

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-THIRD LEGISLATURE

THIRTY-FOURTH DAY

St. Paul, Minnesota, Monday, April 7, 2003

The Senate met at 10:00 a.m. 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. Phil Formo.

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	Langseth	Olson	Saxhaug
Bachmann	Gaither	Larson	Ortman	Scheid
Bakk	Hann	LeClair	Ourada	Senjem
Belanger	Higgins	Limmer	Pappas	Skoe
Berglin	Hottinger	Lourey	Pariseau	Skoglund
Betzold	Johnson, D.J.	Marko	Pogemiller	Solon
Chaudhary	Jungbauer	Marty	Ranum	Sparks
Cohen	Kelley	McGinn	Reiter	Stumpf
Day	Kierlin	Metzen	Rest	Tomassoni
Dibble	Kleis	Michel	Robling	Vickerman
Dille	Knutson	Moua	Rosen	Wergin
Fischbach	Koering	Neuville	Ruud	Wiger
Foley	Kubly	Nienow	Sams	

The President declared a quorum present.

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

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 3, 2003

The Honorable James P. Metzen  
President of the Senate

Dear President Metzen:

On behalf of the people of Minnesota, I am honored to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 726 and 512.

Sincerely,  
Tim Pawlenty, Governor

April 4, 2003

The Honorable James P. Metzen  
President of the Senate

Dear President Metzen:

On behalf of the people of Minnesota, I am honored to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 356.

Sincerely,  
Tim Pawlenty, Governor

### 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. 6:** A Senate concurrent resolution relating to adjournment for more than three days.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 3, 2003

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 293.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 3, 2003

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 112:** 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 145C.09, by adding a subdivision; 201.014, subdivision 2; 201.15, subdivision 1; 245A.041; 507.04; 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.

Senate File No. 112 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 2, 2003

**CONCURRENCE AND REPASSAGE**

Senator Betzold moved that the Senate concur in the amendments by the House to S.F. No. 112 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 112 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kubly	Olson	Sams
Bachmann	Gaither	Larson	Ortman	Scheid
Bakk	Hann	LeClair	Ourada	Senjem
Belanger	Higgins	Limmer	Pappas	Skoe
Berglin	Hottinger	Marko	Pariseau	Skoglund
Betzold	Johnson, D.J.	Marty	Pogemiller	Solon
Cohen	Jungbauer	McGinn	Ranum	Sparks
Day	Kelley	Metzen	Reiter	Stumpf
Dibble	Kierlin	Michel	Rest	Tomassoni
Dille	Kleis	Moua	Robling	Vickerman
Fischbach	Knutson	Neuville	Rosen	Wergin
Foley	Koering	Nienow	Ruud	Wiger

So the bill, as amended, was repassed and its title was agreed to.

**MESSAGES FROM THE HOUSE - CONTINUED**

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1083.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 2, 2003

**FIRST READING OF HOUSE BILLS**

The following bill was read the first time and referred as indicated.

**H.F. No. 1083:** A bill for an act relating to motor fuels; updating specifications for petroleum products; amending Minnesota Statutes 2002, sections 41A.09, subdivision 2a; 239.761; 239.792; 296A.01, subdivisions 2, 7, 8, 14, 19, 20, 22, 23, 24, 25, 26, 28, by adding a subdivision.

Pursuant to Rule 45, placed on the Comparison Calendar.

**REPORTS OF COMMITTEES**

Senator Hottinger moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

**Senator Betzold from the Committee on Judiciary, to which was re-referred**

**S.F. No. 127:** A bill for an act relating to professions; providing clarification of costs and penalties that may be collected in disciplinary proceedings by the boards of nursing home administrators, optometry, chiropractic examiners, dietetics and nutrition, physical therapy, dentistry, podiatric medicine, pharmacy, and veterinary medicine; providing for civil penalties;

amending Minnesota Statutes 2002, sections 148.10, subdivision 3; 148.603; 148.631; 150A.08, subdivision 3, by adding a subdivision; 151.06, by adding a subdivision; 153.22, subdivisions 1, 5; 156.127, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapters 144A; 148.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Betzold from the Committee on Judiciary, to which was referred**

**S.F. No. 872:** A bill for an act relating to real property; conveyances by spouses; purchase-money mortgages; amending Minnesota Statutes 2002, sections 507.02; 507.03.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 26, before the period, insert ", except that this section does not affect an action or proceeding involving the validity or enforceability of a purchase-money mortgage if:

(1) the action or proceeding is pending as of February 1, 2004, or is commenced before February 1, 2004; and

(2) a notice of the pendency of the action or proceeding is recorded or filed before February 1, 2004, in the office of the county recorder or registrar of titles of the county in which the property affected by the action is located"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

**Senator Betzold from the Committee on Judiciary, to which was re-referred**

**S.F. No. 565:** A bill for an act relating to commerce; restricting the use and display of social security numbers; proposing coding for new law in Minnesota Statutes, chapter 325E.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, delete "state or local agency" and insert "government entity"

Page 2, line 20, delete "January" and insert "July"

Page 2, line 21, delete "2004" and insert "2005"

Page 2, line 23, delete "state or local agency" and insert " government entity"

Page 2, line 24, delete "January 1, 2004" and insert "July 1, 2005"

Page 2, line 27, delete "January 1, 2004" and insert "July 1, 2005,"

Page 2, line 31, delete "2004" and insert "2005"

Page 3, lines 3 and 4, delete "state or local agency" and insert "government entity"

Page 3, after line 13, insert:

"Subd. 5. [DEFINITIONS.] For purposes of this section, "government entity" has the meaning given in section 13.02, subdivision 7a, but does not include the Minnesota state colleges and universities or the University of Minnesota.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 2005."

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Vickerman from the Committee on State and Local Government Operations, to which was referred**

**S.F. No. 863:** A bill for an act relating to Aitkin county; making the Long Lake conservation center fund a separate county enterprise fund; amending Laws 1965, chapter 616, section 1, as amended.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred**

**S.F. No. 254:** A bill for an act relating to crime prevention; increasing criminal penalties for the crime of identity theft; requiring sentencing guidelines modifications related to aggravating factors and consecutive sentences; amending Minnesota Statutes 2002, section 609.527, subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 10, after "REQUIRED" insert "RELATING TO THE USE OF ANOTHER'S IDENTITY AS AN AGGRAVATING FACTOR"

Page 2, line 11, delete "Subdivision 1. [AGGRAVATING FACTOR; IDENTITY THEFT.]"

Page 2, delete lines 19 to 25

Amend the title as follows:

Page 1, line 4, after "to" insert "the use of another's identity as an"

Page 1, line 5, delete everything after "aggravating" and insert "factor;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred**

**S.F. No. 1278:** A bill for an act relating to crime prevention; clarifying the reporting requirements of the predatory offender registration law; amending Minnesota Statutes 2002, section 243.166, subdivisions 3, 4a.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

**Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred**

**S.F. No. 869:** A bill for an act relating to crime prevention; increasing the surcharge on criminal and traffic offenders and using this money to supplement the operating funds of the law enforcement agency responsible for the conviction; amending Minnesota Statutes 2002, section 357.021, subdivisions 6, 7.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 34, delete everything after "that" and insert "made the arrest or issued the citation"

Page 2, line 36, delete everything after the period

Page 3, delete lines 1 and 2

Amend the title as follows:

Page 1, line 5, delete "responsible for the conviction" and insert "making the arrest or issuing the citation"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred**

**S.F. No. 369:** A bill for an act relating to crime prevention; amending the pistol permit law; amending Minnesota Statutes 2002, section 624.714, subdivisions 5, 6, 12, by adding subdivisions.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Foley from the Committee on Crime Prevention and Public Safety, to which was re-referred**

**S.F. No. 998:** A bill for an act relating to elections; providing for fair and clean elections; increasing disclosure of campaign contributions to candidates; encouraging candidates to accept only clean money for their political campaigns; limiting campaign contributions and expenditures; increasing public subsidies for state candidates who agree to limit the sources and amounts of contributions to their campaigns; appropriating money; amending Minnesota Statutes 2002, sections 10A.01, subdivision 1; 10A.02, subdivisions 8, 10, 11, 11a, 12, 13; 10A.025, subdivisions 1, 2; 10A.071, subdivision 3; 10A.34; 10A.37; 129D.13, by adding a subdivision; 129D.14, by adding a subdivision; 204B.11, subdivision 1; 211A.13; 211B.12; 211B.15, subdivision 16; 340A.404, subdivision 10; 353.03, subdivision 1; 383B.042, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 204B; 211B; proposing coding for new law as Minnesota Statutes, chapter 10B; repealing Minnesota Statutes 2002, sections 10A.01, subdivisions 3, 4, 6, 7, 9, 10, 11, 12, 13, 15, 16, 17, 18, 20, 23, 25, 26, 27, 28, 29, 30, 32, 34, 36; 10A.105; 10A.11; 10A.12; 10A.13; 10A.14; 10A.15; 10A.16; 10A.17; 10A.18; 10A.20; 10A.24; 10A.241; 10A.242; 10A.25; 10A.255; 10A.257; 10A.27; 10A.273; 10A.275; 10A.28; 10A.29; 10A.30; 10A.31; 10A.315; 10A.321; 10A.322; 10A.323; 10A.324; 290.06, subdivision 23.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Rules and Administration. Report adopted.

