STATE OF MINNESOTA

Journal of the Senate

EIGHTY-THIRD LEGISLATURE

TENTH DAY

St. Paul, Minnesota, Thursday, January 30, 2003

The Senate met at 9:00 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. John T. Conklin.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 6, 2003

The Honorable James P. Metzen President of the Senate

Dear Senator Metzen:

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

DEPARTMENT OF COMMERCE COMMISSIONER

Glenn Wilson, Jr., 5306 River Bluff Cir., Bloomington, in the county of Hennepin, effective January 6, 2003, for a term that expires on January 1, 2007.

(Referred to the Committee on Commerce and Utilities.)

January 6, 2003

The Honorable James P. Metzen President of the Senate

Dear Senator Metzen:

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

DEPARTMENT OF LABOR AND INDUSTRY COMMISSIONER

Jane Volz, 17315 Liberty Beach Ct., Lakeville, in the county of Dakota, effective January 6, 2003, for a term that expires on January 1, 2007.

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

January 6, 2003

The Honorable James P. Metzen President of the Senate

Dear Senator Metzen:

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

DEPARTMENT OF VETERANS AFFAIRS COMMISSIONER

Jeff Olson, 2216 Orwell Ct. N., Stillwater, in the county of Washington, effective January 6, 2003, for a term that expires on January 1, 2007.

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

January 15, 2003

The Honorable James P. Metzen President of the Senate

Dear Senator Metzen:

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

TAX COURT JUDGE

Sheryl Ramstad, 12120 Golden Acre Dr., Minnetonka, in the county of Hennepin, effective January 15, 2003, for a term that expires on January 5, 2009.

(Referred to the Committee on Taxes.)

Sincerely, Tim Pawlenty, Governor

MOTIONS AND RESOLUTIONS

Senator Kelley moved that his name be stricken as a co-author to S.F. No. 100. The motion prevailed.

Senator Scheid moved that the names of Senators Rest and Dibble be added as co-authors to S.F. No. 157. The motion prevailed.

Senator Scheid moved that the name of Senator Rest be added as a co-author to S.F. No. 158. The motion prevailed.

Senator Hann introduced--

Senate Resolution No. 18: A Senate resolution congratulating Kent Anderson for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Hann introduced--

Senate Resolution No. 19: A Senate resolution congratulating Andy Hedberg for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Sams, Kiscaden, Scheid, Pogemiller and Belanger introduced--

S.F. No. 164: A bill for an act relating to insurance; no-fault auto; adjusting certain dollar amounts to reflect inflation; amending Minnesota Statutes 2002, sections 65B.44, subdivisions 1, 3, 4, 5, 6, 7; 65B.45, subdivision 2; 65B.49, subdivisions 3, 3a; 65B.51, subdivision 3; 65B.525, subdivision 1; 65B.54, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 65B.

Referred to the Committee on Commerce and Utilities.

Senator Cohen introduced--

S.F. No. 165: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for loans for transitional housing.

Referred to the Committee on Finance.

Senator Murphy introduced--

S.F. No. 166: A bill for an act relating to professions; modifying restrictions on electrical apparatus work; amending Minnesota Statutes 2002, sections 326.01, subdivision 6l, by adding a subdivision; 326.245, subdivisions 2, 3, 4.

Referred to the Committee on Commerce and Utilities.

Senators Ruud and Skoe introduced--

S.F. No. 167: A bill for an act relating to Beltrami county; increasing the amount that may be spent for promotion of tourist, agricultural, and industrial developments; amending Laws 1967, chapter 558, section 1, subdivision 5, as amended.

Referred to the Committee on Taxes.

Senator Ruud introduced--

S.F. No. 168: A bill for an act relating to the city of Bemidji; authorizing the city to impose a sales and use tax.

Referred to the Committee on Taxes.

Senators Ortman, Frederickson, Marty and Murphy introduced--

S.F. No. 169: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Seminary fen in Carver county.

Referred to the Committee on Finance.

Senators Ortman, Ourada and Moua introduced--

S.F. No. 170: A bill for an act relating to traffic regulations; allowing display of flashing blue lights to the front of emergency vehicles; amending Minnesota Statutes 2002, section 169.64, subdivision 4.

Referred to the Committee on Finance.

