

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-SECOND LEGISLATURE

NINETEENTH DAY

St. Paul, Minnesota, Monday, March 5, 2001

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Moe, R.D. 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. Jerry Schik.

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

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

March 2, 2001

The Honorable Don Samuelson
President of the Senate

Dear President Samuelson:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 376.

Sincerely,
Jesse Ventura, Governor

March 2, 2001

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Don Samuelson
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2001 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 2001	Date Filed 2001
376		5	2:00 p.m. March 2	March 2

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 File, herewith transmitted: H.F. No. 275.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 1, 2001

FIRST READING OF HOUSE BILLS

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

H.F. No. 275: A bill for an act relating to human services; modifying the procedure for counting savings under nursing facility closure plans; amending Minnesota Statutes 2000, section 256B.436, subdivision 6.

Referred to the Committee on Health and Family Security.

REPORTS OF COMMITTEES

Senator Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Ranum from the Committee on Crime Prevention, to which was referred

S.F. No. 499: A bill for an act relating to domestic abuse; authorizing continuance of the joint domestic abuse prosecution unit in Ramsey county; appropriating money.

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

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

S.F. No. 223: A bill for an act relating to agriculture; providing for loans for certain manure processing and odor control projects; appropriating money; amending Minnesota Statutes 2000, section 17.115, by adding a subdivision.

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

Page 1, line 9, delete "AND ODOR CONTROL"

Page 1, line 10, delete "paragraphs" and insert "paragraph" and delete "and"

Page 1, line 11, delete "(c)"

Page 1, line 12, delete "to any resident of Minnesota"

Page 1, line 13, delete "and" and insert a comma and after "odor" insert ", and produce usable energy"

Amend the title as follows:

Page 1, line 3, delete "and odor control"

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

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

S.F. No. 703: A bill for an act relating to agriculture; requiring a waiver of the amount of civil fine in excess of the amount required under current law for fines levied on dairy producers during a specified period; requiring reimbursement.

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

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

S.F. No. 701: A bill for an act relating to agriculture; expanding nuisance liability protection for agricultural operations; amending Minnesota Statutes 2000, section 561.19, subdivisions 1 and 2.

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

Page 2, line 7, delete everything after "(1)" and insert "a transfer of ownership to an entity eligible to own agricultural land and engage in farming under section 500.24;"

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

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

S.F. No. 603: A bill for an act relating to motor vehicles; authorizing special license plates for veterans of the United States military action in Grenada; amending Minnesota Statutes 2000, section 168.123, subdivision 2.

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

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

S.F. No. 339: A bill for an act relating to liens; regulating agricultural liens; revising and consolidating crop liens and agricultural liens on livestock; amending Minnesota Statutes 2000, section 514.19; proposing coding for new law in Minnesota Statutes, chapter 514; repealing Minnesota Statutes 2000, sections 514.23; 514.24; 514.25; 514.26; 514.27; 514.28; 514.29; 514.30; 514.31; 514.32; 514.33; 514.34; 514.62; 514.63; 514.65; 514.66; 514.92; 514.950; 514.952; 514.954; 514.956; 514.958; 514.959; 514.960; 557.12; and 559.2091; Minnesota Rules, parts 8271.0010; 8271.0020; 8271.0030; 8271.0040; 8271.0050; 8271.0060; 8271.0070; 8271.0080; 8271.0090; 8271.0100; 8271.0200; 8271.0300; and 8271.0350.

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

Page 4, line 29, delete everything after "owner" and insert a period

Page 4, delete lines 30 and 31

Page 7, line 2, delete "9" and insert "8"

Page 7, line 5, delete "10" and insert "9"

Page 10, line 36, delete "crop" and insert "livestock"

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

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

S.F. No. 101: A bill for an act relating to unemployment compensation; providing extra benefits for certain employees of iron ore mining companies and certain vendors.

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

Page 1, line 10, delete "June 1, 1999" and insert "August 1, 2000"

Page 1, line 11, delete "an iron ore mining company in Minnesota" and insert "the LTV Mining Company in St. Louis county"

Page 1, line 13, delete "Lake" and insert "Cook"

Page 1, line 14, delete "an iron ore mining company" and insert "the LTV Mining Company"

Page 1, line 16, delete "a single iron ore mining company" and insert "the LTV Mining Company"

Page 1, line 18, delete "an iron ore"

Page 1, line 19, delete "mining company" and insert "the LTV Mining Company"

Page 1, line 20, delete "a single iron ore" and insert "the LTV"

Page 1, line 21, delete "mining company" and insert "Mining Company"

Page 1, line 25, before "fund" insert "Minnesota unemployment insurance program trust"

Page 2, delete lines 27 to 30

Page 4, line 17, delete "June 1, 1999" and insert "August 1, 2000"

Amend the title as follows:

Page 1, line 3, after "of" insert "a certain"

Page 1, line 4, delete "companies" and insert "company"

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

Senator Johnson, Doug from the Committee on Finance, to which was referred

S.F. No. 183: A bill for an act relating to transportation; modifying previous appropriations; requiring a grant to the city of Newport for transportation purposes; amending Laws 2000, chapter 479, article 1, section 2, subdivision 3.

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

Delete everything after the enacting clause and insert:

"Section 1. Laws 2000, chapter 479, article 1, section 2, subdivision 3, is amended to read:
Subd. 3. State Road Construction 359,000,000

Summary by Fund

Trunk Highway	76,500,000
General	282,500,000

(a) Of this appropriation:

(1) \$177,000,000 is for state trunk highway improvements within the seven-county metropolitan area primarily for the purpose of improving traffic flow and expanding highway capacity by eliminating traffic bottlenecks. Of this amount, \$7,300,000 from the general fund must be used for a grant to the city of Newport to pay the city's share of right-of-way acquisition and construction costs related to the approved plan for the Wakota bridge/trunk highway No. 61 reconstruction project. The commissioner may reallocate any unused portion of this grant to other bottleneck projects;

(2) \$177,000,000 is for improvements on state trunk highways outside the seven-county metropolitan area that the commissioner designates as at-risk interregional corridors; and

(3) \$5,000,000 is for bus transit ways or highway-related transit advantages.

(b) Of the appropriations under this section, the commissioner may not spend more than \$50,000,000 for program delivery.

(c) The appropriation under this section is available through June 30, 2003. On July 1, 2003, any part of this appropriation not spent cancels to the trunk highway fund. The commissioner shall report by February 1, 2003, to the chairs of the senate and house of representatives committees having jurisdiction over transportation policy and transportation finance on any projects that the department of

transportation has scheduled to be constructed with this appropriation that the commissioner determines will be canceled or delayed as a result of any part of this appropriation canceling to the trunk highway fund. For purposes of this paragraph, money encumbered by the commissioner for a trunk highway project is considered to be spent."

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

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

S.F. No. 760: A bill for an act relating to housing; providing funding for the school stability project; appropriating money.

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

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

S.F. No. 105: A bill for an act relating to technology; appropriating money for the Minnesota computers for schools program.

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

Page 1, lines 7 and 8, delete "to the department of economic security"

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

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

S.F. No. 960: A bill for an act relating to iron range resources and rehabilitation; authorizing the commissioner to acquire certain discontinued mining property; amending Minnesota Statutes 2000, section 298.22, subdivision 3.

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

Page 2, line 4, delete the second "the"

Page 2, delete lines 5 and 6

Page 2, line 7, delete "facilities, and" and delete "them" and insert "any or all of the mine lands and related facilities"

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

Senator Marty from the Committee on Judiciary, to which was referred

H.F. No. 656: A bill for an act relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 2000, sections 3.85, subdivision 6; 6.76; 12.31, subdivision 1; 13.06, subdivision 4; 13.51, subdivision 3; 13.54, subdivision 5; 15.059, subdivision 5a; 16B.126;

16B.55, subdivision 4; 16B.61, subdivision 3; 16E.04, subdivision 2; 18B.36, subdivision 1; 60B.03, subdivision 6; 62G.20, subdivision 4; 62L.02, subdivision 24; 65B.05; 69.021, subdivision 5; 80C.01, subdivision 4; 80C.147; 84.965, subdivision 2; 84.98, subdivision 5; 85.055, subdivision 1; 86B.331, subdivision 1; 103G.201; 103G.2242, subdivision 12; 103G.2243, subdivision 2; 115.49, subdivision 4; 116J.994, subdivision 6; 116J.995; 116L.01, subdivision 1; 116P.08, subdivision 2; 124D.892, subdivision 3; 145.61, subdivision 5; 148.511; 148.6402, subdivisions 14 and 16; 148.6420, subdivisions 2 and 4; 148.6425, subdivisions 2 and 3; 148.6448, subdivision 1; 153A.20, subdivision 1; 168.012, subdivision 1; 171.173; 204D.25, subdivision 1; 216B.2424, subdivision 6; 237.065, subdivision 1; 237.763; 237.764, subdivision 3; 237.773, subdivision 1; 256B.50, subdivision 1; 260B.007, subdivision 16; 268.022, subdivision 1; 268.6715; 270.67, subdivision 4; 289A.18, subdivision 4; 289A.40, by adding a subdivision; 289A.50, subdivision 7; 289A.60, subdivisions 12 and 21; 297I.60, subdivision 2; 299C.67, subdivision 2; 299N.02, subdivision 2; 322B.960, subdivision 1; 356.371, subdivision 1; 356.62; 356.65, subdivision 1; 401.06; 462.352, subdivisions 5, 7, 9, 10, and 15; 462.358, subdivision 11; 469.126, subdivision 2; 469.301, subdivision 1; 469.304, subdivision 1; 471.59, subdivision 11; 473.901, subdivision 1; 504B.181, subdivision 4; 504B.365, subdivision 3; 515B.1-102; 515B.2-105; 517.08, subdivision 1c; 518.131, subdivision 10; 541.023, subdivision 6; 609.596, subdivision 3; 626.556, subdivision 11; and 628.26; repealing Minnesota Statutes 2000, sections 13.485, subdivision 2; 13.99, subdivision 1; 115B.22, subdivision 8; 148.6402, subdivision 18; 168.54, subdivision 6; 181B.01; 181B.02; 181B.03; 181B.04; 181B.05; 181B.06; 181B.07; 181B.08; 181B.09; 181B.10; 181B.101; 181B.11; 181B.12; 181B.13; 181B.14; 181B.15; 181B.16; 181B.17; 383.001; 462.352, subdivision 17; 469.301, subdivisions 6, 7, and 8; and 566.18; Laws 1997, chapter 85, article 4, section 29; Laws 2000, chapter 254, section 30; and Laws 2000, chapter 444, article 2, sections 9 and 10.

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

Senator Marty from the Committee on Judiciary, to which was referred

S.F. No. 824: A bill for an act relating to civil actions; clarifying the immunity from liability for persons rendering certain emergency care; amending Minnesota Statutes 2000, section 604A.01, subdivision 2.

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 2000, section 604A.01, subdivision 2, is amended to read:

Subd. 2. [GENERAL IMMUNITY FROM LIABILITY.] (a) A person who, without compensation or the expectation of compensation, renders emergency care, advice, or assistance at the scene of an emergency or during transit to a location where professional medical care can be rendered, is not liable for any civil damages as a result of acts or omissions by that person in rendering the emergency care, advice, or assistance, unless the person acts in a willful and wanton or reckless manner in providing the care, advice, or assistance. Except as provided in paragraph (e), this subdivision does not apply to a person rendering emergency care, advice, or assistance during the course of regular employment, and receiving compensation or expecting to receive compensation for rendering the care, advice, or assistance.

(b) For the purposes of this section, the scene of an emergency is an area outside the confines of a hospital or other institution that has hospital facilities, or an office of a person licensed to practice one or more of the healing arts under chapter 147, 147A, 148, 150A, or 153. The scene of an emergency includes areas threatened by or exposed to spillage, seepage, fire, explosion, or other release of hazardous materials, and includes ski areas and trails.

(c) For the purposes of this section, "person" includes a public or private nonprofit volunteer firefighter, volunteer police officer, volunteer ambulance attendant, volunteer first provider of emergency medical services, volunteer ski patroller, and any partnership, corporation, association, or other entity.

(d) For the purposes of this section, "compensation" does not include payments, reimbursement for expenses, or pension benefits paid to members of volunteer organizations.

(e) For purposes of this section, "emergency care" includes providing emergency medical care by using or providing an automatic external defibrillator, unless the person on whom the device is to be used objects or the person is rendering this care during the course of regular employment and the usual and regular duties of the person include the provision of emergency medical care. "Automatic external defibrillator" means a medical device heart monitor and defibrillator that:

(1) has received approval of its premarket notification, filed pursuant to United States Code, title 21, section 360(k), from the United States Food and Drug Administration;

(2) is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and is capable of determining, without intervention by an operator, whether defibrillation should be performed; and

(3) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.

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

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

S.F. No. 221: A bill for an act relating to animals; changing disposition of certain animals; providing for preservation of certain evidence; changing regulation of certain dogs; imposing penalties; amending Minnesota Statutes 2000, sections 343.235, subdivisions 1 and 3; 347.50; 347.51, subdivisions 1, 2, and by adding subdivisions; 347.52; 347.53; 347.54, subdivisions 1 and 2; and 347.55; proposing coding for new law in Minnesota Statutes, chapters 343; and 347; repealing Minnesota Statutes 2000, sections 347.51, subdivisions 2a, 3, 4, 5, 6, 7, 8, and 9; and 347.54, subdivision 3.

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

Pages 3 and 4, delete section 3

Page 13, line 36, delete "4" and insert "3" and delete "22" and insert "21"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, delete "chapters 343; and" and insert "chapter"

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

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

S.F. No. 756: A bill for an act relating to peace officers; authorizing federal law enforcement officers to exercise their arrest authority in this state under certain circumstances; amending Minnesota Statutes 2000, section 626.77.

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

Senator Krentz from the Committee on Environment and Natural Resources, to which was re-referred

S.F. No. 326: A bill for an act relating to motor fuels; requiring that diesel fuel sold in the state contain a minimum of five percent biodiesel fuel oil by volume; proposing coding for new law in Minnesota Statutes, chapter 239.

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

Page 1, lines 8 and 9, delete "Biodiesel fuel oil is" and insert ""Biodiesel fuel oil" means"

Page 1, line 10, delete "or animal fats" and after "that" insert "meets ASTM specification PS 121-99 and"

Page 1, lines 15 and 18, after "Minnesota" insert "for use in internal combustion engines"

Page 1, after line 19, insert:

"Sec. 2. Minnesota Statutes 2000, section 296A.08, subdivision 1, is amended to read:

Subdivision 1. [TAX IMPOSED.] There is imposed an excise tax on all special fuel at the rates specified in subdivision 2. For purposes of this section, "owner or operator" means the operation of licensed motor vehicles, whether loaded or empty, whether for compensation or not for compensation, and whether owned by or leased to the motor carrier who operates them or causes them to be operated.

(a) For undyed diesel fuel, biodiesel fuel oil, and undyed kerosene, the tax is imposed on the first licensed distributor who received the product in Minnesota.

(b) For dyed fuel being used illegally in a licensed motor vehicle, the tax is imposed on the owner or operator of the motor vehicle.

(c) For dyed fuel used in a motor vehicle but subject to a federal exemption, although no federal tax may be imposed, the owner or operator of the vehicle is liable for the state tax.

(d) For other fuels, including jet fuel, propane, and compressed natural gas, the tax is imposed on the distributor, special fuel dealer, or bulk purchaser.

(e) Any person delivering special fuel on which the excise tax has not previously been paid, into the supply tank of an aircraft or a licensed motor vehicle shall report such delivery and shall pay, or collect and pay the excise tax on the special fuel so delivered to the commissioner."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "clarifying when the special fuel tax payments for biodiesel fuel oil must be paid; amending Minnesota Statutes 2000, section 296A.08, subdivision 1;"

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

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

S.F. No. 491: A bill for an act relating to health; providing patient protections; amending Minnesota Statutes 2000, sections 45.027, subdivision 6; 62D.17, subdivision 1; 62J.38; 62M.02, subdivision 21; 62Q.56; and 62Q.58; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Page 3, line 12, delete "payments made" and insert "costs incurred"

Page 3, line 13, after the period, insert "Patient care and administrative costs must include only expenses incurred on behalf of health plan members, and must not include the cost of providing health care services for nonmembers at facilities owned by the group purchaser or affiliate."

Page 3, lines 29 and 32, delete "payments made" and insert " costs incurred"

Page 4, line 4, after the period, insert "In addition to reporting administrative costs incurred to acquire a hospital, clinic, or health care facility, or the assets thereof; or any other payments made to a hospital, clinic, or other health care provider pursuant to a partnership, joint venture, integration, or affiliation agreement; reports submitted under this section also must include the payments made during the calendar year for these purposes. The commissioner shall make public by group purchaser data collected under this paragraph in accordance with section 62J.321, subdivision 5, paragraph (e)."

Page 5, line 13, after "PROVIDER" insert "; GENERAL NOTIFICATION"

Page 5, line 18, delete "or secondary"

Page 5, line 19, after the first "providers" insert ", specialists," and delete "For purposes of this"

Page 5, line 20, delete the new language

Page 6, line 8, strike everything after "(b)"

Page 6, line 15, delete the colon and insert "For purposes of this section, contract termination includes nonrenewal."

Page 6, lines 16 to 36, delete the new language

Page 7, lines 1 to 29, delete the new language

Page 7, line 30, delete "(e)" and strike the old language

Page 7, strike lines 31 to 36 and insert:

"Subd. 1a. [CHANGE IN HEALTH CARE PROVIDER; TERMINATION NOT FOR CAUSE.] (a) If the contract termination was not for cause and the contract was terminated by the health plan company, the health plan company must provide the terminated provider and all enrollees being treated by that provider with notification of the enrollees' rights to continuity of care with the terminated provider.

(b) The health plan company must provide, upon request, authorization to receive services that are otherwise covered under the terms of the health plan through the enrollee's current provider:

(1) for up to 120 days if the enrollee is engaged in a current course of treatment for one or more of the following conditions:

(i) an acute condition;

(ii) a life-threatening mental or physical illness;

(iii) pregnancy beyond the first trimester of pregnancy;

(iv) a degenerative disease or disability; or

(v) a disabling or chronic condition that is in an acute phase; or

(2) for the rest of the enrollee's life if a physician certifies that the enrollee has an expected lifetime of 180 days or less.

For all requests for authorization to receive services under this paragraph, the health plan company must grant the request unless the enrollee does not meet the criteria provided in this paragraph.

(c) The health plan company shall prepare a written plan that provides a process for coverage determinations regarding continuity of care of up to 120 days for enrollees who request continuity of care with their former provider, if the enrollee:

(1) is receiving culturally appropriate services and the health plan company does not have a provider in its preferred provider network with special expertise in the delivery of those culturally appropriate services within the time and distance requirements of section 62D.124, subdivision 1; or

(2) does not speak English and the health plan company does not have a provider in its preferred provider network who can communicate with the enrollee, either directly or through an interpreter, within the time and distance requirements of section 62D.124, subdivision 1.

The written plan must explain the criteria that will be used to determine whether a need for continuity of care exists and how it will be provided.

Subd. 1b. [CHANGE IN HEALTH CARE PROVIDER; TERMINATION FOR CAUSE.] If the contract termination was for cause, enrollees must be notified of the change and transferred to participating providers in a timely manner so that health care services remain available and accessible to the affected enrollees. The health plan company is not required to refer an enrollee back to the terminating provider if the termination was for cause."

Page 8, line 13, after "provider" insert ":

(1)"

Page 8, line 16, delete "(1)" and insert "(i)"

Page 8, line 17, delete "(2)" and insert "(ii)"

Page 8, line 18, delete "(3)" and insert "(iii)"

Page 8, line 19, delete "(4)" and insert "(iv)"

Page 8, line 20, delete "(5)" and insert "(v)"

Page 8, line 21, before the period, insert " ; or

(2) for the rest of the enrollee's life if a physician certifies that the enrollee has an expected lifetime of 180 days or less"

Page 9, line 18, after "1" insert ", 1a, 1b,"

Page 9, after line 30, insert:

"Subd. 2b. [REQUEST FOR AUTHORIZATION.] The health plan company may require medical records and other supporting documentation to be submitted with the requests for authorization made under subdivision 1, 1a, 1b, or 2. If the authorization is denied, the health plan company must explain the criteria it used to make its decision on the request for authorization. If the authorization is granted, the health plan company must explain how continuity of care will be provided."

Page 10, line 20, delete "that is in an acute phase"

Page 10, after line 25, insert:

"Nothing in this section limits the application of section 62Q.52 specifying direct access to obstetricians and gynecologists."

Page 12, line 18, delete "August 1, 2001" and insert "January 1, 2002"

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

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

S.F. No. 796: A bill for an act relating to health; establishing certain patient rights and

protections; regulating coverages; specifying the duties of certain carriers and providers; establishing remedies; amending Minnesota Statutes 2000, sections 62A.60; 62J.71, subdivision 3; 62J.80; 62M.05, subdivisions 3a and 3b; 62M.07; 62M.09, subdivisions 2, 3, and 6; 62Q.53, subdivision 2; 62Q.56; 62Q.58, subdivision 3, and by adding subdivisions; and 62Q.73, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 62Q; proposing coding for new law as Minnesota Statutes, chapter 62U.

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

Page 7, delete section 10

Page 7, line 27, before "For" insert "(a)"

Page 7, line 31, after the period, insert "Mental health services ordered by a court of competent jurisdiction shall be considered medically necessary care."

Page 8, after line 5, insert:

"(b) For purposes of this section, "health plan" has the meaning given in section 62Q.01, subdivision 3, but includes the coverages listed in section 62A.011, subdivision 3, clauses (7) and (10)."

Page 13, delete section 20

Page 17, line 19, delete the new language and insert "The language included in Minnesota Statutes, section 62Q.535, stating that "any mental health services ordered by a court of competent jurisdiction are medically necessary care""

Page 17, line 20, delete "subdivision 2"

Page 17, after line 23, insert:

"Sec. 23. [REPEALER.]

Minnesota Statutes 2000, section 62Q.53, is repealed."

Page 17, line 25, delete "24" and insert "23"

Page 17, line 27, delete "23" and insert "21"

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "62Q.53, subdivision"

Page 1, line 9, delete "2;"

Page 1, line 13, before the period, insert "; repealing Minnesota Statutes 2000, section 62Q.53"

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

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

S.F. No. 646: A bill for an act relating to the suburban Hennepin regional park district; authorizing the district to set commissioners' compensation; clarifying the district's boundaries; clarifying that meetings shall be held in conformance with the open meeting law; permitting the district to accept donations without court approval; deleting obsolete reference to condemnation procedures; authorizing the district to enter into joint powers agreements by majority board action; amending Minnesota Statutes 2000, sections 383B.70; 383B.703; 398.06; and 398.09; repealing Minnesota Statutes 2000, sections 383B.73, subdivision 2; and 383B.74.

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

Page 2, line 23, delete the new language

Page 2, line 24, delete the new language and strike the old language

Page 2, line 25, strike "public" and insert "Meetings of the board shall be held in accordance with chapter 13D"

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

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

S.F. No. 570: A bill for an act relating to state government; repealing obsolete rules; repealing Minnesota Rules, parts 1800.1800; 1800.1900; 4900.2700; 4900.2701; 4900.2702; 4900.2703; 4900.2704; 4900.2705; 4900.2706; 4900.2707; 4900.3500; 4900.3510; 4900.3520; 4900.3530; 4900.3540; 4900.3550; 7300.0100; 7300.0110; 7300.0200; 7300.0300; 7300.0350; 7300.0500; 7300.0600; 7300.0700; 7300.0800; 7300.0810; 7300.0850; 7300.0900; 7300.1000; 7300.1100; 7300.1200; 7300.1300; 7300.1400; 7300.1500; 7300.1600; 7300.1700; 7300.1910; 7300.2000; 7300.2100; 7300.2400; 7300.2600; 7300.2800; 7300.2900; 7300.2950; 7300.3000; 7300.3100; 7300.3200; 7300.3300; 7306.0100; 7306.0150; 7306.0200; 7306.0300; 7306.0400; 7306.0500; 7306.0600; 7320.0010; 7320.0020; 7320.0030; 7320.0040; 7320.0050; 7320.0060; 7320.0070; 7320.0080; 7320.0090; 7320.0100; 7320.0110; 7320.0120; 7320.0130; 7320.0140; 7320.0150; 7320.0160; 7320.0170; 7320.0180; 7320.0190; 7320.0200; 7320.0210; 7320.0220; 7610.0100, subpart 17; 7610.0160; 7610.0700; 7645.0100; 7645.0110; 7645.0200; 7645.0210; 7645.0220; 7645.0230; 7645.0240; 7645.0250; 7645.0260; 7645.0300; 7645.0310; 7645.0320; 7645.0330; 7645.0340; 7645.0400; 7645.0410; 7645.0420; 7645.0430; 7645.0440; 7645.0450; 7645.0460; 7645.0470; 7645.0480; 7645.0500; 7645.0510; 7645.0520; 7645.0530; 7645.0540; 7645.0550; 7645.0560; 7645.0570; 7645.0580; 7660.0010; 7660.0020; 7660.0030; 7660.0040; 7660.0050; 7660.0060; 7660.0070; 7660.0080; 7660.0090; 7660.0100; 7665.0100; 7665.0110; 7665.0120; 7665.0130; 7665.0140; 7665.0150; 7665.0160; 7680.0100; 7680.0110; 7680.0120; 7680.0130; 7680.0140; 7680.0150; 7680.0160; 7680.0170; 7680.0180; 7680.0190; 7680.0200; 7856.1000, subpart 3; and 7857.3000, subpart 3.