**Senator Anderson from the Committee on Commerce and Utilities, to which was re-referred**

**S.F. No. 1221:** A bill for an act relating to unfair trade practices; prohibiting employer misrepresentation of status of employees; proposing coding for new law in Minnesota Statutes, chapter 325D.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 1, delete "commerce" and insert "labor and industry" in both places

Page 2, line 3, delete "labor and industry" and insert "commerce"

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

**Senator Anderson from the Committee on Commerce and Utilities, to which was re-referred**

**S.F. No. 581:** A bill for an act relating to health; regulating health plan coverages for handicapped children; amending Minnesota Statutes 2002, sections 62A.14; 62A.301; 62C.14, subdivision 5.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Murphy from the Committee on Agriculture, General Legislation and Veterans Affairs, to which was referred**

**S.F. No. 1282:** A bill for an act relating to veterans; providing for placement in the capitol area of a statue commemorating Hmong veterans of the campaign in Laos during the Vietnam War.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Vickerman from the Committee on State and Local Government Operations, to which was referred**

**S.F. No. 1197:** A bill for an act relating to state employees; making technical and housekeeping changes; amending Minnesota Statutes 2002, sections 43A.08, subdivision 1a; 43A.30, subdivision 5; 43A.319; repealing Minnesota Statutes 2002, section 43A.181.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Kelley from the Committee on Education, to which was referred**

**S.F. No. 792:** A bill for an act relating to higher education; establishing baccalaureate programs at Fond du Lac tribal and community college; providing for a memorandum of understanding; amending Minnesota Statutes 2002, section 136F.12.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, delete lines 4 to 9 and insert:

"Subd. 3. [BARGAINING UNIT ASSIGNMENT.] Notwithstanding section 179A.10, subdivision 2, the state university unit shall include faculty who teach upper division courses at the Fond du Lac tribal and community college."

Amend the title as follows:

Page 1, lines 4 and 5, delete "a memorandum of understanding" and insert "unit assignment of certain Minnesota state college and university faculty"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Vickerman from the Committee on State and Local Government Operations, to which was referred**

**S.F. No. 885:** A bill for an act relating to counties; authorizing counties to transfer jurisdiction and ownership of vacated county highway; amending Minnesota Statutes 2002, section 163.11, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, delete "VACATED" and insert "COUNTY"

Page 1, lines 10 and 11, delete ", after vacating a county highway,"

Page 1, line 12, delete "the" and insert "a county"

Page 1, line 13, before the period, insert "upon agreement between the county and the authority, agency, or tribe to which the transfer is being made"

Amend the title as follows:

Page 1, line 3, delete "vacated" and insert "a"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Scheid from the Committee on Jobs, Housing and Community Development, to which was re-referred**

**S.F. No. 1067:** A bill for an act relating to economic development; authorizing the establishing of a biotechnology and health sciences industry tax free zone; providing tax exemptions for certain individuals and business entities in the zone; providing for repayment of tax benefits under certain circumstances; amending Minnesota Statutes 2002, sections 272.02, by adding a subdivision; 290.01, subdivisions 19b, 29; 290.06, subdivision 2c; 290.067, subdivision 1; 290.0671, subdivision 1; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivision 3; 297A.68, by adding a subdivision; 297B.03; proposing coding for new law in Minnesota Statutes, chapter 469.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes. Report adopted.

**Senator Marty from the Committee on Environment and Natural Resources, to which was referred**

**S.F. No. 888:** A bill for an act relating to natural resources; modifying provisions for the sale of state timber; providing criminal penalties; amending Minnesota Statutes 2002, sections 90.01, by adding a subdivision; 90.101; 90.121; 90.14; 90.151, subdivisions 1, 2; 90.161, subdivision 1; 90.173; 90.191, subdivisions 3, 4; 90.251, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 90.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Scheid from the Committee on Jobs, Housing and Community Development, to which was referred**

**S.F. No. 1034:** A bill for an act relating to housing; housing finance agency; making various clarifying, technical, and other changes to agency programs; increasing debt ceiling; extending civil service pilot project; amending Minnesota Statutes 2002, sections 462A.05, by adding a subdivision; 462A.057, subdivision 1; 462A.073, subdivision 2; 462A.22, subdivisions 1, 7; Laws 1993, chapter 301, section 1, subdivision 4, as amended; Laws 1995, chapter 248, article 12, section 2, as amended.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 17, after "than" insert "acquisition and"

Page 3, line 16, before the period, insert "or by a wastewater treatment system operated and maintained by a local unit of government"

Page 3, after line 19, insert:

"Sec. 4. Minnesota Statutes 2002, section 462A.21, subdivision 3a, is amended to read:

Subd. 3a. [CAPACITY BUILDING REVOLVING LOAN FUND.] It may establish a revolving loan fund for predevelopment costs for nonprofit organizations and local government units engaged in the construction or rehabilitation of low- and moderate-income housing, and for the purposes specified in sections 462A.05, subdivision 5; and 462A.07, subdivisions 2, 3, 3a, 5, 5a, 6, 7, 11, and 16. The agency may delegate the authority to administer the revolving loan fund for designated areas in the state to existing nonprofit organizations. For purposes of the authority to administer the revolving loan fund under this subdivision, a nonprofit organization includes a

private nonprofit corporation that is formed under laws other than the laws of this state, provided that the nonprofit corporation has an office located in this state. Nonprofit entities selected to exercise such delegated powers must have sufficient professional housing development expertise, as determined by the agency, to evaluate the economic feasibility of an applicant's proposed project. Loans to nonprofit organizations or local government units under this subdivision may be made with or without interest as determined by the agency."

Pages 4 and 5, delete sections 6 to 8

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "extending"

Page 1, line 5, delete "civil service pilot project;"

Page 1, line 8, after the first semicolon, insert "462A.21, subdivision 3a;" and delete "; Laws 1993,"

Page 1, delete lines 9 and 10

Page 1, line 11, delete "amended"

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Marty from the Committee on Environment and Natural Resources, to which was referred**

**S.F. No. 465:** A bill for an act relating to state lands; modifying lease rates for certain leased state lands.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 1042:** A bill for an act relating to human services; making technical changes; requiring a report on long-term care; amending Minnesota Statutes 2002, sections 245A.035, subdivision 3; 245A.04, subdivisions 3b, 3d; 256B.056, subdivision 6; 256B.057, subdivision 10; 256B.064, subdivision 2; 256B.437, subdivision 2; 256B.76; 256B.761; 256D.03, subdivision 3a; 256L.12, subdivision 6; 260C.141, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 2002, sections 62J.66; 62J.68; 144A.071, subdivision 5; 144A.35; Laws 1998, chapter 407, article 4, section 63.

Reports the same back with the recommendation that the bill be amended as follows:

Page 32, after line 23, insert:

"(c) Minnesota Rules, parts 9505.3045; 9505.3050; 9505.3055; 9505.3060; 9505.3068; 9505.3070; 9505.3075; 9505.3080; 9505.3090; 9505.3095; 9505.3100; 9505.3105; 9505.3107; 9505.3110; 9505.3115; 9505.3120; 9505.3125; 9505.3130; 9505.3138; 9505.3139; 9505.3140; 9505.3680; 9505.3690; and 9505.3700, are repealed effective July 1, 2003."

Amend the title as follows:

Page 1, line 13, before the period, insert "; Minnesota Rules, parts 9505.3045; 9505.3050; 9505.3055; 9505.3060; 9505.3068; 9505.3070; 9505.3075; 9505.3080; 9505.3090; 9505.3095; 9505.3100; 9505.3105; 9505.3107; 9505.3110; 9505.3115; 9505.3120; 9505.3125; 9505.3130; 9505.3138; 9505.3139; 9505.3140; 9505.3680; 9505.3690; 9505.3700"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 1066:** A bill for an act relating to professions; regulating the issuance of social work licenses and the payment of fees; amending Minnesota Statutes 2002, sections 148B.18, subdivision 2a, by adding a subdivision; 148B.20, subdivision 3; 148B.21, subdivision 7; 148B.22, by adding a subdivision; 148B.26, subdivision 1; 148B.27, subdivisions 1, 2; Laws 2001, chapter 90, section 6; proposing coding for new law in Minnesota Statutes, chapter 148B; repealing Minnesota Rules, parts 8740.0200, subpart 3, item C; 8740.0222; 8740.0227; 8740.0290.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Scheid from the Committee on Jobs, Housing and Community Development, to which was re-referred**

**S.F. No. 367:** A bill for an act relating to taxation; providing for a regional investment credit; amending Minnesota Statutes 2002, section 290.06, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 23, delete everything after "(a)"

Page 1, delete line 24

Page 1, line 25, delete "Department of Treasury"

Page 2, line 1, after "emerging" insert "and expanding"

Page 2, line 2, delete "companies" and insert "small businesses as defined by the Small Business Administration"

Page 2, line 4, after "2" insert ", and does not make investments in residential real estate"

Page 2, line 7, delete "net" and insert "network"

Page 2, line 13, delete everything after "each" and insert "fund. The commissioner of trade and economic development must not issue a total amount of certificates for all funds of more than \$2,500,000."

