

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-THIRD LEGISLATURE

FORTY-FIFTH DAY

St. Paul, Minnesota, Tuesday, April 29, 2003

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. Dan Hall.

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

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

The President declared a quorum present.

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

RECESS

Senator Hottinger moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 28, 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. 578.

Sincerely,
Tim Pawlenty, Governor

April 28, 2003

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2003 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2003	Date Filed 2003
	536	21	12:45 p.m. April 28	April 28
578		22	12:50 p.m. April 28	April 28
	268	23	12:55 p.m. April 28	April 28

Sincerely,
Mary Kiffmeyer
Secretary of State

April 28, 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. 842.

Sincerely,
Tim Pawlenty, Governor

April 28, 2003

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2003 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2003	Date Filed 2003
842		28	9:10 p.m. April 28	April 28

Sincerely,
Mary Kiffmeyer
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 750 and 627.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 28, 2003

FIRST READING OF HOUSE BILLS

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

H.F. No. 750: A bill for an act relating to appropriations; appropriating money to fund corrections, public safety, courts, and other agencies; establishing, funding, modifying, or regulating certain corrections, public safety, court, and other criminal justice programs, policies, duties, activities, or practices; making technical, conforming, and clarifying changes; providing criminal penalties; setting fines, surcharges, and fees; amending Minnesota Statutes 2002, sections 8.06; 152.021, subdivisions 2a, 3; 169A.03, subdivision 21, by adding a subdivision; 169A.20, subdivision 2; 169A.25, subdivision 1; 169A.26, subdivision 1; 169A.27, subdivision 1; 169A.275, subdivisions 3, 4, by adding a subdivision; 169A.40, subdivision 3; 169A.44; 169A.51, subdivision 5; 169A.53, subdivision 3; 169A.54, subdivision 6; 169A.60, subdivisions 8, 13; 241.016, subdivision 1; 243.49; 243.53, subdivision 1; 260B.105, subdivisions 1, 2; 260B.125, subdivision 8; 260B.130, subdivision 1; 260B.141, subdivision 4; 260B.143, subdivision 1; 260B.193, subdivision 5; 260C.163, subdivision 5; 270A.03, subdivision 5; 299C.05; 299C.06; 299C.10, subdivision 4, by adding a subdivision; 299C.48; 299F.46, subdivision 1, by adding subdivisions; 299M.01, by adding subdivisions; 299M.03, by adding subdivisions; 299M.04; 299M.11, subdivisions 1, 2; 357.021, subdivisions 2, 6, 7; 357.022; 357.08; 363.073, by adding a subdivision; 546.27; 550.36; 590.05; 609.055, subdivision 2; 609.101, subdivision 4; 609.105, subdivision 1, by adding subdivisions; 609.115, subdivision 1; 609.119; 609.135, subdivisions 1, 2; 609.185; 609.322, by adding a subdivision; 609.324; 609.3241; 609.527, subdivision 3; 609.66, subdivisions 1, 1a, by adding a subdivision; 609.68; 609.681; 609.748, subdivisions 3, 4, 5; 611.14; 611.17; 611.18; 611.25, subdivision 1; 611.26, subdivision 6; 611.272; 629.471, by adding a subdivision; 641.14; 641.263, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 169A; 243; 244; 299A; 299F; 641; proposing coding for new law as Minnesota Statutes, chapter 545A; repealing Minnesota Statutes 2002, sections 123B.73; 152.135, subdivision 4; 241.41; 241.42; 241.43; 241.44; 241.441; 241.45; 244.19, subdivision 3a; 626A.17; Laws 2002, chapter 220, article 6, section 6.

Referred to the Committee on Finance.

H.F. No. 627: A bill for an act relating to appropriations; appropriating money for transportation, public safety, and other purposes; authorizing issuance of state bonds; modifying provisions relating to reverse auctions, land appraisal, archaeological or historic sites, high-occupancy vehicle lanes, highways and transportation corridors, town line roads and easements, major transportation projects commission, advertisements for bids, regional railroad authorities, city transit capital improvement projects in metropolitan area, bus rapid transit and other transit, bus operator liability, local government permits, and other transportation-related activities; providing for fees, funds and accounts, transfers, allocations, and expenditures; modifying provisions regulating special mobile equipment, special vehicle license plates, speed limits and other traffic regulations, vehicle weight limits and other vehicle regulations, vehicle insurance requirements, drivers' licenses and identification cards, essential employee status, the capitol complex security oversight committee, and other activities related to public safety; authorizing administrative powers, penalties, and remedies for public safety purposes; requiring studies and reports; making technical and clarifying changes; changing transit funding, aid, and tax levy provisions; amending Minnesota Statutes 2002, sections 10A.01, subdivision 24; 13.44, subdivision 3; 16A.88, subdivision 1; 16C.10, subdivision 7; 84.87, subdivision 1; 138.40, subdivisions 2, 3; 160.28, by adding a subdivision; 161.08; 161.20, subdivision 3; 164.12; 168.011, subdivision 22; 168.013, subdivision 3; 168.12, subdivision 5; 168.54, subdivision 4; 168A.29, subdivision 1; 169.14, subdivision 5a, by adding a subdivision; 169.18, subdivision 11; 169.791, subdivision 1; 169.796, by adding a subdivision; 169.797, subdivision 4a; 169.798, subdivision 1, by adding a subdivision; 169.826, subdivision 1, by adding a subdivision; 169.86, subdivision 5; 169.87, by adding a subdivision; 171.06, subdivision 3; 171.07, subdivisions 1, 3; 171.13, by adding a subdivision; 171.14; 171.20, subdivision 4; 171.22, subdivision 2; 171.29, subdivision 2; 174.03, subdivision 6a; 174.22, by adding a subdivision; 174.24, subdivisions 1, 3b; 174.55, subdivision 2; 179A.03, subdivision 7; 179A.10, subdivision 2; 275.065, subdivision 3; 275.71, subdivision 5; 297B.09, subdivision 1; 299A.465, subdivision 4; 299E.01, by adding a subdivision; 299E.03, subdivision 3; 398A.03, subdivision 1; 471.345, subdivision 14; 473.399, subdivision 1; 473.3994, subdivision 2; 473.3997; 473.446, subdivision 1; 609.531, subdivision 1; Laws 1999, chapter 238, article 1, section 2, subdivision 2; Laws 2000, chapter 433, section 4; Laws 2001, First Special Session chapter 8, article 1, section 2, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 117; 160; 168; 171; 299A; 331A; 373; 398A; 414; 473; repealing Minnesota Statutes 2002, sections 16A.88, subdivision 3; 169.794; 169.799; 174.242; Minnesota Rules, parts 7403.1300; 7413.0400; 7413.0500.

Senator Hottinger moved that H.F. No. 627 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

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

Senator Pogemiller from the Committee on Taxes, 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 be amended as follows:

Page 1, line 10, delete "is incorporated" and insert "has reincorporated"

Amend the title as follows:

Page 1, line 3, after "with" insert "vendors reincorporated in"

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

Senator Pogemiller from the Committee on Taxes, to which was re-referred

S.F. No. 392: A bill for an act relating to natural resources; updating soil and water conservation district law; changing requirements for petitions and elections relating to soil and water conservation districts; allowing counties the option to authorize soil and water conservation district levies; adding soil and water conservation districts to the definition of special taxing district; clarifying removal provisions for soil and water conservation district supervisors; amending Minnesota Statutes 2002, sections 103A.206; 103C.005; 103C.101, subdivisions 6, 9, by adding a subdivision; 103C.201, subdivisions 1, 2, 5, 6, 7, 8; 103C.205; 103C.211; 103C.225, subdivisions 1, 3, 4, 8; 103C.305, subdivision 1; 103C.311, subdivisions 1, 2; 103C.315, subdivisions 1, 2, 4, 5; 103C.331, subdivisions 11, 12, 16, 19, by adding a subdivision; 103C.401, subdivisions 1, 2; 275.066; 351.14, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 103C; repealing Minnesota Statutes 2002, section 103C.301.

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

Page 17, delete section 27

Pages 18 to 20, delete section 30

Pages 22 and 23, delete section 33

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to natural resources; updating soil and water conservation district law; changing requirements for petitions and elections relating to soil and water conservation districts; clarifying removal provisions for soil and water conservation district supervisors; amending Minnesota Statutes 2002, sections 103A.206; 103C.005; 103C.101, subdivisions 6, 9, by adding a subdivision; 103C.201, subdivisions 1, 2, 5, 6, 7, 8; 103C.205; 103C.211; 103C.225, subdivisions 1, 3, 4, 8; 103C.305, subdivision 1; 103C.311, subdivisions 1, 2; 103C.315, subdivisions 1, 2, 4, 5; 103C.331, subdivisions 11, 12, 19, by adding a subdivision; 103C.401, subdivisions 1, 2; 351.14, subdivision 5; repealing Minnesota Statutes 2002, section 103C.301."

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

Senator Pogemiller from the Committee on Taxes, to which was re-referred

S.F. No. 579: A bill for an act relating to sanitary sewer districts; establishing and providing for the Central Lakes Region Sanitary District.

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

Page 16, line 30, delete "mill" and insert "tax"

Page 28, line 26, delete "village" and insert "local"

Page 35, line 33, delete everything after the period

Page 35, delete lines 34 to 36

Page 36, line 10, after "effect" insert "for those townships that have approved it"

Page 36, line 11, delete "each" and insert "at least four" and delete "has" and insert "referred to in section 23 have"

Page 36, line 12, after the period, insert "A township listed in section 23 that has not complied with Minnesota Statutes, section 645.021, subdivision 3, by the date when the first four townships have done so may opt back in to the district at a later time by annexation as provided in this act."

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

Senator Pogemiller from the Committee on Taxes, to which was re-referred

S.F. No. 829: A bill for an act relating to metropolitan government; eliminating certain reporting requirements; providing for a parks division committee on the metropolitan council; providing for the direct charging by the metropolitan council of industrial dischargers for certain wastewater treatment user fees; removing an obsolete requirement for metropolitan school districts to submit capital improvement plans to the metropolitan council for review; amending Minnesota Statutes 2002, sections 473.123, subdivision 4; 473.13, subdivision 1; 473.517, by adding a subdivision; repealing Minnesota Statutes 2002, sections 473.121, subdivision 12; 473.1623; 473.301, subdivision 4; 473.303; 473.704, subdivision 19; 473.863.

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

Senator Hottinger, from the Committee on Rules and Administration, to which was referred

H.F. No. 317 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
317	172				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Hottinger, from the Committee on Rules and Administration, to which was referred

H.F. No. 1080 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1080	971				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Hottinger, from the Committee on Rules and Administration, to which was referred

H.F. No. 321 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
321	257				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Hottinger, from the Committee on Rules and Administration, to which was referred

H.F. No. 428 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
428	354				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 428 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 428 and insert the language after the enacting clause of S.F. No. 354, the second engrossment; further, delete the title of H.F. No. 428 and insert the title of S.F. No. 354, the second engrossment.

And when so amended H.F. No. 428 will be identical to S.F. No. 354, and further recommends that H.F. No. 428 be given its second reading and substituted for S.F. No. 354, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Hottinger, from the Committee on Rules and Administration, to which was referred

H.F. No. 719 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
719	143				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 719 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 719 and insert the language after the enacting clause of S.F. No. 143, the first engrossment; further, delete the title of H.F. No. 719 and insert the title of S.F. No. 143, the first engrossment.

And when so amended H.F. No. 719 will be identical to S.F. No. 143, and further recommends that H.F. No. 719 be given its second reading and substituted for S.F. No. 143, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Hottinger, from the Committee on Rules and Administration, to which was referred

H.F. No. 1426 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS

H.F. No.	S.F. No.
1426	1340

CONSENT CALENDAR

H.F. No.	S.F. No.
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CALENDAR

H.F. No.	S.F. No.
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Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1426 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1426 and insert the language after the enacting clause of S.F. No. 1340, the first engrossment; further, delete the title of H.F. No. 1426 and insert the title of S.F. No. 1340, the first engrossment.

And when so amended H.F. No. 1426 will be identical to S.F. No. 1340, and further recommends that H.F. No. 1426 be given its second reading and substituted for S.F. No. 1340, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Hottinger, from the Committee on Rules and Administration, to which was referred

H.F. No. 361 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS

H.F. No.	S.F. No.
361	329

CONSENT CALENDAR

H.F. No.	S.F. No.
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CALENDAR

H.F. No.	S.F. No.
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Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 361 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 361 and insert the language after the enacting clause of S.F. No. 329, the first engrossment; further, delete the title of H.F. No. 361 and insert the title of S.F. No. 329, the first engrossment.

And when so amended H.F. No. 361 will be identical to S.F. No. 329, and further recommends that H.F. No. 361 be given its second reading and substituted for S.F. No. 329, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Hottinger, from the Committee on Rules and Administration, to which was referred

H.F. No. 1167 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS

H.F. No.	S.F. No.
1167	1014

CONSENT CALENDAR

H.F. No.	S.F. No.
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CALENDAR

H.F. No.	S.F. No.
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Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1167 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1167 and insert the language after the enacting clause of S.F. No. 1014; further, delete the title of H.F. No. 1167 and insert the title of S.F. No. 1014.

And when so amended H.F. No. 1167 will be identical to S.F. No. 1014, and further recommends that H.F. No. 1167 be given its second reading and substituted for S.F. No. 1014, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Hottinger, from the Committee on Rules and Administration, to which was referred

H.F. No. 923 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
923	911				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 923 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 923 and insert the language after the enacting clause of S.F. No. 911, the first engrossment; further, delete the title of H.F. No. 923 and insert the title of S.F. No. 911, the first engrossment.

And when so amended H.F. No. 923 will be identical to S.F. No. 911, and further recommends that H.F. No. 923 be given its second reading and substituted for S.F. No. 911, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 210: A bill for an act relating to traffic regulations; allowing display of flashing blue lights to the front of emergency vehicles; amending Minnesota Statutes 2002, section 169.64, subdivision 4.

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

Page 1, line 15, strike "to the rear of the vehicle"

Page 1, lines 17 to 21, delete the new language

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 262: A bill for an act relating to motor vehicles; allowing sales to other dealers by limited used vehicle dealers; exempting donations of vehicles to individuals by a licensed limited used vehicle dealer from motor vehicle sales tax; amending Minnesota Statutes 2002, sections 168.27, subdivision 4a; 297B.01, subdivision 7.

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

Page 1, line 17, strike "retail"

Page 1, line 18, strike "customers" and insert "individuals, or who sells and reassigns vehicles to a licensed motor vehicle dealer"

Page 1, line 23, after "sold" insert "or donated" and strike "a retail customer" and delete "or licensed" and insert "an individual"

Page 1, line 24, delete the new language

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 456: A bill for an act relating to traffic regulations; exempting certain garbage trucks from seat belt law; amending Minnesota Statutes 2002, section 169.686, subdivision 2.

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

Page 1, line 19, strike "passenger" and insert "motor"

Page 1, lines 23 to 25, delete the new language

Page 2, delete lines 1 to 5

Page 2, line 6, delete "(6)"

Page 2, line 8, reinstate the stricken language and delete "(7)"

Page 2, line 10, reinstate the stricken language and delete "(8)"

Amend the title as follows:

Page 1, line 2, after "exempting" insert "occupants of"

Page 1, line 3, delete "garbage trucks" and insert "motor vehicles"

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 469: A bill for an act relating to traffic regulations; enacting the Safe School Zone Law; amending Minnesota Statutes 2002, section 169.14, subdivision 5a.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 169.01, is amended by adding a subdivision to read:

Subd. 91. [SCHOOL ZONE.] "School zone" means that section of a street or highway which abuts the grounds of a school where children have access to the street or highway from the school property or where an established school crossing is located, provided the school advance sign prescribed by the manual on uniform traffic control devices adopted by the commissioner of transportation pursuant to section 169.06 is in place. All signs erected by local authorities to designate speed limits in school zones shall conform to the manual on uniform control devices.

Sec. 2. Minnesota Statutes 2002, section 169.14, subdivision 2, is amended to read:

Subd. 2. [SPEED LIMITS.] (a) Where no special hazard exists the following speeds shall be lawful, but any speeds in excess of such limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful; except that the speed limit within any municipality shall be a maximum limit and any speed in excess thereof shall be unlawful:

(1) 30 miles per hour in an urban district or on a town road in a rural residential district;

(2) 65 miles per hour on non-Interstate freeways and expressways, as defined in section 160.02, subdivision 19;

(3) 55 miles per hour in locations other than those specified in this section;

(4) 70 miles per hour on Interstate highways outside the limits of any urbanized area with a population of greater than 50,000 as defined by order of the commissioner of transportation;

(5) 65 miles per hour on Interstate highways inside the limits of any urbanized area with a population of greater than 50,000 as defined by order of the commissioner of transportation;

(6) ten miles per hour in alleys; and

(7) 25 miles per hour in residential roadways if adopted by the road authority having jurisdiction over the residential roadway; and

(8) 25 miles per hour in school zones.