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

Page 1, delete lines 38 and 39 and insert:

"(b) Minnesota Rules, parts 2870.0100, subpart 1; and 2870.0200, are repealed."

Page 2, delete lines 1 and 2

Amend the title as follows:

Page 1, line 4, delete everything after the first semicolon and insert "2870.0100, subpart 1; 2870.0200;"

Page 1, delete lines 5 and 6

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

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

S.F. No. 144: A bill for an act relating to the amateur sports commission; authorizing grants for development of new soccer fields; establishing criteria for grants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 240A.

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

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

S.F. No. 669: A bill for an act relating to the amateur sports commission; authorizing grants for development of new ice arenas; establishing criteria for grants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 240A.

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

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

S.F. No. 849: A bill for an act relating to rural economic development; allowing staff of the rural policy and development center to participate in state insurance, retirement, and other plans that apply to state employees; amending Minnesota Statutes 2000, section 116J.421, subdivision 1.

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

Senator Kelly, R.C. from the Committee on Transportation, to which was referred

S.F. No. 63: A bill for an act relating to highways; designating a bridge on marked trunk highway No. 55 in Stearns county as Old St. Anne's Pass; amending Minnesota Statutes 2000, section 161.14, by adding a subdivision.

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

Senator Kelly, R.C. from the Committee on Transportation, to which was referred

S.F. No. 480: A bill for an act relating to traffic regulations; abolishing statutes that define trackless trolley car, that regulate driving through rough country, and that prohibit employment by passenger carriers of persons addicted to liquor; repealing Minnesota Statutes 2000, sections 169.01, subdivision 18; 169.38; and 169.901.

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

Senator Kelly, R.C. from the Committee on Transportation, to which was referred

S.F. No. 332: A bill for an act relating to transportation; appropriating money for highway noise barriers; authorizing state bonds; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Page 2, line 3, delete "RULES" and insert "CRITERIA" and delete "rules and"

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

Senator Ranum from the Committee on Crime Prevention, to which was referred

S.F. No. 619: A bill for an act relating to crime; requiring additional findings before pretrial release of a defendant accused of domestic abuse, harassment, or violation of an order for

protection; providing that additional crimes and crimes from other jurisdictions may be used to enhance penalties; increasing criminal penalties; specifying standards for domestic abuse offender programs and requiring courts to sentence certain offenders to these programs; authorizing domestic abuse advocates to access private data in police reports; clarifying procedures for recognition of parentage and requiring separate proceedings; allowing certain prior statements of domestic abuse by the victim to be admissible in judicial proceedings; requiring probation agencies to adopt specialized policies for classifying the risk level of domestic abuse offenders; requiring data collection on disorderly conduct convictions; appropriating money to increase supervision of high risk domestic abuse offenders by means of caseload reduction; appropriating money to fund services for battered women; appropriating money for criminal justice intervention projects; appropriating money for monitoring judicial responses to domestic assault; amending Minnesota Statutes 2000, sections 257.75, subdivision 3; 299C.10, subdivision 1; 518B.01, subdivisions 3, 6, and 14; 609.224, subdivisions 2 and 4; 609.2242, subdivisions 2 and 4; 609.748, subdivision 6; 609.749, subdivisions 4 and 5; 629.341, subdivisions 1 and 4; and 629.72; proposing coding for new law in Minnesota Statutes, chapters 518B; 611A; and 634; repealing Minnesota Statutes 2000, section 609.2244, subdivision 4.

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 2000, section 299C.10, subdivision 1, is amended to read:

Subdivision 1. [LAW ENFORCEMENT DUTY.] (a) It is hereby made the duty of the sheriffs of the respective counties, of the police officers in cities of the first, second, and third classes, under the direction of the chiefs of police in such cities, and of community corrections agencies operating secure juvenile detention facilities to take or cause to be taken immediately finger and thumb prints, photographs, distinctive physical mark identification data, and other identification data requested or required by the superintendent of the bureau, of the following:

- (1) persons arrested for a felony or gross misdemeanor;
- (2) juveniles arrested for or alleged to have committed felonies as distinguished from those committed by adult offenders;
- (3) persons reasonably believed by the arresting officer to be fugitives from justice;
- (4) persons in whose possession, when arrested, are found concealed firearms or other dangerous weapons, burglar tools or outfits, high-power explosives, or articles, machines, or appliances usable for an unlawful purpose and reasonably believed by the arresting officer to be intended for such purposes; and
- (5) juveniles referred by a law enforcement agency to a diversion program for a felony or gross misdemeanor offense.

Within 24 hours the fingerprint records and other identification data specified under this paragraph must be forwarded to the bureau of criminal apprehension on such forms and in such manner as may be prescribed by the superintendent of the bureau of criminal apprehension.

(b) Effective August 1, 1997, the identification reporting requirements shall also apply to persons arrested for or alleged to have committed targeted misdemeanor offenses and juveniles arrested for or alleged to have committed gross misdemeanors. In addition, the reporting requirements shall include any known aliases or street names of the offenders.

(c) For purposes of this section, a targeted misdemeanor is a misdemeanor violation of section 169A.20 (driving while impaired), 518B.01 (order for protection violation), 609.224 (fifth degree assault), 609.2242 (domestic assault), 609.72 (disorderly conduct), 609.746 (interference with privacy), 609.748 (harassment or restraining order violation), or 617.23 (indecent exposure).

Sec. 2. Minnesota Statutes 2000, section 518B.01, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms shall have the meanings given them:

(a) "Domestic abuse" means the following, if committed against a family or household member by a family or household member:

- (1) physical harm, bodily injury, or assault;
- (2) the infliction of fear of imminent physical harm, bodily injury, or assault; or
- (3) terroristic threats, within the meaning of section 609.713, subdivision 1, ~~or~~; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, ~~or~~ 609.345, or 609.3451; interference with an emergency call within the meaning of section 609.78, subdivision 2; or harassment within the meaning of section 609.749.

(b) "Family or household members" means:

- (1) spouses and former spouses;
- (2) parents and children;
- (3) persons related by blood;
- (4) persons who are presently residing together or who have resided together in the past;
- (5) persons who have a child in common regardless of whether they have been married or have lived together at any time;
- (6) a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
- (7) persons involved in a significant romantic or sexual relationship.

Issuance of an order for protection on the ground in clause (6) does not affect a determination of paternity under sections 257.51 to 257.74. In determining whether persons are or have been involved in a significant romantic or sexual relationship under clause (7), the court shall consider the length of time of the relationship; type of relationship; frequency of interaction between the parties; and, if the relationship has terminated, length of time since the termination.

(c) "Qualified domestic violence-related offense" has the meaning given in section 609.02, subdivision 16.

Sec. 3. Minnesota Statutes 2000, section 518B.01, subdivision 3, is amended to read:

Subd. 3. [COURT JURISDICTION.] An application for relief under this section may be filed in the court having jurisdiction over dissolution actions, in the county of residence of either party, in the county in which a pending or completed family court proceeding involving the parties or their minor children was brought, or in the county in which the alleged domestic abuse occurred. There are no residency requirements that apply to a petition for an order for protection. In a jurisdiction which utilizes referees in dissolution actions, the court or judge may refer actions under this section to a referee to take and report the evidence in the action in the same manner and subject to the same limitations provided in section 518.13. Actions under this section shall be given docket priorities by the court.

Sec. 4. Minnesota Statutes 2000, section 518B.01, subdivision 6, is amended to read:

Subd. 6. [RELIEF BY THE COURT.] (a) Upon notice and hearing, the court may provide relief as follows:

- (1) restrain the abusing party from committing acts of domestic abuse;
- (2) exclude the abusing party from the dwelling which the parties share or from the residence of the petitioner;

(3) exclude the abusing party from a reasonable area surrounding the dwelling or residence, which area shall be described specifically in the order;

(4) award temporary custody or establish temporary parenting time with regard to minor children of the parties on a basis which gives primary consideration to the safety of the victim and the children. Except for cases in which custody is contested, findings under section 257.025, 518.17, or 518.175 are not required. If the court finds that the safety of the victim or the children will be jeopardized by unsupervised or unrestricted parenting time, the court shall condition or restrict parenting time as to time, place, duration, or supervision, or deny parenting time entirely, as needed to guard the safety of the victim and the children. The court's decision on custody and parenting time shall in no way delay the issuance of an order for protection granting other relief provided for in this section. The court must not enter a parenting plan under section 518.1705 as part of an action for an order for protection;

(5) on the same basis as is provided in chapter 518, establish temporary support for minor children or a spouse, and order the withholding of support from the income of the person obligated to pay the support according to chapter 518;

(6) provide upon request of the petitioner counseling or other social services for the parties, if married, or if there are minor children;

(7) order the abusing party to participate in treatment or counseling services, including requiring the abusing party to successfully complete a domestic abuse counseling program or educational program under sections 518B.10 to 518B.13;

(8) award temporary use and possession of property and restrain one or both parties from transferring, encumbering, concealing, or disposing of property except in the usual course of business or for the necessities of life, and to account to the court for all such transfers, encumbrances, dispositions, and expenditures made after the order is served or communicated to the party restrained in open court;

(9) exclude the abusing party from the place of employment of the petitioner, or otherwise limit access to the petitioner by the abusing party at the petitioner's place of employment;

(10) order the abusing party to pay restitution to the petitioner;

(11) order the continuance of all currently available insurance coverage without change in coverage or beneficiary designation; and

(12) order, in its discretion, other relief as it deems necessary for the protection of a family or household member, including orders or directives to the sheriff, constable, or other law enforcement or corrections officer as provided by this section.

(b) Any relief granted by the order for protection shall be for a fixed period not to exceed one year, except when the court determines a longer fixed period is appropriate. When a referee presides at the hearing on the petition, the order granting relief becomes effective upon the referee's signature.

(c) An order granting the relief authorized in paragraph (a), clause (1), may not be vacated or modified in a proceeding for dissolution of marriage or legal separation, except that the court may hear a motion for modification of an order for protection concurrently with a proceeding for dissolution of marriage upon notice of motion and motion. The notice required by court rule shall not be waived. If the proceedings are consolidated and the motion to modify is granted, a separate order for modification of an order for protection shall be issued.

(d) An order granting the relief authorized in paragraph (a), clause (2) or (3), is not voided by the admittance of the abusing party into the dwelling from which the abusing party is excluded.

(e) If a proceeding for dissolution of marriage or legal separation is pending between the parties, the court shall provide a copy of the order for protection to the court with jurisdiction over the dissolution or separation proceeding for inclusion in its file.

(f) An order for restitution issued under this subdivision is enforceable as civil judgment.

Sec. 5. Minnesota Statutes 2000, section 518B.01, subdivision 14, is amended to read:

Subd. 14. [VIOLATION OF AN ORDER FOR PROTECTION.] (a) A person who violates an order for protection issued by a judge or referee is subject to the penalties provided in paragraphs (b) to (d).

(b) Except as otherwise provided in paragraphs (c) and (d), whenever an order for protection is granted by a judge or referee or pursuant to a similar law of another state, the United States, the District of Columbia, tribal lands, or United States territories, and the respondent or person to be restrained knows of the order, violation of the order for protection is a misdemeanor. Upon a misdemeanor conviction under this paragraph, the defendant must be sentenced to a minimum of three days imprisonment and must be ordered to participate in counseling or other appropriate programs selected by the court. If the court stays imposition or execution of the jail sentence and the defendant refuses or fails to comply with the court's treatment order, the court must impose and execute the stayed jail sentence. A violation of an order for protection shall also constitute contempt of court and be subject to the penalties provided in chapter 588.

(c) A person is guilty of a gross misdemeanor who knowingly violates this subdivision during the time period between a previous qualified domestic violence-related offense conviction under this subdivision; sections 609.221 to 609.224; 609.2242; 609.713, subdivision 1 or 3; 609.748, subdivision 6; 609.749; or a similar law of another state, the District of Columbia, tribal lands, or United States territories; and the end of the five years following discharge from sentence for that ~~conviction~~ offense. Upon a gross misdemeanor conviction under this paragraph, the defendant must be sentenced to a minimum of ten days imprisonment and must be ordered to participate in counseling or other appropriate programs selected by the court. Notwithstanding section 609.135, the court must impose and execute the minimum sentence provided in this paragraph for gross misdemeanor convictions.

(d) A person is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the person knowingly violates this subdivision:

(1) during the time period between the first of two or more previous qualified domestic violence-related offense convictions under this section or sections 609.221 to 609.224; 609.2242; 609.713, subdivision 1 or 3; 609.748, subdivision 6; 609.749; or a similar law of another state, the District of Columbia, tribal lands, or United States territories; and the end of the five years following discharge from sentence for that ~~conviction~~ offense; or

(2) while possessing a dangerous weapon, as defined in section 609.02, subdivision 6. Upon a felony conviction under this paragraph in which the court stays imposition or execution of sentence, the court shall impose at least a 30-day period of incarceration as a condition of probation. The court also shall order that the defendant participate in counseling or other appropriate programs selected by the court. Notwithstanding section 609.135, the court must impose and execute the minimum sentence provided in this paragraph for felony convictions.

(e) A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order granted pursuant to this section or a similar law of another state, the United States, the District of Columbia, tribal lands, or United States territories restraining the person or excluding the person from the residence or the petitioner's place of employment, even if the violation of the order did not take place in the presence of the peace officer, if the existence of the order can be verified by the officer. The probable cause required under this paragraph includes probable cause that the person knowingly violated the order. When the order is first served upon the person at a location at which, under the terms of the order, the person's presence constitutes a violation, the person shall not be arrested for violation of the order but shall be given a reasonable opportunity to leave the location in the presence of the peace officer. A person arrested under this paragraph shall be held in custody for at least 36 hours, excluding the day of arrest, Sundays, and holidays, unless the person is released

earlier by a judge or judicial officer. A peace officer acting in good faith and exercising due care in making an arrest pursuant to this paragraph is immune from civil liability that might result from the officer's actions.

(f) If the court finds that the respondent has violated an order for protection and that there is reason to believe that the respondent will commit a further violation of the provisions of the order restraining the respondent from committing acts of domestic abuse or excluding the respondent from the petitioner's residence, the court may require the respondent to acknowledge an obligation to comply with the order on the record. The court may require a bond sufficient to deter the respondent from committing further violations of the order for protection, considering the financial resources of the respondent, and not to exceed \$10,000. If the respondent refuses to comply with an order to acknowledge the obligation or post a bond under this paragraph, the court shall commit the respondent to the county jail during the term of the order for protection or until the respondent complies with the order under this paragraph. The warrant must state the cause of commitment, with the sum and time for which any bond is required. If an order is issued under this paragraph, the court may order the costs of the contempt action, or any part of them, to be paid by the respondent. An order under this paragraph is appealable.

(g) Upon the filing of an affidavit by the petitioner, any peace officer, or an interested party designated by the court, alleging that the respondent has violated any order for protection granted pursuant to this section or a similar law of another state, the United States, the District of Columbia, tribal lands, or United States territories, the court may issue an order to the respondent, requiring the respondent to appear and show cause within 14 days why the respondent should not be found in contempt of court and punished therefor. The hearing may be held by the court in any county in which the petitioner or respondent temporarily or permanently resides at the time of the alleged violation, or in the county in which the alleged violation occurred, if the petitioner and respondent do not reside in this state. The court also shall refer the violation of the order for protection to the appropriate prosecuting authority for possible prosecution under paragraph (b), (c), or (d).

(h) If it is alleged that the respondent has violated an order for protection issued under subdivision 6 or a similar law of another state, the United States, the District of Columbia, tribal lands, or United States territories, and the court finds that the order has expired between the time of the alleged violation and the court's hearing on the violation, the court may grant a new order for protection under subdivision 6 based solely on the respondent's alleged violation of the prior order, to be effective until the hearing on the alleged violation of the prior order. If the court finds that the respondent has violated the prior order, the relief granted in the new order for protection shall be extended for a fixed period, not to exceed one year, except when the court determines a longer fixed period is appropriate.

(i) The admittance into petitioner's dwelling of an abusing party excluded from the dwelling under an order for protection is not a violation by the petitioner of the order for protection.

A peace officer is not liable under section 609.43, clause (1), for a failure to perform a duty required by paragraph (e).

(j) When a person is convicted under paragraph (b) or (c) of violating an order for protection and the court determines that the person used a firearm in any way during commission of the violation, the court may order that the person is prohibited from possessing any type of firearm for any period longer than three years or for the remainder of the person's life. A person who violates this paragraph is guilty of a gross misdemeanor. At the time of the conviction, the court shall inform the defendant whether and for how long the defendant is prohibited from possessing a firearm and that it is a gross misdemeanor to violate this paragraph. The failure of the court to provide this information to a defendant does not affect the applicability of the firearm possession prohibition or the gross misdemeanor penalty to that defendant.

(k) Except as otherwise provided in paragraph (j), when a person is convicted under paragraph (b) or (c) of violating an order for protection, the court shall inform the defendant that the defendant is prohibited from possessing a pistol for three years from the date of conviction and that it is a gross misdemeanor offense to violate this prohibition. The failure of the court to provide

this information to a defendant does not affect the applicability of the pistol possession prohibition or the gross misdemeanor penalty to that defendant.

(l) Except as otherwise provided in paragraph (j), a person is not entitled to possess a pistol if the person has been convicted under paragraph (b) or (c) after August 1, 1996, of violating an order for protection, unless three years have elapsed from the date of conviction and, during that time, the person has not been convicted of any other violation of this section. Property rights may not be abated but access may be restricted by the courts. A person who possesses a pistol in violation of this paragraph is guilty of a gross misdemeanor.

(m) If the court determines that a person convicted under paragraph (b) or (c) of violating an order for protection owns or possesses a firearm and used it in any way during the commission of the violation, it shall order that the firearm be summarily forfeited under section 609.5316, subdivision 3.

Sec. 6. [518B.10] [PURPOSE; STANDARDS FOR DOMESTIC ABUSE COUNSELING PROGRAMS AND EDUCATIONAL PROGRAMS.]

The purpose of these standards is to establish minimum operating guidelines for those persons and programs providing either counseling programs or educational programs for court-ordered domestic abuse offenders or abusing parties.

The purpose of domestic abuse counseling programs and domestic abuse educational programs is to:

- (1) stop the violence;
- (2) hold offenders and abusing parties accountable for their violence, challenge beliefs that contribute to violence and other abusive acts, and encourage behaviors that facilitate nonviolence and other nonabusive behaviors;
- (3) promote victim safety by ensuring that programs and program staff work closely with victim advocates and the courts;
- (4) ensure policies that address victim safety and victim contact; and
- (5) ensure procedures for offenders and abusing parties who violate program conditions, conditions of probation, or orders of the court, or who use violence while participating in the program.

Sec. 7. [518B.11] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] For purposes of sections 518B.10 to 518B.13, the following terms have the meaning given them.

Subd. 2. [ABUSING PARTY.] "Abusing party" means the party against whom relief is ordered in a proceeding under section 518B.01 (the Domestic Abuse Act).

Subd. 3. [COUNSELING PROGRAM; EDUCATIONAL PROGRAM.] A "counseling program" or "educational program" means a domestic abuse counseling program or domestic abuse educational program that provides court-ordered sessions, classes, or group meetings for domestic abuse offenders and abusing parties.

Subd. 4. [DOMESTIC ABUSE.] "Domestic abuse" has the meaning given in section 518B.01, subdivision 2. The term also includes violations of section 518B.01, subdivisions 14 and 22.

Subd. 5. [OFFENDER.] "Offender" means a person convicted of committing domestic abuse or a person ordered by the court to participate in a domestic abuse counseling program or educational program based upon a conviction for a criminal offense.

Subd. 6. [PROGRAM.] "Program" means domestic abuse counseling programs or domestic abuse educational programs.

Subd. 7. [RELEASE OF INFORMATION.] "Release of information" means a written document that allows a program to communicate about the offender or abusing party with the court, other providers, and the victim.

Subd. 8. [VICTIM.] "Victim" has the meaning given in section 611A.01, paragraph (b), and includes a battered woman, as defined by section 611A.31, subdivision 2.

Sec. 8. [518B.12] [DOMESTIC ABUSE COUNSELING PROGRAM OR EDUCATIONAL PROGRAM REQUIRED.]

Subdivision 1. [COURT ORDER TO DOMESTIC ABUSE COUNSELING PROGRAM OR EDUCATIONAL PROGRAM.] (a) Except as provided in paragraph (c), if the court stays imposition or execution of sentence for a domestic abuse offense and places the offender on probation and the corrections agent recommends that the offender complete a counseling program or educational program, the court shall order that, as a condition of the stayed sentence, the offender participate in and successfully complete a counseling program or educational program that satisfies the requirements of section 518B.13.

(b) Except as provided in paragraph (c), as part of any relief ordered under section 518B.01, subdivision 6, the court may order an abusing party to participate in and successfully complete a counseling program or educational program that satisfies the requirements of section 518B.13.

(c) If a counseling program or educational program is not available or the court makes written findings that such a program is inappropriate based upon the offender's or abusing party's mental illness, the court may send the offender or abusing party to a counselor who provides services consistent with the requirements in section 518B.13. This counselor must be knowledgeable about domestic abuse issues.

A program is available if it is within reasonable travel distance from the offender's home.

(d) The offender or abusing party must complete at least 24 sessions of a counseling program or educational program, unless the person's probation agent, if any, recommends fewer sessions. This recommendation must be based upon good cause and submitted to the court in writing.

(e) The court may require an offender to participate in a counseling program or educational program up to the entire amount of time an offender is on probation. The court may order that the offender be required to continue in the program for as long as the program counselor or facilitator requires, provided this time period is not longer than the person's term of probation.

(f) If culturally specific counseling programs or educational programs are available, the court may order the offender or abusing party to attend such counseling programs or educational programs, where appropriate.

Subd. 2. [CHEMICALLY DEPENDENT OFFENDERS.] If the offender or abusing party has a diagnosable chemical dependency problem, the court shall require the offender to complete chemical dependency treatment as a condition of probation, if reasonable.

Sec. 9. [518B.13] [STANDARDS FOR DOMESTIC ABUSE COUNSELING PROGRAMS AND DOMESTIC ABUSE EDUCATIONAL PROGRAMS.]

Subdivision 1. [LENGTH OF PROGRAM; SESSIONS.] Programs shall require offenders and abusing parties to attend a minimum of 24 sessions, unless a probation agent has recommended fewer sessions under section 518B.12, subdivision 1. Each program session must last at least 1-1/2 hours.

Subd. 2. [POLICIES.] (a) Programs must have a written policy that requires counselors and facilitators to report to the court and to the offender's probation or corrections officer any threats of violence made by the offender or abusing party, any acts of violence by the offender or abusing party, any violation of court orders by the offender or abusing party, and any violation of program rules that resulted in the offender's or abusing party's termination from the program.

(b) Programs shall have written policies that counselors and facilitators must be violence free in their own lives.

(c) Programs shall have written policies requiring that counselors and facilitators hold offenders and abusing parties solely responsible for their behavior.

Subd. 3. [SCREENING.] Each program shall conduct an intake process with each offender and abusing party. This intake process shall screen for chemical dependency problems, mental health problems, and dangerousness to others. If the offender or abusing party is chemically dependent or has mental health problems, the program may refer the offender or abusing party to a chemical dependency treatment center or for mental health treatment as is appropriate. If the offender or abusing party is dangerous, the program shall report this information to the court, the probation or corrections officer, and the victim.

Subd. 4. [NOTICE TO VICTIM.] If the offender or abusing party is reported back to the court or is terminated from the program, the program shall notify the victim of the circumstances.

