

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-SECOND LEGISLATURE

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SIXTIETH DAY

St. Paul, Minnesota, Tuesday, January 29, 2002

The Senate met at 12:00 noon and was called to order by the President.

## CALL OF THE SENATE

Senator Betzold imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Kenneth K. Harste.

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

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

Anderson	Frederickson	Krentz	Olson	Sabo
Bachmann	Higgins	Langseth	Orfield	Sams
Belanger	Hottinger	Larson	Ourada	Samuelson
Berg	Johnson, Dave	Lesewski	Pappas	Scheevel
Berglin	Johnson, Dean	Lessard	Pariseau	Scheid
Betzold	Johnson, Debbie	Limmer	Pogemiller	Schwab
Chaudhary	Johnson, Doug	Lourey	Price	Stevens
Cohen	Kelley, S.P.	Marty	Ranum	Stumpf
Day	Kierlin	Metzen	Reiter	Terwilliger
Dille	Kinkel	Moe, R.D.	Rest	Tomassoni
Fischbach	Kiscaden	Murphy	Ring	Vickerman
Foley	Kleis	Neuville	Robertson	Wiener
Fowler	Knutson	Oliver	Robling	Wiger

The President declared a quorum present.

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

## REPORTS AND RESOLUTIONS FILED DURING THE INTERIM WITH THE SECRETARY OF THE SENATE

Various reports were filed during the 2001 interim by Retirement and Relief Associations and are filed in the office of the Secretary of the Senate; also reports made by the Legislative Audit Commission on various state institutions and boards; Department of Human Services, Medical Care Surcharge Fund, March Quarterly Report, 2001; Department of Human Services, Medical Care Surcharge Fund, June Quarterly Report, 2001; Department of Human Services, Dental Access for Minnesota Health Care Programs Beneficiaries: Supplemental Report to the 2001 Minnesota Legislature on the Evaluation of the Effects of the 1999 Dental Initiatives, 2001; Department of Human Services, Returning to the Community: Persons with Brain Injury in Minnesota, 2000; Trade and Economic Development, Microenterprise Assistance Program, 2000; Department of Health, Recommendations for a Modified PMAP/PGAMC Distribution Formula,

2001; Department of Health, Report to the Legislature: Induced Abortions in Minnesota, January - December, 2000, 2001; Minnesota Comprehensive Health Association, Annual Report, 1999/2000; Department of Administration, Small Business Procurement Program, Annual Report, 2000; Trade and Economic Development, Performance of the Minnesota Department of Trade and Economic Development's Business Finance Programs, 2001; Department of Corrections, Community Preservation Unit, 2001; Department of Corrections, Rule Review and Legislative Oversight, 2001; Southwest Regional Development Commission, Overall Work Program, Fiscal Year 2002; Department of Health, All Minnesota Department of Health Rules, 2001; Department of Trade and Economic Development, Contamination Cleanup and Investigation Grants, Annual Report, 2001; Board of Animal Health, Annual Report, July 1, 2000 - June 30, 2001; Department of Health, Activities Related to the Licensing of Alcohol and Drug Counselors, July 1, 1998 - June 30, 2000; Department of Agriculture, Agricultural Chemical Response and Reimbursement Account (ACRRA), Annual Summary Report, Fiscal Year 2001; Department of Corrections, Rule Review and Legislative Oversight, 2001; Pollution Control Agency, Annual Report on Obsolete, Unnecessary, or Duplicative Rules, 2001; Department of Human Services, Medical Care Surcharge Fund, Quarterly Report, September 2001; Department of Trade and Economic Development, Minnesota Small Business and Small Targeted Group Business Procurement Program, July 2, 2000 - June 30, 2001; Pollution Control Agency, Metropolitan Landfill Contingency Action Trust Fund, Fiscal Year 2001; Department of Administration, Building Codes and Standards Division, Legislative Report, 2001; Office of the Governor, Status of Indian Gaming, 2001; Department of Administration, 911 Emergency Telephone Service, Progress Report, 2001; Department of Finance, Comprehensive Annual Financial Report, Year Ended June 30, 2001; Minnesota Sentencing Guidelines Commission, 2002; Department of Administration, Implementation of Minnesota's Residential Energy Code, 2002; Department of Trade and Economic Development, Public Facilities Authority, Annual Report, Fiscal Year 2001; Department of Human Services, Maltreatment Investigations in State Licensed Facilities, 2001; Metropolitan Council, Metropolitan Agencies Personnel, Ethical Practices and Communications Activities, 2002; Department of Trade and Economic Development, Business Tracking System, Migration of Minnesota Manufacturers, 2001; University of Minnesota, Annual Report, Fiscal Year 2001; Department of Health, Data Report for the Prairie Island Independent Spent Fuel Storage Installation, 2001; University of Minnesota, Institute on Criminal Justice, Extended Jurisdiction Juvenile (EJJ) Offenders: Study of Revocations, 2001; University of Minnesota, Institute on Criminal Justice, Research Plan to Evaluate the Felony DWI Penalty, 2001; Department of Corrections, Interstate Compact for the Supervision of Parolees and Probationers, Legislative Recommendations and State Policy Plan, 2001; Pollution Control Agency, Minnesota Closed Landfill Program, Annual Report, 2001.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

April 24, 2001

The Honorable Don Samuelson  
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

#### PUBLIC UTILITIES COMMISSION

Phyllis Reha, 3656 Woodland Trail, Eagan, Minnesota 55123, in the county of Dakota, effective May 16, 2001, for a six-year term expiring on January 1, 2007.

