

## STATE OF MINNESOTA

## EIGHTY-THIRD SESSION — 2003

## FOURTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 16, 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 Rabbi Nacham Wilhelm, Lubavitch Yeshiva, Minneapolis, 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:

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

A quorum was present.

Clark; Erhardt; Johnson, J.; Latz; Lipman and Olson, M., were excused.

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

## REPORTS OF STANDING COMMITTEES

Erhardt from the Committee on Transportation Policy to which was referred:

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.

Reported the same back with the following amendments:

Page 2, line 18, delete everything after the second comma

Page 2, line 19, delete "or town"

Page 2, line 22, delete everything after the period

Page 2, delete lines 23 to 26

Page 3, line 15, after "residency" insert "in the United States"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Knoblach introduced:

H. F. No. 74, A bill for an act relating to state government; appropriating money and reducing appropriations for educational, health, human services, corrections, economic development, transportation, public safety, environmental, natural resources, agricultural, and state government purposes; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; providing for the payment of certain refunds; amending Minnesota Statutes 2002, sections 16A.17, by adding a subdivision; 16B.47; 16B.48, subdivision 2; 16B.49; 16C.08, subdivisions 2, 3; 16C.09; 116P.05, subdivision 2; 116P.09, subdivisions 4, 5, 7; 116P.10; 116P.14, subdivision 2; 124D.135, subdivision 8; 124D.16, subdivision 6; 124D.20, by adding subdivisions; 136A.121, subdivision 7; 256.9657, subdivision 1; 256.969, subdivision 3a; 256B.0625, subdivision 13; 256B.19, subdivision 1d; 256B.195, subdivision 4; 256B.32, subdivision 1; 256B.431, subdivision 23, by adding a subdivision; 256B.75; 268.186; 289A.50, subdivision 2a; 289A.56, subdivision 4; 297A.75, subdivisions 2, 4; 297F.10, subdivision 1; Laws 2002, chapter 220, article 13, section 9, subdivision 2, as amended; repealing Minnesota Statutes 2002, sections 1.31; 16B.50; 16C.07; 43A.047; 115A.908, subdivision 2; 116P.13; 256.973; 256B.195, subdivision 5.

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

Johnson, J.; Sviggum; Opatz; Kohls; Lenczewski; Paulsen; Lipman; Beard; Finstad; Seifert; Kielkucki; Ruth; Jacobson; Nelson, C.; DeLaForest; Swenson; Holberg; Krinkie; Sykora; Buesgens; Wardlow; Urdahl; Lindgren; Cornish; Meslow; Demmer; Adolphson; Klinzing; Gerlach; Nelson, P.; Strachan; Heidgerken; Borrell; Bradley and Wilkin introduced:

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.

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

Davids and Larson introduced:

H. F. No. 76, A bill for an act relating to insurance; prohibiting credit scoring for automobile and homeowner's insurance; amending Minnesota Statutes 2002, section 72A.20, subdivision 36.

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

Opatz, Stang and Dorn introduced:

H. F. No. 77, A bill for an act relating to higher education; changing requirements for tuition reciprocity; amending Minnesota Statutes 2002, section 136A.08, subdivision 2.

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

Kahn and Walker introduced:

H. F. No. 78, A bill for an act relating to alcoholic beverage excise taxation; providing a separate excise tax for dairy mixed cocktails; amending Minnesota Statutes 2002, sections 297G.01, by adding a subdivision; 297G.03, subdivision 1.

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

Stang introduced:

H. F. No. 79, A bill for an act relating to highways; directing commissioner of transportation to install traffic control signal in city of Cold Spring; appropriating money.

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

Stang introduced:

H. F. No. 80, A bill for an act relating to agriculture; exempting certain farm labor housing from regulation as manufactured home park; amending Minnesota Statutes 2002, section 327.23, subdivision 2.

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

Jacobson, Vandevveer and Meslow introduced:

H. F. No. 81, A bill for an act relating to highways; directing the commissioner of transportation to proceed with reconstruction of I-35E and I-694 interchange.

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

Abeler, Penas, Carlson, Greiling and Olsen, S., introduced:

H. F. No. 82, 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.

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

Buesgens, Sviggum and Eastlund introduced:

H. F. No. 83, 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.

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

Opatz introduced:

H. F. No. 84, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing sale of state bonds; appropriating money.

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

Opatz introduced:

H. F. No. 85, A bill for an act relating to capital improvements; appropriating money for a facility at St. Cloud State University.

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

Marquart introduced:

H. F. No. 86, A bill for an act relating to health; establishing the senior citizen health benefit fund; modifying the use of funds in the medical education endowment and the tobacco prevention and local public health endowment; expanding eligibility for the prescription drug program; requiring recommendations for providing prescription drug assistance to senior citizens; appropriating money; amending Minnesota Statutes 2002, sections 62J.694, subdivision 2; 144.395, subdivision 2; 256.955, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Howes, Pelowski, Lieder and Davids introduced:

H. F. No. 87, A bill for an act relating to highways; holding owner and operator of overweight implement of husbandry liable for damage to roads and bridges; amending Minnesota Statutes 2002, section 169.801, by adding a subdivision.