Subd. 5. [RELEASE OF INFORMATION.] Programs shall require court-ordered offenders and abusing parties to sign a release of information authorizing communication regarding the offender's or abusing party's progress in the program to the court, the offender's probation or corrections officer, other providers, and the victim. The offender or abusing party may not enter the program if the offender does not sign a release.

Subd. 6. [VICTIM PRIVACY.] (a) If a counselor or facilitator contacts the victim, the counselor or facilitator must not elicit any information that the victim does not want to provide. A counselor or facilitator who contacts a victim shall notify the victim of the right not to provide any information, and shall also notify the victim of how any information provided will be used and with whom it will be shared, and shall obtain the victim's permission before eliciting information from the victim or sharing information with anyone other than staff of the counseling program.

(b) Programs shall have written policies that require counselors and facilitators to inform victims of the confidentiality of information as provided by this subdivision. Programs must maintain separate files for information pertaining to the offender or abusing party and the victim.

(c) If a counselor or facilitator contacts a victim, the counselor or facilitator shall provide the victim with referral information for support services.

Subd. 7. [CONFIDENTIALITY.] (a) Except as provided in paragraph (b), program staff may not disclose any confidential communication made by the offender or abusing party without the consent of the offender or abusing party.

(b) Programs must warn a potential victim of imminent danger based upon information provided by an offender or abusing party.

Subd. 8. [PROGRAM SETTING.] (a) The counseling program or educational program must provide services in a group setting, unless the offender or abusing party would be inappropriate in a group setting.

(b) Programs must provide separate sessions for male and female offenders and abusing parties.

Subd. 9. [MARRIAGE OR COUPLES COUNSELING.] Marriage or couples counseling will not be offered nor a referral made until the offender or abusing party has completed a domestic abuse counseling program or educational program for a minimum of the court-ordered number of sessions and the counselor or facilitator reasonably believes that the violence, intimidation, and coercion has ceased; and the victim feels safe to participate.

Subd. 10. [PROGRAM COMPLETION; REPORT.] When the court-ordered offender or abusing party has completed the program, the counselor or facilitator shall report this information to the court and the offender's probation or corrections officer.

Subd. 11. [COORDINATION.] Programs shall coordinate with the court, probation and

corrections officers, battered women's programs, child protection services, and other providers to promote victim safety and offender accountability.

Sec. 10. Minnesota Statutes 2000, section 595.02, is amended by adding a subdivision to read:

Subd. 6. [OUT-OF-COURT STATEMENTS REGARDING DOMESTIC ABUSE ADMISSIBLE.] (a) As used in this section, "domestic abuse" has the meaning given in section 518B.01, subdivision 2.

(b) An out-of-court statement made by a victim of domestic abuse alleging, explaining, denying, or describing any act of domestic abuse against the person by another, not otherwise admissible by statute or rule of evidence, is admissible as substantive evidence if:

(1) the court finds, in a hearing outside the presence of the jury, that the time, content, and circumstances of the statement provide sufficient indicia of reliability;

(2) the domestic abuse victim either testifies at the proceeding or, if unavailable as a witness, there is corroborative evidence of the act; and

(3) the proponent of the statement notifies the adverse party of the proponent's intention to offer the statement and the particulars of the statement sufficiently in advance of the proceeding at which the proponent intends to offer the statement into evidence to provide the adverse party with a fair opportunity to prepare to meet the statement.

In the absence of other factors indicating unreliability, recantation by a declarant is not a sufficient reason for denying admission of a statement under this subdivision.

Sec. 11. Minnesota Statutes 2000, section 609.02, is amended by adding a subdivision to read:

Subd. 16. [QUALIFIED DOMESTIC VIOLENCE-RELATED OFFENSE.] "Qualified domestic violence-related offense" includes the following offenses: sections 518B.01, subdivision 14 (domestic abuse order for protection); 609.221 (first-degree assault); 609.222 (second-degree assault); 609.223 (third-degree assault); 609.2231 (fourth-degree assault); 609.224 (fifth-degree assault); 609.2242 (domestic assault); 609.342 (first-degree criminal sexual conduct); 609.343 (second-degree criminal sexual conduct); 609.344 (third-degree criminal sexual conduct); 609.345 (fourth-degree criminal sexual conduct); 609.3451 (fifth-degree criminal sexual conduct); 609.377 (malicious punishment of a child); 609.713 (terroristic threats); 609.748, subdivision 6 (violation of restraining order); and 609.749 (harassment/stalking); and similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories.

Sec. 12. Minnesota Statutes 2000, section 609.224, subdivision 2, is amended to read:

Subd. 2. [GROSS MISDEMEANOR.] (a) Whoever violates the provisions of subdivision 1 against the same victim during the time period between a previous qualified domestic violence-related offense conviction or adjudication of delinquency ~~under this section, sections 609.221 to 609.2231, 609.2242, 609.342 to 609.345, 609.377, or 609.713, or any similar law of another state,~~ and the end of the five years following discharge from sentence or disposition for that ~~conviction or adjudication~~ offense, is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

(b) Whoever violates the provisions of subdivision 1 within two years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency ~~under this section or sections 609.221 to 609.2231, 609.2242, 609.377, or 609.713, or any similar law of another state,~~ is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

(c) A caregiver, as defined in section 609.232, who is an individual and who violates the provisions of subdivision 1 against a vulnerable adult, as defined in section 609.232, is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

Sec. 13. Minnesota Statutes 2000, section 609.224, subdivision 4, is amended to read:

Subd. 4. [FELONY.] (a) Whoever violates the provisions of subdivision 1 against the same victim during the time period between the first of any combination of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency ~~under this section or sections 609.221 to 609.2231, 609.2242, 609.342 to 609.345, 609.377, or 609.713, or any similar law of another state,~~ and the end of the five years following discharge from sentence or disposition for that ~~conviction or adjudication~~ offense is guilty of a felony and may be sentenced to imprisonment for not more than five years or payment of a fine of not more than \$10,000, or both.

(b) Whoever violates the provisions of subdivision 1 within three years of the first of any combination of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency ~~under this section or sections 609.221 to 609.2231, 609.2242, 609.377, or 609.713, or any similar law of another state,~~ is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Sec. 14. Minnesota Statutes 2000, section 609.2242, subdivision 2, is amended to read:

Subd. 2. [GROSS MISDEMEANOR.] Whoever violates subdivision 1 during the time period between a previous qualified domestic violence-related offense conviction or adjudication of delinquency ~~under this section or sections 609.221 to 609.2231, 609.224, 609.342 to 609.345, 609.377, or 609.713, or any similar law of another state,~~ against a family or household member as defined in section 518B.01, subdivision 2, and the end of the five years following discharge from sentence or disposition for that ~~conviction or adjudication~~ offense is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

Sec. 15. Minnesota Statutes 2000, section 609.2242, subdivision 4, is amended to read:

Subd. 4. [FELONY.] Whoever violates the provisions of this section or section 609.224, subdivision 1, against the same victim during the time period between the first of any combination of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency ~~under this section or sections 609.221 to 609.2231, 609.224, 609.342 to 609.345, 609.377, or 609.713, or any similar law of another state~~ and the end of the five years following discharge from sentence or disposition for that ~~conviction or adjudication~~ offense is guilty of a felony and may be sentenced to imprisonment for not more than five years or payment of a fine of not more than \$10,000, or both.

Sec. 16. Minnesota Statutes 2000, section 609.2244, subdivision 2, is amended to read:

Subd. 2. [REPORT.] (a) The department of corrections shall establish minimum standards for the report, including the circumstances of the offense, impact on the victim, the defendant's prior record, characteristics and history of alcohol and chemical use problems, and amenability to domestic abuse programs. The report is classified as private data on individuals as defined in section 13.02, subdivision 12. Victim impact statements are confidential.

(b) The report must include:

(1) a recommendation on any limitations on contact with the victim and other measures to ensure the victim's safety;

(2) a recommendation for the defendant to enter and successfully complete domestic abuse programming and any aftercare found necessary by the investigation, including a specific recommendation for the defendant to complete a domestic abuse counseling program or domestic abuse educational program under sections 518B.10 to 518B.13;

(3) a recommendation for chemical dependency evaluation and treatment as determined by the evaluation whenever alcohol or drugs were found to be a contributing factor to the offense;

(4) recommendations for other appropriate remedial action or care or a specific explanation why no level of care or action is recommended; and

(5) consequences for failure to abide by conditions set up by the court.

Sec. 17. Minnesota Statutes 2000, section 609.2244, subdivision 4, is amended to read:

Subd. 4. [DOMESTIC ABUSE INVESTIGATION FEE.] When the court sentences a person convicted of an offense described in subdivision 1, the court shall impose a domestic abuse investigation fee of at least \$50 but not more than \$125. This fee must be imposed whether the sentence is executed, stayed, or suspended. The court may not waive payment or authorize payment of the fee in installments unless it makes written findings on the record that the convicted person is indigent or that the fee would create undue hardship for the convicted person or that person's immediate family. The person convicted of the offense and ordered to pay the fee shall pay the fee to the county corrections department or other designated agencies conducting the investigation. When the court orders the convicted person to also pay the costs of domestic abuse counseling or educational programs, restitution, or a criminal fine, the court shall order the person to pay the entire amount owed before the person pays the fee imposed under this subdivision.

Sec. 18. Minnesota Statutes 2000, section 609.748, subdivision 6, is amended to read:

Subd. 6. [VIOLATION OF RESTRAINING ORDER.] (a) A person who violates a restraining order issued under this section is subject to the penalties provided in paragraphs (b) to (d).

(b) Except as otherwise provided in paragraphs (c) and (d), when a temporary restraining order or a restraining order is granted under this section and the respondent knows of the order, violation of the order is a misdemeanor.

(c) A person is guilty of a gross misdemeanor who knowingly violates the order during the time period between a previous qualified domestic violence-related offense conviction ~~under this subdivision; sections 609.221 to 609.224; 609.2242; 518B.01, subdivision 14; 609.713, subdivisions 1 or 3; or 609.749; and the end of the five years following discharge from sentence for that conviction offense.~~

(d) A person is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the person knowingly violates the order:

(1) ~~during the time period between the first of two or more previous qualified domestic violence-related offense convictions under this subdivision or sections 518B.01, subdivision 14; 609.221 to 609.224; 609.2242; 609.713, subdivision 1 or 3; 609.749; and the end of the five years following discharge from sentence for that conviction offense;~~

(2) because of the victim's or another's actual or perceived race, color, religion, sex, sexual orientation, disability as defined in section 363.01, age, or national origin;

(3) by falsely impersonating another;

(4) while possessing a dangerous weapon;

(5) with an intent to influence or otherwise tamper with a juror or a judicial proceeding or with intent to retaliate against a judicial officer, as defined in section 609.415, or a prosecutor, defense attorney, or officer of the court, because of that person's performance of official duties in connection with a judicial proceeding; or

(6) against a victim under the age of 18, if the respondent is more than 36 months older than the victim.

(e) A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order issued under subdivision 4 or 5 if the existence of the order can be verified by the officer.

(f) A violation of a temporary restraining order or restraining order shall also constitute contempt of court.

(g) Upon the filing of an affidavit by the petitioner, any peace officer, or an interested party designated by the court, alleging that the respondent has violated an order issued under subdivision 4 or 5, the court may issue an order to the respondent requiring the respondent to appear within 14 days and show cause why the respondent should not be held in contempt of court. The court also shall refer the violation of the order to the appropriate prosecuting authority for possible prosecution under paragraph (b), (c), or (d).

Sec. 19. Minnesota Statutes 2000, section 609.749, subdivision 4, is amended to read:

Subd. 4. [SECOND OR SUBSEQUENT VIOLATIONS; FELONY.] A person is guilty of a felony who violates any provision of subdivision 2 during the time period between a previous qualified domestic violence-related offense conviction or adjudication of delinquency ~~under this section; sections 609.221 to 609.2242; 518B.01, subdivision 14; 609.748, subdivision 6; or 609.713, subdivision 1 or 3; or a similar law from another state and the end of the ten years following discharge from sentence or disposition for that conviction or adjudication offense.~~

Sec. 20. Minnesota Statutes 2000, section 609.749, subdivision 5, is amended to read:

Subd. 5. [PATTERN OF HARASSING CONDUCT.] (a) A person who engages in a pattern of harassing conduct with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause the victim under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim, is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both.

(b) For purposes of this subdivision, a "pattern of harassing conduct" means two or more acts within a five-year period that violate the provisions of any of the following or a similar law of another state, the United States, the District of Columbia, tribal lands, or United States territories:

- (1) this section;
- (2) section 609.713;
- (3) section 609.224;
- (4) section 609.2242;
- (5) section 518B.01, subdivision 14;
- (6) section 609.748, subdivision 6;
- (7) section 609.605, subdivision 1, paragraph (b), clauses (3), (4), and (7);
- (8) section 609.79;
- (9) section 609.795;
- (10) section 609.582;
- (11) section 609.595; or
- (12) section 609.765.

(c) When acts constituting a violation of this subdivision are committed in two or more counties, the accused may be prosecuted in any county in which one of the acts was committed for all acts constituting the pattern.

Sec. 21. [611A.203] [GRANT PROGRAM TO INCREASE SUPERVISION OF HIGH RISK DOMESTIC ABUSE OFFENDERS.]

Subdivision 1. [ESTABLISHMENT.] The commissioner of corrections shall administer a grant program and make grants to state and local correctional agencies supervising high risk domestic abuse offenders.

Subd. 2. [ELIGIBILITY.] State and local correctional agencies are eligible to apply for a grant under this section if they adopt and implement a specialized risk assessment scale to identify high risk domestic abuse offenders. This scale must assess the following risk factors:

(1) the offender's prior offense history, including the number of prior offenses and victims and the duration of the offender's prior offense history;

(2) the seriousness of the offense should the offender reoffend, including the degree of likely force or harm and the likelihood of the offender to engage in stalking behavior;

(3) the offender's attitude, including motivation to change, willingness to accept assistance, and willingness to accept responsibility for the offender's actions;

(4) the offender's response to treatment efforts;

(5) the offender's history of substance abuse;

(6) the availability of community supports to the offender, including the availability and likelihood that the offender will be involved in therapeutic treatment;

(7) the offender's familial and social relationships; and

(8) the offender's education, employment, and residential stability.

The risk assessment scale may also address other factors.

Subd. 3. [REPORT.] By January 15, 2003, the commissioner of corrections shall report to the chairs and ranking minority members of the senate and house committees and divisions having jurisdiction over criminal justice policy and funding on the grants made under this section.

Sec. 22. Minnesota Statutes 2000, section 629.72, is amended to read:

629.72 [BAIL IN CASES OF DOMESTIC ASSAULT OR ABUSE, HARASSMENT, VIOLATION OF AN ORDER FOR PROTECTION, OR VIOLATION OF A DOMESTIC ABUSE NO CONTACT ORDER.]

Subdivision 1. [DEFINITION; ALLOWING DETENTION IN LIEU OF CITATION; RELEASE DEFINITIONS.] (a) For purposes of this section, the following terms have the meaning given them.

(b) "Domestic abuse" has the meaning given in section 518B.01, subdivision 2.

(c) "Harassment" has the meaning given in section 609.749.

(d) "Violation of a domestic abuse no contact order" has the meaning given in section 518B.01, subdivision 22.

(e) "Violation of an order for protection" has the meaning given in section 518B.01, subdivision 14.

(b)

Subd. 1a. [ALLOWING DETENTION IN LIEU OF CITATION; RELEASE.] (a) Notwithstanding any other law or rule, an arresting officer may not issue a citation in lieu of arrest and detention to an individual charged with harassment or charged with, domestic abuse, violation of an order for protection, or violation of a domestic abuse no contact order.

(e) (b) Notwithstanding any other law or rule, an individual who is arrested on a charge of harassing any person or of, domestic abuse, violation of an order for protection, or violation of a

domestic abuse no contact order, must be brought to the police station or county jail. The officer in charge of the police station or the county sheriff in charge of the jail shall issue a citation in lieu of continued detention unless it reasonably appears to the officer or sheriff that detention is necessary to prevent bodily harm to the arrested person or another, or there is a substantial likelihood the arrested person will fail to respond to a citation release of the person poses a threat to the alleged victim, another family or household member, or public safety, or there is a substantial likelihood the arrested person will fail to appear at subsequent proceedings.

~~(d)~~ (c) If the arrested person is not issued a citation by the officer in charge of the police station or the county sheriff, the arrested person must be brought before the nearest available judge of the district court in the county in which the alleged harassment or, domestic abuse, violation of an order for protection, or violation of a domestic abuse no contact order took place without unnecessary delay as provided by court rule.

Subd. 2. [JUDICIAL REVIEW; RELEASE; BAIL.] (a) The judge before whom the arrested person is brought shall review the facts surrounding the arrest and detention of a person arrested for domestic abuse, harassment, violation of an order for protection, or violation of a domestic abuse no contact order. The prosecutor or other appropriate person prosecutor's designee shall present relevant information involving the victim's or the victim's family's account of the alleged crime to the judge to be considered in determining the arrested person's release. The arrested person must be ordered released pending trial or hearing on the person's personal recognizance or on an order to appear or upon the execution of an unsecured bond in a specified amount unless the judge determines that release (1) will be inimical to public safety, (2) will create a threat of bodily harm to the arrested person, the victim of the alleged harassment or domestic abuse, or another, or (3) will not reasonably assure the appearance of the arrested person at subsequent proceedings. In making a decision concerning pretrial release of a person arrested for domestic abuse, harassment, violation of an order for protection, or violation of a domestic abuse no contact order, the judge shall review the facts of the arrest and detention of the person and determine whether release of the person poses a threat to the alleged victim, another family or household member, or public safety, or there is a substantial likelihood the person will fail to appear at subsequent proceedings. Before releasing a person arrested for or charged with a crime of domestic abuse, harassment, a violation of an order for protection, or violation of a domestic abuse no contact order, the judge shall make findings on the record, to the extent possible, concerning the determination made in accordance with the above factors. The judge may impose conditions of release or bail, or both, on the person to protect the alleged victim or other family or household members and to ensure the appearance of the person at subsequent proceedings. These conditions may include an order:

(1) enjoining the person from threatening to commit or committing acts of domestic abuse or harassment against the alleged victim or other family or household members or from violating an order for protection or domestic abuse no contact order;

(2) prohibiting the person from harassing, annoying, telephoning, contacting, or otherwise communicating with the alleged victim, either directly or indirectly;

(3) directing the person to vacate or stay away from the home of the alleged victim and to stay away from any other location where the alleged victim is likely to be;

(4) prohibiting the person from possessing a firearm or other weapon specified by the court;

(5) prohibiting the person from possessing or consuming alcohol or controlled substances; and

(6) specifying any other matter required to protect the safety of the alleged victim and to ensure the appearance of the person at subsequent proceedings.

(b) If the judge determines release is not advisable, the judge may impose any conditions of release that will reasonably assure the appearance of the person for subsequent proceedings, or will protect the victim of the alleged harassment or domestic abuse, or may fix the amount of money bail without other conditions upon which the arrested person may obtain release. If conditions of release are imposed, the judge shall issue a written order for conditional release. The court administrator shall immediately distribute a copy of the order for conditional release to the

agency having custody of the arrested person and shall provide the agency having custody of the arrested person with any available information on the location of the victim in a manner that protects the victim's safety. Either the court or its designee or the agency having custody of the arrested person shall serve upon the defendant a copy of the order. Failure to serve the arrested person with a copy of the order for conditional release does not invalidate the conditions of release.

(c) If the judge imposes as a condition of release a requirement that the person have no contact with the ~~alleged~~ victim of the ~~alleged harassment or domestic abuse~~, the judge may also, on its own motion or that of the prosecutor or on request of the victim, issue an ex parte temporary restraining order under section 609.748, subdivision 4, or an ex parte temporary order for protection under section 518B.01, subdivision 7. Notwithstanding section 518B.01, subdivision 7, paragraph (b), or 609.748, subdivision 4, paragraph (c), the temporary order is effective until the defendant is convicted or acquitted, or the charge is dismissed, provided that upon request the defendant is entitled to a full hearing on the restraining order under section 609.748, subdivision 5, or on the order for protection under section 518B.01. The hearing must be held within seven days of the defendant's request.

Subd. 2a. [ELECTRONIC MONITORING AS A CONDITION OF PRETRIAL RELEASE.] (a) Until the commissioner of corrections has adopted standards governing electronic monitoring devices used to protect victims of domestic abuse, the court, as a condition of release, may not order a person arrested for a crime described in section 609.135, subdivision 5a, paragraph (b), to use an electronic monitoring device to protect a victim's safety.

(b) Notwithstanding paragraph (a), district courts in the tenth judicial district may order, as a condition of a release, a person arrested on a charge of a crime described in section 609.135, subdivision 5a, paragraph (b), to use an electronic monitoring device to protect the victim's safety. The courts shall make data on the use of electronic monitoring devices to protect a victim's safety in the tenth judicial district available to the commissioner of corrections to evaluate and to aid in development of standards for the use of devices to protect victims of domestic abuse.

Subd. 3. [RELEASE.] If the arrested person is not issued a citation by the officer in charge of the police station or the county sheriff pursuant to subdivision 1, and is not brought before a judge within the time limits prescribed by court rule, the arrested person shall be released by the arresting authorities, and a citation must be issued in lieu of continued detention.

Subd. 4. [SERVICE OF RESTRAINING ORDER OR ORDER FOR PROTECTION.] If a restraining order is issued under section 609.748 or an order for protection is issued under section 518B.01 while the arrested person is still in detention, the order must be served upon the arrested person during detention if possible.

Subd. 5. [VIOLATIONS OF CONDITIONS OF RELEASE.] The judge who released the arrested person shall issue a warrant directing that the person be arrested and taken immediately before the judge, if the judge:

(1) receives an application alleging that the arrested person has violated the conditions of release; and

(2) finds that probable cause exists to believe that the conditions of release have been violated.

Subd. 6. [NOTICE REGARDING RELEASE OF ARRESTED PERSON.] (a) Immediately after issuance of a citation in lieu of continued detention under subdivision 1, or the entry of an order for release under subdivision 2, but before the arrested person is released, the agency having custody of the arrested person or its designee must make a reasonable and good faith effort to inform orally the alleged victim, local law enforcement agencies known to be involved in the case, if different from the agency having custody, and, at the victim's request any local battered women's and domestic abuse programs established under section 611A.32 or sexual assault programs of:

(1) the conditions of release, if any;

(2) the time of release;

(3) the time, date, and place of the next scheduled court appearance of the arrested person and the victim's right to be present at the court appearance; and

(4) if the arrested person is charged with domestic abuse, the location and telephone number of the area battered women's shelter as designated by the department of corrections.

(b) As soon as practicable after an order for conditional release is entered, the agency having custody of the arrested person or its designee must personally deliver or mail to the alleged victim a copy of the written order and written notice of the information in paragraph (a), clauses (2) and (3).

Subd. 7. [NOTICE TO VICTIM REGARDING BAIL HEARING.] When a person arrested for or a juvenile detained for domestic assault or harassment is scheduled to be reviewed under subdivision 2 for release from pretrial detention, the court shall make a reasonable good faith effort to notify: (1) the victim of the alleged crime; (2) if the victim is incapacitated or deceased, the victim's family; and (3) if the victim is a minor, the victim's parent or guardian. The notification must include:

(a) the date and approximate time of the review;

(b) the location where the review will occur;

(c) the name and telephone number of a person that can be contacted for additional information; and

(d) a statement that the victim and the victim's family may attend the review.

Sec. 23. [APPROPRIATIONS.]

Subdivision 1. [CORRECTIONS.] \$..... is appropriated from the general fund to the commissioner of corrections for the fiscal year ending June 30, 2002, for a grant program to increase supervision of high risk domestic abuse offenders who are on probation, conditional release, or supervised release by means of caseload reduction. The grants shall be used to reduce the number of offenders supervised by officers with specialized caseloads to an average of 35 offenders. This appropriation is available until June 30, 2003.

Subd. 2. [PUBLIC SAFETY.] (a) \$..... is appropriated from the general fund to the commissioner of public safety for the fiscal year ending June 30, 2002, for grants to organizations to monitor and track judicial responses to domestic assault cases in each judicial district.

(b) \$..... is appropriated from the general fund to the commissioner of public safety for the fiscal year ending June 30, 2002, for grants to community advocacy and outreach programs under Minnesota Statutes, section 611A.32, to provide services in unserved and underserved counties. The commissioner shall give priority in awarding grants to organizations serving counties with small populations that are collaborating with other similar counties.

(c) \$..... is appropriated from the general fund to the commissioner of public safety for the fiscal year ending June 30, 2002, for per diem funding for battered women's shelters under Minnesota Statutes, section 611A.32, and for safe homes.