(Referred to the Committee on Telecommunications, Energy and Utilities.)

May 4, 2001

The Honorable Don Samuelson  
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF THE ARTS

Gary R. Woeltge, 614 Newman Trail, Stillwater, MN 55082-4527, in the county of Washington, effective May 10, 2001 to complete a term expiring on January 7, 2002.

(Referred to the Committee on State and Local Government Operations.)

May 4, 2001

The Honorable Don Samuelson  
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA HOUSING FINANCE AGENCY

Peter Bernier, HC 2 Box 183, Squaw Lake, MN 56681-9727, in the county of Itasca, effective May 10, 2001 for a four-year term expiring on January 3, 2005.

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

May 4, 2001

The Honorable Don Samuelson  
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

PERPICH CENTER FOR ARTS EDUCATION

Mark French, 330 Carlson Parkway, Minnetonka, Minnesota 55305, in the county of Hennepin, effective May 10, 2001 to complete a term expiring on January 7, 2002.

Sonja Peterson, P.O. Box 666, Battle Lake, Minnesota 56515, in the county of Otter Tail, effective May 10, 2001 to serve a four-year term expiring January 3, 2005.

Tina Anderson Richards, 2815 231st Street, Walnut Grove, Minnesota 56180, in the county of Murray, effective May 10, 2001 to complete a term expiring January 5, 2004.

Marjorie Barton Savage, 6911 Booth Avenue East, Inver Grove Heights, Minnesota 55076, in the county of Dakota, effective May 10, 2001 to serve a four-year term expiring on January 3, 2005.

Mary Frances Skala, 302 West Superior Street, Suite 700, Duluth, Minnesota 55802, in the county of St. Louis, effective May 10, 2001 to complete a term expiring on January 6, 2003.

Robert Tracy, 371 Macalester Street, St. Paul, Minnesota 55105, in the county of Ramsey, effective May 10, 2001 to complete a term expiring on January 6, 2003.

(Referred to the Committee on Education.)

June 19, 2001

The Honorable Don Samuelson  
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

## METROPOLITAN COUNCIL

Daniel Galles, 1810 Rome Avenue, Saint Paul, Minnesota 55116, in the county of Ramsey, effective June 26, 2001 to complete a term expiring on January 6, 2003.

(Referred to the Committee on State and Local Government Operations.)

June 20, 2001

The Honorable Don Samuelson  
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF TRUSTEES OF THE MINNESOTA  
STATE COLLEGES AND UNIVERSITIES

Michael Redlinger, 2702 4th Avenue North, Apt 201, Moorhead, MN 56560-2440, in the county of Clay, effective June 22, 2001 for a two-year term expiring on June 30, 2003.

(Referred to the Committee on Education.)

June 29, 2001

The Honorable Don Samuelson  
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

ENVIRONMENT AND NATURAL RESOURCES TRUST FUND  
CITIZENS' ADVISORY COMMITTEE

Ann Glumac, 5107 Ugstad Road, Duluth, Minnesota 55811, in the county of Saint Louis, effective July 6, 2001, for a four-year term expiring on January 3, 2005.

Janet McMillan, 1274 Tealwood Place, Long Lake, Minnesota 55356-9498, in the county of Hennepin, effective July 6, 2001, for a four-year term expiring on January 3, 2005.

(Referred to the Committee on Environment and Natural Resources.)

July 10, 2001

The Honorable Don Samuelson  
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

## GAMBLING CONTROL BOARD

Peggy Moon, 23992 North Lakeshore Drive, Glenwood, Minnesota 56334, in the county of Pope, effective July 16, 2001, for a four-year term expiring on June 30, 2005.

Michelle Seidel, 5709 Bloomington Avenue South, Minneapolis, Minnesota 55417, in the county of Hennepin, effective July 16, 2001, to complete a four-year term expiring on June 30, 2002.

(Referred to the Committee on State and Local Government Operations.)

September 5, 2001

The Honorable Don Samuelson  
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

METROPOLITAN COUNCIL

George Garnett, 1827 Bryant Ave. North, Minneapolis, MN 55411, in the county of Hennepin, effective September 12, 2001 to complete a term expiring on January 6, 2003.

(Referred to the Committee on State and Local Government Operations.)

September 14, 2001

The Honorable Don Samuelson  
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF SCHOOL ADMINISTRATORS

Eric Bartleson, 1480 48th Avenue, Winona, Minnesota 55987-6117, in the county of Winona, effective September 14, 2001 for a two-year term expiring on August 1, 2003.

Julie Jagusch, 11946 Bluebird Street N.W., Coon Rapids, Minnesota 55448, in the county of Anoka, effective September 14, 2001 for a one-year term expiring on August 1, 2002.

Kenneth LaCroix, 1800 Wyndham Hill Drive, Hastings, Minnesota 55033-8590, in the county of Dakota, effective September 14, 2001 for a three-year term expiring on August 1, 2004.

