

STATE OF MINNESOTA

EIGHTY-THIRD SESSION — 2003

 SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 9, 2003

The House of Representatives convened at 3:00 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by the Reverend Doctor John Quam, St. John's Lutheran Church, Northfield, Minnesota.

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

The roll was called and the following members were present:

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|--------------|------------|-------------|------------|-----------|--------------|
| Abeler | DeLaForest | Heidgerken | Kuisle | Olsen, S. | Slawik |
| Abrams | Demmer | Hilstrom | Lanning | Olson, M. | Smith |
| Adolphson | Dempsey | Hilty | Larson | Opatz | Soderstrom |
| Anderson, B. | Dill | Holberg | Latz | Osterman | Solberg |
| Anderson, I. | Dorman | Holsten | Lenczewski | Otremba | Stanek |
| Anderson, J. | Dorn | Hoppe | Lesch | Ozment | Stang |
| Atkins | Eastlund | Hornstein | Lieder | Paulsen | Strachan |
| Beard | Eken | Howes | Lindgren | Paymar | Swenson |
| Bernardy | Ellison | Huntley | Lindner | Pelowski | Sykora |
| Biernat | Entenza | Jacobson | Lipman | Penas | Thao |
| Blaine | Erhardt | Jaros | Magnus | Peterson | Thissen |
| Borrell | Erickson | Johnson, J. | Mahoney | Pugh | Tingelstad |
| Boudreau | Finstad | Johnson, S. | Mariani | Rhodes | Urdahl |
| Bradley | Fuller | Juhnke | Marquart | Rukavina | Vandevveer |
| Brod | Gerlach | Kahn | McNamara | Ruth | Wagenius |
| Buesgens | Goodwin | Kelliher | Meslow | Samuelson | Walker |
| Carlson | Greiling | Kielkucki | Mullery | Seagren | Walz |
| Clark | Gunther | Klinzing | Murphy | Seifert | Wardlow |
| Cornish | Haas | Knoblach | Nelson, C. | Sertich | Wasiluk |
| Cox | Hackbarth | Koenen | Nelson, M. | Severson | Westerberg |
| Davids | Harder | Kohls | Nelson, P. | Sieben | Westrom |
| Davnie | Hausman | Krinkie | Nornes | Simpson | Spk. Sviggum |

A quorum was present.

Wilkin was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Anderson, B., moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

IN MEMORIAM

The members of the House paused for a moment of silence in memory of former Representative Walter E. Perl, District 57A, Woodbury, Minnesota, who passed away on Monday, September 23, 2002.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Stanek; Lipman; Strachan; Meslow; Kohls; Swenson; Boudreau; Wilkin; Westrom; Jacobson; Blaine; Davids; Eastlund; Walz; Sviggum; Brod; Anderson, J.; Erhardt; Klinzing; Beard; Nelson, P.; Wardlow; Paulsen; Olsen, S.; Demmer; Adolphson; Severson; Cox; Cornish; Lindgren; Borrell; Urdahl; DeLaForest; Finstad and Anderson, J., introduced:

H. F. No. 1, A bill for an act relating to public safety; regulating information on drivers' licenses, permits, and identification cards, and applications for them; adopting certain federal laws and regulations; making technical and clarifying changes; amending Minnesota Statutes 2002, sections 171.06, subdivision 3; 171.07, subdivisions 1, 3; 171.14; 171.22, subdivision 2; 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 171.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Kielkucki; Buesgens; Seifert; Pelowski; Olsen, S.; Krinkie; Swenson; Heidgerken; Gerlach; Sykora; Cornish; Wilkin; Anderson, J.; DeLaForest; Urdahl; Boudreau; Blaine; Demmer; Stang; Brod; Klinzing; Samuelson; Nelson, P.; McNamara; Magnus; Eastlund; Walz; Borrell; Meslow; Adolphson; Swenson; Erickson; Nelson, C.; Cox and Finstad introduced:

H. F. No. 2, 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.

The bill was read for the first time and referred to the Committee on Education Policy.

Magnus; Cornish; Dill; Gunther; Penas; Dorman; Dempsey; Westrom; Urdahl; Kuisle; Soderstrom; Eastlund; Nelson, P.; Harder; Walz; Lanning; Howes; Anderson, J.; Kohls; Blaine; Paulsen; Sviggum; Simpson; Severson; Finstad; Heidgerken; Ruth; Hoppe; Demmer and Smith introduced:

H. F. No. 3, A bill for an act relating to economic development; authorizing the establishing of tax-free zones; providing tax exemptions for individuals and business entities in tax-free zones; providing for repayment of tax benefits under certain circumstances; providing for the payment of state aid; appropriating money; amending Minnesota Statutes 2002, sections 272.02, by adding a subdivision; 290.01, subdivisions 19b, 29; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivision 3; 297A.68, by adding a subdivision; 297B.03; proposing coding for new law in Minnesota Statutes, chapters 469; 477A.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Westerberg; Severson; Jacobson; Juhnke; Nelson, P.; Brod; Cox; McNamara; Magnus; Nelson, C.; Cornish; Anderson, J.; Simpson; Erhardt; Samuelson; Kohls; Boudreau; Olsen, S.; Klinzing; Wilkin; Davids; Dempsey; Blaine; Beard; Walz; Urdahl; Eastlund; Rhodes; Paulsen; Demmer; DeLaForest; Lindgren; Osterman; Swenson and Sviggum introduced:

H. F. No. 4, A bill for an act relating to highways; authorizing issuance of \$1,000,000,000 in state trunk highway bonds for trunk highway improvements; appropriating money.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Bradley; Samuelson; Seagren; Soderstrom; Nelson, C.; Ruth; Erhardt; Severson; Dempsey; Eastlund; Harder; Brod; Westerberg; Lindgren; Simpson; Finstad; Dorman; Magnus; Urdahl; Anderson, J.; Cornish; Smith; Jacobson; Rhodes; Demmer; Walz; Blaine; Davids and Nelson, P., introduced:

H. F. No. 5, A bill for an act relating to human services; establishing a prescription drug discount program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Anderson, B.; Nornes; Smith; Penas; Blaine; Knobloch; Erickson; Kielkucki; Heidgerken; Wilkin; Westerberg; Olsen, S.; Adolphson; Severson; Bradley; Westrom and Soderstrom introduced:

H. F. No. 6, A bill for an act relating to education; requiring recitation of the pledge of allegiance in all public schools; providing for instruction in the proper etiquette, display, and respect of the United States flag; amending Minnesota Statutes 2002, sections 121A.11, by adding subdivisions; 124D.10, subdivision 8.

The bill was read for the first time and referred to the Committee on Education Policy.

Stanek introduced:

H. F. No. 7, 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.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Seifert, Pelowski, Heidgerken, Finstad, Erickson, Ruth and Smith introduced:

H. F. No. 8, A bill for an act relating to education; prohibiting the commissioner of children, families, and learning from implementing the profile of learning portion of the state's high school graduation rule; repealing all rules under Minnesota Rules, chapter 3501, related to the profile of learning; proposing coding for new law in Minnesota Statutes, chapter 120B.

The bill was read for the first time and referred to the Committee on Education Policy.

Lipman and Erickson introduced:

H. F. No. 9, A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XI; restricting the use of state funds for abortion services.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Mullery introduced:

H. F. No. 10, A bill for an act relating to employment; providing for voluntary paid parental leave; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 268.

The bill was read for the first time and referred to the Committee on Commerce, Jobs, and Economic Development.

Mullery introduced:

H. F. No. 11, A bill for an act relating to taxation; property; repealing the limited market value phase-out; providing a sunset of the program in six years; amending Minnesota Statutes 2002, section 273.11, subdivision 1a.

The bill was read for the first time and referred to the Committee on Taxes.

Mullery introduced:

H. F. No. 12, A bill for an act relating to taxation; exempting construction materials for a Minneapolis library and planetarium from the sales tax; amending Minnesota Statutes 2002, section 297A.71, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Mullery introduced:

H. F. No. 13, A bill for an act relating to insurance; prohibiting discrimination in auto insurance based upon geographic location within the Twin Cities metropolitan area; amending Minnesota Statutes 2002, section 72A.20, subdivision 23.

The bill was read for the first time and referred to the Committee on Commerce, Jobs, and Economic Development.

Mullery introduced:

H. F. No. 14, A bill for an act relating to health; requiring medical directors for health maintenance organizations; establishing liability for health treatment decisions and policies; establishing requirements for physicians performing utilization review; requiring annual disclosure of utilization review criteria; modifying the definition of practice of medicine; amending Minnesota Statutes 2002, sections 62D.02, by adding subdivisions; 62M.09, subdivisions 2, 3, by adding a subdivision; 62M.10, subdivision 7; 147.081, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 62D.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Mullery introduced:

H. F. No. 15, A bill for an act relating to health; modifying MinnesotaCare eligibility requirements for persons with continuation coverage; amending Minnesota Statutes 2002, section 256L.07, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Mullery introduced:

H. F. No. 16, A bill for an act relating to health; establishing a definition of medically necessary care for health plans; proposing coding for new law in Minnesota Statutes, chapter 62Q.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Mullery introduced:

H. F. No. 17, A bill for an act relating to human services; establishing an auto lease program under MFIP; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256J.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Kuisle; Ruth; Wardlow; Johnson, J.; Penas; Hoppe; Adolphson; Borrell; Erickson; Soderstrom and Smith introduced:

