

## FIFTH DAY

St. Paul, Minnesota, Thursday, January 13, 2005

The Senate met at 9:00 a.m. and was called to order by the President.

### CALL OF THE SENATE

Senator Rest 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. James Haun.

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

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

The President declared a quorum present.

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

### MEMBERS EXCUSED

Senators Johnson, D.E.; Metzen; Robling and Sams were excused from the Session of today.

### REPORTS OF COMMITTEES

Senator Rest moved that the Committee Reports at the Desk be now adopted, with the exception of the reports pertaining to appointments. The motion prevailed.

#### **Senator Pogemiller from the Committee on Taxes, to which was referred**

**S.F. No. 218:** A bill for an act relating to taxation; accelerating the income tax charitable contribution deduction for relief of Indian Ocean tsunami victims; amending Minnesota Statutes 2004, section 290.01, subdivision 19.

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

Page 5, line 3, delete "the Act of" and insert "section 1 of the Acceleration of Income Tax Benefits for Charitable Cash Contributions for Relief of Indian Ocean Tsunami Victims Act of 2005, Public Law 109-1"

Page 5, delete lines 4 and 5

Page 5, line 6, delete "Indian Ocean tsunami"

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

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

DEPARTMENT OF EDUCATION  
COMMISSIONER  
Alice Seagren

Reports the same back with the recommendation that the appointment be confirmed.

Senator Rest moved that the foregoing committee report be laid on the table. The motion prevailed.

**Senator Higgins from the Committee on State and Local Government Operations**, to which were referred the following appointments:

BOARD OF THE ARTS  
Jane Belau  
Corey Elmer  
Ellen McInnis

Reports the same back with the recommendation that the appointments be confirmed.

Senator Rest moved that the foregoing committee report be laid on the table. The motion prevailed.

## SECOND READING OF SENATE BILLS

S.F. No. 218 was read the second time.

## MOTIONS AND RESOLUTIONS

Senator Cohen moved that the name of Senator Chaudhary be added as a co-author to S.F. No. 2. The motion prevailed.

Senator Anderson moved that the name of Senator Bakk be added as a co-author to S.F. No. 3. The motion prevailed.

Senator Wiger moved that the names of Senators Tomassoni and LeClair be added as co-authors to S.F. No. 6. The motion prevailed.

Senator Cohen moved that the name of Senator Wiger be added as a co-author to S.F. No. 58. The motion prevailed.

Senator Cohen moved that the name of Senator McGinn be added as a co-author to S.F. No. 62. The motion prevailed.

Senator Belanger moved that the name of Senator Michel be added as a co-author to S.F. No. 75. The motion prevailed.

Senator Kleis moved that the name of Senator Wiger be added as a co-author to S.F. No. 111. The motion prevailed.

Senator Reiter moved that the name of Senator Bachmann be added as a co-author to S.F. No. 165. The motion prevailed.

Senator Pappas moved that the name of Senator Dibble be added as a co-author to S.F. No. 171. The motion prevailed.

Senator Hottinger moved that the name of Senator Wiger be added as a co-author to S.F. No. 190. The motion prevailed.

Senator Skoglund moved that the names of Senators Scheid, Wiger, Dille and Sparks be added as co-authors to S.F. No. 200. The motion prevailed.

Senator Skoglund moved that the name of Senator Berglin be added as a co-author to S.F. No. 201. The motion prevailed.

Senator Stumpf moved that the name of Senator Wiger be added as a co-author to S.F. No. 203. The motion prevailed.

Senator Wiger moved that the names of Senators Vickerman, Metzen and Murphy be added as co-authors to S.F. No. 207. The motion prevailed.

**Senators Chaudhary, Day, Berglin, Moua and Johnson, D.E. introduced--**

**Senate Resolution No. 15:** A Senate resolution commemorating the life and work of Rev. Dr. Martin Luther King, Jr.

WHEREAS, the birthday of Dr. Martin Luther King, Jr. is January 15, 1929; and

WHEREAS, Dr. King accepted the mantle of leadership of the Montgomery bus boycott of 1955 to desegregate public transportation by leading a boycott which lasted over 381 days; and

WHEREAS, the Montgomery bus boycott inspired civil rights activity all over the United States, including the state of Minnesota, and this movement for civil and human rights has made our society freer, more democratic, and more inclusive; and

WHEREAS, Dr. King's life was devoted to the elimination of segregation and prejudice against all people; and

WHEREAS, achievements in human and civil rights were accomplished through his personal efforts and his example to others; and

WHEREAS, he sought to fulfill his goals exclusively by nonviolent means; and

WHEREAS, Dr. King's life was ended by assassination on April 4, 1968, in Memphis, Tennessee, where he was leading an effort for more just treatment of sanitation workers; and

WHEREAS, the actions and efforts of Dr. Martin Luther King, Jr. have served as an inspiration to many; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it honors and celebrates the life and work of Rev. Dr. Martin Luther King, Jr. and the Civil Rights movement.

Senator Chaudhary moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

**Senators Jungbauer and Nienow introduced--**

**S.F. No. 219:** A bill for an act relating to consumer protection; regulating gift certificates and gift cards; providing penalties and remedies; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce.

**Senators Hottinger, Kierlin, Frederickson, Langseth and Pappas introduced--**

**S.F. No. 220:** A bill for an act relating to higher education; Minnesota State Colleges and Universities; authorizing applied doctoral degrees at state universities; amending Minnesota Statutes 2004, section 135A.052, subdivision 1.

