

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-THIRD LEGISLATURE

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TWENTIETH DAY

St. Paul, Minnesota, Thursday, February 27, 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 Crosby.

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

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

The President declared a quorum present.

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

## MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 75 and 267.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 24, 2003

## FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 75:** 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.

Pursuant to Rule 45, placed on the Comparison Calendar.

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

Pursuant to Rule 45, placed on the Comparison Calendar.

### REPORTS OF COMMITTEES

Senator Hottinger moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

**S.F. No. 258:** A bill for an act relating to government operations; transferring authority over certain Indian scholarship programs from the commissioner of children, families, and learning to the higher education services office.

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

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

**S.F. No. 421:** A bill for an act relating to the city of Minneapolis; providing for the establishment of certain positions in the unclassified service of the city of Minneapolis by the Minneapolis city council.

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

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

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

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

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

**S.F. No. 155:** A bill for an act relating to insurance; regulating coverage for communication aids or devices; amending Minnesota Statutes 2002, sections 62A.042, subdivision 2; 62E.06, subdivision 1; 62L.05, subdivision 4.

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

Pages 1 and 2, delete section 1

Page 3, line 30, delete everything after "section" and insert "62Q.675"

Page 3, line 31, delete everything before the semicolon

Page 6, line 19, delete everything after "section" and insert "62Q.675"

Page 6, line 20, delete everything before the semicolon

Page 7, after line 2, insert:

"Sec. 3. [62Q.675] [COMMUNICATION DEVICES; PERSONS 18 OR YOUNGER.]

A health plan must cover communication aids or devices, including hearing aids, for individuals 18 years of age or younger for hearing loss due to functional congenital malformation of the ears that is not correctable by other covered procedures. No special deductible, coinsurance, copayment, or other limitation on the coverage under this section that is not generally applicable to other coverages under the plan may be imposed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "62A.042, subdivision 2;"

Page 1, line 5, before the period, insert "; proposing coding for new law in Minnesota Statutes, chapter 62Q"

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

**S.F. No. 127:** A bill for an act relating to professions; providing clarification of costs and penalties that may be collected in disciplinary proceedings by the boards of nursing home administrators, optometry, chiropractic examiners, physical therapy, dentistry, podiatric medicine, pharmacy, and veterinary medicine; providing for civil penalties; amending Minnesota Statutes 2002, sections 148.10, subdivision 3; 148.603; 150A.08, subdivision 3, by adding a subdivision; 151.06, by adding a subdivision; 153.22, subdivisions 1, 5; 156.127, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapters 144A; 148.

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

Delete everything after the enacting clause and insert:

#### "NURSING HOME ADMINISTRATION

Section 1. [144A.2511] [COSTS; PENALTIES.]

If the board of examiners has initiated proceedings under section 144A.24 or 144A.251 or chapter 214, and upon completion of the proceedings has found that a nursing home administrator has violated a provision or provisions of sections 144A.18 to 144A.27, it may impose a civil penalty not exceeding \$10,000 for each separate violation, with all violations related to a single event or incident considered as one violation. The amount of the civil penalty shall be fixed so as to deprive the nursing home administrator of any economic advantage gained by reason of the violation charged or to reimburse the board for the cost of the investigation and proceeding. For purposes of this section, the cost of the investigation and proceeding may include, but is not limited to, fees paid for services provided by the office of administrative hearings, legal and investigative services provided by the office of the attorney general, court reporters, witnesses, and reproduction of records.

#### CHIROPRACTIC

Sec. 2. Minnesota Statutes 2002, section 148.10, subdivision 3, is amended to read:

Subd. 3. [REPRIMAND; PENALTIES; PROBATION.] In addition to the other powers granted to the board under this chapter, the board may, in connection with any person whom the board, after a hearing, adjudges unqualified or whom the board, after a hearing, finds to have performed one or more of the acts described in subdivision 1:

(1) publicly reprimand or censure the person;

(2) place the person on probation for the period and upon the terms and conditions that the board may prescribe; and

(3) ~~require payment of all costs of proceedings resulting in the disciplinary action; and~~

(4) impose a civil penalty not exceeding \$10,000 for each separate violation, the amount of the civil penalty to be fixed so as to deprive the doctor of chiropractic of any economic advantage gained by reason of the violation charged ~~or~~, to reimburse the board for the cost of the investigation and proceeding, ~~or to discourage similar violations~~. For purposes of this section, the cost of the investigation and proceeding may include, but is not limited to, fees paid for services provided by the office of administrative hearings, legal and investigative services provided by the office of the attorney general, court reporters, witnesses, reproduction of records, board members' per diem compensation, board staff time, and travel costs and expenses incurred by board staff and board members.