(b) A speed limit adopted under paragraph (a), clause (7), is not effective unless the road authority has erected signs designating the speed limit and indicating the beginning and end of the residential roadway on which the speed limit applies.

(c) For purposes of this subdivision, "rural residential district" means the territory contiguous to and including any town road within a subdivision or plat of land that is built up with dwelling houses at intervals of less than 300 feet for a distance of one-quarter mile or more.

Sec. 3. Minnesota Statutes 2002, section 169.14, subdivision 4, is amended to read:

Subd. 4. [ESTABLISHMENT OF ZONES BY COMMISSIONER.] Except as provided in subdivision 5a, on determining upon the basis of an engineering and traffic investigation that any speed set forth in this section is greater or less than is reasonable or safe under the conditions found to exist on any trunk highway or upon any part thereof, the commissioner may erect appropriate signs designating a reasonable and safe speed limit thereat, which speed limit shall be effective when such signs are erected. Any speeds in excess of such limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful; except that any speed limit within any municipality or within any school zone shall be a maximum limit and any speed in excess thereof shall be unlawful. On determining upon that basis that a part of the trunk highway system outside a municipality should be a zone of maximum speed limit, the commissioner may establish that part as such a zone by erecting appropriate signs showing the beginning and end of the zone, designating a reasonable and safe speed therefor, which may be different than the speed set forth in this section, and that it is a zone of maximum speed limit. The speed so designated by the commissioner within any such zone shall be a maximum speed limit, and speed in excess of such limit shall be unlawful. The commissioner may in the same manner from time to time alter the boundary of such a zone and the speed limit therein or eliminate such zone.

Sec. 4. Minnesota Statutes 2002, section 169.14, subdivision 5a, is amended to read:

Subd. 5a. [SPEED ZONING IN SCHOOL ZONE; SURCHARGE.] (a) A local authorities authority, with the agreement of a school board or nonpublic school administration, may establish a school speed limit that is less than 25 miles per hour within a school zone of a public or nonpublic school upon the basis of an engineering and traffic investigation as prescribed by the commissioner of transportation located on a street or highway within the jurisdiction of the local authority. The establishment of a school speed limit that is more than or less than 25 miles per hour on any trunk highway shall be with the consent by agreement of the commissioner of transportation and the school board or the administrator in the case of a nonpublic school. Such school speed limits shall be in effect when children are present, going to or leaving school during opening or closing hours or during school recess periods. The school speed limit shall not be lower than 15 miles per hour and shall not be more than 20 miles per hour below the established speed limit on an affected street or highway if the established speed limit is 40 miles per hour or greater.

(b) The school speed limit shall be effective upon the erection of appropriate signs designating the speed and indicating the beginning and end of the reduced speed zone. Any speed in excess of such posted school speed limit is unlawful. All such signs shall be erected by the local authorities

on those streets and highways under their respective jurisdictions and by the commissioner of transportation on trunk highways.

~~(c) For the purpose of this subdivision, "school zone" means that section of a street or highway which abuts the grounds of a school where children have access to the street or highway from the school property or where an established school crossing is located provided the school advance sign prescribed by the manual on uniform traffic control devices adopted by the commissioner of transportation pursuant to section 169.06 is in place. All signs erected by local authorities to designate speed limits in school zones shall conform to the manual on uniform control devices.~~

(d) Notwithstanding section 609.0331 or 609.101 or other law to the contrary, a person who violates a speed limit established under this subdivision is assessed an additional surcharge equal to the amount of the fine imposed for the violation, but not less than \$25."

Delete the title and insert:

"A bill for an act relating to traffic regulations; enacting the Safe School Zone Law; amending Minnesota Statutes 2002, sections 169.01, by adding a subdivision; 169.14, subdivisions 2, 4, 5a."

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

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 602: A bill for an act relating to metropolitan government; providing for the confirmation of the chair of the metropolitan airports commission by the senate; clarifying the terms of office of the members of the metropolitan airports commission; amending Minnesota Statutes 2002, sections 473.601, subdivision 4; 473.604, subdivisions 1, 2, by adding a subdivision.

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 702: A bill for an act relating to transportation; directing commissioner of transportation to turn off meters at one-half of the metered freeway access ramps.

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 762: A bill for an act relating to highways; authorizing commissioner of transportation to enter into contracts with tribal authorities for highway maintenance; requiring contract to include waiver of immunity from suit and submission to jurisdiction of state district courts; proposing coding for new law in Minnesota Statutes, chapter 161.

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

Page 1, line 10, after "MAINTENANCE" insert ", DESIGN, AND CONSTRUCTION"

Page 1, line 14, after "maintenance" insert ", design, and construction"

Page 1, line 15, delete "must" and insert "may"

Amend the title as follows:

Page 1, line 4, after "maintenance" insert ", design, and construction" and delete "requiring" and insert "allowing"

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

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 915: A bill for an act relating to drivers' licenses; restricting use of provisional driver's license; requiring all passengers in vehicle operated by provisional license holder to use seat belts; requiring behind-the-wheel training to obtain full driver's license before age 18 after certain violations; amending Minnesota Statutes 2002, sections 169.686, subdivision 1; 171.04, subdivision 1; 171.055, subdivision 2.

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

Pages 1 and 2, delete section 1

Page 3, line 21, reinstate the stricken language and delete "nine"

Page 5, line 5, reinstate the stricken language

Page 5, lines 6 to 12, reinstate the stricken language

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, delete line 4

Page 1, line 5, delete everything before "requiring"

Page 1, line 8, delete "169.686, subdivision 1;"

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 973: A bill for an act relating to motor vehicles; modifying definition of registered owner of motor vehicle; regulating temporary registration permits for vehicles; modifying registration renewal notice procedures; modifying procedures relating to vehicle transactions with dealers; clarifying regulatory responsibilities for vehicle insurance; requiring trucks weighing over 10,000 pounds to submit to weighing; modifying provisions governing expiration dates for drivers' licenses and identification cards; making clarifying changes; amending Minnesota Statutes 2002, sections 168.011, subdivision 5a; 168.09, subdivision 7; 168.11, subdivision 3; 168.187, by adding a subdivision; 168A.11; 169.798, subdivision 1; 169.85, subdivision 1; 171.07, subdivision 4; 171.27.

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

Page 4, line 10, reinstate the stricken "need" and delete "shall"

Page 5, line 3, delete "shall" and insert "may"

Page 5, line 5, strike "PURCHASE RECEIPT" and insert "NOTICE TO REGISTRAR"

Page 5, line 7, after the stricken language, insert "that is titled or registered in Minnesota"

Pages 6 to 8, delete sections 8 and 9

Amend the title as follows:

Page 1, line 9, delete "modifying"

Page 1, delete line 10

Page 1, line 11, delete everything before "making"

Page 1, line 16, delete "; 171.07, subdivision 4; 171.27"

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 1022: A bill for an act relating to highways; authorizing counties to designate county highways as cartways; amending Minnesota Statutes 2002, section 163.11, by adding a subdivision.

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 1037: A bill for an act relating to highways; adding, modifying, vacating, or transferring state highways; amending Minnesota Statutes 2002, sections 161.114, subdivision 2; 161.115, by adding a subdivision; repealing Minnesota Statutes 2002, sections 161.115, subdivisions 197, 204, 233.

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

Page 16, after line 7, insert:

"Sec. 3. Laws 2002, chapter 393, section 19, subdivision 2, is amended to read:

Subd. 2. Northwest Busway

20,000,000

To design and construct a portion of a busway in the northwest metropolitan area between downtown Minneapolis and Rogers. Funds may be used to design all or a portion of the busway from downtown Minneapolis to Rogers along CSAH 81; to design, construct, and equip up to 14 stations, including 28 passenger shelters, in Minneapolis, Robbinsdale, and Crystal as well as at Hennepin Technical College and North Hennepin Community College located in Brooklyn Park; to acquire necessary rights-of-way in Minneapolis and Robbinsdale to accommodate station locations, and adjacent to CSAH 81 between Highway 100 and about 63rd Avenue North to accommodate bus lanes; to design and construct up to two park- and-ride facilities adjacent to CSAH 81 at its intersection with any two of these three intersections: (1) Bass Lake Road, (2) 63rd Avenue North, and (3) Brooklyn Boulevard; and to design and construct dedicated bus lanes from 50th Avenue North to about 63rd Avenue North in conjunction with Hennepin county's CSAH 81 road reconstruction project. This appropriation is contingent on \$12,000,000 from Hennepin county for roadway design, property acquisition, and road construction between Lowry Avenue in Minneapolis and Bass Lake Road in Crystal and \$5,000,000 from the metropolitan council for the project fleet acquisition and station equipment.

~~Total funding from all sources may be used for roadway design, reconstruction, acquisition of land and right-of-way, and to design, construct, furnish, and equip transit stations and park and rides. Design-build under new Minnesota Statutes, sections 383B.158 to 383B.1586, may be used for implementing this project."~~

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "modifying an appropriation for the northwest metropolitan area busway;"

Page 1, line 5, after the semicolon, insert "Laws 2002, chapter 393, section 19, subdivision 2;"

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 1038: A bill for an act relating to transportation; authorizing commissioner of transportation to replace railroad lands needed for a trunk highway; amending Minnesota Statutes 2002, section 161.241, subdivision 1.

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 1090: A bill for an act relating to highways; modifying provisions governing gross vehicle weights on interstate highways; providing for vehicles and vehicle combinations weighing up to 88,000 pounds to travel on nine-ton roads in winter; amending Minnesota Statutes 2002, sections 168.013, subdivision 3; 169.826, subdivision 1, by adding a subdivision; 169.86, subdivision 5.

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

Pages 1 to 4, delete section 1 and insert:

"Section 1. Minnesota Statutes 2002, section 168.013, subdivision 3, is amended to read:

Subd. 3. [APPLICATION; CANCELLATION; EXCESSIVE GROSS WEIGHT FORBIDDEN.] (a) The applicant for all licenses based on gross weight shall state the unloaded weight of the motor vehicle, trailer, or semitrailer and the maximum load the applicant proposes to carry on it, the sum of which constitutes the gross weight upon which the license tax must be paid. However, the declared gross weight upon which the tax is paid must not be less than 1-1/4 times the declared unloaded weight of the motor vehicle, trailer, or semitrailer to be registered, except recreational vehicles taxed under subdivision 1g, school buses taxed under subdivision 18, and tow trucks or towing vehicles defined in section 169.01, subdivision 52. The gross weight of a tow truck or towing vehicle is the actual weight of the tow truck or towing vehicle fully equipped, but does not include the weight of a wrecked or disabled vehicle towed or drawn by the tow truck or towing vehicle.

(b) The gross weight of a motor vehicle, trailer, or semitrailer must not exceed the gross weight upon which the license tax has been paid by more than four percent or 1,000 pounds, whichever is greater;

provided that, a vehicle transporting unfinished forest products on a highway, other than a highway that is part of the system of interstate and defense highways, in accordance with paragraph (d)(3):

(1) shall not exceed its gross vehicle weight upon which the license tax has been paid, or gross axle weight on any axle, by more than five percent and, notwithstanding other law to the contrary, is not subject to any fee, fine, or other assessment or penalty for exceeding a gross vehicle or axle weight by up to five percent; and

(2) between the dates set by the commissioner in accordance with section 169.826, subdivision 1, is not subject to any provision of paragraph (d) or chapter 169 limiting the gross axle weight of any individual axle unless the entire vehicle also exceeds its gross vehicle weight plus its weight allowance allowed in clause (1) and plus any weight allowance permitted under section 169.826, in which case the vehicle is subject to all applicable penalties for excess weight violations.

(c) The gross weight of the motor vehicle, trailer, or semitrailer for which the license tax is paid must be indicated by a distinctive character on the license plate or plates except as provided in subdivision 12 and the plate or plates must be kept clean and clearly visible at all times.

(d) The owner, driver, or user of a motor vehicle, trailer, or semitrailer, upon conviction for transporting a gross weight in excess of the gross weight for which it was registered or for operating a vehicle with an axle weight exceeding the maximum lawful axle load weight, is guilty of a misdemeanor and subject to increased registration or reregistration according to the following schedule:

(1) Upon conviction for transporting a gross weight in excess of the gross weight for which a motor vehicle, trailer, or semitrailer is registered by more than the allowance set forth in paragraph (b) but less than 25 percent, or for operating or using a motor vehicle, trailer, or semitrailer with an axle weight exceeding the maximum lawful axle load as provided in sections 169.822 to 169.829 by more than the allowance set forth in paragraph (b) but less than 25 percent, the owner, driver, or user of the motor vehicle, trailer, or semitrailer used to commit the violation, in addition to any penalty imposed for the misdemeanor, shall apply to the registrar to increase the authorized gross weight to be carried on the vehicle to a weight equal to or greater than the gross weight the owner, driver, or user was convicted of carrying. The increase is computed for the balance of the calendar year on the basis of 1/12 of the annual tax for each month remaining in the calendar year beginning with the first day of the month in which the violation occurred. If the additional registration tax computed upon that weight, plus the tax already paid, amounts to more than the regular tax for the maximum gross weight permitted for the vehicle under sections 169.822 to 169.829, that additional amount must nevertheless be paid into the highway fund, but the additional tax thus paid does not authorize or permit any person to operate the vehicle with a gross weight in excess of the maximum legal weight as provided by sections 169.822 to 169.829. Unless the owner within 30 days after a conviction applies to increase the authorized weight and pays the additional tax as provided in this section, the registrar shall revoke the registration on the vehicle and demand the return of the registration card and plates issued on that registration.

(2) Upon conviction of an owner, driver, or user of a motor vehicle, trailer, or semitrailer for transporting a gross weight in excess of the gross weight for which the motor vehicle, trailer, or semitrailer was registered by 25 percent or more or for operating or using the vehicle or trailer with an axle weight exceeding the maximum lawful axle load as provided in sections 169.822 to 169.829 by 25 percent or more, and in addition to any penalty imposed for the misdemeanor, the registrar shall either (i) cancel the reciprocity privileges on the vehicle involved if the vehicle is being operated under reciprocity or (ii) if the vehicle is not being operated under reciprocity, cancel the certificate of registration on the vehicle operated and demand the return of the registration certificate and registration plates. The registrar may not cancel the registration or reciprocity privileges for any vehicle found in violation of seasonal load restrictions imposed under section 169.87 unless the axle weight exceeds the year-round weight limit for the highway on which the violation occurred. The registrar may investigate any allegation of gross weight violations and demand that the operator show cause why all future operating privileges in the state should not be revoked unless the additional tax assessed is paid.

(3) Clause (1) does not apply to the first haul of unprocessed or raw farm products or unfinished forest products, when the registered gross weight is not exceeded by more than ten percent. For purposes of this clause, "first haul" means (i) the first, continuous transportation of

unprocessed or raw farm products from the place of production or on-farm storage site to any other location within 50 miles of the place of production or on-farm storage site, or (ii) the continuous or noncontinuous transportation of unfinished forest products from the place of production to the place of final processing or manufacture located within 200 miles of the place of production.

(4) When the registration on a motor vehicle, trailer, or semitrailer is revoked by the registrar according to this section, the vehicle must not be operated on the highways of the state until it is registered or reregistered, as the case may be, and new plates issued, and the registration fee is the annual tax for the total gross weight of the vehicle at the time of violation. The reregistration pursuant to this subdivision of any vehicle operating under reciprocity agreements pursuant to section 168.181 or 168.187 must be at the full annual registration fee without regard to the percentage of vehicle miles traveled in this state."

Page 5, after line 31, insert:

"Sec. 4. Minnesota Statutes 2002, section 169.85, subdivision 2, is amended to read:

Subd. 2. [UNLOADING.] (a) Upon weighing a vehicle and load, as provided in this section, an officer may require the driver to stop the vehicle in a suitable place and remain standing until a portion of the load is removed that is sufficient to reduce the gross weight of the vehicle to the limit permitted under either section 168.013, subdivision 3, paragraph (b), or sections 169.822 to 169.829, whichever is the lesser violation, if any. A suitable place is a location where loading or tampering with the load is not prohibited by federal, state, or local law, rule, or ordinance.

(b) Except as provided in paragraph (c), a driver may be required to unload a vehicle only if the weighing officer determines that (1) on routes subject to the provisions of sections 169.822 to 169.829, the weight on an axle exceeds the lawful gross weight prescribed by sections 169.822 to 169.829, by 2,000 pounds or more, or the weight on a group of two or more consecutive axles in cases where the distance between the centers of the first and last axles of the group under consideration is ten feet or less exceeds the lawful gross weight prescribed by sections 169.822 to 169.829, by 4,000 pounds or more; or (2) on routes designated by the commissioner in section 169.832, subdivision 11, the overall weight of the vehicle or the weight on an axle or group of consecutive axles exceeds the maximum lawful gross weights prescribed by sections 169.822 to 169.829; or (3) the weight is unlawful on an axle or group of consecutive axles on a road restricted in accordance with section 169.87. Material unloaded must be cared for by the owner or driver of the vehicle at the risk of the owner or driver.