Referred to the Committee on Finance.

**Senators Skoglund and Dibble introduced--**

**S.F. No. 221:** A bill for an act relating to education finance; authorizing voluntary full-day kindergarten; authorizing prekindergarten school readiness services for certain four-year-old students; amending Minnesota Statutes 2004, section 126C.05, subdivision 1.

Referred to the Committee on Finance.

**Senators Skoglund and Dibble introduced--**

**S.F. No. 222:** A bill for an act relating to education finance; making four-year-old students eligible for extended time programs; amending Minnesota Statutes 2004, section 126C.05, subdivision 15.

Referred to the Committee on Finance.

**Senators Kubly, Kierlin, Senjem, Lourey and Vickerman introduced--**

**S.F. No. 223:** A bill for an act relating to health; modifying ambulance service provisions; modifying requirements for first responders and emergency medical technicians; providing for emergency suspension of certain requirements; amending Minnesota Statutes 2004, sections 144E.001, subdivisions 8, 15; 144E.10, by adding a subdivision; 144E.27, subdivision 2; 144E.28, subdivisions 1, 3, 7, 8; proposing coding for new law in Minnesota Statutes, chapter 144E.

Referred to the Committee on Health and Family Security.

**Senator Vickerman introduced--**

**S.F. No. 224:** A bill for an act relating to motor vehicles; exempting World War II veterans from certain fees for veterans license plates; amending Minnesota Statutes 2004, section 168.123, by adding a subdivision.

Referred to the Committee on Transportation.

**Senator Vickerman introduced--**

**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.

Referred to the Committee on Transportation.

**Senator Vickerman introduced--**

**S.F. No. 226:** A bill for an act relating to veterans; proposing an amendment to the Minnesota Constitution, article XIII, section 8, to authorize general obligation bonding proceeds to be used to pay a bonus to Minnesota residents who served as members of the United States military during the Global War on Terrorism.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Solon, Berglin, Kiscaden, Lourey and Rosen introduced--**

**S.F. No. 227:** A bill for an act relating to health; establishing a cancer drug repository program; requiring rulemaking; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Family Security.

**Senators Stumpf, Skoe and Langseth introduced--**

**S.F. No. 228:** A bill for an act relating to capital improvements; appropriating money for emergency riverbank protection in the city of Crookston; authorizing the sale of state bonds.

Referred to the Committee on Finance.

**Senators Senjem, Kleis and Stumpf introduced--**

**S.F. No. 229:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for Rochester Community and Technical College.

Referred to the Committee on Finance.

**Senators Stumpf, Langseth and Skoe introduced--**

**S.F. No. 230:** A bill for an act relating to capital improvements; appropriating money for improvements in the Red Lake River Watershed; authorizing the sale of state bonds.

Referred to the Committee on Finance.

**Senator Murphy introduced--**

**S.F. No. 231:** A bill for an act relating to tax increment financing; authorizing the extension of a redevelopment district in the city of Wabasha.

Referred to the Committee on Taxes.

**Senators Reiter and Kiscaden introduced--**

**S.F. No. 232:** A bill for an act relating to education; permitting secondary students to carry and use nonprescription pain relief; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on Education.

**Senators Kleis, Robling, Larson, Murphy and Kubly introduced--**

**S.F. No. 233:** A bill for an act relating to drivers' licenses; requiring certain applicants for license renewal to pass examinations; making clarifying changes; amending Minnesota Statutes 2004, section 171.13, subdivision 2.

Referred to the Committee on Transportation.

**Senators Langseth and Skoe introduced--**

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

Referred to the Committee on Transportation.

**Senator Betzold introduced--**

**S.F. No. 235:** A bill for an act relating to retirement; permitting certain employees of Blaine, Spring Lake Park, and Mounds View to become members of the Public Employees Retirement Association police and fire fund; amending Minnesota Statutes 2004, section 353.64, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

**Senators Michel and Belanger introduced--**

**S.F. No. 236:** A bill for an act relating to motor carriers; exempting transportation of household goods at no cost for a nonprofit charitable organization from laws prohibiting household goods movers from varying charges; amending Minnesota Statutes 2004, section 221.171, subdivision 2.

Referred to the Committee on Transportation.

**Senators Michel, Vickerman, Gaither, Marko and Senjem introduced--**

**S.F. No. 237:** A bill for an act relating to a University of Minnesota football stadium; providing a process for state support of a football stadium at the University of Minnesota; appropriating money; amending Minnesota Statutes 2004, sections 297A.71, by adding a subdivision; 340A.404, subdivision 4a; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Finance.

**Senators Olson, Kelley, Fischbach, Betzold and Murphy introduced--**

**S.F. No. 238:** A bill for an act relating to education finance; authorizing a levy for certain utility costs of facilities used primarily for community education programs; proposing coding for new law in Minnesota Statutes, chapter 124D.

Referred to the Committee on Finance.

**Senators Kiscaden, Langseth, Kierlin, Senjem and Sparks introduced--**

**S.F. No. 239:** A bill for an act relating to capital improvement; authorizing the sale of state bonds; appropriating money to Olmsted County for a grant to upgrade and expand capacity with a third combustion unit at the municipal solid waste combustor serving Dodge and Olmsted counties.

Referred to the Committee on Finance.

