elementary sparsity revenue shall be allocated according to section 126C.10, subdivisions 7 and 8;

(4)"

Page 5, line 36, delete "(4)" and insert "(5)"

Page 6, line 2, delete "(5)" and insert "(6)"

Page 6, line 5, delete "(6)" and insert "(7)"

Page 6, line 29, after "principal" insert "or other responsible administrative authority"

Page 8, after line 32, insert:

"Sec. 9. Minnesota Statutes 2003 Supplement, section 126C.10, subdivision 3, is amended to read:

Subd. 3. [COMPENSATORY EDUCATION REVENUE.] (a) The compensatory education revenue for each building in the district equals the formula allowance minus \$415 times the compensation revenue pupil units computed according to section 126C.05, subdivision 3. Revenue shall be paid to the district and must be allocated according to section 126C.15, subdivision 2.

(b) When the district contracting with an alternative program under section 124D.69 changes prior to the start of a school year, the compensatory revenue generated by pupils attending the program shall be paid to the district contracting with the alternative program for the current school year, and shall not be paid to the district contracting with the alternative program for the prior school year.

(c) When the fiscal agent district for an area learning center changes prior to the start of a school year, the compensatory revenue shall be paid to the fiscal agent district for the current school year, and shall not be paid to the fiscal agent district for the prior school year."

Page 9, delete lines 28 to 31 and insert:

"(b) If a district does not submit audited financial data or an audited financial statement according to section 123B.77, subdivision 3, the commissioner may withhold the district's state aid for the school year until the audited financial data or an audited financial statement have been submitted to the commissioner."

Page 9, after line 33, insert:

"(d) For the purposes of this section, "reduce" means a permanent reduction in a district or charter school's state aid for a fiscal year, and "withhold" means a temporary withholding of a portion of a district or charter school's state aid payments during the period in which a violation exists. Aids withheld from a district or charter school must be paid to the district or charter school within 30 days of the date the violation of law has been corrected."

Page 10, line 6, after the comma, insert "or if the audited financial data or an audited financial statement is submitted according to section 123B.77, subdivision 3,"

Page 10, line 24, after "OR" insert "LEGALLY"

Page 10, lines 25, 27, and 32, after "or" insert "legally"

Page 13, after line 18, insert:

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

Page 13, after line 23, insert:

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

Page 14, lines 15 and 16, strike ", and probability sufficient to satisfy the academic standard"

Page 16, line 4, delete "Gifted learners are" and insert "School districts are strongly encouraged to identify and assess students for possible placement in appropriate gifted and talented educational services."

Page 16, delete line 5

Page 16, line 10, delete "informs" and insert "guides"

Page 17, after line 20, insert:

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

Page 22, delete lines 12 to 22

Page 22, line 23, delete "(b)"

Pages 23 and 24, delete section 1

Page 30, line 28, delete "those suspended or expelled from school"

Page 30, line 29, delete the new language and insert "providing required services under Code of Federal Regulations, title 34, section 300.121(d), to those children suspended or expelled from school for more than ten school days in that school year,"

Page 34, delete section 2

Renumber the sections in sequence

Amend the title as follows

Page 1, lines 7 and 8, delete "13.46, subdivision 1;"

Page 1, lines 18 and 19, delete "127A.05, subdivision 4" and insert "126C.10, subdivision 3"

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

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

**S.F. No. 2494:** A bill for an act relating to school safety; allowing certain colors for school safety patrol accessories and flags.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 121A.34, is amended by adding a subdivision to read:

Subd. 5. [BELTS AND OTHER ACCESSORIES.] Notwithstanding Minnesota Rules, part 7415.0300, vests, sashes, ponchos, and Sam Browne belts worn by school safety patrol members may be fluorescent yellow, fluorescent yellow-green, or blaze orange.

Sec. 2. Minnesota Statutes 2002, section 121A.34, is amended by adding a subdivision to read:

Subd. 6. [SCHOOL SAFETY PATROL FLAGS.] Notwithstanding any rule of the commissioner of public safety, school safety patrol flags may be (1) blaze orange with a yellow octagon bearing the word "Stop" in black letters, or (2) fluorescent yellow or fluorescent yellow-green with an octagon of sharply contrasting color bearing the word "Stop" in black letters.

Delete the title and insert:

"A bill for an act relating to school safety; allowing certain colors for school safety patrol accessories and flags; amending Minnesota Statutes 2002, section 121A.34, by adding subdivisions."

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

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

**S.F. No. 1760:** A bill for an act relating to health care; modifying premium rate restrictions; establishing expenditure limits; 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.041; 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 5, delete lines 8 to 22

Pages 14 and 15, delete sections 8 and 9 and insert:

"Sec. 8. [62J.43] [BEST PRACTICES AND QUALITY IMPROVEMENT.]

(a) To reduce health care costs, state agencies shall encourage the adoption of best practice guidelines and participation in best practices measurement activities by physicians, other health care providers, and health plan companies. The commissioner of health shall facilitate access to best practice guidelines and quality of care measurement information to providers, purchasers, and consumers by:

(1) identifying and promoting local community-based, physician-designed best practices care across the Minnesota health care system;

(2) disseminating available information on adherence to best practices care provided by physicians and other health care providers in Minnesota; and

(3) educating consumers and purchasers on how to effectively use this information in making purchasing decisions.

(b) The commissioner of health shall collaborate with a nonprofit Minnesota quality improvement organization specializing in best practices and quality of care measurements to provide best practices criteria and assist in the collection of the data.

(c) The initial best practices and quality of care measurement criteria developed shall include asthma, diabetes, and at least two other preventive health measures. Hypertension and coronary artery disease shall be included within one year following this availability.

(d) The commissioners of human services and employee relations shall use the data to make decisions about contracts they enter into with health plan companies and may establish payment withholds based on best practices and quality of care measurements to be passed through to physicians and other health care providers by the health plan companies. If a payment withhold is passed through, a provider may not terminate an existing contract with a health plan company based solely on this withhold."

Re-number the sections in sequence

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

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

**S.F. No. 838:** A bill for an act relating to the environment; prohibiting the placement in mixed municipal solid waste of electronic products with cathode ray tubes; establishing a process for a list of electronic products complying with certain standards for recovery and recycling; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

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

**S.F. No. 717:** A bill for an act relating to agriculture; modifying certain restrictions on the ownership of farm land; imposing a penalty; amending Minnesota Statutes 2002, section 500.221, subdivisions 1, 1a, 5.

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

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

**S.F. No. 2428:** A bill for an act relating to agriculture; defining certain terms; providing for the validity of certain electronic documents and signatures; amending Minnesota Statutes 2002, sections 223.16, by adding subdivisions; 223.177, subdivision 3; 232.21, by adding subdivisions; 232.23, subdivision 4.

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

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

**S.F. No. 1875:** A bill for an act relating to child protection; modifying requirements for a relative search; amending Minnesota Statutes 2002, section 260C.212, subdivision 5.

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

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

**S.F. No. 1559:** A bill for an act relating to museums and archives repositories; regulating loans to and abandoned property of museums and archives repositories; providing a process for establishing ownership of property loaned to museums and archives repositories; proposing coding for new law in Minnesota Statutes, chapter 345.

