

## STATE OF MINNESOTA

## EIGHTY-THIRD SESSION — 2003

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 THIRTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 6, 2003

The House of Representatives convened at 11:30 a.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by the Reverend Lonnie E. Titus, House Chaplain.

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

A quorum was present.

Dorman, Mariani and Seagren were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. McNamara moved that further reading of the Journals be suspended and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

**REPORTS OF STANDING COMMITTEES**

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

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.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

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.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Sykora from the Committee on Education Policy to which was referred:

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.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Boudreau from the Committee on Health and Human Services Policy to which was referred:

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.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Boudreau from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 162, A bill for an act relating to health; requiring legislative approval before adopting certain rules.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

Holberg from the Committee on Civil Law to which was referred:

H. F. No. 166, A bill for an act relating to probate; adopting article 5 of the Uniform Probate Code relating to guardianship and conservatorship; amending Minnesota Statutes 2002, sections 245A.041; 524.2-502; 524.3-203; proposing coding for new law in Minnesota Statutes, chapter 524; repealing Minnesota Statutes 2002, sections 524.5-505; 525.539; 525.54; 525.541; 525.542; 525.543; 525.544; 525.545; 525.55; 525.5501; 525.551; 525.5515; 525.552; 525.56; 525.561; 525.562; 525.57; 525.58; 525.581; 525.582; 525.583; 525.59; 525.591; 525.60; 525.61; 525.615; 525.6155; 525.616; 525.6165; 525.617; 525.6175; 525.618; 525.6185; 525.619; 525.6192; 525.6194; 525.6195; 525.6196; 525.6197; 525.6198; 525.6199; 525.62; 525.63; 525.64; 525.641; 525.642; 525.65; 525.651; 525.652; 525.66; 525.661; 525.662; 525.67; 525.68; 525.69; 525.691; 525.692; 525.70; 525.702; 525.703; 525.705.

Reported the same back with the following amendments:

Page 2, delete lines 16 to 18

Page 2, line 19, delete everything before the second comma and insert "is impaired to the extent of lacking sufficient understanding or capacity to make or communicate responsible personal decisions, and who has demonstrated deficits in behavior which evidence an inability to meet personal needs for medical care, nutrition, clothing, shelter, or safety"

Page 9, line 22, delete "chapter 415" and insert "section 524.5-415"

Page 13, line 23, after the first "appointment" insert ", by designation of a standby guardian pursuant to chapter 257B."

Page 13, line 27, after "will" insert ", by designation of a standby guardian pursuant to chapter 257B." and after "or" insert "by"

Page 16, line 2, delete "the parents consent" and insert "both parents are deceased"

Page 16, line 3, delete "suspended or" and after "terminated" insert "by court order"

Page 21, line 11, after "parent" insert ", legal custodian."

Page 21, lines 20 and 21, delete "visitation rights" and insert "parenting time"

Page 21, line 24, after the second "parent" insert ", legal custodian, or guardian"

Page 21, line 26, after "parent" insert ", legal custodian, or guardian"

Page 27, after line 16, insert:

"(f) The county social service agency may create a screening committee to review a petition involving an indigent person. The screening committee must consist of individuals selected by the agency with knowledge of alternatives that are less restrictive than guardianship. If the agency has created a screening committee, the court shall make its decision after the screening committee has reviewed the petition. For an indigent person, the court may appoint a guardian under contract with the county to provide these services."

Page 29, line 28, delete ", whenever feasible,"

Page 29, line 30, after the first "and" insert ", whenever feasible,"

Page 30, line 14, delete "60" and insert "90"

Page 30, line 15, after the period, insert "A county that is acting under section 626.557, subdivision 10, by petitioning for appointment of an emergency guardian on behalf of a vulnerable adult may be granted authority to act for a period not to exceed 90 days."

Page 31, line 24, after the period, insert "Any power not specifically granted to the guardian, following a written finding by the court of a demonstrated need for that power, is retained by the ward."

Page 46, line 30, delete "and (v)" and insert "(v) any state agency to which an application for benefits has been submitted and any state or county agency that has prepared an asset assessment or could prepare an asset assessment under section 256B.059, subdivision 2, for the protected person or spouse, and (vi)"

Page 47, line 25, after "assistance" insert ", with the goal of avoiding reliance on such programs"

Page 47, line 31, delete "and" and insert:

"(7) whether the protected person's needs can be met from the person's remaining assets after any transfer is made, taking into account the effect of any transfer on eligibility for medical assistance long-term care services; and"

Page 47, line 32, delete "(7)" and insert "(8)"

Page 72, after line 12, insert:

"Section 1. Minnesota Statutes 2002, section 145C.09, is amended by adding a subdivision to read:

Subd. 3. [POWER OF A GUARDIAN.] The powers of a guardian to revoke the appointment of a health care agent in a health care directive of which the ward is the principal or to revoke the health care directive itself are specified in section 524.5-315.

