

TWELFTH DAY

St. Paul, Minnesota, Thursday, February 3, 2005

The Senate met at 9:00 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. Craig Richter.

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

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

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 Kiscaden and Limmer were excused from the Session of today.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 57:

H.F. No. 57: A bill for an act relating to state government; providing deficiency funding for certain state agencies; appropriating money.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Knoblach, Smith and Solberg have been appointed as such committee on the part of the House.

House File No. 57 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted January 31, 2005

Senator Cohen moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 57, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

REPORTS OF COMMITTEES

Senator Johnson, D.E. moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to the appointment. The motion prevailed.

Senator Wiger from the Committee on Elections, to which was referred

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.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 208.03, is amended to read:

208.03 [NOMINATION OF PRESIDENTIAL ELECTORS.]

Presidential electors for the major political parties of this state shall be nominated by delegate conventions called and held under the supervision of the respective state central committees of the parties of this state. On or before primary election day the chair of the major political party shall certify to the secretary of state the names of the persons nominated as presidential electors, the names of eight alternate presidential electors, and the names of the party candidates for president and vice-president.

Sec. 2. Minnesota Statutes 2004, section 208.04, subdivision 1, is amended to read:

Subdivision 1. [FORM OF PRESIDENTIAL BALLOTS.] When presidential electors and alternates are to be voted for, a vote cast for the party candidates for president and vice-president shall be deemed a vote for that party's electors and alternates as filed with the secretary of state. The secretary of state shall certify the names of all duly nominated presidential and vice-presidential candidates to the county auditors of the counties of the state. Each county auditor, subject to the rules of the secretary of state, shall cause the names of the candidates of each major political party and the candidates nominated by petition to be printed in capital letters, set in type of the same size and style as for candidates on the state white ballot, before the party designation. To the left of, and on the same line with the names of the candidates for president and vice-president, near the margin, shall be placed a square or box, in which the voters may indicate their choice by marking an "X."

The form for the presidential ballot and the relative position of the several candidates shall be determined by the rules applicable to other state officers. The state ballot, with the required heading, shall be printed on the same piece of paper and shall be below the presidential ballot with a blank space between one inch in width.

Sec. 3. Minnesota Statutes 2004, section 208.05, is amended to read:

208.05 [STATE CANVASSING BOARD.]

The State Canvassing Board at its meeting on the second Tuesday after each state general election shall open and canvass the returns made to the secretary of state for presidential electors and alternates, prepare a statement of the number of votes cast for the persons receiving votes for these offices, and declare the person or persons receiving the highest number of votes for each office duly elected. When it appears that more than the number of persons to be elected as presidential electors or alternates have the highest and an equal number of votes, the secretary of state, in the presence of the board shall decide by lot which of the persons shall be declared elected. The governor shall transmit to each person declared elected a certificate of election, signed by the governor, sealed with the state seal, and countersigned by the secretary of state.

Sec. 4. Minnesota Statutes 2004, section 208.06, is amended to read:

208.06 [ELECTORS TO MEET AT CAPITOL; FILLING OF VACANCIES.]

The presidential electors and alternate presidential electors, before 12:00 M. on the day before that fixed by Congress for the electors to vote for president and vice-president of the United States, shall notify the governor that they are at the State Capitol and ready at the proper time to fulfill their duties as electors. The governor shall deliver to the electors present a certificate of the names of all the electors. If any elector named therein fails to appear before 9:00 a.m. on the day, and at the place, fixed for voting for president and vice-president of the United States, an alternate, chosen from among the alternates by lot, shall be appointed to act for that elector. If more than eight alternates are necessary, the electors present shall, in the presence of the governor, immediately elect by ballot a person to fill the vacancy. If more than the number of persons required have the highest and an equal number of votes, the governor, in the presence of the electors attending, shall decide by lot which of those persons shall be elected.

Sec. 5. Minnesota Statutes 2004, section 208.07, is amended to read:

208.07 [CERTIFICATE OF ELECTORS.]

Immediately after the vacancies have been filled, the original electors and alternates present shall certify to the governor the names of the persons elected to complete their number, and the governor shall at once cause written notice to be given to each person elected to fill a vacancy. The persons so chosen shall be presidential electors and shall meet and act with the other electors.

Sec. 6. Minnesota Statutes 2004, section 208.08, is amended to read:

208.08 [ELECTORS TO MEET AT STATE CAPITOL.]

The original, alternate, and substituted presidential electors, at 12:00 M., shall meet in the executive chamber at the State Capitol and shall perform all the duties imposed upon them as electors by the Constitution and laws of the United States and this state.

Each elector, as a condition of having been chosen under the name of the party of a presidential and a vice-presidential candidate, is obligated to vote for those candidates. The elector shall speak aloud or affirm in a nonverbal manner the name of the candidate for president and for vice-president for whom the elector is voting and then confirm that vote by written public ballot.

If an elector fails to cast a ballot for the presidential or vice-presidential candidate of the party under whose name the elector was chosen, the elector's vote or abstention is invalidated and an alternate presidential elector, chosen by lot from among the alternates, shall cast a ballot in the name of the elector for the presidential and vice-presidential candidate of the party under whose name the elector was chosen. The invalidation of an elector's vote or abstention on the ballot for president or vice-president does not apply if the presidential candidate under whose party's name the elector was chosen has without condition released the elector or has died or become mentally disabled. The invalidation of an elector's vote or abstention on the ballot for vice-president does not apply if the vice-presidential candidate under whose party's name the elector was chosen has released without condition the elector or has died or become mentally disabled."

Delete the title and insert:

"A bill for an act relating to presidential electors; providing for alternates and providing certain voting procedures; amending Minnesota Statutes 2004, sections 208.03; 208.04, subdivision 1; 208.05; 208.06; 208.07; 208.08."

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

Senator Wiger from the Committee on Elections, to which was referred

S.F. No. 359: A bill for an act relating to elections; allowing campaign workers access to multiple unit dwellings unaccompanied by a candidate; amending Minnesota Statutes 2004, section 211B.20, subdivision 1.

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

Page 1, line 18, after "campaigning" insert "for a candidate or ballot question, registering voters, or getting out the vote"

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

Senator Wiger from the Committee on Elections, to which was referred

S.F. No. 385: A bill for an act relating to elections; making it easier to vote by absentee ballot; amending Minnesota Statutes 2004, sections 203B.02, subdivision 1; 203B.04, subdivision 1; 203B.06, subdivision 3; 203B.11, subdivision 4.

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

Page 1, line 10, strike "who reasonably expects"

Page 1, strike line 11

Page 1, line 12, strike "precinct where the individual maintains residence"

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

Senator Wiger from the Committee on Elections, to which was referred

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.

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

Page 1, line 10, before "The" insert "Subdivision 1. [CONTRACT REQUIRED.]"

Page 1, line 13, after the period, insert "The contract must give the state a perpetual license to use and modify the software. The contract must include provisions for escrow of the software source code, as provided in subdivision 2."