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

Solberg; Rukavina; Huntley; Anderson, I., and Marquart introduced:

H. F. No. 88, A bill for an act relating to higher education; restoring funds to the post-secondary work study and child care grant programs; appropriating money.

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

Rukavina and Anderson, I., introduced:

H. F. No. 89, A bill for an act relating to capital improvements; providing for science laboratories and other facilities at the Northeast Higher Education District-Virginia; appropriating money.

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

Rukavina, Mahoney and Sertich introduced:

H. F. No. 90, A bill for an act relating to unemployment insurance; modifying deductibility of pensions; amending Minnesota Statutes 2002, section 268.085, subdivisions 3, 4.

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

Rukavina, Smith and Sertich introduced:

H. F. No. 91, A bill for an act relating to retirement; providing benefit increases for retired Eveleth police officers and firefighters and their surviving spouses.

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

Hausman, Greiling and Slawik introduced:

H. F. No. 92, A bill for an act relating to elections; making it easier to vote by absentee ballot; prohibiting certain activities; providing for rules; providing for delivery of official supplemental ballots to voters on request; amending Minnesota Statutes 2002, sections 203B.02; subdivision 1; 203B.04, subdivisions 1, 4; 203B.06, subdivision 3; 203B.07, subdivision 2; 204B.41; proposing coding for new law in Minnesota Statutes, chapter 203B.

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

Lesch; Paymar; Mariani; Johnson, S., and Hausman introduced:

H. F. No. 93, A bill for an act relating to the city of St. Paul; making technical changes to the civic center authority powers and duties; amending Laws 1967, chapter 459, section 8, subdivisions 1, 3, 4, as amended.

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

Seifert and Pelowski introduced:

H. F. No. 94, 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.

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

Seifert and Pelowski introduced:

H. F. No. 95, A bill for an act relating to commerce; eliminating an archaic prohibition on misrepresenting the size of certain items; repealing Minnesota Statutes 2002, section 325F.38.

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

Stanek; Strachan; Meslow; Murphy; Cornish; Smith; Walz; Lipman; Blaine; Hilstrom; Johnson, S.; Hilty; Ellison and Eastlund introduced:

H. F. No. 96, 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.

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

Stanek; Bernardy; Meslow; Rhodes; Entenza; Strachan; Murphy; Johnson, S.; Hilstrom; Hilty; Thao; Ellison and Cox introduced:

H. F. No. 97, A bill for an act relating to crimes; reducing from 0.10 to 0.08 the per se alcohol concentration level for impairment offenses involving driving a motor vehicle, criminal vehicular homicide and injury, operating recreational vehicles or watercraft, hunting, or operating military vehicles while impaired; amending Minnesota Statutes 2002, sections 97B.065, subdivision 1; 97B.066, subdivision 1; 169A.20, subdivision 1; 169A.51, subdivision 1; 169A.52, subdivisions 2, 4, 7; 169A.53, subdivision 3; 169A.54, subdivision 7; 169A.76; 192A.555; 609.21.

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

Opatz introduced:

H. F. No. 98, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the St. Cloud Civic Center.

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

Opatz introduced:

H. F. No. 99, A bill for an act relating to education; requiring projections of high school graduates; amending Minnesota Statutes 2002, section 127A.05, by adding a subdivision.

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

Hausman, Marquart, Kelliher, Lieder, Entenza, Juhnke, Solberg and Sertich introduced:

H. F. No. 100, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature with certain conditions; requiring certain studies and reports; authorizing sale of state bonds; appropriating money.

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

Mariani, Hausman and Entenza introduced:

H. F. No. 101, A bill for an act relating to capital improvements; authorizing state bonds; appropriating money for the Paul and Sheila Wellstone center for community building.

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

Rukavina, Clark, Mullery, Mahoney, Entenza, Juhnke and Sertich introduced:

H. F. No. 102, A bill for an act relating to employment; increasing the minimum wage; amending Minnesota Statutes 2002, section 177.24, subdivision 1.

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

Larson, Murphy, Rukavina, Opatz, Entenza, Mullery and Sertich introduced:

H. F. No. 103, A bill for an act relating to unemployment insurance; providing for a benefit extension.

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

Juhnke introduced:

H. F. No. 104, A bill for an act relating to motor vehicles; providing tax exemptions for emergency medical service vehicles; amending Minnesota Statutes 2002, sections 168.012, subdivision 1; 297B.03.

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

Paymar introduced:

H. F. No. 105, 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.

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

Wilkin and Smith introduced:

H. F. No. 106, A bill for an act relating to state government; making permanent the requirement that certain litigation and settlement proceeds be deposited in the general fund; repealing Minnesota Statutes 2002, section 16A.151, subdivision 5.