Page 2, line 14, delete everything before "In"

Page 2, line 16, after "shall" insert "generally award them to qualified applicants in the order in which the applications are received, but shall also"

Page 2, line 19, after "commissioner" insert "of revenue"

Page 2, delete lines 32 to 35

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

**Senator Scheid from the Committee on Jobs, Housing and Community Development, to which was referred**

**S.F. No. 988:** A bill for an act relating to border city enterprise zones; authorizing additional allocations; amending Minnesota Statutes 2002, section 469.169, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 6, insert:

"Sec. 2. Minnesota Statutes 2002, section 469.1731, subdivision 3, is amended to read:

Subd. 3. [FILING.] The city must file a copy of the resolution and development plan with the commissioner of trade and economic development. The designation takes effect ~~for the first calendar year that begins more than 90~~ 30 days after the filing.

**[EFFECTIVE DATE.]** This section is effective the day following final enactment."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "advancing a date for designation of border city development zones;"

Page 1, line 4, delete "section" and insert "sections" and before the period, insert "; 469.1731, subdivision 3"

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

**Senator Foley from the Committee on Crime Prevention and Public Safety, to which was re-referred**

**S.F. No. 755:** A bill for an act relating to state government; prohibiting state contracts with tax haven countries; amending Minnesota Statutes 2002, section 16C.03, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes. Report adopted.

**Senator Vickerman from the Committee on State and Local Government Operations, to which was referred**

**S.F. No. 886:** A bill for an act relating to counties; expanding authority to acquire real property by exchange; amending Minnesota Statutes 2002, section 373.01, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [ITASCA COUNTY; LAND EXCHANGE.]

Notwithstanding Minnesota Statutes, section 373.01, subdivision 1, Itasca county may exchange a parcel or parcels of real property of substantially similar or equal value without advertising for bids to acquire real property for maintenance facilities directly related to county highways. The estimated value of the parcels exchanged must be determined by the Itasca county assessor, and the exchange must otherwise comply with Minnesota Statutes, section 373.01, and other applicable law.

Sec. 2. [EFFECTIVE DATE; NO LOCAL APPROVAL.]

(a) Section 1 is effective the day following final enactment.

(b) Section 1 does not require local approval because it enables a local government unit to exercise authority not granted by general law as provided in Minnesota Statutes, section 645.023, subdivision 1, paragraph (a)."

Delete the title and insert:

"A bill for an act relating to Itasca county; authorizing Itasca county to exchange certain real property to acquire other real property for highway maintenance facilities; requiring a determination of value by the Itasca county assessor."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Vickerman from the Committee on State and Local Government Operations, to which was referred**

**S.F. No. 1245:** A bill for an act relating to the metropolitan council; providing for local approval process for certain capital improvement projects for which easements will be acquired by eminent domain; proposing coding for new law in Minnesota Statutes, chapter 473.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 7, insert:

"ARTICLE 1  
CAPITAL IMPROVEMENT PROJECTS"

Page 1, line 15, delete everything before "construction"

Page 1, line 18, delete "; and" and insert a period

Page 1, delete lines 19 to 21

Page 4, after line 25, insert:

"ARTICLE 2  
ELECTED METROPOLITAN COUNCIL

Section 1. Minnesota Statutes 2002, section 10A.01, subdivision 10, is amended to read:

Subd. 10. [CANDIDATE.] "Candidate" means an individual who seeks nomination or election as a state constitutional officer, legislator, or judge. An individual is deemed to seek nomination or election if the individual has taken the action necessary under the law of this state to qualify for nomination or election, has received contributions or made expenditures in excess of \$100, or has given implicit or explicit consent for any other person to receive contributions or make expenditures in excess of \$100, for the purpose of bringing about the individual's nomination or election. A candidate remains a candidate until the candidate's principal campaign committee is dissolved as provided in section 10A.24. "Candidate" also means an individual who seeks nomination or election to the metropolitan council.

Sec. 2. Minnesota Statutes 2002, section 10A.09, subdivision 6a, is amended to read:

Subd. 6a. [LOCAL OFFICIALS.] A local official required to file a statement under this section must file it with the governing body of the official's political subdivision, except that a candidate for or member of the metropolitan council must file the statement with the board. The governing body must maintain statements filed with it under this subdivision as public data.

Sec. 3. Minnesota Statutes 2002, section 10A.25, subdivision 2, is amended to read:

Subd. 2. [AMOUNTS.] (a) In a year in which an election is held for an office sought by a candidate, the principal campaign committee of the candidate must not make campaign expenditures nor permit approved expenditures to be made on behalf of the candidate that result in aggregate expenditures in excess of the following:

- (1) for governor and lieutenant governor, running together, \$2,188,090;
- (2) for attorney general, \$364,690;

(3) for secretary of state and state auditor, separately, \$182,350;

(4) for state senator, \$54,740;

(5) for state representative, \$27,380; and

(6) for metropolitan council member, \$47,000.

(b) In addition to the amount in paragraph (a), clause (1), a candidate for endorsement for the office of lieutenant governor at the convention of a political party may make campaign expenditures and approved expenditures of five percent of that amount to seek endorsement.

(c) If a special election cycle occurs during a general election cycle, expenditures by or on behalf of a candidate in the special election do not count as expenditures by or on behalf of the candidate in the general election.

(d) The expenditure limits in this subdivision for an office are increased by ten percent for a candidate who is running for that office for the first time and who has not run previously for any other office whose territory now includes a population that is more than one-third of the population in the territory of the new office.

Sec. 4. Minnesota Statutes 2002, section 10A.27, subdivision 1, is amended to read:

Subdivision 1. [CONTRIBUTION LIMITS.] (a) Except as provided in subdivision 2, a candidate must not permit the candidate's principal campaign committee to accept aggregate contributions made or delivered by any individual, political committee, or political fund in excess of the following:

(1) to candidates for governor and lieutenant governor running together, \$2,000 in an election year for the office sought and \$500 in other years;

(2) to a candidate for attorney general, \$1,000 in an election year for the office sought and \$200 in other years;

(3) to a candidate for the office of secretary of state or state auditor, \$500 in an election year for the office sought and \$100 in other years;

(4) to a candidate for state senator, \$500 in an election year for the office sought and \$100 in other years; and

(5) to a candidate for state representative or metropolitan council member, \$500 in an election year for the office sought and \$100 in the other a nonelection year.

(b) The following deliveries are not subject to the bundling limitation in this subdivision:

(1) delivery of contributions collected by a member of the candidate's principal campaign committee, such as a block worker or a volunteer who hosts a fund-raising event, to the committee's treasurer; and

(2) a delivery made by an individual on behalf of the individual's spouse.

(c) A political committee or political fund must not make a contribution a candidate is prohibited from accepting.

Sec. 5. [10A.313] [METROPOLITAN COUNCIL PUBLIC SUBSIDY.]

Subdivision 1. [FUNDING.] The metropolitan council must provide sufficient money to pay the public subsidy provided for in this section.

Subd. 2. [ELIGIBILITY.] A candidate is eligible to receive a public subsidy in the amount of \$20,000 if the candidate has filed with the board a spending limit agreement under section 10A.322 and an affidavit of contributions under section 10A.323; the candidate was opposed in

the primary election or will be opposed in the general election; and the candidate's name will appear on the ballot in the general election.

Subd. 3. [CERTIFICATION.] Within one week after the last day for filing a spending limit agreement under section 10A.322 and an affidavit of contributions under section 10A.323, the board must certify to the metropolitan council the maximum number of candidates eligible to receive the public subsidy if they survive the primary election. Within one week after receiving the certification, the metropolitan council must pay the board the amount necessary to fund the public subsidy for that number of candidates. The amount received must be deposited in the state treasury and credited to a metropolitan council public subsidy account in the special revenue fund. Money in the fund is appropriated to the board for purposes of the public subsidy program.

Subd. 4. [PAYMENT.] The board shall pay the public subsidy to the eligible candidates as soon as the board has obtained from the secretary of state the results of the primary election but not later than one week after certification by the state canvassing board of the results of the primary. Any amounts not paid to candidates, or returned by them to the board, must be returned by the board to the metropolitan council.

Sec. 6. Minnesota Statutes 2002, section 10A.315, is amended to read:

10A.315 [SPECIAL ELECTION SUBSIDY.]

Subdivision 1. [LEGISLATIVE OFFICE.] (a) Each eligible candidate for a legislative office in a special election must be paid a public subsidy equal to the sum of:

(1) the party account money at the last general election for the candidate's party for the office the candidate is seeking; and

(2) the general account money paid to a candidate for the same office at the last general election.

(b) A candidate who wishes to receive this public subsidy must submit a signed agreement under section 10A.322 to the board and must meet the contribution requirements of section 10A.323. The special election subsidy must be distributed in the same manner as money in the party and general accounts is distributed to legislative candidates in a general election.