Mary Mackbee, 9742 Russell Avenue South, Bloomington, Minnesota 55431-2469, in the county of Hennepin, effective September 14, 2001, for a two-year term expiring on August 1, 2003.

Sanford Nelson, North Buffalo Lake Road, P.O. Box 91, Richwood, Minnesota 56577-0091, in the county of Becker, effective September 14, 2001 for a two-year term expiring on August 1, 2003.

Daniel Sullivan, 535 Crystal Lake Road East, Burnsville, Minnesota 55306-5060, in the county of Dakota, effective September 14, 2001 for a three-year term expiring on August 1, 2004.

Judy Swett, 1656 Edmund Avenue, Saint Paul, Minnesota 55104-2236, in the county of Ramsey, effective September 14, 2001, for a one-year term expiring on August 1, 2002.

Ann Zweber Werner, 86 Pleasant Street, 330 Wulling Hall, Minneapolis, Minnesota 55455-0221, in the county of Hennepin, effective September 14, 2001, for a three-year term expiring on August 1, 2004.

Daniel Zimansky, 373 2nd Street, Tracy, Minnesota 56175-1205, in the county of Lyon, effective September 14, 2001, for a one-year term expiring on August 1, 2002.

(Referred to the Committee on Education.)

October 19, 2001

The Honorable Don Samuelson  
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

## BOARD OF THE ARTS

Sara Perlman Barrow, 1710 Logan Avenue South, Minneapolis, MN 55403-2841, in the county of Hennepin, effective October 22, 2001 to complete a term expiring on January 6, 2003.

(Referred to the Committee on State and Local Government Operations.)

Sincerely,  
Jesse Ventura, Governor

December 10, 2001

Honorable Jesse Ventura  
Governor, State of Minnesota

Dear Governor Ventura,

With the successful completion of my campaign for Mayor of St. Paul, I am submitting to you my resignation as the Minnesota State Senator from the 67th Senate District. This resignation will be effective January 1, 2002.

It has been my honor and pleasure to serve the people of Minnesota and St. Paul for the past 11 years in the Minnesota Senate. I will look forward to working with you and your administration concerning the many complex urban concerns facing the City of St. Paul during the next four years.

Sincerely,  
Randy C. Kelly  
State Senator

## MOTIONS AND RESOLUTIONS

Senator Moe, R.D. moved that the name of Senator Kelly, R.C. be stricken as chief author, and the name of Senator Anderson be shown as chief author to S.F. No. 1. The motion prevailed.

Senator Wiger moved that S.F. No. 1030 be withdrawn from the Committee on Crime Prevention and re-referred to the Committee on Judiciary. The motion prevailed.

**Senator Scheid introduced--**

**Senate Resolution No. 138:** A Senate resolution congratulating Brandon Christopher Lehner for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Murphy introduced--**

**Senate Resolution No. 139:** A Senate resolution honoring the 78th Annual Minnesota Amateur Baseball Tournament.

Referred to the Committee on Rules and Administration.

**Senator Stevens introduced--**

**Senate Resolution No. 140:** A Senate resolution congratulating Christopher Olson of Mora, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Knutson introduced--**

**Senate Resolution No. 141:** A Senate resolution recognizing Frances Potts for her dedication and service to Independent School District No. 191, Burnsville.

Referred to the Committee on Rules and Administration.

**Senator Knutson introduced--**

**Senate Resolution No. 142:** A Senate resolution honoring John Coskran on the occasion of his retirement from the Burnsville School Board.

Referred to the Committee on Rules and Administration.

**Senator Wiger introduced--**

**Senate Resolution No. 143:** A Senate resolution congratulating Nicholas William Hoye of North St. Paul, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Wiger introduced--**

**Senate Resolution No. 144:** A Senate resolution congratulating Charlie Koppen for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Wiger introduced--**

**Senate Resolution No. 145:** A Senate resolution congratulating Charlie Manship for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Wiger introduced--**

**Senate Resolution No. 146:** A Senate resolution congratulating Justin McGuire for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Wiger introduced--**

**Senate Resolution No. 147:** A Senate resolution congratulating Nick Brogen for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Wiger introduced--**

**Senate Resolution No. 148:** A Senate resolution congratulating James Seale for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Wiger introduced--**

**Senate Resolution No. 149:** A Senate resolution honoring Kevin Edberg of the District 624 School Board.

Referred to the Committee on Rules and Administration.

**Senator Foley introduced--**

**Senate Resolution No. 150:** A Senate resolution congratulating the Minnesota Association for Court Management on its 75th anniversary.

Referred to the Committee on Rules and Administration.

**Senator Larson introduced--**

**Senate Resolution No. 151:** A Senate resolution honoring Willmar Thorkelson for receiving the Religion Newswriters Association's first Lifetime Achievement Award.

Referred to the Committee on Rules and Administration.

**Senator Larson introduced--**

**Senate Resolution No. 152:** A Senate resolution congratulating the Hillcrest Lutheran Academy of Fergus Falls football team on winning the 2001 State High School Class 9-Man football championship.

Referred to the Committee on Rules and Administration.

**Senator Larson introduced--**

**Senate Resolution No. 153:** A Senate resolution for an act honoring REA-ALP Internet Services.

Referred to the Committee on Rules and Administration.