Page 1, after line 19, insert:

"Subd. 2. [ESCROW OF SOURCE CODE.] The contract must require the voting system vendor to provide a copy of the source code for the voting system to an independent third-party evaluator selected by the vendor, the secretary of state, and the chairs of the major political parties. The evaluator must examine the source code and certify to the secretary of state that the voting system will record and count votes as represented by the vendor. Source code that is trade secret information must be treated as nonpublic information, in accordance with section 13.37. Each major political party may designate an agent to examine the source code to verify that the voting

system will record and count votes as represented by the vendor; the agent must not disclose the source code to anyone else."

Page 2, line 14, after "votes" insert "electronically"

Page 2, line 20, after "it" insert ":

(1) has a firmware option that supports cumulative voting and ranked order voting; and
(2)"

Page 3, line 1, before the period, insert ", plus \$4,400 to purchase an electronic voting system to be used by the county auditor for absentee and mail balloting"

Page 3, lines 13 and 14, delete "polling places" and insert "precincts"

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

Senator Murphy from the Committee on Transportation, to which was referred

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.

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

Page 1, line 20, after the period, insert "A person engaged in the transportation of household goods for a charitable organization may conduct the transportation without restriction to the geographic area the carrier is authorized to serve under section 221.121."

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

Senator Murphy from the Committee on Transportation, to which was referred

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

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

Senator Murphy from the Committee on Transportation, to which was referred

S.F. No. 365: A bill for an act relating to transportation; requiring the commissioner of transportation to contract with KBEM radio station to provide traffic reports.

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

Senator Murphy from the Committee on Transportation, to which was referred

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.

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

Senator Murphy from the Committee on Transportation, to which was referred

S.F. No. 114: A bill for an act relating to highways; designating Purple Heart Memorial Highway; amending Minnesota Statutes 2004, section 161.14, by adding a subdivision.

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

Senator Murphy from the Committee on Transportation, to which was referred

S.F. No. 135: A bill for an act relating to motor vehicles; directing commissioner of public safety to issue special motorcycle license plate for Persian Gulf War veterans; making technical and clarifying changes; amending Minnesota Statutes 2004, section 168.123, subdivision 1.

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

Senator Murphy from the Committee on Transportation, to which was referred

S.F. No. 191: A bill for an act relating to motor vehicles; requiring trailers with lifetime registration to display license plate and sticker; removing obsolete language; amending Minnesota Statutes 2004, sections 168.013, subdivision 1d; 169.79, subdivisions 3, 3a.

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

Senator Murphy from the Committee on Transportation, to which was referred

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.

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

Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred

S.F. No. 406: A bill for an act relating to the state lottery; establishing a lottery board; amending Minnesota Statutes 2004, sections 349A.01, by adding a subdivision; 349A.08, subdivision 7; 349A.11; 349A.14; proposing coding for new law in Minnesota Statutes, chapter 349A.

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

Page 2, line 13, after "security" insert a comma

Page 2, line 14, delete "or" and after "security" insert ", or"

Page 2, line 16, delete everything after "(d)" and insert "The operating expenses of the board relating to its responsibilities under subdivision 5 shall be paid by the lottery from the lottery operations account and must be publicly reported by the board."

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

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

S.F. No. 482: A bill for an act relating to governmental operations; providing for local planning assistance by certain regional organizations; appropriating money; amending Minnesota Statutes 2004, section 462.39, by adding a subdivision.

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

Senator Higgins from the Committee on State and Local Government Operations, to which was re-referred

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.

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

Senator Scheid from the Committee on Commerce, to which was referred

S.F. No. 204: A bill for an act relating to commerce; prohibiting mandatory disclosure of a person's Social Security number as a condition of receiving a service or product; providing exceptions; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Page 1, line 10, before "No" insert "(a)"

Page 1, line 13, delete everything after "in" and insert "activities financial in nature as described in United States Code, title 12, section 1843, paragraph (k), clause (4),"

Page 1, line 14, delete "or" and before the period, insert ", or businesses otherwise involved in taking applications for or extending credit"

Page 1, after line 14, insert:

"(b) This section does not prevent the collection, use, or release of a Social Security number as required by state or federal law."

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

Senator Wiger from the Committee on Elections, to which was referred

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.

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

Senator Wiger from the Committee on Elections, to which was referred

S.F. No. 386: A bill for an act relating to elections; clarifying the voting rights of persons under guardianship and persons with disabilities; permitting local governments to redraw election districts before the legislature has been redistricted; requiring new election for all members of a city council or county board following redistricting; permitting appointment of election judges not affiliated with a major political party; increasing news media access to polling places; eliminating a requirement concerning major political party primary results; authorizing alternative methods of voting in city elections; permitting instant runoff voting; requiring a report; increasing disclosure of contributions and expenditures for local political campaigns; amending Minnesota Statutes 2004, sections 201.014, subdivision 2; 201.071, subdivision 1; 201.15; 204B.10, subdivision 6; 204B.135, subdivision 1; 204B.14, subdivisions 1a, 3; 204B.21, subdivision 2; 204C.06, subdivision 8; 204C.08, subdivision 1a; 204C.10; 204D.10, subdivision 1; 205.84, subdivision 2; 211A.02, subdivisions 1, 2; 375.025, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 205; repealing Minnesota Statutes 2004, section 204D.10, subdivision 2.

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

Page 2, after line 1, insert:

"Sec. 2. Minnesota Statutes 2004, section 201.061, subdivision 3, is amended to read:

Subd. 3. [ELECTION DAY REGISTRATION.] An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of residence. An individual may prove residence for purposes of registering by:

(1) presenting a driver's license or Minnesota identification card issued pursuant to section 171.07;

(2) presenting any document approved by the secretary of state as proper identification;

(3) presenting one of the following:

(i) a current valid student identification card from a postsecondary educational institution in Minnesota, if a list of students from that institution has been prepared under section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or

(ii) a current student fee statement that contains the student's valid address in the precinct together with a picture identification card; or

(4) having a voter who is registered to vote in the precinct sign an oath in the presence of the election judge vouching that the voter personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day.

For tribal band members ~~living on an Indian reservation~~, an individual may prove residence for purposes of registering by presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, street address, signature, and picture of the individual. The county auditor of each county having territory within the reservation shall maintain a record of the number of election day registrations accepted under this section.

A county, school district, or municipality may require that an election judge responsible for election day registration initial each completed registration application."

Page 5, line 20, strike "25 weeks before the state primary election" and insert "January 31"

Page 6, lines 30 and 31, reinstate the stricken language

Pages 6 and 7, delete section 9

Page 10, delete section 14

Page 12, after line 7, insert:

"Sec. 17. Minnesota Statutes 2004, section 524.5-310, is amended to read:

524.5-310 [FINDINGS; ORDER OF APPOINTMENT.]

(a) The court may appoint a limited or unlimited guardian for a respondent only if it finds by clear and convincing evidence that:

(1) the respondent is an incapacitated person; and

(2) the respondent's identified needs cannot be met by less restrictive means, including use of appropriate technological assistance.

(b) Alternatively, the court, with appropriate findings, may treat the petition as one for a protective order under section 524.5-401, enter any other appropriate order, or dismiss the proceeding.

