

## STATE OF MINNESOTA

## EIGHTY-THIRD SESSION — 2003

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 FIFTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 21, 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 Mr. Jim Locker, Certified Lay Speaker for the United Methodist Church and Past Grand Chaplain for Grand Lodge, Mason's of Minnesota, Columbia Heights, 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	Davnie	Heidgerken	Lanning	Opatz	Smith
Abrams	DeLaForest	Hilstrom	Larson	Osterman	Soderstrom
Adolphson	Demmer	Hilty	Latz	Otremba	Solberg
Anderson, B.	Dill	Holberg	Lenczewski	Ozment	Stang
Anderson, I.	Dorman	Hoppe	Lesch	Paulsen	Strachan
Anderson, J.	Dorn	Hornstein	Lieder	Paymar	Swenson
Atkins	Eastlund	Howes	Lindgren	Pelowski	Sykora
Beard	Eken	Huntley	Lindner	Penas	Thao
Bernardy	Ellison	Jacobson	Lipman	Peterson	Thissen
Biernat	Entenza	Jaros	Magnus	Pugh	Tingelstad
Blaine	Erickson	Johnson, J.	Mahoney	Rhodes	Urdahl
Borrell	Finstad	Johnson, S.	Mariani	Rukavina	Vandever
Boudreau	Fuller	Juhnke	Marquart	Ruth	Wagenius
Bradley	Gerlach	Kelliher	McNamara	Samuelson	Walker
Brod	Goodwin	Kielkucki	Mullery	Seagren	Walz
Buesgens	Greiling	Klinzing	Murphy	Seifert	Wardlow
Carlson	Gunther	Knoblach	Nelson, C.	Sertich	Wasiluk
Clark	Haas	Koenen	Nelson, M.	Severson	Westerberg
Cornish	Hackbarth	Kohls	Nelson, P.	Sieben	Westrom
Cox	Harder	Krinkie	Nornes	Simpson	Wilkin
Davids	Hausman	Kuisle	Olsen, S.	Slawik	Spk. Sviggum

A quorum was present.

Dempsey; Erhardt; Kahn; Meslow; Olson, M., and Stanek were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Brod 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

Knoblach from the Committee on Ways and Means to which was referred:

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

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ruth; Harder; Osterman; Seagren; Marquart; Nornes; Swenson; Cox; Beard; Nelson, C.; Samuelson; Simpson; Erickson and Magnus introduced:

H. F. No. 109, 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.

Smith, Murphy, Stanek, Bradley, Boudreau, Nornes, Westrom, Rhodes, Strachan, Cornish, Adolphson, Cox, Urdahl, Kuisle, Gerlach, Westerberg, Erickson and Eastlund introduced:

H. F. No. 110, A bill for an act relating to family law; reforming and recodifying the law relating to marriage dissolution, child custody, child support, maintenance, and property division; making style and form changes; amending Minnesota Statutes 2002, sections 518.002; 518.003, subdivisions 1, 3; 518.005; 518.01; 518.02; 518.03; 518.04; 518.05; 518.055; 518.06; 518.07; 518.09; 518.091; 518.10; 518.11; 518.12; 518.13; 518.131; 518.14, subdivision 1; 518.148; 518.155; 518.156; 518.157, subdivisions 1, 2, 3, 5, 6; 518.165; 518.166; 518.167, subdivisions 3, 4, 5; 518.168; 518.1705, subdivisions 2, 6, 7, 9; 518.175; 518.1751, subdivisions 1b, 2, 2a, 2b, 2c, 3; 518.1752; 518.176; 518.177; 518.178; 518.179, subdivision 1; 518.18; 518.191, subdivision 1; 518.195, subdivisions 2, 3; 518.24; 518.25; 518.27; 518.54, subdivisions 1, 5, 6, 7, 8; 518.55; 518.552; 518.58; 518.581; 518.582; 518.612; 518.619; 518.62; 518.64, subdivisions 1, 2; 518.641; 518.642; 518.646; 518.65; 518.68, subdivision 1; 519.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 518; proposing coding for new law as Minnesota Statutes, chapters 517A; 517B; 517C; repealing Minnesota Statutes 2002, sections 518.111; 518.14, subdivision 2; 518.17; 518.171, subdivisions 1, 2, 2a, 3, 4, 4a, 5, 6, 7, 8, 9, 10; 518.1752; 518.185; 518.255; 518.54, subdivisions 2, 4a, 13, 14; 518.55, subdivision 4; 518.551; 518.5513; 518.553; 518.57; 518.575; 518.585; 518.5851; 518.5852; 518.5853; 518.61; 518.6111; 518.614; 518.615; 518.616; 518.617; 518.618; 518.6195; 518.6196; 518.62; 518.64, subdivisions 4, 4a, 5; 518.68, subdivisions 2, 3.