**Senator Larson introduced--**

**Senate Resolution No. 154:** A Senate resolution for an act honoring Thomas L. Kummrow on the occasion of his retirement from the Fergus Falls Police Department.

Referred to the Committee on Rules and Administration.

**Senator Larson introduced--**

**Senate Resolution No. 155:** A Senate resolution for an act congratulating Mark Boen for receiving the National Teacher of the Year award.

Referred to the Committee on Rules and Administration.

**Senator Larson introduced--**

**Senate Resolution No. 156:** A Senate resolution congratulating the Parkers Prairie American Legion Post 219 baseball team on winning the 2001 Division II State Tournament championship.

Referred to the Committee on Rules and Administration.

**Senator Fowler introduced--**

**Senate Resolution No. 157:** A Senate resolution congratulating Andrew John Krusemark of Welcome, Minnesota, for receiving the Eagle Award.



Referred to the Committee on Rules and Administration.

**Senator Larson introduced--**

**Senate Resolution No. 158:** A Senate resolution congratulating Justin Abrams of Fergus Falls, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senators Johnson, Doug and Belanger introduced--**

**Senate Resolution No. 159:** A Senate resolution honoring the 75th Anniversary of the Minnesota Taxpayers Association.

Referred to the Committee on Rules and Administration.

**Senator Fowler introduced--**

**Senate Resolution No. 160:** A Senate resolution congratulating Joseph Royce Hounshell of Welcome, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senators Moe, R.D. and Day introduced--**

**Senate Resolution No. 161:** A Senate resolution relating to postage.

BE IT RESOLVED, by the Senate of the State of Minnesota:

For the 2002 session of the 82nd Legislature, the Secretary of the Senate may purchase postage to furnish each member of the Senate 5,500 stamps. Each member named as chair of a standing committee in the Senate resolution designating committee assignments may be furnished with an additional 1,000 stamps for the necessary business of the committee.

An additional postage allowance of 1,000 stamps is authorized for the Senate Minority Leader; five other members of the minority designated by the Senate Minority Leader; and five members of the majority designated by the Senate Majority Leader.

Each member of the Senate shall receipt to the Secretary of the Senate for the postage received.

Senator Moe, R.D. moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 55 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Fowler	Kleis	Oliver	Sams
Bachmann	Frederickson	Langseth	Olson	Samuelson
Belanger	Higgins	Larson	Ourada	Scheevel
Berg	Hottinger	Lesewski	Pappas	Scheid
Berglin	Johnson, Dave	Limmer	Price	Schwab
Betzold	Johnson, Dean	Lourey	Ranum	Stevens
Chaudhary	Johnson, Doug	Marty	Reiter	Terwilliger
Cohen	Kelley, S.P.	Metzen	Rest	Tomassoni
Day	Kierlin	Moe, R.D.	Ring	Vickerman
Fischbach	Kinkel	Murphy	Robling	Wiener
Foley	Kiscaden	Neuville	Sabo	Wiger

Those who voted in the negative were:

Robertson	Stumpf
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The motion prevailed. So the resolution was adopted.

### MOTIONS AND RESOLUTIONS - CONTINUED

#### Senators Moe, R.D. and Day introduced--

**Senate Resolution No. 162:** A Senate resolution relating to expenses of interns.

BE IT RESOLVED, by the Senate of the State of Minnesota:

For the 2002 session of the 82nd Legislature, each member of the Senate may be reimbursed for the cost of meals and transportation furnished by the member to any volunteer interns assisting with the member's work, up to a maximum of \$50 during each week the Legislature is in session.

Each member of the Senate may be reimbursed for the cost of lodging furnished by the member to a volunteer intern assisting with the member's work, if the intern is enrolled in an intern program at a post-secondary institution outside the seven-county metropolitan area, up to a maximum of \$300 during each month the Legislature is in session.

Requests for reimbursement must be submitted to the Secretary of the Senate monthly on forms provided for this purpose and must include a certification by the member that the amounts for which reimbursement is sought have been paid to the interns. Requests for lodging reimbursement must be accompanied by receipts or other suitable documentation.

The Secretary of the Senate shall prepare and issue warrants for payment of intern expenses from the Senate legislative expense fund.

Senator Moe, R.D. moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 62 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Olson	Scheevel
Bachmann	Higgins	Langseth	Orfield	Scheid
Belanger	Hottinger	Larson	Ourada	Schwab
Berg	Johnson, Dave	Lesewski	Pappas	Stevens
Berglin	Johnson, Dean	Lessard	Pariseau	Stumpf
Betzold	Johnson, Debbie	Limmer	Pogemiller	Terwilliger
Chaudhary	Johnson, Doug	Lourey	Price	Tomassoni
Cohen	Kelley, S.P.	Marty	Ranum	Vickerman
Day	Kierlin	Metzen	Rest	Wiener
Dille	Kinkel	Moe, R.D.	Ring	Wiger
Fischbach	Kiscaden	Murphy	Robling	
Foley	Kleis	Neuville	Sabo	
Fowler	Knutson	Oliver	Sams	

Those who voted in the negative were:

Reiter                      Robertson

The motion prevailed. So the resolution was adopted.

