

Senate Judiciary Committee
Tuesday, April 12, 2005
12:00 p.m. – Room 112 Capitol

In Attendance

Senator Betzold
Senator Chaudhary
Senator Hann
Senator Limmer
Senator Marty
Senator Neuville
Senator Ortman
Senator Rest
Senator Skoglund

Senator Betzold called the meeting to order at 12:13 p.m.
A quorum was present

Senator Day presented SF 1892: I-Save prescription drug program participation
Handout #1

Senator Skoglund **MOVED** oral amendment-

Page 5, line 16: After "agreement" insert "that are not criminal malfeasants"

Page 5, line 21: After "agreement" insert "that are not criminal malfeasants"

Page 5, line 13: After "any" insert "civil"

Page 5, line 18: After "any" insert "civil"

ADOPTED

Witness:

- Joel Carlson, Minnesota Trial Lawyers Association

Senator Neuville **MOVED** to make sure "criminal" is inserted into oral amendments-
ADOPTED

Senator Marty **MOVED** oral amendment-
Page 5, lines 11-21: Delete subd. 13

ADOPTED

Senator Marty **MOVED** oral amendment-

Page 1, lines 12-13: Delete "Canada, Ireland and the United Kingdom" and insert
"countries other than the United States" after "from"

Page 2, lines 27-28: Delete "Canada, Ireland and the United Kingdom" and insert
"countries other than the United States" after "from"

A division is requested

The motion is **ADOPTED** on a vote of 6-2

Senator Marty **MOVED** oral amendment-
Page 4, line 32: Delete "and the governor's name"

ADOPTED

Senator Neuville **MOVED** oral amendment-

Page 2, line 7: After "safety" insert "which are comparable to the standards of the United
States"

ADOPTED

Senator Marty **MOVED** SF 1892 as amended be recommended to pass and be re-referred to the
committee on Finance- **ADOPTED**

Senator Senjem presented SF 1969: Conservators estate inventory and accounting procedures

Senator Marty **MOVED** A1 as an author's amendment- **ADOPTED**

Witness:

- Larry Dobson

Senator Neuville **MOVED** oral amendment-
Page 4, line 10: After "is" insert "primarily"
ADOPTED

Senator Marty **MOVED** SF 1969 as amended be recommended to pass- **ADOPTED**

Senator Reiter presented SF 196: Recreational land use liability

Senator Neuville **MOVED** A05-0357 as an author's amendment- **ADOPTED**

Witness:

- Joel Carlson, Minnesota Trial Lawyers Association (neutral)

Senator Marty **MOVED** oral amendment to A05-0357-
Page 1, line 17: After "any" insert "safe"
Page 1, line 17: Delete "safe"

ADOPTED

Senator Skoglund chairs

Senator Betzold **MOVED** oral amendment-
Page 1, line 19: Delete

ADOPTED

Senator Rest **MOVED** SF 196 as amended be recommended to pass- **ADOPTED**

Senator Ranum presented SF 1563: Creditors remedies homesteads exemption value increase

Senator Marty **MOVED** SF 1563 be recommended to pass- **ADOPTED**

Senator Belanger presented SF 1360: Unclaimed property notice and distribution requirements modification

Witness:

- Dennis Munkwitz, Department of Commerce

Senator Marty **MOVED** A2 amendment- **ADOPTED**

Witness:

- Mark Anfinson, Minnesota Newspaper Association

Senator Ortman **MOVED** oral amendment-
Page 3, lines 10-17: Reinstate stricken language except line 11 (but not more than twice)
Page 3, lines 17-20: Delete new language
Page 3, line 20: Insert "The commissioner may also provide"
Page 3, line 21: Delete "may include" insert "through" delete "print,"

A division was requested

The motion was **NOT ADOPTED** on a vote of 2-4

Witness:

- Pat Sexton, Department of Commerce

Senator Neuville **MOVED** SF 1360 as amended be recommended to pass- **ADOPTED**

Senator Foley presented SF 1201: Felony offenders DNA testing

Senator Neuville **MOVED** A2 amendment- **ADOPTED**

Senator Limmer **MOVED** oral amendment-

Page 2, line 23: Insert paragraph (d) Data obtained under this section is only accessible to Minnesota law enforcement agencies or as required by court order

WITHDRAWN

Witnesses:

- Katie Engler, Department of Administration
- Frank Dolesch, Director of the Bureau of Criminal Apprehension lab

Senator Skoglund **MOVED** SF 1201 as amended be recommended to pass and be re-referred to the committee on Finance- **ADOPTED**

Senator Scheid presented SF 1783: Insurance provisions modifications

Witnesses:

- Pat Nelson, Department of Commerce
- Bev Turner, St. Paul Travelers
- Bob Johnson, Insurance Federation