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

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

**S.F. No. 2426:** A bill for an act relating to public defense; providing for representation by the public defender; providing public defender access to government data; appropriating money; amending Minnesota Statutes 2002, section 611.16; Minnesota Statutes 2003 Supplement, sections 270A.03, subdivision 5; 611.17, subdivision 1; 611.25, subdivision 1; 611.272; repealing Minnesota Statutes 2003 Supplement, section 611.18.

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

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

**S.F. No. 2231:** A bill for an act relating to peace officers; clarifying when a peace officer may recoup attorney fees and costs in a civilian complaint proceeding; amending Minnesota Statutes 2002, section 471.44, subdivision 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 471.44, subdivision 2, is amended to read:

Subd. 2. [COSTS IN DEFENSE OF CIVILIAN COMPLAINTS.] A home rule charter or statutory city, town, or county that establishes a peace officer civilian review authority to review

civilian complaints about alleged peace officer misconduct shall pay the reasonable costs of legal counsel and reasonable fees incurred by the officer in defending against a complaint after ~~probable cause is found if the complaint is a finding that the complaint is sustained by the authority, and if the complaint is subsequently not upheld at a hearing before the authority.~~ If a complaint against a peace officer is sustained, no payment may be made under this subdivision."

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

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

**S.F. No. 2393:** A bill for an act relating to real property; providing for certain purchase money mortgages; amending Minnesota Statutes 2002, sections 507.02; 507.03.

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

Page 2, line 29, delete "February" and insert "August"

Page 2, line 30, delete "February" and insert "August"

Page 2, line 32, delete "February" and insert "August"

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

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

**S.F. No. 2314:** A bill for an act relating to courts; providing for the Commission on Judicial Selection to recommend to the governor nominees for Tax Court vacancies; amending Minnesota Statutes 2002, section 480B.01, subdivisions 1, 10.

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

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

**S.F. No. 2219:** A bill for an act relating to civil actions; authorizing the recovery of attorney fees by funeral providers in actions to recover costs of services; proposing coding for new law in Minnesota Statutes, chapter 149A.

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

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

**S.F. No. 2365:** A bill for an act relating to health; modifying the reporting system for adverse health care events; requiring certain boards to make certain reports; amending Minnesota Statutes 2002, sections 147.121, subdivision 2; 147A.15, subdivision 2; 148.264, subdivision 2; 153.25, subdivision 2; Minnesota Statutes 2003 Supplement, section 144.7065, subdivision 10; Laws 2003, chapter 99, section 7, as amended; proposing coding for new law in Minnesota Statutes, chapters 144; 147; 147A; 148; 151; 153.

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

Page 2, line 16, after "the" insert "review or" and after "investigation" insert "shall be conducted and"

Page 2, line 17, delete "conducted," and delete the second comma

Page 2, line 19, after "or" insert "under"

Page 2, delete lines 23 to 36

Page 3, delete lines 1 and 2 and insert:

"(e) Data contained in the following records are nonpublic and, to the extent they contain data on individuals, confidential data on individuals, as defined in section 13.02:

(1) reports provided to the commissioner under sections 147.155, 147A.155, 148.267, 151.301, and 153.255;

(2) event reports, findings of root cause analyses, and corrective action plans filed by a facility under this section; and

(3) records created or obtained by the commissioner in reviewing or investigating the reports, findings, and plans described in clause (2).

For purposes of the nonpublic data classification contained in this paragraph, the reporting facility shall be deemed the subject of the data."

Page 3, line 4, after "(a)" insert "Effective upon full implementation of the adverse health care events reporting system,"

Page 3, line 6, delete "each January 1 and July 1" and insert "on the schedule established in those sections"

Page 4, line 19, delete "Every six months" and insert "Within 30 days of making a determination under paragraph (a) that an event qualifies as an adverse health care event"

Page 4, line 20, delete "these events" and insert "the event"

Page 5, line 14, delete "Every six months" and insert "Within 30 days of making a determination under paragraph (a) that an event qualifies as an adverse health care event"

Page 5, line 15, delete "these events" and insert "the event"

Page 6, lines 6 and 17, delete "Every six months" and insert "Within 30 days of making a determination under paragraph (a) that an event qualifies as an adverse health care event"

Page 6, lines 7 and 18, delete "these events" and insert "the event"

Page 7, line 15, delete "Every six months" and insert "Within 30 days of making a determination under paragraph (a) that an event qualifies as an adverse health care event"

Page 7, line 16, delete "these events" and insert "the event"

Page 8, line 16, delete "private" and insert "confidential"

Page 8, line 20, delete "The"

Page 8, delete lines 21 to 36

Page 9, delete lines 1 to 6

Page 9, line 20, strike "Effective July 1, 2004,"

Page 9, line 24, strike "by April 1, 2004" and insert "at least four months prior to full implementation"

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

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

**S.F. No. 2573:** A bill for an act relating to state government; codifying transfer of planning

office to Department of Administration; authorizing forward pricing for energy purchases; reinstating Small Business Procurement Advisory Council; amending Minnesota Statutes 2002, sections 4A.03; 4A.04; 4A.05, subdivisions 1, 1a, 2; 4A.06; 4A.07, subdivisions 2, 3, 4, 5; 16B.87, subdivision 1; 16C.17, subdivision 2; 116.182, subdivision 3a; 116C.03, subdivisions 4, 5; 116C.712, subdivisions 3, 5; 124D.23, subdivision 9; 299C.65, subdivision 2; 414.01, subdivisions 1, 16; 414.011, subdivision 11; 414.031, subdivision 4a; 414.12, subdivision 3; 572A.02, subdivisions 2, 5; Minnesota Statutes 2003 Supplement, sections 4.045; 4A.02; 14.3691, subdivision 2; 15A.0815, subdivision 2; 40A.121, subdivision 1; 43A.08, subdivision 1; 103F.211, subdivision 2; 116C.03, subdivision 2; 145.9255, subdivision 1; 145.9266, subdivision 6; 145.951; 245.697, subdivision 2a; 272.67, subdivision 1; 276A.09; 299A.293, subdivision 1; 365.46, subdivision 2; 379.05; 412.021, subdivision 1; 412.091; 469.334, subdivision 1; 473F.13, subdivision 1; 473H.14; 477A.014, subdivision 4; 572A.015, subdivision 2; 572A.02, subdivision 6; 611A.78, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16C; repealing Minnesota Statutes 2002, sections 4A.01; 394.232, subdivisions 1, 3, 4, 5, 6, 7, 8; 414.01, subdivision 7a; 462.3535; 473.1455; 572A.01; 572A.03, subdivision 2; Minnesota Statutes 2003 Supplement, sections 119A.04, subdivision 3; 394.232, subdivision 2; Minnesota Rules, part 4410.0200, subpart 1a.

