

THIRTEENTH DAY

St. Paul, Minnesota, Monday, February 7, 2005

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Lloyd Menke.

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

The President declared a quorum present.

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

REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed with the Secretary of the Senate: Minnesota Sentencing Guidelines Commission, Report to the Legislature, 2005; Department of Labor and Industry, Prompt First Action Report, Workers' Compensation Claims, 2004; Department of Labor and Industry, Collection and Assessment of Fines and Penalties, Workers' Compensation System, 2004; Department of Human Services, Supportive Housing and Managed Care Pilot, Year 4, 2004; Metropolitan Council, Metropolitan Sports Facilities Commission, Proposed Budget and Report on User Fee Charges, 2005; Minnesota National Guard, Annual Report, 2004; Department of Education, Minnesota State High School League, 2004; Department of Finance, Actions Taken by the Legislative Advisory Commission, 2003-05; Department of Health, Home Care Advisory Work Group: Recommendations to Change Regulations that will Maintain and Improve the Quality and Delivery of Home Care Services to Minnesotans, 2005; Department of Health, Annual

Quality Improvement Report on the Nursing Home Survey Process and Progress Reports on Other Legislatively Directed Activities, 2004; Minnesota State Lottery, Lottery Organizational Task Force Report, 2005; Minnesota State Lottery, Annual Report, 2004; Pollution Control Agency, Citizen Monitoring of Surface Water Quality, 2005; Legislative Commission on Minnesota Resources, Biennial Report, 2005; Association of School Business Officials, Legislative Platform, 2005; Department of Natural Resources, Stream Protection and Improvement Loan Program, Annual Report, 2005; Department of Human Services, MN Region 10 Quality Assurance Commission, 2004; Department of Human Services, Evaluation of Minnesota Child Support Enforcement Mechanisms and Programs, 2005; Department of Employee Relations, Minnesota Local Government Pay Equity Compliance Report, 2005; Metropolitan Council, Annual Report and Appendices, 2004; Department of Public Safety, Statewide 911 Emergency Telephone Service Program Report, 2004; Department of Revenue, State Tax Impacts of Allowing the Sale of Alcoholic Beverages Until 2 a.m., 2005; Department of Transportation, Bond Accelerated Program, Legislative Report on Trunk Highway Bonding, 2005; Department of Employment and Economic Development, Positively Minnesota, Business Assistance Report, 2004; Minnesota Partnership for Action Against Tobacco, Report to the Ramsey County District Court and the Minnesota Legislature, 2005; Departments of Corrections and Human Services, Report on Goals of Court-Ordered Out-of-Home Placements, 2004; Department of Corrections, Interstate Compact for Adult Offender Supervision, Annual Report, 2005; Department of Corrections, Minnesota Felony Driving While Impaired, 2005; Department of Corrections, Supervision Fees, 2005; Department of Agriculture, Minnesota's Invasive Species Program, Annual Report, 2004; Department of Health, Tobacco Use Prevention, 2003-04; Department of Human Services, Cost of Child Care, Cost Containment Options in the Child Care Assistance Program, 2005; Department of Education, Districts with Fiscal Year 2004 Statutory Operating Debt, June 30, 2004; Metropolitan Council, Participation in the Livable Communities Act Local Housing Incentives Account, 2005; Department of Human Services, Child Maltreatment Review Panel Report, 2004; Department of Transportation, 35W Bus Rapid Transit Study, Final Report, 2005; Department of Health, Adverse Health Events in Minnesota Hospitals, First Annual Public Report, 2005; Public Utilities Commission, State-wide Calling Plans, 2005; Department of Education, Options for General Education Formula Changes to Limit Revenue Disparities, 2005; Department of Public Safety, Minnesota Child Passenger Restraint and Education Account, Activities and Expenditures, 2005; Department of Human Services, Health Care Services Study: Findings and Strategies for Savings, 2005; Lake Superior Center Authority, Annual Report, 2004; Public Utilities Commission, Consumer Complaints Resolution Report, 2005; Pollution Control Agency, New Wastewater Facilities, Annual Tracking Report, 2004; University of Minnesota, Center for Transportation Studies, Annual Report, 2004; Department of Employment and Economic Development, Urban Initiative Board, 2004.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 2, 2005

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

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

TAX COURT

George W. Perez, 2522 Clairmont Dr., Mendota Heights, in the county of Dakota, effective February 7, 2005, for a term that expires on January 3, 2011.

(Referred to the Committee on Taxes.)

Sincerely,
Tim Pawlenty, Governor

February 3, 2005

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

As Republican Leader of the Minnesota Senate, I have made the following appointment:

Pursuant to Minnesota Statutes 2004

15A.082: Compensation Council - Senator Ortman, to serve until the Council makes its recommendations, or May 1, 2005, whichever is earlier.

