

TWENTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, March 17, 2005

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

CALL OF THE SENATE

Senator Johnson, D.E. 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. Bryan O'Rourke.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 14, 2005

The Honorable James P. Metzen
President of the Senate

Dear President Metzen:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 518.

Sincerely,
Tim Pawlenty, Governor

March 14, 2005

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2005 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2005	Date Filed 2005
	871	9	2:45 p.m. March 14	March 14
	378	10	3:50 p.m. March 14	March 14
518		11	3:45 p.m. March 14	March 14

Sincerely,
Mary Kiffmeyer
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 532.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned March 14, 2005

Mr. President:

I have the honor to announce the passage by the House of the following Senate Concurrent Resolution, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

Senate Concurrent Resolution No. 5: A Senate concurrent resolution relating to adoption of revenue targets under Minnesota Statutes 2004, section 16A.102, subdivision 2.

Senate Concurrent Resolution No. 5 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned March 14, 2005

Senator Pogemiller moved that the Senate do not concur in the amendments by the House to Senate Concurrent Resolution No. 5, 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 to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 997.

Albin A. Mathiowetz, Chief Clerk, House of Representatives
Transmitted March 14, 2005

FIRST READING OF HOUSE BILLS

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

H.F. No. 997: A bill for an act relating to financial institutions; authorizing a detached facility in Burns Township under certain conditions.

Referred to the Committee on Commerce.

REPORTS OF COMMITTEES

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

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

S.F. No. 981: A bill for an act relating to airports; requiring chapter on aviation planning in state transportation plan; creating advisory council on aviation planning; amending Minnesota Statutes 2004, section 174.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Page 1, delete lines 12 and 13 and insert "state aviation system plan must comply with the Federal Aviation Administration requirements and include a supplemental chapter. The supplemental chapter must include the following:"

Page 2, line 7, delete "aviation" and insert "supplemental"

Page 2, line 8, delete "transportation" and insert "aviation system"

Page 2, line 23, after "noise" insert "appointed by community representatives on the Noise Oversight Committee"

Page 2, line 28, delete "and"

Page 2, line 31, delete the period and insert a semicolon

Page 2, after line 31, insert:

"(12) one representative of the local Airline Service Action Committee;

(13) one representative of the Citizens League of the Twin Cities;

(14) one representative of the Association of Minnesota Counties;

(15) one representative of the League of Minnesota Cities;

(16) one representative of the Minnesota Department of Employment and Economic Development; and

(17) one representative of the Metropolitan Council."

Page 3, delete lines 1 to 7 and insert "the aviation planning chapter of the state aviation system plan. The advisory council shall assist in the development of the state aviation system plan by reviewing the work and making recommendations. The state aviation system plan must consist of:"

- (1) an inventory of airport facilities, based aircraft and operations;
- (2) a forecast of aviation activities;
- (3) a needs assessment to determine improvements needed and recommendations for each airport by five-year, ten-year, and 20-year forecast periods;"

Page 3, line 8, delete "(1)" and insert "(4)"

Page 3, line 14, delete "(2)" and insert "(5)"

Page 3, line 17, delete "(3)" and insert "(6)"

Page 3, line 19, delete "(4)" and insert "(7)"

Page 3, line 21, delete "(5)" and insert "(8)"

Page 3, line 22, delete "(6)" and insert "(9)"

Page 3, line 36, delete "transportation" and insert "aviation system"

Page 4, line 5, delete "transportation" and insert "aviation system"

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete everything before the semicolon and insert "requiring supplemental chapter in state aviation system plan"

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 Murphy from the Committee on Transportation, to which was referred

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

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 2004, section 168.012, subdivision 1, is amended to read:

Subdivision 1. [VEHICLES EXEMPT FROM TAX, FEES, OR PLATE DISPLAY.] (a) The following vehicles are exempt from the provisions of this chapter requiring payment of tax and registration fees, except as provided in subdivision 1c:

(1) vehicles owned and used solely in the transaction of official business by the federal government, the state, or any political subdivision;

(2) vehicles owned and used exclusively by educational institutions and used solely in the transportation of pupils to and from those institutions;

(3) vehicles used solely in driver education programs at nonpublic high schools;

(4) vehicles owned by nonprofit charities and used exclusively to transport disabled persons for educational purposes;

(5) ambulances owned by ambulance services licensed under section 144E.10, the general appearance of which is unmistakable; ~~and~~

(6) motorized foot scooters as defined in section 169.01, subdivision 4c; and

(7) vehicles owned by a commercial driving school licensed under section 171.34, or an employee of a commercial driving school licensed under section 171.34, and the vehicle is used exclusively for driver education and training.

(b) Vehicles owned by the federal government, municipal fire apparatuses including fire-suppression support vehicles, police patrols, and ambulances, the general appearance of which is unmistakable, are not required to register or display number plates.

(c) Unmarked vehicles used in general police work, liquor investigations, or arson investigations, and passenger automobiles, pickup trucks, and buses owned or operated by the Department of Corrections, must be registered and must display appropriate license number plates, furnished by the registrar at cost. Original and renewal applications for these license plates authorized for use in general police work and for use by the Department of Corrections must be accompanied by a certification signed by the appropriate chief of police if issued to a police vehicle, the appropriate sheriff if issued to a sheriff's vehicle, the commissioner of corrections if issued to a Department of Corrections vehicle, or the appropriate officer in charge if issued to a vehicle of any other law enforcement agency. The certification must be on a form prescribed by the commissioner and state that the vehicle will be used exclusively for a purpose authorized by this section.

(d) Unmarked vehicles used by the Departments of Revenue and Labor and Industry, fraud unit, in conducting seizures or criminal investigations must be registered and must display passenger vehicle classification license number plates, furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the commissioner of revenue or the commissioner of labor and industry. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the purposes authorized by this section.

(e) Unmarked vehicles used by the Division of Disease Prevention and Control of the Department of Health must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the commissioner of health. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the Division of Disease Prevention and Control.

(f) Unmarked vehicles used by staff of the Gambling Control Board in gambling investigations and reviews must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the board chair. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the Gambling Control Board.

(g) All other motor vehicles must be registered and display tax-exempt number plates, furnished by the registrar at cost, except as provided in subdivision 1c. All vehicles required to display tax-exempt number plates must have the name of the state department or political subdivision, nonpublic high school operating a driver education program, or licensed commercial driving school, plainly displayed on both sides of the vehicle; except that each state hospital and institution for the mentally ill and mentally retarded may have one vehicle without the required identification on the sides of the vehicle, and county social service agencies may have vehicles used for child and vulnerable adult protective services without the required identification on the sides of the vehicle. This identification must be in a color giving contrast with that of the part of the vehicle on which it is placed and must endure throughout the term of the registration. The identification must not be on a removable plate or placard and must be kept clean and visible at all times; except that a removable plate or placard may be utilized on vehicles leased or loaned to a political subdivision or to a nonpublic high school driver education program."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "exempting motorized foot scooters from tax and registration fees;"

Page 1, line 4, delete "section" and insert "sections 168.012, subdivision 1;"

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

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

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.

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

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

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

Reports the same back with the recommendation that the bill be re-referred to the Committee on State and Local Government Operations without recommendation. Report adopted.

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

S.F. No. 366: A bill for an act relating to transportation; authorizing cities to impose street utility fee; proposing coding for new law in Minnesota Statutes, chapter 160.

Reports the same back with the recommendation that the bill be re-referred to the Committee on State and Local Government Operations without recommendation. Report adopted.

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

S.F. No. 1125: A bill for an act relating to public safety; providing that a peace officer may operate any vehicle or combination of vehicles; making clarifying changes; amending Minnesota Statutes 2004, section 171.02, subdivision 2.

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

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

S.F. No. 1144: A bill for an act relating to traffic regulations; establishing a crosswalk safety education account; appropriating money; amending Minnesota Statutes 2004, section 169.21, 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 Murphy from the Committee on Transportation, to which was referred

S.F. No. 1089: A bill for an act relating to transportation; authorizing billing for highway sign program and establishing special account; modifying eligibility criteria for certain business signs; modifying provisions relating to state-aid highways and streets, traffic signals, and railroads in quiet zones; removing expiration for commuter rail corridor coordinating committee; appropriating money; amending Minnesota Statutes 2004, sections 160.80, subdivision 1a; 162.02,

subdivisions 2, 3a; 162.06, subdivision 2; 162.09, subdivisions 2, 3a; 162.14, subdivision 6; 169.06, subdivisions 5, 6; 169.28, subdivision 2; 174.86, subdivision 5; 219.166; 219.567; proposing coding for new law in Minnesota Statutes, chapters 160; 162.

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

Page 13, after line 19, insert:

"Sec. 18. [EFFECTIVE DATE.]

Section 2 is effective the day following final enactment."

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. 885: A bill for an act relating to motor vehicles; authorizing additional deputy registrar of motor vehicles in Minneapolis.

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

Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred

S.F. No. 1156: A bill for an act relating to crimes; defining coercion for purposes of the criminal sexual conduct law to include use of physical confinement or strength to submit the complainant to unlawful sexual conduct; authorizing stepparents to assist a minor in seeking a restraining order; waiving fees for sexual assault victims to obtain a restraining order; modifying laws prohibiting harassing behavior by including new forms of technology used by stalkers to harass victims to be included within the prohibitions of the law; amending Minnesota Statutes 2004, sections 609.341, subdivision 14; 609.748, subdivisions 2, 3a; 609.749, subdivision 2; 609.79, subdivision 2; 609.795, 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 Foley from the Committee on Crime Prevention and Public Safety, to which was referred

S.F. No. 934: A bill for an act relating to crimes; making it a crime to strangle a family or household member; proposing coding for new law in Minnesota Statutes, chapter 609.

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 609.223, is amended by adding a subdivision to read:

Subd. 4. [ASSAULT BY STRANGULATION OR ASPHYXIATION.] (a) As used in this subdivision, "strangulation" means intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person.