**Senators Stumpf, Sparks, Day, Langseth and Johnson, D.E. introduced--**

**S.F. No. 240:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for flood hazard mitigation projects.

Referred to the Committee on Finance.

**Senator Kleis introduced--**

**S.F. No. 241:** A bill for an act relating to capital investment; appropriating money for design of capital improvements for St. Cloud State University; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

**Senator Kleis introduced--**

**S.F. No. 242:** A bill for an act relating to capital investment; appropriating money for design of capital improvements for St. Cloud State University; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

**Senator Kleis introduced--**

**S.F. No. 243:** A bill for an act relating to traffic regulations; imposing petty misdemeanor penalty for certain motor vehicle hit-and-run offenses; amending Minnesota Statutes 2004, section 169.09, by adding a subdivision.

Referred to the Committee on Transportation.

**Senators Kiscaden, Kelley, Murphy, Kleis and Olson introduced--**

**S.F. No. 244:** A bill for an act relating to education; providing for consecutive teaching experience for a teacher whose probationary employment is interrupted by military service; amending Minnesota Statutes 2004, section 122A.40, subdivision 5.

Referred to the Committee on Education.

**Senators Marty, Stumpf, Marko, Skoe and Saxhaug introduced--**

**S.F. No. 245:** A bill for an act relating to education finance; increasing the basic formula allowance; restoring funding for special education programs; restoring funding for LEP programs; restoring funding for early education programs; restoring funding for after-school programs; restoring funding for adult basic education programs; restoring certain levy authority; appropriating money; amending Minnesota Statutes 2004, sections 124D.11, subdivision 4; 124D.135, subdivision 1; 124D.20, subdivision 3; 124D.531, subdivisions 1, 2, 4; 124D.59, subdivision 2; 125A.76, subdivisions 1, 4; 125A.79, subdivisions 1, 6; 126C.05, subdivisions 8, 15; 126C.10, subdivisions 2, 2a, 3; 126C.40, subdivision 1; 126C.43, subdivisions 2, 3; 126C.44; proposing coding for new law in Minnesota Statutes, chapter 124D.

Referred to the Committee on Finance.

**Senator Solon introduced--**

**S.F. No. 246:** A bill for an act relating to higher education; regulating tuition and fees paid by Wisconsin reciprocity students attending the University of Minnesota; amending Minnesota Statutes 2004, section 136A.08, subdivision 3.

Referred to the Committee on Finance.

**Senator Murphy introduced--**

**S.F. No. 247:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Minnesota State Academies.

Referred to the Committee on Finance.

**Senator Murphy introduced--**

**S.F. No. 248:** A bill for an act relating to capital investment; authorizing the issuance of state bonds; appropriating money for capital improvements at South Central Technical College.

Referred to the Committee on Finance.

**Senator Kelley introduced--**

**S.F. No. 249:** A bill for an act relating to capital improvements; authorizing the sale of state bonds; appropriating money for a pedestrian and trail crossing in St. Louis Park.

Referred to the Committee on Finance.

**Senator Saxhaug introduced--**

**S.F. No. 250:** A bill for an act relating to capital investment; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; appropriating money to the University of Minnesota for the North Central Research and Outreach Center; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

**Senators Saxhaug, Ruud and Lourey introduced--**

**S.F. No. 251:** A bill for an act relating to appropriations; appropriating money for a new Children's Discovery Museum in Grand Rapids.

Referred to the Committee on Finance.

**Senator Tomassoni introduced--**

**S.F. No. 252:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for capital repairs to the central steam heating system of the city of Virginia.

Referred to the Committee on Finance.

**Senators Saxhaug, Langseth, Larson, Bakk and Tomassoni introduced--**

**S.F. No. 253:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for water and sewer infrastructure components for Minnesota Steel Industries.

Referred to the Committee on Finance.

**Senators Berglin; Pogemiller; Johnson, D.E.; Lourey and Koering introduced--**

**S.F. No. 254:** A bill for an act relating to the operation of state government; modifying parental contributions; modifying several MFIP provisions; modifying medical assistance estate recovery provisions; eliminating recoveries for alternative care costs; removing liens against life estates and



joint tenant interests; changing certain income tax provisions; appropriating money; amending Minnesota Statutes 2004, sections 252.27, subdivision 2a; 256B.15, subdivisions 1, 1a, 1d, 1e, 1f, 1h, 1i, 1j, 2, 3, 4; 256J.21, subdivision 2; 256J.95, subdivision 9; 290.01, subdivisions 6b, 19d; 290.17, subdivisions 2, 4; 514.981, subdivision 6; 524.3-805; repealing Minnesota Statutes 2004, sections 256B.15, subdivision 1g; 256J.37, subdivisions 3a, 3b; 514.991; 514.992; 514.993; 514.994; 514.995.

Referred to the Committee on Health and Family Security.

**Senators Berglin, Koering, Foley, Tomassoni and Lourey introduced--**

**S.F. No. 255:** A bill for an act relating to MinnesotaCare; modifying covered health services; repealing the limited benefits for certain single adults and households without children; amending Minnesota Statutes 2004, sections 256L.03, subdivision 1; 256L.12, subdivision 6; repealing Minnesota Statutes 2004, section 256L.035.

Referred to the Committee on Health and Family Security.

**Senators Murphy; Johnson, D.E.; Sparks; Ourada and Robling introduced--**

**S.F. No. 256:** A bill for an act relating to license plates; creating firefighter special motorcycle license plates; amending Minnesota Statutes 2004, section 168.12, subdivision 2b.