(c) If the gross weight of the vehicle does not exceed the vehicle's registered gross weight plus the weight allowance set forth in section 168.013, subdivision 3, paragraph (b), and plus, if applicable, the weight allowance permitted under section 169.826, then the driver is not required to unload under paragraph (b)."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "169.85, subdivision 2;"

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 1192: A bill for an act relating to drivers' licenses; requiring department of public safety to forward information about certain driver's license and identification card applicants to selective service system; amending Minnesota Statutes 2002, section 171.06, by adding a subdivision.

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 1350: A bill for an act relating to transportation; modifying or abolishing certain provisions related to joint county state-aid highway and municipal state-aid street status; deleting requirement for department of transportation to send copies of certain rules to county auditors; abolishing requirement that department of transportation maintain a list of highway engineers; repealing prohibition on establishing new divisions in department of transportation; abolishing obsolete statute related to highway jurisdiction studies; abolishing provision for collective ratemaking by motor carriers; repealing authority of commissioner of transportation over pipeline carriers; repealing certain rules governing design standards of driveways next to highways, motor carriers, aeronautics, and the right of first refusal to certain railroad land; amending Minnesota Statutes 2002, sections 162.02, subdivisions 1, 2, 4; 162.09, subdivision 1; 163.07, subdivision 2; 174.64, subdivision 4; repealing Minnesota Statutes 2002, sections 162.09, subdivision 5; 174.025; 174.031; 221.165; 221.54; 221.55; Minnesota Rules, parts 7800.0100, subparts 1, 3, 5; 7800.0500; 7800.0700; 7800.1400; 7800.1500; 7800.1600; 7800.1700; 7800.3100; 7800.3900; 7800.4810; 7805.0800; 8800.0100, subparts 7, 36; 8800.1200, subpart 3; 8800.3500; 8800.3700; 8800.4000; 8810.4200; 8810.4500; 8810.4600; 8810.4700; 8810.4800; 8810.4900; 8810.5000; 8810.5100; 8810.5500; 8810.9920; 8810.9921; 8850.6900, subparts 4, 6, 11, 12, 17; 8850.7000; 8850.7025; 8850.7040; 8850.7100; 8850.7900; 8850.8200; 8850.8900; 8850.9000; 8850.9050, subparts 1, 2; 8900.0100; 8900.0200; 8900.0300; 8900.0400; 8900.0500; 8900.0600; 8900.0700; 8900.0800; 8900.0900; 8900.1000; 8900.1100; 8910.0100; 8910.0200; 8910.0300; 8910.0400; 8910.1000; 8910.2000; 8910.2100; 8910.3000; 8910.3100.

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

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 972: A bill for an act relating to child support enforcement; classifying certain data; requiring additional information; clarifying and improving certain procedures and support enforcement provisions; clarifying a funding provision; amending Minnesota Statutes 2002, sections 13.69, subdivision 1; 171.06, subdivision 3; 171.07, by adding a subdivision; 518.171, subdivision 7; 518.551, subdivisions 5, 12, 13; 518.6111, subdivision 7; 518.68, subdivision 2; 548.091, subdivision 1a; 552.01, subdivisions 2, 3, 5, 7; 552.04, subdivision 15; 552.06, subdivisions 1, 2, 5, 6; 609.375, subdivision 2b; Laws 1997, chapter 245, article 2, section 11; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1523, 1524, 755, 392, 579, 829, 210, 262, 456, 469, 602, 702, 762, 915, 973, 1022, 1037, 1038, 1090, 1192, 1350 and 972 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 317, 1080, 321, 428, 719, 1426, 361, 1167 and 923 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Stumpf introduced--

Senate Resolution No. 70: A Senate resolution congratulating Jason Espeseth of Thief River Falls, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Ruud moved that H.F. No. 314 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 210, now on General Orders. The motion prevailed.

Senator Johnson, D.E. moved that H.F. No. 1214 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 1350, now on General Orders. The motion prevailed.

SUSPENSION OF RULES

Senator Hottinger moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 1523 and that the rules of the Senate be so far suspended as to give S.F. No. 1523, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

S.F. No. 1523: A bill for an act relating to state government; appropriating money for environmental, natural resources, agricultural, economic development, and housing purposes; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; amending Minnesota Statutes 2002, sections 16A.531, subdivision 1, by adding a subdivision; 16B.37, subdivision 1; 17.101, subdivision 1; 17.451; 17.452, subdivisions 8, 10, 11, 12, 13, by adding subdivisions; 17.4988; 21.81, subdivision 8, by adding subdivisions; 21.82; 21.83, subdivision 2; 21.84; 21.85, subdivisions 11, 13; 21.86; 21.88; 21.89, subdivisions 2, 4; 21.90, subdivisions 2, 3; 21.901; 28A.08, subdivision 3; 28A.085, subdivision 1; 28A.09, subdivision 1; 32.394, subdivisions 8, 8b, 8d; 35.155; 41A.036, subdivision 2; 41A.09, subdivisions 3a, 5a, by adding a subdivision; 84.027, subdivision 13; 84.029, subdivision 1; 84.085, subdivision 1; 84.091, subdivisions 2, 3; 84.0911; 84.788, subdivision 3; 84.798, subdivision 3; 84.922, subdivision 2; 84A.02; 84A.21; 84A.32, subdivision 1; 84A.55, subdivision 8; 84D.14; 85.04; 85.052, subdivision 3; 85.053, subdivision 1; 85A.02, subdivision 17; 86B.415, subdivision 8; 86B.870, subdivision 1; 97A.045, subdivision 7, by adding a subdivision; 97A.071, subdivision 2; 97A.075, subdivisions 1, 2, 4, by adding a subdivision; 97A.105, subdivision 1; 97A.401, subdivision 3; 97A.441, subdivision 7, by adding a subdivision; 97A.475, subdivisions 2, 4, 5, 10, 15, 26, 27, 28, 29, 30, 38, 39, 40, 42, by adding a subdivision; 97A.485, subdivision 6; 97A.505, by adding subdivisions; 97B.311; 103B.231, subdivision 3a; 103B.305, subdivision 3, by adding subdivisions; 103B.311, subdivisions 1, 2, 3, 4; 103B.315, subdivisions 4, 5, 6; 103B.321, subdivisions 1, 2; 103B.325, subdivision 1; 103B.331, subdivisions 1, 2, 3; 103B.3363, subdivision 3; 103B.3369, subdivisions 2, 4, 5, 6; 103B.355; 103D.405, subdivision 2; 103G.005, subdivision 10e; 103G.2242, by adding subdivisions; 103G.271, subdivisions 6, 6a; 103G.611, subdivision 1; 103G.615, subdivision 2; 115.01, by adding a subdivision; 115.03, by adding subdivisions; 115.073; 115.55, subdivision 1, by adding a subdivision; 115.56, subdivisions 2, 4; 115.72, by adding a subdivision; 115A.0716, subdivision 3; 115A.54, by adding a subdivision; 115A.908, subdivision 2; 115A.9651, subdivision 6; 115B.17, subdivisions 6, 7, 14, 16; 115B.19; 115B.20; 115B.22, subdivision 7; 115B.25, subdivisions 1a, 4; 115B.26; 115B.30; 115B.31, subdivisions 1, 3, 4; 115B.32, subdivision 1; 115B.33, subdivision 1; 115B.34; 115B.36; 115B.40, subdivision 4; 115B.41, subdivisions 1, 2, 3; 115B.42, subdivision 2; 115B.421; 115B.445; 115B.48, subdivision 2; 115B.49, subdivisions 1, 3; 115C.02, subdivision 14; 115C.08, subdivision 4; 115C.09, subdivision 3, by adding subdivisions; 115C.11, subdivision 1; 115C.13; 115D.12, subdivision 2; 116.03, subdivision 2; 116.07, subdivisions 4d, 4h; 116.073, subdivisions 1, 2; 116.23; 116.46, by adding subdivisions; 116.49, by adding subdivisions; 116.50; 116.994; 116C.834, subdivision 1; 116J.011; 116J.411, by adding a subdivision; 116J.415, subdivisions 1, 2, 4, 5, 7, 11; 116J.553, subdivision 2; 116J.554, subdivision 2; 116J.64, subdivision 2; 116J.8731, subdivisions 1, 4, 5, 7; 116J.955, subdivision 2; 116J.966, subdivision 1; 116J.994, subdivision 4; 116J.995; 116L.02; 116L.04, subdivisions 1, 1a; 116M.14, subdivision 14; 116P.09, subdivision 5; 116P.13, subdivision 1; 116P.14, subdivision 1; 176.136, subdivision 1a; 216C.41, subdivision 1; 248.10; 268.022, subdivision 1; 268A.02, by adding a subdivision; 273.13, subdivision 23; 297A.94; 297F.10, subdivision 1; 297H.13, subdivisions 1, 2; 325E.10, subdivision 1; 327.23, subdivision 1; 469.175, subdivision 7; 473.843, subdivision 2; 473.844, subdivision 1; 473.845, subdivisions 1, 3, 7, 8; 473.846; 500.221, subdivision 2; 517.08, subdivisions 1b, 1c; Laws 2001, First Special

Session chapter 4, article 2, section 31; Laws 2002, chapter 220, article 13, section 9, subdivision 2, as amended; proposing coding for new law in Minnesota Statutes, chapters 18G; 18H; 18J; 21; 84; 103B; 115; 115A; 115C; 116; 116J; 354B; repealing Minnesota Statutes 2002, sections 1.31; 1.32; 135.598, subdivision 2; 17.23; 18.012; 18.021; 18.022; 18.0223; 18.0225; 18.0227; 18.0228; 18.0229; 18.023; 18.024; 18.041; 18.051; 18.061; 18.071; 18.081; 18.091; 18.101; 18.111; 18.121; 18.131; 18.141; 18.151; 18.161; 18.331; 18.332; 18.333; 18.334; 18.335; 18.44; 18.45; 18.46; 18.47; 18.48; 18.49; 18.50; 18.51; 18.52; 18.525; 18.53; 18.54; 18.55; 18.56; 18.57; 18.59; 18.60; 18.61; 18.85; 21.85, subdivisions 1, 3, 4, 5, 6, 7, 8, 9; 21.90; 37.26; 41A.09, subdivisions 1, 6, 7, 8; 84.0887; 84.98; 84.99; 89.391; 103B.311, subdivisions 5, 6, 7; 103B.315, subdivisions 1, 2, 3, 7; 103B.321, subdivision 3; 103B.3369, subdivision 3; 115B.02, subdivision 1a; 115B.42, subdivision 1; 116J.411, subdivision 3; 116J.415, subdivisions 6, 9, 10; 116J.617; 116J.693; 116J.9665; 116L.03, subdivision 7; 297H.13, subdivisions 3, 4; 473.845, subdivision 4; Laws 2001, First Special Session chapter 4, article 3, section 1; Laws 2001, First Special Session chapter 4, article 3, section 2, subdivision 1; Laws 2002, chapter 220, article 12, section 13; Laws 2002, chapter 220, article 12, section 14; Laws 2002, chapter 220, article 12, section 16; Minnesota Rules, parts 1510.0281; 9300.0010; 9300.0020; 9300.0030; 9300.0040; 9300.0050; 9300.0060; 9300.0070; 9300.0080; 9300.0090; 9300.0100; 9300.0110; 9300.0120; 9300.0130; 9300.0140; 9300.0150; 9300.0160; 9300.0170; 9300.0180; 9300.0190; 9300.0200; 9300.0210.

Senator Sams moved to amend S.F. No. 1523 as follows:

Page 3, after line 32, insert:

"Total	393,653,000	388,042,000	781,695,000"
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Page 8, after line 25, insert:

"\$4,500,000 the first year and \$4,500,000 the second year are from the environmental fund for mixed municipal solid waste processing payments under Minnesota Statutes, section 115A.545."

Page 61, line 16, after "each" insert "off-highway motorcycle"

Page 61, line 19, reinstate the stricken "off-highway motorcycle"

Page 62, line 9, after "each" insert "off-road vehicle"

Page 62, line 12, reinstate the stricken "off-road vehicle"

Page 63, line 18, after "each" insert "all-terrain vehicle"

Page 63, line 20, after "each" insert "all-terrain"

Page 63, line 21, reinstate the stricken "vehicle"

Page 69, line 27, after "ENFORCEMENT" insert "DIVISION"

Page 69, line 36, delete everything after "[OTHER EMPLOYEES.]" and insert "The commissioner of natural resources may designate certain employees to enforce laws governing the use of state parks, state monuments, state recreation areas, state waysides, and state forest subareas. The designation by the commissioner is not subject to rulemaking under chapter 14."

Page 70, delete lines 1 to 20

Page 72, line 29, after "each" insert "watercraft"

Page 73, line 19, after "every" insert "watercraft title"

Page 75, line 8, after the first comma, insert "and" and delete "(13), and (14),"

Pages 79 and 80, delete section 65

Page 115, line 36, delete "a" and insert "an"

Page 116, line 1, delete "Minnesota-based" and after "is" insert "organized under the laws of this state and is"

Page 130, after line 25, insert:

"Sec. 153. [ENFORCEMENT AUTHORITY REPORT.]

The commissioner of natural resources must report to the chairs of the house of representatives and senate environment and judiciary policy committees by February 1, 2004, on clarification of conservation officer authority and any law enforcement authority for other employees of the department."

Page 130, line 27, after "1.32;" insert "18B.05, subdivision 2;"

Page 258, line 4, delete "\$30,992,000" and insert "\$28,992,000"

Page 258, line 6, delete "30,292,000" and insert "28,292,000"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Higgins moved to amend S.F. No. 1523 as follows:

Pages 113 and 114, delete section 134 and insert:

"Sec. 134. Minnesota Statutes 2002, section 116.23, is amended to read:

116.23 [PROHIBITION AND RESTRICTIONS.]

Subdivision 1. [NUTRIENT CONCENTRATION.] No person shall manufacture for use or sale in Minnesota or import into Minnesota for resale any cleaning agent or chemical water conditioner which contains a prescribed nutrient in a concentration that is greater than the prescribed maximum permissible concentration of that nutrient in that cleaning agent or chemical water conditioner.

Subd. 2. [DISHWASHER DETERGENT.] (a) No person may manufacture for use or sale in Minnesota, or import into the state for resale in Minnesota, a household dishwasher detergent that contains more than 0.5 percent phosphorus by weight.

(b) No person may manufacture for use or sale in Minnesota, or import into the state for resale in Minnesota, any dishwasher detergent for commercial use that contains more than 8.7 percent phosphorus by weight.

(c) Paragraphs (a) and (b) are effective August 1, 2005."

Page 130, after line 25, insert:

"Sec. 154. [PHOSPHORUS STUDY.]

The commissioner of the pollution control agency must study the concept of lowering phosphorus in the wastewater stream and the effect on water quality and how to best assist local units of government in removing phosphorus at public wastewater treatment plants. The commissioner must review the rules on nutrients in cleaning agents pursuant to Minnesota Statutes, sections 116.23 and 116.24, and report the results of the study and rule review to the house of representatives and senate environment and natural resources policy and finance committees and commerce committees by February 1, 2004."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Tomassoni moved to amend S.F. No. 1523 as follows:

Page 315, after line 28, insert:

"ARTICLE 16

CENTRAL IRON RANGE SANITARY SEWER DISTRICT

Section 1. Laws 2002, chapter 382, article 2, section 1, subdivision 2, is amended to read:

Subd. 2. [DISTRICT.] "Central iron range sanitary sewer district" and "district" mean the area over which the central iron range sanitary sewer board has jurisdiction, which includes the area within the cities of Hibbing, Chisholm, ~~and Buhl, and Kinney~~; the townships of ~~Kinney~~, Balkan, and Great Scott; and the territory occupied by Ironworld. The district shall precisely describe the area over which it has jurisdiction by a metes and bounds description in the comprehensive plan adopted pursuant to section 5.

Sec. 2. Laws 2002, chapter 382, article 2, section 1, subdivision 5, is amended to read:

Subd. 5. [LOCAL GOVERNMENTAL UNITS.] "Local governmental units" or "governmental units" means the iron range resources and rehabilitation board, the cities of Hibbing, Chisholm, ~~and Buhl, and Kinney~~, and the townships of ~~Kinney~~, Balkan, and Great Scott.