#### OPTOMETRY

Sec. 3. Minnesota Statutes 2002, section 148.603, is amended to read:

#### 148.603 [FORMS OF DISCIPLINARY ACTIONS.]

When grounds exist under section 148.57, subdivision 3, or other statute or rule which the board is authorized to enforce, the board may take one or more of the following disciplinary actions, provided that disciplinary or corrective action may not be imposed by the board on any regulated person except after a contested case hearing conducted pursuant to chapter 14 or by consent of the parties:

- (1) deny an application for a credential;
- (2) revoke the regulated person's credential;
- (3) suspend the regulated person's credential;
- (4) impose limitations on the regulated person's credential;
- (5) impose conditions on the regulated person's credential;
- (6) censure or reprimand the regulated person;

(7) impose a civil penalty not exceeding \$10,000 for each separate violation, the amount of the civil penalty to be fixed so as to deprive the person of any economic advantage gained by reason of the violation or to discourage repeated similar violations or to reimburse the board for the cost of the investigation and proceeding. For purposes of this section, the cost of the investigation and proceeding may include, but is not limited to, fees paid for services provided by the office of administrative hearings, legal and investigative services provided by the office of the attorney general, court reporters, witnesses, reproduction of records, board members' per diem compensation, board staff time, and travel costs and expenses incurred by board staff and board members; or

(8) when grounds exist under section 148.57, subdivision 3, or a board rule, enter into an agreement with the regulated person for corrective action which may include requiring the regulated person:

- (i) to complete an educational course or activity;
- (ii) to submit to the executive director or designated board member a written protocol or reports designed to prevent future violations of the same kind;
- (iii) to meet with a board member or board designee to discuss prevention of future violations of the same kind; or
- (iv) ~~to reimburse the board for its legal and investigative costs; or~~

(v) to perform other action justified by the facts.

Listing the measures in clause (8) does not preclude the board from including them in an order for disciplinary action.

#### DIETETICS AND NUTRITION

Sec. 4. Minnesota Statutes 2002, section 148.631, is amended to read:

148.631 [PENALTY.]

A person who violates sections 148.621 to 148.633 is guilty of a misdemeanor. If a person other than a licensed dietitian or nutritionist engages in an act or practice constituting an offense under sections 148.621 to 148.633, a district court on application of the board may issue an injunction or other appropriate order restraining the act or practice.

If the board finds that a licensed dietitian or nutritionist has violated a provision of sections 148.621 to 148.633 or rules adopted under them, it may impose a civil penalty not exceeding \$10,000 for each separate violation, the amount of the civil penalty to be fixed so as to deprive the dietitian or nutritionist of any economic advantage gained by reason of the violation charged, to discourage similar violations, or to reimburse the board for the cost of the investigation and proceeding, including, but not limited to, fees paid for services provided by the office of administrative hearings, legal and investigational services provided by the office of the attorney general, services of court reporters, witnesses, reproduction of records, board members' per diem compensation, board staff time, and expenses incurred by board members and staff.

#### PHYSICAL THERAPY

Sec. 5. [148.775] [FORMS OF DISCIPLINARY ACTION.]

If the board finds that a licensed physical therapist has violated a provision or provisions of section 148.75 or 148.76, it may do one or more of the following:

- (1) deny the application for the license;
- (2) deny the renewal of the license;
- (3) revoke the license;
- (4) suspend the license;
- (5) impose limitations or conditions on the physical therapist's practice of physical therapy, including the limitation of scope of practice to designated field specialties; the imposition of retraining or rehabilitation requirements; the requirement of practice under supervision; or the conditioning of continued practice on demonstration of knowledge or skills by appropriate examination, monitoring, or other review of skill and competence;
- (6) impose a civil penalty not exceeding \$10,000 for each separate violation, the amount of the civil penalty to be fixed so as to deprive the physical therapist of any economic advantage gained by reason of the violation charged, to discourage similar violations or to reimburse the board for the cost of the investigation and proceeding, including, but not limited to, fees paid for services provided by the office of administrative hearings, legal and investigative services provided by the office of the attorney general, court reporters, witnesses, reproduction of records, board members' per diem compensation, board staff time, and travel costs and expenses incurred by board staff and board members;
- (7) order the physical therapist to provide unremunerated service;
- (8) censure or reprimand the licensed physical therapist; or
- (9) any other action as allowed by law and justified by the facts of the case.

#### DENTISTRY

Sec. 6. Minnesota Statutes 2002, section 150A.08, subdivision 3, is amended to read:

Subd. 3. [REINSTATEMENT.] Any licensee or registrant whose license or registration has been suspended or revoked may have the license or registration reinstated or a new license or registration issued, as the case may be, when the board deems the action is warranted. ~~The board may require the licensee or registrant to pay all costs of proceedings resulting in the suspension or revocation of license or registration and reinstatement or new license and the fee for reinstatement established by the board. Any licensee or registrant who has been disciplined by the board in a manner other than by suspension or revocation may be required by the board to pay all costs of proceedings resulting in the disciplinary action.~~

Sec. 7. Minnesota Statutes 2002, section 150A.08, is amended by adding a subdivision to read:

Subd. 3a. [COSTS; ADDITIONAL PENALTIES.] (a) The board may impose a civil penalty not exceeding \$10,000 for each separate violation, the amount of the civil penalty to be fixed so as to deprive a licensee or registrant of any economic advantage gained by reason of the violation, to discourage similar violations by the licensee or registrant or any other licensee or registrant, or to reimburse the board for the cost of the investigation and proceeding, including, but not limited to, fees paid for services provided by the office of administrative hearings, legal and investigative services provided by the office of the attorney general, court reporters, witnesses, reproduction of records, board members' per diem compensation, board staff time, and travel costs and expenses incurred by board staff and board members.