(b) Unless a greater penalty is provided elsewhere, whoever assaults another by strangulation or asphyxiation is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective August 1, 2005, and applies to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crimes; expanding the third degree assault crime to include assault by strangulation or asphyxiation; amending Minnesota Statutes 2004, section 609.223, by adding a subdivision."

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

Senator Kelley from the Committee on Education, to which was referred

S.F. No. 1278: A bill for an act relating to education; providing for kindergarten through grade 12 education and early childhood and family education including general education, other general programs, education excellence, special programs, facilities and technology, nutrition, libraries, early childhood family support, community education and prevention, self-sufficiency and lifelong learning, and state agencies; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2004, sections 13.321, by adding a subdivision; 120A.05, by adding a subdivision; 120A.22, subdivision 12; 120B.02; 120B.13, subdivisions 1, 3, by adding subdivisions; 120B.30, subdivisions 1, 1a; 121A.17, subdivision 1; 121A.19; 122A.12, subdivision 2; 122A.413; 122A.414; 122A.415, subdivisions 1, 3; 122A.61, subdivision 1; 123A.05, subdivision 2; 123A.24, subdivision 2; 123A.27; 123A.485, subdivision 2; 123B.09, subdivision 8; 123B.143, subdivision 1; 123B.42, subdivision 3; 123B.53, subdivision 5; 123B.54; 123B.57, subdivision 4; 123B.92, subdivisions 1, 5, 9; 124D.081, subdivision 6; 124D.09, subdivision 13; 124D.11, subdivisions 1, 2, 4, 5, 8; 124D.15, subdivisions 1, 3, 5, 10, 12, by adding subdivisions; 124D.16, subdivisions 2, 3; 124D.22, subdivision 3; 124D.531, subdivisions 1, 4; 124D.65, subdivision 5; 124D.66, subdivision 3; 124D.83, subdivision 2; 124D.86, subdivision 3; 124D.88, subdivision 4; 125A.11, subdivision 1; 125A.51; 125A.76, subdivisions 1, 4, by adding subdivisions; 125A.79, subdivisions 1, 5, 7, by adding subdivisions; 126C.01, subdivision 7; 126C.05, subdivisions 1, 5, 6; 126C.10, subdivisions 1, 2, 2a, 3, 5, 6, 7, 8, 13, 13a, 17, 18, 24, 25, 26, 27, 28, 29, 31, 32, by adding subdivisions; 126C.13, subdivision 4; 126C.17, subdivisions 1, 2, 4, 5, 6, 7, 9, 13; 126C.40, subdivision 1; 126C.457; 126C.48, by adding a subdivision; 126C.63, subdivisions 5, 8; 127A.45, subdivision 11; 127A.47, subdivisions 7, 8; 127A.49, subdivision 2; 171.04, subdivision 1; 171.05, subdivisions 2, 2b, 3; 171.30, subdivision 1; 260A.03; 290.01, subdivision 19c; proposing coding for new law in Minnesota Statutes, chapters 120A; 120B; 122A; 123A; 123B; 124D; 125B; 171; 290; repealing Minnesota Statutes 2004, sections 122A.415, subdivision 2; 122A.60; 123A.39, subdivision 3; 123B.05; 124D.15, subdivisions 2, 4, 6, 7, 8, 9, 11, 13; 124D.16, subdivisions 1, 4; 126C.12; 126C.41, subdivision 5; 126C.43, subdivisions 2, 3; 126C.44; 126C.445; 126C.45; 126C.455; 127A.50; Laws 1996, chapter 412, article 5, section 28; Laws 1997, First Special Session chapter 4, article 4, section 31; Laws 2001, First Special Session chapter 5, article 3, section 87; Laws 2001, First Special Session chapter 6, article 1, section 53, as amended.

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

Pages 2 to 7, delete sections 2 to 5

Pages 25 and 26, delete sections 34 to 36

Page 26, line 28, delete "37" and insert "34"

Page 27, line 3, delete "38" and insert "35"

Page 27, line 12, delete "39" and insert "36"

Pages 38 and 39, delete section 53

Page 40, line 6, delete "sections 122A.415, subdivision"

Page 40, line 7, delete "2; and" and insert "section" and delete "are" and insert "is"

Pages 40 to 46, delete sections 2 to 5

Pages 48 to 54, delete sections 9 and 10

Pages 56 to 58, delete section 13

Pages 65 to 78, delete sections 1 to 13

Pages 79 to 88, delete sections 15 to 19

Pages 92 to 96, delete sections 24 and 25

Pages 99 to 102, delete sections 29 and 30

Pages 103 to 118, delete sections 32 to 40

Pages 118 and 119, delete sections 42 and 43

Page 122, delete section 45

Pages 136 to 139, delete section 5

Page 156, after line 3, insert:

"ARTICLE 12

OTHER GENERAL EDUCATION POLICY

Section 1. Minnesota Statutes 2004, section 123A.05, subdivision 2, is amended to read:

Subd. 2. [RESERVE REVENUE.] Each district that is a member of an area learning center must reserve revenue in an amount equal to the sum of (1) at least 90 percent of the district average general education revenue per pupil unit minus an amount equal to the product of the formula allowance according to section 126C.10, subdivision 2, times .0485, calculated without basic skills revenue, and transportation sparsity revenue, and the transportation portion of the transition revenue adjustment, times the number of pupil units attending an area learning center program under this section, plus (2) the amount of basic skills revenue generated by pupils attending the area learning center. The amount of reserved revenue under this subdivision may only be spent on program costs associated with the area learning center. Compensatory revenue must be allocated according to section 126C.15, subdivision 2.

Sec. 2. Minnesota Statutes 2004, section 123B.49, subdivision 4, is amended to read:

Subd. 4. [BOARD CONTROL OF EXTRACURRICULAR ACTIVITIES.] (a) The board may take charge of and control all extracurricular activities of the teachers and children of the public schools in the district. Extracurricular activities means all direct and personal services for pupils for their enjoyment that are managed and operated under the guidance of an adult or staff member. The board shall allow all resident pupils receiving instruction in a home school as defined in section 123B.36, subdivision 1, paragraph (a), to be eligible to fully participate in extracurricular activities on the same basis as public school students.

(b) Extracurricular activities have all of the following characteristics:

(1) they are not offered for school credit nor required for graduation;

(2) they are generally conducted outside school hours, or if partly during school hours, at times agreed by the participants, and approved by school authorities;

(3) the content of the activities is determined primarily by the pupil participants under the guidance of a staff member or other adult.

(c) If the board does not take charge of and control extracurricular activities, these activities

shall be self-sustaining with all expenses, except direct salary costs and indirect costs of the use of school facilities, met by dues, admissions, or other student fund-raising events. The general fund must reflect only those salaries directly related to and readily identified with the activity and paid by public funds. Other revenues and expenditures for extra curricular activities must be recorded according to the "Manual of Instruction for Uniform Student Activities Accounting for Minnesota School Districts and Area Vocational-Technical Colleges." Manual for Activity Fund Accounting. Extracurricular activities not under board control must have an annual financial audit and must also be audited annually for compliance with this section.

(d) If the board takes charge of and controls extracurricular activities, any or all costs of these activities may be provided from school revenues and all revenues and expenditures for these activities shall be recorded in the same manner as other revenues and expenditures of the district.

(e) If the board takes charge of and controls extracurricular activities, the teachers or pupils in the district must not participate in such activity, nor shall the school name or any allied name be used in connection therewith, except by consent and direction of the board.

Sec. 3. Minnesota Statutes 2004, section 123B.75, is amended by adding a subdivision to read:

Subd. 4a. [TACONITE REVENUE.] Taconite revenue received in a calendar year by a school district under section 298.28, subdivisions 4, paragraphs (b) and (c), and 11, paragraph (d), is fully recognized in the fiscal year in which the February payment falls.

Sec. 4. Minnesota Statutes 2004, section 123B.76, subdivision 3, is amended to read:

Subd. 3. [EXPENDITURES BY BUILDING.] (a) For the purposes of this section, "building" means education site as defined in section 123B.04, subdivision 1.

(b) Each district shall maintain separate accounts to identify general fund expenditures, ~~excluding capital expenditures and pupil transportation,~~ for each building. All expenditures for regular instruction, secondary vocational instruction, and school administration must be reported to the department separately for each building. All expenditures for special education instruction, instructional support services, and pupil support services provided within a specific building must be reported to the department separately for each building. Salary expenditures reported by building must reflect actual salaries for staff at the building and must not be based on districtwide averages. All other general fund expenditures may be reported by building or on a districtwide basis.

(c) The department must annually report information showing school district general fund expenditures per pupil by program category for each building and estimated school district general fund revenue generated by pupils attending each building on its Web site. For purposes of this report:

(1) expenditures ~~not required to be reported by building~~ shall be allocated among buildings on a uniform per pupil basis;

(2) basic skills revenue shall be allocated according to section 126C.10, subdivision 4;

(3) secondary sparsity revenue and elementary sparsity revenue shall be allocated according to section 126C.10, subdivisions 7 and 8;

(4) other general education revenue shall be allocated on a uniform per pupil unit basis;

(5) first grade preparedness aid shall be allocated according to section 124D.081;

(6) state and federal special education aid and Title I aid shall be allocated in proportion to district expenditures for these programs by building; and

(7) other general fund revenues shall be allocated on a uniform per pupil basis, except that the department may allocate other revenues attributable to specific buildings directly to those buildings.

Sec. 5. Minnesota Statutes 2004, section 123B.79, subdivision 6, is amended to read:

Subd. 6. [ACCOUNT TRANSFER FOR STATUTORY OPERATING DEBT.] On June 30 of each year, a district may make a permanent transfer from the general fund account entitled "~~undesignated net unreserved general fund balance since statutory operating debt~~" to the account entitled "reserved fund balance reserve account for purposes of statutory operating debt reduction." The amount of the transfer is limited to the lesser of (a) the net ~~undesignated operating unreserved general fund balance~~, or (b) the sum of the remaining statutory operating debt levies authorized for all future years according to section 126C.42, subdivision 1. If the net ~~undesignated operating unreserved general~~ fund balance is less than zero, the district may not make a transfer.