Sec. 3. Laws 2002, chapter 382, article 2, section 2, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] A sanitary sewer district is established in the cities of Hibbing, Chisholm, ~~and Buhl, and Kinney~~; the townships of ~~Kinney~~, Balkan, and Great Scott; and the territory occupied by Ironworld, to be known as the central iron range sanitary sewer district. The sewer district is under the control and management of the central iron range sanitary sewer board. The board is established as a public corporation and political subdivision of the state with perpetual succession and all the rights, powers, privileges, immunities, and duties granted to or imposed upon a municipal corporation, as provided in sections 1 to 19.

Sec. 4. Laws 2002, chapter 382, article 2, section 2, subdivision 2, is amended to read:

Subd. 2. [MEMBERS AND SELECTION.] The board is composed of 13 members selected as provided in this subdivision. Each of the town boards of the townships shall meet to appoint one resident to the sewer board. Four members must be selected by the governing body of the city of Hibbing. Three members must be selected by the governing body of the city of Chisholm. Two members must be selected by the governing body of the city of Buhl. One member must be selected by the governing body of the city of Kinney. One member must be selected by the iron range resources and rehabilitation board on behalf of Ironworld. Each member has one vote. The first terms are as follows: four for one year, four for two years, and five for three years, fixed by lot at the district's first meeting. Thereafter, all terms are for three years.

Sec. 5. Laws 2002, chapter 382, article 2, section 3, subdivision 4, is amended to read:

Subd. 4. [PUBLIC EMPLOYEES.] The executive director, if any, and other persons, if any, employed by the district are public employees and have all the rights and duties conferred on public employees under Minnesota Statutes, sections 179A.01 to 179A.25. The board may elect to have employees become members of either the public employees retirement association or the Minnesota state retirement system. The compensation and conditions of employment of the employees must be governed by rules applicable to state employees in the classified service and to the provisions of Minnesota Statutes, chapter 15A.

Sec. 6. Laws 2002, chapter 382, article 2, section 4, subdivision 6, is amended to read:

Subd. 6. [STUDIES AND INVESTIGATIONS.] The board may conduct research studies and programs, collect and analyze data, prepare reports, maps, charts, and tables, and conduct all necessary hearings and investigations in connection with the need for, benefits of, design, construction, and operation of the district disposal system.

Sec. 7. Laws 2002, chapter 382, article 2, section 4, subdivision 8, is amended to read:

Subd. 8. [PROPERTY RIGHTS, POWERS.] By vote of at least 75 percent of the members of the board, the board may acquire by purchase, lease, condemnation, gift, or grant, any real or personal property including positive and negative easements and water and air rights, and it may construct, enlarge, improve, replace, repair, maintain, and operate any interceptor, treatment works, or water facility determined to be necessary or convenient for the collection and disposal of sewage in the district. Any local governmental unit and the commissioners of transportation and natural resources are authorized to convey to or permit the use of any of the above-mentioned facilities owned or controlled by it, ~~by the board~~, subject to the rights of the holders of any bonds issued with respect to those facilities, with or without compensation, without an election or approval by any other governmental unit or agency. All powers conferred by this subdivision may be exercised both within or without the district as may be necessary for the exercise by the board of its powers or the accomplishment of its purposes. By vote of at least 75 percent of the members of the board, the board may hold, lease, convey, or otherwise dispose of the above-mentioned property for its purposes upon the terms and in the manner it deems advisable. Unless otherwise provided, the right to acquire lands and property rights by condemnation may be exercised only in accordance with Minnesota Statutes, sections 117.011 to 117.232, and applies to any property or interest in the property owned by any local governmental unit. Property devoted to an actual public use at the time, or held to be devoted to such a use within a reasonable time, must not be so acquired unless a court of competent jurisdiction determines that the use proposed by the board is paramount to the existing use. Except in the case of property in actual public use, the board may take possession of any property on which condemnation proceedings have been commenced at any time after the issuance of a court order appointing commissioners for its condemnation.

Sec. 8. Laws 2002, chapter 382, article 2, section 4, subdivision 10, is amended to read:

Subd. 10. [DISPOSAL OF PROPERTY.] By vote of at least 75 percent of the members of the board, the board may sell, lease, or otherwise dispose of any real or personal property acquired by it which is no longer required for accomplishment of its purposes. The property may be sold in the manner provided by Minnesota Statutes, section 469.065, insofar as practical. The board may give notice of sale as it deems appropriate. When the board determines that any property or any part of the district disposal system acquired from a local governmental unit without compensation is no longer required but is required as a local facility by the governmental unit from which it was acquired, the board may by resolution transfer it to that governmental unit.

Sec. 9. Laws 2002, chapter 382, article 2, section 5, subdivision 1, is amended to read:

Subdivision 1. [BOARD PLAN AND PROGRAM.] The board shall adopt a comprehensive plan for the collection, treatment, and disposal of sewage in the district for a designated period the board deems proper and reasonable. The board shall prepare and adopt subsequent comprehensive plans for the collection, treatment, and disposal of sewage in the district for each succeeding designated period as the board deems proper and reasonable. All comprehensive plans of the district shall be subject to the planning and zoning authority of St. Louis county and in conformance with all planning and zoning ordinances of St. Louis county. The first plan, as modified by the board, and any subsequent plan shall take into account the preservation and best and most economic use of water and other natural resources in the area; the preservation, use, and potential for use of lands adjoining waters of the state to be used for the disposal of sewage; and the impact the disposal system will have on present and future land use in the area affected. ~~In no case shall the comprehensive plan provide for more than 325 connections to the disposal system. All connections must be charged a full assessment. Connections made after the initial assessment period ends must be charged an amount equal to the initial assessment plus an adjustment for inflation and plus any other charges determined to be reasonable and necessary by the board. Deferred assessments may be permitted, as provided for in Minnesota Statutes, chapter 429. The~~

plans shall include the general location of needed interceptors and treatment works, a description of the area that is to be served by the various interceptors and treatment works, a long-range capital improvements program, and any other details as the board deems appropriate. In developing the plans, the board shall consult with persons designated for the purpose by governing bodies of any governmental unit within the district to represent the entities and shall consider the data, resources, and input offered to the board by the entities and any planning agency acting on behalf of one or more of the entities. Each plan, when adopted, must be followed in the district and may be revised as often as the board deems necessary.

Sec. 10. Laws 2002, chapter 382, article 2, section 5, is amended by adding a subdivision to read:

Subd. 3. [REMOVAL OF AREA.] After adopting the first plan, any of the local governmental units can elect not to be included within the central iron range sanitary sewer district by delivering a written resolution of the governing body of the governmental unit to the central iron range sanitary sewer district within 60 days of adoption of the first comprehensive plan. The area of the local governmental unit shall then be removed from the district.

Sec. 11. Laws 2002, chapter 382, article 2, section 6, is amended to read:

Sec. 6. [POWERS TO ISSUE OBLIGATIONS AND IMPOSE SPECIAL ASSESSMENTS.]

The central iron range sanitary sewer board, in order to implement the powers granted under sections 1 to 19 to establish, maintain, and administer the central iron range sanitary sewer district upon a vote of at least 75 percent of the members of the board, may issue obligations and impose special assessments against benefited property within the limits of the district benefited by facilities constructed under sections 1 to 19 in the manner provided for local governments by Minnesota Statutes, chapter 429.

Sec. 12. Laws 2002, chapter 382, article 2, section 8, subdivision 3, is amended to read:

Subd. 3. [UTILIZATION OF DISTRICT SYSTEM.] By vote of at least 75 percent of the members of the board, the board may require any person or local governmental unit to provide for the discharge of any sewage, directly or indirectly, into the district disposal system, or to connect any disposal system or a part of it with the district disposal system wherever reasonable opportunity for connection is provided; may regulate the manner in which the connections are made; may require any person or local governmental unit discharging sewage into the disposal system to provide preliminary treatment for it; may prohibit the discharge into the district disposal system of any substance that it determines will or may be harmful to the system or any persons operating it; and may require any local governmental unit to discontinue the acquisition, betterment, or operation of any facility for the unit's disposal system wherever and so far as adequate service is or will be provided by the district disposal system.

Sec. 13. Laws 2002, chapter 382, article 2, section 9, is amended to read:

Sec. 9. [BUDGET.]

(a) The board shall prepare and adopt, on or before October 1, ~~2002~~ 2003, and each year thereafter, a budget showing for the following calendar year or other fiscal year determined by the board, sometimes referred to in sections 1 to 19 as the budget year, estimated receipts of money from all sources, including but not limited to payments by each local governmental unit, federal or state grants, taxes on property, and funds on hand at the beginning of the year, and estimated expenditures for:

- (1) costs of operation, administration, and maintenance of the district disposal system;
- (2) cost of acquisition and betterment of the district disposal system; and
- (3) debt service, including principal and interest, on general obligation bonds and certificates issued pursuant to section 13, and any money judgments entered by a court of competent jurisdiction.

(b) Expenditures within these general categories, and any other categories as the board may from time to time determine, must be itemized in detail as the board prescribes. The board and its officers, agents, and employees must not spend money for any purpose other than debt service without having set forth the expense in the budget nor in excess of the amount set forth in the budget for it. No obligation to make an expenditure of the above-mentioned type is enforceable except as the obligation of the person or persons incurring it. The board may amend the budget at any time by transferring from one purpose to another any sums except money for debt service and bond proceeds or by increasing expenditures in any amount by which actual cash receipts during the budget year exceed the total amounts designated in the original budget. The creation of any obligation under section 13, or the receipt of any federal or state grant is a sufficient budget designation of the proceeds for the purpose for which it is authorized, and of the tax or other revenue pledged to pay the obligation and interest on it, whether or not specifically included in any annual budget.

Sec. 14. Laws 2002, chapter 382, article 2, section 10, subdivision 2, is amended to read:

Subd. 2. [METHOD OF ALLOCATION OF CURRENT COSTS.] Current costs must be allocated in the district on an equitable basis as the board may determine by resolution to be in the best interests of the district. The adoption or revision of any method of allocation used by the board must be by the affirmative vote of at least ~~two-thirds~~ 75 percent of the members of the board.

Sec. 15. Laws 2002, chapter 382, article 2, section 11, is amended to read:

Sec. 11. [TAX LEVIES.]

To accomplish any duty imposed on it the board may, upon a vote of at least 75 percent of the members of the board, in addition to the powers granted in sections 1 to 19 and in any other law or charter, exercise the powers granted any municipality by Minnesota Statutes, chapters 117, 412, 429, 475, sections 115.46, 444.075, and 471.59, with respect to the area in the district. By vote of at least 75 percent of the members of the board, the board may levy taxes upon all taxable property in the district for all or a part of the amount payable to the board, pursuant to section 10, to be assessed and extended as a tax upon that taxable property by the county auditor for the next calendar year, free from any limit of rate or amount imposed by law or charter. The tax must be collected and remitted in the same manner as other general taxes.

Sec. 16. Laws 2002, chapter 382, article 2, section 12, subdivision 5, is amended to read:

Subd. 5. [POWER OF THE BOARD TO SPECIALLY ASSESS.] The board may, upon a vote of at least 75 percent of the members of the board, specially assess all or any part of the costs of acquisition and betterment as provided in this subdivision, of any project ordered under this section. The special assessments must be levied in accordance with Minnesota Statutes, sections 429.051 to 429.081, except as otherwise provided in this subdivision. No other provisions of Minnesota Statutes, chapter 429, apply. For purposes of levying the special assessments, the hearing on the project required in subdivision 1 serves as the hearing on the making of the original improvement provided for by Minnesota Statutes, section 429.051. The area assessed may be less than but may not exceed the area proposed to be assessed as stated in the notice of hearing on the project provided for in subdivision 2.

Sec. 17. Laws 2002, chapter 382, article 2, section 13, subdivision 3, is amended to read:

Subd. 3. [GENERAL OBLIGATION BONDS.] The board may, upon a vote of at least 75 percent of the members of the board, by resolution authorize the issuance of general obligation bonds for the acquisition or betterment of any part of the district disposal system, including but without limitation the payment of interest during construction and for a reasonable period thereafter, or for the refunding of outstanding bonds, certificates of indebtedness, or judgments. The board shall pledge its full faith and credit and taxing power for the payment of the bonds and shall provide for the issuance and sale and for the security of the bonds in the manner provided in Minnesota Statutes, chapter 475. The board has the same powers and duties as a municipality issuing bonds under that law, except that no election is required and the debt limitations of

Minnesota Statutes, chapter 475, do not apply to the bonds. The board may also pledge for the payment of the bonds and deduct from the amount of any tax levy required under Minnesota Statutes, section 475.61, subdivision 1, and any revenues receivable under any state and federal grants anticipated by the board and may covenant to refund the bonds if and when and to the extent that for any reason the revenues, together with other funds available and appropriated for that purpose, are not sufficient to pay all principal and interest due or about to become due, provided that the revenues have not been anticipated by the issuance of certificates under subdivision 1.

Sec. 18. Laws 2002, chapter 382, article 2, section 16, is amended to read:

Sec. 16. [SERVICE CONTRACTS WITH GOVERNMENTAL ENTITIES OUTSIDE THE JURISDICTION OF THE BOARD.]

(a) The board may, upon a vote of at least 75 percent of the members of the board, contract with the United States or any agency of the federal government, any state or its agency, or any municipal or public corporation, governmental subdivision or agency or political subdivision in any state, outside the jurisdiction of the board, for furnishing services to those entities, including but not limited to planning for and the acquisition, betterment, operation, administration, and maintenance of any or all interceptors, treatment works, and local water and sanitary sewer facilities. The board may include as one of the terms of the contract that the entity must pay to the board an amount agreed upon as a reasonable estimate of the proportionate share properly allocable to the entity of costs of acquisition, betterment, and debt service previously allocated in the district. When payments are made by entities to the board, they must be applied in reduction of the total amount of costs thereafter allocated in the district, on an equitable basis as the board deems to be in the best interests of the district, applying so far as practicable and appropriate the criteria set forth in section 10, subdivision 2. A municipality in the state of Minnesota may enter into a contract and perform all acts and things required as a condition or consideration therefor consistent with the purposes of sections 1 to 19, whether or not included among the powers otherwise granted to the municipality by law or charter.

(b) The board shall contract with a qualified entity to make necessary inspections of the district facilities, and to otherwise process or assist in processing any of the work of the district.

Sec. 19. [LOCAL APPROVAL.]

This article takes effect the day after each of the governing bodies of each of the local governmental units has complied with Minnesota Statutes, section 645.021, subdivision 3."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Reiter moved to amend S.F. No. 1523 as follows:

Page 113, line 26, strike "PROHIBITION" and insert "PROHIBITIONS" and delete "AND RESTRICTIONS"

Page 113, line 34, delete "RESIDENTIAL DISHWASHER DETERGENT" and insert "PHOSPHORUS PROHIBITED"

Page 113, line 36, delete "household dishwasher"

Page 114, delete lines 1 to 3 and insert "product that contains phosphorus, except for products for use on golf courses, for landscaping projects, and for agricultural purposes."

Amend the title accordingly

CALL OF THE SENATE

Senator Betzold imposed a call of the Senate for the balance of the proceedings on S.F. No. 1523. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Reiter amendment.

The roll was called, and there were yeas 8 and nays 50, as follows:

Those who voted in the affirmative were:

Bachmann	Gaither	LeClair	Pariseau	Reiter
Day	Jungbauer	Nienow		

Those who voted in the negative were:

Belanger	Higgins	Langseth	Olson	Senjem
Berglin	Hottinger	Larson	Ortman	Skoe
Betzold	Johnson, D.J.	Lourey	Pappas	Skoglund
Chaudhary	Kelley	Marko	Pogemiller	Solon
Cohen	Kierlin	Marty	Rest	Sparks
Dibble	Kiscaden	McGinn	Robling	Stumpf
Dille	Kleis	Metzen	Rosen	Tomassoni
Foley	Knutson	Michel	Ruud	Vickerman
Frederickson	Koering	Moua	Sams	Wergin
Hann	Kubly	Neuville	Saxhaug	Wiger

The motion did not prevail. So the amendment was not adopted.

Senator Sams moved to amend S.F. No. 1523 as follows:

Page 300, delete lines 3 to 12 and insert:

"(c) When the commissioner updates the conversion factors on October 1, 2004, the commissioner shall set payment rates for physical medicine and rehabilitation procedure codes as defined in Minnesota Rules, part 5221.4050, and chiropractic procedure codes as defined in Minnesota Rules, part 5221.4060, for physical medicine and rehabilitation services, and for chiropractic manipulative treatment services without application of scaling factors."

Page 300, after line 14, insert:

"Sec. 2. [WORKERS' COMPENSATION WORKING GROUP.]