(b) In addition to costs and penalties imposed under paragraph (a), the board may also:

- (1) order the dentist, dental hygienist, or dental assistant to provide unremunerated service;
- (2) censure or reprimand the dentist, dental hygienist, or dental assistant; or
- (3) any other action as allowed by law and justified by the facts of the case.

#### PHARMACY

Sec. 8. Minnesota Statutes 2002, section 151.06, is amended by adding a subdivision to read:

Subd. 5. [COSTS; PENALTIES.] The board may impose a civil penalty not exceeding \$10,000 for each separate violation, the amount of the civil penalty to be fixed so as to deprive a licensee or registrant of any economic advantage gained by reason of the violation, to discourage similar violations by the licensee or registrant or any other licensee or registrant, or to reimburse the board for the cost of the investigation and proceeding, including, but not limited to, fees paid for services provided by the office of administrative hearings, legal and investigative services provided by the office of the attorney general, court reporters, witnesses, reproduction of records, board members' per diem compensation, board staff time, and travel costs and expenses incurred by board staff and board members.

#### PODIATRIC MEDICINE

Sec. 9. Minnesota Statutes 2002, section 153.22, subdivision 1, is amended to read:

Subdivision 1. [FORMS OF DISCIPLINARY ACTION.] When the board finds, after notice and hearing, that a licensed doctor of podiatric medicine has violated a provision or provisions of this chapter, it may do one or more of the following:

- (1) revoke the license;
- (2) suspend the license;
- (3) impose limitations or conditions on the podiatrist's practice of podiatric medicine; the imposition of retraining or rehabilitation requirements; the requirement of practice under supervision; or the conditioning of continued practice on demonstration of knowledge or skills by appropriate examination or other review of skill and competence;

(4) impose a civil penalty not exceeding \$10,000 for each separate violation, the amount of the civil penalty to be fixed so as to deprive the podiatrist of any economic advantage gained by reason of the violation charged, to discourage similar violations, or to reimburse the board for the cost of the investigation and proceeding, including, but not limited to, fees paid for services provided by the office of administrative hearings, legal and investigative services provided by the office of the attorney general, court reporter services, witnesses, reproduction of records, board members' per diem compensation, board staff time, and board and staff expenses;

(5) order the podiatrist to provide unremunerated professional service under supervision at a designated public hospital, nursing home, clinic, or other health care institution; or

(6) censure or reprimand the licensed podiatrist.

Sec. 10. Minnesota Statutes 2002, section 153.22, subdivision 5, is amended to read:

Subd. 5. [REINSTATEMENT; COSTS; CONDITIONS ON REISSUED REINSTATED OR NEW LICENSE.] ~~In its discretion, the board may restore and reissue a license to practice podiatric medicine, but~~ Any licensee whose license has been suspended or revoked may have the license reinstated or a new license issued, as the case may be, when the board finds the action is warranted. As a condition of reinstatement or the new license, the board may impose any disciplinary or corrective measure, other than suspension or revocation, that it might originally have imposed.

#### VETERINARY MEDICINE

Sec. 11. Minnesota Statutes 2002, section 156.127, subdivision 1, is amended to read:

Subdivision 1. [BOARD ACTION.] When grounds exist under section 156.081, or other statute or rule which the board is authorized to enforce, the board may take one or more of the following disciplinary actions:

- (1) deny an application for a license;
- (2) revoke the regulated person's license;
- (3) suspend the regulated person's license;
- (4) impose limitations on the regulated person's license;
- (5) impose conditions on the regulated person's license;
- (6) censure or reprimand, publicly or privately, the regulated person;

(7) impose an administrative penalty not exceeding ~~\$5,000~~ \$10,000 for each separate violation, the amount of the penalty to be fixed so as to deprive the person of any economic advantage gained by reason of the violation ~~or~~, to discourage ~~repeated~~ similar violations, or to reimburse the board for the cost of the investigation and proceeding including, but not limited to, fees paid for services provided by the office of administrative hearings, legal and investigative services provided by the office of the attorney general, court reporter services, witnesses, reproduction of records, board members' per diem compensation, board staff time, and board and staff expenses;  
or

(8) take any other action justified by the facts of the case.

Sec. 12. Minnesota Statutes 2002, section 156.127, subdivision 3, is amended to read:

Subd. 3. [DISCIPLINARY ACTION AND REINSTATEMENT FEE.] Upon reinstating a regulated person's license or granting an applicant's license, the board may, at its discretion, impose any disciplinary action, cost, or penalty listed in subdivision 1, as well as any reinstatement fee."