Sec. 6. Minnesota Statutes 2004, section 123B.81, subdivision 1, is amended to read:

Subdivision 1. [OPERATING DEBT.] The "operating debt" of a school district means the net negative ~~undesignated unreserved general fund balance in all school district funds, other than capital expenditure, building construction, debt service, and trust and agency~~, calculated as of June 30 of each year in accordance with the uniform financial accounting and reporting standards for Minnesota school districts.

Sec. 7. Minnesota Statutes 2004, section 123B.82, is amended to read:

123B.82 [REORGANIZATION OPERATING DEBT.]

The "reorganization operating debt" of a school district means the net negative ~~undesignated unreserved fund balance~~ balances in all school district funds, other than building construction, debt redemption, and trust and agency, calculated in accordance with the uniform financial accounting and reporting standards for Minnesota school districts as of:

(1) June 30 of the fiscal year before the first year that a district receives revenue according to section 123A.39, subdivision 3; or

(2) June 30 of the fiscal year before the effective date of reorganization according to section 123A.46 or 123A.48.

Sec. 8. Minnesota Statutes 2004, section 123B.83, subdivision 2, is amended to read:

Subd. 2. [~~UNDESIGNATED UNRESERVED FUND BALANCES.~~] ~~Beginning in fiscal year 1978 and each year thereafter, any A school district not subject to the provisions of subdivision 1 must limit its expenditures so that its undesignated net unreserved general fund balances do balance does not constitute statutory operating debt as defined in section 126C.42.~~

Sec. 9. Minnesota Statutes 2004, section 124D.68, subdivision 9, is amended to read:

Subd. 9. [ENROLLMENT VERIFICATION.] (a) For a pupil attending an eligible program full time under subdivision 3, paragraph (d), the department must pay 90 percent of the district's average general education revenue less basic skills revenue to the eligible program and ten percent of the district's average general education revenue less basic skills revenue to the contracting district within 30 days after the eligible program verifies enrollment using the form provided by the department. For a pupil attending an eligible program part time, revenue, excluding compensatory revenue, shall be reduced proportionately, according to the amount of time the pupil attends the program, and the payments to the eligible program and the contracting district shall be reduced accordingly. A pupil for whom payment is made according to this section may not be counted by any district for any purpose other than computation of general education revenue. If payment is made for a pupil under this subdivision, a district shall not reimburse a program under section 124D.69 for the same pupil. The basic skills revenue shall be paid generated by pupils attending the eligible program according to section 126C.10, subdivision 4, shall be paid to the eligible program.

(b) The department must pay up to 100 percent of the revenue to the eligible program if there is an agreement to that effect between the school district and the eligible program.

(c) Notwithstanding paragraphs (a) and (b), for an eligible program that provides chemical treatment services to students, the department must pay 100 percent of the revenue to the eligible program.

Sec. 10. Minnesota Statutes 2004, section 124D.69, subdivision 1, is amended to read:

Subdivision 1. [AID.] If a pupil enrolls in an alternative program, eligible under section 124D.68, subdivision 3, paragraph (d), or subdivision 4, operated by a private organization that has contracted with a school district to provide educational services for eligible pupils under section 124D.68, subdivision 2, the district contracting with the private organization must reimburse the provider an amount equal to the sum of (1) at least 95 percent of the district's average general education less basic skills revenue per pupil unit times the number of pupil units for pupils attending the program, and (2) the amount of basic skills revenue shall be paid generated by pupils attending the program according to section 126C.10, subdivision 4. Compensatory revenue must be allocated according to section 126C.15, subdivision 2. For a pupil attending the program part time, the revenue paid to the program, excluding compensatory revenue, must be reduced proportionately, according to the amount of time the pupil attends the program, and revenue paid to the district shall be reduced accordingly. Pupils for whom a district provides reimbursement may not be counted by the district for any purpose other than computation of general education revenue. If payment is made to a district or program for a pupil under this section, the department must not make a payment for the same pupil under section 124D.68, subdivision 9. Notwithstanding sections 125A.15, 125A.51, and 125A.515, general education revenue for a student who receives educational services under this section shall be paid according to this section.

Sec. 11. Minnesota Statutes 2004, section 126C.01, subdivision 11, is amended to read:

Subd. 11. [~~NET UNAPPROPRIATED OPERATING UNRESERVED GENERAL FUND BALANCE.~~] "~~Net unappropriated operating unreserved general fund balance~~" means the sum of the unreserved general fund balances in the general, food service, and community service funds minus the balances reserved for statutory operating debt reduction, bus purchase, severance pay, taconite, unemployment benefits, maintenance levy reduction, operating capital, disabled access, health and safety, balance and encumbrances, computed as of June 30 each year.

Sec. 12. Minnesota Statutes 2004, section 126C.05, is amended by adding a subdivision to read:

Subd. 20. [PROJECT-BASED AVERAGE DAILY MEMBERSHIP.] (a) To receive general education revenue for a pupil enrolled in a public school with a project-based program, a school must meet the requirements in this paragraph. The school must:

(1) register with the commissioner as a project-based program by May 30 of the preceding fiscal year;

(2) provide a minimum teacher contact of no less than one hour per week per project-based credit for each pupil;

(3) maintain a record system that shows when each credit or portion thereof was reported for membership for each pupil; and

(4) report pupil membership consistent with paragraph (b).

(b) The commissioner must develop a formula for reporting pupil membership to compute average daily membership for each registered project-based school. Average daily membership for a pupil in a registered project-based program is the lesser of:

(1) 1.0; or

(2) the ratio of (i) the number of membership hours generated by project-based credits completed during the school year plus membership hours generated by credits completed in a seat-based setting to (ii) the annual required instructional hours at that grade level. Membership hours for a partially completed project-based credit must be prorated.

Sec. 13. Minnesota Statutes 2004, section 126C.21, subdivision 4, is amended to read:

Subd. 4. [TACONITE DEDUCTIONS.] ~~(1) Notwithstanding any provisions of any other law to the contrary, the adjusted net tax capacity used in calculating general education aid may include only that property that is currently taxable in the district.~~

~~(2) For districts that received payments have revenue under sections 298.018; 298.225; 298.24 to 298.28, excluding 298.26 and 298.28, subdivision 4, paragraph (d); 298.34 to 298.39; 298.391 to 298.396; and 298.405; and 477A.15, any law imposing a tax upon severed mineral values; or recognized revenue under section 477A.15; the general education aid must be reduced in the final adjustment payment by (1) the difference between the dollar amount of the payments received revenue recognized pursuant to those sections, or revenue recognized under section 477A.15 in for the fiscal year to which the final adjustment is attributable and, less (2) the amount that was calculated, pursuant to section 126C.48, subdivision 8, as a reduction of the levy attributable to the fiscal year to which the final adjustment is attributable. If the final adjustment of a district's general education aid for a fiscal year is a negative amount because of this clause subdivision, the next fiscal year's general education aid to that district must be reduced by this negative amount in the following manner: there must be withheld from each scheduled general education aid payment due the district in such fiscal year, 15 percent of the total negative amount, until the total negative amount has been withheld. The amount reduced from general education aid pursuant to this clause subdivision must be recognized as reduce revenue in the fiscal year to which the final adjustment payment is attributable.~~

Sec. 14. Minnesota Statutes 2004, section 126C.48, subdivision 2, is amended to read:

Subd. 2. [NOTICE TO COMMISSIONER; FORMS.] By October 7 of each year each district must notify the commissioner of the proposed levies in compliance with the levy limitations of this chapter and chapters 120B, 122A, 123A, 123B, 124D, 125A, 127A, and 136D. By January 15 7 of each year each district must notify the commissioner of the final levies certified. The commissioner shall prescribe the form of these notifications and may request any additional information necessary to compute certified levy amounts.

Sec. 15. Minnesota Statutes 2004, section 126C.48, subdivision 8, is amended to read:

Subd. 8. [TACONITE PAYMENT AND OTHER REDUCTIONS.] (1) Reductions in levies pursuant to subdivision 1 must be made prior to the reductions in clause (2).

(2) ~~Notwithstanding any other law to the contrary, districts which received payments that have revenue pursuant to sections 298.018; 298.225; 298.24 to 298.28, except an amount distributed under section sections 298.26; 298.28, subdivision 4, paragraph paragraphs (c), clause (ii), and (d); 298.34 to 298.39; 298.391 to 298.396; 298.405; 477A.15; and any law imposing a tax upon severed mineral values; or recognized revenue under section 477A.15 must not include a portion of these aids in their permissible levies pursuant to those sections, but instead must reduce the permissible levies authorized by this chapter and chapters 120B, 122A, 123A, 123B, 124A, 124D, 125A, and 127A by the greater of the following: 95 percent of the previous year's revenue specified under this clause.~~

~~(a) an amount equal to 50 percent of the total dollar amount of the payments received pursuant to those sections or revenue recognized under section 477A.15 in the previous fiscal year; or~~

~~(b) an amount equal to the total dollar amount of the payments received pursuant to those sections or revenue recognized under section 477A.15 in the previous fiscal year less the product of the same dollar amount of payments or revenue times five percent.~~

~~For levy year 2002 only, 77 percent of the amounts distributed under section 298.225 and 298.28, and 100 percent of the amounts distributed under sections 298.018; 298.34 to 298.39; 298.391 to 298.396; 298.405; and any law imposing a tax upon severed mineral values, or recognized revenue under section 477A.15, shall be used for purposes of the calculations under this paragraph. For levy year 2003 only, the levy reductions under this subdivision must be calculated as if section 298.28, subdivision 4, paragraph (f), did not apply for the 2003 distribution.~~

(3) The amount of any voter approved referendum, facilities down payment, and debt levies shall not be reduced by more than 50 percent under this subdivision. In administering this paragraph, the commissioner shall first reduce the nonvoter approved levies of a district; then, if any payments, severed mineral value tax revenue or recognized revenue under paragraph (2) remains, the commissioner shall reduce any voter approved referendum levies authorized under section 126C.17; then, if any payments, severed mineral value tax revenue or recognized revenue under paragraph (2) remains, the commissioner shall reduce any voter approved facilities down payment levies authorized under section 123B.63 and then, if any payments, severed mineral value tax revenue or recognized revenue under paragraph (2) remains, the commissioner shall reduce any voter approved debt levies.