Senator Hann **MOVED** A5 as amended-

Senator Marty **MOVED** A6 amendment to the A5- **ADOPTED**
ADOPTED

Senator Marty **MOVED** A7 amendment-**ADOPTED**

Senator Hann **MOVED** SF 1783 as amended be recommended to pass- **ADOPTED**

Senator Dibble presented SF 1672: Transportation real property transactions regulations

Senator Ortman **MOVED** oral amendment-

Page 3, lines 24-28: Delete

Page 4, lines 18-32: Delete

ADOPTED

Witness:

- Betsey Parker, Department of Transportation

Senator Ortman **MOVED** SF 1672 as amended be recommended to pass and be re-referred to the committee on Finance- **ADOPTED**

The committee recessed at 2:45 p.m.

The committee reconvened at 6:32 p.m.

Senator Lourey presented SF 1722: Human Services licensing provisions modifications

Witnesses:

- Laura Plummer Zurust, Department of Human Services
- Michael Tessner, Department of Human Services

Senator Skoglund **MOVED** A5 amendment- **ADOPTED**

Senator Skoglund **MOVED** A6 amendment- **ADOPTED**

Witness:

- Jerry Kerber, Director of Licensing, Department of Human Services

Senator Skoglund **MOVED** oral amendment-

Page 10, line 12: After "process" insert "to the prospective licensee"

ADOPTED

Senator Skoglund **MOVED** SF 1722 as amended be recommended to pass- **ADOPTED**

Senator Robling presented SF 1504: Motor vehicle and driver's license records privacy regulation and traffic accident procedures modifications

Senator Skoglund **MOVED** subcommittee report- **ADOPTED**

Senator Neuville **MOVED** SF 1504 as amended be recommended to pass and be re-referred to the committee on Finance- **ADOPTED**

Senator Skoe presented SF 2117: Agriculture feedlot permit data classification

Senator Ortman **MOVED** A2 as an author's amendment- **ADOPTED**

Witnesses:

- Paul Anderson, Veterinarian with the Board of Animal Health (support)
- Tom Peterson, Minnesota Farmers Union (support)
- Katie Engler, Department of Administration (clarification)

Senator Hann **MOVED** to adopt the contents of 2117 as amended into SF 1883-**ADOPTED**

Senator Skoglund **MOVED** subcommittee report on SF 1883- **ADOPTED**

Senator Skoglund presented SF 1883: Government entities security and competitive proposals data classification and access

Senator Skoglund **MOVED** A9 amendment- **ADOPTED**

Senator Skoglund **MOVED** A10 amendment- **ADOPTED**

Witnesses:

- Pat McCormick, Driver and Motor Vehicle services (clarification)
- Rich Neumeister, Handouts #1, #2, #3, #4

Senator Marty **MOVED** oral amendment (handout #3)- **ADOPTED**

Senator Skoglund **MOVED** SF 1883 as amended be recommended to pass- **ADOPTED**

Senator Ortman presented SF 1425: Transportation department data classification

Senator Ortman **MOVED** A1 amendment- **ADOPTED**

Witness:

- Betsey Parker, Minnesota Department of Transportation

Senator Ortman **MOVED** A2 amendment as amended-**WITHDRAWN**

Senator Ortman **MOVED** SF 1425 as amended be recommended to pass and be re-referred to the committee on Finance- **ADOPTED**

Senator Neuville presented SF 1733: Civil actions attorney fee awards determination

Senator Neuville **MOVED** A1 amendment as an author's amendment- **ADOPTED**

Witnesses:

- Tom Marshal, MN Defense Lawyers Association (support)
- David Stohlman, President, MN State Bar Association (oppose)
- Joel Carlson, Minnesota Trial Lawyers Association (oppose)

Senator Neuville **MOVED** to divide the A1 amendment-
Subdivision 1, lines 3-10:

Senator Chaudhary **MOVED** oral amendment to A1-

Page 1, line 10: After "party" insert " , the amount of time reasonable expended, a reasonable hourly rate, the outcome obtained, and the nature and complexity of the matter."- **ADOPTED**

Subdivision 1, lines 3-10 (as amended) was **ADOPTED**

Senator Neuville **MOVED** Subdivision 2 lines 11-17 of the A1 amendment-
A division was requested

The motion was **NOT ADOPTED** on a vote of 3-5

Senator Neuville **MOVED** to delete Section 2-**ADOPTED**

Senator Neuville **MOVED** SF 1733 as amended be recommended to pass- **ADOPTED**

Senator Ortman **MOVED** to take SF 415 off the Table- **ADOPTED**

Senator Ortman **MOVED** A3 amendment as amended-

Page 1, line 31: Delete "ice"

Page 2, line 16: Delete "uphill"

Page 7, line 35: Delete "shall" and insert "may"