The commissioner of labor and industry shall convene a working group to study issues related to the medical cost drivers of the workers' compensation program. The group shall report its findings, along with any recommendations to the workers' compensation advisory council before January 9, 2004. The purpose of the study is to examine the medical cost drivers of the workers' compensation program in order to ensure costs are not excessive, while at the same time ensuring that injured workers have adequate access to health care providers under the workers' compensation system. The working group shall consist of an equal number of provider, employer, and labor representatives. The study shall examine:

(1) the growth in medical costs in the workers' compensation program compared to the growth in overall medical costs; and

(2) the costs that are unique to providing medical services to injured workers under the workers' compensation program.

The commissioner shall convene the study group no later than September 1, 2003. By February 15, 2004, the workers' compensation advisory council must report to the chairs of the legislative committees with jurisdiction over workers' compensation regarding the recommendations of the working group, including a description of action taken on the recommendations."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 38 and nays 19, as follows:

Those who voted in the affirmative were:

Berglin	Hottinger	Marko	Ranum	Solon
Betzold	Kelley	Marty	Rest	Sparks
Chaudhary	Kierlin	Metzen	Robling	Stumpf
Cohen	Kiscaden	Moua	Sams	Tomassoni
Dibble	Knutson	Ortman	Saxhaug	Vickerman
Dille	Kubly	Ourada	Scheid	Wiger
Foley	Langseth	Pappas	Skoe	
Higgins	Lourey	Pogemiller	Skoglund	

Those who voted in the negative were:

Bachmann	Johnson, D.J.	LeClair	Nienow	Rosen
Belanger	Jungbauer	McGinn	Olson	Senjem
Gaither	Kleis	Michel	Pariseau	Wergin
Hann	Larson	Neuville	Reiter	

The motion prevailed. So the amendment was adopted.

Senator Bachmann moved to amend S.F. No. 1523 as follows:

Page 293, delete section 3

Pages 297 and 298, delete section 7

Page 298, delete section 8

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

Bachmann	Hann	Knutson	Neuville	Reiter
Belanger	Johnson, D.J.	Koering	Nienow	Robling
Day	Jungbauer	Larson	Olson	Rosen
Dille	Kierlin	LeClair	Ortman	Ruud
Frederickson	Kiscaden	McGinn	Ourada	Wergin
Gaither	Kleis	Michel	Pariseau	

Those who voted in the negative were:

Bakk	Higgins	Marty	Sams	Stumpf
Berglin	Hottinger	Metzen	Saxhaug	Tomassoni
Betzold	Kelley	Moua	Scheid	Vickerman
Chaudhary	Kubly	Pappas	Skoe	Wiger
Cohen	Langseth	Pogemiller	Skoglund	
Dibble	Lourey	Ranum	Solon	
Foley	Marko	Rest	Sparks	

The motion did not prevail. So the amendment was not adopted.

Senator Stumpf moved to amend S.F. No. 1523 as follows:

Page 111, after line 34, insert:

"Sec. 133. Minnesota Statutes 2002, section 115A.919, subdivision 1, is amended to read:

Subdivision 1. [FEE.] (a) A county may impose a fee, by cubic yard of waste or its equivalent, on operators of facilities for the disposal of mixed municipal solid waste or construction debris located within the county. ~~The revenue from the fees shall be credited to the county general fund and shall be used only~~ Up to 50 percent of the fee may be used for:

(1) maintenance and operation of existing resource recovery facilities where waste is converted to energy;

(2) grants made by the county to townships for the cost of annual cleanup activities;

(3) other efforts associated with removal of waste from the waste stream before placing it in a landfill; or

(4) road maintenance or reconstruction resulting from frequent heavy vehicle use.

The remaining money from the fee must be used for landfill abatement purposes, or costs of closure, postclosure care, and response actions or for purposes of mitigating and compensating for the local risks, costs, and other adverse effects of facilities. The interest generated from fees imposed under this subdivision may be credited to the county general fund for use by a county for other purposes.

(b) Fees for construction debris facilities may not exceed 50 cents per cubic yard. Revenues from the fees must offset any financial assurances required by the county for a construction debris facility. The maximum revenue that may be collected for a construction debris facility must be determined by multiplying the total permitted capacity of the facility by 15 cents per cubic yard. Once the maximum revenue has been collected for a facility, the fee may no longer be imposed. The limitation on the fees in this paragraph and in section 115A.921, subdivision 2, are not intended to alter the liability of the facility operator or the authority of the agency to impose financial assurance requirements."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Stumpf then moved to amend S.F. No. 1523 as follows:

Page 79, after line 14, insert:

"Sec. 65. Minnesota Statutes 2002, section 97A.441, is amended by adding a subdivision to read:

Subd. 6b. [TAKING DEER; 30-YEAR FIREARMS SAFETY INSTRUCTORS.] A person authorized to issue licenses must issue, without a fee, a license to take deer with firearms or by archery to a resident who has been recognized by the commissioner for teaching firearms safety training for at least 30 years.

Sec. 66. Minnesota Statutes 2002, section 97A.441, is amended by adding a subdivision to read:

Subd. 6c. [TAKING SMALL GAME; 30-YEAR FIREARMS SAFETY INSTRUCTORS.] A person authorized to issue licenses must issue, without a fee, a license to take small game to a resident who has been recognized by the commissioner for teaching firearms safety training for at least 30 years."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Marko moved to amend S.F. No. 1523 as follows:

Page 266, line 13, delete "7,947,000" and insert "8,292,000" in both places

Page 266, after line 24, insert:

"\$345,000 the first year and \$345,000 the second year are for boiler inspections under Minnesota Statutes, section 183.38, subdivision 1. This is a onetime appropriation and is not added to the department's base."

Page 269, after line 35, insert:

"Sec. 18. [BOILER INSPECTION AND LICENSE FEE SURCHARGE.]

The commissioner of labor and industry may impose a surcharge of \$5 on each of the fees authorized under Minnesota Statutes, section 183.545, subdivisions 2, 3, and 4, for the period starting July 1, 2003, and ending June 30, 2005."

Correct the subdivision and section totals and the summaries by fund

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Jungbauer moved to amend S.F. No. 1523 as follows:

Page 107, after line 1, insert:

"Sec. 126. Minnesota Statutes 2002, section 115.44, is amended by adding a subdivision to read:

Subd. 9. [PHOSPHORUS IN MUNICIPAL WASTEWATER TREATMENT EFFLUENT.] (a) By August 1, 2004, all municipalities with wastewater treatment facilities that have effluent phosphorus concentrations greater than one milligram per liter shall develop and submit a phosphorus management plan to the agency. The plan must outline the corrective actions necessary to reduce phosphorus discharges to a level no greater than one milligram per liter.

(b) By August 1, 2007, all municipalities submitting a management plan under paragraph (a) must implement the plan, and a municipal wastewater treatment plant may not exceed one milligram of phosphorus per liter of effluent."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Gaither	Knutson	Nienow	Rosen
Bachmann	Hann	Koering	Olson	Ruud
Belanger	Johnson, D.J.	LeClair	Ortman	
Chaudhary	Jungbauer	McGinn	Pariseau	
Day	Kierlin	Michel	Reiter	
Dille	Kleis	Neuville	Robling	

Those who voted in the negative were:

Bakk	Higgins	Marko	Rest	Solon
Berglin	Hottinger	Metzen	Sams	Sparks
Betzold	Kelley	Moua	Saxhaug	Stumpf
Cohen	Kiscaden	Murphy	Scheid	Tomassoni
Dibble	Kubly	Pappas	Senjem	Vickerman
Foley	Langseth	Pogemiller	Skoe	Wergin
Frederickson	Lourey	Ranum	Skoglund	Wiger

The motion did not prevail. So the amendment was not adopted.

Senator Kleis moved to amend S.F. No. 1523 as follows:

Pages 291 and 292, delete section 1

Page 298, delete section 9

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 37, as follows:

Those who voted in the affirmative were:

Belanger	Jungbauer	Koering	Olson	Rosen
Day	Kierlin	McGinn	Ortman	Ruud
Gaither	Kiscaden	Michel	Pariseau	Senjem
Hann	Kleis	Neuville	Reiter	Wergin
Johnson, D.J.	Knutson	Nienow	Robling	

Those who voted in the negative were:

Anderson	Dille	Lourey	Ranum	Sparks
Bachmann	Foley	Marko	Rest	Stumpf
Bakk	Higgins	Marty	Sams	Tomassoni
Berglin	Hottinger	Metzen	Saxhaug	Vickerman
Betzold	Kelley	Moua	Scheid	Wiger
Chaudhary	Kubly	Murphy	Skoe	
Cohen	Langseth	Pappas	Skoglund	
Dibble	LeClair	Pogemiller	Solon	

The motion did not prevail. So the amendment was not adopted.

Senator Nienow moved to amend the Higgins amendment to S.F. No. 1523, adopted by the Senate April 29, 2003, as follows:

Page 1, lines 13 and 17, before "No" insert "Thirty days after the commissioner has published notice in the State Register of the determination under paragraph (c),"

Page 1, after line 20, insert:

"(c) The commissioner of the pollution control agency may determine that a commercially available brand of dishwasher detergent that does not contain more than 0.5 percent phosphorus by weight is not harmful to human health and safety, or the environment, including aquatic life, and would not increase water treatment costs, including cost for individual sewage treatment systems."

Page 1, line 21, delete "(c)" and insert "(d)" and delete "and (b)" and insert "to (c)"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 36, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, D.J.	Knutson	Neuville	Reiter
Belanger	Jungbauer	Koering	Nienow	Robling
Day	Kierlin	LeClair	Olson	Rosen
Dille	Kiscaden	McGinn	Ourada	Ruud
Hann	Kleis	Michel	Pariseau	Senjem

Those who voted in the negative were:

Anderson	Berglin	Chaudhary	Dibble	Frederickson
Bakk	Betzold	Cohen	Foley	Higgins

Hottinger	Marty	Ranum	Skoglund	Wergin
Kelley	Metzen	Rest	Solon	Wiger
Kubly	Moua	Sams	Sparks	
Langseth	Murphy	Saxhaug	Stumpf	
Lourey	Pappas	Scheid	Tomassoni	
Marko	Pogemiller	Skoe	Vickerman	

The motion did not prevail. So the amendment was not adopted.

Senator Rosen moved to amend S.F. No. 1523 as follows:

Page 56, delete section 33

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 33, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, D.J.	LeClair	Ortman	Ruud
Belanger	Jungbauer	McGinn	Ourada	Senjem
Day	Kierlin	Michel	Pariseau	Wergin
Frederickson	Kiscaden	Neuville	Reiter	
Gaither	Kleis	Nienow	Robling	
Hann	Knutson	Olson	Rosen	

Those who voted in the negative were:

Anderson	Dille	Lourey	Rest	Sparks
Bakk	Foley	Marko	Sams	Stumpf
Berglin	Higgins	Marty	Saxhaug	Tomassoni
Betzold	Hottinger	Metzen	Scheid	Vickerman
Chaudhary	Kelley	Moua	Skoe	Wiger
Cohen	Kubly	Pappas	Skoglund	
Dibble	Langseth	Pogemiller	Solon	

The motion did not prevail. So the amendment was not adopted.

Senator Robling moved to amend S.F. No. 1523 as follows:

Page 250, after line 4, insert:

"ARTICLE 8
MOSQUITO CONTROL

Section 1. Minnesota Statutes 2002, section 18B.07, subdivision 2, is amended to read:

Subd. 2. [PROHIBITED PESTICIDE USE.] (a) A person may not use, store, handle, distribute, or dispose of a pesticide, rinsate, pesticide container, or pesticide application equipment in a manner:

- (1) that is inconsistent with a label or labeling as defined by FIFRA;
- (2) that endangers humans, damages agricultural products, food, livestock, fish, or wildlife; or
- (3) that will cause unreasonable adverse effects on the environment.

(b) A person may not direct a pesticide onto property beyond the boundaries of the target site. A person may not apply a pesticide resulting in damage to adjacent property.

(c) A person may not directly apply a pesticide on a human by overspray or target site spray, except when:

- (1) the pesticide is intended for use on a human;
 - (2) the pesticide application is for mosquito control operations conducted ~~before June 30, 2003,~~ in compliance with paragraph (d), clauses (1) and (2);
 - (3) the pesticide application is for control of gypsy moth, forest tent caterpillar, or other pest species, as determined by the commissioner, and the pesticide used is a biological agent; or
 - (4) the pesticide application is for a public health risk, as determined by the commissioner of health, and the commissioner of health, in consultation with the commissioner of agriculture, determines that the application is warranted based on the commissioner's balancing of the public health risk with the risk that the pesticide application poses to the health of the general population, with special attention to the health of children.
- (d) For pesticide applications under paragraph (c), clauses (3) and (4), the following conditions apply:
- (1) no practicable and effective alternative method of control exists;
 - (2) the pesticide is among the least toxic available for control of the target pest; and
 - (3) notification of residents in the area to be treated is provided by direct notification and through publication in a newspaper of general circulation within the affected area.
- (e) For purposes of this subdivision, "direct notification" may include mailings, public meetings, posted placards, neighborhood newsletters, or other means of contact designed to reach as many residents as possible.
- (f) A person may not apply a pesticide in a manner so as to expose a worker in an immediately adjacent, open field.

Sec. 2. Minnesota Statutes 2002, section 473.702, is amended to read:

473.702 [ESTABLISHMENT OF DISTRICT; PURPOSE; AREA; GOVERNING BODY.]

A metropolitan mosquito control district is created to control mosquitoes, disease vectoring ticks, and black gnats (Simuliidae) in the metropolitan area. ~~The area of the district is the metropolitan area defined in section 473.121. The area of the district is the metropolitan area excluding the part of Carver county west of the west line of township 116N, range 24W, township 115N, range 24W, and township 114N, range 24W.~~ The metropolitan mosquito control commission is created as the governing body of the district, composed and exercising the powers as prescribed in sections 473.701 to 473.716.

Sec. 3. Minnesota Statutes 2002, section 473.703, subdivision 1, is amended to read:

Subdivision 1. [METRO COUNTY COMMISSIONERS.] The district shall be operated by a commission which shall consist of three members from Anoka county, ~~one member~~ two members from Carver county, three members from Dakota county, three members from Hennepin county, three members from Ramsey county, two members from Scott county, and two members from Washington county. Commissioners shall be members of the board of county commissioners of their respective counties, and shall be appointed by their respective boards of county commissioners.

Sec. 4. Minnesota Statutes 2002, section 473.704, subdivision 17, is amended to read:

Subd. 17. [ENTRY TO PROPERTY.] (a) Members of the commission, its officers, and employees, while on the business of the commission, may enter upon any property within or outside the district at reasonable times to determine the need for control programs. They may take all necessary and proper steps for the control programs on property within the district as the director of the commission may designate. Subject to the paramount control of the county and state authorities, commission members and officers and employees of the commission may enter upon any property and clean up any stagnant pool of water, the shores of lakes and streams, and

other breeding places for mosquitoes within the district. The commission may apply insecticides approved by the director to any area within or outside the district that is found to be a breeding place for mosquitoes. The commission shall give reasonable notification to the governing body of the local unit of government prior to applying insecticides outside of the district on land located within the jurisdiction of the local unit of government. The commission shall not enter upon private property if the owner objects except to determine the need for control of or for control of ~~disease-bearing mosquito encephalitis outbreaks~~ known disease vector species of mosquitoes, ticks, or black gnats. The commission must make a reasonable attempt to contact the objecting property owner before entry.

(b) The commissioner of natural resources must approve mosquito control plans or make modifications as the commissioner of natural resources deems necessary for the protection of public water, wild animals, and natural resources before control operations are started on state lands administered by the commissioner of natural resources. ~~Until July 1, 2002, approval may, if the commissioner of natural resources considers it necessary, be denied, modified, or revoked by the commissioner of natural resources at any time upon written notice to the commission.~~

Sec. 5. Minnesota Statutes 2002, section 473.705, is amended to read:

473.705 [CONTRACTS FOR MATERIALS, SUPPLIES AND EQUIPMENT.]