(4) Before computing the reduction pursuant to this subdivision of the health and safety levy authorized by sections 123B.57 and 126C.40, subdivision 5, the commissioner shall ascertain from each affected school district the amount it proposes to levy under each section or subdivision. The reduction shall be computed on the basis of the amount so ascertained.

(5) To the extent the levy reduction calculated under paragraph (2) exceeds the limitation in paragraph (3), an amount equal to the excess must be distributed from the school district's distribution under sections 298.225, 298.28, and 477A.15 in the following year to the cities and townships within the school district in the proportion that their taxable net tax capacity within the school district bears to the taxable net tax capacity of the school district for property taxes payable in the year prior to distribution. No city or township shall receive a distribution greater than its levy for taxes payable in the year prior to distribution. The commissioner of revenue shall certify the distributions of cities and towns under this paragraph to the county auditor by September 30 of the year preceding distribution. The county auditor shall reduce the proposed and final levies of cities and towns receiving distributions by the amount of their distribution. Distributions to the cities and towns shall be made at the times provided under section 298.27.

Sec. 16. Minnesota Statutes 2004, section 127A.49, subdivision 3, is amended to read:

Subd. 3. [EXCESS TAX INCREMENT.] (a) If a return of excess tax increment is made to a district pursuant to ~~section~~ sections 469.176, subdivision 2, and 469.177, subdivision 9, or upon decertification of a tax increment district, the school district's aid and levy limitations must be adjusted for the fiscal year in which the excess tax increment is paid under the provisions of this subdivision.

(b) An amount must be subtracted from the district's aid for the current fiscal year equal to the product of:

- (1) the amount of the payment of excess tax increment to the district, times
- (2) the ratio of:
 - (i) the sum of the amounts of the district's certified levy for the fiscal year in which the excess tax increment is paid according to the following:
 - (A) section 123B.57, if the district received health and safety aid according to that section for the second preceding year;
 - (B) section 124D.20, if the district received aid for community education programs according to that section for the second preceding year;
 - (C) section 124D.135, subdivision 3, if the district received early childhood family education aid according to section 124D.135 for the second preceding year; and
 - (D) section 126C.17, subdivision 6, if the district received referendum equalization aid according to that section for the second preceding year; to
 - (ii) the total amount of the district's certified levy for the fiscal year, plus or minus auditor's adjustments.

(c) An amount must be subtracted from the school district's levy limitation for the next levy certified equal to the difference between:

- (1) the amount of the distribution of excess increment; and
- (2) the amount subtracted from aid pursuant to clause (a).

If the aid and levy reductions required by this subdivision cannot be made to the aid for the fiscal year specified or to the levy specified, the reductions must be made from aid for subsequent fiscal years, and from subsequent levies. The school district must use the payment of excess tax increment to replace the aid and levy revenue reduced under this subdivision.

(d) This subdivision applies only to the total amount of excess increments received by a district for a calendar year that exceeds \$25,000.

Sec. 17. Minnesota Statutes 2004, section 275.14, is amended to read:

275.14 [CENSUS.]

~~For the purposes of sections 275.124 to 275.16, the population of a city shall be that established by the last federal census, by a special census taken by the United States Bureau of the Census, by an estimate made by the Metropolitan Council, or by the state demographer made according to section 4A.02, whichever has the latest stated date of count or estimate, before July 2 of the current levy year.~~ The population of a school district must be as certified by the Department of Education from the most recent federal census. In any year in which no federal census is taken pursuant to law in any school district affected by sections ~~275.124 to 275.16~~ 124D.20 and 124D.531 a population estimate may be made and submitted to the state demographer for approval as hereinafter provided. The school board of a school district, in case it desires a population estimate, shall pass a resolution by July 1 containing a current estimate of the population of the school district and shall submit the resolution to the state demographer. The resolution shall describe the criteria on which the estimate is based and shall be in a form and accompanied by the data prescribed by the state demographer. The state demographer shall determine whether or not the criteria and process described in the resolution provide a reasonable basis for the population estimate and shall inform the school district of that determination within 30 days of receipt of the resolution. If the state demographer determines that the criteria and process described in the resolution do not provide a reasonable basis for the population estimate, the resolution shall be of no effect. If the state demographer determines that the criteria and process do provide a reasonable basis for the population estimate, the estimate shall be treated as the population of the school district for the purposes of sections ~~275.124 to 275.16~~ 124D.20 and 124D.531 until the population of the school district has been established by the next federal census or until a more current population estimate is prepared and approved as provided herein, whichever occurs first. The state demographer shall establish guidelines for acceptable population estimation criteria and processes. The state demographer shall issue advisory opinions upon request in writing to cities or school districts as to proposed criteria and processes prior to their implementation in an estimation. The advisory opinion shall be final and binding upon the demographer unless the demographer can show cause why it should not be final and binding.

In the event that a census tract employed in taking a federal or local census overlaps two or more school districts, the county auditor shall, on the basis of the best information available, allocate the population of said census tract to the school districts involved.

~~The term "council," as used in sections 275.124 to 275.16, means any board or body, whether composed of one or more branches, authorized to make ordinances for the government of a city within this state.~~

Sec. 18. Minnesota Statutes 2004, section 275.16, is amended to read:

275.16 [COUNTY AUDITOR TO FIX AMOUNT OF LEVY.]

If any such municipality shall return to the county auditor a levy greater than permitted by chapters 123A, 123B, 124D, 126C, and 136C, and ~~136D~~, sections 275.124 to 275.16, and 275.70

to 275.74, such county auditor shall extend only such amount of taxes as the limitations herein prescribed will permit; provided, if such levy shall include any levy for the payment of bonded indebtedness or judgments, such levies for bonded indebtedness or judgments shall be extended in full, and the remainder of the levies shall be reduced so that the total thereof, including levies for bonds and judgments, shall not exceed such amount as the limitations herein prescribed will permit.

Sec. 19. Minnesota Statutes 2004, section 469.177, subdivision 9, is amended to read:

Subd. 9. [DISTRIBUTIONS OF EXCESS TAXES ON CAPTURED NET TAX CAPACITY.]

(a) If the amount of tax paid on captured net tax capacity exceeds the amount of tax increment, the county auditor shall distribute the excess to the municipality, county, and school district as follows: each governmental unit's share of the excess equals

(1) the total amount of the excess for the tax increment financing district, multiplied by

(2) a fraction, the numerator of which is the current local tax rate of the governmental unit less the governmental unit's local tax rate for the year the original local tax rate for the district was certified (in no case may this amount be less than zero) and the denominator of which is the sum of the numerators for the municipality, county, and school district.

If the entire increase in the local tax rate is attributable to a taxing district, other than the municipality, county, or school district, then the excess must be distributed to the municipality, county, and school district in proportion to their respective local tax rates.

(b) The amounts distributed shall be deducted in computing the levy limits of the taxing district for the succeeding taxable year. ~~In the case of a school district, only the proportion of the excess taxes attributable to unequalized levies that are subject to a fixed dollar amount levy limit shall be deducted from the levy limit.~~

(c) ~~In the case of distributions to a school district that are attributable to state equalized levies,~~ the county auditor shall report amounts distributed to the commissioner of education in the same manner as provided for excess increments under section 469.176, subdivision 2, and the distribution shall be deducted from the school district's state aid payments and levy limitation according to section 127A.49, subdivision 3.

Sec. 20. [REPEALER.]

Minnesota Statutes 2004, sections 123B.83, subdivision 1, and 126C.42, subdivisions 1 and 4, are repealed.

ARTICLE 13

OTHER EDUCATION EXCELLENCE POLICY

Section 1. Minnesota Statutes 2004, section 123B.143, subdivision 1, is amended to read:

Subdivision 1. [CONTRACT; DUTIES.] All districts maintaining a classified secondary school must employ a superintendent who shall be an ex officio nonvoting member of the school board. The authority for selection and employment of a superintendent must be vested in the board in all cases. An individual employed by a board as a superintendent shall have an initial employment contract for a period of time no longer than three years from the date of employment. Any subsequent employment contract must not exceed a period of three years. A board, at its discretion, may or may not renew an employment contract. A board must not, by action or inaction, extend the duration of an existing employment contract. Beginning 365 days prior to the expiration date of an existing employment contract, a board may negotiate and enter into a subsequent employment contract to take effect upon the expiration of the existing contract. A subsequent contract must be contingent upon the employee completing the terms of an existing contract. If a contract between a board and a superintendent is terminated prior to the date specified in the contract, the board may not enter into another superintendent contract with that same individual that has a term that extends beyond the date specified in the terminated contract. A board may terminate a superintendent during the term of an employment contract for any of the

grounds specified in section 122A.40, subdivision 9 or 13. A superintendent shall not rely upon an employment contract with a board to assert any other continuing contract rights in the position of superintendent under section 122A.40. Notwithstanding the provisions of sections 122A.40, subdivision 10 or 11, 123A.32, 123A.75, or any other law to the contrary, no individual shall have a right to employment as a superintendent based on order of employment in any district. If two or more districts enter into an agreement for the purchase or sharing of the services of a superintendent, the contracting districts have the absolute right to select one of the individuals employed to serve as superintendent in one of the contracting districts and no individual has a right to employment as the superintendent to provide all or part of the services based on order of employment in a contracting district. The superintendent of a district shall perform the following:

(1) visit and supervise the schools in the district, report and make recommendations about their condition when advisable or on request by the board;

(2) recommend to the board employment and dismissal of teachers;

(3) superintend school grading practices and examinations for promotions;

(4) make reports required by the commissioner; and

~~(5) by January 10, submit an annual report to the commissioner in a manner prescribed by the commissioner, in consultation with school districts, identifying the expenditures that the district requires to ensure an 80 percent student passage rate on the basic standards test taken in the eighth grade, identifying the highest student passage rate the district expects it will be able to attain on the basic standards test by grade 12, the amount of expenditures that the district requires to attain the targeted student passage rate, and how much the district is cross-subsidizing programs with special education, basic skills, and general education revenue; and~~

~~(6) perform other duties prescribed by the board.~~

Sec. 2. [127A.52] [CROSS-SUBSIDY REPORTS.]