Senators Johnson, D.J.; Knutson; Jungbauer; Gaither and Kleis introduced-

S.F. No. 171: A bill for an act relating to education; repealing and replacing the profile of learning; requiring legislative review of proposed statewide rigorous core academic standards in language arts, mathematics, science, and history and geography; repealing portions of Minnesota Rules, chapter 3501; proposing coding for new law in Minnesota Statutes, chapter 120B.

Referred to the Committee on Education.

Senators Foley, Betzold, Jungbauer, Chaudhary and Johnson, D.J. introduced-

S.F. No. 172: A bill for an act relating to Anoka county; allowing use of certain county facilities for commercial wireless service providers and allowing the lease of sites for public safety communications equipment.

Referred to the Committee on State and Local Government Operations.

Senators Bakk, Saxhaug and Knutson introduced--

S.F. No. 173: A bill for an act relating to natural resources; appropriating money to acquire snowmobile trail easements.

Referred to the Committee on Finance.

Senator Bakk introduced--

S.F. No. 174: A bill for an act relating to St. Louis county; modifying political activity restrictions for certain officers and employees in the classified service; amending Minnesota Statutes 2002, section 383C.05.

Referred to the Committee on State and Local Government Operations.

Senators Kelley, Dibble and Solon introduced--

S.F. No. 175: A bill for an act relating to taxation; extending a program that excludes improvement value on certain older homes; amending Minnesota Statutes 2002, section 273.11, subdivision 16.

Referred to the Committee on Taxes.

Senators Scheid, Metzen, Sams, Belanger and Kiscaden introduced--

S.F. No. 176: A bill for an act relating to insurance; modifying the standard fire insurance policy; providing for exclusions to the valued policy provision; amending Minnesota Statutes 2002, sections 65A.01, subdivision 3: 65A.08, subdivision 2.

Referred to the Committee on Commerce and Utilities.

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

S.F. No. 177: A bill for an act relating to transportation; requiring metropolitan airports commission to set certain taxicab vehicle qualifications; allowing quarterly payment of taxicab permit fee; authorizing certain transfers of taxicab permits.

Referred to the Committee on State and Local Government Operations.

Senators Kubly, Cohen, Anderson, Pappas and Sams introduced--

S.F. No. 178: A bill for an act relating to economic development; providing assistance for the relocation of an urban ethanol plant to a rural site in Minnesota; eliminating ethanol producer payments to urban ethanol plants after a certain date; appropriating money; amending Minnesota Statutes 2002, section 41A.09, subdivisions 2a, 3a, by adding a subdivision.

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

Senators Kiscaden, Berglin, Lourey and Nienow introduced--

S.F. No. 179: A bill for an act relating to health occupations; requiring the commissioner of health to license denturists; permitting the practice of denturism in this state; establishing licensure and examination requirements; establishing a denture technology advisory council; creating fees; authorizing rulemaking; providing a penalty; amending Minnesota Statutes 2002, sections 116J.70, subdivision 2a; 144.335, subdivision 1; 150A.05, subdivision 2; 319B.40; proposing coding for new law as Minnesota Statutes, chapter 150B.

Referred to the Committee on Health and Family Security.

Senator Skoglund introduced--

S.F. No. 180: A bill for an act relating to criminal justice; permitting courts to impose consecutive sentences for certain repeat offenders; amending Minnesota Statutes 2002, section 609.1095, by adding a subdivision.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Skoglund introduced--

S.F. No. 181: A bill for an act relating to public safety; requiring manufacturers of firearms and ammunition to provide shell casings, projectiles, and other information to the commissioner of public safety; appropriating money for a firearm ballistics identification system; proposing coding for new law in Minnesota Statutes, chapter 624.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Skoglund introduced--

S.F. No. 182: A bill for an act relating to traffic regulations; restricting authority of commissioner of transportation to increase the speed limit on a portion of marked trunk highway 55 in Minneapolis.

Referred to the Committee on Finance.

Senators Michel, Hann, Koering, Wergin and Jungbauer introduced--

S.F. No. 183: A bill for an act relating to civil action; regulating the apportionment of joint and several liability; amending Minnesota Statutes 2002, section 604.02, subdivision 1.

Referred to the Committee on Judiciary.