~~No contract~~ Contracts for the purchase of materials, supplies, and equipment ~~costing more than \$5,000 shall be made~~ must comply with and be governed by the Minnesota Uniform Municipal Contracting Law, section 471.345. ~~A sealed bid solicitation must not be done by the commission without publishing the notice once in the official newspaper of each of the counties in the district that bids or proposals will be received. The notice shall be published at least ten days before bids are opened. Such notice shall state the nature of the work or purchase and the terms and conditions upon which the contract is to be awarded, naming therein a time and place where such bids will be received, opened, and read publicly. After such bids have been duly received, opened, read publicly, and recorded, the commission shall award such contract to the lowest responsible bidder or it may reject all bids. Each contract shall be duly executed in writing and the party to whom the contract is awarded may be required to give sufficient bond to the commission for the faithful performance of the contract. If no satisfactory bid is received the commission may readvertise. The commission shall have the right to set qualifications and specifications and to require bids to meet such qualifications and specifications before bids are accepted. If the commission by an affirmative vote of five-sixths of the voting power of the commission shall declare that an emergency exists requiring the immediate purchase of materials or supplies at a cost in excess of \$5,000 but not to exceed \$10,000 in amount, or in making emergency repairs, it shall not be necessary to advertise for bids, but such material, equipment, and supplies may be purchased in the open market at the lowest price available without securing formal competitive bids. An emergency as used in this section shall be an unforeseen circumstance or condition which results in placing life or property in jeopardy. All contracts involving employment of labor shall stipulate terms thereof and such conditions as the commission deems reasonable as to hours and wages.~~

Sec. 6. Minnesota Statutes 2002, section 473.714, subdivision 1, is amended to read:

Subdivision 1. [COMPENSATION.] ~~Except as provided in subdivision 2, Each commissioner, including the officers of the commission shall, may be reimbursed for actual and necessary expenses incurred in the performance of duties. The chair shall be paid a per diem for attending meetings, monthly, executive, and special, and each commissioner shall be paid a per diem for attending meetings, monthly, executive, and special, which per diem shall be established by the commission. A commissioner who receives a per diem from the commissioner's county shall not be paid a per diem for the same day by the commission for attending meetings of the commission. The annual budget of the commission shall provide as a separate account anticipated expenditures for per diem, travel and associated expenses for the chair and members, and compensation or reimbursement shall be made to the chair or members only when budgeted. No commissioner may be paid a per diem.~~

Sec. 7. [TRANSITIONAL AUTHORITY.]

The metropolitan mosquito control district and the Carver county board of commissioners may enter into an agreement for the district to provide its services to the part of Carver county added to the district by this act until the proceeds of the levy from that part of Carver county are available for those services. During this period the services may be provided on the terms and for fees that are mutually agreed to by the parties.

Sec. 8. [REPEALER.]

Minnesota Statutes 2002, section 473.714, subdivision 2, is repealed.

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective the day following final enactment."

Renumber the articles and sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 32, as follows:

Those who voted in the affirmative were:

Bachmann	Hann	Knutson	Olson	Ruud
Belanger	Johnson, D.J.	Koering	Ortman	Senjem
Day	Jungbauer	LeClair	Pariseau	Skoglund
Dille	Kierlin	McGinn	Reiter	Wergin
Frederickson	Kiscaden	Michel	Robling	
Gaither	Kleis	Neuville	Rosen	

Those who voted in the negative were:

Anderson	Foley	Marko	Ranum	Stumpf
Bakk	Higgins	Marty	Rest	Tomassoni
Berglin	Hottinger	Metzen	Sams	Vickerman
Betzold	Kelley	Moua	Saxhaug	Wiger
Chaudhary	Kubly	Nienow	Scheid	
Cohen	Langseth	Pappas	Skoe	
Dibble	Lourey	Pogemiller	Solon	

The motion did not prevail. So the amendment was not adopted.

Senator Michel moved to amend S.F. No. 1523 as follows:

Pages 298 to 300, delete article 12

Renumber the articles in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 33, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, D.J.	LeClair	Ortman	Ruud
Belanger	Kierlin	McGinn	Ourada	Senjem
Day	Kiscaden	Michel	Pariseau	Wergin
Frederickson	Kleis	Neuville	Reiter	
Gaither	Knutson	Nienow	Robling	
Hann	Koering	Olson	Rosen	

Those who voted in the negative were:

Anderson	Betzold	Cohen	Foley	Hottinger
Bakk	Chaudhary	Dibble	Higgins	Kelley

Kubly	Metzen	Ranum	Skoe	Tomassoni
Langseth	Moua	Rest	Skoglund	Vickerman
Lourey	Murphy	Sams	Solon	Wiger
Marko	Pappas	Saxhaug	Sparks	
Marty	Pogemiller	Scheid	Stumpf	

The motion did not prevail. So the amendment was not adopted.

S.F. No. 1523 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 37 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Marko	Rest	Sparks
Bakk	Frederickson	Marty	Rosen	Stumpf
Berglin	Higgins	Metzen	Sams	Tomassoni
Betzold	Hottinger	Moua	Saxhaug	Vickerman
Chaudhary	Kelley	Murphy	Scheid	Wiger
Cohen	Kubly	Pappas	Skoe	
Dibble	Langseth	Pogemiller	Skoglund	
Dille	Lourey	Ranum	Solon	

Those who voted in the negative were:

Bachmann	Jungbauer	LeClair	Ortman	Senjem
Belanger	Kierlin	McGinn	Ourada	Wergin
Day	Kiscaden	Michel	Pariseau	
Gaither	Kleis	Neuville	Reiter	
Hann	Knutson	Nienow	Robling	
Johnson, D.J.	Koering	Olson	Ruud	

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

Senator Hottinger moved that S.F. No. 1523 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Hottinger moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 1524 and that the rules of the Senate be so far suspended as to give S.F. No. 1524, now on the General Orders, its third reading and place it on its final passage. The motion prevailed.

S.F. No. 1524: A bill for an act relating to state government; appropriating money for the general legislative and administrative expenses of state government, criminal justice, and economic development; modifying provisions relating to state and local government operations; modifying certain fee and revenue provisions; modifying certain board and commission provisions; modifying certain public safety and judiciary provisions; amending Minnesota Statutes 2002, sections 3.885, subdivision 1; 3A.11, subdivision 1; 10A.02, by adding a subdivision; 10A.025, subdivision 2; 10A.04, by adding subdivisions; 10A.34, subdivision 1a, by adding a subdivision; 13.072, subdivisions 1, 2; 13.87, subdivision 3; 14.48, subdivision 3; 16A.11, subdivision 3; 16A.1285, subdivision 3; 16A.40; 16B.24, subdivision 5; 16B.465, subdivision 7; 16B.48, subdivision 2; 16B.54, by adding a subdivision; 16C.02, subdivision 6; 16C.05, subdivision 2, by adding a subdivision; 16C.06, subdivision 1; 16C.08, subdivisions 2, 3, 4, by adding a subdivision; 16D.08, subdivision 2; 16E.01, subdivision 3; 16E.07, subdivision 9; 43A.17, subdivision 9; 116J.8771; 154.18; 197.608; 239.101, subdivision 3, by adding a subdivision; 240.03; 240.10; 240.15, subdivision 6; 240.155, subdivision 1; 240A.03, subdivision 10; 240A.04; 240A.06, subdivision 1; 256B.435, subdivision 2a; 270.052; 270.44; 270A.07,

subdivision 1; 271.06, subdivision 4; 289A.08, subdivision 16; 299C.10, subdivision 4, by adding a subdivision; 299C.48; 299F.46, subdivision 1, by adding subdivisions; 299M.03, by adding a subdivision; 303.14; 340A.301, by adding a subdivision; 349A.08, subdivision 5; 349A.15; 357.021, subdivisions 2, 7; 357.022; 357.08; 403.02, subdivision 10; 403.06; 403.07, subdivisions 1, 2, 3; 403.09, subdivision 1; 403.11; 403.113; 473.891, subdivision 10, by adding a subdivision; 473.898, subdivisions 1, 3; 473.901; 473.902, by adding a subdivision; 473.907, subdivision 1; 611A.72; 611A.73, subdivisions 2, 6; 611A.74; 624.22, subdivision 1; Laws 1998, chapter 366, section 80, as amended; Laws 2001, First Special Session chapter 8, article 4, section 2; proposing coding for new law in Minnesota Statutes, chapters 5; 15; 16C; 326; 473; repealing Minnesota Statutes 2002, sections 16B.50; 16C.07; 123B.73.

Senator Kleis moved to amend S.F. No. 1524 as follows:

Page 68, after line 25, insert:

"Sec. 72. [PER DIEM REIMBURSEMENT.]

Notwithstanding Minnesota Statutes, sections 3.099, 3.101, and 3.103, during any special session held between May 20, 2003, and June 30, 2003, members of the legislature must not be paid per diem reimbursement for living expenses incurred during that time."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Senator Kleis imposed a call of the Senate for the balance of the proceedings on S.F. No. 1524. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 34, as follows:

Those who voted in the affirmative were:

Bachmann	Jungbauer	McGinn	Ourada	Senjem
Day	Kierlin	Michel	Pariseau	Wergin
Dille	Kleis	Neuville	Reiter	
Gaither	Knutson	Nienow	Robling	
Hann	Koering	Olson	Rosen	
Johnson, D.J.	LeClair	Ortman	Ruud	

Those who voted in the negative were:

Anderson	Dibble	Lourey	Ranum	Solon
Bakk	Foley	Marty	Rest	Sparks
Belanger	Higgins	Metzen	Sams	Stumpf
Berglin	Hottinger	Moua	Saxhaug	Tomassoni
Betzold	Kelley	Murphy	Scheid	Vickerman
Chaudhary	Kubly	Pappas	Skoe	Wiger
Cohen	Langseth	Pogemiller	Skoglund	

The motion did not prevail. So the amendment was not adopted.

Senator Berglin moved to amend S.F. No. 1524 as follows:

Page 11, delete line 22 and insert:

"Sec. 23. STATE LOTTERY"

Page 11, delete lines 33 to 49

Correct the subdivision and section totals and the summaries by fund

The motion prevailed. So the amendment was adopted.

Senator Reiter moved to amend S.F. No. 1524 as follows:

Page 69, after line 3, insert:

"Sec. 73. [STATE AND LOCAL LOBBYING COSTS.]

No state or local unit of government may spend more than \$25,000 annually on personnel costs relating to lobbying the state legislature. For purposes of this section, "state or local unit of government" includes state agencies and departments, state boards, state commissions, courts, state constitutional offices, state judicial offices, cities, towns, counties, school districts, and other local governmental bodies."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 40, as follows:

Those who voted in the affirmative were:

Bachmann	Hann	McGinn	Ortman	Rosen
Belanger	Johnson, D.J.	Michel	Ourada	Ruud
Day	Jungbauer	Neuville	Pariseau	
Foley	Knutson	Nienow	Reiter	
Gaither	LeClair	Olson	Robling	

Those who voted in the negative were:

Anderson	Higgins	Langseth	Pogemiller	Skoglund
Bakk	Hottinger	Lourey	Ranum	Solon
Berglin	Kelley	Marko	Rest	Sparks
Betzold	Kierlin	Marty	Sams	Stumpf
Chaudhary	Kiscaden	Metzen	Saxhaug	Tomassoni
Cohen	Kleis	Moua	Scheid	Vickerman
Dibble	Koering	Murphy	Senjem	Wergin
Dille	Kubly	Pappas	Skoe	Wiger

The motion did not prevail. So the amendment was not adopted.

Senator Sams moved to amend S.F. No. 1524 as follows:

Page 67, after line 7, insert:

"Sec. 71. [COUNTY OPTION.]

Notwithstanding any other law to the contrary, if state funding is reduced or terminated to a county for a program mandated by a state law, rule, or bulletin, or for which a maintenance of effort is required, the county, at its option, may adjust the service or program to operate within the limits of the state funds appropriated for that service or program."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Foley moved to amend the Sams amendment to S.F. No. 1524 as follows:

Page 1, line 4, delete "Notwithstanding any other law to the contrary,"

The motion did not prevail. So the amendment to the amendment was not adopted.

Senator Berglin questioned whether the Sams amendment was germane.

The President ruled that the amendment was germane.

The question recurred on the adoption of the Sams amendment. The motion prevailed. So the amendment was adopted.

Senator Knutson moved to amend S.F. No. 1524 as follows:

Page 14, after line 23, insert:

"Sec. 4. Minnesota Statutes 2002, section 10A.01, subdivision 21, is amended to read:

Subd. 21. [LOBBYIST.] (a) "Lobbyist" means an individual:

(1) engaged for pay or other consideration, or authorized to spend money by another individual, association, political subdivision, or public higher education system, who spends more than five hours in any month or more than \$250, not including the individual's own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit, by communicating or ~~urging others to communicate~~ with public or local officials; or

(2) who spends more than \$250, not including the individual's own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit, by communicating or ~~urging others to communicate~~ with public or local officials.

(b) "Lobbyist" does not include:

(1) a public official;

(2) an employee of the state, including an employee of any of the public higher education systems;

(3) an elected local official;

(4) a nonelected local official or an employee of a political subdivision acting in an official capacity, unless the nonelected official or employee of a political subdivision spends more than 50 hours in any month attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit other than the political subdivision employing the official or employee, by communicating or urging others to communicate with public or local officials, including time spent monitoring legislative or administrative action, or the official action of a metropolitan governmental unit, and related research, analysis, and compilation and dissemination of information relating to legislative or administrative policy in this state, or to the policies of metropolitan governmental units;

(5) a party or the party's representative appearing in a proceeding before a state board, commission, or agency of the executive branch unless the board, commission, or agency is taking administrative action;

(6) an individual while engaged in selling goods or services to be paid for by public funds;

(7) a news medium or its employees or agents while engaged in the publishing or broadcasting of news items, editorial comments, or paid advertisements which directly or indirectly urge official action;

(8) a paid expert witness whose testimony is requested by the body before which the witness is appearing, but only to the extent of preparing or delivering testimony; or

(9) a party or the party's representative appearing to present a claim to the legislature and communicating to legislators only by the filing of a claim form and supporting documents and by appearing at public hearings on the claim."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

Bachmann	Hann	Knutson	Nienow	Robling
Belanger	Johnson, D.J.	Koering	Olson	Rosen
Day	Jungbauer	LeClair	Ortman	Ruud
Dille	Kierlin	McGinn	Ourada	Senjem
Frederickson	Kiscaden	Michel	Pariseau	Wergin
Gaither	Kleis	Neuville	Reiter	

Those who voted in the negative were:

Anderson	Higgins	Metzen	Sams	Stumpf
Bakk	Kelley	Moua	Saxhaug	Tomassoni
Betzold	Kubly	Murphy	Scheid	Vickerman
Chaudhary	Langseth	Pappas	Skoe	Wiger
Cohen	Lourey	Pogemiller	Skoglund	
Dibble	Marko	Ranum	Solon	
Foley	Marty	Rest	Sparks	

The motion did not prevail. So the amendment was not adopted.

Senator Neuville moved to amend S.F. No. 1524 as follows:

Page 21, line 30, after "TRANSPORTATION" insert ", CORRECTIONS,"

Page 21, line 33, after the comma, insert "department of corrections,"

Page 22, line 11, delete "department of corrections,"

The motion did not prevail. So the amendment was not adopted.

Senator Knutson moved to amend S.F. No. 1524 as follows:

Page 3, delete line 9 and insert:

" 12,646,000 12,646,000"

Page 3, delete line 11 and insert:

"General 12,518,000 12,518,000"

Page 3, lines 13 and 14, delete "\$5,431,000" and insert "\$5,019,000"

Page 3, lines 16 and 17, delete "\$1,175,000" and insert "\$1,085,000"

Page 3, line 19, delete "\$5,012,000" and insert "\$4,630,000"

Page 6, delete line 6 and insert:

" 2,479,000 2,479,000"

Page 6, delete lines 7 to 9

Page 6, delete line 11 and insert:

" 11,546,000 11,041,000"

Page 6, delete lines 18 to 21

Page 11, delete lines 6 to 9 and insert:

"Sec. 21. GAMBLING CONTROL 2,426,000 2,426,000"

Page 15, after line 26, insert:

"Sec. 8. Minnesota Statutes 2002, section 10A.31, subdivision 4, is amended to read:

Subd. 4. [APPROPRIATION.] (a) The amounts designated by individuals for the state elections campaign fund, less three percent, are appropriated from the general fund, must be transferred and credited to the appropriate account in the state elections campaign fund, and are annually appropriated for distribution as set forth in subdivisions 5, 5a, 6, and 7. The remaining three percent must be kept in the general fund for administrative costs.

~~(b) In addition to the amounts in paragraph (a), \$1,500,000 for each general election is appropriated from the general fund for transfer to the general account of the state elections campaign fund."~~

Pages 19 to 22, delete sections 13 and 14

Pages 67 and 68, delete section 71

Page 69, after line 3, insert:

"Sec. 71. [STUDY OF CORE PROPOSAL.]

A task force consisting of nine persons who are not current public officials and who have experience in private business organizations or state government shall review the recommendations for reorganizing the executive branch of state government issued by the commission on reform and efficiency in March of 1993. Three members each must be appointed by the governor, the subcommittee on committees of the senate committee on rules and administration, and the speaker of the house of representatives. The task force shall report its findings, including any recommended changes in the commission's proposal, to the legislature by January 15, 2004. The compensation, removal, and filling of vacancies of task force members are governed by Minnesota Statutes, section 15.059. The task force expires upon submission of its report."