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

Opatz, Stang and Knoblach introduced:

H. F. No. 111, A bill for an act relating to state lands; correcting a land description; amending Laws 1993, chapter 64, section 1, subdivision 3.

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

Pugh and Smith introduced:

H. F. No. 112, A bill for an act relating to real property; making various technical, clarifying, and conforming changes relating to registration of title, liens, and mortgages; amending Minnesota Statutes 2002, sections 481.13, subdivision 3; 508.08; 508.35; 508.52; 508.67, subdivision 1; 508.70, subdivisions 1, 2, by adding subdivisions; 559.17, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 507.

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

Hilstrom, Stanek and Nelson, M., introduced:

H. F. No. 113, A bill for an act relating to crimes; clarifying when seizure of a motor vehicle used to flee a peace officer occurs for purposes of the law; amending Minnesota Statutes 2002, section 609.5312, subdivision 4.

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

Stanek, Haas, Lindner, Hilstrom and Olsen, S., introduced:

H. F. No. 114, A bill for an act relating to highways; authorizing issuance of \$30,000,000 in state trunk highway bonds for completion of a segment of marked trunk highway 610 as a four-lane freeway; appropriating money.

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

Paulsen, Sviggum, Pugh, Abrams, Entenza and Kelliher introduced:

H. F. No. 115, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 12; removing references to legislative days.

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

Goodwin; Hausman; Nelson, M., and Bernardy introduced:

H. F. No. 116, A bill for an act relating to railroads; appropriating money for the Northstar commuter rail line.

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

Goodwin; Bernardy; Greiling; Wasiluk; Nelson, M.; Samuelson; Mariani and Hilty introduced:

H. F. No. 117, A bill for an act relating to employment; providing for elder care leave; amending Minnesota Statutes 2002, sections 181.9412; 181.9413.

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

Greiling introduced:

H. F. No. 118, A bill for an act relating to openness in government; expanding the legislative open meetings law to cover caucuses and conference committee negotiations; amending Minnesota Statutes 2002, section 3.055, subdivision 1.

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

Thao, Mullery, Lesch, Atkins, Mahoney and Ellison introduced:

H. F. No. 119, A bill for an act relating to marriage; providing alternate forms of marriage solemnization; amending Minnesota Statutes 2002, section 517.18.

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

Olsen, S.; DeLaForest; Dempsey; Nelson, M.; Adolphson; Hoppe and Nelson, C., introduced:

H. F. No. 120, A bill for an act relating to education; eliminating a duplicative requirement that a teacher file a certified copy of the teacher's teaching license with the employing school district; enabling a school district to verify the status of a teacher's license using the Minnesota education license system available on the department of children, families, and learning Web site; amending Minnesota Statutes 2002, section 122A.22.

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

Clark; Smith; Thao; Walker; Anderson, J.; Nelson, M.; Thissen and Mullery introduced:

H. F. No. 121, A bill for an act relating to crime prevention; creating a gross misdemeanor for assaulting a member of a community crime prevention group; amending Minnesota Statutes 2002, section 609.2231, by adding a subdivision.

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

Jaros, Sertich, Pugh, Kahn and Greiling introduced:

H. F. No. 122, A bill for an act relating to traffic regulations; requiring that mobile telephones used in motor vehicles be hands-free; providing a defense; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Opatz introduced:

H. F. No. 123, A bill for an act relating to transportation; appropriating money to the St. Cloud area planning organization for further development of the transportation component of the St. Cloud area joint planning district plan.

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

Rukavina and Sertich introduced:

H. F. No. 124, A bill for an act relating to natural resources; appropriating money for Mesabi Station on the Mesabi Trail.