(c) The amount necessary to make the payments required by this section is appropriated from the general fund to the board.

Subd. 2. [METROPOLITAN COUNCIL OFFICE.] Each eligible candidate for metropolitan council office in a special election must be paid a public subsidy equal to the subsidy paid in a general election. To be eligible to receive this public subsidy, a candidate must file a spending limit agreement under section 10A.322 and meet the contribution requirements of section 10A.323, except that the candidate may count contributions received during the two months immediately preceding the special election, other than contributions the candidate has previously included on an affidavit for another election, and the amount required is one-quarter of the amount stated in section 10A.323. Also, to receive the subsidy, the candidate must be opposed in either the primary or the general election. The special election subsidy must be distributed in the same manner as the public subsidy in a general election.

Sec. 7. Minnesota Statutes 2002, section 10A.323, is amended to read:

10A.323 [AFFIDAVIT OF CONTRIBUTIONS.]

In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy under section 10A.31 a candidate or the candidate's treasurer must file an affidavit with the board stating that during that calendar year the candidate has accumulated contributions from persons eligible to vote in this state in at least the amount indicated for the office sought, counting only the first \$50 received from each contributor:

(1) candidates for governor and lieutenant governor running together, \$35,000;

- (2) candidates for attorney general, \$15,000;
- (3) candidates for secretary of state and state auditor, separately, \$6,000;
- (4) candidates for the senate, \$3,000; and
- (5) candidates for the house of representatives, \$1,500; and
- (6) candidates for the metropolitan council, \$2,500.

The affidavit must state the total amount of contributions that have been received from persons eligible to vote in this state, disregarding the portion of any contribution in excess of \$50.

The candidate or the candidate's treasurer must submit the affidavit required by this section to the board in writing by September 1 of the general election year.

A candidate for a vacancy to be filled at a special election for which the filing period does not coincide with the filing period for the general election must submit the affidavit required by this section to the board within five days after filing the affidavit of candidacy.

Sec. 8. Minnesota Statutes 2002, section 10A.324, subdivision 1, is amended to read:

Subdivision 1. [WHEN RETURN REQUIRED.] A candidate must return all or a portion of the public subsidy received from the state elections campaign fund or the public subsidy received under section 10A.313 or 10A.315, under the circumstances in this section or section 10A.257, subdivision 1.

To the extent that the amount of public subsidy received exceeds the aggregate of: (1) actual expenditures made by the principal campaign committee of the candidate; and (2) approved expenditures made on behalf of the candidate, the treasurer of the candidate's principal campaign committee must return an amount equal to the difference to the board. The cost of postage that was not used during an election cycle and payments that created credit balances at vendors at the close of an election cycle are not considered expenditures for purposes of determining the amount to be returned. Expenditures in excess of the candidate's spending limit do not count in determining aggregate expenditures under this paragraph.

Sec. 9. Minnesota Statutes 2002, section 15.0597, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section, the following terms shall have the meanings given them.

(a) "Agency" means (1) a state board, commission, council, committee, authority, task force, including an advisory task force created under section 15.014 or 15.0593, a group created by executive order of the governor, or other similar multimember agency created by law and having statewide jurisdiction; and (2) ~~the metropolitan council,~~ a metropolitan agency, capitol area architectural and planning board, and any agency with a regional jurisdiction created in this state pursuant to an interstate compact.

(b) "Vacancy" or "vacant agency position" means (1) a vacancy in an existing agency, or (2) a new, unfilled agency position. Vacancy includes a position that is to be filled through appointment of a nonlegislator by a legislator or group of legislators; vacancy does not mean (1) a vacant position on an agency composed exclusively of persons employed by a political subdivision or another agency, or (2) a vacancy to be filled by a person required to have a specific title or position.

(c) "Secretary" means the secretary of state.

Sec. 10. Minnesota Statutes 2002, section 204B.06, subdivision 4, is amended to read:

Subd. 4. [PARTICULAR OFFICES.] Candidates who seek nomination for the following offices shall state the following additional information on the affidavit:

(a) for United States senator, that the candidate will be 30 years of age or older and a citizen of the United States for not less than nine years on the next January 3 or, in the case of an election to fill a vacancy, within 21 days after the special election;

(b) for United States representative, that the candidate will be 25 years of age or older and a citizen of the United States for not less than seven years on the next January 3 or, in the case of an election to fill a vacancy, within 21 days after the special election;

(c) for governor or lieutenant governor, that on the first Monday of the next January the candidate will be 25 years of age or older and, on the day of the state general election, a resident of Minnesota for not less than one year;

(d) for supreme court justice, court of appeals judge, or district court judge, that the candidate is learned in the law;

(e) for metropolitan council, county, municipal, school district, or special district office, that the candidate meets any other qualifications for that office prescribed by law;

(f) for senator or representative in the legislature, that on the day of the general or special election to fill the office the candidate will have resided not less than one year in the state and not less than six months in the legislative district from which the candidate seeks election.

Sec. 11. Minnesota Statutes 2002, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. [CANDIDATES IN STATE AND COUNTY GENERAL ELECTIONS.] (a) Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, metropolitan council, state, and federal offices filled at the state general election shall be filed not more than 70 days nor less than 56 days before the state primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period.

(b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed in the presence of a notarial officer or an individual authorized to administer oaths under section 358.10.

(c) This provision does not apply to candidates for presidential elector nominated by major political parties. Major party candidates for presidential elector are certified under section 208.03. Other candidates for presidential electors may file petitions on or before the state primary day. Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall be accepted later than 5:00 p.m. on the last day for filing.

(d) Affidavits and petitions for offices to be voted on in only one county shall be filed with the county auditor of that county. Affidavits and petitions for offices to be voted on in more than one county shall be filed with the secretary of state.

Sec. 12. Minnesota Statutes 2002, section 204B.09, subdivision 1a, is amended to read:

Subd. 1a. [ABSENT CANDIDATES.] A candidate for special district, county, metropolitan council, state, or federal office who will be absent from the state during the filing period may submit a properly executed affidavit of candidacy, the appropriate filing fee, and any necessary petitions in person to the filing officer. The candidate shall state in writing the reason for being unable to submit the affidavit during the filing period. The affidavit, filing fee, and petitions must be submitted to the filing officer during the seven days immediately preceding the candidate's absence from the state. Nominating petitions may be signed during the 14 days immediately preceding the date when the affidavit of candidacy is filed.

Sec. 13. Minnesota Statutes 2002, section 204B.11, is amended to read:

204B.11 [CANDIDATES; FILING FEES; PETITION IN PLACE OF FILING FEE.]

Subdivision 1. [AMOUNT; DISHONORED CHECKS; CONSEQUENCES.] Except as provided by subdivision 2, a filing fee shall be paid by each candidate who files an affidavit of

candidacy. The fee shall be paid at the time the affidavit is filed. The amount of the filing fee shall vary with the office sought as follows:

(a) for the office of governor, lieutenant governor, attorney general, state auditor, state treasurer, secretary of state, representative in Congress, judge of the supreme court, judge of the court of appeals, or judge of the district court, \$300;

(b) for the office of senator in Congress, \$400;

(c) for office of senator or representative in the legislature, \$100;

(d) for a metropolitan council or county office, \$50; and

(e) for the office of soil and water conservation district supervisor, \$20.

For the office of presidential elector, and for those offices for which no compensation is provided, no filing fee is required.

The filing fees received by the county auditor shall immediately be paid to the county treasurer. The filing fees received by the secretary of state shall immediately be paid to the state treasurer.

When an affidavit of candidacy has been filed with the appropriate filing officer and the requisite filing fee has been paid, the filing fee shall not be refunded. If a candidate's filing fee is paid with a check, draft, or similar negotiable instrument for which sufficient funds are not available or that is dishonored, notice to the candidate of the worthless instrument must be sent by the filing officer via registered mail no later than immediately upon the closing of the filing deadline with return receipt requested. The candidate will have five days from the time the filing officer receives proof of receipt to issue a check or other instrument for which sufficient funds are available. The candidate issuing the worthless instrument is liable for a service charge pursuant to section 604.113. If adequate payment is not made, the name of the candidate must not appear on any official ballot and the candidate is liable for all costs incurred by election officials in removing the name from the ballot.

Subd. 2. [PETITION IN PLACE OF FILING FEE.] At the time of filing an affidavit of candidacy, a candidate may present a petition in place of the filing fee. The petition may be signed by any individual eligible to vote for the candidate. A nominating petition filed pursuant to section 204B.07 or 204B.13, subdivision 4, is effective as a petition in place of a filing fee if the nominating petition includes a prominent statement informing the signers of the petition that it will be used for that purpose.

The number of signatures on a petition in place of a filing fee shall be as follows:

(a) for a state office voted on statewide, or for president of the United States, or United States senator, 2,000;

(b) for a congressional office, 1,000;

(c) for a county, metropolitan council, or legislative office, or for the office of district judge, 500; and

(d) for any other office which requires a filing fee as prescribed by law, municipal charter, or ordinance, the lesser of 500 signatures or five percent of the total number of votes cast in the municipality, ward, or other election district at the preceding general election at which that office was on the ballot.