Sincerely,
Dick Day
Senate Republican Leader

MOTIONS AND RESOLUTIONS

Senator Kleis moved that the name of Senator LeClair be added as a co-author to S.F. No. 90. The motion prevailed.

Senator Solon moved that the name of Senator Belanger be added as a co-author to S.F. No. 117. The motion prevailed.

Senator Reiter moved that the name of Senator Sams be added as a co-author to S.F. No. 204. The motion prevailed.

Senator Vickerman moved that the name of Senator Fischbach be added as a co-author to S.F. No. 424. The motion prevailed.

Senator Hottinger moved that the name of Senator Wiger be added as a co-author to S.F. No. 673. The motion prevailed.

Senator Murphy moved that S.F. No. 285 be withdrawn from the Committee on Transportation and returned to its author. The motion prevailed.

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

CONSENT CALENDAR

S.F. No. 75: A bill for an act relating to motor carriers; exempting household goods movers from fixed compensation requirement when doing certain charitable work; amending Minnesota Statutes 2004, section 221.171, 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	Day	Gaither	Johnson, D.J.	Koering
Bachmann	Dibble	Gerlach	Jungbauer	Langseth
Belanger	Dille	Hann	Kelley	Larson
Berglin	Fischbach	Higgins	Kierlin	LeClair
Betzold	Foley	Hottinger	Kiscaden	Limmer
Chaudhary	Frederickson	Johnson, D.E.	Kleis	Lourey

Marty	Nienow	Reiter	Scheid	Tomassoni
McGinn	Olson	Rest	Senjem	Vickerman
Metzen	Ortman	Robling	Skoe	Wergin
Michel	Ourada	Rosen	Skoglund	Wiger
Moua	Pariseau	Ruud	Solon	
Murphy	Pogemiller	Sams	Sparks	
Neuville	Ranum	Saxhaug	Stumpf	

So the bill passed and its title was agreed to.

S.F. No. 234: A bill for an act relating to highways; providing for turnback of highway to Becker County.

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

So the bill passed and its title was agreed to.

S.F. No. 225: A bill for an act relating to highways; authorizing turnback of Legislative Route No. 268 in Pipestone County; repealing Minnesota Statutes 2004, section 161.115, subdivision 199.

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Kelley, Skoglund and Stumpf introduced--

S.F. No. 754: A bill for an act relating to education policy; providing for resident participation in individual education plan development and tuition billing; amending Minnesota Statutes 2004, section 125A.05.

Referred to the Committee on Education.

Senator Neuville introduced--

S.F. No. 755: A bill for an act relating to public safety; requiring the commissioner of corrections to convene an end-of-confinement review committee to assess the risk level of certain offenders coming to Minnesota from another state; clarifying current law requiring assessment of offenders released from federal facilities; allowing community notification pursuant to a risk level assigned in another state; requiring the Bureau of Criminal Apprehension to forward registration and notification information on certain offenders to the Department of Corrections; amending Minnesota Statutes 2004, sections 243.166, subdivision 9; 244.052, subdivision 3, by adding a subdivision.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Neuville and Robling introduced--

S.F. No. 756: A bill for an act relating to human services; modifying division of cost for certain intermediate care facilities for persons with mental retardation; amending Minnesota Statutes 2004, section 256B.19, subdivision 1.

Referred to the Committee on Health and Family Security.

Senators Kiscaden, McGinn, Jungbauer, Murphy and Vickerman introduced--

S.F. No. 757: A bill for an act relating to motor vehicles; authorizing personalized veterans license plates; amending Minnesota Statutes 2004, section 168.12, subdivision 2a.

Referred to the Committee on Transportation.

Senator Kleis introduced--

S.F. No. 758: A bill for an act relating to state government; providing four percent salary decreases for legislators and constitutional officers; proposing coding for new law in Minnesota Statutes, chapter 15A.

Referred to the Committee on State and Local Government Operations.

Senators Rest; Johnson, D.E.; Olson and Gaither introduced--

S.F. No. 759: A bill for an act relating to lawful gambling; modifying the definition of "raffle"; amending Minnesota Statutes 2004, sections 349.12, subdivision 33; 349.173.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Larson, Michel and Betzold introduced--

S.F. No. 760: A bill for an act relating to state employment; modifying salary limit provisions for certain retirement system directors and the director of the State Board of Investment; amending Minnesota Statutes 2004, sections 11A.07, subdivision 1; 15A.0815, subdivisions 2, 3; 352.03, subdivision 4; 353.03, subdivision 3a; 354.06, subdivision 2.

Referred to the Committee on State and Local Government Operations.

Senators Kubly, Dille, Skoe, Vickerman and Sams introduced--

S.F. No. 761: A bill for an act relating to *Canis latrans*; providing a coyote conflict management option; proposing coding for new law in Minnesota Statutes, chapter 348.