(d) \$..... is appropriated from the general fund to the commissioner of public safety for the fiscal year ending June 30, 2002, for grants for criminal justice intervention programs to ensure a program exists in every county.

(e) The money appropriated in this subdivision is available until June 30, 2003.

Sec. 24. [EFFECTIVE DATE.]

This act is effective July 1, 2001. The criminal provisions apply to offenses committed on or after that date."

Delete the title and insert:

"A bill for an act relating to domestic violence; expanding the definition of domestic abuse; requiring additional findings before pretrial release of a defendant accused of domestic abuse, harassment, or violation of an order for protection or a no contact order; providing that additional crimes and crimes from other jurisdictions may be used to enhance certain criminal penalties; increasing criminal penalties; specifying standards for domestic abuse offender programs and directing that certain persons be ordered into these programs; allowing certain prior statements of domestic abuse by the victim to be admissible in judicial proceedings; requiring data collection on disorderly conduct convictions; providing that there is no residency requirement for order for protection petitions; prioritizing the payment of restitution and fines over domestic abuse investigation fees; clarifying the scope of the mandatory arrest provision of the domestic abuse order for protection law consistent with the original legislative intent; appropriating money to increase supervision of high risk domestic abuse offenders by means of caseload reduction, to fund services for battered women, for criminal justice intervention projects, and for monitoring judicial responses to domestic assault; amending Minnesota Statutes 2000, sections 299C.10, subdivision 1; 518B.01, subdivisions 2, 3, 6, 14; 595.02, by adding a subdivision; 609.02, by adding a subdivision; 609.224, subdivisions 2, 4; 609.2242, subdivisions 2, 4; 609.2244, subdivisions 2, 4; 609.748, subdivision 6; 609.749, subdivisions 4, 5; 629.72; proposing coding for new law in Minnesota Statutes, chapters 518B; 611A."

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

Senator Scheid, for Senator Solon, from the Committee on Commerce, to which was referred the following appointment as reported in the Journal for January 22, 2001:

DEPARTMENT OF COMMERCE
COMMISSIONER

James Bernstein

Reports the same back with the recommendation that the appointment be confirmed and be re-referred to the Committee on Telecommunications, Energy and Utilities.

SECOND READING OF SENATE BILLS

S.F. Nos. 703, 101, 183, 960, 824, 221, 756, 646, 570, 849, 63 and 480 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 656 was read the second time.

MOTIONS AND RESOLUTIONS

Senator Bachmann moved that the name of Senator Lessard be added as a co-author to S.F. No. 1011. The motion prevailed.

Senator Johnson, Dean moved that the name of Senator Kelly, R.C. be added as a co-author to S.F. No. 1109. The motion prevailed.

Senator Hottinger moved that S.F. No. 954 be withdrawn from the Committee on Education and re-referred to the Committee on State and Local Government Operations. The motion prevailed.

Senator Ourada introduced--

Senate Resolution No. 70: A Senate resolution congratulating Art Winters, of Buffalo, Minnesota, on his 103rd birthday.

Referred to the Committee on Rules and Administration.

Senator Betzold moved that S.F. No. 555, No. 14 on the Calendar, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Senator Moe, R.D. moved that the Senate take up the Calendar. The motion prevailed.

CALENDAR

H.F. No. 393: A bill for an act relating to local government; allowing employees of Ramsey county and the city of St. Paul equal competition for vacant county jobs in combined city-county departments; amending Minnesota Statutes 2000, section 383A.288, subdivisions 3 and 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 80: A bill for an act relating to natural resources; authorizing installation of lake level control for Coon Lake.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Tomassoni

So the bill passed and its title was agreed to.

S.F. No. 229: A bill for an act relating to criminal records; requiring that crime victims be notified of expungement proceedings and allowed to submit a statement; amending Minnesota Statutes 2000, section 609A.03, subdivisions 2, 3, and 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 225: A bill for an act relating to civil commitment; modifying the prohibition on the use of restraints; amending Minnesota Statutes 2000, section 253B.03, subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 289: A bill for an act relating to occupations and professions; modifying licensing requirements for alcohol and drug counselors; amending Minnesota Statutes 2000, sections 148C.04, subdivisions 3, 4, and 6; and 148C.10, subdivision 1a.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 249: A bill for an act relating to state government; health and human services; repealing obsolete rules; amending Minnesota Statutes 2000, section 144.99, subdivision 1; repealing Minnesota Statutes 2000, section 144.495; Minnesota Rules, parts 2500.2050; 2500.2060; 2500.2070; 4620.1800; 4635.0100; 4635.0200; and 4761.1230.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 57: A bill for an act relating to drivers' licenses; including certain crimes against children as disqualifying offenses for purposes of school bus endorsements on drivers' licenses; amending Minnesota Statutes 2000, section 171.3215, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dille	Johnson, Debbie	Krentz	Metzen
Bachmann	Fischbach	Johnson, Doug	Langseth	Moe, R.D.
Belanger	Foley	Kelley, S.P.	Larson	Murphy
Berg	Fowler	Kelly, R.C.	Lesewski	Neuville
Berglin	Frederickson	Kierlin	Lessard	Oliver
Betzold	Higgins	Kiscaden	Limmer	Olson
Cohen	Johnson, Dave	Kleis	Lourey	Orfield
Day	Johnson, Dean	Knutson	Marty	Ourada

Pariseau	Rest	Samuelson	Stumpf	Wiger
Pogemiller	Ring	Scheid	Terwilliger	
Price	Robling	Schwab	Tomassoni	
Ranum	Sabo	Solon	Vickerman	
Reiter	Sams	Stevens	Wiener	

So the bill passed and its title was agreed to.

S.F. No. 174: A bill for an act relating to traffic regulations; allowing gross weight seasonal increase for transporting carrots; amending Minnesota Statutes 2000, section 169.825, subdivision 11.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ourada	Reiter
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So the bill passed and its title was agreed to.

S.F. No. 266: A bill for an act relating to government; requiring that local governmental units in the metropolitan area include consideration of the protection and development of aggregate resources in their land use plan as a part of their comprehensive plan; amending Minnesota Statutes 2000, section 473.859, subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 456: A bill for an act relating to human services; allowing mental retardation and related conditions waiver recipients access to respite care in intermediate care facilities for persons with mental retardation and related conditions; amending Minnesota Statutes 2000, section 256B.092, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 417: A bill for an act relating to human services; prohibiting the commissioner from using expunged records as a basis for disqualifying a person applying for a license under the department of human services licensing act; amending Minnesota Statutes 2000, section 245A.04, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 346: A bill for an act relating to trusts; making changes to the uniform principal and income act; simplifying the antilapse law; amending Minnesota Statutes 2000, sections 144.225, subdivision 7; 501B.59, by adding a subdivision; 501B.60, by adding a subdivision; 501B.61, subdivision 2; 501B.62, subdivision 1; 501B.63, subdivision 2; 501B.64; 501B.68; 501B.69; and 524.6-301; proposing coding for new law in Minnesota Statutes, chapters 501B; and 524; repealing Minnesota Statutes 2000, sections 501B.66; 501B.70; and 524.2-603.

With the unanimous consent of the Senate, Senator Betzold moved to amend S.F. No. 346 as follows:

Page 2, line 13, delete the semicolon

Page 2, delete lines 14 to 17

Page 2, line 18, delete "benefit"

Page 2, line 19, delete "(xii)" and insert "(xi)"

The motion prevailed. So the amendment was adopted.

S.F. No. 346 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

S.F. No. 509: A bill for an act relating to local government; authorizing the use of credit cards by city and town officers and employees; providing for payment of city and county obligations by electronic transfer or credit card; authorizing electronic approvals; amending Minnesota Statutes 2000, section 471.38, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 471.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 510: A bill for an act relating to counties; providing a process for making certain county offices appointive; amending Minnesota Statutes 2000, sections 375A.10, subdivision 5; 375A.12, subdivision 2, and by adding a subdivision; and 382.01.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 45 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Fowler	Krentz	Orfield	Sabo
Belanger	Higgins	Langseth	Ourada	Sams
Berg	Hottinger	Limmer	Pappas	Samuelson
Berglin	Johnson, Dave	Lourey	Pogemiller	Solon
Betzold	Johnson, Dean	Marty	Price	Stevens
Chaudhary	Kelley, S.P.	Metzen	Ranum	Stumpf
Cohen	Kelly, R.C.	Moe, R.D.	Rest	Vickerman
Fischbach	Kierlin	Murphy	Ring	Wiener
Foley	Kiscaden	Neuville	Robling	Wiger

Those who voted in the negative were:

Bachmann	Johnson, Debbie	Larson	Olson	Schwab
Day	Johnson, Doug	Lesewski	Pariseau	Terwilliger
Dille	Kleis	Lessard	Reiter	Tomassoni
Frederickson	Knutson	Oliver	Scheevel	

So the bill passed and its title was agreed to.

S.F. No. 520: A bill for an act relating to state observances; designating Combat Wounded Veterans Day; proposing coding for new law in Minnesota Statutes, chapter 10.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 327: A bill for an act relating to towns; repealing a provision about certain male animals or breachy cattle; repealing Minnesota Statutes 2000, section 346.19.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Berglin	Day	Fowler	Johnson, Dave
Bachmann	Betzold	Dille	Frederickson	Johnson, Dean
Belanger	Chaudhary	Fischbach	Higgins	Johnson, Debbie
Berg	Cohen	Foley	Hottinger	Johnson, Doug

Kelley, S.P.	Lesewski	Oliver	Rest	Stevens
Kelly, R.C.	Lessard	Olson	Ring	Stumpf
Kierlin	Limmer	Orfield	Robling	Terwilliger
Kiscaden	Lourey	Ourada	Sabo	Tomassoni
Kleis	Marty	Pappas	Sams	Vickerman
Knutson	Metzen	Pariseau	Samuelson	Wiener
Krentz	Moe, R.D.	Pogemiller	Scheevel	Wiger
Langseth	Murphy	Price	Schwab	
Larson	Neuville	Ranum	Solon	

So the bill passed and its title was agreed to.

S.F. No. 359: A bill for an act relating to health occupations; modifying licensing requirements for the board of chiropractic examiners; modifying grounds for disciplinary action and penalties; allowing specified individuals to practice chiropractic in this state without being licensed in this state; amending Minnesota Statutes 2000, sections 148.06, subdivision 1; 148.10, subdivisions 1 and 3; 148.104; 148.105, subdivision 2; and 148.106, subdivision 10; repealing Minnesota Statutes 2000, section 148.106, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, and 9.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 647: A Senate resolution memorializing the President and Congress to carry through on their pledge to fund 40 percent of special education costs.

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

The question was taken on the passage of the resolution.

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

Those who voted in the affirmative were:

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

So the resolution passed and its title was agreed to.

S.F. No. 615: A bill for an act relating to environment; repealing obsolete rules; repealing Minnesota Rules, parts 4760.0015, subpart 6; 4760.0035; 7002.0305; 9220.0100; 9220.0110; 9220.0120; 9220.0130; 9220.0140; 9220.0150; 9220.0160; 9220.0170; 9220.0180; 9220.0800; 9220.0805; 9220.0810; 9220.0815; 9220.0820; 9220.0825; 9220.0830; 9220.0835; 9220.0900; 9220.0905; 9220.0910; 9220.0915; 9220.0920; 9220.0925; 9220.0930; and 9220.0935.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 110: A bill for an act relating to local government; authorizing the establishment of a specific nonprofit corporation in development region eight to operate and manage the Prairieland Exposition Center.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 9: A bill for an act relating to local government; authorizing cities to provide housing assistance to secure fire and ambulance service; proposing coding for new law in Minnesota Statutes, chapter 412.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 741: A bill for an act relating to Hennepin county; authorizing disaster volunteer leave; proposing coding county; authorizing disaster volunteer leave; proposing coding for new law in Minnesota Statutes, chapter 383B.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bachmann	Lesewski	Pariseau	Scheevel	Stevens
Kiscaden	Neuville	Reiter	Schwab	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Stevens moved that S.F. No. 527 be withdrawn from the Committee on Education and re-referred to the Committee on Health and Family Security. The motion prevailed.

Senator Scheevel moved that S.F. No. 703, on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

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

Senate Resolution No. 71: A Senate resolution adopting Permanent Rules of the Senate.

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

The Permanent Rules of the Senate for the 82nd Legislature shall read as follows:
(2001 Temporary Rule numbers shown in [brackets])

1. PARLIAMENTARY REFERENCE [1]

The rules of parliamentary practice ~~comprised~~ contained in Mason's Manual of Legislative Procedure shall govern the Senate in all cases in which they are applicable, and in which they are not inconsistent with these rules and orders of the Senate and the joint rules and orders of the Senate and House of Representatives.

2. REPORTING OF BILLS [34]

2.1 Every bill, memorial, order, resolution or vote requiring the approval of the Governor shall must be reported to the Senate on three different days ~~previous to~~ before its passage.

(a) The first report, called the first reading, is made when it has been received for introduction;

(b) The second report, called the second reading, is made when it has been considered by all the necessary standing committees and is ready for debate;

(c) The third report, called the third reading, is made when it is ready for final passage.

3. BILL INTRODUCTION [32, 33]

3.1 [32] Bills, memorials, and concurrent or joint resolutions may be introduced by a member or by ~~order of the Senate on a report of~~ a standing committee.

3.2 [32] The name of the author ~~or, authors, or committee shall~~ must be prefixed to each written on the bill, memorial or resolution and the name of a committee introducing a bill, memorial or resolution shall be endorsed on it. The number of authors shall may not exceed five.

3.3 [32] An original and three copies are required for introduction.

3.4 [32] A member or a committee desiring to introduce a bill, memorial or concurrent or joint resolution shall ~~place it in the hands~~ deliver it to the office of the Secretary, and the Secretary shall promptly deliver all the bills, memorials ~~or concurrent or joint resolutions~~ to the President who shall present them to the Senate.

3.5 [32] ~~A bill prepared by a department or agency of state government shall be introduced and given its first reading three weeks before the first committee deadline in odd-numbered years and two weeks before the first committee deadline in even-numbered years.~~

Upon its introduction, the first chief author of the bill shall arrange to deliver a copy of the fiscal note on the bill to the chair of the standing committee and budget division to which the bill has been referred.

3.6 [33] During the period between the last day of the session in any odd-numbered year and the first day of the session in the following year, a bill filed with the Secretary for introduction shall must be given a file number and may be unofficially referred by the President, with the approval of the Chair of the Committee on Rules and Administration, to an appropriate standing committee of the Senate. All bills filed for introduction during this period shall must be presented to the Senate when it reconvenes and shall must be referred to the standing committees previously indicated by the President, subject to objection to the referral under Rule 4.8 [35].

4. BILL REFERRAL [35, 36]

4.1 [35] ~~All bills shall be referred by~~ The President shall refer each bill without motion to the proper standing committee unless otherwise referred by the Senate.

4.2 [36] ~~No~~ A bill or resolution shall may not be referred to committee or amended until it has been given its first reading.

4.3 [36] ~~No~~ A member may not object to a bill or resolution ~~shall be objected to~~ on its introduction.

4.4 [35] All bills appropriating money, or obligating the state to pay or expend money, or establishing a policy which to be effective will require expenditure of money, when referred to and reported by any other than the committee on Finance, shall, ~~before passage, must~~ be referred before passage to the committee on Finance, ~~except that a bill relating to education shall be referred to the Committee on Education instead of to the Committee on Finance.~~

4.5 [35] All bills delegating rulemaking to a department or agency of state government and all bills exempting a department or agency of state government from rulemaking, when referred to and reported by any other than the Committee on State and Local Government Operations, shall, ~~before passage, must~~ be referred before passage to the Committee on State and Local Government Operations.

4.6 [35] All bills creating a new commission, council, task force, board, or other body to which a member of the legislature will be appointed shall, ~~before passage, must~~ be referred before passage both to the Committee on State and Local Government Operations and to the Committee on Rules and Administration.

4.7 [35] All bills authorizing or increasing a sentence of imprisonment to a state correctional institution shall must be referred before passage to the Committee on Crime Prevention.

4.8 [35] ~~Upon request of the chair of a budget division of a committee, the chair of the committee shall refer a bill in that committee to the division.~~

A bill introduced by a committee need not be referred to a standing committee unless a question arises ~~but rather shall~~. It must lie over one day before being given its second reading.

4.9 [35] ~~When~~ A member may question arises concerning the proper reference of a bill during the order of business of first reading on the day of introduction ~~or at the time of report on it by a standing committee to which the bill was previously referred~~. When a member questions the reference of a bill, the bill shall must be referred without debate to the Committee on Rules and Administration to report the proper reference, and. Upon adoption of the report of the Committee on Rules and Administration, ~~it shall~~ the bill must be referred accordingly.

5. RECALL FROM COMMITTEE [40]

5.1 With the concurrence of the first chief author of the bill, before the deadline for committee action on the a bill, a majority of the whole Senate ~~and after the deadline for committee action on the bill~~ 60 percent of the Senate may recall a the bill from any a committee and re-refer it to any other committee or place it on General Orders. ~~After the committee deadline for action on a bill,~~ 41 affirmative votes of the whole Senate may recall the bill from any committee and re-refer it to any other committee or place it on General Orders.

5.2 By a report of the Committee on Rules and Administration adopted by the Senate, the Committee on Rules and Administration, on request of the first chief author, may remove a bill from committee and re-refer it to any other committee or place it on General Orders.

6. RESOLUTIONS [53]

6.1 Memorial resolutions addressed to the President or the Congress of the United States, or a house or member of Congress, or a department or officer of the United States, or a state or foreign government, joint resolutions, and resolutions requiring the signature of the Governor shall must follow the same procedure as bills before being adopted.

6.2 A resolution may not be changed to a bill, and a bill may not be changed to a resolution.

6.3 ~~Upon~~ ~~When~~ a member ~~giving~~ ~~gives~~ notice of ~~intention~~ ~~intent~~ to debate a resolution not required to follow the same procedure as bills and not offered by the Committee on Rules and Administration, the resolution shall must lie over one calendar day without debate or other action.

6.4 Upon the request of a member, the resolution shall must be referred to the proper committee. ~~Whenever~~ If a question arises concerning the proper reference the procedure provided by Rule 4.8 [35] applies.

7. CONFIRMATIONS [54]

7.1 Every gubernatorial appointment requiring the advice and consent of the Senate shall must be referred by the President to the appropriate committee. If a question arises as to the proper committee, the appointment shall must be referred without debate to the Committee on Rules and Administration for a report making the proper reference.

7.2 An appointment referred to committee and not reported to the Senate within one year after it was referred is withdrawn from committee and placed on the confirmation calendar for consideration by the Senate before adjournment of the regular session.

7.3 The final question on the appointment is, "Will the Senate, having given its advice, now consent to this appointment?" The question shall must not be put the same day the appointment is received or on the day it is reported by committee ~~unless~~ except by unanimous consent.

8. STANDING COMMITTEES [57]

The standing committees of the Senate are as follows:

Agriculture, General Legislation and Veterans Affairs

Capital Investment

Commerce

Crime Prevention

Education

Environment and Natural Resources

Finance

Health and Family Security

Jobs, Housing and Community Development

Judiciary

Rules and Administration

State and Local Government Operations

Taxes

Telecommunications, Energy and Utilities

Transportation

9. APPOINTMENTS TO STANDING COMMITTEES [56]

9.1 The majority and minority ~~shall~~ groups must each be represented on all standing committees of the Senate substantially in proportion to their numbers in the Senate. The majority group shall assign the number of positions the minority group will hold on each committee. The minority group ~~shall~~ must be given adequate notice ~~about~~ of its positions ~~prior to the commencement of~~ before the session begins.

9.2 Both the majority and minority groups shall appoint their own members to fill the number of positions each group will hold on each committee and budget division. The minority group shall transmit notice of its assignments to the majority group within ten calendar days after receipt of the notice of positions available. The minority group may designate a ranking member for each committee. Nothing prohibits a member of the minority group from serving as chair or vice chair of a committee, subcommittee, division, or commission. If the minority group for any reason fails to make its appointments pursuant to this rule, the majority group may make all the committee and budget division assignments.

9.3 The majority and minority committee assignments are subject to the uniform criteria governing committee assignments applicable to both the majority and minority groups. The uniform criteria ~~shall~~ must be promulgated by the majority group and transmitted to the minority group together with notification of committee and budget division positions available to the minority.

9.4 ~~Committee assignments as made by the majority and minority groups shall be followed by~~ The Senate ~~in the resolution establishing representation on all Senate standing committees~~ must set forth committee assignments as made by the majority and minority groups.

9.5 A member may not serve as the chair of the same standing committee or the same division of a standing committee, or a committee or division with substantially the same jurisdiction, for more than ~~two complete and~~ three consecutive Senate terms. This limit does not apply to the Committee on Rules and Administration. This limit applies to time served as a chair in the seventy-eighth legislature and thereafter.

9.6 After the organization of the Senate and after consultation and advice from the minority leader, the Chair of the Committee on Rules and Administration may add members to or delete members from the standing committees.

10. APPOINTMENTS BY SUBCOMMITTEE ON COMMITTEES [56, 57]

10.1 [57] The Committee on Rules and Administration may constitute a standing Subcommittee on Committees, the report of which within its jurisdiction has the effect of a report of the ~~main~~ Committee on Rules and Administration. The subcommittee ~~shall consist~~ consists of five members, one of whom ~~shall~~ must be a member of the minority group.

10.2 [56] Unless otherwise provided, the Subcommittee on Committees shall appoint all ~~conference committees of the Senate and members of commissions or other bodies authorized to be appointed by the Senate authorized by rule, statute, resolution or otherwise, shall be appointed by the Subcommittee on Committees of the Committee on Rules and Administration, unless otherwise provided, subject to confirmation by~~ and report the appointments to the Senate.

11. COMMITTEE MEETINGS [21, 57, 58, 59, 60, 61, 77]

11.1 [58] All meetings of the Senate, its committees, committee divisions, and subcommittees are open to the public. A meeting of a caucus of the members of any of those bodies from the

same political party need not be open to the public. A caucus of the Hennepin county, Ramsey county, or St. Louis county delegation is open to the public. For purposes of this rule, a meeting occurs when a quorum is present and action is taken regarding a matter within the jurisdiction of the body.

11.2 [77] Any person may submit to the Chair of the Committee on Rules and Administration a complaint that members have violated the open meeting requirements of Minnesota Statutes, section 3.055. A member of the Senate may submit the complaint either orally or in writing; others must submit the complaint in writing. Whether the complaint was written or oral, the Chair of the Committee on Rules and Administration shall immediately forward it in writing to the Subcommittee on Ethical Conduct without disclosing the identity of the complainant. The complaint must not be further disclosed without the consent of the complainant, except to the members against whom the complaint was made, unless the complaint was made by a member of the Senate in writing under oath, in which case the investigatory procedures of Rule 54 [75] apply.

11.3 [58] ~~To the extent practical, meetings of all committees, subcommittees, and divisions a committee, subcommittee, or division shall be announced~~ announce each meeting to the public at least three calendar days ~~prior to~~ before convening. The notice ~~shall~~ must state the name of the committee, subcommittee, or division, the bill or bills to be considered, and the place and time of meeting. The notice ~~shall~~ must be posted on the Senate's Web site and on all Senate bulletin boards in the Capitol and the State Office Building. A notice ~~shall~~ must be sent to the House of Representatives for posting as it deems necessary. If the three-day ~~notice~~ requirement cannot be met, the committee, subcommittee, or division shall give simultaneous notice to all of the known proponents and opponents of the bill ~~shall be given simultaneous notice of the meeting~~ as soon as practicable.

11.4 [58] A Senate committee, subcommittee, or division shall adjourn no later than 4:00 10:00 p.m. each day, unless two-thirds of the members present vote to suspend this requirement.

11.5 [21] Committees ~~shall~~, subcommittees, and divisions may not be absent from meet while the Senate is in session without permission of the Senate. The names of the members excused shall be printed in the Journal.

11.6 [59] A majority of its members constitutes a quorum of a committee, subcommittee, or division.

11.7 [57] Each standing committee of the Senate, including a subcommittee or division of the committee, is ~~authorized~~ may at any time to sit and act, to investigate and take testimony on any matter within its jurisdiction, to report hearings held by it, and to make expenditures as authorized ~~from time to time~~ by the standing Committee on Rules and Administration.

11.8 [57] A standing committee, but not a subcommittee or division, may require by subpoena or otherwise the attendance and testimony of witnesses and the production of correspondence, books, papers, and documents, in the manner provided by Minnesota Statutes, section 3.153.