### MOTIONS AND RESOLUTIONS - CONTINUED

#### Senators Moe, R.D. and Day introduced--

**Senate Concurrent Resolution No. 9:** A Senate concurrent resolution relating to adjournment for more than three days.

BE IT RESOLVED, by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon its adjournment on Tuesday, January 29, 2002, the Senate may set its next meeting day for Monday, February 4, 2002.

2. Pursuant to the Minnesota Constitution, Article IV, Section 12, the House of Representatives consents to adjournment of the Senate for more than three days.

Senator Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Senator Moe, R.D. moved that H.F. No. 2516 be taken from the table and referred to the Committee on Rules and Administration. The motion prevailed.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

#### **Senator Kiscaden introduced--**

**S.F. No. 2408:** A bill for an act relating to human rights; modifying provisions pertaining to the use of service animals; amending Minnesota Statutes 2000, sections 256C.02; 363.03, subdivisions 2, 10.

Referred to the Committee on Judiciary.

#### **Senators Pariseau, Limmer and Day introduced--**

**S.F. No. 2409:** A bill for an act relating to local government; limiting regulation and causes of action by political subdivisions against firearms industry; amending Minnesota Statutes 2000, section 471.633.

Referred to the Committee on State and Local Government Operations.

#### **Senators Fischbach, Scheevel, Murphy, Sams and Dille introduced--**

**S.F. No. 2410:** A bill for an act relating to taxes; sales and use; including farm implement tires in the definition of farm machinery; amending Minnesota Statutes 2000, section 297A.61, subdivision 12.

Referred to the Committee on Taxes.

#### **Senators Reiter, Dille, Fischbach and Schwab introduced--**

**S.F. No. 2411:** A bill for an act relating to education; requiring recitation of the pledge of allegiance in all public schools; providing for instruction in the proper etiquette, display, and respect of the United States flag; amending Minnesota Statutes 2000, section 121A.11, by adding subdivisions.

Referred to the Committee on Education.

#### **Senator Vickerman introduced--**

**S.F. No. 2412:** A bill for an act relating to capital improvements; authorizing state bonds; appropriating money for facility remodeling at Minnesota west Worthington community and technical college.

Referred to the Committee on Education.

**Senator Robertson introduced--**

**S.F. No. 2413:** A bill for an act relating to employment; modifying drug and alcohol testing provisions; regulating point of collection testing; amending Minnesota Statutes 2000, sections 181.950, subdivisions 5, 8, by adding subdivisions; 181.951, subdivision 1; 181.952; 181.953, subdivisions 1, 3, 4, 5, 7, by adding a subdivision; 181.954, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 181.

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

**Senator Tomassoni introduced--**

**S.F. No. 2414:** A bill for an act relating to commerce; regulating sales of American flags and related items; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce.

**Senator Neuville introduced--**

**S.F. No. 2415:** A bill for an act relating to natural resources; appropriating money and authorizing bonds for the Mill towns trail.

Referred to the Committee on Environment and Natural Resources.

**Senator Lesewski introduced--**

**S.F. No. 2416:** A bill for an act relating to taxes; sales and use; exempting sales made by certain businesses; amending Minnesota Statutes 2000, section 297A.68, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Lesewski introduced--**

**S.F. No. 2417:** A bill for an act relating to taxes; sales and use; exempting construction materials and equipment used in the construction of certain facilities by Lyon county; amending Minnesota Statutes 2000, section 297A.71, by adding subdivisions; Minnesota Statutes 2001 Supplement, section 297A.75.

Referred to the Committee on Taxes.

**Senators Lesewski, Pariseau and Stevens introduced--**

**S.F. No. 2418:** A bill for an act relating to public employment labor relations; defining health care nonprofessionals as "essential employees"; amending Minnesota Statutes 2000, section 179A.03, subdivision 7.

Referred to the Committee on State and Local Government Operations.

**Senators Lesewski and Pappas introduced--**

**S.F. No. 2419:** A bill for an act relating to health; directing the commissioner of health to exempt certain wading pools from the requirements for public swimming pools.

Referred to the Committee on Health and Family Security.

**Senator Kinkel introduced--**

**S.F. No. 2420:** A bill for an act relating to capital improvements; appropriating money to renovate and expand the Pine River city library; authorizing the sale of state bonds.

Referred to the Committee on Education.

**Senator Vickerman introduced--**

**S.F. No. 2421:** A bill for an act relating to energy; providing incentives for use of renewable biodiesel fuel; making clarifying changes; amending Minnesota Statutes 2001 Supplement, sections 216B.169, subdivision 1; 216B.1691, subdivision 1; 216C.41, subdivisions 1, 2, 3, 4.

Referred to the Committee on Telecommunications, Energy and Utilities.

**Senators Fischbach, Schwab and Johnson, Dean introduced--**

**S.F. No. 2422:** A bill for an act relating to motor vehicles; regulating dealer transfers; amending Minnesota Statutes 2000, section 168A.11, subdivision 1.

Referred to the Committee on Transportation.

**Senators Reiter, Scheevel, Knutson, Kierlin and Terwilliger introduced--**

**S.F. No. 2423:** A bill for an act relating to the legislature; establishing a deadline for legislative action on omnibus tax bills; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Rules and Administration.