Referred to the Committee on Environment and Natural Resources.

Senators Frederickson; Johnson, D.E.; Hottinger; Higgins and Dille introduced--

S.F. No. 762: A bill for an act relating to the environment; creating the Clean Water Legacy Act; providing authority, direction, and funding to achieve and maintain water quality standards for Minnesota's surface waters in accordance with section 303(d) of the federal Clean Water Act; appropriating money; proposing coding for new law in Minnesota Statutes chapter 446A; proposing coding for new law as Minnesota Statutes, chapter 114D.

Referred to the Committee on Environment and Natural Resources.

Senators Kelley, Pappas, Cohen, Metzen and Gaither introduced--

S.F. No. 763: A bill for an act relating to education; providing for payment of the cost of school breakfast and lunch special diets based on religious beliefs of students; appropriating money.

Referred to the Committee on Finance.

Senators Kelley and Gaither introduced--

S.F. No. 764: A bill for an act relating to education; authorizing a task force to study the delivery and funding of special education.

Referred to the Committee on Education.

Senators Kelley, Senjem, Kiscaden, Koering and Higgins introduced--

S.F. No. 765: A bill for an act relating to health occupations; modifying the Psychology Practice Act; phasing out licensure as a licensed psychological practitioner; amending Minnesota Statutes 2004, sections 148.89, subdivision 5; 148.90, subdivision 1; 148.907, by adding a subdivision; 148.908, subdivision 2, by adding a subdivision; 148.909; 148.916, subdivision 2; 148.925, subdivision 6; 148.941, subdivision 2; 148.96, subdivision 3.

Referred to the Committee on Health and Family Security.

Senator Larson introduced--

S.F. No. 766: A bill for an act relating to highways; appropriating money for traffic control improvements for intersection in Ottertail County.

Referred to the Committee on Finance.

Senators Michel and Betzold introduced--

S.F. No. 767: A bill for an act relating to corporations; recodifying and modernizing the law regulating the formation, structure, and operation of certain corporations; making miscellaneous technical and clarifying changes; amending Minnesota Statutes 2004, sections 47.12; 47.15; 47.16; 48.02; 48.03; 48.033; 48.04; 48.06; 48.07; 48A.01, subdivision 1; 48A.04, subdivisions 1, 3; 49.41; 50.001; 50.06; 50.085, subdivision 1; 51A.03, subdivision 2b; 51A.131; 51A.17; 51A.21, subdivision 1; 117.232, subdivision 1; 161.433, subdivision 3; 181.970, subdivision 2; 237.81; 301.75; 302A.011, subdivision 4; 302A.021, subdivision 10, by adding a subdivision; 302A.031, by adding a subdivision; 303.02, subdivision 2; 317A.021, subdivision 9; 322B.02; 398A.04, subdivision 6; 453.55, subdivision 11; 453A.05, subdivision 11; proposing coding for new law in Minnesota Statutes, chapters 47; 48; 50; repealing Minnesota Statutes 2004, sections 48.056, subdivision 3; 300.01; 300.02; 300.025; 300.05; 300.06; 300.08; 300.081; 300.083; 300.09; 300.12; 300.13; 300.131; 300.14; 300.16; 300.17; 300.18; 300.19; 300.20; 300.21; 300.22; 300.23; 300.24; 300.25; 300.26; 300.27; 300.28; 300.29; 300.30; 300.31; 300.32; 300.33; 300.34; 300.35; 300.36; 300.37; 300.38; 300.39; 300.40; 300.41; 300.42; 300.43; 300.44; 300.45; 300.451; 300.46; 300.49; 300.51; 300.52; 300.53; 300.54; 300.55; 300.57; 300.58; 300.59; 300.60; 300.61; 300.62; 300.63.

Referred to the Committee on Judiciary.

Senators Higgins, Pogemiller, Senjem, Pappas and Kleis introduced--

S.F. No. 768: A bill for an act relating to property taxation; providing a valuation exclusion for lead hazard reduction; amending Minnesota Statutes 2004, section 273.11, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Berglin introduced--

S.F. No. 769: A bill for an act relating to human services; appropriating money for the new chance program.

Referred to the Committee on Finance.

Senator Berglin introduced--

S.F. No. 770: A bill for an act relating to capital improvements; authorizing state bonds; appropriating money for the East Phillips Cultural and Community Center.

Referred to the Committee on Finance.

Senators Sams, Frederickson, Jungbauer, Marty and Dille introduced--

S.F. No. 771: A bill for an act relating to natural resources; appropriating money for the Minnesota Conservation Corps.

Referred to the Committee on Finance.

Senators Wiger, Tomassoni and Kelley introduced--

S.F. No. 772: A bill for an act relating to education; establishing a student support services advisory committee; requiring school districts to adopt a student support services plan; amending Minnesota Statutes 2004, section 122A.15, by adding a subdivision.