(c) The court shall grant to a guardian only those powers necessitated by the ward's limitations and demonstrated needs and, whenever feasible, make appointive and other orders that will encourage the development of the ward's maximum self-reliance and independence. Any power not specifically granted to the guardian, following a written finding by the court of a demonstrated need for that power, is retained by the ward.

(d) Within 14 days after an appointment, a guardian shall send or deliver to the ward, and counsel if represented at the hearing, a copy of the order of appointment accompanied by a notice which advises the ward of the right to appeal the guardianship appointment in the time and manner provided by the Rules of Appellate Procedure.

(e) Each year, within 30 days after the anniversary date of an appointment, a guardian shall send or deliver to the ward a notice of the right to request termination or modification of the guardianship and notice of the status of the ward's right to vote."

Page 12, line 12, delete "5 to 7, 13, and 15 to 17" and insert "6 to 8, 13, and 14 to 16"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 10

Page 1, line 12, delete everything after the semicolon

Page 1, delete line 13

Page 1, line 14, delete everything before "increasing"

Page 1, line 17, after "2;" insert "201.061, subdivision 3;"

Page 1, line 20, delete "204C.06, subdivision 8;"

Page 1, lines 23 and 24, delete "proposing coding for new law in Minnesota Statutes, chapter 205" and insert "524.5-310"

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

Senator Wiger from the Committee on Elections, to which was referred

S.F. No. 642: A bill for an act relating to elections; authorizing alternative methods of voting in city elections; permitting instant runoff voting; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 205.

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

Page 1, line 14, delete "house Committee"

Page 1, delete line 15

Page 1, line 16, delete "senate Committee on Elections" and insert "senate and house committees with jurisdiction over election laws"

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

Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred the following appointment:

STATE LOTTERY
DIRECTOR
Clint Harris

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

Senator Johnson, D.E. moved that the foregoing committee report be laid on the table. The motion prevailed.

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

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.

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

Page 2, line 18, after "date" insert ":

(1)"

Page 2, line 21, before the period, insert " or

(2) federal approval has not been granted for the use of E20 as gasoline"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 289, 359, 385, 75, 234, 225, 291, 386, 642 and 4 were read the second time.

MOTIONS AND RESOLUTIONS

Senator LeClair moved that the names of Senators McGinn and Reiter be added as co-authors to S.F. No. 334. The motion prevailed.

Senator Vickerman moved that the name of Senator Murphy be added as a co-author to S.F. No. 377. The motion prevailed.

Senator Murphy moved that the name of Senator Dibble be added as a co-author to S.F. No. 555. The motion prevailed.

Senator Pariseau moved that her name be stricken as a co-author to S.F. No. 569. The motion prevailed.

Senator Pogemiller moved that the name of Senator Higgins be added as a co-author to S.F. No. 597. The motion prevailed.

Senator McGinn moved that the name of Senator Reiter be added as a co-author to S.F. No. 622. The motion prevailed.

Senator Marty moved that the name of Senator Pappas be added as a co-author to S.F. No. 642. The motion prevailed.

Senators Jungbauer and Wergin introduced--

Senate Resolution No. 33: A Senate resolution recognizing the Elk River Area School District for receiving the Tools For Schools Excellence Award.

Referred to the Committee on Rules and Administration.

Pursuant to Rule 26, Senator Johnson, D.E., Chair of the Committee on Rules and Administration, designated S.F. No. 3 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 3: A bill for an act relating to employment; increasing the minimum wage; amending Minnesota Statutes 2004, section 177.24, subdivision 1.

Senator Kleis moved to amend S.F. No. 3 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 177.24, subdivision 1, is amended to read:

Subdivision 1. [AMOUNT.] (a) For purposes of this subdivision, the terms defined in this paragraph have the meanings given them.

(1) "Large employer" means an enterprise whose annual gross volume of sales made or business done is not less than \$500,000 (exclusive of excise taxes at the retail level that are separately stated) and covered by the Minnesota Fair Labor Standards Act, sections 177.21 to 177.35.

(2) "Small employer" means an enterprise whose annual gross volume of sales made or business done is less than \$500,000 (exclusive of excise taxes at the retail level that are separately stated) and covered by the Minnesota Fair Labor Standards Act, sections 177.21 to 177.35.

(b) Except as otherwise provided in sections 177.21 to 177.35, every large employer must pay each employee wages at a rate of at least \$5.15 an hour beginning September 1, 1997, and at a rate equal to the federal minimum wage in effect at the time beginning July 1, 2005. Every small employer must pay each employee at a rate of at least \$4.90 an hour beginning January 1, 1998.

(c) Notwithstanding paragraph (b), during the first 90 consecutive days of employment, an employer may pay an employee under the age of 20 years a wage of \$4.25 an hour. No employer may take any action to displace any employee, including a partial displacement through a reduction in hours, wages, or employment benefits, in order to hire an employee at the wage authorized in this paragraph.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 2005."

Amend the title as follows:

Page 1, line 2, delete "increasing" and insert "setting"

CALL OF THE SENATE

Senator Hottinger imposed a call of the Senate for the balance of the proceedings on S.F. No. 3. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Ruud moved to amend S.F. No. 3 as follows:

Page 2, line 5, after "(c)" insert "Notwithstanding paragraph (b), every large employer must pay each tipped employee at a rate of at least \$5.15 an hour and every small employer must pay each tipped employee at the rate of at least \$4.90 an hour. If a tipped employee does not earn sufficient tips during the employer's pay period to equal the difference between the above stated hourly rate of pay and the current minimum wage for nontipped employees, then the employer must pay that tipped employee an additional amount equal to the difference, bringing that employee's compensation to the current minimum wage rate.

(d)"

Page 2, after line 11, insert:

"Sec. 2. [REPEALER.]

Minnesota Statutes 2004, section 177.24, subdivision 2, is repealed."

Page 2, line 13, delete "Section 1 is" and insert "Sections 1 and 2 are"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Pursuant to Rule 41, Senator Kierlin moved that he be excused from voting on the Ruud amendment to S.F. No. 3. The motion prevailed.

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

The roll was called, and there were yeas 29 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

S.F. No. 3 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 37 and nays 28, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

RECESS

Senator Johnson, D.E. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

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

APPOINTMENTS

Senator Johnson, D.E. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 57: Senators Cohen, Neuville and Ranum.

Senator Johnson, D.E. moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senators Bachmann and Day introduced--

Senate Resolution No. 34: A Senate resolution recognizing February 6, 2005, as Ronald Reagan's birthday in the State of Minnesota.