Incorporate the A4 amendment

Page 2, line 1: Before "lift" insert "injuries caused by or resulting from collisions with"

Page 2, line 3: After "components" insert ";" and delete everything through line 4

ADOPTED

Witness:

- Lee Nelson, Welch Village Ski Resort

Senator Chaudhary **MOVED** oral amendment to A3-

Page 1, line 23: After "skiing" insert "." And delete everything through page 2, line 9

ADOPTED

Witness:

- Joel Carlson, Minnesota Trial Lawyers Association

Senator Skoglund **MOVED** oral to A3 amendment-

Page 6, line 17: Delete "all vehicles"

ADOPTED

Senator Ortman **MOVED** oral amendment-

Page 5, lines 31-36: Delete

Page 6, line 1: Delete "that a skier is not" and insert "No skier is"

ADOPTED

Senator Ortman **MOVED** to extend meeting time until 10:15 p.m.

ADOPTED

Senator Ortman **MOVED** oral amendment-

Page 1, line 20: Delete "and risks"

Page 1, line 21: Delete "and for which no recovery shall lie" and the head note

Page 3, line 14: Before "proof" insert "no recovery shall lie for an injury that is caused by inherent dangers of skiing"

ADOPTED

Senator Hann **MOVED** oral amendment-

Page 7, lines 1-22: Delete

Page 7, lines 26-32: Delete

ADOPTED

Senator Hann **MOVED** oral amendment-

Page 7, line 23: Delete "subd. 5" and insert "(j)" and head note

Page 7, line 23: Delete "person" insert "skier"

Page 7, line 24: Delete "an" after "adjoining" insert "a"

ADOPTED

Senator Ortman **MOVED** oral amendment-

Page 3, line 15: Delete "this section": and insert "subd. 2 or 3"

ADOPTED

Senator Ortman **MOVED** SF 415 as amended be recommended to pass-

Senator Marty **MOVED** oral amendment-

Page 7, line 35: Delete "may" and insert "shall"

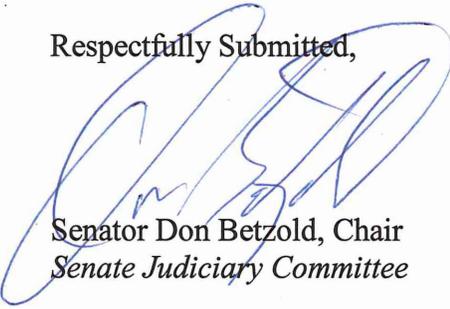
ADOPTED

A division was requested

The motion was **NOT ADOPTED** on a vote of 4-4

The meeting adjourned at 10:17 p.m.

Respectfully Submitted,



Senator Don Betzold, Chair
Senate Judiciary Committee



Rebecca Olson, Legislative Assistant
Senate Judiciary Committee

AM
PM

Senate Judiciary Committee
April 12, 2005
12:00 Room 112
Agenda

heard,
amended,
pass — SF 1360-1 (Belanger) Unclaimed property notice and distribution requirements
modifications.

heard,
amended,
pass — SF 1969 (Senjem) Conservators estate inventory and accounting procedures.

heard,
pass — SF 1563 (Ranum) Creditors remedies homesteads exemption value increase.

heard,
amended,
pass to Finance — SF 1892 (Day) I-Save Rx prescription drug program participation.

heard,
amended,
pass — SF 1783-1 (Scheid) Insurance provisions modifications.
Rich Newmeister

heard,
amended,
pass — SF 196 (Reiter) Recreational land use liability expansion.
Mark Sandmann

heard,
amended,
pass to Finance — SF 1672-1 (Dibble) Transportation real property transactions regulation provisions and
trunk highway route modifications.

heard,
amended,
pass to Finance — SF 1201-1 (Foley) Felony offenders DNA testing.

Senate Judiciary Committee

April 12, 2005

6:30 Room 107

Agenda

heard,
amended — S.F. 1722-1 (Lourey): Human services licensing provisions modifications
pass

heard,
amended — SF 2117 (Skoe) Agricultural feedlot permit data classification
rolled into SF 1883

heard,
amended — SF 1504 (Robling) Motor vehicle and drivers license records privacy regulation and
pass to Finance traffic accident procedures modifications.

heard,
amended — SF 1883 (Skoglund) Government entities security and competitive proposals data
pass classification and access.

heard,
amended — SF 1425 (Ortman) Transportation department data classification
pass to Finance

heard,
amended — SF 1733 (Neuville) Civil actions attorney fee awards determination
pass Tom Marshal Attorney

heard,
amended — SF 415 A-1 (Sams) A bill for an act relating to civil liability; defining the responsibilities
DID NOT PASS of ski area operators and skiers; (If taken from the table)