Delete the title and insert:

"A bill for an act relating to professions; providing clarification of costs and penalties that may be collected in disciplinary proceedings by the boards of nursing home administrators, optometry, chiropractic examiners, dietetics and nutrition, physical therapy, dentistry, podiatric medicine, pharmacy, and veterinary medicine; providing for civil penalties; amending Minnesota Statutes 2002, sections 148.10, subdivision 3; 148.603; 148.631; 150A.08, subdivision 3, by adding a subdivision; 151.06, by adding a subdivision; 153.22, subdivisions 1, 5; 156.127, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapters 144A; 148."

And when so amended the bill do pass and be re-referred to the Committee on Agriculture, General Legislation and Veterans Affairs. Amendments adopted. Report adopted.

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

**S.F. No. 272:** A bill for an act relating to human services; expanding adult foster care license capacity; amending Minnesota Statutes 2002, section 245A.11, subdivision 2a.

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

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

**S.F. No. 283:** A bill for an act relating to emergency medical services; permitting four-year contracts for emergency medical services; modifying license plate provisions for volunteer ambulance attendants; permitting certain ambulance services to make claims against tax refunds; regulating use of police communication equipment; amending Minnesota Statutes 2002, sections 144E.50, subdivision 5; 168.12, subdivision 2e; 270A.03, subdivision 2; 299C.37, subdivision 1.

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

Pages 1 and 2, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "permitting"

Page 1, delete line 3

Page 1, line 8, delete "144E.50,"

Page 1, line 9, delete "subdivision 5;"

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. 333:** A bill for an act relating to health; modifying provisions relating to the practice of speech-language pathology or audiology; amending Minnesota Statutes 2002, sections 148.511; 148.512, subdivisions 2, 4, 6, 7, 8, 12, 13, 14, 15, 16, 17, 18, 20; 148.513; 148.514; 148.515, subdivisions 2, 4; 148.516; 148.5161; 148.517; 148.518; 148.519; 148.5191; 148.5193, subdivisions 1, 4, 6, 6a, 7, 8; 148.5194, subdivisions 1, 2, 3, 3a; 148.5195, subdivisions 2, 3, 4, 5, 6; 148.5196; 153A.14, subdivisions 2a, 2i; 153A.17; 153A.20, subdivision 1; repealing Minnesota Statutes 2002, sections 148.512, subdivision 11; 148.515, subdivisions 3, 5.

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



Page 1, line 28, before "under" insert "and practicing within the scope of their school license"

Page 5, delete lines 6 and 7

Page 5, line 8, delete "(16)" and insert "(15)"

Page 5, line 11, delete "(17)" and insert "(16)"

Page 7, line 31, after the semicolon, insert "and"

Page 7, delete lines 32 to 35

Page 7, line 36, delete "(13)" and insert "(12)"

Page 9, line 36, delete everything after the period

Page 10, delete lines 1 to 4

Page 10, delete line 19

Renumber the clauses in sequence

Page 11, after line 11, insert:

"(c) Subdivisions 1 and 2 do not apply to a person visiting and then leaving the state and using titles restricted under this section while in the state, if the titles are used no more than 30 days in a calendar year as part of a professional activity that is limited in scope and duration and is in association with an audiologist or speech-language pathologist licensed under sections 148.511 to 148.5196."

Page 17, line 26, strike "(g)" and insert "(e)"

Page 21, line 23, delete "or"

Page 22, line 7, after "program" insert "directly related continuation education hours"

Page 22, lines 11 to 17, reinstate the stricken language

Page 24, delete lines 20 to 27 and insert:

"Subd. 3. [CHANGE OF ADDRESS.] A licensee who changes addresses must inform the commissioner, in writing, of the change of address within 30 days. All notices or other correspondence mailed to or served on a licensee by the commissioner at the licensee's address on file with the commissioner shall be considered as having been received by the licensee."

Page 30, line 25, delete "60" and reinstate the stricken "30"

Page 32, line 25, delete "\$7,500" and insert "\$10,000"

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

**Senator Hottinger, from the Committee on Rules and Administration, to which was referred**

**H.F. No. 112** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		112	92		

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 112 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 112 and insert the language after the enacting clause of S.F. No. 92, the first engrossment; further, delete the title of H.F. No. 112 and insert the title of S.F. No. 92, the first engrossment.

And when so amended H.F. No. 112 will be identical to S.F. No. 92, and further recommends that H.F. No. 112 be substituted for S.F. No. 92, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

### **SECOND READING OF SENATE BILLS**

S.F. Nos. 421, 422, 272 and 333 were read the second time.

### **SECOND READING OF HOUSE BILLS**

H.F. No. 112 was read the second time.

### **MOTIONS AND RESOLUTIONS**

Senator Day moved that his name be stricken as a co-author to S.F. No. 323. The motion prevailed.

Senator Kelley moved that the name of Senator Marty be added as a co-author to S.F. No. 487. The motion prevailed.

Senator Hottinger moved that his name be stricken as a co-author to S.F. No. 505. The motion prevailed.

Senator Rest moved that the name of Senator Berglin be added as a co-author to S.F. No. 506. The motion prevailed.