By January 30 of each year, the commissioner must estimate how much each district cross-subsidized the cost of special education and basic skills programs with general education revenue during the fiscal year ending on June 30 of the previous year. The commissioner must make the cross-subsidy estimates available to all districts and the public by posting the cross-subsidy reports on the department's Web site.

ARTICLE 14

OTHER FACILITIES AND TECHNOLOGY POLICY

Section 1. Minnesota Statutes 2004, section 123B.59, subdivision 3, is amended to read:

Subd. 3. [BOND AUTHORIZATION.] (a) A school district may issue general obligation bonds under this section to finance facilities plans approved by its board and the commissioner. Chapter 475, except sections 475.58 and 475.59, must be complied with. The district may levy under subdivision 5 for the debt service revenue. The authority to issue bonds under this section is in addition to any bonding authority authorized by this chapter, or other law. The amount of bonding authority authorized under this section must be disregarded in calculating the bonding or net debt limits of this chapter, or any other law other than section 475.53, subdivision 4.

(b) At least 60 days before a district issues bonds the earliest of solicitation of bids, the issuance of bonds, or the final certification of levies under this subdivision 5, the district must publish notice of the intended projects, the amount of the bond issue, and the total amount of district indebtedness, and the commissioner's review and comment, if applicable.

Sec. 2. Minnesota Statutes 2004, section 123B.59, subdivision 3a, is amended to read:

Subd. 3a. [LEVY AUTHORIZATION.] (a) A school district may levy under this section to finance the portion of facilities plans approved by its board and the commissioner that are not financed through bond issues according to subdivision 3.

(b) At least 60 days before a final district certification of levies under this subdivision 5, the district must publish notice of the intended projects, including the total estimated project cost, and the commissioner's review and comment, if applicable.

Sec. 3. Minnesota Statutes 2004, section 123B.63, subdivision 2, is amended to read:

Subd. 2. [USES OF THE ACCOUNT.] Money in the capital project referendum account must be used only for the purposes specified in section 126C.10, subdivision 14, for operating capital revenue, including the costs of acquisition and betterment for a project that has been reviewed under section 123B.71 and has been approved according to subdivision 3.

Sec. 4. Minnesota Statutes 2004, section 123B.71, subdivision 8, is amended to read:

Subd. 8. [REVIEW AND COMMENT.] A school district, a special education cooperative, or a cooperative unit of government, as defined in section 123A.24, subdivision 2, must not initiate an installment contract for purchase or a lease agreement, hold a referendum for bonds, nor solicit bids for new construction, expansion, or remodeling of an educational facility that requires an expenditure in excess of \$500,000 per school site prior to review and comment by the commissioner. The commissioner may exempt a facility maintenance project funded with general education aid and levy, alternative facilities bonding and levy program, or health and safety revenue from this provision after reviewing a written request from a school district describing the scope of work. A school board shall not separate portions of a single project into components to avoid the requirements of this subdivision.

Sec. 5. Minnesota Statutes 2004, section 123B.71, subdivision 12, is amended to read:

Subd. 12. [PUBLICATION.] (a) At least 20 days but not more than 60 days before a referendum for bonds or solicitation of bids for a project that has received a positive or unfavorable review and comment under section 123B.70, the school board shall publish the commissioner's review and comment of that project in the legal newspaper of the district. Supplementary information shall be available to the public.

(b) The publication requirement in paragraph (a) does not apply to alternative facilities projects approved under section 123B.59. Publication for alternative facilities projects shall be as specified in section 123B.59, subdivisions 3 and 3a.

ARTICLE 15

OTHER EARLY CHILDHOOD FAMILY SUPPORT POLICY

Section 1. Minnesota Statutes 2004, section 124D.135, subdivision 5, is amended to read:

Subd. 5. [USE OF REVENUE RESTRICTED.] Early childhood family education revenue may be used only for early childhood family education programs. Not more than five percent of early childhood family education revenue, as defined in subdivision 7, may be used to administer early childhood family education programs.

Sec. 2. Minnesota Statutes 2004, section 124D.16, subdivision 3, is amended to read:

Subd. 3. [USE OF AID.] School readiness aid shall be used only to provide a school readiness program and may be used to provide transportation. Not more than five percent of ~~the aid~~ school readiness revenue, as defined in subdivision 5, may be used for the cost of administering the program. Aid must be used to supplement and not supplant local, state, and federal funding. Aid may not be used for instruction and services required under sections 125A.03 to 125A.24 and 125A.65. Aid may not be used to purchase land or construct buildings, but may be used to lease or renovate existing buildings.

Sec. 3. Minnesota Statutes 2004, section 126C.15, subdivision 1, is amended to read:

Subdivision 1. [USE OF THE REVENUE.] Except for revenue allocated for prekindergarten programs under subdivision 2, paragraph (c), the basic skills revenue under section 126C.10, subdivision 4, must be reserved and used to meet the educational needs of pupils who enroll

under-prepared to learn and whose progress toward meeting state or local content or performance standards is below the level that is appropriate for learners of their age. Any of the following may be provided to meet these learners' needs:

(1) direct instructional services under the assurance of mastery program according to section 124D.66;

(2) remedial instruction in reading, language arts, mathematics, other content areas, or study skills to improve the achievement level of these learners;

(3) additional teachers and teacher aides to provide more individualized instruction to these learners through individual tutoring, lower instructor-to-learner ratios, or team teaching;

(4) a longer school day or week during the regular school year or through a summer program that may be offered directly by the site or under a performance-based contract with a community-based organization;

(5) comprehensive and ongoing staff development consistent with district and site plans according to section 122A.60, for teachers, teacher aides, principals, and other personnel to improve their ability to identify the needs of these learners and provide appropriate remediation, intervention, accommodations, or modifications;

(6) instructional materials and technology appropriate for meeting the individual needs of these learners;

(7) programs to reduce truancy, encourage completion of high school, enhance self-concept, provide health services, provide nutrition services, provide a safe and secure learning environment, provide coordination for pupils receiving services from other governmental agencies, provide psychological services to determine the level of social, emotional, cognitive, and intellectual development, and provide counseling services, guidance services, and social work services;

(8) bilingual programs, bicultural programs, and programs for learners of limited English proficiency;

(9) all day kindergarten;

(10) extended school day and extended school year programs; and

(11) substantial parent involvement in developing and implementing remedial education or intervention plans for a learner, including learning contracts between the school, the learner, and the parent that establish achievement goals and responsibilities of the learner and the learner's parent or guardian.

Sec. 4. Minnesota Statutes 2004, section 126C.15, subdivision 2, is amended to read:

Subd. 2. [BUILDING ALLOCATION.] (a) A district must allocate its compensatory revenue to each school building in the district where the children who have generated the revenue are served.

(b) Notwithstanding paragraph (a), a district may allocate up to five percent of the amount of compensatory revenue that the district ~~received during the previous fiscal year~~ receives to school sites according to a plan adopted by the school board.

(c) Notwithstanding paragraph (a), a district may allocate up to ten percent of the amount of compensatory revenue the district receives to support prekindergarten programs under subdivision 2a.

(d) For the purposes of this section and section 126C.05, subdivision 3, "building" means education site as defined in section 123B.04, subdivision 1.

~~(d)~~ (e) If the pupil is served at a site other than one owned and operated by the district, the revenue shall be paid to the district and used for services for pupils who generate the revenue.

Sec. 5. Minnesota Statutes 2004, section 126C.15, is amended by adding a subdivision to read:

Subd. 2a. [PREKINDERGARTEN PROGRAMS.] Revenue allocated under subdivision 2, paragraph (c), must be reserved and used for programs and activities that prepare for kindergarten children ages 3-1/2 to kindergarten entrance from families eligible for the free or reduced price school lunch program. Programs may serve resident and nonresident children. Districts may contract with private preschools and other providers of prekindergarten programs.

ARTICLE 16

OTHER PREVENTION POLICY

Section 1. Minnesota Statutes 2004, section 119A.46, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] (a) The definitions in section 144.9501 and in this subdivision apply to this section.

(b) "Eligible organization" means a lead contractor, city, board of health, community health department, community action agency as defined in section 119A.374, or community development corporation.

(c) "Commissioner" means the commissioner of ~~education~~ health, or the commissioner of the Minnesota Housing Finance Agency as authorized by section ~~462A.05~~, subdivision 15c.

Sec. 2. Minnesota Statutes 2004, section 119A.46, subdivision 2, is amended to read:

Subd. 2. [GRANTS; ADMINISTRATION.] Within the limits of the available appropriation, the commissioner must develop a swab team services program which may make demonstration and training grants to eligible organizations to train workers to provide swab team services and swab team services for residential property. Grants may be awarded to nonprofit organizations to provide technical assistance and training to ensure quality and consistency within the statewide program. Grants must be awarded to help ensure full-time employment to workers providing swab team services and must be awarded for a two-year period.