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

Page 6, delete section 8

Page 8, line 8, strike "and"

Page 8, line 9, before "will" insert "and Department of Administration rules associated with the former Office of Strategic and Long-Range Planning"

Page 11, line 27, after "Agriculture," insert "Administration,"

Page 16, line 6, after the stricken "planning" insert "the commissioner of administration" and reinstate the stricken commas in both places

Page 16, line 23, before "health" insert "administration,"

Page 17, line 36, after "of" insert "administration;"

Page 18, line 23, after "of" insert "Administration,"

Page 20, line 36, after "of" insert "administration,"

Page 36, after line 6, insert:

"Sec. 3. Minnesota Statutes 2003 Supplement, section 16E.01, subdivision 3, is amended to read:

Subd. 3. [DUTIES.] (a) The office shall:

(1) coordinate the efficient and effective use of available federal, state, local, and private resources to develop statewide information and communications technology and its infrastructure;

(2) review state agency and intergovernmental information and communications systems development efforts involving state or intergovernmental funding, including federal funding, provide information to the legislature regarding projects reviewed, and recommend projects for inclusion in the governor's budget under section 16A.11;

(3) encourage cooperation and collaboration among state and local governments in developing intergovernmental communication and information systems, and define the structure and responsibilities of the Information Policy Council;

(4) cooperate and collaborate with the legislative and judicial branches in the development of information and communications systems in those branches;

(5) continue the development of North Star, the state's official comprehensive on-line service and information initiative;

(6) promote and collaborate with the state's agencies in the state's transition to an effectively competitive telecommunications market;

(7) collaborate with entities carrying out education and lifelong learning initiatives to assist Minnesotans in developing technical literacy and obtaining access to ongoing learning resources;

(8) promote and coordinate public information access and network initiatives, consistent with chapter 13, to connect Minnesota's citizens and communities to each other, to their governments, and to the world;

(9) promote and coordinate electronic commerce initiatives to ensure that Minnesota businesses and citizens can successfully compete in the global economy;

(10) promote and coordinate the regular and periodic reinvestment in the core information and communications technology infrastructure so that state and local government agencies can effectively and efficiently serve their customers;

(11) facilitate the cooperative development of standards for information systems, electronic data practices and privacy, and electronic commerce among international, national, state, and local public and private organizations; and

(12) work with others to avoid unnecessary duplication of existing services provided by other public and private organizations while building on the existing governmental, educational, business, health care, and economic development infrastructures.

(b) The commissioner of administration in consultation with the commissioner of finance may determine that it is cost-effective for agencies to develop and use shared information and communications technology systems for the delivery of electronic government services. This determination may be made if an agency proposes a new system that duplicates an existing system, a system in development, or a system being proposed by another agency. The commissioner of administration shall establish reimbursement rates in cooperation with the commissioner of finance to be billed to agencies and other governmental entities sufficient to cover the actual development, operating, maintenance, and administrative costs of the shared systems. The methodology for billing may include the use of the technology enterprise fund, interagency agreements, or other means as allowed by law.

(c)(1) A technology enterprise fund is established. Money deposited in the fund is appropriated to the commissioner of administration for the purpose of funding technology projects among government entities that promote cooperation, innovation, and shared use of technology, technology standards, and electronic government services. Savings generated by information technology and communications projects or purchases, including rebates, refunds, discounts, or other savings generated from aggregated purchases of software, services, or technology products, may be deposited in the fund upon agreement by the commissioner of administration and the executive of the government entity generating the funds. The commissioner of administration may apply for and accept grants and contributions from the federal government and other public or private sources for deposit into the fund. The commissioner may use funds deposited in the fund for the actual costs of administering the fund. The transfer of funds between state agencies is subject to approval of the commissioner of finance. The commissioner of finance shall notify the chairs of the committees funding the affected state agencies of the transfers.

(2) By February 1 each year the commissioner of administration shall report to the chairs of the finance committees in the senate and house of representatives with jurisdiction over governmental operations on expenditures, including actual administrative costs, and activities under this section.

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

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "Council;" insert "establishing a technology enterprise fund;"

Page 1, line 7, delete "4A.06;"

Page 1, line 16, after the second "2;" insert "16E.01, subdivision 3;"

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

### SECOND READING OF SENATE BILLS

S.F. Nos. 2131, 2337, 2386, 2647, 2455, 1922, 1900, 2522, 1928, 2177, 2494, 717, 1875, 1559, 2231, 2393, 2219 and 2573 were read the second time.

### MOTIONS AND RESOLUTIONS

Senator Wiger moved that the name of Senator Chaudhary be added as a co-author to S.F. No. 1614. The motion prevailed.

Senator Neuville moved that the name of Senator Kubly be added as a co-author to S.F. No. 2146. The motion prevailed.

Senator Michel moved that the name of Senator Scheid be added as a co-author to S.F. No. 2324. The motion prevailed.

Senator Lourey moved that S.F. No. 2147 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Higgins moved that S.F. No. 2336 be withdrawn from the Committee on State and Local Government Operations and returned to its author. The motion prevailed.

Senator Kubly moved that S.F. No. 2405 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

#### **Senator Bachmann introduced--**

**Senate Resolution No. 121:** A Senate resolution congratulating David Sandager of Marine on St. Croix, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

#### **Senators Reiter and McGinn introduced--**

**Senate Resolution No. 122:** A Senate resolution recognizing the week of May 10, 2004, as Police Week and May 15, 2004, as Peace Officers Memorial Day.

Referred to the Committee on Rules and Administration.

### CALENDAR

**H.F. No. 1064:** A bill for an act relating to state employees; making technical and housekeeping changes; amending Minnesota Statutes 2002, sections 43A.08, subdivision 1a; 43A.30, subdivision 5; 43A.319.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1748:** A bill for an act relating to health; modifying provisions relating to emergency medical services; amending Minnesota Statutes 2002, sections 144E.01, subdivision 1; 144E.265, subdivision 2; 144E.27, subdivisions 1, 2; 144E.286, by adding a subdivision; 144E.305, subdivision 2; 144E.46; Minnesota Statutes 2003 Supplement, section 144E.41; repealing Minnesota Statutes 2002, sections 144E.27, subdivision 4; 144E.286, subdivisions 1, 2; Minnesota Rules, parts 4690.1500, subpart 3; 4690.7900, subpart 6.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1121:** A bill for an act relating to operation of state government; establishing the Minnesota False Claims Act; assessing penalties; proposing coding for new law as Minnesota Statutes, chapter 12A.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Chaudhary	Higgins	Kubly	Marty
Bakk	Cohen	Hottinger	Langseth	Metzen
Berglin	Dibble	Johnson, D.E.	Lourey	Moua
Betzold	Foley	Kelley	Marko	Murphy

Pappas	Rest	Scheid	Sparks	Vickerman
Pogemiller	Sams	Skoe	Stumpf	Wiger
Ranum	Saxhaug	Skoglund	Tomassoni	

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

### RECONSIDERATION

Having voted on the prevailing side, Senator Rest moved that the vote whereby S.F. No. 1748 was passed by the Senate on March 15, 2004, be now reconsidered. The motion prevailed. So the vote was reconsidered.

**S.F. No. 1748:** A bill for an act relating to health; modifying provisions relating to emergency medical services; amending Minnesota Statutes 2002, sections 144E.01, subdivision 1; 144E.265, subdivision 2; 144E.27, subdivisions 1, 2; 144E.286, by adding a subdivision; 144E.305, subdivision 2; 144E.46; Minnesota Statutes 2003 Supplement, section 144E.41; repealing Minnesota Statutes 2002, sections 144E.27, subdivision 4; 144E.286, subdivisions 1, 2; Minnesota Rules, parts 4690.1500, subpart 3; 4690.7900, subpart 6.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### CONSENT CALENDAR

**S.F. No. 1988:** A bill for an act relating to state lands; authorizing conveyance of surplus state land in Redwood County.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kubly

So the bill passed and its title was agreed to.