Page 76, delete section 12

Page 83, lines 2 and 7, delete "\$265" and insert "\$245"

Page 83, lines 19 to 21, delete the new language

Page 83, lines 25, 27, 29, 31, and 34, reinstate the stricken language and delete the new language

Page 83, line 36, reinstate the stricken "(10)" and delete "(11)"

Page 84, line 1, reinstate the stricken "(11)" and delete "(12)"

Page 84, lines 5, 8, and 12, reinstate the stricken language and delete the new language

Page 86, delete sections 15, 16, and 17

Pages 87 to 90, delete section 18

Page 97, delete lines 3 to 10 and insert:

"Sec. 7. COUNCIL ON BLACK MINNESOTANS	282,000	282,000
Sec. 8. COUNCIL ON CHICANO-LATINO AFFAIRS	275,000	275,000
Sec. 9. COUNCIL ON ASIAN-PACIFIC MINNESOTANS	243,000	243,000
Sec. 10. INDIAN AFFAIRS COUNCIL	482,000	482,000"

Correct the subdivision and section totals and the summaries by fund

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 33, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, D.J.	Koering	Olson	Senjem
Belanger	Jungbauer	LeClair	Pariseau	Wergin
Day	Kierlin	McGinn	Reiter	
Dille	Kiscaden	Michel	Robling	
Gaither	Kleis	Neuville	Rosen	
Hann	Knutson	Nienow	Ruud	

Those who voted in the negative were:

Anderson	Higgins	Marty	Rest	Sparks
Bakk	Hottinger	Metzen	Sams	Stumpf
Betzold	Kelley	Moua	Saxhaug	Tomassoni
Chaudhary	Kubly	Murphy	Scheid	Vickerman
Cohen	Langseth	Pappas	Skoe	Wiger
Dibble	Lourey	Pogemiller	Skoglund	
Foley	Marko	Ranum	Solon	

The motion did not prevail. So the amendment was not adopted.

Senator Neuville moved to amend S.F. No. 1524 as follows:

Page 69, after line 3, insert:

"Sec. 73. [SALARY FREEZE.]

Subdivision 1. [SALARY INCREASES PROHIBITED.] (a) From the effective date of this section through June 30, 2005, a government employer must not increase the rate of salary or wages for any employee. This section prohibits any increase including, but not limited to, across-the-board increases, cost of living adjustments, increases based on longevity, increases as a result of step and lane changes, increases in the form of lump-sum payments, increases in employer contributions to deferred compensation plans, or any other pay grade adjustments of any kind. For purposes of this section, salary or wages does not include employer contributions toward the cost of medical or dental insurance premiums provided that employee contributions to the costs of medical or dental insurance premiums are not decreased.

(b) This section does not prohibit an increase in the rate of salary and wages for an employee who is promoted or transferred to a position with greater job responsibilities. Additional educational credits or degrees or a lane change is not a promotion or a transfer to a position with greater job responsibilities.

Subd. 2. [CONTRACTS IN EFFECT.] (a) This section does not prohibit a government employer from effectuating an increase in the rate of salary or wages for employees if required by a contract or collective bargaining agreement that is in effect before the effective date of this section. However, from the effective date of this section until June 30, 2005, a government employer may not:

(1) enter into a new contract or collective bargaining agreement that increases salary or wages in a manner prohibited by this section; or

(2) increase the rate of salary or wages for employees through extension of an expired contract or collective bargaining agreement or any other arrangement or agreement.

(b) Notwithstanding any law to the contrary, if as of the effective date of this section, a

government employer has agreed to or entered into a contract or collective bargaining agreement that is not scheduled to become effective until after the effective date of this section, any provision of the contract or collective bargaining agreement that violates subdivision 1, paragraph (a), is void. If this occurs, the exclusive representative may rescind the entire contract or collective bargaining agreement. To be effective, a request to rescind the contract must be made within 30 calendar days following the effective date of this section. Any subsequent contract or collective bargaining agreement must comply with the terms of this section.

(c) Notwithstanding any law to the contrary, upon expiration of a contract or collective bargaining agreement, each employee must remain at the rate of salary and wage in effect at the time the contract expired, except as authorized in subdivision 1, paragraph (b). Any language in a contract or collective bargaining agreement that attempts to extend the terms of the contract or collective bargaining agreement is invalid if it seeks to extend the application of the terms of a collective bargaining agreement past the durational limits set forth in Minnesota Statutes, section 179A.20, subdivision 3.

Subd. 3. [FUTURE CONTRACTS.] A contract or collective bargaining agreement or compensation plan entered into after June 30, 2005, must not provide a retroactive salary, or wage increase that applies to a period before June 30, 2005, if that increase would be prohibited by this section if granted before June 30, 2005.

Subd. 4. [ARBITRATION AND STRIKES.] Notwithstanding any law to the contrary:

(1) employees of a government employer may not legally strike due to a government employer's refusal to grant a salary or wage increase if the refusal is required to comply with this section; and

(2) neither a government employer nor an exclusive representative may request interest arbitration in relation to an increase in the rate of salary or wages that is prohibited by this section, and an arbitrator may not issue an award that would increase salary or wages in a manner prohibited by this section.

Subd. 5. [DEFINITIONS.] For purposes of this section, "government employer" means: the state and all statewide, regional, or local government bodies, including, but not limited to, all state departments, boards, agencies, offices, bureaus, commissions, authorities, councils, task forces, state constitutional offices, Minnesota state colleges and universities, offices in the executive, legislative, or judicial branches of the state.

Subd. 6. [RELATION TO OTHER LAW.] This section supersedes Minnesota Statutes, chapter 179A, and any other law to the contrary. It is not an unfair labor practice under Minnesota Statutes, chapter 179A, for a public employer to take any action required to comply with this section."

Page 69, after line 19, insert:

"Sec. 75. [UNIVERSITY OF MINNESOTA; SALARY AND WAGE RATE FREEZE RECOMMENDED.]

The legislature strongly recommends that the University of Minnesota comply with section 73 as if it were defined as a government employer under that section."

Page 70, after line 24, insert:

"Sec. 80. [EFFECTIVE DATE; EXPIRATION.]

Sections 73 and 75 are effective the day following final enactment. Section 73, subdivisions 1, 2, and 4 to 6, and section 75 expire on June 30, 2005."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 36, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, D.J.	Koering	Ortman	Senjem
Belanger	Jungbauer	LeClair	Ourada	Wergin
Day	Kierlin	Michel	Pariseau	
Dille	Kiscaden	Neuville	Reiter	
Gaither	Kleis	Nienow	Robling	
Hann	Knutson	Olson	Rosen	

Those who voted in the negative were:

Anderson	Higgins	McGinn	Ruud	Stumpf
Bakk	Hottinger	Metzen	Sams	Tomassoni
Betzold	Kelley	Moua	Saxhaug	Vickerman
Chaudhary	Kubly	Murphy	Scheid	Wiger
Cohen	Langseth	Pappas	Skoe	
Dibble	Lourey	Pogemiller	Skoglund	
Foley	Marko	Ranum	Solon	
Frederickson	Marty	Rest	Sparks	

The motion did not prevail. So the amendment was not adopted.

Senator Kleis moved to amend S.F. No. 1524 as follows:

Page 67, after line 7, insert:

"Sec. 71. [ELECTED OFFICIAL SALARIES.]

Subdivision 1. [LEGISLATORS.] The salary for legislators is decreased four percent, effective July 1, 2003, through June 30, 2005.

Subd. 2. [CONSTITUTIONAL OFFICERS.] The salary for each of the following officials is decreased by four percent, effective July 1, 2003, through June 30, 2005: governor, lieutenant governor, attorney general, secretary of state, state auditor, and treasurer. The compensation increases for the attorney general, state auditor, secretary of state, and lieutenant governor specified in Laws 2001, First Special Session chapter 10, article 1, section 2, subdivision 4, must not take effect until July 1, 2005.

Subd. 3. [EFFECT ON OTHER COMPENSATION.] (a) Notwithstanding Minnesota Statutes, sections 85A.02, subdivision 5a, 116O.04, subdivision 1, and 349A.02, subdivision 1, or other law to the contrary, the salary of a state employee, other than the officials specified in subdivision 2, must not be decreased from the amount paid on the effective date of this section as a result of subdivision 2.

(b) Notwithstanding Minnesota Statutes, section 43A.17, subdivision 9, the compensation of a political subdivision employee on the effective date of this section that would exceed 95 percent of the salary of the governor as a result of subdivision 2 must not be decreased as a result of subdivision 2.

[EFFECTIVE DATE.] This section is effective July 1, 2003."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Neuville moved to amend the Kleis amendment to S.F. No. 1524 as follows:

Page 1, lines 5 and 8, delete "four" and insert "one"

The question was taken on the adoption of the Neuville amendment to the Kleis amendment.

The roll was called, and there were yeas 29 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Hann	Koering	Nienow	Robling
Bachmann	Johnson, D.J.	LeClair	Olson	Ruud
Chaudhary	Jungbauer	Marko	Ortman	Senjem
Day	Kierlin	McGinn	Pariseau	Skoe
Frederickson	Kiscaden	Michel	Ranum	Stumpf
Gaither	Knutson	Neuville	Rest	

Those who voted in the negative were:

Bakk	Higgins	Marty	Rosen	Vickerman
Berglin	Hottinger	Metzen	Saxhaug	Wergin
Betzold	Kelley	Moua	Scheid	Wiger
Cohen	Kleis	Murphy	Skoglund	
Dibble	Kubly	Ourada	Solon	
Dille	Langseth	Pappas	Sparks	
Foley	Lourey	Pogemiller	Tomassoni	

The motion did not prevail. So the amendment to the amendment was not adopted.

RECONSIDERATION

Having voted on the prevailing side, Senator Scheid moved that the vote whereby the Neuville amendment to the Kleis amendment to S.F. No. 1524 failed to pass on April 29, 2003, be now reconsidered. The motion prevailed. So the vote was reconsidered.

The question recurred on the adoption of the Neuville amendment to the Kleis amendment.

The roll was called, and there were yeas 38 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Hann	LeClair	Ortman	Ruud
Bachmann	Johnson, D.J.	Marko	Ourada	Sams
Berglin	Jungbauer	Marty	Pariseau	Scheid
Chaudhary	Kierlin	McGinn	Ranum	Skoe
Day	Kiscaden	Michel	Reiter	Sparks
Foley	Knutson	Neuville	Rest	Stumpf
Frederickson	Koering	Nienow	Robling	
Gaither	Kubly	Olson	Rosen	

Those who voted in the negative were:

Bakk	Higgins	Lourey	Pogemiller	Wergin
Betzold	Hottinger	Metzen	Saxhaug	Wiger
Cohen	Kelley	Moua	Skoglund	
Dibble	Kleis	Murphy	Tomassoni	
Dille	Langseth	Pappas	Vickerman	

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the Kleis amendment, as amended.

The roll was called, and there were yeas 41 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Hann	LeClair	Ortman	Senjem
Bachmann	Johnson, D.J.	Lourey	Pariseau	Skoe
Berglin	Jungbauer	Marko	Reiter	Stumpf
Chaudhary	Kierlin	McGinn	Rest	Wergin
Cohen	Kiscaden	Michel	Robling	Wiger
Day	Kleis	Moua	Rosen	
Dille	Knutson	Neuville	Ruud	
Frederickson	Koering	Nienow	Sams	
Gaither	Kubly	Olson	Scheid	

Those who voted in the negative were:

Bakk	Hottinger	Murphy	Saxhaug	Vickerman
Betzold	Kelley	Ourada	Skoglund	
Dibble	Langseth	Pappas	Solon	
Foley	Marty	Pogemiller	Sparks	
Higgins	Metzen	Ranum	Tomassoni	

The motion prevailed. So the Kleis amendment, as amended, was adopted.

Senator McGinn moved to amend S.F. No. 1524 as follows:

Page 75, after line 34, insert:

"Of this appropriation, \$120,000 the first year and \$120,000 the second year are for grants to local units of government in metropolitan counties as defined in Minnesota Statutes, section 473.121, subdivision 4, to support services for the surviving family members of homicide, suicide, and accidental death victims."

ADJOURNMENT

Senator Koering moved that the Senate do now adjourn until 9:00 a.m., Wednesday, April 30, 2003.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 8 and nays 54, as follows:

Those who voted in the affirmative were:

Belanger	Koering	Pariseau	Tomassoni	Wiger
Dille	LeClair	Skoe		

Those who voted in the negative were:

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

The motion did not prevail.

The question recurred on the adoption of the McGinn amendment. The motion did not prevail. So the amendment was not adopted.

Senator Knutson moved to amend S.F. No. 1524 as follows:

Page 26, after line 6, insert:

"Sec. 20. Minnesota Statutes 2002, section 16B.47, is amended to read:

16B.47 [MICROGRAPHICS.]

The commissioner shall may provide micrographics services and products to meet agency needs. Within available resources, the commissioner may also provide micrographic services to

political subdivisions. Agency plans and programs for micrographics must be submitted to and receive the approval of the commissioner prior to implementation. Upon the commissioner's approval, subsidiary or independent microfilm operations may be implemented in other state agencies. The commissioner may direct that copies of official state documents be distributed to official state depositories on microfilm."

Page 27, after line 7, insert:

"Sec. 22. Minnesota Statutes 2002, section 16B.49, is amended to read:

16B.49 [CENTRAL MAILING SYSTEM.]

The commissioner shall ~~may~~ maintain and operate for state agencies, departments, institutions, and offices a central mail handling unit. Official, outgoing mail for units in St. Paul ~~must~~ may be required to be delivered unstamped to the unit. The unit shall ~~may~~ also operate an interoffice mail distribution system. The department may add personnel and acquire equipment that may be necessary to operate the unit efficiently and cost-effectively. Account must be kept of the postage required on that mail, which is then a proper charge against the agency delivering the mail. To provide funds for the payment of postage, each agency shall ~~may~~ be required to make advance payments to the commissioner sufficient to cover its postage obligations for at least 60 days. For purposes of this section, the Minnesota state colleges and universities is a state agency."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 33, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, D.J.	LeClair	Ortman	Ruud
Belanger	Jungbauer	McGinn	Ourada	Senjem
Day	Kierlin	Michel	Pariseau	Wergin
Dille	Kleis	Neuville	Reiter	
Gaither	Knutson	Nienow	Robling	
Hann	Koering	Olson	Rosen	

Those who voted in the negative were:

Anderson	Foley	Marko	Ranum	Sparks
Bakk	Higgins	Marty	Rest	Stumpf
Berglin	Hottinger	Metzen	Sams	Tomassoni
Betzold	Kelley	Moua	Saxhaug	Vickerman
Chaudhary	Kubly	Murphy	Scheid	Wiger
Cohen	Langseth	Pappas	Skoe	
Dibble	Lourey	Pogemiller	Skoglund	

The motion did not prevail. So the amendment was not adopted.

RECONSIDERATION

Having voted on the prevailing side, Senator Vickerman moved that the vote whereby the Sams amendment to S.F. No. 1524 was adopted on April 29, 2003, be now reconsidered.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 31 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Betzold	Dibble	Hottinger	Langseth
Bakk	Chaudhary	Foley	Kelley	Lourey
Berglin	Cohen	Higgins	Kubly	Marty

Metzen	Pogemiller	Sams	Skoglund	Tomassoni
Moua	Ranum	Saxhaug	Sparks	Vickerman
Murphy	Rest	Scheid	Stumpf	Wiger
Pappas				

Those who voted in the negative were:

Bachmann	Jungbauer	LeClair	Ourada	Senjem
Belanger	Kierlin	McGinn	Pariseau	Skoe
Day	Kleis	Michel	Reiter	Wergin
Hann	Knutson	Neuville	Robling	
Johnson, D.J.	Koering	Nienow	Rosen	

The motion prevailed. So the vote was reconsidered.

Senator Sams withdrew his amendment.

Senator Kleis moved to amend S.F. No. 1524 as follows:

Page 67, after line 7, insert:

"Sec. 71. [COUNTY OPTION.]

Notwithstanding any other law to the contrary, if state funding is reduced or terminated to a county for a program mandated by a state law, rule, or bulletin, or for which a maintenance of effort is required, the county, at its option, may adjust the service or program to operate within the limits of the state funds appropriated for that service or program."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 31, as follows:

Those who voted in the affirmative were:

Bachmann	Hann	Knutson	Nienow	Robling
Belanger	Johnson, D.J.	Koering	Olson	Rosen
Day	Jungbauer	LeClair	Ortman	Rud
Dille	Kierlin	McGinn	Ourada	Senjem
Frederickson	Kiscaden	Michel	Pariseau	Wergin
Gaither	Kleis	Neuville	Reiter	

Those who voted in the negative were:

Anderson	Foley	Marty	Rest	Tomassoni
Bakk	Higgins	Metzen	Sams	Vickerman
Berglin	Hottinger	Moua	Saxhaug	Wiger
Betzold	Kelley	Murphy	Scheid	
Chaudhary	Kubly	Pappas	Skoglund	
Cohen	Langseth	Pogemiller	Sparks	
Dibble	Lourey	Ranum	Stumpf	

The motion did not prevail. So the amendment was not adopted.