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

Dempsey, Walz, Solberg and Davids introduced:

H. F. No. 125, A bill for an act relating to state government; extending the sunset date for the Mississippi river parkway commission; amending Minnesota Statutes 2002, section 161.1419, subdivision 8.

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

Jaros, Huntley and Murphy introduced:

H. F. No. 126, A bill for an act relating to sales and use tax; clarifying an exemption for a state convention center.

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

Carlson, Westerberg, Sieben, Seagren, Sykora, Lesch and Thao introduced:

H. F. No. 127, A resolution memorializing the President and Congress to carry through on their pledge to fund 40 percent of special education costs.

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

Greiling; Biernat; Johnson, S., and Slawik introduced:

H. F. No. 128, A bill for an act relating to elections; establishing a voluntary clean campaign council, a clean campaign pledge, and a clean campaign advertising code; clarifying definitions of campaign expenditures and independent expenditures; clarifying requirements for disclaimers on campaign material; amending Minnesota Statutes 2002, sections 10A.01, subdivisions 9, 18; 10A.14, subdivision 2; 10A.24, by adding a subdivision; 211B.04; proposing coding for new law in Minnesota Statutes, chapter 10A.

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

Kahn and Rhodes introduced:

H. F. No. 129, A bill for an act relating to elections; requiring an affidavit of candidacy to include the candidate's residence address; providing for rejection of an affidavit that indicates the candidate does not reside in the district from which election is sought; amending Minnesota Statutes 2002, section 204B.06, subdivision 1.

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

Clark; Ellison; Thao; Walker; Nelson, M.; Thissen and Mullery introduced:

H. F. No. 130, A bill for an act relating to crime prevention; establishing a pilot project to enhance community policing efforts; providing competitive grants to certain law enforcement agencies; appropriating money.

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

Opatz, Larson, Lenczewski and Marquart introduced:

H. F. No. 131, A bill for an act relating to state government; specifying a method of expenditure reporting by executive agencies; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Clark; Smith; Ellison; Thao; Walker; Nelson, M.; Thissen and Mullery introduced:

H. F. No. 132, A bill for an act relating to crime prevention; requiring law enforcement agencies and prosecuting authorities in cities of the first class to notify community crime prevention groups of the outcome of criminal proceedings; proposing coding for new law in Minnesota Statutes, chapter 611A.

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

Greiling, Biernat and Johnson, S., introduced:

H. F. No. 133, A bill for an act relating to elections; providing for "clean money" campaigns funded without special interest money; expanding certain definitions; requiring certain campaign finance reports to be filed and published electronically; requiring notice of independent expenditures; requiring reports of excess spending by candidates who do not agree to limit spending; reducing certain contribution limits and spending limits; limiting independent expenditures by political parties on behalf of their own candidates as a condition of receiving a public subsidy; imposing campaign contribution and spending limits on political party caucuses as a condition of receiving a public subsidy; limiting multicandidate expenditures by political parties; increasing public subsidies for candidates who agree to lower contribution limits; increasing spending limits and public subsidies to respond to independent expenditures and excess spending by nonparticipating candidates; repealing the income tax checkoff for election campaigns; increasing the maximum political contribution refund from \$50 to \$100; imposing criminal penalties; appropriating money; amending Minnesota Statutes 2002, sections 10A.01, subdivisions 9, 18, 21; 10A.02, subdivision 11a; 10A.14, subdivision 2; 10A.20, subdivisions 2, 6b, by adding subdivisions; 10A.25, subdivisions 1, 2, 2a, by adding subdivisions; 10A.257, subdivision 1; 10A.27, subdivisions 1, 11, by adding subdivisions; 10A.275, subdivision 1; 10A.28, subdivisions 1, 2; 10A.315; 10A.322; 200.02, by adding a subdivision; 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 2002, sections 10A.25, subdivision 6; 10A.31.

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

Sertich introduced:

H. F. No. 134, A bill for an act relating to insurance; requiring certain insurers to provide information on certain costs; 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.

Paulsen moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

### **MOTIONS AND RESOLUTIONS**

Stanek moved that the name of Erickson be added as an author on H. F. No. 1. The motion prevailed.

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

Lipman moved that the name of Borrell be added as an author on H. F. No. 9. The motion prevailed.

Kuisle moved that the name of Abeler be added as an author on H. F. No. 18. The motion prevailed.