Referred to the Committee on Education.

Senators Dille, Vickerman, Kubly, Nienow and Skoe introduced--

S.F. No. 773: A bill for an act relating to animal health; providing for regulation of certain cervidae by the Board of Animal Health; amending Minnesota Statutes 2004, sections 17.452, by adding a subdivision; 35.155; proposing coding for new law in Minnesota Statutes, chapter 35; repealing Minnesota Statutes 2004, sections 17.451; 17.452, subdivisions 6, 6a, 7, 10, 11, 12, 13, 13a, 14, 15, 16.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Dille, Vickerman, Kubly, Wergin and Skoe introduced--

S.F. No. 774: A bill for an act relating to animal health; providing for an official laboratory of the Board of Animal Health; amending Minnesota Statutes 2004, sections 35.02, subdivision 1; 35.03; 35.05; repealing Minnesota Statutes 2004, section 35.0661, subdivision 4.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Rosen, Dille, Frederickson, Dibble and Anderson introduced--

S.F. No. 775: A bill for an act relating to taxation; sales and use; exempting sales of stoves that burn biomass fuels; amending Minnesota Statutes 2004, section 297A.67, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Sparks, Metzen, Bakk and Anderson introduced--

S.F. No. 776: A bill for an act relating to commerce; imposing certain customer sales or service call center requirements; prescribing a criminal penalty; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce.

Senators Olson and Saxhaug introduced--

S.F. No. 777: A bill for an act relating to natural resources; modifying disposition of proceeds from sale of tax-forfeited lands bordering public waters; creating the riparian land enhancement account; appropriating money; amending Minnesota Statutes 2004, section 282.09, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources.

Senators Foley, Skoglund and Chaudhary introduced--

S.F. No. 778: A bill for an act relating to crimes; exempting law enforcement agency that forfeits a vehicle involved in impaired driving offense from requirement to obtain vehicle title in its name before transferring vehicle; permitting Bureau of Criminal Apprehension to certify chemical test results directly to commissioner of public safety for driver's license action; further limiting scope of judicial review of license plate impoundment order; expanding proof of service requirement for petitioner appealing license plate impoundment or vehicle forfeiture order; clarifying conditions under which new license plates may be issued following plate impoundment; amending Minnesota Statutes 2004, sections 168A.12, by adding a subdivision; 169A.52, subdivision 4; 169A.60, subdivisions 10, 11; 169A.63, subdivision 8.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Skoe, Tomassoni, Sams, Saxhaug and Ruud introduced--

S.F. No. 779: A bill for an act relating to taxation; reducing the class rate that applies to homestead resorts; amending Minnesota Statutes 2004, section 273.13, subdivision 22.

Referred to the Committee on Taxes.

Senators Skoglund, Anderson, Dille, Foley and Solon introduced--

S.F. No. 780: A bill for an act relating to commerce; prohibiting gasoline retailers from charging for air; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce.

Senators Skoglund, Betzold, Lourey, Dille and Foley introduced--

S.F. No. 781: A bill for an act relating to public safety; requiring the commissioner of public safety to determine whether hunting licensees are ineligible to possess a firearm and, if so, to notify specified governmental officials; proposing coding for new law in Minnesota Statutes, chapter 299A.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Reiter introduced--

S.F. No. 782: A bill for an act relating to taxation; requiring a payment to the city of White Bear Lake; appropriating money.

Referred to the Committee on Finance.

Senators Wergin, Koering, Vickerman, Sams and Nienow introduced--

S.F. No. 783: A bill for an act relating to agriculture; extending the interest-free status of manure digester loans; amending Minnesota Statutes 2004, section 41B.049, subdivision 4.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Pappas, Michel, Kierlin, Hann and Kelley introduced--

S.F. No. 784: A bill for an act relating to education; providing for a state coordinator for school world languages programs; providing for grants to model extended world languages programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 127A.

Referred to the Committee on Education.

Senators Pappas, Ortman, McGinn, Neuville and Wergin introduced--

S.F. No. 785: A bill for an act relating to crime prevention; prohibiting children under the age of 17 from renting or purchasing certain video games; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Skoe, Kelley and Stumpf introduced--

S.F. No. 786: A bill for an act relating to education; appropriating money for the Blackduck High School student retention program.

Referred to the Committee on Finance.