11.9 [60] Upon the request of a member of a committee, subcommittee, or division to which a bill has been referred, or upon the request of the chief author of the bill, a record ~~shall~~ must be made of the vote on the bill or any amendment in the committee, subcommittee, or division, including the vote on any amendment or proposed amendment to it, in the committee, subcommittee, or division to which the bill was referred.

11.10 [60] Upon request of three members of the committee before the vote is taken, the record of a roll call vote in a standing committee ~~shall~~ must accompany the committee report and be printed in the Journal.

11.11 [61] ~~No report of any~~ A committee shall be made to the Senate unless it reports report may only be based on action taken at a regular or special meeting of the committee. A report in violation of this rule is out of order.

12. HOUR OF CONVENING [2]

If the Senate adjourns without setting a time to reconvene, the Senate shall convene on ~~days of~~ meeting the next legislative day at 8:30 10:00 a.m. unless the Senate directs otherwise.

13. PRESIDENT [3, 4, 55]

13.1 [3] The President shall take the chair at the ~~hour~~ time to which the Senate adjourned. The President shall immediately call the members to order and, on the appearance of a quorum, shall proceed with the regular order of business.

13.2 [4] The President may call a member to preside. In the absence of the President, the Chair of the Committee on Rules and Administration, or the Chair's designee, shall preside over the Senate. In the absence of the President and the Chair, the Senate ~~may select a member~~ may be selected by the Senate to perform the duties of the President. Substitutions ~~do not extend beyond adjournment.~~

13.3 [3] The President shall preserve order and decorum, may speak on points of order in preference to members, and shall also decide all questions of order, subject to an appeal to the Senate by a member.

13.4 [3] An appeal is decided by a majority vote of those present and voting. Upon an appeal from the decision of the President, the question is, "Shall the decision of the President be the judgment of the Senate?"

13.5 [55] ~~In addition to the duties under Rule 3,~~ The President shall sign all acts, memorials, addresses and resolutions. All writs, warrants, and subpoenas issued by the Senate shall must be signed by the President and attested by the Secretary.

13.6 [55] Upon a finding by the Committee on Rules and Administration that the President refuses or is unable to sign any of the documents described in this rule, the Chair of the Committee on Rules and Administration, or some other member selected by the committee, shall assume the duties of the President under this rule until the President is able to sign the documents described or until the Senate elects a new President, whichever occurs first.

14. ADMISSION TO SENATE CHAMBER [70]

14.1 The Senate Chamber is reserved for Senate use.

14.2 ~~No~~ A person shall may not be admitted within to the Senate Chamber, but except as provided in these rules. A member, an officer, the constitutional officers, ex-Governors of the State of Minnesota, members of the House, judges of the trial and appellate courts and members of Congress may be admitted.

14.3 ~~Those who have been~~ Past members of Congress or of the state Legislature who are not interested in any claim or directly in a bill pending before the Legislature may be personally admitted by a member of the Senate.

14.4 An employee of either house may be admitted at the request of a member or an officer of the Senate.

14.5 The head of a department of state government may be admitted by the President.

~~When a member-elect is sworn in, the member-elect may request that one guest be admitted.~~

14.6 A member of another state, provincial, or national legislative body may be admitted to the

floor by any member of the Senate. A member of another legislative body who is admitted to the floor may be introduced to the Senate by the President.

14.7 When the Senate is not meeting, a person who is not a member may be admitted to the floor at the request of a member or an officer.

14.8 ~~No~~ Public hearings shall may not be held in the Senate Chamber.

14.9 The Retiring Room of the Senate is reserved for the exclusive use of the members of the Senate at all times. The Sergeant at Arms shall strictly enforce this rule.

15. PRIVILEGE OF REPORTERS [71]

~~15.1 Provision shall be made~~ The Secretary shall provide space for news reporters on the Senate floor in limited numbers, and in the Senate gallery. Because of limited space on the floor, permanent space is limited to those news agencies ~~which have that regularly covered~~ cover the legislature, namely: The Associated Press, St. Paul Pioneer Press, St. Paul Legal Ledger, Star Tribune, Duluth News-Tribune, ~~Fargo~~ The Forum, Rochester Post-Bulletin, St. Cloud Daily Times, WCCO radio, KSTP radio, and Minnesota Public Radio. The Secretary shall provide an additional two spaces shall be provided to other reporters if space is available. One person from each named agency and one person from the Senate Publications Office may be present at the press table on the Senate floor at any one time. Other news media personnel may occupy seats provided in the Senate gallery.

15.2 ~~The Secretary of the Senate~~ shall compile and distribute to the public a directory of reporters accredited to report from the Senate floor. The directory must include each reporter's picture and news organization and a brief biography.

15.3 The Secretary must issue each accredited reporter an identification badge showing the reporter's name and news organization. The reporter must wear the badge when in the Senate Chamber.

16. DECORUM [71, 72, 73, 74]

16.1 [72] In case of a disturbance or disorderly conduct in the lobbies or galleries, the President may order them cleared.

16.2 [73] ~~No introduction of~~ A member may not introduce a visitor or visitors in the galleries ~~shall be made from the floor or rostrum of the Senate.~~

16.3 [74] ~~No person~~ Smoking is not permitted to ~~smoke~~ in the Senate Chamber or galleries, the Retiring Room, hearing rooms, offices, or other spaces under the control of the Senate. ~~There shall be no smoking in the visitors section of the galleries.~~

16.4 [72] During floor proceedings, picture taking by persons other than accredited news reporters or legislative photographers, picture taking with floodlights or flash units, ~~hand clapping,~~ and visual or audible disruptions are prohibited. At all times, demonstrations, and food and or beverages, are prohibited in the Senate Chamber and in the galleries.

16.5 [71] ~~The Committee on Rules and Administration may, through committee action or by delegating authority to the Secretary, allow~~ Television filming recording or broadcasting on the Senate floor on certain occasions is under the direction of the Secretary.

17. ORDER OF BUSINESS [7]

17.1 The order of business is as follows:

1. Petitions, letters, remonstrances.

2. Executive and official communications.
3. Messages from the House of Representatives.
4. First reading of House bills.
5. Reports of committees.
 - (a) From standing committees.
 - (b) From select committees.
6. Second reading of Senate bills.
7. Second reading of House bills.
8. Motions and Resolutions.
9. Calendar.
10. Consent Calendar.
11. General Orders.
12. Introduction and first reading of Senate bills.
13. Announcements of Senate interest.

17.2 Under the order of business of Motions and Resolutions, the Senate may by a majority vote of the whole Senate temporarily revert or proceed to any other order of business.

18. PETITIONS AND OTHER COMMUNICATIONS [52]

18.1 In presenting a petition, memorial, remonstrance or other communication addressed to the Senate, a member shall only state the general purpose of it.

18.2 Every petition, memorial, remonstrance, resolution, bill and report of committee, shall must have an appropriate title, and the name of the member presenting it written on it.

18.3 Every written communication distributed to members in the Senate Chamber must have the name of the member or officer distributing it displayed on it.

19. MESSAGES FROM THE HOUSE [7]

A message from the House of Representatives that a Senate bill has been amended, and the amendment, must be printed and placed on the members' desks before a member may move to concur in the House amendment. If the amendment has been printed in the House Journal for a preceding day and is available to the members, the Journal copy may serve as the printed copy.

20. OBJECTIONS TO COMMITTEE REFERRALS [35]

A member may question the proper reference of a bill at the time the bill is reported by a standing committee to which it was previously referred. When a member questions the reference of a bill, the bill must be referred without debate to the Committee on Rules and Administration to report the proper reference. Upon adoption of the report of the Committee on Rules and Administration, the bill must be referred accordingly.

21. GENERAL ORDERS [11, 40]

21.1 [11] The Secretary shall make a list of all bills, resolutions, reports of committees, and other proceedings of the Senate, ~~which that~~ are referred to the Committee of the Whole ~~and which are not made the order of the day, for a particular day,~~ and number them. The lists are called the "General Orders".

21.2 [11] ~~They shall~~ Items on General Orders must be taken up in the order in which they are numbered unless otherwise ordered by a majority of the committee.

21.3 [11] General Orders, together with all bills required to be included on it ~~required to be printed under the rules or orders of the Senate, shall must be electronically available or printed and placed upon the members' desks at least one calendar day before being considered in Committee of the Whole.~~

21.4 [40] With the concurrence of the ~~first~~ chief author of the bill, a majority of the whole Senate may at any time take a bill from the table and place it on General Orders.

22. COMMITTEE OF THE WHOLE [42, 43, 44]

22.1 [42] All bills, memorials, orders, resolutions and votes requiring the approval of the Governor shall must, after a second reading, be considered in Committee of the Whole before they are finally acted upon by the Senate, ~~except as provided for in Rules 23 [9] and 24 [10] unless considered on the Consent Calendar or as a Special Order.~~

22.2 [43] The President may call a member to the Chair when the Senate resolves itself into the Committee of the Whole.

22.3 [43] The rules observed in the Senate govern, as far as practicable, the proceedings of the Committee of the Whole, and the Chair of the Committee of the Whole has the powers of the President, as appropriate. However, a member may speak more than twice on the same subject and a call for the previous question ~~cannot~~ may not be made.

22.4 [43] ~~The yeas and nays shall be taken only upon the request of Three members, and when taken shall may request a roll call vote. The vote must~~ be recorded in the Journal along with the amendment.

22.5 [44] The recommendations of the Committee of the Whole shall must be reported to the Senate. ~~If a recommendation contains a proposed amendment of a bill, that amendment shall be noted on a separate piece of paper but when reported need not be read by the President unless required by one or more of the members. The question is on the adoption or rejection of the report, and no other question shall may be admitted. The question may be divided to permit separate Senate action on the report as to any bill.~~

22.6 [44] On adoption of the report of the Committee of the Whole, all bills recommended to pass shall must be placed ~~upon~~ on the Calendar.

23. CALENDAR [8]

23.1 The Secretary shall make a Calendar of all bills, resolutions and other matters ~~coming before the Senate~~ approved by the Committee of the Whole for final action. The Secretary shall place them on the Calendar in the order in which they have been acted upon in Committee of the Whole.

23.2 The Calendar shall must be electronically available or printed and ~~placed upon the members' desks at least one calendar day before the matters on it are considered.~~

24. CONSENT CALENDAR [9]

24.1 If a committee determines that a bill it recommends to pass is ~~of a routine nature or otherwise of a nature which not likely will not~~ to be opposed, it may in its report the committee may recommend that the bill be placed on the Consent Calendar. If the committee report is adopted, the bill shall must be electronically available or printed and placed on the Consent Calendar after its second reading. On the question of adoption of the report, the question of accepting the recommendation that the bill be placed on the Consent Calendar may be divided from the question of adopting the report in other respects.

24.2 A majority of the whole Senate, or the Chair of the Committee on Rules and Administration, may order a bill on General Orders ~~to be~~ placed on the Consent Calendar.

24.3 ~~The Consent Calendar consists of bills placed on it. Senate bills shall be positioned ahead of House bills.~~ The Consent Calendar shall must be electronically available or printed and placed on the members' desks at least one calendar day before the matters on it are considered.

24.4 If a member objects to consideration of a bill on the Consent Calendar at any time during its consideration in the Senate before the question on final passage is put, and that objection is supported by at least two other members, the bill ~~shall be~~ is referred to the Committee of the Whole, and ~~shall be placed the Secretary shall place it~~ at the bottom of General Orders subject to Rule 21.2 [11], except that it need not lie over one calendar day before consideration in the Committee of the Whole.

25. SPECIAL ORDERS [10]

25.1 The Chair of the Committee on Rules and Administration, or the Chair's designee, may designate a special order for a bill that has been given its second reading.

25.2 A special order ~~shall~~ may provide that the bill be considered immediately, at a time certain, or after specific other business is completed.

25.3 During consideration of a special order, Rule 35.5 [20] is suspended.

25.4 As nearly as applicable, debate on the bill and all proceedings including amendments and substitutions ~~shall~~ must be that of conducted as in the Committee of the Whole.

25.5 On any question, a member may ~~call for the yeas and nays~~ request a roll call vote, which ~~shall~~ must be entered in the Journal.

25.6 Unless it is otherwise disposed of, after consideration a bill on Special Orders ~~of the Senate shall~~ must immediately proceed to its third reading and final passage.

25.7 A bill may not be made a special order if the chief author has declined on three previous occasions to take the bill up after it was designated a special order.

26. MOTIONS [12, 13, 14]

26.1 [13] A motion or amendment ~~shall~~ must be written if ~~the President or~~ a member requests. ~~In that case~~ It must identify the member or committee offering it.

26.2 [12] When a motion is made, it ~~shall~~ must be stated by the President. If it is in writing, it ~~shall~~ must be handed to the Secretary and read to the members.

26.3 [14] After a motion is stated by the President, or read by the Secretary, it is in possession of the Senate, but may be withdrawn by the author at any time before decision or amendment.

27. PRECEDENCE OF MOTIONS [15]

27.1 When a question is under debate no motion ~~shall~~ may be ~~received~~ made, except:

1. To adjourn.
2. To recess.
3. To reconsider.
4. To lay on the table.
5. For the previous question.
6. To refer.

7. To postpone to a day certain.
8. To amend.
9. To postpone indefinitely.

27.2 Motions numbered 1, 2, 4 and 5 above ~~shall be decided without debate~~ are not debatable.

27.3 These ~~several~~ motions have precedence in the foregoing order; but when a motion for the previous question has been ~~see~~ ended made, or the main question ordered, a motion to lay on the table is not in order.

27.4 A motion to postpone to a day certain, to refer, to postpone indefinitely, or to amend, having been decided, ~~shall~~ may not again be put on the same day, nor at the same stage of the bill or proposition.

28. MOTION TO ADJOURN [16]

A motion to adjourn or a motion to adjourn to a time certain is always in order, ~~and also a motion to adjourn to a time certain~~. The latter motion is debatable solely as to the time. When either motion is rejected, it ~~shall~~ may not be renewed until further business has been transacted.

29. MOTION TO RECONSIDER [31]

29.1 When a motion or question has been ~~once put and carried in the affirmative or negative decided~~, it is in order for a member who voted with the prevailing side to may move for reconsideration on the same day on which the vote was taken or within the next two calendar days or, if later, the first day the Senate meets after the vote was taken. The motion takes precedence over all other questions except a motion to adjourn or recess. When a motion to adjourn is adopted ~~prior to~~ before the disposition of the motion for reconsideration, a motion for reconsideration shall must lie over until the next succeeding day the Senate meets except as provided in this rule.

29.2 When notice of ~~intention~~ intent to move reconsideration of the final action of the Senate on a question is given by a member, the Secretary shall retain the subject of the notice until after the expiration of the time during which the motion can be made.

29.3 ~~During the six calendar days before the first Tuesday following the third Saturday in May of any year~~ A notice of ~~intention~~ intent to move for reconsideration is not in order after the Tuesday before the third Saturday in May, but a motion to reconsider may be made ~~and have priority over all other business except a motion to adjourn~~.

29.4 A motion for reconsideration having been once voted on ~~shall~~ may not be ~~put~~ made again nor reconsidered.

30. MOTION FOR THE PREVIOUS QUESTION [29]

30.1 Unless ~~the~~ a motion for the previous question is made specifically applicable to a subsidiary motion, ~~the previous question shall~~ it must be in this form: "Shall the main question now be put?" ~~It shall only be admitted when demanded~~ If the motion for the previous question is supported by a majority of the members present, and its effect is to put an end to all debate, and bring the Senate to a direct vote upon amendments reported by a committee, if any, then upon all pending amendments in their order and then upon the main question.

30.2 On a motion for the previous question, a call of the Senate is in order before the President submits the question to the Senate.

30.3 On a motion for the previous question there is no debate. All incidental questions of order, arising after a motion is made for the previous question, and pending the motion, ~~shall~~ must be decided, whether on appeal or otherwise, without debate.

31. MOTION TO REFER [46]

A bill or resolution may be referred to committee at any time ~~prior to~~ before its passage, ~~and~~. If an amendment is reported on the referral to any committee other than the Committee of the Whole, it ~~shall~~ must again be read the second time, considered in Committee of the Whole, read the third time and placed on final passage. If the referral is to the Committee of the Whole it ~~shall~~ must be placed at the head of General Orders, except when the referral is from the Consent Calendar under Rule 24.4 [9].

32. MOTION TO AMEND BILL OR RESOLUTION [38, 39, 45]

32.1 A motion to amend must be written if a member requests. It must identify the member offering it.

32.2 [38] In drawing an amendment to a bill or resolution, reference ~~shall~~ must be made ~~therein~~, first to the number of the bill, then to the page, and then to the line or lines ~~from which matter where language is to be stricken or in which new matter is to be inserted.~~

32.3 [45] In filling blanks, the largest sum, the longest time and the greatest distance ~~shall~~ must be first taken.

32.4 [39] The title to a bill may be amended by the Secretary at any time the bill is amended by the Senate.

32.5 [45] ~~No~~ An amendment is not in order to a bill on the Calendar or after third reading without the unanimous consent of the Senate unless it fills a blank, amends the title as ~~provided by Rule 32.6 [39]~~, is proposed to the chief author of the bill by the Revisor of Statutes to correct technical defects found by the Revisor while engrossing earlier amendments to the bill, or is proposed to a bill on the Consent Calendar before the bill is given its third reading.

33. MOTION TO SUSPEND RULES [17]

33.1 A rule ~~shall not~~ may be suspended except by a vote of at least two-thirds ~~vote~~ of the whole Senate.

33.2 A motion to suspend the rules for the purpose of advancing a bill ~~shall~~ may be made only under the order of business, "Motions and Resolutions".

34. GERMANENESS [37]

34.1 An amendment proposed to the Senate or to the Committee of the Whole that is not germane is out of order.

34.2 A non-germane amendment includes one that relates to a substantially different subject, or is intended to accomplish a substantially different purpose, than that of the original bill to which it is proposed.

34.3 An amendment to insert a constitutional amendment is not germane to a bill that does not already include a constitutional amendment.

34.4 Whether an amendment is germane is ~~a question~~ to be decided by the President, who may put the question to the body if the President chooses.

34.5 A motion to remove an amendment placed on a House bill under Rule 44.1 [49] is out of order if removal of the amendment would make a portion of the House bill not germane to the Senate companion for which it was substituted.

35. DEBATE [6, 18, 19, 20]

35.1 [18] When a member is about to speak ~~in debate, or deliver a matter~~ to the Senate, the member shall rise and respectfully address "Mr. (or Madam) President." The member shall ~~shall~~ may not proceed to speak further until recognized by the President.

35.2 [18] The member shall speak only to the question under debate and avoid personality.

35.3 [18] The member may inform the Senate of the Governor's position on a bill and on its status in the House of Representatives.

35.4 [18] In discussing a resolution, each member is limited to ten minutes.

35.5 [20] ~~No~~ A member shall ~~may not~~ speak more than twice on the same question on the same day without ~~leave~~ permission of the Senate.

35.6 [6] When a member is speaking, no one shall ~~pass~~ may stand between the member speaking and the President.

35.7 [6] ~~No~~ A member may not speak without using a microphone.

35.8 All remarks during debate shall be addressed to the ~~Presiding Officer~~ President; however, a member may turn toward other members when speaking, rather than facing the ~~Presiding Officer~~ President.

35.9 [6] When the President puts a question, or addresses the Senate, no one shall may walk out of or cross the Chamber.

35.10 [19] When a member is called to order, the member shall be silent until it is determined whether or not the member is in order. If a member is called to order for words spoken in debate, the words excepted to shall must be taken down in writing by the Secretary immediately.

36. ABSENCE OF MEMBERS [5]

~~No~~ A member or officer of the Senate shall may not be absent from a session of the Senate unless excused by the Senate. The name of a member excused must be printed in the Journal.

37. CALL OF THE SENATE [23]

37.1 A member may impose a call of the Senate requiring the attendance of all members before any further proceedings occur except a motion to adjourn.

37.2 Upon the imposition of a call, a member may request a record of those present shall be obtained upon the request of any member, and the Sergeant at Arms ~~instructed to~~ shall bring in the absent members.

37.3 When the Senate has been placed under call, a member may demand that the doors be closed and that no member be permitted to leave the Chamber until the matter or question, if any, under consideration at the time of the call is disposed of, or until the call is lifted by a majority vote of all the members of the whole Senate, or until the Senate adjourns.

37.4 A majority vote ~~of all the members of the whole~~ Senate may excuse ~~from attendance~~ members not answering the call.

37.5 A call ~~cannot~~ may not be ~~made~~ imposed after voting has commenced.

38. DIVISION OF QUESTION [30]

38.1 A member may call for a division of the question when the ~~question will admit of it~~ division is possible. A motion to strike out and insert is indivisible.

38.2 ~~The defeat of a motion to strike out being lost~~ does not preclude an amendment nor a motion to strike out and insert.

39. VOTING [6, 24, 25, 26, 27]

39.1 [24] ~~Questions shall be~~ The President shall distinctly put state the question before taking the vote. The President shall declare all votes but the result of the vote. If a member rises to ~~question~~ questions the result of a vote, the President shall order a division.

39.2 [25] ~~Upon a division and count of the Senate on a question, only members present~~ A member may vote on a question or be counted on a division only at the member's own seat in the Senate Chamber shall be counted.

~~[25] No member may vote on a question except at the member's own seat in the Chamber.~~

39.3 [26] ~~At any time prior to~~ before the start of voting on a question, a member may call for the yeas and nays request a roll call vote, which shall must be entered in the Journal.

39.4 [27] ~~Unless otherwise ordered, a roll call vote, except upon elections, may be taken by means of the electrical voting system which is under the control of the President.~~

39.5 [26] ~~A roll call for the yeas and nays cannot~~ vote may not be interrupted except to close the roll as provided in Rule 40.3 [22].

39.6 [6] ~~No A member, or other person, shall~~ may not proceed to or remain by the Secretary's desk while the yeas and nays are a roll call or division is being called or counted taken.

40. MEMBERS TO VOTE UNLESS EXCUSED [22]

40.1 Every member who is in the Senate Chamber during a roll call shall vote upon the request of another member unless, ~~for special reasons,~~ excused by the Senate.

40.2 A motion by a member to be excused from voting shall ~~must~~ be made before the question is put. A member wishing to be excused from voting may make a brief statement of the reason for making the request ~~and~~. The question on the motion shall to excuse must be taken without further debate.

40.3 When members have had an opportunity to vote and fail to do so, a majority of ~~all the members of the~~ whole Senate may, by motion, direct the President to close the roll.

40.4 The vote on a motion to close the roll shall must be taken without debate ~~and~~. No member is required to vote on the motion.

41. FINAL PASSAGE [47]

The final question ~~upon~~ on a bill or other matter requiring action by both Houses after its first and second reading, and ~~after~~ the consideration in Committee of the Whole, is ~~upon~~ on its final passage.

42. TRANSMITTING BILLS TO THE HOUSE [48]

42.1 Except when a motion to reconsider has been made as provided in Rule 29 [31], immediately after the passage of a bill or other matter in which the concurrence of the House of Representatives is requested, the Secretary shall transmit it to the House.

42.2 On the concurrence of a bill or other matter of the House by the Senate, or on the concurrence or disagreement in a vote of the House, the Secretary shall notify the House.

43. ENGROSSING AND ENROLLING OF BILLS [50]

43.1 ~~The Secretary and the Engrossing Secretary shall ensure that every bill, memorial, order or resolution originating in the Senate shall be is carefully engrossed before being it is transmitted to the House of Representatives for concurrence.~~

All engrossing and enrolling of bills shall be done at the direction and under authority of the Senate.

~~43.2 All bills shall be carefully enrolled under the supervision of the Committee on Rules and Administration, which may report to the Senate at any time on the enrollment of bills. The Secretary shall ensure that every bill, memorial, or resolution originating in the Senate is carefully enrolled by the Revisor of Statutes before it is presented to the Governor or filed with the Secretary of State.~~

44. COMPARISON AND SUBSTITUTION OF BILLS [49]

~~44.1 Unless there is a motion by the Chair of the Committee on Rules and Administration or objection under Rule 4 [35], A House bill, after its first reading, shall must be referred as follows, unless there is a motion by the Chair of the Committee on Rules and Administration or a designee of the Chair or objection under Rule 4.9 [35]:~~

(a) If there is no Senate companion bill, the House bill shall must be referred to the appropriate standing committee;

(b) If there is a Senate companion bill, the House bill shall must be referred to the standing committee possessing the Senate companion;

(c) If the Senate companion bill has been reported to the Senate, the House bill shall must be referred to the Committee on Rules and Administration, which shall report whether the House bill is identical to the Senate companion bill. If the bills are identical, the report shall must recommend that the House bill be given its second reading and substituted for the Senate companion bill and the Senate companion bill be indefinitely postponed. If the House bill is not identical to the Senate companion bill, the report of the committee shall ~~so state and~~ must recommend an amendment to the House bill that when adopted will render the House bill identical to the Senate bill. Upon adoption of a committee report containing the proposed amendment, the House bill as amended shall must be given its second reading and substituted for the Senate companion bill and the Senate companion bill shall must be indefinitely postponed.