Referred to the Committee on Transportation.

**Senators Kelley, Saxhaug, Stumpf and Marko introduced--**

**S.F. No. 257:** A bill for an act relating to education finance; providing for principled pay practices; site-based achievement contracts; appropriating money; amending Minnesota Statutes 2004, sections 122A.413; proposing coding for new law in Minnesota Statutes, chapters 120B; 122A; repealing Minnesota Statutes 2004, sections 122A.414; 122A.415.

Referred to the Committee on Education.

**Senators Higgins, Stumpf, Cohen, Larson and Langseth introduced--**

**S.F. No. 258:** A bill for an act relating to capital improvements; appropriating money to create the Minnesota Shubert Center in the city of Minneapolis; authorizing the sale of state bonds.

Referred to the Committee on Finance.

**Senator Betzold introduced--**

**S.F. No. 259:** A bill for an act relating to retirement; implementing the recommendations of the Volunteer Firefighter Relief Association working group of the state auditor; modifying the trigger date for filing financial reports; revising the per firefighter financing requirements for monthly benefit service pensions; modifying the options for crediting interest on deferred service pensions; clarifying the deferred service pension options available to defined contribution plans; providing for the crediting of service during military service leaves; requiring the amortization of experience losses; clarifying the compliance requirements for the qualification for fire state aid; modifying a limit on mutual fund investments; clarifying corporate stock and exchange-traded funds investment authority; modifying the municipal representation requirements on relief association governing boards; amending Minnesota Statutes 2004, sections 69.051, subdivisions 1, 1a; 69.771; 69.772, subdivisions 3, 4; 69.773, subdivisions 4, 5; 69.775; 356A.06, subdivision 7; 424A.02, subdivisions 3, 4, 7; 424A.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 424A.

Referred to the Committee on State and Local Government Operations.

**Senator Chaudhary introduced--**

**S.F. No. 260:** A bill for an act relating to natural resources; requiring youths under age 13 to wear personal flotation devices on watercraft; amending Minnesota Statutes 2004, sections 86B.311, by adding a subdivision; 86B.501, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

**Senators Sams and Stumpf introduced--**

**S.F. No. 261:** A bill for an act relating to education; allowing school districts to levy for the cost of certain health benefits; amending Minnesota Statutes 2004, sections 126C.41, by adding a subdivision; 471.61, subdivision 1.

Referred to the Committee on Finance.

**Senators Murphy, Rosen, Kierlin, Koering and Vickerman introduced--**

**S.F. No. 262:** A bill for an act relating to local government; making technical changes to filing and recording laws; amending Minnesota Statutes 2004, sections 41.65, subdivision 3; 49.05, subdivision 2; 49.215, subdivision 3; 52.20, subdivisions 2, 3; 60B.16, subdivision 1; 60B.21, subdivision 1; 60B.25; 60B.52, subdivision 2; 60B.53, subdivision 2; 60B.55, subdivision 2; 66A.21, subdivision 2; 88.14, subdivision 3; 88.41; 88.49, subdivisions 2, 3, 5; 88.491, subdivision 2; 92.17; 93.52, subdivision 2; 93.55, subdivisions 1, 1a, 2, 5; 93.551; 94.19; 103I.341, subdivisions 1, 4; 117.065; 164.06, subdivision 2; 164.07, subdivision 11; 222.29; 238.25, subdivision 10; 273.165, subdivision 1; 281.322; 281.328, subdivision 1; 284.07; 284.08; 284.11; 284.18; 306.02, subdivision 1; 306.24; 307.06; 307.07; 315.01, subdivisions 3, 4; 315.17, subdivision 3; 315.19; 315.20, subdivisions 2, 3; 315.32; 315.365, subdivision 2; 315.44; 316.09; 317A.021, subdivision 4; 317A.051, subdivision 2; 318.02, subdivision 3; 322.02; 322.25, subdivision 4; 322A.86; 327A.04, subdivision 3; 327C.095, subdivisions 8, 11; 344.06; 344.08; 375.14; 381.12, subdivision 1; 382.08; 382.10; 384.02; 384.08; 385.02, subdivision 1; 386.03; 386.04; 386.05; 386.13; 386.16; 386.19; 386.20, subdivisions 1, 3; 386.23, subdivisions 1, 2; 386.26, subdivision 3; 386.29; 386.31; 386.32; 386.36; 386.37; 386.45; 387.01; 387.33, subdivision 2; 388.01; 388.10; 389.011, subdivisions 1, 3; 390.05; 394.27, subdivision 8; 394.301, subdivision 4; 394.33, subdivision 1; 394.35; 395.18; 395.22; 398.19; 410.11; 412.851; 429.061, subdivision 2; 444.17; 447.31, subdivision 4; 462.359, subdivision 2; 462.3595, subdivision 4; 462.36, subdivision 1; 462A.31, subdivision 7; 463.15, subdivision 4; 465.19; 471.928; 485.01; 485.03; 485.05; 489.03; 507.24, subdivision 1; 508.35; 508.37; 508.38; 519.091, subdivision 2; 541.023, subdivisions 2, 2a, 4, 6; 548.09, subdivision 1; 548.25; 550.31; 550.32; 559.17, subdivisions 2, 3; 559.209, subdivision 2; 559.21, subdivisions 3, 4; 559.23; 570.061, subdivision 2; 570.11; 570.14; 576.01, subdivision 2; 577.02; 577.10; 580.032, subdivisions 1, 3; 580.09; 580.15; 580.17; 580.23, subdivision 4; 580.24; 580.29; 600.21; repealing Minnesota Statutes 2004, sections 386.183; 386.34; 386.53; 580.16.