WHEREAS, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, union leader, corporate spokesman, Governor of California, and President of the United States; and

WHEREAS, Ronald Reagan served with honor and distinction for two terms as the 40th President of the United States of America; the second of which he earned the confidence of 3/5 of

the electorate and was victorious in 49 of the 50 states in the general election - a record unsurpassed in the history of American presidential elections; and

WHEREAS, in 1981, when Ronald Reagan was inaugurated President, he inherited a disillusioned nation shackled by rampant inflation and high unemployment; and

WHEREAS, during Mr. Reagan's presidency he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government which led to an unprecedented economic expansion and opportunity for millions of Americans; and

WHEREAS, Mr. Reagan's commitment to an active social policy agenda for the nation's children helped lower crime and drug use in our neighborhoods; and

WHEREAS, President Reagan's commitment to our armed forces contributed to the restoration of pride in America, her values, and those cherished by the free world, and prepared America's armed forces to meet 21st century challenges; and

WHEREAS, President Reagan's vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people; and

WHEREAS, February 6, 2005, will be the 94th anniversary of Ronald Reagan's birth, and the first since his passing; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it hereby recognizes February 6, 2005, as Ronald Reagan's birthday and urges all citizens of Minnesota to take cognizance of this event and participate fittingly in its observance.

Senator Cohen moved to amend Senate Resolution No. 34 as follows:

Page 1, line 13, after "states" insert "(with the exception of Minnesota)"

Page 1, line 23, before the semicolon, insert "not paralleled until the Clinton presidency"

Page 2, line 2, before the semicolon, insert "through the judicious use of budget cuts and tax increases"

Page 2, after line 10, insert:

"WHEREAS, the successes of the Ronald Reagan presidency stand as a lesson to the current administration in the areas of bipartisanship, economic recovery, and the need for world support in foreign initiatives; and"

The motion prevailed. So the amendment was adopted.

Senator Marty moved to amend Senate Resolution No. 34 as follows:

Page 1, delete lines 10 to 24

Page 2, delete lines 1 to 10

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 16 and nays 37, as follows:

Those who voted in the affirmative were:

Berglin
Betzold
Chaudhary
Cohen

Dibble
Foley
Higgins

Hottinger
Kubly
Marty

Pappas
Ranum
Saxhaug

Skoe
Skoglund
Tomassoni

Those who voted in the negative were:

Bachmann	Gerlach	Larson	Pariseau	Solon
Bakk	Hann	LeClair	Reiter	Sparks
Belanger	Johnson, D.E.	McGinn	Robling	Vickerman
Day	Johnson, D.J.	Metzen	Rosen	Wergin
Dille	Jungbauer	Michel	Ruud	Wiger
Fischbach	Kierlin	Nienow	Sams	
Frederickson	Kleis	Olson	Scheid	
Gaither	Koering	Ourada	Senjem	

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

Senator Bachmann moved the adoption of the foregoing resolution, as amended.

The question was taken on the adoption of the resolution, as amended.

The roll was called, and there were yeas 44 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Koering	Olson	Scheid
Bachmann	Gaither	Kubly	Ourada	Senjem
Bakk	Gerlach	Larson	Pariseau	Skoe
Belanger	Hann	LeClair	Reiter	Solon
Berglin	Johnson, D.E.	McGinn	Robling	Tomassoni
Cohen	Johnson, D.J.	Metzen	Rosen	Vickerman
Day	Jungbauer	Michel	Ruud	Wergin
Dille	Kierlin	Neuville	Sams	Wiger
Fischbach	Kleis	Nienow	Saxhaug	

Those who voted in the negative were:

Betzold	Dibble	Higgins	Marty	Skoglund
Chaudhary	Foley	Hottinger	Pappas	

The motion prevailed. So the resolution, as amended, was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Rest, Belanger, Murphy and Ortman introduced--

S.F. No. 645: A bill for an act relating to taxation; corporate franchise; adopting single sales apportionment; amending Minnesota Statutes 2004, sections 290.191, subdivisions 2, 3; repealing Minnesota Statutes 2004, section 290.191, subdivision 4.

Referred to the Committee on Taxes.

Senator Wiger introduced--

S.F. No. 646: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for Lower Afton Road Trail.

Referred to the Committee on Finance.

Senator Cohen introduced--

S.F. No. 647: A bill for an act relating to real property; providing for the allocation of the

common expenses of certain condominiums; amending Minnesota Statutes 2004, section 515A.2-108.

Referred to the Committee on Judiciary.

Senator Betzold, by request, introduced--

S.F. No. 648: A bill for an act relating to state government; providing for a school administrator to serve on the board of the teachers retirement association; amending Minnesota Statutes 2004, section 354.06, subdivision 1.

Referred to the Committee on State and Local Government Operations.

Senator Tomassoni introduced--

S.F. No. 649: A bill for an act relating to education; allowing administrative regions of the high school league to contract with private auditors; amending Minnesota Statutes 2004, section 128C.12, subdivision 1.

Referred to the Committee on Education.

Senator Ruud introduced--

S.F. No. 650: A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and public improvements of a capital nature with conditions; appropriating money for a secure forensic nursing facility; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

Senator Ruud introduced--

S.F. No. 651: A bill for an act relating to state government; requiring a certain percentage of money appropriated for public broadcasting grants to be used for promotion of tourism; amending Minnesota Statutes 2004, sections 129D.13, subdivision 1; 129D.14, subdivision 5.

Referred to the Committee on State and Local Government Operations.

Senators Jungbauer, Bachmann and Murphy introduced--

S.F. No. 652: A bill for an act relating to airports; establishing requirements for Metropolitan Airports Commission meetings concerning reliever airports; amending Minnesota Statutes 2004, section 473.608, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Johnson, D.J.; Betzold and Foley introduced--

S.F. No. 653: A bill for an act relating to public finance; extending the sunset on establishing housing improvement areas; requiring reports; amending Minnesota Statutes 2004, section 428A.21; proposing coding for new law in Minnesota Statutes, chapter 428A.

Referred to the Committee on State and Local Government Operations.

Senators Stumpf and Skoe introduced--

S.F. No. 654: A bill for an act relating to higher education; appropriating money to the University of Minnesota for turf grass research.

Referred to the Committee on Finance.

Senators Pariseau, Saxhaug, Nienow, Chaudhary and Ruud introduced--

S.F. No. 655: A bill for an act relating to natural resources; making fishing licenses issued to nonresidents who are domiciled in certain states invalid for game fish species during the first 14 days of the fishing season; prohibiting purchase of certain fishing licenses by nonresidents from certain states; requiring a boat access fee for residents of certain states; amending Minnesota Statutes 2004, sections 97A.411, subdivision 1; 97A.475, subdivision 7, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senators Dibble, Higgins, Kelley, Michel and Pogemiller introduced--

S.F. No. 656: A bill for an act relating to capital investment; appropriating money for completion of Cedar Lake Trail; authorizing the issuance of state general obligation bonds.

Referred to the Committee on Finance.

Senators Betzold and Neuville introduced--

S.F. No. 657: A bill for an act relating to civil commitment; providing additional time for hearings on commitment of sexual psychopathic personalities and sexually dangerous persons; amending Minnesota Statutes 2004, section 253B.08, subdivision 1.

Referred to the Committee on Judiciary.