Senator Neuville moved to amend S.F. No. 1524 as follows:

Page 14, after line 23, insert:

"Sec. 4. Minnesota Statutes 2002, section 8.10, is amended to read:

8.10 [COMPENSATION OF ATTORNEYS.]

(a) The compensation of these attorneys for this service shall be 25 percent of the sums and amounts collected and received by the state, such compensation to be contingent upon collection and payment thereof to the state, with no further liability on the part of the state, and the amount of

such compensation is hereby appropriated, payable upon the certificate of the attorney general filed with the commissioner of finance.

(b) The compensation for attorneys retained by contingent fee in any other situation shall not exceed 25 percent of the sums and amounts collected and received by the state, such compensation to be contingent upon collection and payment thereof to the state, with no further liability on the part of the state. The amount of such compensation is hereby appropriated, with the consent of the governor, if the amount is less than \$100,000. Compensation in excess of \$100,000 must be appropriated by the legislature."

Page 23, after line 35, insert:

"Sec. 18. Minnesota Statutes 2002, section 16A.151, subdivision 2, is amended to read:

Subd. 2. [EXCEPTIONS.] (a) If a state official litigates or settles a matter on behalf of specific injured persons or entities, this section does not prohibit distribution of money to the specific injured persons or entities on whose behalf the litigation or settlement efforts were initiated. If money recovered on behalf of injured persons or entities cannot reasonably be distributed to those persons or entities because they cannot readily be located or identified or because the cost of distributing the money would outweigh the benefit to the persons or entities, the money must be paid into the general fund.

(b) Money recovered on behalf of a fund in the state treasury other than the general fund may be deposited in that fund.

(c) This section does not prohibit a state official from distributing money to a person or entity other than the state in litigation or potential litigation in which the state is a defendant or potential defendant.

(d) A state official may distribute money from the settlement or litigation of a matter if:

(1) the distribution is needed to participate in a national litigation or settlement; or

(2) the amount distributed is less than \$500,000, and the governor has approved the distribution."

Page 70, line 23, after "sections" insert "16A.151, subdivision 5," and after "16B.50" insert a comma

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 32, as follows:

Those who voted in the affirmative were:

Bachmann	Hann	Knutson	Nienow	Rosen
Belanger	Johnson, D.J.	Koering	Olson	Ruud
Day	Jungbauer	LeClair	Ortman	Senjem
Dille	Kierlin	McGinn	Pariseau	Wergin
Frederickson	Kiscaden	Michel	Reiter	
Gaither	Kleis	Neuville	Robling	

Those who voted in the negative were:

Anderson	Foley	Marko	Rest	Stumpf
Bakk	Higgins	Marty	Sams	Tomassoni
Berglin	Hottinger	Moua	Saxhaug	Vickerman
Betzold	Kelley	Murphy	Scheid	Wiger
Chaudhary	Kubly	Pappas	Skoe	
Cohen	Langseth	Pogemiller	Skoglund	
Dibble	Lourey	Ranum	Sparks	

The motion did not prevail. So the amendment was not adopted.

Senator Kleis moved to amend S.F. No. 1524 as follows:

Page 3, delete line 9 and insert:

" 12,646,000 12,646,000"

Page 3, delete line 11 and insert:

"General 12,518,000 12,518,000"

Page 3, lines 13 and 14, delete "\$5,431,000" and insert "\$5,019,000"

Page 3, lines 16 and 17, delete "\$1,175,000" and insert "\$1,085,000"

Page 3, line 19, delete "\$5,012,000" and insert "\$4,630,000"

Page 6, delete line 6 and insert:

" 2,479,000 2,479,000"

Page 6, delete lines 7 to 9

Page 11, delete lines 6 to 9 and insert:

"Sec. 21. GAMBLING CONTROL 2,426,000 2,426,000"

Page 15, after line 26, insert:

"Sec. 8. Minnesota Statutes 2002, section 10A.31, subdivision 4, is amended to read:

Subd. 4. [APPROPRIATION.] (a) The amounts designated by individuals for the state elections campaign fund, less three percent, are appropriated from the general fund, must be transferred and credited to the appropriate account in the state elections campaign fund, and are annually appropriated for distribution as set forth in subdivisions 5, 5a, 6, and 7. The remaining three percent must be kept in the general fund for administrative costs.

~~(b) In addition to the amounts in paragraph (a), \$1,500,000 for each general election is appropriated from the general fund for transfer to the general account of the state elections campaign fund."~~

Page 73, after line 16, insert:

"\$2,500,000 the first year and \$2,500,000 the second year are for a homeland security contingency fund and may be used to respond to an act of terrorism. Expenditures must be approved by the homeland security advisory council. These are onetime appropriations and are available until spent."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 33, as follows:

Those who voted in the affirmative were:

Bachmann	Dille	Johnson, D.J.	Kiscaden	Koering
Belanger	Frederickson	Jungbauer	Kleis	LeClair
Day	Hann	Kierlin	Knutson	McGinn

Michel	Olson	Pariseau	Rosen	Wergin
Neuville	Ortman	Reiter	Ruud	
Nienow	Ourada	Robling	Senjem	

Those who voted in the negative were:

Anderson	Foley	Marko	Ranum	Sparks
Bakk	Higgins	Marty	Rest	Stumpf
Berglin	Hottinger	Metzen	Saxhaug	Tomassoni
Betzold	Kelley	Moua	Scheid	Vickerman
Chaudhary	Kubly	Murphy	Skoe	Wiger
Cohen	Langseth	Pappas	Skoglund	
Dibble	Lourey	Pogemiller	Solon	

The motion did not prevail. So the amendment was not adopted.

Senator Nienow moved to amend S.F. No. 1524 as follows:

Page 11, line 27, after the period, insert "The amount spent on advertising in fiscal year 2004 and fiscal year 2005 and thereafter may not exceed \$4,000,000."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 32, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, D.J.	Koering	Olson	Ruud
Belanger	Jungbauer	LeClair	Ortman	Senjem
Day	Kierlin	McGinn	Ourada	Wergin
Dille	Kiscaden	Michel	Pariseau	
Gaither	Kleis	Neuville	Reiter	
Hann	Knutson	Nienow	Rosen	

Those who voted in the negative were:

Anderson	Foley	Marty	Rest	Stumpf
Bakk	Higgins	Metzen	Sams	Tomassoni
Berglin	Hottinger	Moua	Saxhaug	Vickerman
Betzold	Kelley	Murphy	Scheid	Wiger
Chaudhary	Kubly	Pappas	Skoe	
Cohen	Langseth	Pogemiller	Solon	
Dibble	Marko	Ranum	Sparks	

The motion did not prevail. So the amendment was not adopted.

Senator Knutson moved to amend S.F. No. 1524 as follows:

Page 30, line 9, before the semicolon, insert "or, alternatively, the agency has assessed whether the use of state employees is cost-effective or provides the best value to the state"

Page 33, after line 26, insert:

"Sec. 32. Minnesota Statutes 2002, section 16C.09, is amended to read:

16C.09 [PROCEDURE FOR SERVICE CONTRACTS.]

(a) Before entering into or approving a service contract, the commissioner must determine, at least, that:

(1) no current state employee is able and available to perform the services called for by the contract or, alternatively, the agency has assessed whether the use of state employees is cost-effective or provides the best value to the state;

(2) the work to be performed under the contract is necessary to the agency's achievement of its statutory responsibilities and there is statutory authority to enter into the contract;

(3) the contract will not establish an employment relationship between the state or the agency and any persons performing under the contract;

(4) the contractor and agents are not employees of the state;

(5) the contracting agency has specified a satisfactory method of evaluating and using the results of the work to be performed; and

(6) the combined contract and amendments will not exceed five years without specific, written approval by the commissioner according to established policy, procedures, and standards, or unless otherwise provided for by law. The term of the original contract must not exceed two years, unless the commissioner determines that a longer duration is in the best interest of the state.

(b) For purposes of paragraph (a), clause (1), employees are available if qualified and:

(1) are already doing the work in question; or

(2) are on layoff status in classes that can do the work in question.

An employee is not available if the employee is doing other work, is retired, or has decided not to do the work in question."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 34, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, D.J.	Koering	Olson	Rosen
Belanger	Jungbauer	LeClair	Ortman	Ruud
Day	Kierlin	McGinn	Ourada	Senjem
Dille	Kiscaden	Michel	Pariseau	Wergin
Gaither	Kleis	Neuville	Reiter	
Hann	Knutson	Nienow	Robling	

Those who voted in the negative were:

Anderson	Foley	Marko	Ranum	Solon
Bakk	Higgins	Marty	Rest	Sparks
Berglin	Hottinger	Metzen	Sams	Stumpf
Betzold	Kelley	Moua	Saxhaug	Tomassoni
Chaudhary	Kubly	Murphy	Scheid	Vickerman
Cohen	Langseth	Pappas	Skoe	Wiger
Dibble	Lourey	Pogemiller	Skoglund	

The motion did not prevail. So the amendment was not adopted.

Senator Rosen moved to amend S.F. No. 1524 as follows:

Page 94, after line 22, insert:

"Sec. 21. [EPHEDRINE STUDY; METHAMPHETAMINE LABS.]

(a) The commissioner of public safety shall study the regulation of the sale of ephedrine. To the degree feasible, the study must examine what other states have done in this regard and make recommendations for changes to Minnesota law in this area. The commissioner may consult with appropriate persons in conducting this study.

(b) At a minimum, the study must address the advisability of placing restrictions on the over-the-counter sale of products containing ephedrine, including, but not limited to, limiting customer access to these products or requiring retailers of these products to implement antitheft devices to prevent their theft. In addition, the study must address what effect, if any, increased state regulation of ephedrine products would have on illegal methamphetamine laboratories.

(c) The commissioner shall report the results of the study to the chairs and ranking minority

members of the senate and house committees having jurisdiction over criminal justice policy by January 15, 2004."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 33, as follows:

Those who voted in the affirmative were:

Belanger	Hann	Koering	Ortman	Ruud
Day	Johnson, D.J.	McGinn	Ourada	Senjem
Dibble	Kierlin	Michel	Pariseau	Sparks
Dille	Kiscaden	Neuville	Reiter	Wergin
Frederickson	Kleis	Nienow	Robling	
Gaither	Knutson	Olson	Rosen	

Those who voted in the negative were:

Anderson	Foley	LeClair	Ranum	Solon
Bachmann	Higgins	Lourey	Rest	Stumpf
Bakk	Hottinger	Marty	Sams	Tomassoni
Berglin	Jungbauer	Metzen	Saxhaug	Vickerman
Betzold	Kelley	Moua	Scheid	Wiger
Chaudhary	Kubly	Pappas	Skoe	
Cohen	Langseth	Pogemiller	Skoglund	

The motion did not prevail. So the amendment was not adopted.

Senator Moua moved to amend S.F. No. 1524 as follows:

Page 75, after line 21, insert:

"The commissioner shall maintain the current advisory councils for battered women, sexual assault, and general crime victims within the newly created office of justice programs."

The motion prevailed. So the amendment was adopted.

S.F. No. 1524 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 34 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Marko	Ranum	Solon
Bakk	Higgins	Marty	Rest	Sparks
Berglin	Hottinger	Metzen	Sams	Stumpf
Betzold	Kelley	Moua	Saxhaug	Tomassoni
Chaudhary	Kubly	Murphy	Scheid	Vickerman
Cohen	Langseth	Pappas	Skoe	Wiger
Dibble	Lourey	Pogemiller	Skoglund	

Those who voted in the negative were:

Bachmann	Hann	Knutson	Nienow	Robling
Belanger	Johnson, D.J.	Koering	Olson	Rosen
Day	Jungbauer	LeClair	Ortman	Ruud
Dille	Kierlin	McGinn	Ourada	Senjem
Frederickson	Kiscaden	Michel	Pariseau	Wergin
Gaither	Kleis	Neuville	Reiter	

So the bill, as amended, was 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 Kubly introduced--

S.F. No. 1525: A bill for an act relating to traffic regulations; increasing maximum allowable length of recreational vehicle combinations to 65 feet; amending Minnesota Statutes 2002, section 169.81, subdivision 3c.

Referred to the Committee on Finance.

Senators Berglin and Pogemiller introduced--

S.F. No. 1526: A bill for an act relating to taxation; providing that sales of materials used in the construction of the Children's Theatre are exempt from taxation; amending Minnesota Statutes 2002, section 297A.71, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Belanger, McGinn, Ortman and Johnson, D.J. introduced--

S.F. No. 1527: A bill for an act relating to taxation; exempting certain airline meals from sales taxation; modifying the carryover for the jobs credit; amending Minnesota Statutes 2002, sections 290.06, subdivision 24; 297A.82, subdivision 4.

Referred to the Committee on Taxes.

Senators Stumpf and Kelley introduced--

S.F. No. 1528: A bill for an act relating to education; providing for family and early childhood and kindergarten through grade 12 education, including general education, special programs, education reform, facilities and technology, fund transfers, nutrition programs, libraries, prevention, self-sufficiency and lifelong learning, state agencies, administrative amendment and repeal of certain provisions, technical amendments, repeal of profile of learning, and statewide accountability; providing for rulemaking; appropriating money; amending Minnesota Statutes 2002, sections 12.21, subdivision 3; 13.485, by adding a subdivision; 84A.51, subdivision 4; 119A.52; 119A.53; 119B.011, subdivision 20; 120A.05, subdivisions 9, 11; 120A.24, subdivision 4; 120A.41; 120B.02; 120B.30, subdivision 1; 120B.35, by adding a subdivision; 121A.21; 121A.23; 121A.41, subdivision 10; 121A.55; 121A.61, subdivision 3; 121A.64; 122A.09, subdivision 4; 122A.18, subdivision 7a; 122A.21; 122A.22; 122A.40, subdivision 5; 122A.41, subdivision 2; 122A.413; 122A.414, by adding a subdivision; 122A.415, subdivision 3; 122A.46, subdivision 9; 122A.63, subdivision 3; 123A.06, subdivision 3; 123A.18, subdivision 2; 123A.73, subdivisions 3, 4, 5; 123B.02, subdivision 1; 123B.14, subdivision 1; 123B.51, subdivisions 3, 4; 123B.53, subdivision 4; 123B.54; 123B.57, subdivisions 1, 2, 4, 6; 123B.59, subdivisions 1, 2, 3, 5, by adding a subdivision; 123B.62; 123B.63, subdivisions 1, 2, 3, 4; 123B.71, subdivisions 4, 9; 123B.72, subdivision 3; 123B.75, subdivision 5; 123B.88, subdivision 2; 123B.90, subdivisions 2, 3; 123B.91, subdivision 1; 123B.92, subdivisions 1, 3; 123B.93; 124D.03, subdivision 12; 124D.081, by adding a subdivision; 124D.09, subdivisions 3, 9, 10, 16, 20; 124D.10, subdivisions 2a, 3, 4, 13, 16, 20, 23a; 124D.11, subdivisions 1, 2, 6, 9; 124D.128, subdivision 2; 124D.13, subdivisions 4, 8; 124D.135, subdivision 8; 124D.15, subdivision 7; 124D.16, subdivisions 1, 6; 124D.19, subdivision 3; 124D.20, subdivision 5, by adding subdivisions; 124D.22, subdivision 3; 124D.454, subdivisions 1, 2, 3, 8, 10, by adding a subdivision; 124D.52, subdivision 3; 124D.531, subdivisions 1, 4, 7, by adding a subdivision; 124D.59, subdivision 2; 124D.65, subdivision 5; 124D.69, subdivision 3; 124D.86, subdivisions 1a, 3, 4, 5, 6; 124D.88, by adding a subdivision; 125A.023, subdivision 3; 125A.03; 125A.05; 125A.12; 125A.21, subdivision 2; 125A.28; 125A.30; 126C.05, subdivision 16; 126C.10, subdivisions 4, 6, 28; 126C.15, subdivision 1;

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Referred to the Committee on Taxes.

MEMBERS EXCUSED

Senator Fischbach was excused from the Session of today at 3:15 p.m. Senator Limmer was excused from the Session of today at 3:30 p.m. Senator Johnson, D.E. was excused from the Session of today at 4:15 p.m. Senator Larson was excused from the Session of today at 4:45 p.m. Senator Frederickson was excused from the Session of today from 6:30 to 7:30 p.m. Senator Berglin was excused from the Session of today from 7:30 to 8:15 p.m.

ADJOURNMENT

Senator Koering moved that the Senate do now adjourn until 9:00 a.m., Friday, May 2, 2003. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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