Senators Sams, Skoe and Dille introduced--

S.F. No. 184: A bill for an act relating to the state lottery; prohibiting the lottery from removing certain computer terminals until July 1, 2005.

Referred to the Committee on State and Local Government Operations.

Senators Dibble, Frederickson, Sams, Anderson and Murphy introduced--

S.F. No. 185: A bill for an act relating to families; appropriating money for emergency assistance and transitional housing.

Referred to the Committee on Finance.

Senators Dibble, Langseth, Chaudhary, Wiger and Moua introduced--

S.F. No. 186: A bill for an act relating to highways; establishing categories of community preservation routes in the county state-aid highway system and municipal state-aid street system; providing for adoption of minimum construction and reconstruction standards; proposing coding for new law in Minnesota Statutes, chapter 162.

Referred to the Committee on Finance.

Senators Dille, Skoe, Sams, Murphy and Koering introduced--

S.F. No. 187: A bill for an act relating to the state agricultural society; eliminating a prohibition on circuses around state fair time; repealing Minnesota Statutes 2002, section 37.26.

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

Senators Pogemiller, Rest, Kierlin, Skoglund and Murphy introduced--

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

Referred to the Committee on State and Local Government Operations.

Senators Pogemiller, Rest, Foley, Skoglund and McGinn introduced--

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

Referred to the Committee on State and Local Government Operations.

Senators Betzold, Pogemiller, Dibble, Belanger and Rest introduced--

S.F. No. 190: A bill for an act relating to retirement; modifying the Hennepin county supplemental retirement plan to allow the county administrator to approve certain participant requests; amending Minnesota Statutes 2002, sections 383B.49; 383B.493.

Referred to the Committee on State and Local Government Operations.

Senators Bachmann, LeClair, Jungbauer, Ortman and Koering introduced-

S.F. No. 191: A bill for an act relating to health; providing for record of birth to be filed for birth resulting in stillbirth; amending Minnesota Statutes 2002, section 144.215, subdivision 2, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Bachmann, LeClair, Jungbauer, Reiter and Koering introduced--

S.F. No. 192: A bill for an act relating to state government; providing four percent salary decreases for legislators and constitutional officers until June 30, 2005.

Referred to the Committee on State and Local Government Operations.

Senators Dille, Higgins, Saxhaug, Koering and Ourada introduced--

S.F. No. 193: A bill for an act relating to elections; providing for color coded state partisan primary ballots; amending Minnesota Statutes 2002, section 204D.08, subdivision 4.

Referred to the Committee on Rules and Administration.

Senators Bakk and Saxhaug introduced--

S.F. No. 194: A bill for an act relating to environment and natural resources; reinstating the citizens council on Voyageurs National Park; appropriating money; amending Laws 2002, chapter 298, section 8.

Referred to the Committee on Environment and Natural Resources.

Senator Betzold introduced--

S.F. No. 195: 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 3.85, subdivision 6; 4A.02; 12.37; 13.3806, subdivision 4; 13.383, by adding a subdivision; 13.4963, subdivision 2; 13.4967, by adding a subdivision; 13.585, subdivision 2; 13.6905, by adding a subdivision; 13.7191, subdivision 6; 13.871, subdivision 5, 6; 14.03, subdivision 2; 14.388; 37.03, subdivision 1; 40A.121; 50.14, subdivision 12; 60K.39, subdivision 1; 62A.27; 62Q.71; 69.021, subdivision 5; 69.041; 79.251, subdivision 1; 79A.02, subdivision 1; 85.015, subdivisions 4, 10; 85.20, subdivision 6; 103B.321, subdivision 1; 103G.245, subdivision 5; 116J.556; 144A.4605, subdivision 4; 144E.41; 147A.01, subdivisions 18, 22; 147A.24, subdivision 2; 168.013, subdivision 1e; 168.61, subdivision 1; 211A.13; 221.021, subdivision 1; 221.0251, subdivision 1; 221.60, subdivision 1; 221.601, subdivision 1; 221.602, subdivisions 1, 2, 3; 222.63, subdivisions 1, 6; 222.86, subdivisions 1, 3; 237.075, subdivision 8; 244.13, subdivision 1; 256B.501, subdivision 11; 260B.163, subdivision 4; 260C.007, subdivision 5; 260C.175, subdivision 1; 270.67, subdivision 2; 270B.03, subdivision 6; 272.67, subdivision 1; 273.1106; 276A.09; 290.0802, subdivision 2; 290.9727, subdivision 3; 290.9728, subdivision 2; 290.9729, subdivision 2; 297A.70, subdivision 7; 299F.40, subdivision 1; 317A.443, subdivision 2; 322B.960, subdivision 4; 325E.26, subdivision 4; 325G.34, subdivision 4; 327C.07, subdivision 7; 354A.31, subdivisions 6, 7; 356.46, subdivision 1; 356.62; 365.46, subdivision 2; 379.05; 398A.04, subdivision 4; 412.021, subdivision 1; 412.091; 414.09, subdivision 3; 465.81,