Grants awarded under this section must be made in consultation with the ~~commissioners of the Department of Health and~~ commissioner of the Housing Finance Agency, and representatives of neighborhood groups from areas at high risk for toxic lead exposure, a labor organization, the lead coalition, community action agencies, and the legal aid society. The consulting team must review grant applications and recommend awards to eligible organizations that meet requirements for receiving a grant under this section.

Sec. 3. Minnesota Statutes 2004, section 119A.46, subdivision 3, is amended to read:

Subd. 3. [APPLICANTS.] (a) Interested eligible organizations may apply to the commissioner for grants under this section. Two or more eligible organizations may jointly apply for a grant. Priority shall be given to community action agencies in greater Minnesota and to either community action agencies or neighborhood based nonprofit organizations in cities of the first class. Of the total annual appropriation, 12.5 percent may be used for administrative purposes. The commissioner may deviate from this percentage if a grantee can justify the need for a larger administrative allowance. Of this amount, up to five percent may be used by the commissioner for state administrative purposes. Applications must provide information requested by the commissioner, including at least the information required to assess the factors listed in paragraph (d).

(b) The commissioner must ~~coordinate with the commissioner of health who~~ must consult with boards of health to provide swab team services for purposes of secondary prevention. The priority for swab teams created by grants to eligible organizations under this section must be work assigned by the commissioner of health, or by a board of health if so designated by the commissioner of health, to provide secondary prevention swab team services to fulfill the requirements of section 144.9504, subdivision 6, in response to a lead order. Swab teams assigned work under this section by the commissioner, that are not engaged daily in fulfilling the

requirements of section 144.9504, subdivision 6, must deliver swab team services in response to elevated blood lead levels as defined in section 144.9501, subdivision 9, where lead orders were not issued, and for purposes of primary prevention in census tracts known to be in areas at high risk for toxic lead exposure as described in section 144.9503, subdivision 2.

(c) Any additional money must be used for grants to establish swab teams for primary prevention under section 144.9503, in census tracts in areas at high risk for toxic lead exposure as determined under section 144.9503, subdivision 2.

(d) In evaluating grant applications, the commissioner must consider the following criteria:

- (1) the use of lead contractors and lead workers for residential swab team services;
- (2) the participation of neighborhood groups and individuals, as swab team workers, in areas at high risk for toxic lead exposure;
- (3) plans for the provision of swab team services for primary and secondary prevention as required under subdivision 4;
- (4) plans for supervision, training, career development, and postprogram placement of swab team members;
- (5) plans for resident and property owner education on lead safety;
- (6) plans for distributing cleaning supplies to area residents and educating residents and property owners on cleaning techniques;
- (7) sources of other funding and cost estimates for training, lead inspections, swab team services, equipment, monitoring, testing, and administration;
- (8) measures of program effectiveness;
- (9) coordination of program activities with other federal, state, and local public health, job training, apprenticeship, and housing renovation programs including programs under sections 116L.86 to 116L.881; and
- (10) prior experience in providing swab team services.

Sec. 4. Minnesota Statutes 2004, section 119A.46, subdivision 8, is amended to read:

Subd. 8. [TESTING AND EVALUATION.] (a) Testing of the environment is not necessary by swab teams whose work is assigned by the commissioner of health or a designated board of health under section 144.9504. The commissioner of health or designated board of health must share the analytical testing data collected on each residence for purposes of secondary prevention under section 144.9504 with the swab team workers in order to provide constructive feedback on their work and to the commissioner for the purposes set forth in paragraph (c).

(b) For purposes of primary prevention evaluation, the following samples must be collected: pretesting and posttesting of one noncarpeted floor dust lead sample and a notation of the extent and location of bare soil and of deteriorated lead-based paint. The analytical testing data collected on each residence for purposes of primary prevention under section 144.9503 must be shared with the swab team workers in order to provide constructive feedback on their work and to the commissioner for the purposes set forth in paragraph (c).

(c) The commissioner of health must establish a program ~~in cooperation with the commissioner~~ to collect appropriate data as required under paragraphs (a) and (b), in order to conduct an ongoing evaluation of swab team services for primary and secondary prevention. Within the limits of available appropriations, the commissioner of health must conduct ~~or contract with the commissioner,~~ on up to 1,000 residences which have received primary or secondary prevention swab team services, a postremediation evaluation, on at least a quarterly basis for a period of at least two years for each residence. The evaluation must note the condition of the paint within the residence, the extent of bare soil on the grounds, and collect and analyze one noncarpeted floor

dust lead sample. The data collected must be evaluated to determine the efficacy of providing swab team services as a method of reducing lead exposure in young children. In evaluating this data, the commissioner of health must consider city size, community location, historic traffic flow, soil lead level of the property by area or census tract, distance to industrial point sources that emit lead, season of the year, age of the housing, age and number of children living at the residence, the presence of pets that move in and out of the residence, and other relevant factors as the commissioner of health may determine.

Sec. 5. [REVISOR'S INSTRUCTION.]

In the next edition of Minnesota Statutes, the revisor of statutes shall renumber Minnesota Statutes, section 119A.46, as section 144.9512."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to education; providing for kindergarten through grade 12 education and early childhood and family education including general education, other general programs, education excellence, special programs, facilities and technology, nutrition, libraries, early childhood family support, community education and prevention, self-sufficiency and lifelong learning, and state agencies; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2004, sections 119A.46, subdivisions 1, 2, 3, 8; 120A.05, by adding a subdivision; 121A.17, subdivision 1; 121A.19; 122A.12, subdivision 2; 123A.05, subdivision 2; 123A.27; 123A.485, subdivision 2; 123B.143, subdivision 1; 123B.42, subdivision 3; 123B.49, subdivision 4; 123B.53, subdivision 5; 123B.54; 123B.57, subdivision 4; 123B.59, subdivisions 3, 3a; 123B.63, subdivision 2; 123B.71, subdivisions 8, 12; 123B.75, by adding a subdivision; 123B.76, subdivision 3; 123B.79, subdivision 6; 123B.81, subdivision 1; 123B.82; 123B.83, subdivision 2; 123B.92, subdivision 9; 124D.081, subdivision 6; 124D.09, subdivision 13; 124D.11, subdivisions 1, 2, 4, 5, 8; 124D.135, subdivision 5; 124D.15, subdivisions 1, 3, 5, 10, 12, by adding subdivisions; 124D.16, subdivisions 2, 3; 124D.22, subdivision 3; 124D.531, subdivisions 1, 4; 124D.65, subdivision 5; 124D.68, subdivision 9; 124D.69, subdivision 1; 124D.83, subdivision 2; 124D.86, subdivision 3; 124D.88, subdivision 4; 125A.11, subdivision 1; 125A.76, subdivisions 1, 4, by adding subdivisions; 125A.79, subdivisions 1, 5, 7, by adding subdivisions; 126C.01, subdivisions 7, 11; 126C.05, subdivisions 1, 5, 6, by adding a subdivision; 126C.10, subdivisions 1, 2, 2a, 3, 5, 6, 7, 8, 13, 13a, 17, 18, 24, 25, 26, 27, 28, 29, 31, 32, by adding subdivisions; 126C.13, subdivision 4; 126C.15, subdivisions 1, 2, by adding a subdivision; 126C.17, subdivisions 1, 2, 4, 5, 6, 7, 9, 13; 126C.21, subdivision 4; 126C.40, subdivision 1; 126C.48, subdivisions 2, 8, by adding a subdivision; 126C.63, subdivisions 5, 8; 127A.45, subdivision 11; 127A.47, subdivisions 7, 8; 127A.49, subdivisions 2, 3; 275.14; 275.16; 469.177, subdivision 9; proposing coding for new law in Minnesota Statutes, chapters 123B; 127A; repealing Minnesota Statutes 2004, sections 123A.39, subdivision 3; 123B.05; 123B.83, subdivision 1; 124D.15, subdivisions 2, 4, 6, 7, 8, 9, 11, 13; 124D.16, subdivisions 1, 4; 126C.12; 126C.41, subdivision 5; 126C.42, subdivisions 1, 4; 126C.43, subdivisions 2, 3; 126C.44; 126C.445; 126C.45; 126C.455; 127A.50; Laws 1996 chapter 412, article 5, section 28; Laws 1997, First Special Session chapter 4, article 4, section 31; Laws 2001, First Special Session chapter 5, article 3, section 87; Laws 2001, First Special Session chapter 6, article 1, section 53, as amended."

And when so amended the bill be re-referred to the Committee on Finance without recommendation. Amendments adopted. Report adopted.

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

S.F. No. 1066: A bill for an act relating to natural resources; requiring a study of certain unrefunded gasoline tax.

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

Delete everything after the enacting clause and insert:

"Section 1. [DETERMINATION OF TAX ALLOCATION; REPORT TO LEGISLATURE.]

The commissioners of natural resources, revenue, and transportation shall jointly:

(1) determine the amount of unrefunded gasoline tax attributable to all-terrain vehicle use in the state on each of the following:

- (i) private land;
- (ii) public land, excluding road rights-of-way;
- (iii) road rights-of-way; and
- (iv) grant-in-aid trails;

(2) recommend the proportion of the amount determined in clause (1) that should be allocated to the all-terrain vehicle account in the natural resources fund; and

(3) report to the legislature by March 1, 2006, with an appropriate proposed revision to Minnesota Statutes, section 296A.18."

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

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

S.F. No. 1047: A bill for an act relating to natural resources; modifying off-highway vehicle provisions; providing certain rulemaking exemptions; modifying forest classification review; amending Minnesota Statutes 2004, sections 84.798, subdivision 1; 84.9256, subdivision 1; 84.926; 89.19, subdivision 2; Laws 2003, chapter 128, article 1, section 167, subdivision 1.

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

Page 1, line 17, delete the new language

Page 1, line 18, delete everything before "on"

Page 1, line 19, after "use" insert "on land administered by the commissioner"

Page 3, line 22, delete "as" and insert "and"

Page 3, delete line 29 and insert "all-terrain vehicles"

Page 3, line 30, delete "84.922"

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

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

S.F. No. 1190: A bill for an act relating to taxation; sales and use; exempting construction materials used to construct certain utility facilities; amending Minnesota Statutes 2004, sections 297A.71, by adding a subdivision; 297A.75, subdivisions 1, 2, 3.