Sec. 2. Minnesota Statutes 2002, section 201.014, subdivision 2, is amended to read:

Subd. 2. [NOT ELIGIBLE.] The following individuals are not eligible to vote. Any individual:

(a) Convicted of treason or any felony whose civil rights have not been restored;

(b) Under a guardianship of the person in which the court order provides that the ward does not retain the right to vote; or

(c) Found by a court of law to be legally incompetent.

Sec. 3. Minnesota Statutes 2002, section 201.15, subdivision 1, is amended to read:

Subdivision 1. [GUARDIANSHIPS AND INCOMPETENTS.] The state court administrator shall report monthly to the secretary of state the name, address, and date of birth of each individual 18 years of age or over, who during the month preceding the date of the report:

(a) was placed under a guardianship of the person in which the court order provides that the ward does not retain the right to vote; or

(b) was adjudged legally incompetent.

The court administrator shall also report the same information for each individual transferred to the jurisdiction of the court who meets a condition specified in clause (a) or (b). The secretary of state shall determine if any of the persons in the report is registered to vote and shall prepare a list of those registrants for the county auditor. The county auditor shall change the status on the record in the statewide registration system of any individual named in the report to indicate that the individual is not eligible to reregister or vote."

Page 73, after line 21, insert:

"Sec. 5. Minnesota Statutes 2002, section 507.04, is amended to read:

507.04 ~~[CONVEYANCE BY SPOUSE OF INSANE OR INCOMPETENT PERSON OF PROTECTED PERSON'S REAL PROPERTY.]~~

Subdivision 1. ~~[WITH GUARDIAN'S NO CONVEYANCE EXCEPT BY COURT APPROVAL.]~~ The spouse of any person who is adjudged by a court of competent jurisdiction to be insane or incompetent to transact business or manage that person's estate, and for whose person or estate, or both, a guardian is appointed by a district court of this state, may, with the guardian's approval, by separate deed convey any real estate, the title to which is in such spouse, as fully as the spouse could do if unmarried. A duly certified copy of the letters of guardianship of the guardian shall be recorded in the office of the county recorder of the county in which the real estate is situated. The approval of the conveyance by the guardian shall be in writing, after being first authorized to do so by an order of the district court, and shall be endorsed on the instrument of the conveyance. Without the approval of the guardian, Except as otherwise provided by this section, if a protected person's right to convey an interest in real property is restricted under sections 524.5-401 to 524.5-433, no conveyance of the interest is effective unless ordered by the court pursuant to section 524.5-418A. A conveyance of an interest in real property owned by the competent spouse does not affect of a protected person remains subject to the marital rights of the insane or incompetent spouse protected person unless the protected person's conservator joins in the conveyance on behalf of the protected person pursuant to a court order under section 524.5-418A. This section does not revive marital rights in real property extinguished as part of a property agreement or settlement between the spouses approved by a court of competent jurisdiction, including but not limited to, a valid prenuptial or postnuptial agreement, a legal separation, or any other court-approved division of assets between the spouses.

~~Subd. 2. [DISABILITY FOR THREE YEARS.] Where no guardian has been appointed of the person or estate of such insane or incompetent spouse and such insanity or incompetency has existed or may exist for three years subsequent to the adjudication of the insanity or incompetency of the insane or incompetent spouse, the spouse of the insane or incompetent person may convey any real estate, the title to which is in the spouse, as fully as the spouse could do if unmarried.~~

~~Subd. 3. [HOMESTEAD.] This section does not authorize the conveyance of a homestead unless the guardian of the person or estate of the insane or incompetent person appointed by the district court of the proper county consents in writing to the conveyance by endorsement thereon after being first authorized so to do by order of the district court.~~

~~Subd. 4. [NONRESIDENT WITH DISABILITY.] The provisions of subdivisions 2 and 3 do not apply to a nonresident insane or incompetent person.~~

Subd. 5. [INCHOATE INTEREST IN SPOUSE'S SHARE REAL PROPERTY OF PROTECTED PERSON'S SPOUSE.] In all cases where the district court under section 524.5-418A has ~~directed~~ ordered a sale conveyance of the interest of an insane or incompetent interest in real property owned by a protected person in real estate or has ordered a protected person's joinder in the conveyance of an interest in real property owned by the protected person's spouse, the sale conveyance includes the inchoate interest of the protected person in any share or part of the real estate property owned by such the protected person's spouse whether or not specifically mentioned in the proceedings or conveyance, when the interest of the spouse is also conveyed to the same grantee.