Senators Betzold, Vickerman, Metzen, Skoglund and Dille introduced--

S.F. No. 658: A bill for an act relating to military affairs; proposing an amendment to the Minnesota Constitution by adding a section to article XI; creating a military assistance trust fund; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 190.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Betzold, Vickerman, Metzen, Skoglund and Dille introduced--

S.F. No. 659: A bill for an act relating to military affairs; creating a military assistance trust fund and specifying uses of the fund; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 190.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Skoglund introduced--

S.F. No. 660: A bill for an act relating to public safety; expanding the definition of "designated offense" in the criminal code forfeiture law and addressing seizures and forfeitures of computers and related property; amending Minnesota Statutes 2004, sections 609.531, subdivision 1; 609.5312, by adding a subdivision.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Skoglund introduced--

S.F. No. 661: A bill for an act relating to crimes; providing that returning to the property of another within one year after being warned to leave the property is a misdemeanor; providing penalties; amending Minnesota Statutes 2004, section 609.605, subdivisions 1, 4.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Kubly, Sams, Koering, Frederickson and Johnson, D.E. introduced--

S.F. No. 662: A bill for an act relating to agriculture; appropriating money for certain alternative livestock production programs.

Referred to the Committee on Finance.

Senators Kubly, Frederickson, Langseth, Senjem and Johnson, D.E. introduced--

S.F. No. 663: A bill for an act relating to local government; adding an exception to the ban on public officers having an interest in a contract; amending Minnesota Statutes 2004, section 471.88, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

Senators Pappas, Scheid and Kleis introduced--

S.F. No. 664: A bill for an act relating to alcoholic beverages; allowing a brewer who manufactures beer on the premises where the brewer also holds an on-sale intoxicating liquor license to use wort produced outside Minnesota under certain circumstances; amending Minnesota Statutes 2004, section 340A.301, subdivision 6.

Referred to the Committee on Commerce.

Senators Johnson, D.E.; Kubly, Fischbach and Sams introduced--

S.F. No. 665: A bill for an act relating to game and fish; appropriating money to promote fishing.

Referred to the Committee on Finance.

Senator Johnson, D.E. introduced--

S.F. No. 666: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for a regional trail in Pope County.

Referred to the Committee on Finance.

Senators Koering, Sams, Day, LeClair and Saxhaug introduced--

S.F. No. 667: A bill for an act relating to natural resources; modifying requirements for in lieu of tax payments on wildlife lands; appropriating money; amending Minnesota Statutes 2004, section 97A.061, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senators Michel, Kiscaden, LeClair and Fischbach introduced--

S.F. No. 668: A bill for an act relating to civil actions; regulating health care provider actions; limiting certain damages; proposing coding for new law in Minnesota Statutes, chapter 604.

Referred to the Committee on Judiciary.

Senators Michel, Kiscaden, LeClair and Fischbach introduced--

S.F. No. 669: A bill for an act relating to civil actions; regulating emergency health care and

OB/GYN actions; limiting certain damages; proposing coding for new law in Minnesota Statutes, chapter 604.

Referred to the Committee on Judiciary.

Senator Murphy introduced--

S.F. No. 670: A bill for an act relating to traffic regulations; prohibiting local ordinances governing parking or standing of motor vehicles from discriminating among motor vehicles with a gross vehicle weight of 15,000 pounds or less; amending Minnesota Statutes 2004, section 169.04.

Referred to the Committee on Transportation.

Senators Bakk, Solon and Belanger introduced--

S.F. No. 671: A bill for an act relating to sales tax; providing a construction exemption for the St. Mary's Duluth Clinic Health System; amending Minnesota Statutes 2004, section 297A.71, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Metzen, Foley, McGinn, Betzold and Ruud introduced--

S.F. No. 672: A bill for an act relating to crimes; prohibiting using audiovisual recording devices in motion picture theaters; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Hottinger, Kierlin, Scheid and Pappas introduced--

S.F. No. 673: A bill for an act relating to education; restoring funding for early childhood education programs; appropriating money; amending Minnesota Statutes 2004, sections 124D.135, subdivision 1; 124D.20, subdivision 3.

Referred to the Committee on Finance.

Senators Kubly, Murphy and Ourada introduced--

S.F. No. 674: A bill for an act relating to motor fuels; indexing tax rate for gasoline and special fuels; amending Minnesota Statutes 2004, sections 296A.07, by adding a subdivision; 296A.08, by adding a subdivision.

Referred to the Committee on Transportation.

Senator Murphy introduced--

S.F. No. 675: A bill for an act relating to taxation; exempting admissions to events sponsored by the state high school league from the sales tax; amending Minnesota Statutes 2004, section 297A.70, subdivision 11.

Referred to the Committee on Taxes.

Senators Skoglund, Sams and Murphy introduced--

S.F. No. 676: A bill for an act relating to criminal justice; establishing a crime for interfering with ambulance service personnel who are providing emergency care; amending Minnesota Statutes 2004, section 609.50, subdivision 1.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Kubly, Kierlin, Jungbauer, Saxhaug and Pappas introduced--

S.F. No. 677: A bill for an act relating to economic development; providing for the reopening of certain historical sites; appropriating money.

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

Senator Sparks introduced--

S.F. No. 678: A bill for an act relating to natural resources; appropriating money for improvements to the Shellrock River watershed; authorizing the sale of state bonds.

Referred to the Committee on Finance.

Senator Sparks introduced--

S.F. No. 679: 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 Kelley, Metzen, Belanger, Tomassoni and Limmer introduced--

S.F. No. 680: A bill for an act relating to real estate documents; providing for continuation, extension, validation, and Web posting of an electronic filing and posting pilot project for certain real estate documents; proposing coding for new law in Minnesota Statutes, chapter 507.

Referred to the Committee on Judiciary.

Senator Wiger introduced--

S.F. No. 681: A bill for an act relating to military affairs; creating a fund for the purpose of reimbursing members of the National Guard or other reserve component of the armed forces for certain premiums paid for life insurance; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 192.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Wiger introduced--

S.F. No. 682: A bill for an act relating to traffic regulations; establishing pilot project to study and determine effect of speed-detection devices on drivers in school zones.

Referred to the Committee on Transportation.

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

S.F. No. 683: A bill for an act relating to housing; the Housing Finance Agency; appropriating money to the family homeless prevention and assistance program.

Referred to the Committee on Finance.

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

S.F. No. 684: A bill for an act relating to families; appropriating money for emergency assistance and transitional housing.

Referred to the Committee on Finance.

Senator Johnson, D.E. introduced--

S.F. No. 685: A bill for an act relating to highways; amending description of Legislative Route No. 143; amending Minnesota Statutes 2004, section 161.115, subdivision 74.

Referred to the Committee on Transportation.

Senator Betzold introduced--

S.F. No. 686: A bill for an act relating to waters; providing for administrative penalty orders; providing civil penalties; requiring an implementation plan; providing a rulemaking exemption; proposing coding for new law in Minnesota Statutes, chapter 103G.

Referred to the Committee on Environment and Natural Resources.

Senators Higgins, Kiscaden, Fischbach and Kelley introduced--

S.F. No. 687: A bill for an act relating to health; modifying the hospice care bill of rights; requiring hospice providers to complete a specified survey; modifying death report requirements for recipients of hospice care; amending Minnesota Statutes 2004, sections 144A.751, subdivision 1; 144A.755; 383B.225, subdivision 5.

Referred to the Committee on Health and Family Security.