~~44.2 The Secretary shall prepare and submit reports under this rule on behalf of the Committee on Rules and Administration pursuant to this rule shall be prepared and submitted on behalf of the committee by the Secretary.~~

44.3 A House bill placed on the Calendar by substitution shall must not be given its third reading on the same day as the substitution.

45. CONFERENCE COMMITTEES [56]

The Subcommittee on Committees shall appoint all conference committees of the Senate and report the appointments to the Senate. In the appointment of members of conference committees between the two houses, the Subcommittee on Committees shall appoint those who are in accord with the position of the Senate. Whenever practical, the subcommittee shall give preference to authors of bills in dispute and to members of standing committees in which the bills were considered.

46. DISPOSITION OF BILLS ON ADJOURNMENT [51]

Adjournment of the regular session in an odd-numbered year to a date certain in the following year ~~shall be~~ is equivalent to daily adjournment, except that a bill on the Calendar, Consent Calendar, or General Orders ~~shall~~ must be returned to the standing committee other than the Committee on Rules and Administration from which it was last reported to the Senate, unless otherwise provided for by motion ~~prior to~~ before adjournment. Bills returned to committee ~~pursuant to~~ under this rule ~~shall~~ must, upon request of the chief author, be given priority for consideration by the committee in the even-numbered year ahead of all other bills in the order in which they appeared on the Calendar, Consent Calendar, or General Orders.

47. PRINTING AND DISTRIBUTION OF BILLS [41]

47.1 Unless otherwise ordered by the Senate, all Senate bills ~~which~~ that have been reported upon favorably or without recommendation by a committee shall must be electronically available or printed prior to before consideration by the Senate or the Committee of the Whole.

47.2 A House bill amended by the Senate must be unofficially engrossed and electronically available or printed when placed on General Orders.

47.3 A bill may be electronically available or printed by order of the Secretary when amended after second reading.

47.4 A bill ~~shall~~ must be electronically available or printed when ordered by a ~~majority vote of~~ the Senate.

47.5 Action by the Senate on a bill ~~which~~ that has not been printed is a waiver of the printing requirement.

47.6 To the extent practical, the Secretary shall provide a copy of any bill to the public and may charge a reasonable fee.

48. JOURNAL AND INDEX [65, 66]

48.1 [65] The Secretary shall keep a correct Journal of the proceedings of the Senate and shall perform other duties assigned to the Secretary.

48.2 [65] The Secretary shall not permit Journal records, accounts or papers to be taken ~~from the table or~~ out of the Secretary's custody, other than in the regular mode of business. If a paper document in the Secretary's charge is missing, the Secretary shall report the fact to the President, so that inquiry may be made.

48.3 [65] The Secretary shall ~~superintend~~ supervise the recording of proceedings in the Journal, the engrossing, transcribing and copying of the bills and resolutions, ~~supervise the assistants, clerks and stenographers under the direction of the Committee on Rules and Administration,~~ and

generally perform the duties of Secretary, under direction of the President Committee on Rules and Administration.

48.4 [66] The Journal of each day's proceedings is open for correction at any time during the session of the next day the Senate meets. Unless corrected on that day, the Journal stands approved.

48.5 [65] The Secretary shall keep a record of all Senate and House bills showing the state, condition, and progress status of each bill pending, until its final passage.

49. TAPE ELECTRONIC RECORDINGS [65]

49.1 The Secretary shall cause to be recorded on ~~magnetic-tape~~ electronic media the proceedings of the Senate, the Committee of the Whole, and each standing committee, subcommittee, and division. Each ~~tape shall~~ electronic record must be clearly labeled to show the name of the body whose proceedings are recorded and the dates the proceedings occurred. Each ~~tape~~ electronic record of the proceedings of the Senate and the Committee of the Whole ~~shall~~ must be accompanied by a log showing the number of each bill considered and the places on the ~~tape record~~ where consideration of the bill occurred.

49.2 Within two working days after each ~~day the Senate is in session,~~ the Secretary shall make a copy of the ~~tape~~ electronic record and corresponding log of proceedings of the Senate and the Committee of the ~~Whole and deliver the copies available~~ to the Legislative Reference Library.

49.3 Within one week after each meeting of a standing committee, subcommittee, or division, the Secretary shall ~~deliver a tape recording~~ make the electronic record of the meeting available to the Legislative Reference Library, together with an agenda showing bills considered and any action taken on them.

49.4 Upon completion and approval of the minutes of the meeting, the Secretary shall promptly deliver a copy of the minutes ~~shall be promptly delivered~~ to the Legislative Reference Library.

49.5 The Secretary shall keep a record of each session of the Senate and the Committee of the Whole, each meeting of a Senate standing committee, subcommittee, or division and the date on which ~~a tape recording~~ the electronic record of the session or meeting was transmitted made available to the Legislative Reference Library. The Library shall keep a similar record of all ~~tapes received~~ electronic records to which it has been given access.

49.6 The Library shall provide committee staff with reasonable access to Senate ~~tapes~~ electronic records and shall provide the public with convenient facilities to listen to ~~the tapes~~ them.

49.7 ~~The Secretary shall make copies of Senate tapes shall be~~ electronic records available to the public ~~from the Secretary,~~ for a fee determined by the Secretary to be adequate to cover the cost of preparing the copies. A copy ~~shall~~ must be provided free to a member of the Senate upon request for use in legislative business.

49.8 The Secretary shall keep the original ~~tape~~ electronic record and log of each session of the Senate and the Committee of the Whole ~~shall be kept by the Secretary~~ until the end of the period for which the members of the existing House of Representatives have been elected, at which time the ~~tape~~ electronic record may be preserved or disposed of as the Secretary sees fit. ~~Tapes~~ The Legislative Reference Library shall keep electronic records, logs, and minutes forwarded to the ~~Legislative Reference Library shall be kept by the Library~~ it until two years after the end of the period for which the members of the existing Senate have been elected, at which time they may be preserved or disposed of as the Library sees fit.

49.9 ~~It is the intention~~ The Senate intends that testimony and discussion preserved under this rule not be admissible in any court or administrative proceeding on an issue of legislative intent.

50. OTHER DUTIES OF SECRETARY [28, 67, 68]

50.1 [28] ~~No~~ The Secretary shall not issue a certificate authorizing the payment of money appropriated by the Legislature shall be issued by the Secretary by virtue of a motion or resolution, unless the motion or resolution is voted for by a majority of all members of the whole Senate upon a call of the yeas and nays on a roll call vote.

50.2 [67] The Secretary of the Senate and the Engrossing Secretary, ~~in all proper cases,~~ shall correct all mistakes in numbering the sections and reference to them, whether the errors occur in the original bill or are caused by amendments to it.

50.3 [68] The Secretary is the agent of the Senate for the purchase of supplies and services. The Secretary's records on purchase of supplies and services are open for inspection ~~during normal business hours.~~

50.4 [68] The Secretary shall adopt administrative controls to ensure that each member is accountable for the member's own long distance telephone calls and that Senate telephones are used only for Senate business.

50.5 [68] By the 15th day of April, July, October, and January of each year, the Secretary ~~of the Senate~~ shall submit a detailed report of Senate expenditures during the previous quarter to the Committee on Rules and Administration.

50.6 The Secretary's public records may be inspected during normal business hours.

51. SERGEANT AT ARMS [69]

The Sergeant at Arms shall execute all orders of the President and perform all assigned duties connected with the police and good order of the Senate Chamber; exercise supervision over the entry and exit of all persons to and from the Chamber; see that messages are promptly delivered; see that the hall is properly ventilated and the temperature is properly regulated, and that ~~it the Chamber~~ is open for the use of members of the Senate at the time fixed least one-half hour before the start of a session; and perform all other services pertaining to the office of Sergeant.

52. BUDGET AND EXPENDITURES [63]

52.1 The Committee on Rules and Administration shall adopt an operating budget for the Senate.

52.2 All propositions for the appointment and payment of employees of the Senate or for expenditures ~~on account~~ of the Legislature, other than those provided by law, ~~shall~~ must be referred without debate to the Committee on Rules and Administration ~~without debate.~~

53. EMPLOYEES [62, 64, 65]

53.1 [62] The Committee on Rules and Administration shall establish positions, set compensation, appoint employees, and authorize expense reimbursement for employees as it deems proper necessary to carry out the work of the Senate. At the request of any committee member, an action of the committee shall must be submitted as a Senate resolution for adoption by the Senate.

53.2 [62] The Secretary shall keep a roster of all employees of the Senate, including positions and compensation, ~~shall be kept by the Secretary and shall be~~ which must be open for inspection by the public.

53.3 [62] The Secretary shall post, in a public place in the Capitol, a notice of every vacant

position on the permanent staff of the Senate. The notice must remain posted for at least two weeks, and no vacancy may be filled until the period of posting has elapsed.

53.4 [64] Except as otherwise provided in these rules, the Committee on Rules and Administration has full and exclusive authority over, and charge of all employees, ~~officers and clerks~~ of the Senate both ~~elective~~ elected and ~~appointive~~ appointed. The committee has the sole and exclusive power and authority to assign them to duties other than for which they were elected or appointed as the committee may ~~from time to time~~ provide. ~~The committee has power to appoint employees, officers or clerks as it deems proper to exercise the power granted to it by this rule.~~

53.5 [64] The committee may make employment rules and regulations ~~for the government of the employees, officers and clerks as they see fit~~. In case of violation of an order of the committee by an employee, ~~officer or clerk~~, or in case of a violation of a rule or regulation made by the committee, or in case of misconduct or omission by an employee, ~~officer or clerk~~, the Committee on Rules and Administration may hear complaints and discharge the employee, ~~officer or clerk~~ or impose discipline, a fine, or other punishment ~~by way of fine or otherwise~~ upon the employee, ~~officer or clerk as the committee deems just and proper~~.

53.6 [65] The Secretary shall supervise the ~~assistants, clerks, and stenographers~~ employees under the direction of the Committee on Rules and Administration.

54. SUBCOMMITTEE ON ETHICAL CONDUCT [75]

54.1 [75] The Subcommittee on Committees shall appoint a Subcommittee on Ethical Conduct of the Committee on Rules and Administration consisting of four members, two from the majority group and two from the minority group.

54.2 [75] The subcommittee shall serve in an advisory capacity to a member or employee upon written request and shall issue recommendations to the member or employee. A member may request the subcommittee to provide its advice on a potential conflict of interest to the member in private. If so requested, the subcommittee shall conduct its proceedings on the advisory opinion in private. The request, proceedings on the request, and any advice given by the subcommittee in response to the request must remain private. The member may not use an advisory opinion from the subcommittee as a defense to a complaint under this rule unless the opinion has been adopted by the subcommittee at a public meeting.

54.3 [75] The subcommittee shall investigate a complaint by a member of the Senate in writing under oath received during a legislative session regarding improper conduct by a member or employee of the Senate. The subcommittee has the powers of a standing committee to issue subpoenas ~~pursuant to~~ under Minnesota Statutes, section 3.153.

54.4 [75] Within 30 days after receiving a complaint, the subcommittee must meet and either make a finding of no probable cause, vote to defer action until a certain time, or proceed with its investigation.

54.5 [75] In order to determine whether there is probable cause to believe that improper conduct has occurred, the subcommittee may, by a vote of three of its members, conduct a preliminary inquiry in executive session to which the open meeting requirements of ~~Rule 11~~ Rules 11.1 to 11.3 [58] do not apply. The executive session may be ordered by a vote of three of its members whenever the subcommittee determines that matters relating to probable cause are likely to be discussed. The executive session must be limited to matters relating to probable cause. Upon a finding of probable cause, further proceedings on the complaint are open to the public.

54.6 [75] The subcommittee may appoint special counsel to provide expert advice on how to conduct its proceedings. The subcommittee may appoint a suitable person to conduct the investigation and report findings of fact and recommendations for action to the subcommittee.

54.7 [75] If, after investigation, the subcommittee finds the complaint substantiated by the

evidence, it shall recommend to the Committee on Rules and Administration appropriate disciplinary action.

54.8 [75] To minimize disruption of its public proceedings, the subcommittee may require that television coverage be pooled or be provided by Senate media services.

54.9 [75] If criminal proceedings relating to the same conduct have begun, the subcommittee may defer its own proceedings until the criminal proceedings have been completed.

54.10 The Senate intends that proceedings of the Subcommittee on Ethical Conduct not be admissible in any criminal proceeding.

55. STANDARDS OF ETHICAL CONDUCT [75]

55.1 [75] Members shall adhere to the highest standard of ethical conduct as embodied in the Minnesota Constitution, state law, and these rules.

55.2 [75] A member shall not publish or distribute written material if the member knows or has reason to know that the material includes any statement that is false or clearly misleading, concerning a public policy issue or concerning the member's or another member's voting record or position on a public policy issue.

55.3 [75] Improper conduct includes conduct that ~~violated~~ violates a rule or administrative policy of the Senate, that ~~violated~~ violates accepted norms of Senate behavior, that ~~betrayed~~ betrays the public trust, or that ~~tended~~ tends to bring the Senate into dishonor or disrepute.

56. CONFLICTS OF INTEREST

A member who in the discharge of senatorial duties would be required to take an action or make a decision that would substantially affect the member's financial interests or those of an associated business, unless the effect on the member is no greater than on others in the member's business classification, profession, or occupation, shall disclose the potential conflict of interest by following the procedure set forth in Minnesota Statutes, section 10A.07.

57. LOBBYISTS [76]

57.1 [76] A lobbyist shall not appear before a Senate committee pursuant to the lobbyist's employment unless the lobbyist is in compliance with the law requiring lobbyist registration, Minnesota Statutes, sections 10A.03 to 10A.06. A lobbyist, when appearing before a committee, shall disclose to the committee ~~those in~~ on whose interest behalf the lobbyist speaks and the purpose of the lobbyist's appearance. A lobbyist shall not knowingly furnish false or misleading information or make a false or misleading statement that is relevant and material to a matter before the Senate or any of its committees when the lobbyist knows or should know it will influence the judgment or action of the Senate or any of its committees ~~thereon~~, subcommittees, or divisions.

57.2 [76] The Subcommittee on Ethical Conduct shall investigate a complaint by a member of the Senate in writing under oath received during a legislative session regarding improper conduct by that a lobbyist has violated Rule 57.1. Improper conduct includes conduct that violated a rule or administrative policy of the Senate, that violated accepted norms of Senate behavior, that betrayed the public trust, or that tended to bring the Senate into dishonor or disrepute. The investigatory procedures of Rule 54 [75] apply, except as provided in this rule. The complaint and proceedings on the complaint are private until the subcommittee has found probable cause to believe that a violation of Rule 57.1 has occurred, unless they are made public by the lobbyist whose conduct is the subject of the complaint or by the vote of at least three members of the subcommittee.

58. AMENDMENTS TO RULES [17]

Every proposition to amend a rule of the Senate must be referred to the Committee on Rules and Administration. The proposition shall may not be acted upon until the report of the committee is received by the Senate.

59. BUDGET RESOLUTION

59.1 The Committees on Taxes and on Finance must hold hearings as necessary to determine state revenues and appropriations for the fiscal biennium.

59.2 Within 30 days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session in the odd-numbered year, and after receiving from the Committee on Taxes a resolution containing its recommendation on the maximum limit on revenues and an amount to be set aside as a budget reserve and a cash flow account, the Committee on Finance must adopt and report to the Senate a budget resolution, in the form of a Senate resolution. The budget resolution must set: (1) the maximum limit on revenues and net appropriations for the next fiscal biennium for the general fund; and (2) an amount or amounts to be set aside as a budget reserve and a cash flow account. The budget resolution must not specify, limit, or prescribe revenues or appropriations by any category other than those specified in clauses (1) and (2). If the Committee on Finance recommends a maximum limit on revenues or an amount for the budget reserve or cash flow account that differs from the amount recommended by the Committee on Taxes, the recommendation of the Committee on Finance must be referred to the Committee on Rules and Administration before it may be considered by the Senate.

59.3 After the Senate adopts the budget resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the Senate, acting upon a subsequent report of the Committee on Taxes as to revenues or of the Committee on Finance as to appropriations, adopts a different limit or limits for the same fiscal biennium. During the regular session in the even-numbered year, before the Committee on Finance reports a bill containing net appropriations in excess of the general fund appropriations in the current fiscal biennium estimated by the most recent state budget forecast, the Committee must adopt a budget resolution that accounts for the net appropriations. After the Committee adopts the budget resolution, it is effective during the regular session that year, unless the Committee adopts a different or amended resolution.

59.4 Within 14 days after the Senate or the Committee on Finance adopts a budget resolution, the Committee must adopt, by resolution, limits for each major appropriation bill identified in this Rule. After the Committee adopts the resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the Committee subsequently adopts different or amended limits for the same fiscal biennium. If the Committee on Finance or the Senate combines two or more major appropriation bills into one bill, the limits in the Committee resolution pertaining to those bills are also combined, and the sum of the combined limits applies to the combined bill.

59.5 The major tax and appropriation bills are:

- (1) the omnibus tax bill;
- (2) the E-12 education appropriations bill;
- (3) the higher education appropriation bill;
- (4) the environment and agriculture appropriations bill;
- (5) the health, human services and corrections appropriations bill;
- (6) the state government, economic development and the judiciary appropriations bill;

- (7) the transportation and public safety appropriations bill; and
- (8) the omnibus capital investment bill.

59.6 After the adoption of a resolution by the Senate or by the Committee on Finance, the Committee on Finance and the Committee on Taxes must reconcile each bill recommended by the committee with the resolution or resolutions. When reporting a bill, the committee must certify to the Senate that the committee has reconciled the fiscal effect of the bill with the resolution or resolutions and that the bill, as reported by the committee, together with other bills reported and expected to be reported by the committee, does not and will not exceed the limits specified in either resolution.

59.7 After the adoption of a resolution by the Senate or the Committee on Finance, an amendment to a bill is out of order if it would cause any of the limits specified in either resolution to be exceeded. Whether an amendment is out of order under this Rule is a question to be decided in the Senate by the President and in committee by the committee chair. In making the determination, the presiding officer may consider:

- (1) the limits in a resolution;
- (2) the effect of existing laws on revenues and appropriations;
- (3) the effect of amendments previously adopted to the bill under consideration;
- (4) the effect of bills previously recommended by a committee or bills previously passed in the legislative session by the Senate or by the Legislature;
- (5) whether appropriation increases or revenue decreases that would result from the amendment are offset by decreases in other appropriations or increases in other revenue specified by the amendment; and
- (6) other information reasonably related to appropriation and revenue amounts.

Senator Hottinger moved to amend Senate Resolution No. 71 as follows:

Page 2, lines 13 to 15, delete the new language and strike the old language

Page 2, strike line 16

The motion prevailed. So the amendment was adopted.

Senator Bachmann moved to amend Senate Resolution No. 71 as follows:

Page 9, after line 7, insert:

"11.9 The chair of a committee, subcommittee, or division must allow both proponents and opponents an opportunity to testify on any issue on which the body will vote."

Renumber the paragraphs of Rule 11 in sequence

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	Frederickson	Knutson	Neuville	Robling
Belanger	Johnson, Debbie	Larson	Oliver	Scheevel
Day	Kierlin	Lesewski	Olson	Schwab
Dille	Kiscaden	Lessard	Ourada	Stevens
Fischbach	Kleis	Limmer	Reiter	Terwilliger

Those who voted in the negative were:

Anderson	Berglin	Betzold	Chaudhary	Cohen
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Foley	Kelley, S.P.	Orfield	Sabo	Vickerman
Fowler	Kelly, R.C.	Pappas	Sams	Wiener
Higgins	Kinkel	Pogemiller	Samuelson	Wiger
Hottinger	Lourey	Price	Scheid	
Johnson, Dave	Marty	Ranum	Solon	
Johnson, Dean	Metzen	Rest	Stumpf	
Johnson, Doug	Moe, R.D.	Ring	Tomassoni	

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

Senator Scheevel moved to amend Senate Resolution No. 71 as follows:

Page 25, lines 14 and 15, delete the new language

Page 25, line 16, delete the new language and strike the old language

Page 25, strike lines 17 and 18

Page 25, line 19, strike "Senate" and insert "The majority leader and minority leader shall appoint members of their respective groups to each conference committee in substantially the same proportion as the number of members in their group is to the number of members in the Senate"

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

Senator Limmer moved to amend Senate Resolution No. 71 as follows:

Page 11, line 4, before the stricken "When" insert "14.6"

Page 11, lines 4 and 5, reinstate the stricken language

Renumber the paragraphs of Rule 14 in sequence

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

Senator Pariseau moved to amend Senate Resolution No. 71 as follows:

Page 35, lines 10, 12, 14, 16, 18, 21, and 24, delete "Committee" and insert "Senate"

Page 35, lines 15 and 16, delete "or the Committee on Finance"

Page 35, lines 16 and 17, delete ", by resolution," and insert "a second resolution setting"

Page 36, lines 3 and 4, delete "or by the Committee on Finance"

Page 36, lines 13 and 14, delete "or the Committee on Finance"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 38, as follows:

Those who voted in the affirmative were:

Bachmann	Kierlin	Limmer	Pariseau	Stevens
Day	Kiscaden	Marty	Reiter	Terwilliger
Dille	Kleis	Neuville	Robertson	
Fischbach	Knutson	Oliver	Robling	
Frederickson	Larson	Olson	Scheevel	
Johnson, Debbie	Lesewski	Ourada	Schwab	

Those who voted in the negative were:

Anderson	Cohen	Johnson, Dave	Krentz	Moe, R.D.
Belanger	Foley	Johnson, Dean	Langseth	Murphy
Berglin	Fowler	Johnson, Doug	Lessard	Orfield
Betzold	Higgins	Kelley, S.P.	Lourey	Pappas
Chaudhary	Hottinger	Kinkel	Metzen	Pogemiller

Price	Sabo	Scheid	Tomassoni	Wiger
Ranum	Sams	Solon	Vickerman	
Ring	Samuelson	Stumpf	Wiener	

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

Senator Kleis moved to amend Senate Resolution No. 71 as follows:

Page 11, line 27, strike "Daily"

The motion prevailed. So the amendment was adopted.

Senator Limmer moved to amend Senate Resolution No. 71 as follows:

Page 8, line 8, strike "To the extent practical,"

Page 8, line 12, before the period, insert ", except that, during the last two weeks before the second committee deadline, the notice period may be less if three days' notice is not practical"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 37, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, Debbie	Lesewski	Ourada	Schwab
Belanger	Kierlin	Limmer	Pariseau	Stevens
Berg	Kleis	Neuville	Reiter	Terwilliger
Day	Knutson	Oliver	Robling	
Fischbach	Larson	Olson	Scheevel	

Those who voted in the negative were:

Anderson	Higgins	Lourey	Price	Solon
Berglin	Hottinger	Marty	Ranum	Stumpf
Betzold	Johnson, Dave	Metzen	Ring	Tomassoni
Chaudhary	Johnson, Dean	Moe, R.D.	Robertson	Vickerman
Cohen	Johnson, Doug	Murphy	Sabo	Wiger
Dille	Kelley, S.P.	Orfield	Sams	
Foley	Kinkel	Pappas	Samuelson	
Fowler	Lessard	Pogemiller	Scheid	

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

Senator Betzold moved to amend Senate Resolution No. 71 as follows:

Page 4, after line 36, insert:

"7. BUDGET RESOLUTION

7.1 The Committees on Taxes and on Finance must hold hearings as necessary to determine state revenues and appropriations for the fiscal biennium.

7.2 Within 30 days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session in the odd-numbered year, and after receiving from the Committee on Taxes a resolution containing its recommendation on the maximum limit on revenues and an amount to be set aside as a budget reserve and a cash flow account, the Committee on Finance must adopt and report to the Senate a budget resolution, in the form of a Senate resolution. The budget resolution must set: (1) the maximum limit on revenues and net appropriations for the next fiscal biennium for the general fund; and (2) an amount or amounts to be set aside as a budget reserve and a cash flow account. The budget resolution must not specify, limit, or prescribe revenues or appropriations by any category other than those specified in clauses (1) and (2). If the Committee on Finance recommends a maximum limit on revenues or an amount for the budget reserve or cash flow account that differs from the amount recommended by the Committee on Taxes, the recommendation of the Committee on Finance must be referred to the Committee on Rules and Administration before it may be considered by the Senate.