Subd. 6. [VALIDITY OF HOMESTEAD CONVEYANCE.] No conveyance of the homestead is valid unless ~~made by both spouses in a joint deed~~ each spouse or the duly authorized legal representative of each spouse joins in the conveyance by joint deed or by separate deeds."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "making conforming changes;"

Page 1, line 5, after "sections" insert "145C.09, by adding a subdivision; 201.014, subdivision 2; 201.15, subdivision 1;" and after "245A.041;" insert "507.04;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Holberg from the Committee on Civil Law to which was referred:

H. F. No. 169, A bill for an act relating to trusts; providing for animal care and memorial fund trusts; changing an application provision; providing for agreements; clarifying procedures; providing an effective date; amending Minnesota Statutes 2002, section 501B.14, subdivision 3; Laws 2002, chapter 347, section 5; proposing coding for new law in Minnesota Statutes, chapter 501B.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 195, A bill for an act relating to elections; establishing the voting integrity and voter access account; providing for funding and use of that account; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 5.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 203, A bill for an act relating to insurance; regulating the FAIR plan; amending Minnesota Statutes 2002, sections 65A.29, subdivision 4; 65A.32; 65A.33, subdivisions 4, 6, 9, by adding subdivisions; 65A.34; 65A.35; 65A.36; 65A.37; 65A.375; 65A.38, subdivisions 1, 5; 65A.40; 65A.41; 65A.42; repealing Minnesota Statutes 2002, section 65A.33, subdivision 5.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 95, 120, 134, 166, 169 and 203 were read for the second time.

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

The following House Files were introduced:

Fuller introduced:

H. F. No. 275, A bill for an act relating to intergovernmental contracts; permitting Beltrami county to contract with the state department of corrections for the cost of secretarial support for juvenile probation and parole services of the county.

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

Lipman, Slawik, Klinzing and Sieben introduced:

H. F. No. 276, A bill for an act relating to Washington county; requiring disclosure of the Baytown special well construction area and its construction code before real property sales and development within that area.

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

Penas, Eastlund and Westrom introduced:

H. F. No. 277, A bill for an act relating to public safety; enacting the Minnesota Citizens' Personal Protection Act of 2003; recognizing the inherent right of law-abiding citizens to self-protection through the lawful use of self-defense; providing a system under which responsible, competent adults can exercise their right to self-protection by authorizing them to obtain a permit to carry a pistol; providing criminal penalties; appropriating money; amending Minnesota Statutes 2002, sections 609.66, subdivision 1d; 624.714, subdivisions 2, 3, 4, 6, 7, 8, 10, 12, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 624; repealing Minnesota Statutes 2002, section 624.714, subdivisions 1, 5.

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

Bradley; Jacobson; Abeler; Nelson, C., and Wilkin introduced:

H. F. No. 278, A bill for an act relating to health; eliminating expenditure reporting requirements for health care providers; repealing Minnesota Statutes 2002, section 62J.17.

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

Abeler, Fuller and Huntley introduced:

H. F. No. 279, A bill for an act relating to health; expanding authority of physician assistants; directing the commissioner of health to amend certain rules; amending Minnesota Statutes 2002, sections 147A.09, subdivision 2; 169.345, subdivision 2a; 253B.02, subdivision 7.

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

Dempsey introduced:

H. F. No. 280, A bill for an act relating to capital improvements; appropriating money to construct the National Eagle Center in the city of Wabasha; authorizing the sale of state bonds.

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

Lenczewski; Jaros; Opatz; Greiling; Nelson, M.; Hausman; Thissen; Sieben; Johnson, S.; Hornstein; Lieder; Davnie; Hilstrom; Peterson; Otremba and Ellison introduced:

H. F. No. 281, A bill for an act relating to human services; prescription drug rebate program; appropriating money; amending Minnesota Statutes 2002, section 256.01, subdivision 2; 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.