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

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

S.F. No. 378: A bill for an act relating to human services; modifying use of personal sick leave benefits; establishing an Internet-based caregiver support program; establishing a home care tax credit; requiring a telehome care study; appropriating money; amending Minnesota Statutes 2004, sections 181.9413; 256B.0911, subdivision 3; 256B.0917, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Page 2, delete section 2

Pages 3 to 6, delete sections 4 and 5

Page 6, delete line 36

Page 7, delete lines 1 and 2

Page 7, line 3, delete "(b)"

Page 7, line 5, delete "3" and insert "2"

Page 7, delete lines 6 to 8

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 4 and 5, delete "establishing a home care tax credit;"

Page 1, line 7, delete everything after the semicolon

Page 1, line 8, delete "subdivisions;" and insert "a subdivision." and delete "proposing coding"

Page 1, delete line 9

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

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

S.F. No. 423: A bill for an act relating to public safety; further regulating while recodifying activities involving anhydrous ammonia; requiring courts to order restitution in certain situations involving controlled substances; imposing property restrictions in certain situations involving controlled substances; increasing the criminal penalties for possessing certain substances with the intent to manufacture methamphetamine and recodifying this crime; establishing new methamphetamine-related crimes; clarifying the definition of "narcotic drug"; expanding the definition of "violent crime" for mandatory sentencing purposes; requiring that vehicles and other property used to manufacture methamphetamine indicate this in the title or by an affidavit; requiring notice to schools when children are taken into protective custody after being found at a methamphetamine laboratory; establishing a methamphetamine laboratory cleanup revolving fund and authorizing loans to assist counties and cities in conducting methamphetamine cleanup; imposing criminal penalties; providing for ten new Bureau of Criminal Apprehension agents dedicated to methamphetamine enforcement; appropriating money; amending Minnesota Statutes 2004, sections 152.01, subdivision 10; 152.021, subdivisions 2a, 3; 168A.05, subdivision 3; 260C.171, by adding a subdivision; 609.1095, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 152; 446A; repealing Minnesota Statutes 2004, sections 18C.005, subdivisions 1a, 35a; 18C.201, subdivisions 6, 7; 18D.331, subdivision 5.

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

Page 15, line 28, delete "chapter 145A or"

Page 17, line 3, delete "clandestine" and insert "a local public health nuisance ordinance that addresses clandestine lab remediation."

Page 17, delete line 4

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

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

S.F. No. 904: A bill for an act relating to employment; modifying job training program grant provisions; appropriating money for job training programs; amending Minnesota Statutes 2004, section 116J.8747, subdivision 2.

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

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

S.F. No. 853: A bill for an act relating to state government; allowing certain political subdivisions and boards to conduct meetings by telephone or other electronic means; amending Minnesota Statutes 2004, sections 116J.68, by adding a subdivision; 116L.03, by adding a subdivision; 116L.665, by adding a subdivision; 116M.15, by adding a subdivision; 116U.25; proposing coding for new law in Minnesota Statutes, chapters 13D; 41A.

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

Pages 1 and 2, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, delete "chapters 13D;" and insert "chapter"

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

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

S.F. No. 634: 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.

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

Page 1, line 11, delete "a" and insert "an existing"

Page 2, line 2, after "facility" insert "expansion"

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

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

S.F. No. 546: A bill for an act relating to unemployment insurance; making an eligibility

exception permanent for certain school food service workers; amending Minnesota Statutes 2004, section 268.085, subdivision 8.

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

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

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.

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

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

S.F. No. 952: A bill for an act relating to taxation; 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.

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

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

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.

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

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

S.F. No. 1051: A bill for an act relating to elections; providing for ongoing status as an absentee voter; amending Minnesota Statutes 2004, section 203B.04, by adding a subdivision.

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

Page 1, line 9, after "voter" insert "who reasonably expects to meet the requirements of section 203B.02, subdivision 1, on an ongoing basis,"

Page 1, line 20, delete the second "or"

Page 1, line 22, before the period, insert "; or

(6) the voter ceasing to meet the requirements of paragraph (a)"

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

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

S.F. No. 1146: A bill for an act relating to agriculture; clarifying the county agricultural society exemption from local zoning ordinances; amending Minnesota Statutes 2004, sections 38.01; 38.16.

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

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

S.F. No. 1253: A bill for an act relating to local government; authorizing the city of St. Paul to participate in the creation of, and to contract with, a nonprofit organization for management and operation of the RiverCentre complex.

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

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

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.

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

Page 6, line 17, after the semicolon, insert "EXPEDITED" and delete "EXEMPTION" and insert "PROCEDURE"

Page 6, line 20, delete everything after "commissioner" and insert "shall use the expedited rulemaking procedure in Minnesota Statutes, section 14.389, to adopt the plan."

Page 6, delete lines 21 to 24

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

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

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.

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

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

S.F. No. 467: A bill for an act relating to local government; exempting certain property from condemnation proceedings; designating certain property as a conforming planned unit development for purposes of county zoning controls; providing tax-exempt status for certain real and personal property used for recreational purposes; excluding certain recreational property from the metropolitan regional open space system; prohibiting a county from restricting access to and from certain recreational property; requiring certain duties of the Disabled Veterans Rest Camp in Washington County; amending Minnesota Statutes 2004, sections 88.44, by adding a subdivision; 103B.331, by adding a subdivision; 272.02, by adding a subdivision; 375.18, by adding a subdivision; 376.55, by adding a subdivision; 394.25, by adding a subdivision; 398.32, by adding a subdivision; 462.357, by adding a subdivision; 473.147, by adding a subdivision.

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

Pages 1 and 2, delete sections 1 and 2

Page 2, delete sections 4 and 5

Page 3, delete section 7

Page 3, after line 27, insert:

"Sec. 5. [WASHINGTON COUNTY; EMINENT DOMAIN.]

Subdivision 1. [LIMITATION ON CONDEMNATION.] Washington County may not acquire by eminent domain property owned or leased and operated by a nonprofit organization and primarily used to provide recreational opportunities to disabled veterans and their families.

Subd. 2. [LOCAL APPROVAL.] This section takes effect the day after the governing body of Washington County complies with Minnesota Statutes, section 645.021, subdivision 3."

Page 4, line 2, delete "continue to"

Page 4, line 5, delete "agreement" and insert "agreements"

Page 4, line 17, delete "3" and insert "1"

Page 4, line 19, delete "1, 2, and 4 to 11" and insert "2 to 4, 6, and 7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "property" insert "in Washington County"

Page 1, line 13, delete "88.44, by"

Page 1, delete line 14

Page 1, line 15, delete the first "subdivision;" and delete "375.18,"

Page 1, delete line 16

Page 1, line 17, delete the first "subdivision;" and delete "398.32,"

Page 1, line 18, delete "by adding a subdivision;"

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

Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred

S.F. No. 123: A bill for an act relating to judiciary; increasing the penalty for certain interference with privacy offenses; providing a penalty for engaging in a pattern of conduct involving interference with privacy; amending Minnesota Statutes 2004, section 609.746, subdivision 1, by adding a subdivision.

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

Page 1, lines 12 and 19, before "misdemeanor" insert "gross"

Page 2, lines 1 and 11, before "misdemeanor" insert "gross"

Page 2, line 23, after "felony" insert "and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both,"

Page 2, line 28, strike "16" and insert "18"

Pages 3 and 4, delete section 2

Amend the title as follows:

Page 1, line 3, delete "providing"

Page 1, delete line 4

Page 1, line 5, delete everything before "amending"

Page 1, line 7, delete ", by adding a subdivision"

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

Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred

S.F. No. 87: A bill for an act relating to crime prevention; public safety; expanding the trespass law; amending Minnesota Statutes 2004, section 609.605, subdivisions 1, 4.

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

Page 3, line 4, reinstate the stricken "within" and delete "at"

Page 3, line 5, delete "any time" and insert "one year"

Page 3, line 8, after "site" insert "or locked aggregate mining site"

Page 3, line 26, after "(b)" insert "It is a misdemeanor for a person to be on the roof of a public or nonpublic elementary, middle, or secondary school building unless the person has permission from a school official to be on the roof of the building."

(c)"

Page 4, line 3, strike "(c)" and insert "(d)"

Page 4, line 4, reinstate the stricken "within" and delete "at any time" and insert "one year"

Page 4, line 11, strike "(d)" and insert "(e)"

Page 4, line 20, strike "(e)" and insert "(f)"

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

Senator Foley from the Committee on Crime Prevention and Public Safety, to which was re-referred

S.F. No. 1207: A bill for an act relating to courts; limiting postconviction relief; setting conditions for petitions; amending Minnesota Statutes 2004, section 590.01, subdivision 1, by adding a subdivision.

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

Page 1, line 24, after "appeal" insert "has been completed"

Page 2, line 30, delete "Minnesota Supreme Court" and insert "a Minnesota appellate court"

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

Senator Foley from the Committee on Crime Prevention and Public Safety, to which was re-referred

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.

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

Senator Foley from the Committee on Crime Prevention and Public Safety, to which was re-referred

S.F. No. 1230: A bill for an act relating to public safety; expanding the escape from custody crime to include civilly committed sexually dangerous persons and persons with sexual psychopathic personalities who abscond while under provisional discharge; amending Minnesota Statutes 2004, section 609.485, subdivisions 2, 4.

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

Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred

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.

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

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

S.F. No. 588: A bill for an act relating to unlawful trade practices; prohibiting employer misrepresentation of the status of employees; providing for the recovery of costs and attorney fees for unlawful trade practices; amending Minnesota Statutes 2004, section 325D.15; proposing coding for new law in Minnesota Statutes, chapter 325D.