7.3 After the Senate adopts the budget resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the Senate, acting upon a subsequent report of the Committee on Taxes as to revenues or of the Committee on Finance as to appropriations, adopts a different limit or limits for the same fiscal biennium. During the regular session in the even-numbered year, before the Committee on Finance reports a bill containing net appropriations in excess of the general fund appropriations in the current fiscal biennium estimated by the most recent state budget forecast, the Committee must adopt a budget resolution that accounts for the net appropriations. After the Committee adopts the budget resolution, it is effective during the regular session that year, unless the Committee adopts a different or amended resolution.

7.4 Within 14 days after the Senate or the Committee on Finance adopts a budget resolution, the Committee must adopt, by resolution, limits for each major appropriation bill identified in this Rule. After the Committee adopts the resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the Committee subsequently adopts different or amended limits for the same fiscal biennium. If the Committee on Finance or the Senate combines two or more major appropriation bills into one bill, the limits in the Committee resolution pertaining to those bills are also combined, and the sum of the combined limits applies to the combined bill.

7.5 The major tax and appropriation bills are:

- (1) the omnibus tax bill;
- (2) the E-12 education appropriations bill;
- (3) the higher education appropriation bill;
- (4) the environment and agriculture appropriations bill;
- (5) the health, human services and corrections appropriations bill;
- (6) the state government, economic development and the judiciary appropriations bill;
- (7) the transportation and public safety appropriations bill; and
- (8) the omnibus capital investment bill.

7.6 After the adoption of a resolution by the Senate or by the Committee on Finance, the Committee on Finance and the Committee on Taxes must reconcile each bill recommended by the committee with the resolution or resolutions. When reporting a bill, the committee must certify to the Senate that the committee has reconciled the fiscal effect of the bill with the resolution or resolutions and that the bill, as reported by the committee, together with other bills reported and expected to be reported by the committee, does not and will not exceed the limits specified in either resolution.

7.7 After the adoption of a resolution by the Senate or the Committee on Finance, an amendment to a bill is out of order if it would cause any of the limits specified in either resolution to be exceeded. Whether an amendment is out of order under this Rule is a question to be decided in the Senate by the President and in committee by the committee chair. In making the determination, the presiding officer may consider:

- (1) the limits in a resolution;
- (2) the effect of existing laws on revenues and appropriations;
- (3) the effect of amendments previously adopted to the bill under consideration;
- (4) the effect of bills previously recommended by a committee or bills previously passed in the legislative session by the Senate or by the Legislature;
- (5) whether appropriation increases or revenue decreases that would result from the amendment

are offset by decreases in other appropriations or increases in other revenue specified by the amendment; and

(6) other information reasonably related to appropriation and revenue amounts."

Page 34, delete lines 11 to 36

Page 35, delete lines 1 to 36

Page 36, delete lines 1 to 33

Renumber the rules in sequence and correct the internal references

The motion prevailed. So the amendment was adopted.

Senator Neuville moved to amend Senate Resolution No. 71 as follows:

Page 9, after line 22, insert:

"11.12 In each year of a regular session, a member may designate one bill of which the member is the chief author as a priority bill, and a member who chairs a standing committee may designate one additional bill that has been referred to that committee as a priority bill. The designation must be made before the 40th legislative day in the first year of a biennial session and before the 20th legislative day in the second year of a biennial session. A member may withdraw the designation of a priority bill but may not substitute a new one. A bill that appropriates money or increases or decreases a tax may not be designated a priority bill. Each committee to which a priority bill has been referred must schedule it for hearing ahead of any bills that have not been designated a priority, unless the chief author of the priority bill agrees otherwise. A committee may recommend amendments to a priority bill only with the consent of its chief author. The committee must act on the bill and report its recommendation to the Senate. If the recommendation is that the bill do not pass, upon adoption of the committee report the bill must be given its second reading and placed on General Orders. If a motion is made in Committee of the Whole that a priority bill do pass and the motion is defeated, the priority bill loses its status as a priority bill."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 36, as follows:

Those who voted in the affirmative were:

Bachmann	Frederickson	Larson	Olson	Scheevel
Belanger	Johnson, Debbie	Lesewski	Ourada	Schwab
Berg	Kierlin	Lessard	Pariseau	Stevens
Day	Kiscaden	Limmer	Reiter	Terwilliger
Dille	Kleis	Neuville	Robertson	
Fischbach	Knutson	Oliver	Robling	

Those who voted in the negative were:

Anderson	Hottinger	Langseth	Ranum	Tomassoni
Berglin	Johnson, Dave	Lourey	Ring	Vickerman
Betzold	Johnson, Dean	Marty	Sabo	Wiener
Chaudhary	Johnson, Doug	Metzen	Sams	Wiger
Cohen	Kelley, S.P.	Moe, R.D.	Samuelson	
Foley	Kelly, R.C.	Pappas	Scheid	
Fowler	Kinkel	Pogemiller	Solon	
Higgins	Krentz	Price	Stumpf	

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

Senator Oliver moved to amend Senate Resolution No. 71 as follows:

Page 9, after line 22, insert:

"11.12 In each year of a regular session, a member may designate one bill of which the member is the chief author as a priority bill. The member may not withdraw the designation during that

year. The designation must be made at least three weeks before the deadline for committees to act favorably on bills in the house of origin. Each committee to which a priority bill has been referred must schedule it for hearing at least one week before the deadline for committees to act favorably on bills in the house of origin."

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

Senator Lessard moved to amend Senate Resolution No. 71 as follows:

Page 6, line 6, after the period, insert "Each major political party that has at least one member elected to the Senate must be given at least one position on the Committee on Rules and Administration."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 35, as follows:

Those who voted in the affirmative were:

Bachmann	Frederickson	Larson	Olson	Stevens
Belanger	Kierlin	Lesewski	Pariseau	Terwilliger
Berg	Kiscaden	Lessard	Robertson	
Dille	Kleis	Limmer	Robling	
Fischbach	Knutson	Oliver	Schwab	

Those who voted in the negative were:

Anderson	Higgins	Krentz	Pappas	Samuelson
Berglin	Hottinger	Lourey	Pogemiller	Solon
Betzold	Johnson, Dave	Marty	Price	Stumpf
Chaudhary	Johnson, Dean	Metzen	Ranum	Tomassoni
Cohen	Johnson, Doug	Moe, R.D.	Ring	Vickerman
Foley	Kelley, S.P.	Murphy	Sabo	Wiener
Fowler	Kinkel	Neuville	Sams	Wiger

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

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

Senator Kelly, R.C. moved that S.F. No. 288 be withdrawn from the Committee on Finance and re-referred to the Committee on Jobs, Housing and Community Development. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Sams, Samuelson, Solon, Metzen and Belanger introduced--

S.F. No. 1226: A bill for an act relating to insurance; no-fault auto; regulating basic economic loss benefits; amending Minnesota Statutes 2000, section 65B.44, subdivision 1.

Referred to the Committee on Commerce.

Senators Johnson, Dave; Knutson and Metzen introduced--

S.F. No. 1227: A bill for an act relating to commerce; amending provisions relating to charges recipients of dishonored checks may collect from persons who write the checks; amending Minnesota Statutes 2000, section 332.50.

Referred to the Committee on Commerce.

Senators Rest; Samuelson; Lessard; Johnson, Doug and Belanger introduced--

S.F. No. 1228: A bill for an act relating to taxation; establishing a sustainable forest property tax program; providing for payments of refunds to certain property owners; repealing the tree growth tax law; appropriating money; amending Minnesota Statutes 2000, section 289A.01; proposing coding for new law as Minnesota Statutes, chapter 290C; repealing Minnesota Statutes 2000, sections 270.31; 270.32; 270.33; 270.34; 270.35; 270.36; 270.37; 270.38; and 270.39.

Referred to the Committee on Taxes.

Senators Higgins, Berglin, Stevens, Lourey and Foley introduced--

S.F. No. 1229: A resolution making a public apology to all persons with mental illness and developmental and other disabilities who have been involuntarily committed to state institutions.

Referred to the Committee on Health and Family Security.

Senators Berglin, Ranum and Foley introduced--

S.F. No. 1230: A bill for an act relating to welfare; excluding 50 percent of child support received by an MFIP family for purposes of determining the family's income; amending Minnesota Statutes 2000, section 256J.21, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 256J.

Referred to the Committee on Health and Family Security.

Senator Betzold introduced--

S.F. No. 1231: A bill for an act relating to retirement; volunteer firefighter relief associations; setting certain conditions on relief association consultants; amending Minnesota Statutes 2000, section 424A.04, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

Senators Chaudhary, Sams, Higgins, Samuelson and Berglin introduced--

S.F. No. 1232: A bill for an act relating to medical assistance; expanding covered dental services; amending Minnesota Statutes 2000, section 256B.0625, subdivision 9.

Referred to the Committee on Health and Family Security.

Senator Kiscaden introduced--

S.F. No. 1233: A bill for an act relating to human services; changing recovery provisions; amending Minnesota Statutes 2000, sections 62A.095, subdivision 2; and 256B.0913, subdivisions 12 and 14.

Referred to the Committee on Health and Family Security.

Senators Robling and Pariseau introduced--

S.F. No. 1234: A bill for an act relating to comprehensive local planning; reestablishing local control of comprehensive planning; repealing metropolitan land use planning and metropolitan council review of local comprehensive plans; making conforming changes; amending Minnesota Statutes 2000, sections 103B.231, subdivision 7; 103B.255, subdivision 8; 473.146, subdivision 1; 473.1551, subdivision 1; 473.173, subdivisions 3 and 4; 473.867, subdivisions 1 and 6; 473.871; and 473H.02, subdivisions 4 and 7; repealing Minnesota Statutes 2000, sections 103B.205, subdivisions 6, 7, and 10; 462.355, subdivision 1a; 473.175; 473.851; 473.852; 473.853; 473.854;

473.856; 473.857; 473.858; 473.859; 473.86; 473.861; 473.862; 473.863; 473.864; 473.865; 473.866; 473.868; 473.869; and 473.87.

Referred to the Committee on State and Local Government Operations.

Senators Dille, Price, Frederickson, Fowler and Higgins introduced--

S.F. No. 1235: A bill for an act relating to appropriations; appropriating money for soil and water conservation districts; providing increased funding for general services and nonpoint engineering technical assistance operating grants, feedlot water quality management cost-share grants, and special projects cost-share grant program.

Referred to the Committee on Finance.

Senator Rest introduced--

S.F. No. 1236: A bill for an act relating to human services; providing a rate increase for a nursing facility in Hennepin county; appropriating money; amending Minnesota Statutes 2000, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Stevens, Lourey, Kiscaden, Berglin and Foley introduced--

S.F. No. 1237: A bill for an act relating to human services; establishing a case mix system for nursing home resident reimbursement classifications; imposing fines for noncompliance; amending Minnesota Statutes 2000, section 144A.04, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 144; and 256B; repealing Minnesota Statutes 2000, section 144.0721, subdivision 1.

Referred to the Committee on Health and Family Security.

Senator Metzen introduced--

S.F. No. 1238: A bill for an act relating to education; providing a grant to establish a school for adolescents who complete chemical or alcohol dependency treatment and seek to complete their education in a chemical and alcohol-free environment; appropriating money.

Referred to the Committee on Education.

Senator Metzen introduced--

S.F. No. 1239: A bill for an act relating to utilities; regulating certain transmission line siting; proposing coding for new law in Minnesota Statutes, chapter 116C.

Referred to the Committee on Telecommunications, Energy and Utilities.

Senator Metzen introduced--

S.F. No. 1240: A bill for an act relating to education; providing a debt service tuition rebate to public post-secondary students; appropriating money.

Referred to the Committee on Education.

Senator Metzen introduced--

S.F. No. 1241: A bill for an act relating to state lands; authorizing conveyance of certain tax-forfeited land in Dakota county free of the trust in favor of the taxing district.

Referred to the Committee on Environment and Natural Resources.

Senators Samuelson, Belanger, Hottinger, Day and Wiener introduced--

S.F. No. 1242: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 12; removing references to legislative days.

Referred to the Committee on Rules and Administration.

Senators Berglin, Ring, Sams, Oliver and Kiscaden introduced--

S.F. No. 1243: A bill for an act relating to human services; modifying provisions for long-term care; amending Minnesota Statutes 2000, sections 144A.31, subdivision 2a; 256.975, by adding a subdivision; 256B.0911, subdivisions 1, 3, 5, 6, 7, and by adding subdivisions; 256B.0913, subdivisions 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14; 256B.0915, subdivisions 1d, 3, and 5; 256B.0917, by adding a subdivision; 256B.431, by adding a subdivision; 256B.435, subdivisions 1, 1a, 2, 3, 5, 6, 7, 8, and by adding subdivisions; 256B.436, subdivisions 1, 2, 4, 7, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 2000, sections 144A.16; 256B.0911, subdivisions 2, 2a, 4, 8, and 9; 256B.0913, subdivisions 3, 15a, 15b, and 16; 256B.0915, subdivisions 3a, 3b, and 3c; and 256B.436, subdivisions 3, 5, 6, and 8; Minnesota Rules, parts 4655.6810; 4655.6820; 4655.6830; 4658.1600; 4658.1605; 4658.1610; 4658.1690; 9505.2390; 9505.2395; 9505.2396; 9505.2400; 9505.2405; 9505.2410; 9505.2413; 9505.2415; 9505.2420; 9505.2425; 9505.2426; 9505.2430; 9505.2435; 9505.2440; 9505.2445; 9505.2450; 9505.2455; 9505.2458; 9505.2460; 9505.2465; 9505.2470; 9505.2473; 9505.2475; 9505.2480; 9505.2485; 9505.2486; 9505.2490; 9505.2495; 9505.2496; 9505.2500; 9546.0010; 9546.0020; 9546.0030; 9546.0040; 9546.0050; and 9546.0060.

Referred to the Committee on Health and Family Security.

Senators Neuville; Schwab; Kleis; Kelly, R.C. and Betzold introduced--

S.F. No. 1244: A bill for an act relating to crime prevention; specifying that peace officers' use of less lethal munitions does not constitute deadly force; amending Minnesota Statutes 2000, section 609.066, subdivision 1.

Referred to the Committee on Crime Prevention.

Senators Higgins, Hottinger, Sams and Fischbach introduced--

S.F. No. 1245: A bill for an act relating to public guardianship; appropriating money; amending Minnesota Statutes 2000, sections 252A.02, subdivisions 3, 12, 13, and by adding a subdivision; 252A.111, subdivisions 5 and 6; 252A.14; 252A.16, subdivision 1; 252A.19, subdivision 9; 252A.20, subdivision 1; 252A.21, subdivision 2; repealing Minnesota Statutes 2000, section 252A.111, subdivision 3.

Referred to the Committee on Health and Family Security.

Senators Chaudhary; Frederickson; Anderson; Moe, R.D. and Knutson introduced--

S.F. No. 1246: A bill for an act relating to manufactured homes; clarifying the amount that may be charged to residents for utility services; amending Minnesota Statutes 2000, section 327C.04, subdivision 3.

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

Senators Robertson, Sabo, Knutson, Krentz and Schwab introduced--

S.F. No. 1247: A bill for an act relating to early childhood; expanding services and eligibility for state Head Start funds; amending Minnesota Statutes 2000, sections 119A.52; and 119A.53.

Referred to the Committee on Education.

Senators Murphy, Ring, Dille, Sams and Fowler introduced--

S.F. No. 1248: A bill for an act relating to agriculture; providing additional funding for a dairy diagnostics and modernization program; appropriating money.

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

Senator Lessard introduced--

S.F. No. 1249: A bill for an act relating to utilities; modifying biomass mandate; amending Minnesota Statutes 2000, section 216B.2424, subdivision 5.

Referred to the Committee on Telecommunications, Energy and Utilities.

Senator Lessard introduced--

S.F. No. 1250: A bill for an act relating to education finance; creating a supplemental transportation levy for intermediate districts and vocational and special education cooperatives; proposing coding for new law in Minnesota Statutes, chapter 123B.

Referred to the Committee on Education.

Senators Fischbach and Samuelson introduced--

S.F. No. 1251: A bill for an act relating to education; authorizing a fund transfer for independent school district No. 485, Royalton.

Referred to the Committee on Education.

Senators Lourey and Ring introduced--

S.F. No. 1252: A bill for an act relating to education; establishing the 595 days to reading competence grant program; appropriating money.

Referred to the Committee on Education.

Senators Reiter, Ourada, Limmer, Robling and Larson introduced--

S.F. No. 1253: A bill for an act relating to transportation; allocating revenues from motor vehicle sales tax; proposing amendment to Minnesota Constitution, article XIV, by adding a section to require 50 percent of the proceeds from the sales tax on motor vehicles be deposited in the highway user tax distribution fund; amending Minnesota Statutes 2000, section 297B.09, subdivision 1.

Referred to the Committee on Transportation.

Senator Larson introduced--

S.F. No. 1254: A bill for an act relating to higher education; providing a grant to support post-secondary outreach by Alexandria technical college; appropriating money.

Referred to the Committee on Education.

Senator Johnson, Debbie introduced--

S.F. No. 1255: A bill for an act relating to highways; authorizing issuance of trunk highway bonds for improvements to marked trunk highway No. 65.

Referred to the Committee on Finance.

Senators Samuelson, Sams, Berglin, Kiscaden and Stevens introduced--

S.F. No. 1256: A bill for an act relating to health; providing for prospective review of certain major spending commitments for radiation therapy facilities; amending Minnesota Statutes 2000, section 62J.17, subdivision 8.

Referred to the Committee on Health and Family Security.

Senators Wiener, Krentz, Frederickson, Cohen and Price introduced--

S.F. No. 1257: A bill for an act relating to waters; creating a program to protect shoreland areas; appropriating money; amending Minnesota Statutes 2000, section 103F.205, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 103F.

Referred to the Committee on Environment and Natural Resources.

Senators Frederickson; Johnson, Doug; Vickerman and Metzen introduced--

S.F. No. 1258: A bill for an act relating to economic development; modifying provisions of the Minnesota investment fund; amending Minnesota Statutes 2000, section 116J.8731, subdivision 2.

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

Senators Kinkel, Samuelson, Scheid, Rest and Metzen introduced--

S.F. No. 1259: A bill for an act relating to taxation; providing a reduced class rate for certain property bordering public waters; amending Minnesota Statutes 2000, section 273.13, subdivision 23.

Referred to the Committee on Taxes.

Senators Krentz, Higgins, Dille, Frederickson and Price introduced--

S.F. No. 1260: A bill for an act relating to natural resources; providing matching funding from the general fund for private contributions to the nongame wildlife account; appropriating money; amending Minnesota Statutes 2000, sections 290.431; and 290.432.

Referred to the Committee on Environment and Natural Resources.

Senators Kelly, R.C.; Pappas; Anderson and Wiger introduced--

S.F. No. 1261: A bill for an act relating to economic development; directing payment of a loan for the RiverCentre arena to an economic development fund for St. Paul; appropriating money; amending Laws 1998, chapter 404, section 23, subdivision 6.

Referred to the Committee on Finance.

Senators Kelly, R.C.; Pappas; Anderson and Wiger introduced--

S.F. No. 1262: A bill for an act relating to crime prevention; appropriating money for victim intervention project.

Referred to the Committee on Finance.

Senators Robertson, Vickerman, Kiscaden, Stevens and Wiener introduced--

S.F. No. 1263: A bill for an act relating to state government; changing the expiration dates of certain advisory councils and committees and other multimember entities; amending Minnesota Statutes 2000, sections 6.65; 15.059, subdivisions 5 and 5a; 15.50, subdivision 2; 16B.27, subdivision 3; 16B.76, subdivision 1; 17.136; 18B.305, subdivision 3; 21.112, subdivision 2; 28A.20, subdivision 6; 43A.316, subdivision 4; 62J.15, subdivision 1; 62J.46, subdivision 1; 62Q.03, subdivision 5a; 82B.05, subdivision 1; 122A.624, subdivision 2; 144.672, subdivision 1; 144A.073, subdivisions 2 and 3; 145A.10, subdivision 10; 148C.11, subdivision 3; 161.17, subdivision 2; 174.55, subdivision 1; 256B.0917, subdivisions 1 and 2; 256B.093, subdivision 1; 256B.69, subdivision 5b; 256E.115, subdivision 1; 268.362, subdivision 2; and 402.03; repealing Minnesota Statutes 2000, sections 17.49, subdivision 1; 17.703; 17.76; 40A.14, subdivision 3; 52.061; 60K.19, subdivision 4; 93.002; 97A.055, subdivision 4a; 116C.711; 124D.894; 124D.95, subdivision 6; 134.31, subdivision 5; 137.342, subdivision 2; 144A.073, subdivision 3c; 144A.31; 162.09, subdivision 2; 256.955, subdivision 5; 256B.0625, subdivision 13a; 256B.0911, subdivision 8; 256B.434, subdivision 13; 268.361, subdivision 2; 268.363; 299A.295, subdivision 2; 299K.03, subdivision 4; and 299M.02.

Referred to the Committee on State and Local Government Operations.

Senators Scheid, Belanger, Solon, Wiener and Reiter introduced--

S.F. No. 1264: A bill for an act relating to insurance; no-fault auto; regulating income loss benefits to senior citizens; amending Minnesota Statutes 2000, section 65B.491.

Referred to the Committee on Commerce.

Senator Kinkel introduced--

S.F. No. 1265: A bill for an act relating to child protection; adding violations from other states to the list of offenses that constitute child abuse; amending Minnesota Statutes 2000, section 260C.007, subdivision 25.

Referred to the Committee on Judiciary.

Senator Kinkel introduced--

S.F. No. 1266: A bill for an act relating to criminal justice; providing for community service in lieu of criminal fines in certain instances; amending Minnesota Statutes 2000, section 609.101, subdivision 5.

Referred to the Committee on Crime Prevention.

Senators Foley and Dille introduced--

S.F. No. 1267: A bill for an act relating to traffic regulations; prescribing restraint requirements for persons under age 18 in motor vehicles; requiring certain passengers to be transported in booster seats; extending seat belt use requirement to passengers in all seats of a passenger vehicle or commercial motor vehicle; eliminating certain exemptions from the seat belt requirement; increasing penalties for violation of child restraint and seat belt requirements; amending Minnesota Statutes 2000, sections 169.685, subdivisions 4, 5, 6, and 7; and 169.686, subdivisions 1 and 2.

Referred to the Committee on Transportation.

Senators Frederickson; Johnson, Dean; Ring; Schwab and Dille introduced--

S.F. No. 1268: A bill for an act relating to education; increasing pupil unit count for kindergarten pupils; amending Minnesota Statutes 2000, sections 126C.05, subdivision 1; and 126C.12, subdivision 1.

Referred to the Committee on Education.

Senators Samuelson, Wiger and Sams introduced--

S.F. No. 1269: A bill for an act relating to veterans; providing for placement in the Capitol of a plaque commemorating the soldiers who participated in the Bataan Death March.

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

Senators Kinkel, Price, Ring, Anderson and Krentz introduced--

S.F. No. 1270: A bill for an act relating to natural resources; clarifying the environmental review required before sunken logs may be removed from waters of this state; requiring local approval for sunken log removal projects; appropriating money; amending Minnesota Statutes 2000, section 103G.650, subdivisions 3, 4.

Referred to the Committee on Environment and Natural Resources.

Senators Higgins; Robertson; Wiger; Johnson, Debbie and Pogemiller introduced--

S.F. No. 1271: A bill for an act relating to commerce; regulating claims against the recovery portion of the real estate education, research, and recovery fund; requiring accelerated claims payment under certain circumstances; amending Minnesota Statutes 2000, section 82.34, by adding a subdivision.

Referred to the Committee on Commerce.

Senators Lesewski, Sams, Fischbach, Vickerman and Kierlin introduced--

S.F. No. 1272: A resolution memorializing Congress to propose a constitutional amendment to allow states to apportion one chamber of their legislative bodies on the basis of area, not population.

Referred to the Committee on Rules and Administration.

Senator Ring introduced--

S.F. No. 1273: A bill for an act relating to retirement; teachers retirement association; authorizing a service credit purchase for prior teaching service at the University of Minnesota.

Referred to the Committee on State and Local Government Operations.

Senators Kelly, R.C.; Chaudhary; Ranum; Johnson, Dean and Anderson introduced--

S.F. No. 1274: A bill for an act relating to crime prevention; providing for an aggressive and integrated initiative against prostitution and other crimes; increasing criminal penalties and imposing mandatory minimum and consecutive sentences for prostitution crimes in certain instances; requiring presentence investigations for all offenses involving prostitution, a firearm, or a controlled substance; creating a pilot project prostitution prosecution unit; appropriating money; amending Minnesota Statutes 2000, sections 609.115, subdivision 1; 609.153, subdivision 3; 609.324, subdivision 2, and by adding a subdivision; and 609.3242.