Referred to the Committee on State and Local Government Operations.

**Senator Higgins introduced--**

**S.F. No. 263:** A bill for an act relating to professions; changing interior designer certification to licensure; amending Minnesota Statutes 2004, sections 326.02, subdivisions 1, 3a, 4b, 5; 326.03, subdivisions 1, 4; 326.031; 326.04; 326.05; 326.09; 326.10, subdivisions 1, 2a, 8, 9; 326.105; 326.107, subdivision 1; 326.11, subdivision 1; 326.111; 326.12; 326.13; 326.14.

Referred to the Committee on Commerce.

**Senator Betzold, by request, and Senators Larson and Pogemiller introduced--**

**S.F. No. 264:** A bill for an act relating to retirement; increasing contribution rates for certain

state employees; amending Minnesota Statutes 2004, sections 352.04, subdivisions 2, 3; 352D.04, subdivision 2.

Referred to the Committee on State and Local Government Operations.

**Senator Saxhaug introduced--**

**S.F. No. 265:** A bill for an act relating to capital improvements; appropriating money for water level control in mine pits; authorizing state bonds.

Referred to the Committee on Finance.

**Senator Saxhaug introduced--**

**S.F. No. 266:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to alleviate otherwise certain flooding emanating from the Canisteo Mine in Itasca County.

Referred to the Committee on Finance.

**Senators Murphy, Rosen, Koering, Kierlin and Vickerman introduced--**

**S.F. No. 267:** A bill for an act relating to counties; providing for fees and standards for the recording of certain documents; amending Minnesota Statutes 2004, sections 357.18; 386.30; 507.093; 508.82; 508A.82; 515B.1-116.

Referred to the Committee on State and Local Government Operations.

**Senator Betzold introduced--**

**S.F. No. 268:** A bill for an act relating to sales and use tax; providing that purchases of construction materials and equipment used to provide commuter rail services are exempt; amending Minnesota Statutes 2004, section 297A.71, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators LeClair and Bachmann introduced--**

**S.F. No. 269:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to the city of Bayport to complete a sewer system project.

Referred to the Committee on Finance.

**Senators Saxhaug, Ruud, Skoe and Koering introduced--**

**S.F. No. 270:** A bill for an act relating to natural resources; appropriating money for the Mississippi Headwaters Board.

Referred to the Committee on Finance.

**Senator Berglin introduced--**

**S.F. No. 271:** A bill for an act relating to health; modifying access to certified death records; amending Minnesota Statutes 2004, section 144.225, subdivision 7.

Referred to the Committee on Health and Family Security.

**Senator Berglin introduced--**

**S.F. No. 272:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to Hennepin County for affordable and supportive housing units.

Referred to the Committee on Finance.

**Senators Wergin, Saxhaug, Bakk and Sams introduced--**

**S.F. No. 273:** A bill for an act relating to education finance; lowering the maximum effort capital loan tax rate; amending Minnesota Statutes 2004, section 126C.63, subdivision 8.

Referred to the Committee on Finance.

**Senators Bakk and Tomassoni introduced--**

**S.F. No. 274:** A bill for an act relating to the city of Proctor; authorizing sales taxes; amending Laws 1999, chapter 243, article 4, section 18, subdivisions 1, 3, 4.

Referred to the Committee on Taxes.

**Senators Bakk and Tomassoni introduced--**

**S.F. No. 275:** A bill for an act relating to the city of Proctor; authorizing use of lodging tax.

Referred to the Committee on Taxes.

**Senator Senjem introduced--**

**S.F. No. 276:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Phase II expansion of the National Volleyball Center in Rochester.

Referred to the Committee on Finance.

**Senator Neuville introduced--**

**S.F. No. 277:** A bill for an act relating to state government; making permanent the requirement that certain litigation and settlement proceeds be deposited in the general fund; repealing Minnesota Statutes 2004, section 16A.151, subdivision 5.

Referred to the Committee on Finance.

**Senator Wergin introduced--**

**S.F. No. 278:** A bill for an act relating to highways; authorizing issuance of trunk highway bonds for improvements to marked Trunk Highway 10; appropriating money.

Referred to the Committee on Finance.

**Senator Wergin introduced--**

**S.F. No. 279:** A bill for an act relating to education finance; providing for a balance requirement in general education revenue; amending Minnesota Statutes 2004, section 126C.10, subdivision 1, by adding a subdivision.

Referred to the Committee on Finance.

**Senator Wergin introduced--**

**S.F. No. 280:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the geothermal system for a cooperative joint community learning center and health and wellness center in Onamia.

Referred to the Committee on Finance.

**Senator Wergin introduced--**

**S.F. No. 281:** A bill for an act relating to capital improvements; appropriating money to commissioner of transportation for state's matching amount for recreational bridge over highway 169 in Mille Lacs County; authorizing sale of state bonds.

Referred to the Committee on Finance.

**Senators Saxhaug, Langseth, Senjem, Sams and Dille introduced--**

**S.F. No. 282:** A bill for an act relating to the environment; providing grants to municipalities for wastewater treatment projects needed to meet total maximum daily load plan requirements; authorizing sale of state bonds; appropriating money; amending Minnesota Statutes 2004, section 116.182, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 446A.