**S.F. No. 2498:** A bill for an act relating to domestic abuse; providing that ex parte orders for protection and temporary restraining orders are effective upon a referee's signature; amending Minnesota Statutes 2002, section 518B.01, subdivision 7; Minnesota Statutes 2003 Supplement, section 609.748, subdivision 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 2065:** A bill for an act relating to municipal tort liability; providing immunity from tort liability for a limited partnership in which a community action agency is a general partner; amending Minnesota Statutes 2003 Supplement, section 466.01, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chaudhary	Foley	Johnson, D.E.	Kleis
Bachmann	Cohen	Frederickson	Johnson, D.J.	Knutson
Bakk	Day	Gaither	Jungbauer	Koering
Belanger	Dibble	Hann	Kelley	Kubly
Berglin	Dille	Higgins	Kierlin	Langseth
Betzold	Fischbach	Hottinger	Kiscaden	Larson

LeClair	Moua	Pappas	Ruud	Sparks
Limmer	Murphy	Pogemiller	Sams	Stumpf
Lourey	Neuville	Ranum	Saxhaug	Tomassoni
Marko	Nienow	Reiter	Scheid	Vickerman
Marty	Olson	Rest	Senjem	Wergin
Metzen	Ortman	Robling	Skoe	Wiger
Michel	Ourada	Rosen	Skoglund	

So the bill passed and its title was agreed to.

**S.F. No. 2266:** A bill for an act relating to environment; clarifying remediation fund expenditures; amending Minnesota Statutes 2003 Supplement, sections 115B.20, subdivision 2; 473.845, subdivision 1; Laws 2003, chapter 128, article 1, section 10.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

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

### Senators Kelley, Rest, Ranum and Higgins introduced--

**S.F. No. 2798:** A bill for an act relating to education; reallocating federal funds; funding a study to merge the Minneapolis Library Board and the Hennepin County Library Board.

Referred to the Committee on Education.

### Senator Betzold introduced--

**S.F. No. 2799:** A bill for an act relating to government data practices; amending representation data; amending Minnesota Statutes 2002, section 13.79, subdivision 2.

Referred to the Committee on Judiciary.

### Senators Limmer, Neuville and Wiger introduced--

**S.F. No. 2800:** A bill for an act relating to elections; eliminating the incumbency designation from judicial ballots; repealing Minnesota Statutes 2002, section 204B.36, subdivision 5.

Referred to the Committee on Elections.

**Senators Anderson, Bakk, Murphy and Pogemiller introduced--**

**S.F. No. 2801:** A bill for an act relating to taxation; modifying corporate franchise tax deductions for business expenses; amending Minnesota Statutes 2002, sections 290.068, by adding a subdivision; 290.095, subdivision 4; 290.10; 290.21, subdivision 4; Minnesota Statutes 2003 Supplement, section 290.01, subdivisions 19c, 19d.

Referred to the Committee on Taxes.

**Senators Scheid, Pogemiller, Kelley, Stumpf and Michel introduced--**

**S.F. No. 2802:** A bill for an act relating to education; allowing student athletes to participate in sports competitions and on nonschool sports teams during the high school sports season; amending Minnesota Statutes 2002, section 128C.05, by adding a subdivision.

Referred to the Committee on Education.

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

**S.F. No. 2803:** A bill for an act relating to health; requiring the commissioner of health to prepare a plan for statewide data management.

Referred to the Committee on Health and Family Security.

**Senators Nienow, Pariseau and Ourada introduced--**

**S.F. No. 2804:** A bill for an act relating to local government; providing for an alternative annexation process; proposing coding for new law in Minnesota Statutes, chapter 414; repealing Minnesota Statutes 2002, sections 414.031; 414.033.

Referred to the Committee on State and Local Government Operations.

**Senator Nienow introduced--**

**S.F. No. 2805:** A bill for an act relating to traffic regulations; prohibiting operation of cellular telephone in moving motor vehicle by holder of provisional driver's license or instruction permit; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Finance.

**Senator Nienow introduced--**

**S.F. No. 2806:** A bill for an act relating to human services; modifying procedures for calculating nursing facility operating payment rates for a project approved under the moratorium exception process; amending Minnesota Statutes 2002, section 256B.43, by adding a subdivision.

Referred to the Committee on Finance.

**Senator Nienow introduced--**

**S.F. No. 2807:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Cambridge campus of Anoka-Ramsey Community College.

Referred to the Committee on Finance.

**Senator Kierlin introduced--**

**S.F. No. 2808:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Rushford Institute for Nanotechnology, Inc. in Rushford.

Referred to the Committee on Finance.

**Senators Ranum, Metzen, Vickerman, Skoglund and Foley introduced--**

**S.F. No. 2809:** A bill for an act relating to public safety; appropriating money to the commissioner of public safety to restore public safety services, including the Crime Victim Services Center, the Bureau of Criminal Apprehension, the fire marshal, and the Criminal Gang Strike Force grants.

Referred to the Committee on Finance.

**Senators Solon and Tomassoni introduced--**

**S.F. No. 2810:** A bill for an act relating to education; allowing a school board and school principals to negotiate a plan for terminating, demoting, and reinstating principals; amending Minnesota Statutes 2002, sections 122A.40, by adding a subdivision; 122A.41, by adding a subdivision.

Referred to the Committee on Education.

**Senator Tomassoni introduced--**

**S.F. No. 2811:** A bill for an act relating to education; authorizing administrative regions of the Minnesota State High School League to contract with private auditors; amending Minnesota Statutes 2002, section 128C.12, subdivision 1; Minnesota Statutes 2003 Supplement, section 128C.12, subdivision 3; repealing Minnesota Statutes 2002, section 128C.12, subdivision 4.

Referred to the Committee on Education.

**Senators Hottinger, Kleis, Ruud, Kierlin and Tomassoni introduced--**

**S.F. No. 2812:** A bill for an act relating to higher education; modifying the calculation of a state grant award; amending Minnesota Statutes 2002, section 136A.121, subdivision 5.

Referred to the Committee on Finance.

**Senators Hottinger, Kierlin, Rest, Senjem and Marko introduced--**

**S.F. No. 2813:** A bill for an act relating to local government; removing the acreage limit on property-owner-petitioned annexation if certain conditions are met; amending Minnesota Statutes 2002, section 414.033, subdivision 2.

Referred to the Committee on State and Local Government Operations.

**Senators Ruud, Sams, Larson, Frederickson and Marty introduced--**

**S.F. No. 2814:** A bill for an act relating to water; extending expiration of shoreland protection program; amending Minnesota Statutes 2002, section 103F.225, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

**Senator Skoe introduced--**

**S.F. No. 2815:** A bill for an act relating to public safety; protecting ability to conduct amateur radio operations; encouraging utilization of amateur radio operators in public safety and

emergency situations; amending Minnesota Statutes 2002, section 462.357, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 299C.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Hann introduced--**

**S.F. No. 2816:** A bill for an act relating to human rights; defining sexual harassment; amending Minnesota Statutes 2003 Supplement, section 363A.03, subdivision 43.

Referred to the Committee on Judiciary.