Senators Kelley, Ourada, Anderson, Gaither and Sparks introduced--

S.F. No. 688: A bill for an act relating to telecommunications; changing requirements for granting additional cable franchises; amending Minnesota Statutes 2004, section 238.08, subdivision 1, by adding a subdivision.

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

Senators Anderson, Robling, Gaither, Skoglund and Chaudhary introduced--

S.F. No. 689: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for metropolitan regional park acquisition and betterment.

Referred to the Committee on Finance.

Senators Johnson, D.E. and Stumpf introduced--

S.F. No. 690: A bill for an act relating to education finance; creating capital levy authority for Independent School District No. 345, New London-Spicer.

Referred to the Committee on Finance.

Senators Sams, Dille and Kubly introduced--

S.F. No. 691: A bill for an act relating to agriculture; providing funding for mental health counseling for farm families; appropriating money.

Referred to the Committee on Finance.

Senator Ourada introduced--

S.F. No. 692: A bill for an act relating to Wright County; deleting land from Wild, Scenic, and Recreational River District.

Referred to the Committee on Environment and Natural Resources.

Senator Skoe introduced--

S.F. No. 693: A bill for an act relating to the city of Park Rapids; authorizing the city to impose a sales and use tax.

Referred to the Committee on Taxes.

Senator Skoe introduced--

S.F. No. 694: A bill for an act relating to natural resources; providing for the management of Upper Rice and Minerva Lakes in Clearwater County.

Referred to the Committee on Environment and Natural Resources.

Senators Koering, Lourey, Higgins, Rosen and Berglin introduced--

S.F. No. 695: A bill for an act relating to MinnesotaCare; modifying the definition of gross income; amending Minnesota Statutes 2004, section 256L.01, subdivision 4.

Referred to the Committee on Health and Family Security.

Senators Dille and Neuville introduced--

S.F. No. 696: A bill for an act relating to education; authorizing a levy for Independent School District No. 2859, Glencoe-Silver Lake.

Referred to the Committee on Finance.

Senator Dille introduced--

S.F. No. 697: A bill for an act relating to performance bonds; removing a requirement of obtaining a performance bond when the contract is between public bodies; amending Minnesota Statutes 2004, section 574.26, subdivision 1a.

Referred to the Committee on Transportation.

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

S.F. No. 698: A bill for an act relating to transportation; appropriating money for airport projects in Willmar and St. Cloud.

Referred to the Committee on Transportation.

Senator Betzold introduced--

S.F. No. 699: A bill for an act relating to the city of Mounds View; changing certain requirements relating to a tax increment financing district.

Referred to the Committee on Taxes.

Senators Bachmann and Johnson, D. J. introduced--

S.F. No. 700: A bill for an act relating to taxation; income; amending the education credit; amending Minnesota Statutes 2004, section 290.0674, subdivision 2.

Referred to the Committee on Taxes.

Senator Kleis introduced--

S.F. No. 701: A bill for an act relating to capital investment; modifying the grant recipient of an appropriation for St. Cloud Paramount Theater to provide for the city to own the facility; amending Laws 1998, chapter 404, section 23, subdivision 17, as amended.

Referred to the Committee on Finance.

Senators Ruud, Pariseau and Skoe introduced--

S.F. No. 702: A bill for an act relating to education finance; expanding health and safety revenue to cover the costs of replacing certain school buses; amending Minnesota Statutes 2004, section 123B.57, subdivisions 1, 2.

Referred to the Committee on Finance.

Senators Ruud and Pariseau introduced--

S.F. No. 703: A bill for an act relating to natural resources; increasing fees for cross-country ski passes; amending Minnesota Statutes 2004, section 85.42.

Referred to the Committee on Environment and Natural Resources.

Senators Ruud and Skoe introduced--

S.F. No. 704: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for a hockey arena for Bemidji State University.

Referred to the Committee on Finance.

Senators Ruud and Skoe introduced--

S.F. No. 705: A bill for an act relating to capital investment; appropriating money for Bemidji State University property acquisition; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

Senator Ruud introduced--

S.F. No. 706: A bill for an act relating to natural resources; modifying terms for local recreation grants; amending Minnesota Statutes 2004, section 85.019, subdivision 1.

Referred to the Committee on Finance.

Senators Hottinger, Kleis, Kierlin, Tomassoni and Solon introduced--

S.F. No. 707: A bill for an act relating to higher education; appropriating money to the board of trustees to freeze tuition for the biennium.

Referred to the Committee on Finance.

Senators Johnson, D.J. and Robling introduced--

S.F. No. 708: A bill for an act relating to state government; classifying certain investment-related data of the State Board of Investment; amending Minnesota Statutes 2004, sections 11A.24, subdivision 6; 13.635, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

Senators Bakk, Sams and Skoe introduced--

S.F. No. 709: A bill for an act relating to natural resources; modifying acquisition and use provisions for scientific and natural areas; amending Minnesota Statutes 2004, sections 84.033, by adding a subdivision; 97A.093; repealing Minnesota Statutes 2004, section 84.033, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

Senators Bakk and Sams introduced--

S.F. No. 710: A bill for an act relating to natural resources; establishing a surcharge on tree seedlings; appropriating money; amending Minnesota Statutes 2004, section 89.37, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senators Tomassoni, Kelley, Michel, Gaither and Scheid introduced--

S.F. No. 711: A bill for an act relating to education; providing for health and physical education course requirements; amending Minnesota Statutes 2004, sections 120B.021, subdivision 1; 120B.024.

Referred to the Committee on Education.

Senator Stumpf introduced--

S.F. No. 712: A bill for an act relating to natural resources; providing for evaluation of construction aggregate located on school trust lands; appropriating money; amending Minnesota Statutes 2004, section 16A.125, subdivision 5, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senators Michel and Sams introduced--

S.F. No. 713: A bill for an act relating to ambulance service licensees; providing for liability limits of nongovernment licensees; proposing coding for new law in Minnesota Statutes, chapter 144E.

Referred to the Committee on Health and Family Security.

Senators Kelley, Higgins and Skoglund introduced--

S.F. No. 714: A bill for an act relating to education; appropriating money for the quantum opportunities program.

Referred to the Committee on Finance.

Senators Kleis, Wiger, Fischbach and Pariseau introduced--

S.F. No. 715: A bill for an act relating to elections; providing for equal treatment of voters; proposing coding for new law in Minnesota Statutes, chapter 204B.

Referred to the Committee on Elections.

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

S.F. No. 716: A bill for an act relating to elections; changing certain ballot certification provisions; amending Minnesota Statutes 2004, section 204B.10, subdivision 6.

Referred to the Committee on Elections.

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

S.F. No. 717: A bill for an act relating to elections; eliminating a requirement in party primary elections; amending Minnesota Statutes 2004, section 204D.10, subdivision 1; repealing Minnesota Statutes 2004, section 204D.10, subdivision 2.

Referred to the Committee on Elections.

Senators Sams and Larson introduced--

S.F. No. 718: A bill for an act relating to health; authorizing an additional hospital accrediting organization for presumptive licensure purposes; amending Minnesota Statutes 2004, sections 144.122; 144.55, subdivisions 2, 4, 5.