An official with whom petitions are filed shall make sample forms for petitions in place of filing fees available upon request.

Sec. 14. Minnesota Statutes 2002, section 204B.135, subdivision 2, is amended to read:

Subd. 2. [OTHER ELECTION DISTRICTS.] For purposes of this subdivision, "local government election district" means a county district, park and recreation district, school district,

metropolitan council district, or soil and water conservation district. Local government election districts, other than city wards covered by subdivision 1, may not be redistricted until precinct boundaries are reestablished under section 204B.14, subdivision 3, paragraph (c). Election districts covered by this subdivision must be redistricted within 80 days of the time when the legislature has been redistricted or at least 15 weeks before the state primary election in the year ending in two, whichever comes first.

Sec. 15. Minnesota Statutes 2002, section 204B.32, subdivision 2, is amended to read:

Subd. 2. [ALLOCATION OF ELECTION EXPENSES.] The secretary of state shall develop procedures for the allocation of election expenses among counties, municipalities, and school districts, and the metropolitan council for elections that are held concurrently. The following expenses must be included in the procedures: salaries of election judges; postage for absentee ballots and applications; preparation of polling places; preparation and testing of electronic voting systems; ballot preparation; publication of election notices and sample ballots; transportation of ballots and election supplies; and compensation for administrative expenses of the county auditor, municipal clerk, or school district clerk.

Sec. 16. Minnesota Statutes 2002, section 204D.02, subdivision 1, is amended to read:

Subdivision 1. [OFFICERS.] All elective state, metropolitan council, and county officers, justices of the supreme court, judges of the court of appeals and district court, state senators and state representatives, and senators and representatives in Congress shall be elected at the state general election held in the year before their terms of office expire. Presidential electors shall be chosen at the state general election held in the year before the expiration of a term of a president of the United States.

Sec. 17. Minnesota Statutes 2002, section 204D.08, subdivision 6, is amended to read:

Subd. 6. [STATE AND COUNTY NONPARTISAN PRIMARY BALLOT.] The state and county nonpartisan primary ballot shall be headed "State and County Nonpartisan Primary Ballot." It shall be printed on canary paper. The names of candidates for nomination to the supreme court, court of appeals, district court, and all metropolitan council and county offices shall be placed on this ballot.

No candidate whose name is placed on the state and county nonpartisan primary ballot shall be designated or identified as the candidate of any political party or in any other manner except as expressly provided by law.

Sec. 18. [204D.265] [VACANCY IN OFFICE OF METROPOLITAN COUNCIL MEMBER.]

Subdivision 1. [ELECTION IN 30 TO 60 DAYS.] Except as provided in subdivision 3, a vacancy in the office of metropolitan council member must be filled at a special election scheduled by the metropolitan council on a date not less than 30 nor more than 60 days after the vacancy occurs. The special primary or special election may be held on the same day as a regular primary or regular election but the special election must be held not less than 14 days after the special primary. The person elected at the special election must take office immediately after receipt of the certificate of election and upon taking the oath of office and must serve the remainder of the unexpired term. If the metropolitan council districts have been redrawn since the beginning of the term of the vacant office, the election must be based on the district as redrawn.

Subd. 2. [WHEN VICTOR SEATED IMMEDIATELY.] If a vacancy for which a special election is required occurs less than 60 days before the general election preceding the end of the term, the vacancy must be filled by the person elected at that election for the ensuing term who must take office immediately after receiving the certificate of election and taking the oath of office.

Subd. 3. [INABILITY OR REFUSAL TO SERVE.] In addition to when the events specified in section 351.02 happen, a vacancy in the office of metropolitan council member may be declared by the metropolitan council when a member is unable to serve in the office or attend council meetings for a 90-day period because of illness or because of absence from or refusal to attend

council meetings for a 90-day period. If any of the conditions described or referred to in this subdivision occur, the council may, after the council by resolution has declared a vacancy to exist, appoint someone to fill the vacancy at a regular or special meeting for the remainder of the unexpired term or until the ill or absent member is again able to resume duties and attend council meetings, whichever is earlier. If the council determines that the original member is again able to resume duties and attend council meetings, the council must say so in a resolution and remove the appointed officeholder and restore the original member to office.

Sec. 19. Minnesota Statutes 2002, section 204D.27, is amended by adding a subdivision to read:

Subd. 12. [SPECIAL METROPOLITAN COUNCIL ELECTION.] (a) [STATE CANVASSING BOARD.] Except as provided in subdivision 4, the state canvassing board shall complete its canvass of a special election for metropolitan council member and declare the results within four days after the returns of the county canvassing boards are certified to the secretary of state, excluding Sundays and legal holidays.

(b) [ELECTION CONTEST.] In case of a contest of a special election for metropolitan council member, the notice of contest must be filed within two days after the canvass is completed, excluding Sundays and legal holidays. Otherwise, the contest must proceed in the manner provided by law for contesting elections.

(c) [CERTIFICATE OF ELECTION.] A certificate of election in a special election for metropolitan council member must be issued by the county auditor or the secretary of state to the individual declared elected by the county or state canvassing board, two days, excluding Sundays and legal holidays, after the appropriate canvassing board finishes canvassing the returns for the election. In case of a contest, the certificate must not be issued until the district court decides the contest.

Sec. 20. Minnesota Statutes 2002, section 209.02, subdivision 1, is amended to read:

Subdivision 1. Any eligible voter, including a candidate, may contest in the manner provided in this chapter: (1) the nomination or election of any person for whom the voter had the right to vote if that person is declared nominated or elected to the senate or the house of representatives of the United States, or to a statewide, metropolitan council, county, legislative, municipal, school, or district court office; or (2) the declared result of a constitutional amendment or other question voted upon at an election. The contest may be brought over an irregularity in the conduct of an election or canvass of votes, over the question of who received the largest number of votes legally cast, over the number of votes legally cast in favor of or against a question, or on the grounds of deliberate, serious, and material violations of the Minnesota Election Law.

Sec. 21. Minnesota Statutes 2002, section 211A.01, subdivision 3, is amended to read:

Subd. 3. [CANDIDATE.] "Candidate" means an individual who seeks nomination or election to a county, municipal, school district, or other political subdivision office. This definition does not include an individual seeking a judicial office or a seat on the metropolitan council. For purposes of sections 211A.01 to 211A.05 and 211A.07, "candidate" also includes a candidate for the United States Senate or House of Representatives.

Sec. 22. Minnesota Statutes 2002, section 211B.01, subdivision 3, is amended to read:

Subd. 3. [CANDIDATE.] "Candidate" means an individual who seeks nomination or election to a federal, statewide, metropolitan council, legislative, judicial, or local office including special districts, school districts, towns, home rule charter and statutory cities, and counties, except candidates for president and vice-president of the United States.

Sec. 23. Minnesota Statutes 2002, section 353D.01, subdivision 2, is amended to read:

Subd. 2. [ELIGIBILITY.] (a) Eligibility to participate in the defined contribution plan is available to:

(1) elected local government officials of a governmental subdivision who elect to participate in the plan under section 353D.02, subdivision 1, and who, for the elected service rendered to a governmental subdivision, are not members of the public employees retirement association within the meaning of section 353.01, subdivision 7;

(2) physicians who, if they did not elect to participate in the plan under section 353D.02, subdivision 2, would meet the definition of member under section 353.01, subdivision 7;

(3) basic and advanced life support emergency medical service personnel employed by or providing services for any public ambulance service or privately operated ambulance service that receives an operating subsidy from a governmental entity that elects to participate under section 353D.02, subdivision 3; and

(4) members of a municipal rescue squad associated with Litchfield in Meeker county, or of a county rescue squad associated with Kandiyohi county, if an independent nonprofit rescue squad corporation, incorporated under chapter 317A, performing emergency management services, and if not affiliated with a fire department or ambulance service and if its members are not eligible for membership in that fire department's or ambulance service's relief association or comparable pension plan.

(b) For purposes of this chapter, an elected local government official includes a person appointed to fill a vacancy in an elective office and a member of the metropolitan council. Service as an elected local government official only includes service for the governmental subdivision for which the official was elected by the public-at-large. Service as an elected local government official ceases and eligibility to participate terminates when the person ceases to be an elected official. An elected local government official does not include an elected county sheriff.

(c) Elected local government officials, physicians, first response personnel and emergency medical service personnel, and rescue squad personnel who are currently covered by a public or private pension plan because of their employment or provision of services are not eligible to participate in the public employees defined contribution plan.

(d) A former participant is a person who has terminated eligible employment or service and has not withdrawn the value of the person's individual account.

Sec. 24. Minnesota Statutes 2002, section 473.123, subdivision 1, is amended to read:

Subdivision 1. [CREATION.] A metropolitan council with jurisdiction in the metropolitan area is established as a public corporation and political subdivision of the state. It shall be under the supervision and control of 17 members, ~~all of whom shall be residents of the metropolitan area~~ elected from districts as provided in section 473.124.