**Senator Moua introduced--**

**S.F. No. 2817:** A bill for an act relating to postconviction remedies; enacting a model postconviction DNA analysis act; providing procedures for persons convicted of crimes to establish innocence by petitioning the court for DNA analysis; proposing coding for new law in Minnesota Statutes, chapter 590; repealing Minnesota Statutes 2002, section 590.01, subdivision 1a.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Tomassoni introduced--**

**S.F. No. 2818:** A bill for an act relating to human services; exempting individuals whose only income is a personal needs allowance from state health care program co-payments; amending Minnesota Statutes 2003 Supplement, sections 256B.0631, subdivision 2; 256D.03, subdivision 4; 256L.035.

Referred to the Committee on Health and Family Security.

**Senator Moua introduced--**

**S.F. No. 2819:** A bill for an act relating to human rights; making technical changes to the Human Rights Act; amending Minnesota Statutes 2003 Supplement, sections 363A.02, subdivision 2; 363A.03, subdivisions 1, 2, 5, 8, 14, 21, 31, 35, 42, by adding subdivisions; 363A.04; 363A.06; 363A.08, subdivisions 1, 2, 3, 4, 6; 363A.09, subdivision 4; 363A.11, subdivision 4; 363A.12, subdivision 1; 363A.13, subdivision 4; 363A.15; 363A.17; 363A.19; 363A.21, subdivisions 1, 2; 363A.28, subdivisions 1, 6, 7; 363A.29, subdivision 2; 363A.40, subdivision 1; repealing Minnesota Statutes 2003 Supplement, section 363A.03, subdivisions 3, 29.

Referred to the Committee on Judiciary.

**Senator Moua introduced--**

**S.F. No. 2820:** A bill for an act relating to state government; prohibiting the exclusion or limitation of certain liability of the state; proposing coding for new law in Minnesota Statutes, chapter 1.

Referred to the Committee on Judiciary.

**Senator Rest introduced--**

**S.F. No. 2821:** A bill for an act relating to sales and use tax; removing the sunset on certain portions of the prepared food definition; amending Laws 2002, chapter 377, article 3, section 4.

Referred to the Committee on Taxes.

**Senator Langseth introduced--**

**S.F. No. 2822:** A bill for an act relating to background checks; school employees; specifying disqualifying crimes; amending Minnesota Statutes 2002, section 123B.03, subdivisions 2, 3.

Referred to the Committee on Education.

**Senator Johnson, D.E. introduced--**

**S.F. No. 2823:** A bill for an act relating to appropriations; reinstating the beaver damage control grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103B.

Referred to the Committee on Environment and Natural Resources.

**Senator Lourey introduced--**

**S.F. No. 2824:** A bill for an act relating to human services; providing a rate increase for a nursing facility in Carlton County having completed an approved total replacement; appropriating money; amending Minnesota Statutes 2003 Supplement, section 256B.431, subdivision 17f.

Referred to the Committee on Health and Family Security.

**Senators Michel, Kelley, Larson, Pogemiller and Metzen introduced--**

**S.F. No. 2825:** A bill for an act relating to a University of Minnesota football stadium; appropriating money; amending Minnesota Statutes 2002, section 297A.71, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on State and Local Government Operations.

**Senators Ranum, Murphy and Moua introduced--**

**S.F. No. 2826:** A bill for an act relating to transportation; requiring the commissioner to submit a report to the legislature regarding policies and procedures for removal of debris and litter from trunk highway rights-of-way.

Referred to the Committee on Finance.

**Senators Ranum, Skoglund, Hottinger, Bakk and McGinn introduced--**

**S.F. No. 2827:** A bill for an act relating to employment; extending the period of availability of certain extra unemployment benefits; amending Laws 2002, chapter 380, article 1, section 5, subdivisions 3, 5, 6.

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

**Senators Anderson, Vickerman, Rosen and Kubly introduced--**

**S.F. No. 2828:** A bill for an act relating to energy; establishing renewable energy working group to study renewable energy development in the state; requiring a report.

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

**Senator Hann introduced--**

**S.F. No. 2829:** A bill for an act relating to the state lottery; abolishing the state lottery; repealing Minnesota Statutes 2002, sections 349A.01; 349A.02; 349A.04; 349A.05; 349A.06;

349A.07; 349A.08, subdivisions 1, 2, 3, 4, 6, 7, 8; 349A.09; 349A.10; 349A.11; 349A.12; 349A.13; 349A.14; 349A.15; 349A.16; Minnesota Statutes 2003 Supplement, section 349A.08, subdivisions 5, 9; Minnesota Rules, parts 7856.1000; 7856.1010; 7856.1020; 7856.2010; 7856.2020; 7856.3010; 7856.3011; 7856.3020; 7856.3030; 7856.4010; 7856.4020; 7856.4030; 7856.4050; 7856.5010; 7856.5020; 7856.6010; 7856.7010; 7856.7020; 7856.7030; 7856.7040; 7856.7050; 7856.7060; 7856.7070; 7857.2000; 7857.2010; 7857.3000; 7857.3010; 7857.4000; 7857.4010; 7857.4020; 7857.4030; 7857.4040; 7857.4041; 7857.4050; 7857.5000; 7857.5010; 7857.6000; 7857.6020; 7857.7000.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Moua, Knutson, Sams and Ranum introduced--**

**S.F. No. 2830:** A bill for an act relating to crime victims; appropriating money to the commissioners of health and public safety for crime victim service programs and crime and sexual violence prevention efforts.

Referred to the Committee on Finance.

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

**S.F. No. 2831:** A bill for an act relating to natural resources; modifying off-highway vehicle requirements; establishing an off-highway vehicle hot line; increasing civil penalty amounts; appropriating money; amending Minnesota Statutes 2002, section 84.928, subdivision 2; Minnesota Statutes 2003 Supplement, sections 84.773; 84.775, subdivision 1; 84.922, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources.

**Senators Anderson, Frederickson, Rosen, Pappas and Cohen introduced--**

**S.F. No. 2832:** A bill for an act relating to appropriations; appropriating money to the commissioner of employment and economic development for a grant to Advocating Change Together.

Referred to the Committee on Finance.

**Senator Ruud introduced--**

**S.F. No. 2833:** A bill for an act relating to human services; limiting the number of absent days reimbursed under child care assistance; amending Minnesota Statutes 2002, section 119B.13, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Senators Ruud, Larson, Nienow and Jungbauer introduced--**

**S.F. No. 2834:** A bill for an act relating to higher education; providing penalties for students convicted of rioting; proposing coding for new law in Minnesota Statutes, chapter 135A.

Referred to the Committee on Education.

**Senator Michel introduced--**

**S.F. No. 2835:** A bill for an act relating to education; establishing efficiency reviews for public schools; proposing coding for new law in Minnesota Statutes, chapter 120B.

Referred to the Committee on Education.

**Senator Michel introduced--**

**S.F. No. 2836:** A bill for an act relating to education; using school accountability measures to recognize public schools that provide excellent grades 3 through 8 language arts and mathematics teaching; establishing an educational excellence grant program and fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 120B.

Referred to the Committee on Education.

**Senator Michel introduced--**

**S.F. No. 2837:** A bill for an act relating to education; convening a working group to recommend how best to develop and deliver a preparation program for school administrators who, as credentialed turn-around specialists, are trained to successfully implement educational and business principles to turn around the performance of consistently low-performing schools.

Referred to the Committee on Education.

**Senator Berglin introduced--**

**S.F. No. 2838:** A bill for an act relating to human services; modifying prior authorization for medical assistance; amending Minnesota Statutes 2002, section 256B.0625, subdivision 25.

Referred to the Committee on Health and Family Security.