Referred to the Committee on Health and Family Security.

Senators Kiscaden, Murphy, Kubly, Senjem and Frederickson introduced--

S.F. No. 719: A bill for an act relating to taxation; providing a sales tax exemption for certain construction materials for certain resource recovery facilities; amending Minnesota Statutes 2004, section 297A.71, by adding a subdivision.

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

Senators Marty, Ruud, Frederickson and Chaudhary introduced--

S.F. No. 720: A bill for an act relating to natural resources; modifying restrictions on the operation of off-highway vehicles; extending the availability of the off-highway vehicle damage account; providing for seizure and forfeiture of certain off-highway vehicles; requiring certain off-highway vehicle violations to be added to the driving record of the violator; modifying civil penalties; clarifying the requirement for off-road vehicle registration; modifying off-road vehicle account receipts and disposition; requiring plates on all-terrain vehicles; providing for revocation of registration; providing criminal penalties; amending Minnesota Statutes 2004, sections 84.773, subdivision 1, by adding a subdivision; 84.775, subdivision 1; 84.780; 84.797, subdivisions 6, 12; 84.798, subdivision 1; 84.802; 84.803; 84.804, subdivisions 1, 2, 3; 84.922, subdivision 2; 84.928, subdivision 2; 97A.315, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 2004, sections 84.796; 84.805; 84.929; 296A.18, subdivision 6.

Referred to the Committee on Environment and Natural Resources.

Senators Sparks and Vickerman introduced--

S.F. No. 721: A bill for an act relating to local government; modifying municipal planning requirements for certain nonconformities; amending Minnesota Statutes 2004, section 462.357, subdivision 1e.

Referred to the Committee on State and Local Government Operations.

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

S.F. No. 722: A bill for an act relating to health occupations; authorizing a psychologist to release information to law enforcement without the consent of the client; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Family Security.

Senators Marty, Lourey, Foley and Berglin introduced--

S.F. No. 723: A bill for an act relating to health; providing for a universal health care system that provides affordable access to high quality medical care for all Minnesotans; requiring a focus on preventive care and early intervention; providing comprehensive benefits; reducing costs through prevention, efficiency, and elimination of bureaucracy; directing the commissioner of health to prepare a plan to be implemented by 2010; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Family Security.

Senators Johnson, D.E.; Solon; Lourey and Dille introduced--

S.F. No. 724: A bill for an act relating to human services; creating an exception to the intermediate care facility for persons with mental retardation and related conditions payment system; amending Minnesota Statutes 2004, section 256B.5012, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Dibble, Marty, Saxhaug and Bakk introduced--

S.F. No. 725: A bill for an act relating to natural resources; prohibiting the use of unsterilized ballast water; requiring a discharge permit; requiring rulemaking; amending Minnesota Statutes 2004, sections 84D.01, by adding subdivisions; 84D.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 84D.

Referred to the Committee on Environment and Natural Resources.

Senators LeClair, Wergin and Fischbach introduced--

S.F. No. 726: A bill for an act relating to human services; modifying parental contributions for the cost of services for children with mental retardation; amending Minnesota Statutes 2004, section 252.27, subdivision 2a.

Referred to the Committee on Health and Family Security.

Senators LeClair, Bachmann and Gerlach introduced--

S.F. No. 727: A bill for an act relating to elections; local government referenda on bonding and levy questions; requiring such questions to be placed before the voters only at the general election for the jurisdiction presenting the question; regulating certain information about such ballot questions; requiring certain reports to be filed in connection with spending on such questions; amending Minnesota Statutes 2004, sections 205.02, subdivision 2; 205.10, subdivision 1; 205A.05, subdivision 1; 211A.02, subdivision 2, by adding a subdivision; 297A.99, subdivision 3; 373.40, subdivision 2; 375.20; 458.40; 469.053, subdivision 5; 469.0724; 469.190, subdivision 5; 475.58, subdivisions 1, 1a, by adding a subdivision; 475.59; proposing coding for new law in Minnesota Statutes, chapter 211B.

Referred to the Committee on Elections.

Senators Kubly, Koering, Vickerman, Dille and Frederickson introduced--

S.F. No. 728: A bill for an act relating to taxation; income; providing for economic growth in rural counties of the state by allowing a credit against the income tax of an employer for the creation and retention of certain jobs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Senators Kubly and Frederickson introduced--

S.F. No. 729: A bill for an act relating to traffic regulations; authorizing issuance of annual permit for transportation of oversize load consisting of storage sheds; amending Minnesota Statutes 2004, sections 169.80, subdivision 2; 169.86, subdivision 5.

Referred to the Committee on Transportation.

Senators Kelley, Rest, Solon, Dibble and Marko introduced--

S.F. No. 730: A bill for an act relating to health; establishing state policy for stem cell research; providing criminal penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 137; 145.

Referred to the Committee on Health and Family Security.

Senators Gaither, Kelley and Wergin introduced--

S.F. No. 731: A bill for an act relating to education; providing for a unified, Internet-based, student information and reporting system; directing the commissioner of education to contract with a single contractor; appropriating money.

Referred to the Committee on Education.

Senators Betzold, Ortman and Limmer introduced--

S.F. No. 732: A bill for an act relating to civil actions; eliminating the prohibition on admissibility of certain evidence regarding seat belts and child passenger restraint systems in civil actions; repealing Minnesota Statutes 2004, section 169.685, subdivision 4.

Referred to the Committee on Judiciary.

Senators Wiger and Kleis introduced--

S.F. No. 733: A bill for an act relating to elections; changing certain campaign finance and public disclosure provisions; clarifying terminology; providing for electronic filing; reconciling certain prohibitions and civil penalties; equalizing certain contribution provisions; limiting certain assessments; repealing obsolete rules; amending Minnesota Statutes 2004, sections 10A.01, subdivision 5, by adding a subdivision; 10A.025, by adding a subdivision; 10A.071, subdivision 3; 10A.08; 10A.20, subdivision 5; 10A.27, subdivision 1; 10A.28, subdivision 2; 10A.31, subdivision 4; repealing Minnesota Rules, parts 4501.0300, subparts 1, 4; 4501.0500, subpart 4; 4501.0600; 4503.0200, subpart 4; 4503.0300, subpart 2; 4503.0400, subpart 2; 4503.0500, subpart 9; 4503.0800, subpart 1.

Referred to the Committee on Elections.

Senators Vickerman, Dille, Murphy, Kleis and Wergin introduced--

S.F. No. 734: A bill for an act relating to the military; providing for special "Support Our Troops" plates; establishing an account; providing funding for certain National Guard incentive programs; providing funding for a World War II veterans memorial and the maintenance and improvement of veterans homes; providing certain income tax benefits; appropriating money; amending Minnesota Statutes 2004, sections 290.01, subdivisions 7, 19, 19b; 290.06, subdivision 2c; proposing coding for new law in Minnesota Statutes, chapters 168; 190.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Ruud introduced--

S.F. No. 735: A bill for an act relating to highways; designating the "Bradley Waage Memorial Bridge"; amending Minnesota Statutes 2004, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Hann, LeClair, Michel, Nienow and Ortman introduced--

S.F. No. 736: A bill for an act relating to education; authorizing general education access grants for students; amending Minnesota Statutes 2004, section 126C.20; proposing coding for new law in Minnesota Statutes, chapter 124D.