**Senator Lesewski introduced--**

**S.F. No. 2424:** A bill for an act relating to human services; requiring an evaluation of intensive early intervention behavior therapy and providing a sunset; amending Minnesota Statutes 2001 Supplement, section 256B.0625, subdivision 5a.

Referred to the Committee on Health and Family Security.

**Senators Kleis, Stevens and Fischbach introduced--**

**S.F. No. 2425:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Northstar commuter rail system.

Referred to the Committee on Finance.

**Senators Kinkel; Moe, R.D.; Pogemiller; Metzen and Scheevel introduced--**

**S.F. No. 2426:** A bill for an act relating to taxation; property; exempting certain attached machinery; amending Minnesota Statutes 2000, section 272.02, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Wiger introduced--**

**S.F. No. 2427:** A bill for an act relating to highways; appropriating money to commissioner of transportation to restore and rehabilitate trunk highway turnbacks and contemplated turnbacks.

Referred to the Committee on Finance.

**Senator Wiger introduced--**

**S.F. No. 2428:** A bill for an act relating to highways; designating the Purple Heart Trail; amending Minnesota Statutes 2000, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation.

**Senator Wiger introduced--**

**S.F. No. 2429:** A bill for an act relating to animals; prohibiting negligent interference with or unauthorized control of a service animal; requiring restitution for service animal interference; prescribing penalties; amending Minnesota Statutes 2000, section 343.21, by adding subdivisions; Minnesota Statutes 2001 Supplement, section 343.20, subdivision 7.

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

**Senator Wiger introduced--**

**S.F. No. 2430:** A bill for an act relating to higher education; requesting the University of Minnesota and Minnesota state colleges and universities to develop policy allowing students to rent instructional materials; proposing coding for new law in Minnesota Statutes, chapter 135A.

Referred to the Committee on Education.

**Senator Wiger introduced--**

**S.F. No. 2431:** A bill for an act relating to game and fish; repealing senior angling fee increase; repealing Laws 2001, First Special Session chapter 2, section 114.

Referred to the Committee on Environment and Natural Resources.

**Senators Betzold, Krentz, Foley and Johnson, Debbie introduced--**

**S.F. No. 2432:** A bill for an act relating to Anoka county; authorizing debt for an emergency radio system; providing for reporting of the levy.

Referred to the Committee on State and Local Government Operations.

**Senator Betzold introduced--**

**S.F. No. 2433:** A bill for an act relating to crimes; defining the crime of criminal abuse of vulnerable adults to include subjecting those adults to involuntary servitude or cruel discipline; defining the crime of financial exploitation of vulnerable adults to include swindling or otherwise using artifices or tricks on those adults; defining the crimes of sexual conduct in third and fourth degrees to include persons who sexually penetrate vulnerable adults under certain circumstances and who are agents of special transportation service providers; prescribing penalties; amending Minnesota Statutes 2000, sections 388.051, subdivision 2; 609.232, subdivision 11; 609.2325, subdivision 1; 609.2335; 609.341, by adding a subdivision; Minnesota Statutes 2001 Supplement, sections 609.344, subdivision 1; 609.345, subdivision 1.

Referred to the Committee on Crime Prevention.

**Senators Moe, R.D. and Stumpf introduced--**

**S.F. No. 2434:** A bill for an act relating to Polk county; providing a process for making certain offices appointive in Polk county.

Referred to the Committee on State and Local Government Operations.

**Senator Moe, R.D. introduced--**

**S.F. No. 2435:** A bill for an act relating to natural resources; adding to Big Bog state recreation area.

Referred to the Committee on Environment and Natural Resources.

**Senators Moe, R.D.; Stumpf; Price and Lessard introduced--**

**S.F. No. 2436:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for development of the Big Bog state recreation area.

Referred to the Committee on Finance.

**Senator Samuelson introduced--**

**S.F. No. 2437:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to the city of Little Falls for environmental cleanup of the Hennepin Paper Company property.

Referred to the Committee on Finance.

**Senator Samuelson introduced--**

**S.F. No. 2438:** A bill for an act relating to natural resources; adding to Cuyuna Country state recreation area.

Referred to the Committee on Environment and Natural Resources.

**Senator Samuelson introduced--**

**S.F. No. 2439:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for visitor facility improvements in the Cuyuna Country state recreation area in Crow Wing county.

Referred to the Committee on Finance.

**Senators Frederickson; Vickerman; Johnson, Dean and Schwab introduced--**

**S.F. No. 2440:** A bill for an act relating to taxation; extending homestead classification to certain property used for nonhomestead purposes; amending Minnesota Statutes 2001 Supplement, section 273.124, subdivision 11.

Referred to the Committee on Taxes.

**Senators Robling and Pariseau introduced--**

**S.F. No. 2441:** A bill for an act relating to the city of Shakopee; increasing its public utilities commission from three to five members.

Referred to the Committee on Telecommunications, Energy and Utilities.

**Senator Kierlin introduced--**

**S.F. No. 2442:** A bill for an act relating to the city of Rushford; allowing an extended duration for a redevelopment tax increment financing district.

Referred to the Committee on Taxes.

**Senators Kierlin, Larson, Wiener and Kleis introduced--**

**S.F. No. 2443:** A bill for an act relating to intoxicating liquor; providing for measurement of minimum distance from state university campuses for location of licenses; amending Minnesota Statutes 2001 Supplement, section 340A.412, subdivision 4.