Senator Betzold moved that the name of Senator Vickerman be added as a co-author to S.F. No. 547. The motion prevailed.

Senator Larson moved that S.F. No. 479 be withdrawn from the Committee on State and Local Government Operations and re-referred to the Committee on Health and Family Security. The motion prevailed.

Senator Pariseau moved that her name be stricken as a co-author to S.F. No. 519. The motion prevailed.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

#### **Senators Kiscaden, Kierlin, Stumpf, Skoe and Michel introduced--**

**S.F. No. 551:** A bill for an act relating to education; providing for certificates for adults who satisfactorily complete English as a second language instruction; amending Minnesota Statutes 2002, section 124D.52, by adding a subdivision.

Referred to the Committee on Education.

#### **Senators Skoglund, Chaudhary and Reiter introduced--**

**S.F. No. 552:** A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

Referred to the Committee on Finance.

**Senators Foley and Skoglund introduced--**

**S.F. No. 553:** A bill for an act relating to criminal justice; granting postal inspectors state arrest authority and indemnification under certain circumstances; amending Minnesota Statutes 2002, section 626.77, subdivision 3.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Skoglund introduced--**

**S.F. No. 554:** A bill for an act relating to criminal justice; modifying sentencing practices for certain dangerous and repeat felony offenders; amending Minnesota Statutes 2002, section 609.1095.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Saxhaug and Bakk introduced--**

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

Referred to the Committee on Finance.

**Senator Saxhaug introduced--**

**S.F. No. 556:** A bill for an act relating to capital investment; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; appropriating money for the University of Minnesota research and outreach center at Grand Rapids; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

**Senator Saxhaug introduced--**

**S.F. No. 557:** A bill for an act relating to capital investment; appropriating money for a grant to Itasca county for a training and technology center; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

**Senator Saxhaug introduced--**

**S.F. No. 558:** A bill for an act relating to capital improvements; providing for a grant to Koochiching county for construction of a testing, educational, and training facility; authorizing issuance of bonds; appropriating money.

Referred to the Committee on Finance.

**Senator Saxhaug introduced--**

**S.F. No. 559:** A bill for an act relating to local lodging taxes; allowing the county of Itasca to impose the local lodging tax and prohibiting municipalities located within the county from imposing a separate tax.

Referred to the Committee on Taxes.

**Senator Saxhaug introduced--**

**S.F. No. 560:** A bill for an act relating to taxation; exempting from the sales tax certain materials, supplies, and equipment for certain hospitals and clinics; amending Minnesota Statutes 2002, section 297A.71, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Saxhaug introduced--**

**S.F. No. 561:** 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.

**Senator Cohen introduced--**

**S.F. No. 562:** A bill for an act relating to natural resources; appropriating money for St. Paul park and trail improvements.

Referred to the Committee on Finance.

**Senator Cohen introduced--**

**S.F. No. 563:** A bill for an act relating to natural resources; appropriating money and authorizing bonds for St. Paul park and trail improvements.

Referred to the Committee on Finance.

**Senators Wergin; Ourada; Johnson, D.J.; Jungbauer and Michel introduced--**

**S.F. No. 564:** A bill for an act relating to education; eliminating unneeded mandates affecting kindergarten through grade 12 public schools; amending Minnesota Statutes 2002, sections 120A.41; 177.42, subdivision 2; repealing Minnesota Statutes 2002, sections 122A.60; 122A.61; 123B.05; 126C.12; 126C.125.

Referred to the Committee on Education.

**Senators Kelley and Limmer introduced--**

**S.F. No. 565:** A bill for an act relating to commerce; restricting the use and display of social security numbers; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce and Utilities.

**Senators Limmer, Betzold and Neuville introduced--**

**S.F. No. 566:** A bill for an act relating to the military; providing for modification of support obligations of certain persons called into active military service; amending Minnesota Statutes 2002, section 518.64, by adding a subdivision.

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

**Senators Skoglund and Foley introduced--**

**S.F. No. 567:** A bill for an act relating to crimes; requiring the sentencing guidelines

commission to add as an aggravating factor to the guidelines an offender's use of a position of trust to help assume another's identity.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Skoglund, Betzold and Limmer introduced--**

**S.F. No. 568:** A bill for an act relating to government data practices; providing for classification of certain data; amending Minnesota Statutes 2002, section 13.643, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Judiciary.

**Senator Nienow introduced--**

**S.F. No. 569:** A bill for an act relating to highways; authorizing issuance of \$6,800,000 in state trunk highway bonds for construction of a new bridge on marked trunk highway 95.

Referred to the Committee on Finance.

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

**S.F. No. 570:** A bill for an act relating to health; requiring parental consent for certain medical treatment; permitting parental access to minor's medical records; amending Minnesota Statutes 2002, sections 121A.22, subdivision 2; 144.335, subdivision 1; 144.342; repealing Minnesota Statutes 2002, sections 144.343, subdivision 1; 144.3441.

Referred to the Committee on Health and Family Security.