Beard, Wardlow, Lenczewski, Klinzing and Urdahl introduced:

H. F. No. 282, A bill for an act relating to retirement; teachers retirement association; providing an ad hoc postretirement adjustment for certain pre-1969 teachers; amending Minnesota Statutes 2002, section 354.55, by adding a subdivision.

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

Vandevveer, Smith, Ozment, Murphy, Wilkin, Holberg, Westerberg and Anderson, B., introduced:

H. F. No. 283, A bill for an act relating to taxation; individual income; providing an income tax checkoff to fund benefits for survivors of law enforcement officers and firefighters and providing for maintenance of peace officer and firefighter memorials; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Vandevveer, Westerberg, Jacobson, Murphy and Mahoney introduced:

H. F. No. 284, 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.

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

Rukavina and Dill introduced:

H. F. No. 285, A bill for an act relating to state lands; requiring a land exchange in St. Louis county.

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

Huntley, Jaros, Rukavina, Otremba and Walker introduced:

H. F. No. 286, A bill for an act relating to retirement; the Minnesota state colleges and universities system individual retirement account plan; permitting a revision in prior retirement benefit coverage elections; including the individual retirement account plan in the combined service annuity portability mechanism; amending Minnesota Statutes 2002, sections 354B.21, by adding a subdivision; 356.30, subdivision 3.

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

Abeler, Thao and Johnson, S., introduced:

H. F. No. 287, 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.

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

Kahn, Hornstein, Ozment, Kelliher, Clark, Hausman and Tingelstad introduced:

H. F. No. 288, A bill for an act relating to the environment; restricting outdoor light pollution; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Kahn, Hornstein, Ozment, Wagenius, Clark, Hausman and Tingelstad introduced:

H. F. No. 289, A bill for an act relating to the environment; preventing littering within the state outdoor recreation system; imposing penalties; amending Minnesota Statutes 2002, sections 85.20, subdivision 6; 169.42, subdivision 1; 169.421, subdivision 3; 609.68.

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

Westerberg introduced:

H. F. No. 290, A bill for an act relating to liquor; authorizing the city of Blaine to issue additional on-sale licenses.

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

Davids introduced:

H. F. No. 291, A bill for an act relating to insurance; prohibiting cancellation or nonrenewal of automobile or homeowner's policies under certain circumstances; amending Minnesota Statutes 2002, section 72A.20, by adding a subdivision.

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

Davids introduced:

H. F. No. 292, A bill for an act relating to insurance; prohibiting enforcement of noncompete clauses against agents in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 60A.

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

Dempsey, Brod, Buesgens, Koenen and Eken introduced:

H. F. No. 293, A bill for an act relating to municipalities; allowing the prescribing of certain fees by a fee schedule; amending Minnesota Statutes 2002, section 462.353, subdivision 4.

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

Eastlund, Rhodes, Cornish and Kahn introduced:

H. F. No. 294, A bill for an act relating to the military; requiring payment of a salary differential to certain state employees who are members of the national guard or other military reserve units and who have been called to active military duty on or after September 11, 2001; permitting local governments to pay a similar salary differential for their employees who are called from reserve status to active military service; amending Minnesota Statutes 2002, section 471.975; proposing coding for new law in Minnesota Statutes, chapter 43A.

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

Rhodes, Davids, Jacobson, Otremba and Abeler introduced:

H. F. No. 295, A bill for an act relating to insurance; eliminating mental health and substance abuse treatment carve-outs; 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.

Peterson, Marquart, Juhnke, Otremba, Heidgerken, Eken, Koenen, Dill, Urdahl and Thissen introduced:

H. F. No. 296, A bill for an act relating to education; increasing general education aid proportionately for rural and metropolitan school districts; amending Minnesota Statutes 2002, section 126C.05, subdivision 1.

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

Haas; Rukavina; Wilkin; Abeler; Olsen, S.; Osterman; Kielkucki; Brod and Stang introduced:

H. F. No. 297, A bill for an act relating to health; directing the commissioner of health not to adopt certain rules; repealing certain data collection and research initiative provisions; amending Minnesota Statutes 2002, sections 43A.24, subdivision 2; 62J.04, subdivision 3; 62J.55; 270B.14, subdivision 11; repealing Minnesota Statutes 2002, sections 13.717, subdivisions 5, 6, 7, 8, 9; 62J.301; 62J.311; 62J.321; 62J.322; 62J.38; 62J.381; 62J.40; 62J.41; 62J.42; 62J.451; 62J.452; 144.335, subdivision 3b.