Lipman moved that the name of Borrell be added as an author on H. F. No. 42. The motion prevailed.

Haas moved that the name of Abeler be added as an author on H. F. No. 45. The motion prevailed.

Paymar moved that the name of Lesch be added as an author on H. F. No. 49. The motion prevailed.

Dauids moved that the name of Mahoney be added as an author on H. F. No. 76. The motion prevailed.

Abeler moved that the names of Finstad, Severson, Nornes, McNamara, Brod, Harder and Hilstrom be added as authors on H. F. No. 82. The motion prevailed.

Buesgens moved that the names of Erickson and Wilkin be added as authors on H. F. No. 83. The motion prevailed.

Marquart moved that the name of Thissen be added as an author on H. F. No. 86. The motion prevailed.

Solberg moved that the names of Kahn, Kelliher and Carlson be added as authors on H. F. No. 88. The motion prevailed.

Hausman moved that the names of Kahn and Hilstrom be added as authors on H. F. No. 92. The motion prevailed.

Stanek moved that the name of Davids be added as an author on H. F. No. 96. The motion prevailed.

Larson moved that the names of Ellison and Hilstrom be added as authors on H. F. No. 103. The motion prevailed.

Wilkin moved that the names of Westerberg, Jacobson and DeLaForest be added as authors on H. F. No. 106. The motion prevailed.

Smith moved that the name of Ruth be added as an author on H. F. No. 110. The motion prevailed.

House Resolution No. 1 was reported to the House.

#### HOUSE RESOLUTION NO. 1

A House resolution setting the requirements for adjustments to general fund expenditures for the biennium ending June 30, 2003.

*Be It Resolved* by the House of Representatives of the State of Minnesota that net expenditures and transfers from the general fund must be decreased by a minimum of \$468,200,000 for the biennium ending June 30, 2003, as compared to expenditures and transfers projected in the general fund forecast released December 4, 2002.

Knoblach moved that House Resolution No. 1 be now adopted.

A roll call was requested and properly seconded.

The question was taken on the Knoblach motion and the roll was called. There were 79 yeas and 47 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Holberg	Lindgren	Penas	Tingelstad
Abrams	DeLaForest	Hoppe	Lindner	Rhodes	Urdahl
Adolphson	Demmer	Howes	Lipman	Ruth	Vanderveer
Anderson, B.	Dorman	Jacobson	Magnus	Samuelson	Walz
Anderson, J.	Eastlund	Johnson, J.	Marquart	Seagren	Wardlow
Beard	Erickson	Kielkucki	McNamara	Seifert	Westerberg
Blaine	Finstad	Klinzing	Nelson, C.	Severson	Westrom
Borrell	Fuller	Knoblach	Nelson, P.	Simpson	Wilkin
Boudreau	Gerlach	Kohls	Nornes	Smith	Spk. Sviggum
Bradley	Gunther	Krinkie	Olsen, S.	Soderstrom	
Brod	Haas	Kuisle	Opatz	Stang	
Buesgens	Hackbarth	Lanning	Osterman	Strachan	
Cornish	Harder	Larson	Ozment	Swenson	
Cox	Heidgerken	Lenczewski	Paulsen	Sykora	

Those who voted in the negative were:

Anderson, I.	Dorn	Hilty	Latz	Otremba	Slawik
Atkins	Eken	Hornstein	Lesch	Paymar	Solberg
Bernardy	Ellison	Huntley	Lieder	Pelowski	Thao
Biernat	Entenza	Jaros	Mahoney	Peterson	Thissen
Carlson	Goodwin	Johnson, S.	Mariani	Pugh	Wagenius
Clark	Greiling	Juhnke	Mullery	Rukavina	Walker
Davnie	Hausman	Kelliher	Murphy	Sertich	Wasiluk
Dill	Hilstrom	Koenen	Nelson, M.	Sieben	

The motion prevailed and House Resolution No. 1 was adopted.

Krinkie moved that H. F. No. 84 be recalled from the Committee on Capital Investment and be re-referred to the Committee on Higher Education Finance. The motion prevailed.

Krinkie moved that H. F. No. 100 be recalled from the Committee on Capital Investment and be re-referred to the Committee on Higher Education Finance. The motion prevailed.

#### ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, January 23, 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., Thursday, January 23, 2003.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