**Senators Pariseau, Koering, Gaither, Wergin and Ruud introduced--**

**S.F. No. 571:** A bill for an act relating to natural resources; proposing an amendment to the Minnesota Constitution, article XI; dedicating the sales tax receipts equal to a sales tax of 1/8 of one percent on taxable sales for game and fish purposes; creating a heritage enhancement fund and a heritage enhancement council; providing for appointments; amending Minnesota Statutes 2002, section 297A.94; proposing coding for new law in Minnesota Statutes, chapter 97A.

Referred to the Committee on Environment and Natural Resources.

**Senators Ruud, Tomassoni and Larson introduced--**

**S.F. No. 572:** A bill for an act relating to higher education; restoring funds to the post-secondary work study and child care grant programs; appropriating money.

Referred to the Committee on Finance.

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

**S.F. No. 573:** A bill for an act relating to the city of Proctor; authorizing sales taxes; amending Laws 1999, chapter 243, article 4, section 18, subdivisions 1, 3, 4.

Referred to the Committee on Taxes.

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

**S.F. No. 574:** A bill for an act relating to health occupations; modifying the scope of practice for pharmacists; amending Minnesota Statutes 2002, section 151.01, subdivision 27.

Referred to the Committee on Health and Family Security.

**Senators Kubly, Marko, Scheid, Limmer and Sams introduced--**

**S.F. No. 575:** A bill for an act relating to civil actions; modifying the limitation period for civil actions for personal injury based on childhood sexual abuse; amending Minnesota Statutes 2002, section 541.073.

Referred to the Committee on Judiciary.

**Senators Day, Robling, Metzen, Scheid and Kleis introduced--**

**S.F. No. 576:** A bill for an act relating to gambling; state lottery; providing for gaming machines; establishing horse racing purse payments; amending Minnesota Statutes 2002, sections 240.13, by adding a subdivision; 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivision 10, by adding subdivisions; 349A.10, subdivision 3; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A.

Referred to the Committee on State and Local Government Operations.

**Senators Solon and Bakk introduced--**

**S.F. No. 577:** A bill for an act relating to education; allowing independent school district No. 709, Duluth, to reduce the number of atlarge school board members.

Referred to the Committee on Education.

**Senators Foley and Lourey introduced--**

**S.F. No. 578:** A bill for an act relating to civil commitment; making a technical change; amending Minnesota Statutes 2002, section 253B.02, subdivision 7.

Referred to the Committee on Judiciary.

**Senators Sams and Larson introduced--**

**S.F. No. 579:** A bill for an act relating to sanitary sewer districts; establishing and providing for the Central Lakes Region Sanitary District.

Referred to the Committee on Environment and Natural Resources.

**Senators Sams, Murphy, Langseth, Dille and Larson introduced--**

**S.F. No. 580:** A bill for an act relating to agriculture; appropriating money and authorizing bonds for predesign and design of the agriculture and food sciences academy.

Referred to the Committee on Finance.

**Senators Anderson, Berglin, Sams and Kiscaden introduced--**

**S.F. No. 581:** A bill for an act relating to health; regulating health plan coverages for handicapped children; amending Minnesota Statutes 2002, sections 62A.14; 62A.301; 62C.14, subdivision 5.

Referred to the Committee on Health and Family Security.

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

**S.F. No. 582:** A bill for an act relating to game and fish; allowing extended deer hunting period for certain sick minors; amending Minnesota Statutes 2002, section 97B.301, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

**Senators Stumpf, Kelley, Pappas, Anderson and Michel introduced--**

**S.F. No. 583:** A bill for an act relating to education; authorizing grants for collaborative urban educator recruitment and training programs; appropriating money.

Referred to the Committee on Education.

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

**S.F. No. 584:** A bill for an act relating to natural resources; modifying disposition of money in certain accounts; providing for the environmental review of certain motorized trails; providing for grants to local law enforcement; appropriating money; amending Minnesota Statutes, 2002, sections 84.794; subdivision 2; 84.803, subdivision 2; 84.927, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources.

**Senators Chaudhary, Ranum, Foley and Skoglund introduced--**

**S.F. No. 585:** A bill for an act relating to firearms; providing that a person who is convicted of a felony-level crime of violence is prohibited from possessing, receiving, shipping, or transporting a firearm for the remainder of the person's lifetime; authorizing a court to restore the person's ability to do these things after the passing of at least ten years; making technical changes to the definition of "crime of violence"; amending Minnesota Statutes 2002, sections 242.31, subdivision 2a; 260B.245, subdivision 1; 609.165, subdivisions 1a, 1b, by adding a subdivision; 609A.03, subdivision 5a; 624.712, subdivision 5; 624.713, subdivisions 1, 2, 3; 638.02, subdivision 2.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Metzen, Kelley, Sams, Sparks and Belanger introduced--**

**S.F. No. 586:** A bill for an act relating to commerce; regulating motor vehicle sales and distribution; amending Minnesota Statutes 2002, sections 80E.12; 80E.135.

Referred to the Committee on Commerce and Utilities.