Referred to the Committee on Finance.

**Senator Fischbach introduced--**

**S.F. No. 283:** A bill for an act relating to education; broadening the health and safety program to include school safety costs associated with student support services; amending Minnesota Statutes 2004, section 123B.57, subdivisions 1, 2.

Referred to the Committee on Finance.

**Senators Gaither, Rest and Olson introduced--**

**S.F. No. 284:** A bill for an act relating to health; authorizing the limited use of zero-depth public swimming pools without a lifeguard; amending Minnesota Statutes 2004, section 144.1222, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Senators Murphy, Kubly, Moua, Vickerman and Ourada introduced--**

**S.F. No. 285:** A bill for an act relating to vehicle insurance; requiring vehicle owner to present proof of insurance to the commissioner of public safety when vehicle is registered and at certain other times; requiring the insurance company to send copy of notice of cancellation of insurance to the commissioner; requiring vehicle owner after cancellation to provide proof of renewed insurance or surrender vehicle registration; amending Minnesota Statutes 2004, sections 169.791, subdivision 1; 169.798, subdivision 1; 171.20, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 169; repealing Minnesota Statutes 2004, sections 169.796, subdivision 3; 169.798, subdivision 4.

Referred to the Committee on Transportation.

**Senator Betzold, by request, and Senators Pogemiller and Larson introduced--**

**S.F. No. 286:** A bill for an act relating to retirement; Public Employees Retirement Association; increasing contribution rates for certain covered employees and employers; amending Minnesota Statutes 2004, section 353.27, subdivisions 2, 3, 3a, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

**Senators Wergin and Betzold introduced--**

**S.F. No. 287:** A bill for an act relating to civil actions; authorizing the recovery of attorney fees by funeral providers in actions to recover costs of services; proposing coding for new law in Minnesota Statutes, chapter 149A.

Referred to the Committee on Judiciary.

**Senators Wergin and Scheid introduced--**

**S.F. No. 288:** A bill for an act relating to creditors remedies; exempting certain jewelry from attachment, garnishment, or sale; amending Minnesota Statutes 2004, section 550.37, subdivision 4.

Referred to the Committee on Judiciary.

**Senators Skoglund, Wiger, Marko, Pariseau and Fischbach introduced--**

**S.F. No. 289:** A bill for an act relating to elections; imposing certain requirements on presidential electors and the secretary of state; amending Minnesota Statutes 2004, section 208.08.

Referred to the Committee on Elections.

**Senators Higgins, Marty, Wiger, Pariseau and Kleis introduced--**

**S.F. No. 290:** A bill for an act relating to elections; setting standards for and providing for the acquisition of voting systems; appropriating money from the Help America Vote Act account; amending Minnesota Statutes 2004, section 206.80; proposing coding for new law in Minnesota Statutes, chapter 206.

Referred to the Committee on Elections.

**Senators Pariseau, Wiger, Marty and Kleis introduced--**

**S.F. No. 291:** A bill for an act relating to the legislature; specifying the size of the legislature; coordinating legislative districts and congressional districts; amending Minnesota Statutes 2004, sections 2.021; 2.031, subdivision 1.

Referred to the Committee on Elections.

**Senator Langseth introduced--**

**S.F. No. 292:** A bill for an act relating to capital investment; appropriating money for the Joint Plant Pathology Center at the University of Minnesota; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

**Senators Metzen, Jungbauer, Sams and Langseth introduced--**

**S.F. No. 293:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for a quick-response fire suppression aircraft.

Referred to the Committee on Finance.

**Senator Koering introduced--**

**S.F. No. 294:** A bill for an act relating to appropriations; reinstating the beaver damage control grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103F.

Referred to the Committee on Finance.

**Senators Reiter and Bachmann introduced--**

**S.F. No. 295:** A bill for an act relating to public employment; providing that a public employer or a contractor with a public employer may not forbid an employee from wearing an American flag patch or pin; proposing coding for new law in Minnesota Statutes, chapter 15.

Referred to the Committee on State and Local Government Operations.

**Senators Lourey; Dille; Koering; Johnson, D.E. and Murphy introduced--**

**S.F. No. 296:** A bill for an act relating to agriculture; providing milk producer payments to beginning milk producers; establishing a dairy modernization grant program; proposing coding for new law in Minnesota Statutes, chapter 41A.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senator Sparks introduced--**

**S.F. No. 297:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Blazing Star Trail.

Referred to the Committee on Finance.

**Senators McGinn, Marko, Foley, Kleis and Ranum introduced--**

**S.F. No. 298:** A bill for an act relating to motor vehicles; requiring motor vehicle drivers to restrain child passengers under nine years of age with appropriate child restraint system; amending Minnesota Statutes 2004, section 169.685, subdivision 5.

Referred to the Committee on Transportation.

**Senator Pogemiller introduced--**

**S.F. No. 299:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the University Research Park.

Referred to the Committee on Finance.

**Senators Kubly and Murphy introduced--**

**S.F. No. 300:** A bill for an act relating to highways; prohibiting commissioner of transportation from requiring ready mix concrete suppliers to provide computerized certificates of compliance for highway construction contracts; amending Minnesota Statutes 2004, section 161.32, subdivision 1a.

Referred to the Committee on Transportation.