Senators Johnson, D.E.; Kubly and Dille introduced--

S.F. No. 787: A bill for an act relating to agriculture; directing commissioner of agriculture to conduct a study regarding a rail container load-out facility in or near Willmar.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Saxhaug, Bakk, Olson, Jungbauer and Sams introduced--

S.F. No. 788: A bill for an act relating to natural resources; modifying certain temporary permit provisions for recreational vehicles; allowing refunds for certain registrations, licenses, and titles; extending availability of critical habitat license plates; amending Minnesota Statutes 2004, sections 84.027, subdivision 15; 84.788, subdivision 3, by adding a subdivision; 84.798, subdivision 3, by adding a subdivision; 84.82, subdivision 2, by adding a subdivision; 84.922, subdivision 2, by adding a subdivision; 86B.415, by adding a subdivision; 168.1296, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senators Saxhaug, Chaudhary, Pariseau, Frederickson and Bakk introduced--

S.F. No. 789: A bill for an act relating to game and fish; modifying certain definitions; providing for disposition and use of certain revenue; providing for special fish management tags; modifying authority to take animals causing damage; modifying use of scopes by visually impaired hunters; modifying certain license requirements; modifying restrictions on taking waterfowl; authorizing rulemaking; modifying requirements for field training hunting dogs; modifying trapping provisions; modifying period for treeing raccoons; modifying restrictions on decoys; modifying disposition of state hatchery products; modifying fishing and commercial fishing provisions; repealing authority for the Mississippi River Fish Refuge; repealing authority to issue certain orders; appropriating money; amending Minnesota Statutes 2004, sections 84.027, subdivision 13; 97A.015, subdivisions 29, 49; 97A.045, subdivision 1; 97A.071, subdivision 2; 97A.075; 97A.401, subdivision 5; 97A.405, subdivision 4, by adding a subdivision; 97A.441, subdivision 7; 97A.451, subdivisions 3, 5; 97A.475, subdivision 7; 97A.551, by adding a subdivision; 97B.005, subdivisions 1, 3; 97B.031, subdivision 5; 97B.621, subdivision 2; 97B.655, subdivision 2; 97B.805, subdivision 1; 97B.811, subdivisions 3, 4a; 97C.085; 97C.203; 97C.327; 97C.401, subdivision 2; 97C.825, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 97C; repealing Minnesota Statutes 2004, sections 88.27; 97B.005, subdivision 4; 97B.935; 97C.015; 97C.403; 97C.825, subdivisions 6, 7, 8, 9.

Referred to the Committee on Environment and Natural Resources.

Senators Saxhaug and Stumpf introduced--

S.F. No. 790: A bill for an act relating to natural resources; modifying disposition of receipts to the forest suspense account; amending Minnesota Statutes 2004, sections 16A.125, subdivision 5; 89.039, subdivision 1.

Referred to the Committee on Finance.

Senators Saxhaug and Bakk introduced--

S.F. No. 791: A bill for an act relating to natural resources; requiring an application fee to obtain road easements across state lands; creating a land management account; appropriating money; amending Minnesota Statutes 2004, section 84.631; proposing coding for new law in Minnesota Statutes, chapter 92.

Referred to the Committee on Environment and Natural Resources.

Senators Saxhaug, Tomassoni, Hottinger, Kubly and Ruud introduced--

S.F. No. 792: A bill for an act relating to appropriations; appropriating money for the Forest History Center in Grand Rapids.

Referred to the Committee on Finance.

Senators Pappas, Stumpf, Higgins, Marko and Solon introduced--

S.F. No. 793: A bill for an act relating to state government; renaming the State Office Building as the Coya Knutson State Office Building.

Referred to the Committee on State and Local Government Operations.

Senators Gerlach and Wiger introduced--

S.F. No. 794: A bill for an act relating to consumer protection; regulating membership travel contracts; amending Minnesota Statutes 2004, sections 325G.50; 325G.505, subdivision 3; 325G.51; proposing coding for new law in Minnesota Statutes, chapter 325G.

Referred to the Committee on Commerce.

Senators Higgins, Kleis, Senjem and Johnson, D.E. introduced--

S.F. No. 795: A bill for an act relating to health; requiring coverage for or provision of language interpreter services for enrollees; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Health and Family Security.

Senators Dibble, Higgins, Kubly, Anderson and Bakk introduced--

S.F. No. 796: A bill for an act relating to public employment; establishing procedures and standards for contracting with private entities for the provision of services that have been, or otherwise would be, provided by public employees; providing for public accountability; proposing coding for new law in Minnesota Statutes, chapter 471.

Referred to the Committee on State and Local Government Operations.

Senators Jungbauer; Johnson, D.J.; Nienow; Bakk and Stumpf introduced--

S.F. No. 797: A bill for an act relating to the environment; individual sewage treatment systems; modifying requirements for groundwater protection; amending Minnesota Statutes 2004, section 115.55, subdivision 5a.

Referred to the Committee on Environment and Natural Resources.

Senators Ortman and Robling introduced--

S.F. No. 798: A bill for an act relating to education; authorizing a lease levy for Independent School District No. 110, Waconia.

Referred to the Committee on Finance.