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

Ellison, Walker and Thao introduced:

H. F. No. 298, A bill for an act relating to criminal justice; criminal records expungement; expanding the kinds of convictions for which a petition expungement may be brought; amending Minnesota Statutes 2002, section 609A.02, subdivision 2.

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

Ellison, Hornstein and Mariani introduced:

H. F. No. 299, A bill for an act relating to government data practices; prohibiting the collection of certain data; proposing coding for new law in Minnesota Statutes, chapter 13.

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

Haas introduced:

H. F. No. 300, A bill for an act relating to sales tax; exempting construction materials for a pedestrian bridge; 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.

Sykora, Klinzing, Erickson, Mariani, Nornes, Wardlow and Nelson, C., introduced:

H. F. No. 301, A bill for an act relating to taxation; income; allowing a credit for contributions to school tuition organizations; amending Minnesota Statutes 2002, section 290.01, subdivisions 19a, 19c; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Sykora, Buesgens and Klinzing introduced:

H. F. No. 302, A bill for an act relating to education; clarifying the date of school board organizational meetings; amending Minnesota Statutes 2002, section 123B.14, subdivision 1.

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

Walker introduced:

H. F. No. 303, A bill for an act relating to highway safety; requiring special school district No. 1, Minneapolis, to maintain a "How's My Driving?" program.

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

Larson and Thissen introduced:

H. F. No. 304, A bill for an act relating to taxation; imposing a parking surcharge for facilities serving the Minneapolis-St. Paul international airport; creating an airport impact mitigation account in the general fund; amending Minnesota Statutes 2002, section 473.608, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Larson and Thissen introduced:

H. F. No. 305, A bill for an act relating to taxation; imposing a parking tax on large parking facilities; proposing coding for new law in Minnesota Statutes, chapter 295.

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

Rukavina and Anderson, I., introduced:

H. F. No. 306, A bill for an act relating to local government; authorizing reimbursement by the city of Biwabik to the town of White according to their orderly annexation agreement.

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

Adolphson; DeLaForest; Thissen; Nelson, M.; Severson; Atkins; Borrell; Lenczewski; Kohls; Hoppe; Beard; Kelliher; Lanning; Hornstein; Holberg; Svingum; Osterman; Rhodes; Anderson, J., and Erickson introduced:

H. F. No. 307, A bill for an act relating to elections; providing an exemption for noncommercial signs from ordinances that limit the number of noncommercial signs; amending Minnesota Statutes 2002, section 211B.045.

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

Eastlund and Soderstrom introduced:

H. F. No. 308, A bill for an act relating to retirement; Minneapolis employees retirement fund; permitting a service credit purchase for prior temporary city employment.

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

Paymar and Murphy introduced:

H. F. No. 309, A bill for an act relating to criminal justice; re-establishing the office, powers, and duties of a crime victim ombudsman; appropriating money; amending Minnesota Statutes 2002, sections 611A.72; 611A.73, subdivisions 2, 6; 611A.74.

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

Kelliher introduced:

H. F. No. 310, A bill for an act relating to liquor; authorizing issuance of an on-sale intoxicating liquor license to the Historic Pantages Theatre; amending Minnesota Statutes 2002, section 340A.404, subdivision 2.

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

Latz introduced:

H. F. No. 311, A bill for an act relating to commerce; clarifying provisions regulating data on Internet consumers; amending Minnesota Statutes 2002, sections 325M.01, subdivision 5; 325M.03; 325M.09.

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

Dill introduced:

H. F. No. 312, A bill for an act relating to taxation; providing that the Cook county hospital district levy may be adjusted for inflation; amending Laws 1989, chapter 211, section 8, subdivision 4, as amended.

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

Rukavina; Sertich; Anderson, I.; Solberg and Dill introduced:

H. F. No. 313, A bill for an act relating to government; regulating state and local construction and infrastructure projects; regulating the use of certain iron and steel materials; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

Walz, Hilstrom, Fuller, Kuisle, Lieder, Strachan and Vandever introduced:

H. F. No. 314, A bill for an act relating to traffic regulations; allowing display of flashing blue lights to the front of emergency vehicles; amending Minnesota Statutes 2002, section 169.64, subdivision 4.

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

Hackbarth introduced:

H. F. No. 315, A bill for an act relating to highways; authorizing issuance of trunk highway bonds for improvements to marked Trunk Highway 65.