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

**S.F. No. 2839:** A bill for an act relating to human services; exempting certain refugees and asylees from participating in the diversionary work program; amending Minnesota Statutes 2003 Supplement, section 256J.95, subdivision 3.

Referred to the Committee on Health and Family Security.

**Senator Lourey introduced--**

**S.F. No. 2840:** A bill for an act relating to elections; changing times for voting on changing county seats; amending Minnesota Statutes 2002, section 372.07.

Referred to the Committee on Elections.

**Senator Kubly introduced--**

**S.F. No. 2841:** A bill for an act relating to capital improvements; appropriating money to construct the Chuck Brown Memorial Building in Swift County; authorizing the sale of state bonds.

Referred to the Committee on Finance.

**Senator Kubly introduced--**

**S.F. No. 2842:** A bill for an act relating to hospital districts; providing for board membership in the Yellow Medicine County Hospital District; amending Laws 1963, chapter 276, section 2, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Senators Lourey and Marty introduced--**

**S.F. No. 2843:** A bill for an act relating to agriculture; requiring certain milk products to be labeled; amending Minnesota Statutes 2002, section 32.75, subdivision 2.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Bakk and Michel introduced--**

**S.F. No. 2844:** A bill for an act relating to workers' compensation; making technical changes; modifying the definition of "personal injury" to include injury or disease resulting from certain vaccines; authorizing qualifying employees to opt to receive alternative workers' compensation benefits; amending Minnesota Statutes 2002, sections 176.011, subdivisions 15, 16; 176.081, subdivision 1; 176.092, subdivision 1a; 176.102, subdivision 3a; 176.129, subdivisions 1b, 2a, 13; 176.135, subdivisions 1, 7; 176.1351, subdivisions 3, 5, by adding a subdivision; 176.181, by adding a subdivision; 176.1812, subdivision 6; 176.185, subdivision 1; 176.231, subdivision 5; 176.238, subdivision 10; 176.391, subdivision 2; 176.83, subdivision 5.

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

**Senators Murphy, Bakk and Johnson, D.E. introduced--**

**S.F. No. 2845:** A bill for an act relating to railroads; authorizing state bonding for rail service improvement.

Referred to the Committee on Finance.

**Senator Pogemiller introduced--**

**S.F. No. 2846:** A bill for an act relating to public finance; modifying the authority of cities and counties to finance purchases of computers and related items; clarifying the financing of conservation easements; extending sunsets on establishment of special service districts and housing improvement areas; extending the maximum maturity of bonds for qualified housing development projects; revising time for certain notices of issues; modifying the authority to finance street reconstruction; modifying limits on city capital improvement bonds; amending Minnesota Statutes 2002, sections 428A.101; 428A.21; 469.034, subdivision 2; 474A.131, subdivision 1; 475.52, subdivisions 1, 3, 4; Minnesota Statutes 2003 Supplement, sections 373.01, subdivision 3; 373.40, subdivision 1; 410.32; 412.301; 475.521, subdivision 4; 475.58, subdivision 3b.

Referred to the Committee on Taxes.

**Senator Chaudhary introduced--**

**S.F. No. 2847:** A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, by adding a section; affirming that every resident of Minnesota has the right to affordable, basic health care.

Referred to the Committee on Health and Family Security.

**Senator Saxhaug introduced--**

**S.F. No. 2848:** A bill for an act relating to drainage maintenance; reestablishing the Aitkin Drainage and Conservancy District.

Referred to the Committee on Environment and Natural Resources.

**Senators Lourey and Marty introduced--**

**S.F. No. 2849:** A bill for an act relating to agriculture; requiring an environmental assessment

worksheet for certain feedlots; amending Minnesota Statutes 2003 Supplement, section 116D.04, subdivision 2a.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Sams, Murphy, Tomassoni, Ruud and McGinn introduced--**

**S.F. No. 2850:** A bill for an act relating to sales and use tax; exempting materials used in the creation of movies and television shows; amending Minnesota Statutes 2002, section 297A.68, by adding a subdivision.

Referred to the Committee on Taxes.

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

**S.F. No. 2851:** A bill for an act relating to drivers' licenses; limiting issuance of instruction permit and provisional driver's license after certain convictions; amending Minnesota Statutes 2002, sections 171.05, by adding a subdivision; 171.055, subdivision 1.

Referred to the Committee on Finance.

**Senators Senjem and Kiscaden introduced--**

**S.F. No. 2852:** A bill for an act relating to state lands; authorizing conveyance of certain surplus state land.

Referred to the Committee on Environment and Natural Resources.

**Senators Wiger and Metzen introduced--**

**S.F. No. 2853:** A bill for an act relating to occupations; providing for the licensure of mechanical/HVAC contractors and employees; requiring rulemaking; providing penalties; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 326B.

Referred to the Committee on State and Local Government Operations.

**Senators Anderson, Gaither, Pappas, Larson and Hottinger introduced--**

**S.F. No. 2854:** A bill for an act relating to public utilities; providing for the recovery of stranded costs incurred by a thermal energy customer of a facility subject to a qualifying emission reduction project; amending Minnesota Statutes 2002, section 216B.1692, subdivision 5; Laws 2003, First Special Session chapter 11, article 3, section 12.

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

**Senators Moua and Kiscaden introduced--**

**S.F. No. 2855:** A bill for an act relating to crimes; clarifying the terms force and coercion for purposes of the criminal sexual conduct crime law; amending the harassment restraining order law so victims of sexual assault do not have to pay a fee; prohibiting harassment through technological means; amending Minnesota Statutes 2002, sections 609.341, subdivisions 3, 14; 609.748, subdivisions 2, 3a; 609.749, subdivisions 1, 2.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Kelley and Higgins introduced--**

**S.F. No. 2856:** A bill for an act relating to energy; providing for certain electric service for

on-site distributed generation owned and operated by political subdivision; amending Minnesota Statutes 2002, section 216B.1611, subdivision 2.

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

**Senator Fischbach introduced--**

**S.F. No. 2857:** A bill for an act relating to state government; prohibiting executive branch employees from receiving cash payments for discussing the work of an executive agency; amending Minnesota Statutes 2002, section 43A.38, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

**Senator Johnson, D.E. introduced--**

**S.F. No. 2858:** A bill for an act relating to human services; designating certain nursing facilities as metropolitan facilities for purposes of medical assistance reimbursement; amending Minnesota Statutes 2002, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Senators Sams, Bakk, Saxhaug, Jungbauer and Metzen introduced--**

**S.F. No. 2859:** A bill for an act relating to natural resources; requiring the sale and purchase of certain fire-suppression aircraft.

Referred to the Committee on Environment and Natural Resources.

**Senators Sams, Rosen, Frederickson, Dille and Sparks introduced--**

**S.F. No. 2860:** A bill for an act relating to public health and safety; establishing a methamphetamine laboratory cleanup revolving fund and authorizing loans to assist counties and cities in conducting methamphetamine lab cleanup; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Finance.

**Senators Tomassoni and Bakk introduced--**

**S.F. No. 2861:** A bill for an act relating to taxes; local lodging taxes; allowing the city of Biwabik to impose a local lodging tax.

Referred to the Committee on Taxes.

**Senator Bakk introduced--**

**S.F. No. 2862:** A bill for an act relating to natural resources; appropriating money for a snowmobile use study.

Referred to the Committee on Finance.