Senators Ortman and Robling introduced--

S.F. No. 799: A bill for an act relating to taxation; providing a sales tax exemption for the Carver County Justice Center; amending Minnesota Statutes 2004, section 297A.71, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Ortman, Robling and Limmer introduced--

S.F. No. 800: A bill for an act relating to health; providing an exception to the moratorium on certification of nursing home beds; amending Minnesota Statutes 2004, section 144A.071, subdivision 4a.

Referred to the Committee on Health and Family Security.

Senators Bakk, Murphy and Saxhaug introduced--

S.F. No. 801: A bill for an act relating to highways; providing that development agreement for toll facility project include same requirements for wage rates and hours of labor as for contract for state project; amending Minnesota Statutes 2004, section 160.86.

Referred to the Committee on Transportation.

Senators Bakk and Saxhaug introduced--

S.F. No. 802: A bill for an act relating to natural resources; modifying the State Timber Act; modifying standard measurements for wood; amending Minnesota Statutes 2004, sections 90.01, by adding subdivisions; 90.041, subdivision 5; 90.042; 90.101, subdivision 2; 90.121; 90.172; 90.173; 90.195; 90.211; 90.301, subdivision 4; 239.33; repealing Minnesota Statutes 2004, sections 90.01, subdivision 9; 90.041, subdivisions 3, 4.

Referred to the Committee on Environment and Natural Resources.

Senators Hottinger, Marty, Belanger, Bakk and Johnson, D.E. introduced--

S.F. No. 803: A bill for an act relating to taxation; individual income; modifying the dependent care credit; amending Minnesota Statutes 2004, section 290.067, subdivision 2.

Referred to the Committee on Taxes.

Senators Murphy and Ranum introduced--

S.F. No. 804: A bill for an act relating to crime prevention; expanding the fourth-degree assault law; amending Minnesota Statutes 2004, section 609.2231, subdivision 3.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Marko, Sams and Marty introduced--

S.F. No. 805: A bill for an act relating to game and fish; authorizing a fee for certain license applications; amending Minnesota Statutes 2004, section 97A.485, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senators Marko, Moua, Murphy, Pappas and Anderson introduced--

S.F. No. 806: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the state's share of a high speed rail line between St. Paul and Chicago.

Referred to the Committee on Finance.

Senator Kubly introduced--

S.F. No. 807: A bill for an act relating to education; authorizing a severance levy for Independent School District No. 2853, Lac qui Parle Valley.

Referred to the Committee on Finance.

Senators Murphy and Kubly introduced--

S.F. No. 808: A bill for an act relating to traffic regulations; defining motorized foot scooters and regulating their use and operation; amending Minnesota Statutes 2004, section 169.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Transportation.

Senators Kelley, Pogemiller, Cohen, Senjem and Kiscaden introduced--

S.F. No. 809: A bill for an act relating to capital improvements; appropriating money for a collaborative research facility; authorizing the issuance of state general obligation bonds.

Referred to the Committee on Finance.

Senator Kelley introduced--

S.F. No. 810: A bill for an act relating to capital improvements; appropriating money for reconstruction of railroad bridge crossing in city of Golden Valley; authorizing issuance of state transportation bonds.

Referred to the Committee on Finance.

Senators Lourey, Koering, Higgins, Kiscaden and Wergin introduced--

S.F. No. 811: A bill for an act relating to human services; requiring the Department of Human Services to increase nursing facility and community services payment rates; appropriating money; amending Minnesota Statutes 2004, sections 256B.431, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health and Family Security.

Senators Gaither, Michel and Scheid introduced--

S.F. No. 812: A bill for an act relating to taxation; property tax refund; authorizing early payment on returns filed electronically; amending Minnesota Statutes 2004, section 290A.07, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Bachmann, Jungbauer and LeClair introduced--

S.F. No. 813: A bill for an act relating to highways; designating Interstate Highways I-494 and I-694 as Ronald Reagan Beltway; amending Minnesota Statutes 2004, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation.

Senator Bachmann introduced--

S.F. No. 814: A bill for an act relating to lawful gambling; allowing licensed organizations to permit employees of lessors to purchase pull-tabs on the leased premises.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Bachmann and Jungbauer introduced--

S.F. No. 815: A bill for an act relating to metropolitan government; providing additional oversight responsibilities for the Legislative Commission on Metropolitan Government; amending Minnesota Statutes 2004, sections 3.8841, by adding subdivisions; 473.246.

Referred to the Committee on State and Local Government Operations.

Senators Bachmann and Hann introduced--

S.F. No. 816: A bill for an act relating to education; authorizing an education tax credit for tuition expenses for certain school attendance; eliminating the family cap on the education tax credit; amending Minnesota Statutes 2004, section 290.0674, subdivisions 1, 2.

Referred to the Committee on Education.