**Senator Wiger introduced--**

**S.F. No. 587:** A bill for an act relating to employment; increasing the minimum wage; amending Minnesota Statutes 2002, section 177.24, subdivision 1.

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

**Senator Wiger introduced--**

**S.F. No. 588:** A bill for an act relating to employment; regulating employee invention agreements; amending Minnesota Statutes 2002, section 181.78, by adding a subdivision.

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

**Senator Wiger introduced--**

**S.F. No. 589:** A bill for an act relating to highways; designating I-94 as the Purple Heart Trail; amending Minnesota Statutes 2002, section 161.14, by adding a subdivision.

Referred to the Committee on Finance.

**Senator Chaudhary introduced--**

**S.F. No. 590:** A bill for an act relating to traffic regulations; regulating special license plates and parking privileges for persons with a disability; imposing a penalty; amending Minnesota Statutes 2002, sections 168.021; 169.345, subdivisions 2, 3, 4; 169.346, subdivisions 1, 2, 2a, 3.

Referred to the Committee on Finance.

**Senators Chaudhary, Betzold and Marty introduced--**

**S.F. No. 591:** A bill for an act relating to capital improvements; authorizing issuance of trunk highway bonds; appropriating money to prepare plans and specifications for reconstruction and expansion of I-35W between Hennepin county line and Lexington Avenue in Anoka county.

Referred to the Committee on Finance.

**Senators Jungbauer; Johnson, D.J. and Foley introduced--**

**S.F. No. 592:** A bill for an act relating to capital improvements; authorizing the issuance of trunk highway bonds; appropriating money to reconstruct segment of U.S. Highway 10.

Referred to the Committee on Finance.

**Senator Bachmann introduced--**

**S.F. No. 593:** A bill for an act relating to human services; modifying an adult foster care licensing provision; amending Minnesota Statutes 2002, sections 245A.11, subdivision 2b.

Referred to the Committee on Health and Family Security.

**Senator Bachmann introduced--**

**S.F. No. 594:** A bill for an act relating to state government; providing additional methods for retired state employees to pay for insurance benefits; amending Minnesota Statutes 2002, sections 43A.27, by adding a subdivision; 352.03, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

**Senator Bachmann introduced--**

**S.F. No. 595:** A bill for an act relating to capital improvements; appropriating money and authorizing issuance of state bonds for significant local roads; authorizing sale of state bonds; appropriating money to the local road improvement fund.

Referred to the Committee on Finance.

**Senators Stumpf, Scheid, Kiscaden and Neuville introduced--**

**S.F. No. 596:** A bill for an act relating to civil actions; prohibiting the use of certain government data by certain parties to civil actions against long-term care providers; limiting noneconomic damages in certain civil actions against long-term care providers; providing a



limitation period for bringing certain actions based on tort against a long-term care provider; amending Minnesota Statutes 2002, section 541.07; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 2002, section 626.5573.

Referred to the Committee on Judiciary.

**Senators Chaudhary, Foley and Johnson, D.J. introduced--**

**S.F. No. 597:** A bill for an act relating to crimes; making it a crime of child endangerment to manufacture controlled substances in the presence of a child; amending Minnesota Statutes 2002, section 609.378, subdivision 1, by adding subdivisions.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Chaudhary, Foley and Johnson, D.J. introduced--**

**S.F. No. 598:** A bill for an act relating to crime prevention; defining and specifying treatment of controlled substance analogue; requiring controlled substance analogues to be treated as controlled substances; prescribing penalties for unlawful sale and unlawful possession of amphetamine and gamma hydroxybutyric acid; amending Minnesota Statutes 2002, sections 152.01, by adding a subdivision; 152.02, subdivisions 2, 4; 152.021, subdivisions 1, 2; 152.022, subdivisions 1, 2; 152.023, subdivisions 1, 2; 152.024, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 152.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Neville introduced--**

**S.F. No. 599:** A bill for an act relating to judges; proposing an amendment to the Minnesota Constitution, article IV, section 12; article VI, sections 7 and 8; providing for appointment and reappointment of judges by the governor with advice and consent of the senate; increasing the term of office of judges to ten years; providing for recommendations regarding appointments by a senate commission; providing for recommendations regarding reappointments by the merit selection commission; amending Minnesota Statutes 2002, sections 2.722, subdivision 4; 10A.01, subdivision 10; 204B.06, subdivision 4; 204B.11; 204D.02, subdivision 1; 204D.11, subdivision 5; 480.01, by adding a subdivision; 480A.02, subdivisions 3, 5, by adding a subdivision; 480B.01, subdivisions 1, 11, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 480B; repealing Minnesota Statutes 2002, sections 204B.06, subdivision 6; 204B.34, subdivision 3; 204B.36, subdivisions 4, 5; 204D.11, subdivision 6; 480A.02, subdivisions 2, 4.

Referred to the Committee on Judiciary.

**Senator Neville introduced--**

**S.F. No. 600:** A bill for an act relating to family law; providing appropriate child support guidelines; amending Minnesota Statutes 2002, section 518.64, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 518; repealing Minnesota Statutes 2002, section 518.551, subdivisions 5, 5f.