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

Kahn and Thao introduced:

H. F. No. 107, A bill for an act relating to marriage; eliminating the prohibition on marriage between first cousins; amending Minnesota Statutes 2002, section 517.03, subdivision 1.

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

Opatz, Sviggum, Lenczewski and Marquart introduced:

H. F. No. 108, 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.

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

## **MOTIONS AND RESOLUTIONS**

Magnus moved that the names of Marquart and Erickson be added as authors on H. F. No. 3. The motion prevailed.

Bradley moved that the name of Penas be added as an author on H. F. No. 5. The motion prevailed.

Anderson, B., moved that the names of Dempsey; Nelson, P.; Tingelstad; DeLaForest and Hoppe be added as authors on H. F. No. 6. The motion prevailed.

Seifert moved that the names of Lipman; Anderson, B., and Olsen, S., be added as authors on H. F. No. 8. The motion prevailed.

Mullery moved that the names of Clark and Ellison be added as authors on H. F. No. 13. The motion prevailed.

Kuisle moved that the names of Brod, Finstad, Westerberg and Vandever be added as authors on H. F. No. 18. The motion prevailed.

Mullery moved that the name of Clark be added as an author on H. F. No. 19. The motion prevailed.

Mullery moved that the name of Clark be added as an author on H. F. No. 20. The motion prevailed.

Mullery moved that the name of Clark be added as an author on H. F. No. 25. The motion prevailed.

Anderson, I., moved that the names of Dill and Juhnke be added as authors on H. F. No. 27. The motion prevailed.

Mullery moved that the name of Clark be added as an author on H. F. No. 28. The motion prevailed.

Mullery moved that the name of Hilstrom be added as an author on H. F. No. 33. The motion prevailed.

Anderson, I., moved that the name of Dill be added as an author on H. F. No. 35. The motion prevailed.

Beard moved that the name of Anderson, B., be added as an author on H. F. No. 37. The motion prevailed.

Mullery moved that the name of Clark be added as an author on H. F. No. 48. The motion prevailed.

Davids moved that the names of Westerberg, Larson and Nornes be added as authors on H. F. No. 51. The motion prevailed.

Davids moved that the names of Larson and Mahoney be added as authors on H. F. No. 52. The motion prevailed.

Slawik moved that the names of Hilstrom and Lesch be added as authors on H. F. No. 54. The motion prevailed.

Paymar moved that the names of Hilstrom and Lesch be added as authors on H. F. No. 56. The motion prevailed.

Seifert moved that the names of Erickson and Wilkin be added as authors on H. F. No. 64. The motion prevailed.

Kahn moved that the name of Sieben be added as an author on H. F. No. 65. The motion prevailed.

Kahn moved that the names of Johnson, S.; Clark and Lesch be added as authors on H. F. No. 66. The motion prevailed.

Kahn moved that the name of Clark be added as an author on H. F. No. 71. The motion prevailed.

Knoblach introduced:

House Resolution No. 1, A House resolution setting the requirements for adjustments to general fund expenditures for the biennium ending June 30, 2003.

The resolution was referred to the Committee on Ways and Means.

Ellison, Walker, Mariani, Hornstein, Thao and Rhodes introduced:

House Resolution No. 2, A House resolution commemorating the life and work of Dr. Martin Luther King, Jr.

#### SUSPENSION OF RULES

Ellison moved that the rules be so far suspended that House Resolution No. 2 be now considered and be placed upon its adoption. The motion prevailed.

#### HOUSE RESOLUTION NO. 2

A House resolution commemorating the life and work of Dr. Martin Luther King, Jr.

*Whereas*, the birthday of Dr. Martin Luther King, Jr. is January 15, 1929; and

*Whereas*, Dr. King accepted the mantle of leadership of the Montgomery bus boycott of 1955 to desegregate public transportation by leading a boycott which lasted over 381 days; and

*Whereas*, the Montgomery bus boycott inspired civil rights activity all over the United States, including the state of Minnesota, and this movement for civil and human rights has made our society freer, more democratic, and more inclusive; and

*Whereas*, Dr. King's life was devoted to the elimination of segregation and prejudice against all people; and

*Whereas*, achievements in human and civil rights were accomplished through his personal efforts and his example to others; and

*Whereas*, he sought to fulfill his goals exclusively by nonviolent means; and

*Whereas*, Dr. King's life was ended by assassination on April 4, 1968, in Memphis, Tennessee, where he was leading an effort for more just treatment of sanitation workers; and

*Whereas*, the actions and efforts of Dr. Martin Luther King, Jr. have served as an inspiration to many; *Now, Therefore,*

*Be It Resolved* by the House of Representatives of the State of Minnesota that it honors the life and work of Dr. Martin Luther King, Jr. and the Civil Rights movement.

Ellison moved that House Resolution No. 2 be now adopted. The motion prevailed and House Resolution No. 2 was adopted.

#### ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Tuesday, January 21, 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., Tuesday, January 21, 2003.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