**Senator LeClair introduced--**

**S.F. No. 301:** A bill for an act relating to human services; changing the rate a nursing facility

may charge a private pay resident; amending Minnesota Statutes 2004, section 256B.48, subdivision 1.

Referred to the Committee on Health and Family Security.

**Senators McGinn, Metzen, Day, Gerlach and Neuville introduced--**

**S.F. No. 302:** A bill for an act relating to traffic regulations; providing for the speed limit on marked Interstate Highway 35E; amending Minnesota Statutes 2004, section 169.14, by adding a subdivision.

Referred to the Committee on Transportation.

**Senators Ruud and Skoe introduced--**

**S.F. No. 303:** A bill for an act relating to the city of Bemidji; authorizing the city to impose a sales and use tax.

Referred to the Committee on Taxes.

**Senators Ruud and Skoe introduced--**

**S.F. No. 304:** A bill for an act relating to capital investment; appropriating money for a hockey arena at Bemidji State University; authorizing the issuance of state general obligation bonds.

Referred to the Committee on Finance.

**Senators Ruud and Skoe introduced--**

**S.F. No. 305:** A bill for an act relating to capital investment; appropriating money for development of the Paul Bunyan State Trail; authorizing the issuance of state general obligation bonds.

Referred to the Committee on Finance.

**Senators Ruud and Skoe introduced--**

**S.F. No. 306:** A bill for an act relating to capital investment; appropriating money for Bemidji State University-Northwest Technical College; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

**Senators Ruud, Skoe, Saxhaug, Limmer and Bakk introduced--**

**S.F. No. 307:** A bill for an act relating to education; prohibiting the school year to start before Labor Day; amending Minnesota Statutes 2004, section 120A.40.

Referred to the Committee on Education.

**Senators Marko and Betzold introduced--**

**S.F. No. 308:** A bill for an act relating to landlord and tenant; regulating actions by government units to obtain remedies for building and other code violations; amending Minnesota Statutes 2004, section 504B.395, subdivision 1.

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



**Senators Kiscaden, Wergin, Nienow, Lourey and Foley introduced--**

**S.F. No. 309:** A bill for an act relating to health; modifying provisions for licensed professional counselors; authorizing certain rulemaking; amending Minnesota Statutes 2004, sections 148B.53, subdivisions 1, 3; 148B.54, subdivision 2; 148B.59; proposing coding for new law in Minnesota Statutes, chapter 148B.

Referred to the Committee on Health and Family Security.

**Senators Tomassoni, Bakk, Wergin, Kubly and Kierlin introduced--**

**S.F. No. 310:** A bill for an act relating to townships; clarifying levy and spending authority; defining total revenue; amending Minnesota Statutes 2004, sections 365.43, subdivision 1; 365.431.

Referred to the Committee on Taxes.

**Senator Cohen introduced--**

**S.F. No. 311:** A bill for an act relating to energy; providing funding for certain biomass-fueled community energy systems; authorizing the sale of state bonds; appropriating money.

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

**Senators Moua; Stumpf; Pogemiller; Johnson, D.J. and Dille introduced--**

**S.F. No. 312:** A bill for an act relating to education finance; restoring funding for limited English proficiency programs; amending Minnesota Statutes 2004, section 124D.59, subdivision 2.

Referred to the Committee on Finance.

**Senators Larson, Kierlin, Gaither, Robling and Koering introduced--**

**S.F. No. 313:** A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature with certain conditions; making adjustments to previous bond authorizations; authorizing sale of state bonds; appropriating money; amending Minnesota Statutes 2004, sections 16A.671, subdivision 3; 116J.571; 116J.572, subdivisions 2, 4; 116J.573, subdivisions 1, 2, 4, 5; 116J.574, subdivision 2; 116J.575, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Finance.

**Senators Scheid and Reiter introduced--**

**S.F. No. 314:** A bill for an act relating to insurance; the Minnesota FAIR plan; regulating property and liability coverage; amending Minnesota Statutes 2004, section 65A.08, subdivision 2.

Referred to the Committee on Commerce.

**Senator Day introduced--**

**S.F. No. 315:** A bill for an act relating to taxation; property; providing that certain personal property of an electric generation facility is exempt from property taxation; amending Minnesota Statutes 2004, section 272.02, by adding a subdivision.

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

**Senators Skoe and Stumpf introduced--**

**S.F. No. 316:** A bill for an act relating to natural resources; authorizing the private sale of consolidated conservation land in Beltrami County.

Referred to the Committee on Environment and Natural Resources.

**Senator Kleis introduced--**

**S.F. No. 317:** A bill for an act relating to crime prevention and public safety; gambling; legalizing the game of Texas hold'em under certain conditions; amending Minnesota Statutes 2004, section 609.761, subdivision 3.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senator Pogemiller introduced--**

**S.F. No. 318:** A bill for an act relating to taxation; prohibiting increases in property tax rates for taxes payable in 2006 and certain subsequent years; prohibiting increases in local government and state fees; providing reimbursement to local governments for certain property tax and fee increases; appropriating money.

Referred to the Committee on Taxes.

**Senator Metzen introduced--**

**S.F. No. 319:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for Inver Hills Community College.

Referred to the Committee on Finance.

**Senators Kiscaden, Senjem, Sparks and Kierlin introduced--**

**S.F. No. 320:** A bill for an act relating to natural resources; appropriating money for a state trail segment in Olmsted County.

Referred to the Committee on Finance.