Senators Rosen, Gaither, Anderson and Kubly introduced--

S.F. No. 817: A bill for an act relating to energy; extending eligibility to receive the renewable energy production incentive under certain circumstances; amending Minnesota Statutes 2004, section 216C.41, subdivision 7.

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

Senators Jungbauer, Day, Dibble, Marko and Johnson, D.E. introduced--

S.F. No. 818: A bill for an act relating to transportation; authorizing cities to impose a transportation utility fee; proposing coding for new law in Minnesota Statutes, chapter 275.

Referred to the Committee on Transportation.

Senators Marty, Skoglund, Betzold, Neuville and Moua introduced--

S.F. No. 819: A bill for an act relating to state government; preserving access to certain data for terminated state employees; creating a position for an ombudsman for state employee whistle-blower investigations; prohibiting public employers from retaliating against employees who report waste or mismanagement; providing access to a contested case hearing for employees who claim whistle-blower status; amending Minnesota Statutes 2004, sections 43A.33, subdivision 1; 181.932, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 15; 16B.

Referred to the Committee on State and Local Government Operations.

Senators Tomassoni, Bakk, Saxhaug, Anderson and Sams introduced--

S.F. No. 820: A bill for an act relating to energy; authorizing joint ventures among certain municipal utilities and private parties; amending Minnesota Statutes 2004, section 452.25, by adding a subdivision.

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

Senators Sams and Ruud introduced--

S.F. No. 821: A bill for an act relating to taxation; property; providing for valuation and deferment of taxes on certain homestead resorts; proposing coding for new law in Minnesota Statutes, chapter 273.

Referred to the Committee on Taxes.

Senator Betzold introduced--

S.F. No. 822: A bill for an act relating to retiree health insurance coverage; providing for the inclusion of certain former University of Minnesota steam plant employees in the state health insurance group; amending Minnesota Statutes 2004, section 43A.27, subdivision 3.

Referred to the Committee on State and Local Government Operations.

Senator Moua introduced--

S.F. No. 823: A bill for an act relating to financing and operation of state and local government; making technical, policy, clarifying, and administrative changes to certain taxes and tax related provisions, tax-forfeited lands, state debt collection procedures, and sustainable forest incentive programs; conforming tax provisions to certain changes in federal law; changing powers and duties of commissioner of revenue and other state agencies and departments; prohibiting certain local officials from purchasing tax-forfeited lands; providing for population estimates; changing and imposing civil penalties; amending Minnesota Statutes 2004, sections 4A.02; 16D.10; 168A.05, subdivision 1a; 270.02, subdivision 3; 270.11, subdivision 2; 270.16, subdivision 2; 270.65; 270.67, subdivision 4; 270.69, subdivision 4; 270B.01, subdivision 5; 270B.03, subdivision 1; 272.01, subdivision 2; 272.02, subdivisions 1a, 7, by adding subdivisions; 272.029, subdivisions 4, 6; 273.11, subdivision 8; 273.124, subdivisions 3, 6, 8, 13, 14, 21; 273.1315; 273.19, subdivision 1a; 273.372; 274.014, subdivisions 2, 3; 274.14; 275.065, subdivision 1a; 275.07, subdivisions 1, 4; 276.04, subdivision 2; 276.112; 276A.01, subdivision 7; 282.016; 282.08; 282.15; 282.21; 282.224; 282.301; 287.04; 289A.08, subdivisions 3, 7; 289A.18, subdivision 1; 289A.19, subdivision 4; 289A.20, subdivisions 2, 4; 289A.31, subdivision 2; 289A.37, subdivision 5; 289A.38, subdivisions 6, 7, by adding a subdivision; 289A.40, subdivision 2, by adding subdivisions; 289A.50, subdivision 1a; 289A.60, subdivisions 2a, 6, 11, 13, by adding a subdivision; 290.01, subdivisions 19a, 19b, 19c; 290.06, subdivision 22; 290.0674, subdivision 1; 290.0922, subdivision 2; 290.92, subdivision 1; 290A.19; 290B.05, subdivision 3; 290C.05; 290C.10; 291.005, subdivision 1; 291.03, subdivision 1; 295.50, subdivision 3, by adding a subdivision; 295.53, subdivision 1; 295.60, subdivision 3; 296A.09, by adding a subdivision; 296A.22, by adding a subdivision; 297A.61, subdivisions 3, 4; 297A.64, subdivision 4; 297A.668, subdivisions 1, 5; 297A.67, subdivision 2; 297A.68, subdivisions 2, 5, 35, 39; 297A.99, subdivisions 4, 7, 9; 297E.01, subdivisions 5, 7, by adding subdivisions; 297E.02, subdivision 4; 297E.06, subdivision 2; 297E.07; 297F.08, subdivision 12, by adding a subdivision; 297F.09, subdivisions 1, 2; 297G.09, by adding a subdivision; 297I.01, by adding a subdivision; 297I.05, subdivision 5; 325D.33, subdivision 6; 373.45, subdivision 7; 469.1735, subdivision 3; 473.843, subdivisions 3, 5; 473F.02, subdivision 7; 477A.011, subdivisions 3, 36, 38; 477A.0124, subdivision 2; Laws 2003, chapter 127, article 5, sections 27, 28; Laws 2003, First Special Session chapter 21, article 5, section 13; Laws 2003, First Special Session chapter 21, article 6, section 9; proposing coding for new law in Minnesota Statutes, chapters 270; 290C; 473; repealing Minnesota Statutes 2004, sections 273.19, subdivision 5; 274.05; 275.15; 275.61, subdivision 2; 283.07; 289A.26, subdivision 2a; 289A.60, subdivision 21; 295.55, subdivision 4; 295.60, subdivision 4; 297E.12, subdivision 10; 297F.09, subdivision 7; 297G.09, subdivision 6; 297I.35, subdivision 2; 469.1794, subdivision 6; Laws 1975, chapter 287, section 5; Laws 2003, chapter 127, article 9, section 9, subdivision 4; Minnesota Rules, parts 8093.2000; 8093.3000; 8130.0110, subpart 4; 8130.0200, subparts 5, 6; 8130.0400, subpart 9; 8130.1200, subparts 5, 6; 8130.2900; 8130.3100, subpart 1; 8130.4000, subparts 1, 2; 8130.4200, subpart 1; 8130.4400, subpart 3; 8130.5200; 8130.5600, subpart 3; 8130.5800, subpart 5; 8130.7300, subpart 5; 8130.8800, subpart 4.