**Senator Kubly introduced--**

**S.F. No. 2863:** A bill for an act relating to capital improvements; appropriating money for camping improvements at Monson Lake State Park; authorizing the issuance of state bonds.

Referred to the Committee on Finance.

**Senators Solon, Koering, Kiscaden, Rosen and Lourey introduced--**

**S.F. No. 2864:** A bill for an act relating to human services; changing hospital payment adjustment provision for diagnostic related group payments; amending Minnesota Statutes 2002, section 256.969, subdivision 26; Minnesota Statutes 2003 Supplement, section 256B.195, subdivision 3.

Referred to the Committee on Health and Family Security.

**Senators Kleis, Lourey, Sparks, Sams and Berglin introduced--**

**S.F. No. 2865:** A bill for an act relating to insurance; health and accident; regulating certain dependent coverage; amending Minnesota Statutes 2002, sections 62A.042; 62C.14, subdivision 14.

Referred to the Committee on Commerce.

**Senators Skoe, Vickerman, Sams, Rosen and Hann introduced--**

**S.F. No. 2866:** A bill for an act relating to agriculture; limiting nuisance claims against certain agricultural operations; amending Minnesota Statutes 2002, section 561.19, subdivision 2.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Higgins and Pogemiller introduced--**

**S.F. No. 2867:** A bill for an act relating to school board elections; Special School District No. 1; providing for six members to be elected by district and three to be elected at-large.

Referred to the Committee on Education.

**Senator Higgins introduced--**

**S.F. No. 2868:** A bill for an act relating to professions; changing interior designer certification to licensure; amending Minnesota Statutes 2002, sections 326.02, subdivisions 1, 3a, 4b, 5; 326.03, subdivisions 1, 4; 326.031; 326.04; 326.05; 326.09; 326.10, subdivisions 1, 2a; 326.105; 326.107, subdivision 1; 326.11, subdivision 1; 326.111; 326.12; 326.13; 326.14; Minnesota Statutes 2003 Supplement, section 326.10, subdivisions 8, 9.

Referred to the Committee on State and Local Government Operations.

**Senator Kiscaden introduced--**

**S.F. No. 2869:** A bill for an act relating to health; modifying fees for radioactive and nuclear material; approving state agreement with the Nuclear Regulatory Commission; amending Minnesota Statutes 2002, section 144.1205, subdivisions 2, 4, 8, 9; repealing Minnesota Statutes 2003 Supplement, section 144.1202, subdivision 4.

Referred to the Committee on Health and Family Security.

**Senator Metzen introduced--**

**S.F. No. 2870:** A bill for an act relating to historic places; designating Pilot Knob/Oheyawahi as a historic place; amending Minnesota Statutes 2002, section 138.664, by adding a subdivision.

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

**Senator Marko introduced--**

**S.F. No. 2871:** A bill for an act relating to local government; increasing the efficiency of payroll processing; authorizing the use of electronic time recording systems; amending Minnesota Statutes 2002, section 412.271, subdivision 2.

Referred to the Committee on State and Local Government Operations.

**Senator Langseth introduced--**

**S.F. No. 2872:** A bill for an act relating to education finance; authorizing Independent School District No. 801, Browns Valley, to exercise remaining levy authority for disability access projects.

Referred to the Committee on Finance.

**Senator Langseth introduced--**

**S.F. No. 2873:** A bill for an act relating to property taxes and aids; modifying the city local government aid program; making certain cuts to the market value homestead credit permanent; reinstating a metropolitan transit levy and establishing a metropolitan transit aid program; appropriating money; amending Minnesota Statutes 2002, sections 16A.88, subdivision 2; 297B.09, by adding a subdivision; 473.388, subdivision 4; 473.446, subdivision 1; Minnesota Statutes 2003 Supplement, sections 174.24, subdivision 3b; 273.1384, subdivision 4; 477A.013, subdivision 9; 477A.03, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapters 473; 477A.

Referred to the Committee on Taxes.

**Senator Pariseau introduced--**

**S.F. No. 2874:** A bill for an act relating to game and fish; permitting use of dogs for tracking and trailing bear; amending Minnesota Statutes 2002, section 97B.205.

Referred to the Committee on Environment and Natural Resources.

**Senator Day introduced--**

**S.F. No. 2875:** A bill for an act relating to sales tax; allowing the city of Waseca to impose a local sales tax.

Referred to the Committee on Taxes.

**Senator Day introduced--**

**S.F. No. 2876:** A bill for an act relating to campaign finance; broadening the definition of "corporation"; amending Minnesota Statutes 2002, section 211B.15, subdivision 1.

Referred to the Committee on Elections.

**Senators Scheid, Reiter, Moua, Sparks and Gaither introduced--**

**S.F. No. 2877:** A bill for an act relating to insurance; adjusting no-fault automobile insurance medical, death, and disability compensation; amending Minnesota Statutes 2002, section 65B.44, subdivisions 1, 3, 4.

Referred to the Committee on Commerce.

**Senators Hottinger, Kierlin, Foley, Scheid and Betzold introduced--**

**S.F. No. 2878:** A bill for an act relating to early childhood education; establishing a school readiness kindergarten assessment initiative; appropriating money.

Referred to the Committee on Finance.

**Senator Limmer introduced--**

**S.F. No. 2879:** A bill for an act relating to data practices; changing provisions for data privacy; amending Minnesota Statutes 2002, sections 13.43, subdivision 2, by adding a subdivision; 13.46, subdivision 1; 13.461, by adding a subdivision; 119B.02, subdivision 6; Minnesota Statutes 2003 Supplement, section 13.46, subdivision 2; repealing Minnesota Statutes 2002, section 13.319, subdivision 7.

Referred to the Committee on Health and Family Security.

**Senators Ortman, Scheid, Knutson, Rest and Hann introduced--**

**S.F. No. 2880:** A bill for an act relating to civil actions; providing requirements for certification of a class action; proposing coding in Minnesota Statutes, chapter 540.

Referred to the Committee on Judiciary.

**Senator Kleis introduced--**

**S.F. No. 2881:** A bill for an act relating to taxation; providing a checkoff on the income tax return for donations to the veterans of the global war on terrorism fund; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senator Nienow introduced--**

**S.F. No. 2882:** A bill for an act relating to human services; making changes affecting counties, human services policy, mental health, continuing care for the elderly; amending Minnesota Statutes 2002, sections 119B.02, subdivision 4; 119B.03, subdivision 6; 119B.09, subdivision 4; 119B.21, subdivision 5; 144A.071, subdivision 1a; 245.462, subdivision 18; 245.464, by adding a subdivision; 256B.431, subdivision 37; 256D.02, subdivision 17; 256D.06, subdivision 5; 256J.67, subdivisions 1, 3; 257.85, subdivisions 2, 3; 259.23, subdivisions 1, 2; 259.41, subdivision 3; 259.79, subdivision 1; 260C.001, subdivision 3; 260C.007, subdivisions 7, 8, 18, 22, 27; 260C.151, subdivision 6; 260C.178; 260C.201, subdivisions 1, 2, 6, 10, 11; 260C.312; 260C.317, subdivision 3; 626.556, subdivisions 1, 10f, 11c, by adding subdivisions; Minnesota Statutes 2003 Supplement, sections 119B.025, subdivision 1; 119B.125, subdivisions 1, 2; 256.01, subdivision 2; 256B.0622, subdivision 8; 256B.431, subdivision 38; 256J.40; 256J.425, subdivision 7; 256J.46, subdivision 1; 256J.521, subdivision 2; 256J.626, subdivisions 6, 7; 256J.95, subdivisions 10, 12; 260.012; 626.556, subdivisions 2, 3, 10, 10b, 10e, 10i, 11; repealing Minnesota Statutes 2002, sections 626.5551, subdivisions 1, 2, 3, 4, 5; Minnesota Statutes 2003 Supplement, sections 256D.06, subdivision 7; 256J.57, subdivision 2; Laws 2001, First Special Session chapter 9, article 9, section 52; Minnesota Rules, part 9560.0220, subpart 6, item B.