H. F. No. 18, A bill for an act relating to highways; authorizing issuance of \$1,000,000,000 in state trunk highway bonds for trunk highway improvements; appropriating money.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Mullery introduced:

H. F. No. 19, A bill for an act relating to employment; appropriating money for a transitional employment training project.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Mullery introduced:

H. F. No. 20, A bill for an act relating to appropriations; authorizing and appropriating money for certain nontraditional career assistance training programs; amending Minnesota Statutes 2002, section 256J.02, subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Mullery introduced:

H. F. No. 21, A bill for an act relating to employment; appropriating money from federal TANF funds for a transitional employment training project.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Mullery introduced:

H. F. No. 22, 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.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Mullery introduced:

H. F. No. 23, A bill for an act relating to crime; authorizing a judge to set conditions of release that protects public safety; amending Minnesota Statutes 2002, section 629.715, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Erhardt; Hoppe; Adolphson; Severson; Nelson, C.; Bradley; Erickson; McNamara; Soderstrom and Smith introduced:

H. F. No. 24, A bill for an act relating to drivers' licenses; providing for expiration of licenses and identification cards of persons lawfully in the United States for specified periods; making clarifying changes; amending Minnesota Statutes 2002, sections 171.07, subdivision 4; 171.27.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Mullery introduced:

H. F. No. 25, A bill for an act relating to crime; enhancing penalties for certain crimes committed on a transit vehicle or at a bus stop; amending Minnesota Statutes 2002, sections 609.02, by adding a subdivision; 609.66, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Mullery introduced:

H. F. No. 26, A bill for an act relating to crime prevention; allowing city attorneys to prosecute the crime of contributing to delinquency of a minor; increasing the penalty for certain thefts and for contributing to the delinquency of a minor under certain circumstances; directing an aggravating factor to the sentencing guidelines commission; amending Minnesota Statutes 2002, sections 260B.425, subdivisions 1, 2; 609.035, by adding a subdivision; 609.494, subdivision 2, by adding a subdivision; 609.52, subdivision 3.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Anderson, I., introduced:

H. F. No. 27, A bill for an act relating to natural resources; appropriating money to relocate the forestry division.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Mullery introduced:

H. F. No. 28, A bill for an act relating to animals; providing criminal penalties for activities related to cockfighting, dogfighting, and fighting of other domestic animals; creating procedures for disposition and care of the animals; providing for hearings; clarifying admissibility of certain evidence; amending Minnesota Statutes 2002, section 343.31.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Bradley; Samuelson; Anderson, J.; Soderstrom; Nelson, C.; Erhardt; Dempsey; Cornish; Seagren; Rhodes; Eastlund; Ruth; Severson; Harder; Abeler; Huntley and Otremba introduced:

H. F. No. 29, A bill for an act relating to health; repealing MinnesotaCare provider taxes; requiring pass-through of savings to purchasers; providing for increases in cigarette and tobacco taxes; amending Minnesota Statutes 2002, sections 13.4963, subdivision 2; 62J.041, subdivision 1; 62Q.095, subdivision 6; 214.16, subdivisions 2, 3; 270B.14, subdivision 1; 297F.05, subdivisions 1, 3, 4; 297F.08, subdivision 7; 297F.09, subdivision 2; 297F.10; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 2002, sections 13.4967, subdivision 3; 144.1484, subdivision 2; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.581; 295.582; 295.59.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Lipman introduced:

H. F. No. 30, A bill for an act relating to comprehensive local planning; reestablishing local control of comprehensive planning; repealing metropolitan land use planning and metropolitan council review of local comprehensive plans; making conforming changes; amending Minnesota Statutes 2002, sections 103B.231, subdivision 7; 103B.255, subdivision 8; 462.355, subdivision 1a; 473.146, subdivision 1; 473.1551, subdivision 1; 473.173, subdivisions 3, 4; 473.867, subdivisions 1, 6; 473.871; 473H.02, subdivisions 4, 7; repealing Minnesota Statutes 2002, sections 103B.205, subdivisions 6, 7, 10; 473.175; 473.851; 473.852; 473.853; 473.854; 473.856; 473.857; 473.858; 473.859; 473.86; 473.861; 473.862; 473.863; 473.864; 473.865; 473.866; 473.868; 473.869; 473.87.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Anderson, I., introduced:

H. F. No. 31, A bill for an act relating to lawful gambling; defining lawful purpose to include certain expenditures by fraternal organizations; amending Minnesota Statutes 2002, section 349.12, subdivision 25.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Anderson, I., introduced:

H. F. No. 32, A bill for an act relating to state land; requiring a land exchange in Lake of the Woods county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Mullery introduced:

H. F. No. 33, A bill for an act relating to crime; adds solicitation, inducement, and promotion of prostitution to the list of crimes subject to increased sentences in certain cases; amending Minnesota Statutes 2002, section 609.1095, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Kielkucki, Holberg and Erickson introduced:

H. F. No. 34, A bill for an act relating to local government; prohibiting local governments from requiring those who enter into contracts with the city to provide employee benefits; amending Minnesota Statutes 2002, section 471.61, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Anderson, I., and Juhnke introduced:

H. F. No. 35, A bill for an act relating to telecommunications; prohibiting toll charges for telephone calls originating and terminating within a school district; proposing coding for new law in Minnesota Statutes, chapter 237.