Referred to the Committee on Taxes.

Senator Lourey introduced--

S.F. No. 824: A bill for an act relating to taxes; authorizing the city of Cloquet to impose a local sales tax.

Referred to the Committee on Taxes.

Senators Kleis, Pariseau and Saxhaug introduced--

S.F. No. 825: A bill for an act relating to game and fish; authorizing the commissioner of natural resources to give preference in certain hunting and fishing license and permit lotteries to military service members and veterans; amending Minnesota Statutes 2004, section 97A.465, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senator Larson introduced--

S.F. No. 826: A bill for an act relating to human services; modifying child care center license fees; amending Minnesota Statutes 2004, section 245A.10, subdivision 4.

Referred to the Committee on Health and Family Security.

Senators Kleis, Fischbach and Pariseau introduced--

S.F. No. 827: A bill for an act relating to elections; providing for quarterly election days for state and local elections, other than special elections to fill a vacancy; amending Minnesota Statutes 2004, sections 123B.63, subdivision 3; 126C.17, subdivision 11; 204C.05, by adding a subdivision; 205.10, subdivision 3; 205A.05, subdivision 1; 373.40, subdivision 2; 375.20; 458.40; 465.82, subdivision 2; 465.84; 469.053, subdivision 5; 469.0724; 469.190, subdivision 5; 475.521, subdivision 2; 475.58, subdivisions 1, 1a; 475.59; proposing coding for new law in Minnesota Statutes, chapters 204D; 205; 205A; repealing Minnesota Statutes 2004, sections 204C.05, subdivisions 1a, 1b; 205.175; 205A.09.

Referred to the Committee on Elections.

Senators Lourey, Anderson and Dibble introduced--

S.F. No. 828: A bill for an act relating to health; requiring disclosure of employers of applicants for publicly funded health programs; proposing coding for new law in Minnesota Statutes, chapter 62J.

Referred to the Committee on Health and Family Security.

Senator Vickerman introduced--

S.F. No. 829: A bill for an act relating to education finance; authorizing a fund transfer for Independent School District No. 584, Ruthton.

Referred to the Committee on Finance.

RECESS

Senator Johnson, D.E. moved that the Senate do now recess until 12:15 p.m. The motion prevailed.

The hour of 12:15 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 26, Senator Johnson, D.E., Chair of the Committee on Rules and Administration, designated S.F. No. 4 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 4: A bill for an act relating to agriculture; increasing minimum ethanol content required for gasoline sold in the state; establishing a petroleum replacement goal; amending Minnesota Statutes 2004, section 239.791, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 239.

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 54 and nays 12, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Belanger	Hann	Michel	Ranum	Rest
Gaither	LeClair	Nienow	Reiter	Ruud
Gerlach	Limmer			

So the bill passed and its title was agreed to.

MEMBERS EXCUSED

Senators Cohen, Kubly, Marko and Pappas were excused from the Session of today from 11:00 to 11:30 a.m. Senator Bachmann was excused from the Session of today from 11:20 to 11:25 a.m.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 9:00 a.m., Thursday, February 10, 2005. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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