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

Hackbarth introduced:

H. F. No. 316, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for a park-and-ride lot in Anoka county.

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

Hackbarth, Tinglestad, Westerberg and Bernardy introduced:

H. F. No. 317, A bill for an act relating to Anoka county; allowing use of certain county facilities for commercial wireless service providers and allowing the lease of sites for public safety communications equipment.

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

Seifert introduced:

H. F. No. 318, A bill for an act relating to highways; requiring placement of motorcycle safety signs on trunk highways near locations of motorcycle fatalities; creating an advisory committee; 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.

Lanning, Cox, Fuller and Heidgerken introduced:

H. F. No. 319, 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.

Goodwin, Bernardy, Eken, Lieder and Davnie introduced:

H. F. No. 320, A bill for an act relating to taxation; modifying the payment of interest on refunds; amending Minnesota Statutes 2002, section 289A.56, subdivision 2.

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

Cox and Strachan introduced:

H. F. No. 321, A bill for an act relating to the city of Northfield; authorizing the city to establish and operate related medical facilities in conjunction with its municipal hospital at a site outside the city limits; authorizing Northfield to acquire real or personal property for the related medical facilities.

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

Kelliher, Huntley, Slawik, Erhardt and Entenza introduced:

H. F. No. 322, A bill for an act relating to health; requiring hospital emergency rooms to provide emergency contraception and information to sexual assault victims; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Smith introduced:

H. F. No. 323, A bill for an act relating to public employment; establishing procedures and standards for contracting with private entities for the provision of services that have been, or otherwise would be, provided by public employees; providing for public accountability; proposing coding for new law in Minnesota Statutes, chapter 471.

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

Sieben, Pugh, Atkins and Johnson, S., introduced:

H. F. No. 324, A bill for an act relating to capital improvements; appropriating money for a grant to clean up contaminated lands; authorizing the sale of state bonds.

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

Huntley, Walker, Kelliher, Slawik, Greiling and Paymar introduced:

H. F. No. 325, A bill for an act relating to insurance; requiring coverage for prescription contraceptives; 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.

Samuelson, Bradley, Huntley, Thao, Wilkin and Otremba introduced:

H. F. No. 326, A bill for an act relating to health; modifying dental practice provisions; amending Minnesota Statutes 2002, sections 144.1502, subdivisions 3, 4; 150A.06, by adding a subdivision; 150A.10, subdivision 1a; 256B.037, by adding a subdivision; 256B.76; proposing coding for new law in Minnesota Statutes, chapters 150A; 256B.

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

Hackbarth; Larson; Dempsey; Eken; Ozment; Nelson, M.; Cornish; Boudreau; Ruth; Erickson; Murphy; Peterson; Dill; Swenson; Lindner; Jacobson; Wardlow; DeLaForest; Adolphson; Severson; Mahoney; Cox; Urdahl; Penas; Kohls; Simpson; Borrell; Lindgren; Tingelstad and Hoppe introduced:

H. F. No. 327, A bill for an act relating to local government; shooting ranges; defining generally accepted operation practices; providing for relation to ordinances, closing and relocation, and nuisance liability; proposing coding for new law as Minnesota Statutes, chapter 87A.

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

Hoppe, Paulsen, Ozment, Dill, Hackbarth, Tingelstad, Beard, Kelliher and Kohls introduced:

H. F. No. 328, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Seminary fen in Carver county.

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

Goodwin, Biernat, Greiling, Bernardy and Davnie introduced:

H. F. No. 329, A bill for an act relating to education; directing school boards to adopt a policy prohibiting intimidation and bullying; requiring school boards to make existing sexual, religious, and racial harassment and violence policies consistent with the policy prohibiting intimidation and bullying; amending Minnesota Statutes 2002, section 121A.03, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 121A.

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

Sviggum; Eastlund; Howes; Carlson; Anderson, I.; Solberg; Fuller and Ozment introduced:

H. F. No. 330, A bill for an act relating to state government; ratifying certain state employee labor agreements and compensation plans with certain exceptions; specifying terms and conditions of employment in certain circumstances.

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

Howes, Sviggum, Fuller, Pugh, Rukavina, Juhnke, Dill, Solberg, Walz and Penas introduced:

H. F. No. 331, A bill for an act relating to taxation; property; providing for valuation and deferment of taxes on certain homestead resorts; proposing coding for new law in Minnesota Statutes, chapter 273.