Referred to the Committee on Commerce.

**Senators Vickerman and Lesewski introduced--**

**S.F. No. 2444:** A bill for an act relating to capital investment; appropriating general fund money for the Lewis and Clark rural water project and canceling the 2000 appropriation from the bond proceeds fund for the project.

Referred to the Committee on Finance.

**Senator Vickerman introduced--**

**S.F. No. 2445:** A bill for an act relating to crimes; prohibiting any person from climbing on the roof of school buildings without permission; prescribing penalties; amending Minnesota Statutes 2000, section 609.605, subdivision 4.

Referred to the Committee on Crime Prevention.

**Senator Vickerman introduced--**

**S.F. No. 2446:** A bill for an act relating to natural resources; modifying provisions for Casey Jones state trail; amending Minnesota Statutes 2000, section 85.015, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

**Senator Vickerman introduced--**

**S.F. No. 2447:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the wastewater infrastructure funding (WIF) program.

Referred to the Committee on Finance.

**Senator Betzold introduced--**

**S.F. No. 2448:** A bill for an act relating to government data practices; providing for disclosure by the department of public safety of personal data related to operation of a motor vehicle; amending Minnesota Statutes 2000, section 168.346.

Referred to the Committee on Judiciary.

**Senator Larson introduced--**

**S.F. No. 2449:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for street flooding mitigation in the city of Parkers Prairie.

Referred to the Committee on Finance.

**Senator Larson introduced--**

**S.F. No. 2450:** A bill for an act relating to capital improvements; appropriating money for the Fergus Falls public library expansion project.



Referred to the Committee on Education.

**Senator Larson introduced--**

**S.F. No. 2451:** A bill for an act relating to capital improvements; authorizing the sale of state bonds; appropriating money to the office of environmental assistance for a grant to the city of Fergus Falls to upgrade pollution control equipment at the city's municipal solid waste combuster.

Referred to the Committee on Finance.

**Senators Reiter, Limmer and Stevens introduced--**

**S.F. No. 2452:** A bill for an act relating to taxation; sales and use; exempting sales to political subdivisions of a state; amending Minnesota Statutes 2000, section 297A.991, subdivision 2; Minnesota Statutes 2001 Supplement, section 297A.70, subdivisions 1, 2, 3.

Referred to the Committee on Taxes.

**Senator Reiter introduced--**

**S.F. No. 2453:** A bill for an act relating to transportation; allocating revenues from motor vehicle sales tax; proposing amendment to Minnesota Constitution, article XIV, by adding a section to require all of the proceeds from the sales tax on motor vehicles be deposited in the highway user tax distribution fund; amending Minnesota Statutes 2000, section 297B.09, as amended.

Referred to the Committee on Transportation.

**Senators Higgins, Berglin and Anderson introduced--**

**S.F. No. 2454:** A bill for an act relating to appropriations; redirecting an appropriation to Minneapolis Community Development Agency; amending Laws 1998, chapter 404, section 18, subdivision 4.

Referred to the Committee on Finance.

**Senator Vickerman introduced--**

**S.F. No. 2455:** A bill for an act relating to capital improvements; authorizing state bonds; appropriating money for capital planning, acquisition, and development of the Casey Jones Trail.

Referred to the Committee on Finance.

**Senators Anderson and Sabo introduced--**

**S.F. No. 2456:** A bill for an act relating to employment; amending the definition of a child for the purposes of parenting leave requirements; amending Minnesota Statutes 2000, section 181.940, subdivision 4.

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

**Senators Berglin and Kiscaden introduced--**

**S.F. No. 2457:** A bill for an act relating to civil commitment; conforming certain standards; authorizing the court to commit certain persons with mental illnesses to community hospitals; amending Minnesota Statutes 2000, sections 253B.05, subdivision 2; 253B.07, subdivision 2b; Minnesota Statutes 2001 Supplement, section 253B.09, subdivision 1.

Referred to the Committee on Health and Family Security.

**Senator Sams introduced--**

**S.F. No. 2458:** A bill for an act relating to crimes; prohibiting presenting false information for purposes of a background study; prohibiting certain licensed facilities and establishments from hiring persons convicted of violent crimes; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention.

**Senator Sams introduced--**

**S.F. No. 2459:** A bill for an act relating to health; modifying requirements for supplemental nursing services agencies; amending Minnesota Statutes 2001 Supplement, sections 144A.70, subdivision 6; 144A.71, subdivision 2; 144A.72, subdivision 1.

Referred to the Committee on Health and Family Security.

**Senators Kleis, Schwab and Wiger introduced--**

**S.F. No. 2460:** A bill for an act relating to crimes; providing criminal penalties for persons who promote, advocate, and take responsibility for criminal acts under certain circumstances; amending Minnesota Statutes 2001 Supplement, section 609.495, by adding a subdivision.

Referred to the Committee on Crime Prevention.