The bill was read for the first time and referred to the Committee on Regulated Industries.

Howes introduced:

H. F. No. 36, A bill for an act relating to state lands; authorizing private sale of certain surplus state land.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Beard; Sykora; Lindgren; Wardlow; Paulsen; Ruth; Anderson, J.; Hoppe; Soderstrom; Sviggum and Kohls introduced:

H. F. No. 37, 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.

The bill was read for the first time and referred to the Committee on Education Policy.

Mullery introduced:

H. F. No. 38, A bill for an act relating to criminal justice; providing the consolidation of burglary trials in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Howes introduced:

H. F. No. 39, A bill for an act relating to state lands; authorizing conveyance of certain surplus state land bordering public water.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Lipman introduced:

H. F. No. 40, A bill for an act proposing an amendment to the Minnesota Constitution, article VI, sections 6, 7, and 8; changing the procedure for judicial selection.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Juhnke and Heidgerken introduced:

H. F. No. 41, A bill for an act relating to economic development; authorizing Kandiyohi county to exercise the powers of a city for the purposes of establishing an economic development authority; permitting the joint exercise of powers by Kandiyohi county and the city of Willmar; creating a special taxing district as a political subdivision of the state.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Lipman introduced:

H. F. No. 42, A bill for an act relating to elections; prohibiting use of public funds to promote or defeat ballot questions; proposing coding for new law in Minnesota Statutes, chapter 211B.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Solberg, Slawik and Anderson, I., introduced:

H. F. No. 43, A bill for an act relating to state government; abolishing the office of strategic and long-range planning; eliminating certain functions; transferring certain functions to other state or local entities; amending Minnesota Statutes 2002, sections 4.045; 4A.02; 4A.03; 4A.04; 4A.05; 14.03, subdivision 2; 15A.0815, subdivision 2; 40A.121; 43A.08, subdivision 1; 115A.9651, subdivision 5; 116.182, subdivision 3a; 116C.03, subdivisions 2, 4, 5; 116C.712, subdivisions 3, 5; 124D.23, subdivision 9; 145.9266, subdivision 6; 272.67, subdivision 1; 276A.09; 365.46, subdivision 2; 379.05; 394.232, subdivisions 1, 2, 6, 7; 412.021, subdivision 1; 412.091; 414.01, subdivisions 1b, 5, 8, 11, 12, 14, 16, 17; 414.011, by adding a subdivision; 414.012; 414.02; 414.031; 414.0325, subdivisions 1, 2, 3, 4, 4a; 414.033, subdivisions 3, 5, 6, 7, 10; 414.0335; 414.041; 414.06; 414.061; 414.063; 414.067, subdivisions 1, 3; 414.07, subdivision 2; 414.08; 414.09; 414.12; 462.3535, subdivisions 1, 5, 8, 10; 473.129, subdivision 5; 473.1455; 473F.13, subdivision 1; 473H.14; 477A.014, subdivision 4; 572A.01; 572A.015; 572A.02, subdivisions 5, 6; 572A.03, subdivisions 1, 2; repealing Minnesota Statutes 2002, sections 4A.01; 4A.055; 4A.06; 4A.07; 394.232, subdivision 5; 414.01, subdivisions 1, 7a, 10; 414.011, subdivision 11; 414.051; 462.3535, subdivision 9.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Mullery introduced:

H. F. No. 44, A bill for an act relating to crime prevention; providing for the regulation of gang loitering; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Haas, Erickson and Wasiluk introduced:

H. F. No. 45, A bill for an act relating to game and fish; creating a committee to manage fishing on Mille Lacs lake; providing appointments; proposing coding for new law in Minnesota Statutes, chapter 97C.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Entenza, Murphy and Hilty introduced:

H. F. No. 46, A bill for an act relating to public safety; appropriating money to commissioner of public safety to be added to fiscal year 2003 allocation to public safety officer's benefit account for death benefits and continued health insurance coverage; amending Minnesota Statutes 2002, section 299A.465, subdivision 4.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Mullery introduced:

H. F. No. 47, 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.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Mullery introduced:

H. F. No. 48, A bill for an act relating to criminal sentencing; providing standards for the imposition of geographic restrictions on offenders on probation and supervised release; amending Minnesota Statutes 2002, sections 244.05, by adding a subdivision; 609.135, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Monday, January 13, 2003. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Monday, January 13, 2003.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