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

Anderson, B.; Beard; Dempsey; Mahoney; Nornes; Tingelstad; Hackbarth; Erhardt; McNamara; Lindner; Olson, M., and Erickson introduced:

H. F. No. 332, A bill for an act relating to energy; authorizing the continued operation of the Prairie Island and Monticello nuclear generating plants; requiring a nuclear waste escrow account; amending Minnesota Statutes 2002, sections 116C.77; 116C.771; 116C.774; 116C.779; proposing coding for new law in Minnesota Statutes, chapter 116C.

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

Smith introduced:

H. F. No. 333, A bill for an act relating to courts; authorizing use of the Revenue Recapture Act for collection of certain conciliation court judgments; providing for priority of claims; modifying service of process requirements; amending Minnesota Statutes 2002, sections 270A.03, subdivisions 2, 7; 270A.04, subdivision 3; 270A.07, subdivision 5; 270A.09, subdivision 1; 270A.10; 491A.01, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 491A.

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

Abeler, Boudreau, Samuelson, Walker, Thao, Otremba, Paymar and Clark introduced:

H. F. No. 334, A bill for an act relating to insurance; requiring coverage of acupuncture services by certain group policies and subscriber contracts; requiring claim determinations regarding acupuncture services to be made or reviewed by acupuncture practitioners; requiring reporting on referrals to acupuncture practitioners and reimbursement rates; amending Minnesota Statutes 2002, section 62A.15, subdivision 4, by adding a subdivision; 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.

McNamara, Ozment, Tingelstad, Wagenius and Wasiluk introduced:

H. F. No. 335, A bill for an act relating to water; requiring all landscape irrigation systems to have furnished and installed moisture or rainfall sensing equipment; proposing coding for new law in Minnesota Statutes, chapter 103G.

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

Ozment, Howes, Murphy, Gunther and Entenza introduced:

H. F. No. 336, A bill for an act relating to public safety; requiring installation of automatic sprinkler systems in certain existing high-rise buildings; allowing subtraction from taxable income; amending Minnesota Statutes 2002, sections 290.01, subdivisions 19b, 19d; 299F.362, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 299F.

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

Howes, Westerberg and Vandeverer introduced:

H. F. No. 337, A bill for an act relating to wetlands; requiring the board of water and soil resources to remove an unauthorized wetland exemption rule.

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

Davnie, Greiling, Biernat, Goodwin, Slawik, Atkins, Mahoney, Solberg and Carlson introduced:

H. F. No. 338, A bill for an act relating to education finance; dedicating a portion of the statewide property tax for the payment of adult basic education aid; appropriating money; amending Minnesota Statutes 2002, sections 124D.531, subdivision 1; 275.025, subdivision 1.

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

Davnie, Wardlow and Atkins introduced:

H. F. No. 339, A bill for an act relating to civil actions; graffiti; allowing the recovery of damages for graffiti; proposing coding for new law in Minnesota Statutes, chapter 617.

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

Cornish, Smith, Hackbarth, Ozment, Rukavina, Dill, Wardlow, Lindgren, Strachan, Adolphson, Severson, Simpson and Magnus introduced:

H. F. No. 340, A bill for an act relating to natural resources; modifying enforcement authority; amending Minnesota Statutes 2002, sections 84.029, subdivision 1; 84A.02; 84A.21; 84A.32, subdivision 1; 84A.55, subdivision 8; 85.04.

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

Lindner, Erickson, Buesgens, Davids and Anderson, B., introduced:

H. F. No. 341, A bill for an act relating to human rights; removing sexual orientation as a protected class under the Human Rights Act and in other statutory provisions; amending Minnesota Statutes 2002, sections 60A.053, subdivision 1; 60A.970, subdivision 8; 160.80, subdivision 1a; 363.01, subdivision 23; 363.02, subdivisions 1, 2, 4, 8; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, 8a; 363.05, subdivision 1; 363.11; 363.115; 363.12, subdivision 1;

609.2231, subdivision 4; 609.595, subdivision 1a; 609.748, subdivision 6; 609.749, subdivision 3; 611A.371, subdivision 2; 611A.79, subdivision 1; 626.5531, subdivision 1; 626.8451, subdivision 1; repealing Minnesota Statutes 2002, section 363.01, subdivision 41a.

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

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I have the honor to inform the House of Representatives that the Senate is ready to meet with the House in Joint Convention at 11:45 a.m., Thursday, February 6, 2003, to receive the message of the Honorable Tim Pawlenty, Governor of the State of Minnesota, which will be delivered at 12:00 noon.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I have the honor to announce that the Senate has appointed a committee of five members of the Senate to act with a like committee on the part of the House of Representatives to escort the Honorable Tim Pawlenty, Governor of the State of Minnesota, to the House Chamber on the occasion of the Joint Convention on Thursday, February 6, 2003, at 11:45 a.m.