**Senators Sams, Higgins, Pariseau and Samuelson introduced--**

**S.F. No. 2461:** A bill for an act relating to occupations and professions; removing the restriction of prescribing only topical legend drugs by board certified optometrists; requiring that legend drugs be used as included in optometry curricula; authorizing the prescription of controlled substances; amending reporting requirement of health professionals to include all legend drugs; requiring optometrists using legend drugs be held to the same standards as physicians; amending Minnesota Statutes 2000, sections 147.111, subdivision 4; 148.574; 148.575, subdivisions 1, 2; 148.576; 148.577; 151.37, subdivision 11; 152.11, subdivision 2; 152.12, subdivisions 1, 4.

Referred to the Committee on Health and Family Security.

**Senators Anderson; Higgins; Moe, R.D.; Johnson, Doug and Sabo introduced--**

**S.F. No. 2462:** A bill for an act relating to workforce development; increasing the assessment paid into the workforce development fund; amending Minnesota Statutes 2001 Supplement, section 268.022, subdivision 1; Laws 2001, First Special Session chapter 4, article 2, section 31.

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

**Senators Anderson; Sabo; Moe, R.D.; Higgins and Johnson, Doug introduced--**

**S.F. No. 2463:** A bill for an act relating to employment; providing limits on overtime for nurses; proposing coding for new law in Minnesota Statutes, chapter 181.

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

**Senator Johnson, Doug introduced--**

**S.F. No. 2464:** A bill for an act relating to local government; clarifying Cook county's powers and authority in relation to the Cook county hospital district; providing for a maximum tax levy; amending Laws 1989, chapter 211, section 8, as amended.

Referred to the Committee on State and Local Government Operations.

**Senator Johnson, Doug introduced--**

**S.F. No. 2465:** A bill for an act relating to natural resources; appropriating money for the grant-in-aid snowmobile trail system.

Referred to the Committee on Environment and Natural Resources.

**Senator Johnson, Doug introduced--**

**S.F. No. 2466:** A bill for an act relating to capital improvements; authorizing state bonds; appropriating money for wastewater facilities for municipalities bordering Lake Superior.

Referred to the Committee on Finance.

**Senator Johnson, Doug introduced--**

**S.F. No. 2467:** A bill for an act relating to the northeast Minnesota economic protection trust; extending the time during which expenditures from the trust are limited; amending Minnesota Statutes 2001 Supplement, section 298.296, subdivision 2.

Referred to the Committee on Taxes.

**Senator Johnson, Doug introduced--**

**S.F. No. 2468:** A bill for an act relating to the financing of state government; canceling balances and appropriations and transferring balances to the general fund in order to avert a deficit; eliminating certain adjustments for inflation in future fiscal years; refinancing certain trunk highway projects through the sale of trunk highway bonds; repealing the delay of June sales tax collections; authorizing the sale of state bonds; appropriating money; amending Minnesota Statutes 2000, sections 16A.103, subdivisions 1a, 1b; 16A.152, subdivision 1; 144.395, subdivision 1; Minnesota Statutes 2001 Supplement, sections 16A.152, subdivisions 1a, 2; 62J.694, subdivision 1; 289A.20, subdivision 4; repealing Minnesota Statutes 2001 Supplement, section 16A.1523; Laws 2001, First Special Session chapter 5, article 20, section 22.

Referred to the Committee on Finance.

**Senator Moe, R.D. and Day introduced--**

**S.F. No. 2469:** A resolution concerning the terrorist attacks of September 11, 2001.

Senator Moe, R.D. moved that S.F. No. 2469 be laid on the table. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

## MOTIONS AND RESOLUTIONS

**Senators Hottinger, Betzold, Pariseau and Neuville introduced--**

**Senate Concurrent Resolution No. 10:** A Senate concurrent adopting Joint Rules of the Senate and House of Representatives.

Referred to the Committee on Rules and Administration.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2681.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 29, 2002

**FIRST READING OF HOUSE BILLS**

The following bill was read the first time.

**H.F. No. 2681:** A resolution concerning the terrorist attacks of September 11, 2001.

**SUSPENSION OF RULES**

Senator Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2681 and that the rules of the Senate be so far suspended as to give H.F. No. 2681 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2681 was read the second time.

H.F. No. 2681 was read the third time and placed on its final passage.

The question was taken on the passage of the resolution.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Olson	Sams
Bachmann	Higgins	Langseth	Orfield	Samuelson
Belanger	Hottinger	Larson	Ourada	Scheevel
Berg	Johnson, Dave	Lesewski	Pappas	Scheid
Berglin	Johnson, Dean	Lessard	Pariseau	Schwab
Betzold	Johnson, Debbie	Limmer	Pogemiller	Stevens
Chaudhary	Johnson, Doug	Lourey	Price	Stumpf
Cohen	Kelley, S.P.	Marty	Reiter	Terwilliger
Day	Kierlin	Metzen	Rest	Tomassoni
Dille	Kinkel	Moe, R.D.	Ring	Vickerman
Fischbach	Kiscaden	Murphy	Robertson	Wiener
Foley	Kleis	Neuville	Robling	Wiger
Fowler	Knutson	Oliver	Sabo	

So the resolution passed and its title was agreed to.

**MOTIONS AND RESOLUTIONS - CONTINUED**

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

**Senate Concurrent Resolution No. 9:** A Senate concurrent resolution relating to adjournment for more than three days.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 29, 2002

**ADJOURNMENT**

Senator Moe, R.D. moved that the Senate do now adjourn until 11:30 a.m., Monday, February 4, 2002. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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