Sec. 25. Minnesota Statutes 2002, section 473.123, subdivision 4, is amended to read:

Subd. 4. [CHAIR; APPOINTMENT, OFFICERS, SELECTION; DUTIES AND COMPENSATION.] (a) The chair of the metropolitan council shall be ~~appointed by the governor as the 17th voting member thereof by and with the advice and consent of the senate to serve at the pleasure of the governor to represent the metropolitan area at large. Senate confirmation shall be as provided by section 15.066~~ elected by and from among the members of the council to serve a one-year term.

The chair of the metropolitan council shall, if present, preside at meetings of the council, have the primary responsibility for meeting with local elected officials, serve as the principal legislative liaison, present to the governor and the legislature, after council approval, the council's plans for regional governance and operations, serve as the principal spokesperson of the council, and perform other duties assigned by the council or by law.

(b) The metropolitan council shall elect other officers as it deems necessary for the conduct of its affairs for a one-year term. A secretary and treasurer need not be members of the metropolitan council. Meeting times and places shall be fixed by the metropolitan council and special meetings may be called by a majority of the members of the metropolitan council or by the chair. ~~The chair~~

~~and each metropolitan council member shall be reimbursed for actual and necessary expenses. The annual budget of the council shall provide as a separate account anticipated expenditures for compensation, travel, and associated expenses for the chair and members, and compensation or reimbursement shall be made to the chair and members only when budgeted.~~

(c) Each member of the council shall attend and participate in council meetings and meet regularly with local elected officials and legislative members from the council member's district. Each council member shall serve on at least one division committee for transportation, environment, or community development.

(d) In the performance of its duties the metropolitan council may adopt policies and procedures governing its operation, establish committees, and, when specifically authorized by law, make appointments to other governmental agencies and districts.

Sec. 26. Minnesota Statutes 2002, section 473.123, is amended by adding a subdivision to read:

Subd. 4a. [COMPENSATION.] Each metropolitan council member must be paid as authorized by the metropolitan council but not to exceed \$12,000 per year. The chair and each metropolitan council member must be reimbursed for actual and necessary expenses. The annual budget of the council must provide as a separate account anticipated expenditures for compensation, travel, and associated expenses for the chair and members, and compensation or reimbursement must be made to the chair and members only when budgeted.

Sec. 27. Minnesota Statutes 2002, section 473.123, subdivision 7, is amended to read:

Subd. 7. [PERFORMANCE AND BUDGET ANALYST.] The council, other than the chair, may hire a performance and budget analyst to assist the 16 council members with policy and budget analysis and evaluation of the council's performance. The analyst may recommend and the council may hire up to two additional analysts to assist the council with performance evaluation and budget analysis. The analyst and any additional analysts hired shall serve at the pleasure of the council members. The 16 members of the council may prescribe all terms and conditions for the employment of the analyst and any additional analysts hired, including, but not limited to, the fixing of compensation, benefits, and insurance. The analyst shall prepare the budget for the provisions of this section subdivision and submit the budget for council approval and inclusion in the council's overall budget.

Sec. 28. [473.124] [METROPOLITAN COUNCIL ELECTIONS.]

Subdivision 1. [NUMBER OF MEMBERS.] The metropolitan council consists of 16 members.

Subd. 2. [DISTRICTS.] (a) After the federal decennial census in 2000 and after each federal decennial census thereafter, the metropolitan council must divide the metropolitan area into as many districts as there are members. Each district is entitled to elect one member. The districts must be bounded by town, municipal, ward, or precinct lines. The districts must be composed of compact, convenient, and contiguous territory and must be substantially equal in population. The population of the largest district must not exceed the population of the smallest district by more than ten percent, unless the result would force a voting precinct to be split. A metropolitan council district must not include territory in more than one county unless necessary to meet equal-population requirements. The districts must be numbered in a regular series.

(b) The districts must be redrawn within the time provided in section 204B.135, subdivision 2. Before acting to redistrict, the council must publish in newspapers of general circulation three weeks' notice of its purpose, stating the time and place of the meeting where the matter will be considered. The council must file a map of the new districts with the secretary of state.

Subd. 3. [TERMS.] Members serve a term of four years, except to fill a vacancy. There must be a new election of all the members at the first election after each decennial redistricting and the members elected at that election from districts with odd numbers serve for an initial term of two years.

Sec. 29. [TRANSITION.]

The terms of the appointed chair and appointed metropolitan council members holding office on the effective date of this section, and any successor appointed to serve as the council chair or as a member, continue until the first Monday in January 2005.

Sec. 30. [APPLICATION.]

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 31. [REPEALER.]

Minnesota Statutes 2002, section 473.123, subdivisions 2a, 3, 3a, and 3c, are repealed.

Laws 1994, chapter 628, article 1, section 8, is repealed.

Sec. 32. [EFFECTIVE DATE.]

This article is effective for the state primary in 2004 and thereafter."

Delete the title and insert:

"A bill for an act relating to the metropolitan council; providing for local approval process for certain capital improvement projects for which easements will be acquired by eminent domain; providing for an elected metropolitan council; regulating economic interest statements of candidates and members; regulating contributions to candidates; amending Minnesota Statutes 2002, sections 10A.01, subdivision 10; 10A.09, subdivision 6a; 10A.25, subdivision 2; 10A.27, subdivision 1; 10A.315; 10A.323; 10A.324, subdivision 1; 15.0597, subdivision 1; 204B.06, subdivision 4; 204B.09, subdivisions 1, 1a; 204B.11; 204B.135, subdivision 2; 204B.32, subdivision 2; 204D.02, subdivision 1; 204D.08, subdivision 6; 204D.27, by adding a subdivision; 209.02, subdivision 1; 211A.01, subdivision 3; 211B.01, subdivision 3; 353D.01, subdivision 2; 473.123, subdivisions 1, 4, 7, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 10A; 204D; 473; repealing Minnesota Statutes 2002, section 473.123, subdivisions 2a, 3, 3a, 3c; Laws 1994, chapter 628, article 1, section 8."

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

## SECOND READING OF SENATE BILLS

S.F. Nos. 127, 872, 565, 863, 1278, 369, 581, 1282, 1197, 888 and 1034 were read the second time.

## SECOND READING OF HOUSE BILLS

H.F. No. 770 was read the second time.

## MOTIONS AND RESOLUTIONS

Senator Pappas moved that the name of Senator Pogemiller be added as a co-author to S.F. No. 244. The motion prevailed.

Senator Robling moved that the name of Senator Murphy be added as a co-author to S.F. No. 712. The motion prevailed.

Senator Robling moved that the name of Senator Wiger be added as a co-author to S.F. No. 1063. The motion prevailed.

Senator Lourey moved that the name of Senator Berglin be added as a co-author to S.F. No. 1206. The motion prevailed.

Senator Neuville moved that the name of Senator Hann be added as a co-author to S.F. No. 1296. The motion prevailed.

Senator Neuville moved that the names of Senators Bachmann, Reiter and Kierlin be added as co-authors to S.F. No. 1297. The motion prevailed.

Senator Scheid moved that her name be stricken as a co-author to S.F. No. 1307. The motion prevailed.

Senator Tomassoni moved that his name be stricken as a co-author to S.F. No. 1307. The motion prevailed.

Senator Vickerman moved that his name be stricken as a co-author to S.F. No. 1307. The motion prevailed.

Senator Vickerman moved that S.F. No. 1259 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Taxes. The motion prevailed.

**Senators Higgins, Berglin, Dibble, Pogemiller and Skoglund introduced--**

**Senate Resolution No. 60:** A Senate resolution congratulating the Minneapolis North Community High School Girls basketball team on winning the 2003 State High School Class AAA Girls Basketball Tournament.

Referred to the Committee on Rules and Administration.

**Senators Higgins, Berglin, Dibble, Pogemiller and Skoglund introduced--**

**Senate Resolution No. 61:** A Senate resolution congratulating the Patrick Henry High School Boys basketball team on winning the 2003 State High School Class AAA Boys Basketball Tournament.

Referred to the Committee on Rules and Administration.

**Senators Higgins, Berglin, Dibble, Pogemiller and Skoglund introduced--**

**Senate Resolution No. 62:** A Senate resolution congratulating the Minneapolis North Community High School Boys basketball team on winning the 2003 State High School Class AAAA Boys Basketball Tournament.

Referred to the Committee on Rules and Administration.

Senator Sparks moved that his name be stricken as a co-author to S.F. No. 1250. The motion prevailed.

Senator Higgins moved that S.F. No. 814 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Judiciary. The motion prevailed.

Senator Pogemiller moved that S.F. No. 1398 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Finance. The motion prevailed.