Referred to the Committee on Judiciary.

**Senators Scheid, Gaither, Sams, Belanger and Betzold introduced--**

**S.F. No. 601:** A bill for an act relating to commerce; regulating motor vehicle retail installment sales; amending Minnesota Statutes 2002, sections 168.66, subdivision 14; 168.71, subdivision 2; 168.75.

Referred to the Committee on Commerce and Utilities.

**Senator Rest introduced--**

**S.F. No. 602:** A bill for an act relating to metropolitan government; providing for the confirmation of the chair of the metropolitan airports commission by the senate; clarifying the terms of office of the members of the metropolitan airports commission; amending Minnesota Statutes 2002, sections 473.601, subdivision 4; 473.604, subdivisions 1, 2, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

**Senators Knutson; Foley; Skoglund; Johnson, D.J. and Kleis introduced--**

**S.F. No. 603:** A bill for an act relating to criminal justice; DWI; enhancing the penalty for refusing to submit to a chemical test; amending Minnesota Statutes 2002, sections 169A.25, subdivision 1; 169A.26, subdivision 1; 169A.27, subdivision 1.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Vickerman introduced--**

**S.F. No. 604:** A bill for an act relating to lawful gambling; providing for sports board games; amending Minnesota Statutes 2002, sections 297E.06, subdivision 2; 349.12, subdivisions 18, 21, 24, by adding a subdivision; 349.151, by adding a subdivision; 349.211, by adding a subdivision; 349.2127, subdivision 8.

Referred to the Committee on State and Local Government Operations.

**Senator Vickerman introduced--**

**S.F. No. 605:** A bill for an act relating to gambling; clarifying conduct of social dice games; amending Minnesota Statutes 2002, section 609.761, subdivision 4.

Referred to the Committee on State and Local Government Operations.

**Senators Tomassoni, Metzen, Scheid, Ourada and Gaither introduced--**

**S.F. No. 606:** A bill for an act relating to energy; establishing permanent pilot program for promoting cleaner, innovative energy sources and strategic economic development; providing financial and regulatory incentives, including tax exemptions and eminent domain power; authorizing customers to purchase power supply services from pilot projects.

Referred to the Committee on Commerce and Utilities.

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

**S.F. No. 607:** A bill for an act relating to human services; appropriating money for the Meals on Wheels and for Congregate Dining program.

Referred to the Committee on Finance.

**Senator Skoglund introduced--**

**S.F. No. 608:** A bill for an act relating to traffic regulations; authorizing enforcement of traffic signals through use of photographic evidence; amending Minnesota Statutes 2002, sections 13.6905, by adding a subdivision; 169.06, by adding a subdivision; 171.12, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Finance.

**Senators Knutson and Berglin introduced--**

**S.F. No. 609:** A bill for an act relating to human services; providing for a planned closure rate adjustment for certain nursing facilities; amending Minnesota Statutes 2002, section 256B.437, subdivision 6.

Referred to the Committee on Health and Family Security.

**Senators Dille and Marty introduced--**

**S.F. No. 610:** A bill for an act relating to natural resources; establishing Greenleaf Lake State Park.

Referred to the Committee on Environment and Natural Resources.

**Senators Michel, Pappas, Moua, Wiger and Olson introduced--**

**S.F. No. 611:** A bill for an act relating to education; expanding the list of eligible charter school sponsors; amending Minnesota Statutes 2002, section 124D.10, subdivision 3.

Referred to the Committee on Education.

**Senators Knutson, Bachmann, Hann, Kubly and Fischbach introduced--**

**S.F. No. 612:** A bill for an act relating to health; requiring reporting on notification that is required before an abortion is performed on a minor or certain other women; providing civil penalties; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Family Security.

**Senators Scheid, Kiscaden, LeClair and Moua introduced--**

**S.F. No. 613:** A bill for an act relating to health; modifying enrollee cost sharing provisions for health maintenance organizations; amending Minnesota Statutes 2002, section 62D.095, subdivision 2.

Referred to the Committee on Health and Family Security.

**Senators Berglin, Foley, Fischbach, Knutson and Higgins introduced--**

**S.F. No. 614:** A bill for an act relating to health; regulating referrals by medical oncologists; amending Minnesota Statutes 2002, section 62J.23, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Senators Murphy, Sams, Scheid, Chaudhary and Ruud introduced--**

**S.F. No. 615:** A bill for an act relating to insurance; regulating auto glass repair and replacement; amending Minnesota Statutes 2002, sections 72A.201, subdivision 6, by adding a subdivision; 325F.783.

Referred to the Committee on Commerce and Utilities.

**Senator Lourey introduced--**

**S.F. No. 616:** A bill for an act relating to retirement; Minneapolis employees retirement fund; permitting a service credit purchase for prior temporary city employment.

Referred to the Committee on State and Local Government Operations.

**MEMBERS EXCUSED**

Senators Higgins and Koering were excused from the Session of today.

**ADJOURNMENT**

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

Patrick E. Flahaven, Secretary of the Senate

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