Senators Frederickson, Higgins, Knutson, Sams and Scheid have been appointed as members of such committee on the part of the Senate.

PATRICK E. FLAHAVEN, Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Davids moved that the names of Nelson, M., and Hilstrom be added as authors on H. F. No. 76. The motion prevailed.

Goodwin moved that the name of Peterson be added as an author on H. F. No. 117. The motion prevailed.

Carlson moved that the name of Demmer be added as an author on H. F. No. 127. The motion prevailed.

Opatz moved that the name of Thissen be added as an author on H. F. No. 131. The motion prevailed.

Sykora moved that the name of Olson, M., be added as an author on H. F. No. 168. The motion prevailed.

Lenczewski moved that the name of Larson be added as an author on H. F. No. 171. The motion prevailed.

Jaros moved that the name of Davnie be added as an author on H. F. No. 178. The motion prevailed.

Dempsey moved that the name of Bernardy be added as an author on H. F. No. 214. The motion prevailed.

Vandever moved that the name of Abeler be added as an author on H. F. No. 217. The motion prevailed.

Urdahl moved that the name of Nelson, P., be added as an author on H. F. No. 238. The motion prevailed.

Johnson, S., moved that the name of Lenczewski be added as an author on H. F. No. 249. The motion prevailed.

Beard moved that the name of Tingelstad be added as an author on H. F. No. 251. The motion prevailed.

Abrams moved that the name of Abeler be added as an author on H. F. No. 254. The motion prevailed.

Dill moved that the name of Abeler be added as an author on H. F. No. 255. The motion prevailed.

Beard moved that the name of Tingelstad be added as an author on H. F. No. 256. The motion prevailed.

Cox moved that the names of Thissen, Bernardy, Abeler, Kelliher and Larson be added as authors on H. F. No. 257. The motion prevailed.

Dorman moved that the name of Abeler be added as an author on H. F. No. 258. The motion prevailed.

Walz moved that the name of Erickson be added as an author on H. F. No. 265. The motion prevailed.

#### MOTION TO FIX TIME TO CONVENE

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Monday, February 10, 2003. The motion prevailed.

Paulsen moved that the House recess subject to the call of the Chair for the purpose of meeting with the Senate in Joint Convention to hear the address by the Governor. The motion prevailed.

#### RECESS

#### RECONVENED

The Speaker called the House to order at 11:45 a.m.

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the Chamber.

#### JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Joint Convention to order.

Prayer was offered by the Reverend Lonnie E. Titus, House Chaplain.

The roll being called the following Senators answered to their names: Anderson, Bachmann and Bakk.

Senator Hottinger moved that further proceedings of the roll call be suspended. The motion prevailed and a quorum was declared present.

The Sergeant at Arms announced the arrival of the Honorable Kathleen A. Blatz, Chief Justice of the Supreme Court, and the Honorable Associate Justices of the Supreme Court, plus the Honorable Edward Toussaint, Jr., Chief Judge of the Court of Appeals of the State of Minnesota. They were escorted to the seats reserved for them near the rostrum.

The Sergeant at Arms announced the arrival of the Constitutional Officers of the State of Minnesota: Mary Kiffmeyer, Secretary of State; Patricia Anderson Awada, State Auditor; and Mike Hatch, Attorney General. The Constitutional Officers were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of former Governors: the Honorable Wendell R. Anderson, the Honorable Albert H. Quie and the Honorable Arne H. Carlson and his wife. The distinguished guests were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of the Honorable Carol L. Molnau, Lieutenant Governor of the State of Minnesota. The Lieutenant Governor was escorted to the seat reserved for her at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Tim Pawlenty, Governor of the State of Minnesota, and his official party. The Governor was escorted to the rostrum by the appointed committees.

#### ADDRESS BY THE GOVERNOR

Governor Tim Pawlenty was presented by the President of the Joint Convention, the Honorable Steve Sviggum, and the Governor delivered his "State of the State Address" to the members of the Joint Convention and their guests.

Following the address, Hottinger moved that the Joint Convention arise. The motion prevailed and the President declared the Joint Convention adjourned.

#### RECONVENED

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

#### ADJOURNMENT

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Monday, February 10, 2003.

EDWARD A. BURDICK, Chief Clerk, House of Representatives