**CONSENT CALENDAR**

**S.F. No. 980:** A bill for an act relating to crime; providing reporting procedures and venue for identity theft; amending Minnesota Statutes 2002, section 609.527, by adding subdivisions.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Frederickson	Langseth	Olson	Saxhaug
Bachmann	Gaither	Larson	Ortman	Scheid
Bakk	Hann	LeClair	Ourada	Senjem
Belanger	Higgins	Limmer	Pappas	Skoe
Berglin	Hottinger	Lourey	Pariseau	Skoglund
Betzold	Johnson, D.J.	Marko	Pogemiller	Solon
Chaudhary	Jungbauer	Marty	Ranum	Sparks
Cohen	Kelley	McGinn	Reiter	Stumpf
Day	Kierlin	Metzen	Rest	Tomassoni
Dibble	Kleis	Michel	Robling	Vickerman
Dille	Knutson	Moua	Rosen	Wergin
Fischbach	Koering	Neuville	Ruud	Wiger
Foley	Kubly	Nienow	Sams	

So the bill passed and its title was agreed to.

**S.F. No. 1095:** A bill for an act relating to veterans affairs; clarifying that certain benefits are limited to state residents; amending Minnesota Statutes 2002, section 197.05.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Larson	Ortman	Senjem
Bachmann	Gaither	LeClair	Ourada	Skoe
Bakk	Hann	Limmer	Pappas	Skoglund
Belanger	Higgins	Lourey	Pariseau	Solon
Berglin	Hottinger	Marko	Pogemiller	Sparks
Betzold	Johnson, D.J.	Marty	Ranum	Stumpf
Chaudhary	Jungbauer	McGinn	Reiter	Tomassoni
Cohen	Kelley	Metzen	Rest	Vickerman
Day	Kierlin	Michel	Robling	Wergin
Dibble	Kleis	Moua	Rosen	Wiger
Dille	Knutson	Neuville	Ruud	
Fischbach	Koering	Nienow	Sams	
Foley	Kubly	Olson	Scheid	

So the bill passed and its title was agreed to.

**S.F. No. 1099:** A bill for an act relating to employment; repealing laws governing entertainment agencies; repealing Minnesota Statutes 2002, sections 184A.01; 184A.02; 184A.03; 184A.04; 184A.05; 184A.06; 184A.07; 184A.08; 184A.09; 184A.10; 184A.11; 184A.12; 184A.13; 184A.14; 184A.15; 184A.16; 184A.17; 184A.18; 184A.19; 184A.20.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Dibble	Johnson, D.J.	Larson	Moua
Bachmann	Dille	Jungbauer	LeClair	Neuville
Bakk	Fischbach	Kelley	Limmer	Nienow
Belanger	Foley	Kierlin	Lourey	Olson
Berglin	Frederickson	Kleis	Marko	Ortman
Betzold	Gaither	Knutson	Marty	Ourada
Chaudhary	Hann	Koering	McGinn	Pappas
Cohen	Higgins	Kubly	Metzen	Pariseau
Day	Hottinger	Langseth	Michel	Pogemiller

Ranum	Rosen	Scheid	Solon	Vickerman
Reiter	Ruud	Senjem	Sparks	Wergin
Rest	Sams	Skoe	Stumpf	Wiger
Robling	Saxhaug	Skoglund	Tomassoni	

So the bill passed and its title was agreed to.

**H.F. No. 647:** A bill for an act relating to human services; providing an exception to the nursing home construction moratorium; modifying special provisions for moratorium exceptions; amending Minnesota Statutes 2002, sections 144A.071, by adding a subdivision; 256B.431, subdivision 17.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Frederickson	Langseth	Olson	Saxhaug
Bachmann	Gaither	Larson	Ortman	Scheid
Bakk	Hann	LeClair	Ourada	Senjem
Belanger	Higgins	Limmer	Pappas	Skoe
Berglin	Hottinger	Lourey	Pariseau	Skoglund
Betzold	Johnson, D.J.	Marko	Pogemiller	Solon
Chaudhary	Jungbauer	Marty	Ranum	Sparks
Cohen	Kelley	McGinn	Reiter	Stumpf
Day	Kierlin	Metzen	Rest	Tomassoni
Dibble	Kleis	Michel	Robling	Vickerman
Dille	Knutson	Moua	Rosen	Wergin
Fischbach	Koering	Neuville	Ruud	Wiger
Foley	Kubly	Nienow	Sams	

So the bill passed and its title was agreed to.

**S.F. No. 479:** A bill for an act relating to auditing; allowing certified public accountants to perform annual audits for county nursing homes; amending Minnesota Statutes 2002, section 6.552.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Frederickson	Langseth	Olson	Saxhaug
Bachmann	Gaither	Larson	Ortman	Scheid
Bakk	Hann	LeClair	Ourada	Senjem
Belanger	Higgins	Limmer	Pappas	Skoe
Berglin	Hottinger	Lourey	Pariseau	Skoglund
Betzold	Johnson, D.J.	Marko	Pogemiller	Solon
Chaudhary	Jungbauer	Marty	Ranum	Sparks
Cohen	Kelley	McGinn	Reiter	Stumpf
Day	Kierlin	Metzen	Rest	Tomassoni
Dibble	Kleis	Michel	Robling	Vickerman
Dille	Knutson	Moua	Rosen	Wergin
Fischbach	Koering	Neuville	Ruud	Wiger
Foley	Kubly	Nienow	Sams	

So the bill passed and its title was agreed to.

**S.F. No. 816:** A bill for an act relating to the metropolitan radio board; extending the expiration date for the board; proposing coding for new law in Minnesota Statutes, chapter 473.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Langseth	Olson	Scheid
Bachmann	Gaither	Larson	Ortman	Senjem
Bakk	Hann	LeClair	Ourada	Skoe
Belanger	Higgins	Limmer	Pariseau	Skoglund
Berglin	Hottinger	Lourey	Pogemiller	Solon
Betzold	Johnson, D.J.	Marko	Ranum	Sparks
Chaudhary	Jungbauer	Marty	Reiter	Stumpf
Cohen	Kelley	McGinn	Rest	Tomassoni
Day	Kierlin	Metzen	Robling	Vickerman
Dibble	Kleis	Michel	Rosen	Wergin
Dille	Knutson	Moua	Ruud	Wiger
Fischbach	Koering	Neuville	Sams	
Foley	Kubly	Nienow	Saxhaug	

So the bill passed and its title was agreed to.

**S.F. No. 675:** A bill for an act relating to agriculture; eliminating the expiration date for the Minnesota agriculture education leadership council; repealing Minnesota Statutes 2002, section 41D.01, subdivision 4.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Langseth	Olson	Scheid
Bachmann	Gaither	Larson	Ortman	Skoe
Bakk	Hann	LeClair	Pappas	Skoglund
Belanger	Higgins	Limmer	Pariseau	Solon
Berglin	Hottinger	Lourey	Pogemiller	Sparks
Betzold	Johnson, D.J.	Marko	Ranum	Stumpf
Chaudhary	Jungbauer	Marty	Reiter	Tomassoni
Cohen	Kelley	McGinn	Rest	Vickerman
Day	Kierlin	Metzen	Robling	Wergin
Dibble	Kleis	Michel	Rosen	Wiger
Dille	Knutson	Moua	Ruud	
Fischbach	Koering	Neuville	Sams	
Foley	Kubly	Nienow	Saxhaug	

So the bill passed and its title was agreed to.

**S.F. No. 1001:** A bill for an act relating to environment; modifying requirements for solid waste plans; amending Minnesota Statutes 2002, section 115A.46, subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Day	Higgins	Koering	Marty
Bachmann	Dibble	Hottinger	Kubly	McGinn
Bakk	Dille	Johnson, D.J.	Langseth	Metzen
Belanger	Fischbach	Jungbauer	Larson	Michel
Berglin	Foley	Kelley	LeClair	Moua
Betzold	Frederickson	Kierlin	Limmer	Neuville
Chaudhary	Gaither	Kleis	Lourey	Nienow
Cohen	Hann	Knutson	Marko	Ortman

Ourada	Reiter	Sams	Skoglund	Vickerman
Pappas	Rest	Saxhaug	Solon	Wergin
Pariseau	Robling	Scheid	Sparks	Wiger
Pogemiller	Rosen	Senjem	Stumpf	
Ranum	Ruud	Skoe	Tomassoni	

So the bill passed and its title was agreed to.

**S.F. No. 351:** A bill for an act relating to crime prevention; providing that in certain cases authorized representatives of entities possessing a permit to use radio equipment capable of receiving police emergency transmissions may use and possess the equipment without a permit; amending Minnesota Statutes 2002, section 299C.37, subdivisions 1, 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Langseth	Ortman	Scheid
Bachmann	Gaither	Larson	Ourada	Senjem
Bakk	Hann	LeClair	Pappas	Skoe
Belanger	Higgins	Limmer	Pariseau	Skoglund
Berglin	Hottinger	Lourey	Pogemiller	Solon
Betzold	Johnson, D.J.	Marko	Ranum	Sparks
Chaudhary	Jungbauer	Marty	Reiter	Stumpf
Cohen	Kelley	McGinn	Rest	Tomassoni
Day	Kierlin	Metzen	Robling	Vickerman
Dibble	Kleis	Michel	Rosen	Wergin
Dille	Knutson	Moua	Ruud	Wiger
Fischbach	Koering	Neuville	Sams	
Foley	Kubly	Nienow	Saxhaug	

So the bill passed and its title was agreed to.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

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

### Senator Stumpf introduced--

**S.F. No. 1409:** A bill for an act relating to education; providing for a grant to independent school district No. 690, Warroad, to operate the Angle Inlet school; appropriating money.