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Referred to the Committee on Judiciary.

Senators Anderson, Cohen, Kubly, Dille and Rosen introduced--

S.F. No. 196: A bill for an act relating to housing; the housing finance agency; appropriating money to the family homeless prevention and assistance program.

Referred to the Committee on Finance.

Senators Vickerman, Bakk, Stumpf, Robling and Pariseau introduced--

S.F. No. 197: A bill for an act relating to municipalities; allowing the prescribing of certain fees by a fee schedule; amending Minnesota Statutes 2002, section 462.353, subdivision 4.

Referred to the Committee on State and Local Government Operations.

Senators Lourey, Bakk, Wergin, Nienow and Ourada introduced--

S.F. No. 198: A bill for an act relating to environment; terminating the outstanding obligations of specified counties for waste processing grants.

Referred to the Committee on Environment and Natural Resources.

Senators Vickerman, Langseth and Frederickson introduced--

S.F. No. 199: A bill for an act relating to capital investment; appropriating general fund money for the Lewis and Clark rural water project and canceling the 2000 appropriation from the bond proceeds fund for the project.

Referred to the Committee on Finance.

Senator Saxhaug introduced--

S.F. No. 200: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Aitkin county.

Referred to the Committee on Environment and Natural Resources.

Senators Fischbach, Kleis, Wergin and Jungbauer introduced--

S.F. No. 201: 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 Murphy, Solon, Cohen, Langseth and Kierlin introduced--

S.F. No. 202: A bill for an act relating to capital improvements; appropriating money for port development assistance; authorizing the sale of state bonds.

Referred to the Committee on Finance.

Senators Higgins, Marty, Dille, Frederickson and Lourey introduced--

S.F. No. 203: A bill for an act relating to water; restricting the use of phosphorus in dishwashers and detergents; amending Minnesota Statutes 2002, section 116.23.

Referred to the Committee on Environment and Natural Resources.

Senators Robling and LeClair introduced--

S.F. No. 204: A bill for an act relating to local government; prohibiting local governments from hiring lobbyists; proposing coding for new law in Minnesota Statutes, chapter 465.

Referred to the Committee on State and Local Government Operations.

Senators Skoe, Stumpf, Sams, Kierlin and Olson introduced--

S.F. No. 205: A bill for an act relating to education finance; making the levy for career and technical programs permanent; amending Minnesota Statutes 2002, section 126C.457.

Referred to the Committee on Taxes.

Senators Knutson, Day, Fischbach and Vickerman introduced--

S.F. No. 206: A bill for an act relating to retirement; authorizing payment of refunds from the Minnesota state retirement system for certain employees on medical leaves of absence; amending Minnesota Statutes 2002, section 352.22, subdivision 1.

Referred to the Committee on State and Local Government Operations.

Senator Ruud introduced--

S.F. No. 207: A bill for an act relating to state lands; authorizing private sale of certain surplus state land.

Referred to the Committee on Environment and Natural Resources.

Senator Ruud introduced--

S.F. No. 208: A bill for an act relating to state lands; authorizing conveyance of certain surplus state land bordering public water.

Referred to the Committee on Environment and Natural Resources.

Senators Ruud, Larson, Robling and Skoe introduced--

S.F. No. 209: A bill for an act relating to education finance; making the levy for career and technical programs permanent; amending Minnesota Statutes 2002, section 126C.457.

Referred to the Committee on Taxes.