Referred to the Committee on Education.

Senators Hann, Gaither and Belanger introduced--

S.F. No. 737: A bill for an act relating to education finance; increasing the basic formula allowance; amending Minnesota Statutes 2004, section 126C.10, subdivision 2.

Referred to the Committee on Finance.

Senators Hann, Michel, Gaither and Kelley introduced--

S.F. No. 738: A bill for an act relating to education finance; eliminating the referendum allowance limit; repealing Minnesota Statutes 2004, section 126C.17, subdivisions 2, 3.

Referred to the Committee on Finance.

Senators Michel, Hann and Gaither introduced--

S.F. No. 739: A bill for an act relating to education finance; eliminating the referendum allowance limit; repealing Minnesota Statutes 2004, section 126C.17, subdivisions 2, 3.

Referred to the Committee on Finance.

Senators Hann, Michel and Wergin introduced--

S.F. No. 740: A bill for an act relating to labor relations; revising procedures for bargaining between school boards and teachers; amending Minnesota Statutes 2004, sections 179A.16, subdivision 7, by adding a subdivision; 179A.17, subdivision 1; 179A.18, subdivision 2; repealing Minnesota Statutes 2004, section 123B.05.

Referred to the Committee on Education.

Senators Hann, Michel and Wergin introduced--

S.F. No. 741: A bill for an act relating to education; providing for a trial period of student transportation fees.

Referred to the Committee on Finance.

Senators Hann, Ortman, Michel and LeClair introduced--

S.F. No. 742: A bill for an act relating to education finance; requiring school districts to direct at least 65 percent of their operating revenue directly to regular instruction; amending Minnesota Statutes 2004, sections 123B.10, subdivision 1; 123B.77, subdivision 4.

Referred to the Committee on Finance.

Senators Hann, Olson, Michel, Gaither and Nienow introduced--

S.F. No. 743: A bill for an act relating to education; prohibiting negotiation of teacher contracts during the school year; repealing the January 15 penalty for failing to settle teacher contracts; proposing coding for new law in Minnesota Statutes, chapter 179A; repealing Minnesota Statutes 2004, section 123B.05.

Referred to the Committee on Education.

Senators Hann, LeClair, Michel, Gaither and Nienow introduced--

S.F. No. 744: A bill for an act relating to education; providing school boards an option when hiring superintendents; amending Minnesota Statutes 2004, section 123B.143, by adding a subdivision.

Referred to the Committee on Education.

Senator Hann introduced--

S.F. No. 745: A bill for an act relating to employment; prohibiting a dues check off for employee exclusive representatives and employee organizations; amending Minnesota Statutes 2004, sections 179A.06, subdivision 3; 179A.07, by adding a subdivision; repealing Minnesota Statutes 2004, section 179A.06, subdivision 6.

Referred to the Committee on State and Local Government Operations.

Senator Hann introduced--

S.F. No. 746: A bill for an act relating to education; eliminating staff development program and reserved revenue; repealing Minnesota Statutes 2004, sections 122A.60; 122A.61.

Referred to the Committee on Education.

Senator Bakk introduced--

S.F. No. 747: A bill for an act relating to taxation; authorizing the city of Beaver Bay to impose a sales and use tax; providing for use of the proceeds.

Referred to the Committee on Taxes.

Senators Bakk and Tomassoni introduced--

S.F. No. 748: A bill for an act relating to environment; limiting fees for certain septic system tank installations; amending Minnesota Statutes 2004, section 115.551.

Referred to the Committee on Finance.

Senator Bakk introduced--

S.F. No. 749: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Silver Bay Veterans Home.

Referred to the Committee on Finance.

Senator Bakk introduced--

S.F. No. 750: A bill for an act relating to capital improvements; appropriating money for Lake Superior safe harbors; authorizing sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Betzold, Rest and Neuville introduced--

S.F. No. 751: A bill for an act relating to paternity; changing certain presumptions; amending Minnesota Statutes 2004, sections 257.55, subdivision 1; 257.57, subdivision 2; 257.62, subdivision 5.

Referred to the Committee on Judiciary.

Senator Neuville introduced--

S.F. No. 752: A bill for an act relating to civil actions; regulating certain actions against health care providers; amending Minnesota Statutes 2004, section 541.076.

Referred to the Committee on Judiciary.

Senators Ortman, Day, Senjem and Ruud introduced--

S.F. No. 753: A bill for an act relating to taxes; changing income, franchise, withholding, sales and use, gross revenues, insurance, property, and solid waste management taxes; providing a dairy investment credit; increasing the sales factor percentage in apportioning net income to this state; changing property tax refund provisions; providing for taxation of cigarettes and liquor; conforming provisions to changes in the Internal Revenue Code; providing for designation of an international economic development zone; changing disposition of certain general fund balance; requiring state contracts be with vendors that have registered to collect use taxes; changing provisions relating to the state elections campaign fund; changing certain city aid payments; authorizing tax credits for purposes of biotechnology and health sciences industry zone; appropriating money; amending Minnesota Statutes 2004, sections 10A.31, subdivisions 1, 3, 4; 16C.03, by adding a subdivision; 270A.03, subdivision 7; 272.02, by adding a subdivision; 273.1384, subdivision 1; 289A.02, subdivision 7; 289A.20, subdivision 2; 289A.50, subdivision 1; 290.01, subdivisions 6, 6b, 19, 19a, 19b, 19c, 19d, 29, 31; 290.032, subdivisions 1, 2; 290.06, subdivision 2c, by adding subdivisions; 290.067, subdivisions 1, 2a; 290.0671, subdivision 1; 290.0672, subdivisions 1, 2; 290.0675, subdivision 1; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivisions 2, 3; 290.191, subdivisions 2, 3; 290.92, by adding a subdivision; 290A.03, subdivisions 3, 11, 15; 295.53, subdivision 1; 297A.61, subdivisions 4, 7; 297A.67, by adding a subdivision; 297A.68, subdivisions 2, 5, by adding a subdivision; 297F.14, subdivision 4; 297H.13, subdivision 2; 297I.01, by adding a subdivision; 469.335; 473.843, subdivision 2; Laws 2001, First Special Session chapter 5, article 12, section 95; proposing coding for new law in Minnesota Statutes, chapters 295; 297A; 297F; 469; repealing Minnesota Statutes 2004, sections 10A.322, subdivision 4; 16A.1522, subdivision 4; 290.06, subdivision 23.

Referred to the Committee on Taxes.

MEMBERS EXCUSED

Senator Ortman was excused from the Session of today at 11:00 a.m. Senators Berglin and Pogemiller were excused from the Session of today from 11:10 to 11:40 a.m. Senator Marko was excused from the Session of today from 11:20 to 11:35 a.m. Senators Langseth and Ranum were excused from the Session of today at 11:35 a.m.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 11:00 a.m., Monday, February 7, 2005. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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