**Senator Kierlin introduced--**

**S.F. No. 321:** A bill for an act relating to capital improvements; authorizing state bonds and appropriating money to predesign facilities for the Great River Shakespeare Festival in the city of Winona.

Referred to the Committee on Finance.

**Senators Scheid, Belanger, Lourey, Pogemiller and Ortman introduced--**

**S.F. No. 322:** A bill for an act relating to taxation; income; providing a subtraction for expenses related to organ donation; amending Minnesota Statutes 2004, sections 290.01, subdivision 19b; 290.091, subdivision 2.

Referred to the Committee on Taxes.

**Senators Neuville, Day, Vickerman, Robling and Higgins introduced--**

**S.F. No. 323:** A bill for an act relating to cities; authorizing certain cities an additional 30 days to approve or deny certain regulatory actions; amending Minnesota Statutes 2004, section 15.99.

Referred to the Committee on State and Local Government Operations.

**Senators Murphy, Moua, Pappas and Cohen introduced--**

**S.F. No. 324:** A bill for an act relating to forest protection; establishing a program of grants administered by the commissioner of agriculture to municipalities for monitoring, detection, and control or extermination of forest pests; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 18G.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Marty, Anderson, Scheid and Sparks introduced--**

**S.F. No. 325:** A bill for an act relating to occupational safety and health; permitting injured employees a civil remedy if an employer willfully or repeatedly violated safety laws; amending Minnesota Statutes 2004, section 182.666, subdivision 1.

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

**Senators Marty, Foley, Dille and Chaudhary introduced--**

**S.F. No. 326:** A bill for an act relating to public safety; requiring commissioner of public safety to adopt rules for fire-resistant standards for cigarettes and authorizing expedited process to adopt those rules; proposing coding for new law in Minnesota Statutes, chapter 299F.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Marty, Betzold and Skoglund introduced--**

**S.F. No. 327:** A bill for an act relating to human rights; creating a tolling provision for the 12-month determination requirement; allowing the Department of Human Rights to seek sanctions; repealing the 180-day hearing provision; amending Minnesota Statutes 2004, sections 363A.28, subdivision 6; 363A.35, subdivision 3; repealing Minnesota Statutes 2004, section 363A.29, subdivision 2.

Referred to the Committee on Judiciary.

**Senators Neuville, Sams, Limmer, Frederickson and McGinn introduced--**

**S.F. No. 328:** A bill for an act relating to health; requiring reporting on notification that is required before an abortion is performed on a minor or certain other women; providing civil penalties; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Family Security.

**Senators Neuville, Stumpf, Reiter, Nienow and Vickerman introduced--**

**S.F. No. 329:** A bill for an act proposing an amendment to the Minnesota Constitution, by adding a section to article XIII; establishing the same standard for the Minnesota Constitution and the United States Constitution for issues relating to abortion.

Referred to the Committee on Health and Family Security.

**Senators Wergin, Vickerman, Bachmann, LeClair and Koering introduced--**

**S.F. No. 330:** A bill for an act relating to health; limiting use of family planning grant funds; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

**Senators Fischbach, Vickerman, Hann, Sams and Ruud introduced--**

**S.F. No. 331:** A bill for an act relating to health; providing for unborn child pain prevention; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

**Senators Sparks, Langseth, Frederickson and Senjem introduced--**

**S.F. No. 332:** A bill for an act relating to capital improvements; appropriating money for library accessibility and improvement grants; authorizing the sale of state bonds; amending Minnesota Statutes 2004, section 134.45.

Referred to the Committee on Finance.

**Senator Fischbach introduced--**

**S.F. No. 333:** A bill for an act relating to agriculture; exempting certain farm labor housing from regulation as manufactured home park; amending Minnesota Statutes 2004, section 327.23, subdivision 2.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senator LeClair introduced--**

**S.F. No. 334:** A bill for an act relating to crime prevention; public safety; adjusting eligibility for soft body armor reimbursement; amending Minnesota Statutes 2004, section 299A.38, subdivision 3.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Metzen and Marko introduced--**

**S.F. No. 335:** A bill for an act relating to capital investment; appropriating money for South St. Paul landfill reclamation and conversion to parkland; authorizing the issuance of state general obligation bonds.

Referred to the Committee on Finance.

**Senators Kelley, Foley, Skoglund, Scheid and Limmer introduced--**

**S.F. No. 336:** A bill for an act relating to crimes; prohibiting using a false pretense in an e-mail to obtain the identity of another; imposing penalties; amending Minnesota Statutes 2004, section 609.527, subdivisions 1, 6, by adding a subdivision.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Senjem and Kiscaden introduced--**

**S.F. No. 337:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Rochester Bioscience Core Area.

Referred to the Committee on Finance.

**ADJOURNMENT**

Senator Rest moved that the Senate do now adjourn until 9:00 a.m., Wednesday, January 19, 2005. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



# INDEX TO DAILY JOURNAL

Thursday, January 13, 2005

## REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
218 .....	71	72			

## MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
2 .....	72		
3 .....	72		
6 .....	72		
58 .....	72		
62 .....	72		
75 .....	72		
111 .....	73		
165 .....	73		
171 .....	73		
190 .....	73		
200 .....	73		
201 .....	73		
203 .....	73		
207 .....	73		
Sen. Res. No . 15 .....	73		

## INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F. Nos. 219 to 337 ..... Pages 74 to 90