Senators Ruud, Reiter and Foley introduced--

S.F. No. 210: A bill for an act relating to traffic regulations; allowing display of flashing blue lights to the front of emergency vehicles; amending Minnesota Statutes 2002, section 169.64, subdivision 4.

Referred to the Committee on Finance.

Senator Cohen introduced--

S.F. No. 211: A bill for an act relating to taxation; property; extending the phase-out of limited market value; amending Minnesota Statutes 2002, section 273.11, subdivision 1a.

Referred to the Committee on Taxes.

Senators Foley, Stumpf, Kelley, Scheid and Betzold introduced--

S.F. No. 212: A bill for an act relating to education; eliminating a duplicative requirement that a teacher file a certified copy of the teacher's teaching license with the employing school district; enabling a school district to verify the status of a teacher's license using the Minnesota education license system available on the department of children, families, and learning Web site; amending Minnesota Statutes 2002, section 122A.22.

Referred to the Committee on Education.

Senators Larson, Vickerman, Ortman, Tomassoni and Wergin introduced-

S.F. No. 213: A bill for an act relating to retirement; teachers retirement association; providing an ad hoc postretirement adjustment for certain pre-1969 teachers; amending Minnesota Statutes 2002, section 354.55, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

Senators Neuville, Kleis, Fischbach, Hann and Olson introduced--

S.F. No. 214: A bill for an act relating to public employment; instituting a freeze on salaries and wage rates for state and public employees.

Referred to the Committee on State and Local Government Operations.

Senators Solon and Higgins introduced--

S.F. No. 215: A bill for an act relating to health; clarifying the definition of the practice of psychology; amending Minnesota Statutes 2002, section 148.89, subdivision 5.

Referred to the Committee on Health and Family Security.

Senator Solon introduced--

S.F. No. 216: A bill for an act relating to health; providing for psychologist emeritus registration; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Family Security.

Senator Solon introduced--

S.F. No. 217: A bill for an act relating to health; modifying provisions relating to supervised practice by a psychologist; amending Minnesota Statutes 2002, section 148.925, subdivision 1.

Referred to the Committee on Health and Family Security.

Senators Solon and Scheid introduced--

S.F. No. 218: A bill for an act relating to human services; modifying MinnesotaCare eligibility requirements related to other health coverage and employer-subsidized coverage; amending Minnesota Statutes 2002, sections 256L.07, subdivision 3, by adding subdivisions.

Referred to the Committee on Health and Family Security.

Senator Metzen introduced--

S.F. No. 219: A bill for an act relating to capital improvements; appropriating money for a grant to clean up contaminated lands; authorizing the sale of state bonds.

Referred to the Committee on Finance.

Senator Kleis introduced--

S.F. No. 220: A bill for an act relating to state government; providing four percent salary decreases for legislators and constitutional officers until June 30, 2005.

Referred to the Committee on State and Local Government Operations.

Senators Pariseau; Johnson, D.J.; Day and Nienow introduced--

S.F. No. 221: A bill for an act relating to local government; shooting ranges; defining generally accepted operation practices; providing for relation to ordinances, closing and relocation, and nuisance liability; proposing coding for new law as Minnesota Statutes, chapter 87A.

Referred to the Committee on State and Local Government Operations.

Senators Pariseau, Olson, Jungbauer, Gaither and Ruud introduced--

S.F. No. 222: A bill for an act relating to public safety; enacting the Minnesota Citizens' Personal Protection Act of 2003; recognizing the inherent right of law-abiding citizens to self-protection through the lawful use of self-defense; providing a system under which responsible, competent adults can exercise their right to self-protection by authorizing them to obtain a permit to carry a pistol; providing criminal penalties; appropriating money; amending Minnesota Statutes 2002, sections 609.66, subdivision 1d; 624.714, subdivisions 2, 3, 4, 6, 7, 8, 10, 12, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 624; repealing Minnesota Statutes 2002, section 624.714, subdivisions 1, 5.

Referred to the Committee on Crime Prevention and Public Safety.

MEMBERS EXCUSED

Senators Marko and Scheid were excused from the Session of today.

ADJOURNMENT

Senator Hottinger moved that the Senate do now adjourn until 10:00 a.m., Monday, February 3, 2003. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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INTRODUCTION AND FIRST READING OF SENATE BILLS

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