Referred to the Committee on Crime Prevention.

Senators Tomassoni and Johnson, Doug introduced--

S.F. No. 1275: A bill for an act relating to natural resources; providing for the disposal of certain mineral lease money; providing for grants to taconite mining companies; appropriating money; amending Minnesota Statutes 2000, section 93.22; proposing coding for new law in Minnesota Statutes, chapter 93.

Referred to the Committee on Environment and Natural Resources.

Senators Johnson, Doug; Cohen; Hottinger; Neuville and Robertson introduced--

S.F. No. 1276: A bill for an act relating to public finance; making technical changes to finance provisions and budget and forecast procedures; amending Minnesota Statutes 2000, sections 3.3005, subdivision 2, and by adding a subdivision; 3.98, subdivision 2; 16A.10, subdivision 2; 16A.103, subdivisions 1 and 1a; and 16A.152, subdivision 7.

Referred to the Committee on Finance.

Senators Frederickson, Higgins, Anderson, Robertson and Knutson introduced--

S.F. No. 1277: A bill for an act relating to unemployment insurance; making technical and substantive changes; providing that certain applicants on leaves of absence are ineligible for benefits; modifying definitions; clarifying procedures; providing eligibility for benefits for certain victims of domestic abuse; instructing the revisor to renumber sections and change terms; amending Minnesota Statutes 2000, sections 268.03, subdivision 1; 268.035, subdivisions 4, 5, 29, and by adding subdivisions; 268.042, subdivision 1; 268.045; 268.047; 268.051, subdivisions 1a, 3, 4, and 7; 268.052, subdivisions 1, 2, and by adding a subdivision; 268.053, subdivisions 1 and 3; 268.059; 268.07, subdivisions 1, 2, 3a, and 3b; 268.085, subdivisions 1, 2, 3, 6, 7, 14, 15, and by adding a subdivision; 268.086, subdivisions 1 and 7; 268.095, subdivisions 1, 2, 8, and 11; 268.101, subdivisions 1 and 2; 268.105, subdivision 7; 268.131, subdivision 2; 268.18, subdivision 2b; 268.184; 268.192, subdivision 1; 268.6715; and 268.976, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Laws 1999, chapter 107, section 22.

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

Senators Frederickson, Marty, Ranum, Larson and Neuville introduced--

S.F. No. 1278: A bill for an act relating to courts; satisfaction of judgments; requiring court administrators to send notice of satisfaction of judgments to certain credit reporting agencies; amending Minnesota Statutes 2000, section 548.15, by adding a subdivision.

Referred to the Committee on Judiciary.

Senator Berglin introduced--

S.F. No. 1279: A bill for an act relating to human services; providing medical assistance and alternative care reimbursement for certain employee travel costs in conjunction with services provided in the recipient's home; appropriating money; amending Minnesota Statutes 2000, sections 256B.0625, by adding a subdivision; and 256B.0913, subdivision 5.

Referred to the Committee on Health and Family Security.

Senators Chaudhary; Foley; Higgins; Kelly, R.C. and Stevens introduced--

S.F. No. 1280: A bill for an act relating to crime prevention; appropriating money to fund peace officers' overtime.

Referred to the Committee on Finance.

Senators Oliver, Hottinger, Rest, Krentz and Price introduced--

S.F. No. 1281: A bill for an act relating to taxation; creating a credit for land donated for conservation purposes; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senators Dille and Murphy introduced--

S.F. No. 1282: A resolution urging the Minnesota Historical Society to keep the Confederate battle flag in Minnesota.

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

Senator Johnson, Dean introduced--

S.F. No. 1283: A bill for an act relating to education finance; extending the metropolitan magnet school grant program statewide; appropriating money; amending Minnesota Statutes 2000, section 124D.88, subdivisions 1, 4.

Referred to the Committee on Education.

Senators Pogemiller, Higgins, Sabo and Frederickson introduced--

S.F. No. 1284: A bill for an act relating to natural resources; appropriating money for the Mississippi whitewater trail.

Referred to the Committee on Environment and Natural Resources.

Senator Wiger introduced--

S.F. No. 1285: A bill for an act relating to education; authorizing funding to establish a voluntary accreditation program to assist school districts to provide optimal educational support services; appropriating money.

Referred to the Committee on Education.

Senator Scheid introduced--

S.F. No. 1286: A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; providing for design and construction of a replacement transit hub in Brooklyn Center; authorizing issuance of bonds; appropriating money.

Referred to the Committee on Finance.

Senators Scheid and Solon introduced--

S.F. No. 1287: A bill for an act relating to consumer protection; providing for a duty to repair, refund, or replace certain new computers; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce.

Senator Scheid introduced--

S.F. No. 1288: A bill for an act relating to state employees; permitting retired state employees to purchase group long-term care insurance through the coverage offered to active state employees; amending Minnesota Statutes 2000, section 43A.318, subdivision 1.

Referred to the Committee on State and Local Government Operations.

Senator Scheid introduced--

S.F. No. 1289: A bill for an act relating to insurance; requiring notice to the homeowner prior to cancellation of homeowner's insurance for nonpayment of premium by a mortgage escrow servicer; amending Minnesota Statutes 2000, section 65A.01, subdivision 3c.

Referred to the Committee on Commerce.

Senator Scheid introduced--

S.F. No. 1290: A bill for an act relating to taxes; sales and use tax; expanding the exemption for home heating fuels; amending Minnesota Statutes 2000, section 297A.67, subdivision 15.

Referred to the Committee on Taxes.

Senator Scheid introduced--

S.F. No. 1291: A bill for an act relating to higher education; appropriating money for energy costs of public post-secondary institutions.

Referred to the Committee on Education.

Senators Ring; Johnson, Debbie; Foley and Johnson, Dean introduced--

S.F. No. 1292: A bill for an act relating to transportation; appropriating money to the metropolitan council for a demonstration project providing express bus service between downtown Minneapolis and one or more cities located outside the transit taxing district.

Referred to the Committee on Transportation.

Senators Tomassoni, Stevens, Lessard, Krentz and Stumpf introduced--

S.F. No. 1293: A bill for an act relating to natural resources; modifying all-terrain vehicle safety training and youth operating provisions; amending Minnesota Statutes 2000, sections 84.925, subdivision 1; and 84.9256, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senator Samuelson introduced--

S.F. No. 1294: A bill for an act relating to appropriations; appropriating money for the Cuyuna Range Technology Center.

Referred to the Committee on Finance.

Senators Robling, Kinkel, Fowler and Lesewski introduced--

S.F. No. 1295: A bill for an act relating to local government; updating United States Department of Agriculture financing program for cities, counties, and towns, and expanding the uses to include child care facilities; amending Minnesota Statutes 2000, section 465.73.

Referred to the Committee on State and Local Government Operations.

Senators Pariseau, Price, Murphy, Wiger and Robling introduced--

S.F. No. 1296: A bill for an act relating to annexation; limiting annexation of urban towns to certain processes; amending Minnesota Statutes 2000, section 368.01, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

Senators Foley, Berglin, Betzold and Neuville introduced--

S.F. No. 1297: A bill for an act relating to crimes; modifying requirements for reporting gunshot wounds; amending Minnesota Statutes 2000, sections 626.52, subdivision 2; and 626.53.

Referred to the Committee on Crime Prevention.

Senators Krentz, Tomassoni, Frederickson and Kinkel introduced--

S.F. No. 1298: A bill for an act relating to game and fish; authorizing grants for aquatic restoration; providing for administrative penalty orders; clarifying construction of law relating to decoys; providing for disposition of federal aid; providing for compliance with federal law; modifying turtle licensing and taking provisions; providing for conservation law enforcement by agreement with Indian authorities; providing penalties; amending Minnesota Statutes 2000, sections 84.027, by adding a subdivision; 97A.021, subdivision 3; 97A.055, by adding a subdivision; 97A.475, subdivision 41; 97C.605; and 97C.611; proposing coding for new law in Minnesota Statutes, chapters 84; 97A; 97C; and 626; repealing Minnesota Statutes 2000, section 16A.68; Minnesota Rules, parts 6256.0500, subpart 2; and 6266.0600, subpart 8.

Referred to the Committee on Environment and Natural Resources.

Senators Berglin and Sams introduced--

S.F. No. 1299: A bill for an act relating to human services; extending the time for emergency assistance; amending Minnesota Statutes 2000, section 256J.48, subdivision 1.

Referred to the Committee on Health and Family Security.

Senators Metzen; Johnson, Dean; Stumpf; Wiger and Terwilliger introduced--

S.F. No. 1300: A bill for an act relating to retirement; increasing the benefit formula percentage for the local government correctional service plan; amending Minnesota Statutes 2000, section 356.19, subdivision 5a.

Referred to the Committee on State and Local Government Operations.

Senators Robertson, Rest and Vickerman introduced--

S.F. No. 1301: A bill for an act relating to changing certain bid and performance bond thresholds; amending Minnesota Statutes 2000, section 469.015, subdivisions 1, 2, 3, and 5.

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

Senators Hottinger, Vickerman, Orfield, Krentz and Price introduced--

S.F. No. 1302: A bill for an act relating to the environment; creating state and local government procurement policies and administrative practices to ensure sustainability; providing penalties; appropriating money; amending Minnesota Statutes 2000, sections 16B.121; 16B.122, subdivision 2; 16B.32, by adding a subdivision; 16B.54, by adding a subdivision; 18B.063; 115A.055, subdivision 1; 115A.15, by adding a subdivision; and 471.345, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 16C; and 115A.

Referred to the Committee on State and Local Government Operations.

Senators Metzen, Sams, Tomassoni, Ourada and Scheevel introduced--

S.F. No. 1303: A bill for an act relating to energy; enacting the Minnesota Energy Security and Reliability Act; modifying provisions for siting and routing large electric power facilities; allowing for establishment of electric generation parks; creating independent reliability administrator; providing tax exemption for certain electric generation facility property; regulating conservation expenditures by public utilities; encouraging regulatory flexibility in supplying and obtaining energy; requiring a state energy plan; regulating interconnection of distributed utility resources; making technical, conforming, and clarifying changes; appropriating money; amending Minnesota Statutes 2000, sections 15A.0815, subdivisions 2 and 3; 116C.52, subdivision 4, and by adding subdivisions; 116C.53, subdivision 3; 116C.57, subdivisions 1, 2, 4, and by adding subdivisions; 116C.58; 116C.60; 116C.61, subdivision 1; 116C.62; 116C.64; 116C.645; 116C.65; 116C.66; 116C.69; 216A.03, subdivision 3a, and by adding a subdivision; 216B.02, subdivisions 1, 7, 8, and by adding subdivisions; 216B.03; 216B.16, subdivisions 1, 6b, 6c, and 7; 216B.162, subdivision 8; 216B.1621, subdivision 2; 216B.164, subdivision 4; 216B.1645; 216B.24, subdivisions 1, 2, and 3; 216B.241, subdivisions 1, 1a, 1b, and by adding subdivisions; 216B.2421, subdivisions 1, 2, and by adding a subdivision; 216B.2423, subdivision 2; 216B.243, subdivisions 2, 3, and 5; 216C.17, subdivision 3; and 272.027, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 116C; and 216B; proposing coding for new law as Minnesota Statutes, chapter 216E; repealing Minnesota Statutes 2000, sections 116C.55; 116C.57, subdivisions 3, 5, and 5a; 116C.67; 216B.241, subdivisions 1c, 2, and 2a; 216B.2422, subdivisions 1, 2, 2a, 4, 5, and 6; and 216C.18.

Referred to the Committee on Telecommunications, Energy and Utilities.

Senators Moe, R.D.; Kelley, S.P.; Krentz; Sabo and Fowler introduced--

S.F. No. 1304: A bill for an act relating to education; providing that interest on obligations issued or agreements entered into to finance health and safety program projects are valid health and safety programs expenditures; amending Minnesota Statutes 2000, section 123B.57, subdivision 6.

Referred to the Committee on Education.

Senators Ring, Foley, Lourey, Olson and Krentz introduced--

S.F. No. 1305: A bill for an act relating to the environment; restricting insecticide uses by the metropolitan mosquito control commission; amending Minnesota Statutes 2000, section 473.704, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senator Metzen introduced--

S.F. No. 1306: A bill for an act relating to energy; allowing owner-occupied residential housing to be served by an existing energy loan program.

Referred to the Committee on Telecommunications, Energy and Utilities.

Senators Pappas; Kelley, S.P.; Sabo; Fowler and Schwab introduced--

S.F. No. 1307: A bill for an act relating to education; repealing the Minnesota Education Finance Act of 1992; amending Laws 1992, chapter 499, article 7, section 31, as amended; repealing Minnesota Statutes 2000, sections 126C.30; 126C.31; 126C.32; 126C.33; 126C.34; 126C.35; and 126C.36.

Referred to the Committee on Education.

Senators Krentz, Sabo, Fowler, Tomassini and Schwab introduced--

S.F. No. 1308: A bill for an act relating to education; repealing the mandate for three additional days of student instruction or staff development training; repealing Minnesota Statutes 2000, section 120A.41.

Referred to the Committee on Education.

Senators Stevens, Higgins, Ring and Fischbach introduced--

S.F. No. 1309: A bill for an act relating to human services; extending the expiration date for certain advisory councils and committees; amending Minnesota Statutes 2000, section 15.059, subdivisions 5 and 5a.

Referred to the Committee on State and Local Government Operations.

Senators Berglin, Sams and Lourey introduced--

S.F. No. 1310: A bill for an act relating to human services; modifying provisions for children's health insurance; amending Minnesota Statutes 2000, sections 256.01, subdivision 2; 256.9657, subdivision 2; 256B.055, subdivision 3a; 256B.056, subdivision 4; 256B.057, subdivisions 2, 9, and by adding a subdivision; 256B.0625, subdivisions 13, 13a, 18a, and 30; 256B.0635, subdivisions 1 and 2; 256B.69, subdivision 3a; 256B.75; 256J.31, subdivision 12; 256K.03, subdivision 1; 256K.07; 256L.02, subdivision 4; 256L.06, subdivision 3; 256L.07, subdivisions 1 and 3; and 256L.15, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 256B; repealing Minnesota Statutes 2000, sections 256.01, subdivision 18; 256B.0635, subdivision 3; 256J.32, subdivision 7a; and 256L.15, subdivision 3.

Referred to the Committee on Health and Family Security.

Senators Sams, Berglin, Stevens and Robertson introduced--

S.F. No. 1311: A bill for an act relating to human services; modifying provisions for family and adult self-sufficiency; amending Minnesota Statutes 2000, sections 256.98, subdivision 8; 256D.425, subdivision 1; 256J.08, subdivision 55a, and by adding a subdivision; 256J.21, subdivision 2; 256J.24, subdivisions 2 and 9; 256J.32, subdivision 4; 256J.39, subdivision 2; 256J.42, subdivisions 1, 3, and 4; 256J.45, subdivisions 1 and 2; 256J.46, subdivision 1; 256J.48, by adding a subdivision; 256J.49, subdivisions 2, 13, and by adding a subdivision; 256J.50, subdivisions 5, 10, and by adding a subdivision; 256J.515; 256J.52, subdivisions 2, 3, and 6; 256J.56; 256J.62, subdivisions 2a and 9; 256J.645; and 256K.03, subdivision 5; repealing Minnesota Statutes 2000, sections 256J.08, subdivision 50a; 256J.43; 256J.49, subdivision 11; and 256J.52, subdivision 5a.

Referred to the Committee on Health and Family Security.

Senator Johnson, Doug introduced--

S.F. No. 1312: A bill for an act relating to state government; directing the department of administration to decentralize state agencies and departments.

Referred to the Committee on State and Local Government Operations.

Senator Johnson, Doug introduced--

S.F. No. 1313: A bill for an act relating to veterans; providing financial assistance for Veterans Memorial Hall in Duluth, Minnesota; appropriating money.

Referred to the Committee on Finance.

Senator Johnson, Doug introduced--

S.F. No. 1314: A bill for an act relating to state lands; authorizing public and private sales of certain tax-forfeited lands in Cook county.

Referred to the Committee on Environment and Natural Resources.

Senator Ranum introduced--

S.F. No. 1315: A bill for an act relating to the metropolitan airports commission; promoting airline competition; regulating lease of gates at Minneapolis-St. Paul International Airport; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on State and Local Government Operations.

Senator Ranum introduced--

S.F. No. 1316: A bill for an act relating to education; increasing the crime-related costs levy; amending Minnesota Statutes 2000, section 126C.44.

Referred to the Committee on Education.

Senators Higgins, Berglin and Anderson introduced--

S.F. No. 1317: A bill for an act relating to appropriations; appropriating money for Youthbuild.

Referred to the Committee on Finance.

Senator Lessard introduced--

S.F. No. 1318: A resolution urging the United States Postal Service to create a postage stamp reproducing Eric Enstrom's photograph "Grace."

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

Senator Langseth introduced--

S.F. No. 1319: A bill for an act relating to taxation; property; extending the maximum distance for certain agricultural property to be classified as homestead; amending Minnesota Statutes 2000, section 273.124, subdivision 14.

Referred to the Committee on Taxes.

Senator Langseth introduced--

S.F. No. 1320: A bill for an act relating to education finance; increasing the marginal cost pupil unit count for districts with declining enrollment; amending Minnesota Statutes 2000, section 126C.05, subdivisions 5 and 6.

Referred to the Committee on Education.

Senators Pogemiller; Stumpf; Betzold; Johnson, Dean and Terwilliger introduced--

S.F. No. 1321: A bill for an act relating to retirement; modifying teachers retirement provisions; providing for service credit purchases; permitting a transfer of funds; extending the prior service credit determination procedure; amending Minnesota Statutes 2000, sections 354.534, subdivision 1; 354.539; and 356.55, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 354 and 354B.

Referred to the Committee on State and Local Government Operations.

Senators Stumpf; Pogemiller; Betzold; Johnson, Dean and Terwilliger introduced--

S.F. No. 1322: A bill for an act relating to retirement; establishing the postretirement health care savings plan for state employees; appropriating money; amending Minnesota Statutes 2000, section 356.24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 352.

Referred to the Committee on State and Local Government Operations.

Senators Pappas and Larson introduced--

S.F. No. 1323: A bill for an act relating to liquor; allowing licensed brewers to make retail and wholesale sales of the brewer's own products under certain circumstances; amending Minnesota Statutes 2000, sections 340A.301, subdivisions 1, 6, 7, and 8; and 340A.308.

Referred to the Committee on Commerce.

Senator Marty introduced--

S.F. No. 1324: A bill for an act relating to public safety; modifying weapons training requirements in rules of the board of private detective and protective agent services; amending Minnesota Statutes 2000, section 326.3361, subdivision 1.

Referred to the Committee on Crime Prevention.

Senators Rest; Kelley, S.P. and Johnson, Debbie introduced--

S.F. No. 1325: A bill for an act relating to tax administration; providing for electronic filing and paying of taxes; providing for uniform sales and use tax administration; appropriating money; amending Minnesota Statutes 2000, sections 115B.24, subdivision 2; 270.271, subdivisions 1 and 3; 270.771; 270.78; 287.12; 289A.02, by adding a subdivision; 289A.18, subdivision 4; 289A.20, subdivisions 1, 2, and 4; 289A.26, subdivision 2a; 289A.40, subdivision 2, and by adding a subdivision; 289A.60, subdivision 21; 295.55, subdivision 4; 296A.15, subdivision 7; 297A.61, subdivisions 3, 4, 7, 9, and by adding subdivisions; 297A.67, subdivisions 2, 8, and by adding a subdivision; 297A.72, subdivision 1; 297A.81; 297A.99, subdivision 9; 297E.02, subdivision 4; 297F.09, subdivision 7; 297G.09, subdivision 6; 297I.35, subdivision 2; 297I.85, subdivision 7; and 473.843, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 297A.

Referred to the Committee on Taxes.

Senator Pogemiller introduced--

S.F. No. 1326: A joint resolution relating to redistricting; establishing districting principles for legislative and congressional plans.

Referred to the Committee on Rules and Administration.

Senator Bachmann introduced--

S.F. No. 1327: A bill for an act relating to retirement; public employees retirement association; authorizing a service credit purchase for previously uncredited clerical employment with independent school district No. 624, White Bear Lake.

Referred to the Committee on State and Local Government Operations.

Senators Pariseau, Higgins and Betzold introduced--

S.F. No. 1328: A bill for an act relating to landlord and tenant; clarifying the applicability of a covenant involving certain kinds of property; amending Minnesota Statutes 2000, section 504B.171, subdivision 1.

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

Senators Neuville, Scheevel, Pappas, Robertson and Olson introduced--

S.F. No. 1329: A bill for an act relating to education; specifying student conduct as grounds for dismissal or removal from class; amending Minnesota Statutes 2000, sections 121A.45, subdivision 2; 121A.61, subdivision 2.

Referred to the Committee on Education.

Senator Stevens introduced--

S.F. No. 1330: A bill for an act relating to unemployment insurance; providing extra benefits for certain employees.

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

Senators Kiscaden, Lourey, Stevens, Berglin and Robertson introduced--

S.F. No. 1331: A bill for an act relating to health care; permitting dental hygienists to practice certain services; establishing a retired dentist program; creating a dental practice donation program; requiring a plan to expand dental auxiliary personnel; appropriating money; amending Minnesota Statutes 2000, sections 150A.10, by adding a subdivision; and 256B.76; proposing coding for new law in Minnesota Statutes, chapters 144; and 256.

Referred to the Committee on Health and Family Security.

Senators Kiscaden, Foley, Betzold, Marty and Neuville introduced--

S.F. No. 1332: A bill for an act relating to family law; neutralizing certain terminology; amending Minnesota Statutes 2000, sections 518.131, subdivision 2; 518.155; 518.171, subdivisions 1, 4, 5, 6, and 8; 518.175; 518.1751, subdivision 1b; 518.176, subdivision 1; 518.18; 518.55, subdivision 1; 518.551, subdivisions 5 and 5e; 518.612; and 518.64, subdivision 2.

Referred to the Committee on Judiciary.

Senators Stevens, Limmer, Neuville and Fischbach introduced--

S.F. No. 1333: A bill for an act relating to property rights; providing for the protection of private property rights from state agency actions; requiring the attorney general to develop guidelines to assist state agencies in evaluating proposed actions to determine whether they may constitute a taking; requiring state agencies to follow the guidelines and prepare reports; requiring consideration of the effects of a taking for property tax valuation purposes when determining the value of the property; proposing coding for new law in Minnesota Statutes, chapter 15.

Referred to the Committee on Judiciary.

Senators Foley and Kelly, R.C. introduced--

S.F. No. 1334: A bill for an act relating to crime prevention; requiring submission of DNA evidence by offenders convicted of felony-level fifth degree criminal sexual conduct; clarifying and increasing the penalty for fleeing a peace officer when the commission of the crime results in death; expanding the crime of aiding an offender; allowing use of subsequent domestic abuse conduct as evidence in domestic abuse cases; amending Minnesota Statutes 2000, sections 609.117; 609.487, subdivision 4; 609.495, subdivisions 1 and 3; and 634.20.

Referred to the Committee on Crime Prevention.

Senators Foley, Kiscaden, Wiener, Price and Johnson, Debbie introduced--

S.F. No. 1335: A bill for an act relating to education finance; increasing the amount of referendum revenue subject to equalization; amending Minnesota Statutes 2000, section 126C.17, subdivision 5.

Referred to the Committee on Education.

Senators Anderson, Higgins and Berglin introduced--

S.F. No. 1336: A bill for an act relating to health; prohibiting certain actions by health care facilities when nurses decline to work additional hours; specifying that patient abandonment by a nurse constitutes grounds for disciplinary action; amending Minnesota Statutes 2000, sections 148.171, by adding a subdivision; and 148.261, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Family Security.

MEMBERS EXCUSED

Senators Oliver and Terwilliger were excused from the Session of today from 11:00 to 11:30 a.m. Senator Solon was excused from the Session of today from 11:00 to 11:35 a.m. Senator Chaudhary was excused from the Session of today from 11:00 to 11:40 a.m. Senator Neuville was excused from the Session of today from 11:00 to 11:45 a.m. Senator Kinkel was excused from the Session of today from 11:00 a.m. to 12:00 p.m. Senator Robertson was excused from the Session of today from 11:00 a.m. to 12:35 p.m. Senator Johnson, Debbie was excused from the Session of today from 11:50 to 11:55 a.m. Senator Rest was excused from the Session of today at 12:25 p.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 9:30 a.m., Thursday, March 8, 2001. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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