Referred to the Committee on Finance.

### Senator Lourey introduced--

**S.F. No. 1410:** A bill for an act relating to health; modifying MinnesotaCare eligibility requirements for persons with continuation coverage; amending Minnesota Statutes 2002, section 256L.07, by adding a subdivision.

Referred to the Committee on Health and Family Security.

### Senator Berglin introduced--

**S.F. No. 1411:** A bill for an act relating to human services; allowing medical assistance coverage for some over-the-counter drugs; amending Minnesota Statutes 2002, section 256B.0625, subdivision 13.

Referred to the Committee on Health and Family Security.

**Senator Langseth introduced--**

**S.F. No. 1412:** A bill for an act relating to the city of Moorhead; extending authority to impose a tax levy; amending Laws 2002, chapter 377, article 11, section 1.

Referred to the Committee on Taxes.

**Senators Tomassoni, Belanger and Pogemiller introduced--**

**S.F. No. 1413:** A bill for an act relating to the city of Hibbing; authorizing an extension of a tax increment financing district.

Referred to the Committee on Taxes.

**Senators Betzold; Limmer; Johnson, D.E. and Frederickson introduced--**

**S.F. No. 1414:** A bill for an act relating to judgments; regulating stays of execution on money judgments; limiting bond amounts; amending Minnesota Statutes 2002, section 550.36.

Referred to the Committee on Judiciary.

**Senator Wiger introduced--**

**S.F. No. 1415:** A bill for an act relating to metropolitan agencies; providing for staggered terms of metropolitan council members; providing that public meetings are not required to fill metropolitan council vacancies within 12 months of initial appointment; amending Minnesota Statutes 2002, section 473.123, subdivisions 2a, 3.

Referred to the Committee on State and Local Government Operations.

**Senators Johnson, D.E. and Dille introduced--**

**S.F. No. 1416:** A bill for an act relating to education finance; authorizing a levy for independent school district No. 2396, A.C.G.C., for certain early retirement and health insurance costs.

Referred to the Committee on Finance.

**Senators Hann, Neuville, Olson, Gaither and Michel introduced--**

**S.F. No. 1417:** A bill for an act relating to public employment; establishing financial parameters for public employment contracts; amending Minnesota Statutes 2002, sections 179A.01; 179A.03, by adding subdivisions; 179A.07, subdivision 1; 179A.16, subdivision 9; 179A.18, subdivision 1; 179A.20, by adding a subdivision; repealing Minnesota Statutes 2002, sections 123B.749; 179A.03, subdivision 19.

Referred to the Committee on State and Local Government Operations.

**Senator Kelley introduced--**

**S.F. No. 1418:** A bill for an act relating to taxation; property taxes; modifying the 60-day rule in the dismissal of tax petitions; amending Minnesota Statutes 2002, section 278.05, subdivision 6.

Referred to the Committee on Taxes.

**Senators Olson, Neuville, Kierlin, Hann and Bachmann introduced--**

**S.F. No. 1419:** 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.

Referred to the Committee on Taxes.

**Senator Pogemiller introduced--**

**S.F. No. 1420:** A bill for an act relating to retirement; modifying retirement plan provisions governing Minnesota state colleges and universities employees; amending Minnesota Statutes 2002, sections 354.05, subdivisions 2, 35; 354.07, subdivision 9; 354.091; 354.51, by adding a subdivision; 354.52, by adding a subdivision; 354B.20, subdivisions 4, 6; 354B.23, subdivision 1; 354B.32; 354C.11, subdivision 2.

Referred to the Committee on State and Local Government Operations.

**Senators Langseth, Moua, Metzen, Dille and Senjem introduced--**

**S.F. No. 1421:** A bill for an act relating to taxation; eliminating payment of market value homestead credit reimbursements to cities; reinstating authorization to levy for transit purposes; providing for additional means of financing transit; reducing local government aid payable to cities; appropriating money; amending Minnesota Statutes 2002, sections 16A.88, subdivision 3; 273.1384, subdivision 4; 473.388, subdivisions 4, 7; 473.446, subdivision 1, by adding subdivisions; 477A.03, subdivision 2; repealing Minnesota Statutes 2002, sections 174.242; 477A.03, subdivision 4.

Referred to the Committee on Taxes.

**Senator Langseth introduced--**

**S.F. No. 1422:** A bill for an act relating to taxation; property tax; specifying the personal property taxes that must be paid before a manufactured home's title can be transferred; amending Minnesota Statutes 2002, section 168A.05, subdivision 1a.

Referred to the Committee on Taxes.

**Senator Betzold introduced--**

**S.F. No. 1423:** A bill for an act relating to taxation; providing an exemption from sales tax for construction materials for the Walker Art Center; amending Minnesota Statutes 2002, section 297A.71, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Marko and Murphy introduced--**

**S.F. No. 1424:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Red Rock corridor transitway.

Referred to the Committee on Finance.

**Senator Robling introduced--**

**S.F. No. 1425:** A bill for an act relating to the metropolitan council; adding lieutenant governor to the membership of the legislative commission on metropolitan government; requiring legislative approval for metropolitan council operating levies; amending Minnesota Statutes 2002,

sections 3.8841, subdivisions 2, 3, 5, 7; 473.167, subdivision 3; 473.249, subdivision 1; 473.253, subdivision 1; repealing Minnesota Statutes 2002, sections 473.167, subdivision 4; 473.249, subdivision 2.

Referred to the Committee on State and Local Government Operations.

**Senators Pogemiller and Michel introduced--**

**S.F. No. 1426:** A bill for an act relating to retirement; providing certain survivor benefits under the public employees retirement association police and fire fund.

Referred to the Committee on State and Local Government Operations.

**Senator Kleis introduced--**

**S.F. No. 1427:** A bill for an act relating to the legislature; prohibiting per diem reimbursement for a certain period.

Referred to the Committee on Rules and Administration.

**Senators Marko, Stumpf, Murphy and Sparks introduced--**

**S.F. No. 1428:** A bill for an act relating to education; repealing the profile of learning as a state graduation requirement; requiring new state academic standards; creating a panel to recommend new academic standards and state graduation requirements; amending Minnesota Statutes 2002, sections 120B.02; 120B.11, subdivisions 2, 3, 5; 120B.30, subdivision 1; 120B.31, subdivision 1; repealing Minnesota Statutes 2002, section 120B.031; Minnesota Rules, parts 3501.0300; 3501.0310; 3501.0320; 3501.0330; 3501.0340; 3501.0350; 3501.0370; 3501.0390; 3501.0420; 3501.0442; 3501.0443; 3501.0445; 3501.0447; 3501.0448; 3501.0449; 3501.0450; 3501.0461; 3501.0462; 3501.0464; 3501.0466; 3501.0467; 3501.0468; 3501.0469.

Referred to the Committee on Education.

**Senators Moua, Higgins, Chaudhary, Dibble and Marko introduced--**

**S.F. No. 1429:** A bill for an act relating to transportation; requiring commissioner of transportation to require contractors to take certain actions for hiring women and minorities for highway projects; proposing coding for new law in Minnesota Statutes, chapter 161.

Referred to the Committee on Finance.

**Senator Kelley introduced--**

**S.F. No. 1430:** A bill for an act relating to state government; modifying provisions relating to shared technology systems funding; amending Minnesota Statutes 2002, section 16E.01, subdivision 3.

Referred to the Committee on State and Local Government Operations.

**Senators Michel, Gaither, Belanger and Hann introduced--**

**S.F. No. 1431:** A bill for an act relating to highways; authorizing issuance of trunk highway bonds for improvements to I-494; appropriating money.

Referred to the Committee on Finance.

**Senator Knutson introduced--**

**S.F. No. 1432:** A bill for an act relating to state government; requiring use of reverse auction procedures for state purchasing; proposing coding for new law in Minnesota Statutes, chapter 16C.

Referred to the Committee on State and Local Government Operations.

**Senator Betzold introduced--**

**S.F. No. 1433:** A bill for an act relating to highways; authorizing issuance of trunk highway bonds for improvements to marked trunk highway 65; appropriating money.

Referred to the Committee on Finance.

**Senators Tomassoni, Belanger and Pogemiller introduced--**

**S.F. No. 1434:** A bill for an act relating to taxation; tax increment financing; treating the state general tax rate as a local tax rate for purposes of a tax increment financing district in the city of Hibbing.

Referred to the Committee on Taxes.

**Senator Moua introduced--**

**S.F. No. 1435:** A bill for an act relating to taxation; sales and use; exempting the purchase of certain property used in constructing a St. Paul and Ramsey county collocated police and sheriff facility.

Referred to the Committee on Taxes.

**MEMBERS EXCUSED**

Senators Johnson, D.E.; Kiscaden and Murphy were excused from the Session of today. Senator Chaudhary was excused from the Session of today from 10:00 to 10:20 a.m.

**ADJOURNMENT**

Senator Hottinger moved that the Senate do now adjourn until 12:00 noon, Wednesday, April 9, 2003. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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