Referred to the Committee on Health and Family Security.

**Senator Nienow introduced--**

**S.F. No. 2883:** A bill for an act relating to human services; making changes to child care, the Minnesota family investment program, long-term care, and health care; amending Minnesota Statutes 2002, sections 119B.011, by adding a subdivision; 119B.03, subdivisions 3, 6a, by adding a subdivision; 256.955, subdivisions 2, 2b; 256B.0911, subdivision 4a; 256J.01, subdivision 1; 256J.08, subdivisions 73, 82a; 256J.21, subdivision 3; 256J.415; 256J.425, subdivision 5;

Minnesota Statutes 2003 Supplement, sections 119B.011, subdivisions 8, 10, 20; 119B.03, subdivision 4; 119B.05, subdivision 1; 119B.09, subdivision 7; 119B.12, subdivision 2; 119B.13, subdivisions 1, 1a; 119B.189, subdivisions 2, 4; 119B.19, subdivision 1; 119B.24; 119B.25, subdivision 2; 245A.11, subdivision 2a; 256.01, subdivision 2; 256.046, subdivision 1; 256.955, subdivision 2a; 256.98, subdivision 8; 256B.06, subdivision 4; 256B.0625, subdivision 9; 256B.0915, subdivisions 3a, 3b; 256B.431, subdivision 32; 256D.03, subdivisions 3, 4; 256J.09, subdivision 3b; 256J.24, subdivision 5; 256J.32, subdivisions 2, 8; 256J.37, subdivision 9; 256J.425, subdivisions 1, 4, 6; 256J.49, subdivision 4; 256J.515; 256J.56; 256J.57, subdivision 1; 256J.626, subdivision 2; 256J.751, subdivision 2; 256J.95, subdivisions 1, 3, 11, 12, 19; repealing Minnesota Statutes 2002, sections 119B.211; 256D.051, subdivision 17; Laws 2000, chapter 489, article 1, section 36.

Referred to the Committee on Health and Family Security.

**Senators Sparks and Scheid introduced--**

**S.F. No. 2884:** A bill for an act relating to insurance; regulating coverages, fees, forms, disclosures, reports, and premiums; amending Minnesota Statutes 2002, sections 60A.14, subdivision 1; 60A.23, subdivision 8; 60A.966; 60A.969; 62A.136; 62A.31, subdivision 1h; 62A.318; 65A.29, subdivision 11; 65B.48, subdivision 3; 72A.20, subdivisions 13, 15; 72A.201, subdivisions 3, 4; 79.56, subdivisions 1, 3; 79.62, subdivision 3; 79A.12, subdivision 2; 176.191, subdivision 3; Minnesota Statutes 2003 Supplement, section 62A.316; proposing coding for new law in Minnesota Statutes, chapter 79; repealing Minnesota Statutes 2002, sections 61A.072, subdivision 2; 62E.05, subdivision 2.

Referred to the Committee on Commerce.

**Senator Skoglund introduced--**

**S.F. No. 2885:** A bill for an act relating to Metropolitan Airports Commission; restricting further construction at the Minneapolis-St. Paul International Airport until certain conditions are met.

Referred to the Committee on State and Local Government Operations.

**Senator Kelley introduced--**

**S.F. No. 2886:** A bill for an act relating to education; providing for a moratorium on the development of new Minnesota comprehensive assessments.

Referred to the Committee on Education.

**Senators Tomassoni and Cohen introduced--**

**S.F. No. 2887:** A bill for an act relating to commerce; regulating peddlers and door-to-door solicitors; amending Minnesota Statutes 2002, sections 329.14; 368.01, subdivision 11; 412.221, subdivision 19; proposing coding for new law in Minnesota Statutes, chapter 329A; repealing Minnesota Statutes 2002, section 329.17, subdivision 2.

Referred to the Committee on Commerce.

**Senator Pariseau introduced--**

**S.F. No. 2888:** A bill for an act relating to education; proposing an amendment to the Minnesota Constitution by adding a section to article XIII; establishing merit-based scholarship programs; establishing the Minnesota scholarship fund and Minnesota scholarship program; creating a Casino Control Commission and casino board; authorizing issuance of a casino license; providing for regulation and taxation of casino; reducing rate of lawful gambling taxes;

appropriating money; amending Minnesota Statutes 2002, sections 297E.02, subdivisions 1, 4, 6; 299L.01, subdivision 4; 299L.02, by adding a subdivision; 299L.07, subdivisions 2, 2a; 340A.404, by adding a subdivision; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; proposing coding for new law as Minnesota Statutes, chapters 136H; 349C.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Marty and Hottinger introduced--**

**S.F. No. 2889:** A bill for an act relating to the environment; providing authority, direction, and funding to achieve and maintain water quality standards for Minnesota's surface waters; appropriating money; amending Minnesota Statutes 2002, section 290.06, subdivision 1; Minnesota Statutes 2003 Supplement, section 290.06, subdivision 2c; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

**Senator Vickerman introduced--**

**S.F. No. 2890:** A bill for an act relating to taxation; property; providing for the valuation and classification of land on which energy conversion systems are located; amending Minnesota Statutes 2002, section 272.02, subdivision 22.

Referred to the Committee on Taxes.

**Senators Sparks and Vickerman introduced--**

**S.F. No. 2891:** A bill for an act relating to human services; increasing reimbursement rates for low-rate nursing facilities; providing reimbursement for nursing facility medical liability insurance costs; amending Minnesota Statutes 2002, section 256B.431, by adding subdivisions.

Referred to the Committee on Health and Family Security.

**Senators Nienow and Pariseau introduced--**

**S.F. No. 2892:** A bill for an act relating to local government; imposing a moratorium on certain annexations until June 1, 2006; amending Minnesota Statutes 2002, sections 414.031, by adding a subdivision; 414.033, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

**Senators Nienow and Kiscaden introduced--**

**S.F. No. 2893:** A bill for an act relating to health; providing title protection for exercise physiologists; authorizing rulemaking; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Family Security.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

## MOTIONS AND RESOLUTIONS

Senator Kelley moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Marko be added as chief author to S.F. 2886. The motion prevailed.

Senator Tomassoni moved that S.F. No. 2449 be withdrawn from the Committee on Taxes and re-referred to the Committee on State and Local Government Operations. The motion prevailed.

**MEMBERS EXCUSED**

Senators McGinn and Solon were excused from the Session of today. Senator Stumpf was excused from the Session of today from 11:00 to 11:30 a.m.

**ADJOURNMENT**

Senator Rest moved that the Senate do now adjourn until 11:45 a.m., Wednesday, March 17, 2004. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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