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

Delete everything after the enacting clause and insert:

"Section 1. [181.722] [MISREPRESENTATION OF EMPLOYMENT RELATIONSHIP PROHIBITED.]

Subdivision 1. [PROHIBITION.] No employer shall misrepresent the nature of its employment relationship with its employees to any federal, state, or local government unit, to other employers or to its employees. An employer misrepresents the nature of its employment relationship with its employees if it makes any statement regarding the nature of the relationship that the employer knows or has reason to know is untrue and if it fails to report individuals as employees when legally required to do so.

Subd. 2. [AGREEMENTS TO MISCLASSIFY PROHIBITED.] No employer shall require or request any employee to enter into any agreement, or sign any document, that results in misclassification of the employee as an independent contractor or otherwise does not accurately reflect the employment relationship with the employer.

Subd. 3. [DETERMINATION OF EMPLOYMENT RELATIONSHIP.] For purposes of this section, the nature of an employment relationship is determined using the same tests and in the same manner as employee status is determined under the applicable workers' compensation and unemployment insurance program laws and rules.

Subd. 4. [REPORTING OF VIOLATIONS.] Any court finding any person guilty of violating this section shall transmit a copy of the documentation of the finding of guilt to the commissioner of labor and industry. The commissioner of labor and industry shall report the finding of guilt to relevant state and federal agencies, including at least the commissioner of commerce, the commissioner of employment and economic development, the commissioner of revenue, the federal Internal Revenue Service, and the United States Department of Labor.

Subd. 5. [CIVIL REMEDY.] A person injured by a violation of this section may bring an action for damages against the violator. There is a rebuttable presumption that a losing bidder on a project on which a violation of this section has occurred has suffered damages in an amount equal to the profit it projected to make on its bid. The court may award attorney fees, costs, and disbursements to a party recovering under this section. If the person injured is an employee of the violator of this section, the employee's representative, as defined in section 179.01, subdivision 5, may bring an action for damages against the violator on behalf of the employee.

Sec. 2. [REVISOR'S INSTRUCTION.]

The revisor of statutes shall insert a first grade headnote prior to Minnesota Statutes, section 181.722, that reads "MISREPRESENTATION OF EMPLOYMENT RELATIONSHIPS."

Delete the title and insert:

"A bill for an act relating to employment; prohibiting employers from misrepresenting the nature of employment relationships; providing a civil remedy; proposing coding for new law in Minnesota Statutes, chapter 181."

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Energy and Community Development. Amendments adopted. Report adopted.

Senator Johnson, D.E., from the Committee on Rules and Administration, to which was referred

H.F. No. 925 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		925	880		

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Johnson, D.E., from the Committee on Rules and Administration, to which was referred

H.F. No. 1036 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		1036	1158		

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Johnson, D.E., from the Committee on Rules and Administration, to which was referred

H.F. No. 47 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
47	1087				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Johnson, D.E., from the Committee on Rules and Administration, to which was referred

H.F. No. 487 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
487	525				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 808, 1125, 885, 1047, 546, 1051, 1146, 308, 87 and 1207 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 925, 1036, 47 and 487 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Sams moved that the name of Senator Hann be added as a co-author to S.F. No. 586. The motion prevailed.

Senator Lourey moved that the name of Senator Koering be added as a co-author to S.F. No. 639. The motion prevailed.

Senator Johnson, D.E. moved that the name of Senator Koering be added as a co-author to S.F. No. 665. The motion prevailed.

Senator Kelley moved that the name of Senator Hann be added as a co-author to S.F. No. 764. The motion prevailed.

Senator Sams moved that the name of Senator Sparks be added as a co-author to S.F. No. 830. The motion prevailed.

Senator Rest moved that the name of Senator Gerlach be added as a co-author to S.F. No. 895. The motion prevailed.

Senator Gerlach moved that his name be stricken as a co-author to S.F. No. 917. The motion prevailed.

Senator Sams moved that the name of Senator Stumpf be added as a co-author to S.F. No. 917. The motion prevailed.

Senator Vickerman moved that the name of Senator Kelley be added as a co-author to S.F. No. 969. The motion prevailed.

Senator Koering moved that his name be stricken as chief author, and the name of Senator Marty be added as chief author to S.F. No. 1261. The motion prevailed.

Senator Koering moved that his name be stricken as a co-author to S.F. No. 1262. The motion prevailed.

Senator Anderson moved that her name be stricken as chief author, and the name of Senator Dibble be added as chief author to S.F. No. 1399. The motion prevailed.

Senator Dibble moved that the names of Senators Michel and Pogemiller be added as co-authors to S.F. No. 1535. The motion prevailed.

Senator Robling moved that the name of Senator LeClair be added as a co-author to S.F. No. 1584. The motion prevailed.

Senator Murphy moved that the name of Senator Rest be added as a co-author to S.F. No. 1604. The motion prevailed.

Senator Ruud moved that the name of Senator Wiger be added as a co-author to S.F. No. 1623. The motion prevailed.

Senator Wiger moved that the name of Senator Sparks be added as a co-author to S.F. No. 1660. The motion prevailed.

Senator Belanger moved that his name be stricken as a co-author to S.F. No. 1703. The motion prevailed.

Senator Kierlin moved that S.F. No. 447 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Johnson, D.J. moved that S.F. No. 465 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Dille moved that S.F. No. 1248 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Finance. The motion prevailed.

Senator Kelley moved that S.F. No. 1340 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Kiscaden moved that S.F. No. 1490 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Marko moved that S.F. No. 1703 be withdrawn from the Committee on Taxes and re-referred to the Committee on Transportation. The motion prevailed.

Senator Vickerman moved that S.F. No. 462 be withdrawn from the Committee on Agriculture, Veterans and Gaming and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

Senator Neuville moved that S.F. No. 1323 be withdrawn from the Committee on Finance and re-referred to the Committee on Crime Prevention and Public Safety. The motion prevailed.

Senator Larson introduced--

Senate Resolution No. 56: A Senate resolution congratulating the Perham High School girls gymnastics team on winning the 2005 State High School Class A team championship.

Referred to the Committee on Rules and Administration.

Senator Ranum introduced--

Senate Resolution No. 57: A Senate resolution congratulating the Academy of Holy Angels boys hockey team on winning the 2005 State High School Class AA Boys Hockey Tournament.

Referred to the Committee on Rules and Administration.

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

Senate Concurrent Resolution No. 6: A Senate concurrent resolution relating to adjournment for more than three days.

BE IT RESOLVED, by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon their adjournments on Wednesday, March 23, 2005, the Senate and House of Representatives may each set its next day of meeting for Tuesday, March 29, 2005.

2. Each house consents to adjournment of the other house for more than three days.

Senator Johnson, D.E. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

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

CONSENT CALENDAR

S.F. No. 114: A bill for an act relating to highways; designating Purple Heart Memorial Highway; amending Minnesota Statutes 2004, section 161.14, subdivision 25, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1405: A bill for an act relating to occupational safety and health; modifying standard industrial classification list rulemaking provisions; amending Minnesota Statutes 2004, section 182.653, subdivision 9.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 471: A bill for an act relating to regional development commissions; expanding the power to get and use real or personal property; amending Minnesota Statutes 2004, section 462.391, subdivision 12.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1315: A bill for an act relating to elections; changing requirements for precinct summary statements; amending Minnesota Statutes 2004, section 204C.24, subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 960: A bill for an act relating to elections; fair campaign practices; amending Minnesota Statutes 2004, section 211B.13, subdivision 1.

Pursuant to Rule 25.4, there being at least three objectors, S.F. No. 960 was stricken from the Consent Calendar and placed on General Orders.

S.F. No. 692: A bill for an act relating to natural resources; deleting land from the Mississippi Recreational River Land Use District in Wright and Sherburne Counties.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Senator Johnson, D.E. moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1116: A bill for an act relating to natural resources; requiring lifejackets for children aboard watercraft; amending Minnesota Statutes 2004, section 86B.501, by adding a subdivision.

Senate File No. 1116 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned March 14, 2005

Senator Johnson, D.E., for Senator Chaudhary, moved that the Senate do not concur in the amendments by the House to S.F. No. 1116, 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 to be appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDERS

Pursuant to Rule 26, Senator Johnson, D.E., Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. Nos. 419 and 180.

SPECIAL ORDER

S.F. No. 419: A bill for an act relating to education; providing for student access to licensed student support services.

Senator Johnson, D.E. moved that S.F. No. 419 be laid on the table. The motion prevailed.

SPECIAL ORDER

S.F. No. 180: A bill for an act relating to education; providing for parent discretion in classroom placement of children of multiple birth; proposing coding for new law in Minnesota Statutes, chapter 120A.

Senator Frederickson moved to amend S.F. No. 180 as follows:

Page 1, line 12, after the period, insert "The school may recommend classroom placement to the parents and provide professional education advice to the parents to assist them in making the best decision for their children's education."

Page 1, line 13, delete "childrens'" and insert "children's" and after "guardian" insert ", unless the school board makes a classroom placement determination following the school principal's request according to this section"

Page 1, line 18, after the period, insert "At the end of the initial grading period, if the school principal, in consultation with the children's classroom teacher, determines that the requested classroom placement is disruptive to the school, the school principal may request that the school board determine the children's classroom placement."

The motion prevailed. So the amendment was adopted.

S.F. No. 180 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

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

Those who voted in the affirmative were:

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

So the bill, as amended, was 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:

S.F. No. 1116: Senators Chaudhary, Frederickson and Hottinger.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Sparks moved that his name be stricken as a co-author to S.F. No. 1450. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Limmer and LeClair introduced--

S.F. No. 1704: A bill for an act relating to crime; creating new penalties for the crime of neglecting a vulnerable adult; amending Minnesota Statutes 2004, section 609.233, subdivision 1, by adding a subdivision.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Higgins and Solon introduced--

S.F. No. 1705: A bill for an act relating to human services; specifying services for a child who is seriously emotionally disturbed; proposing coding for new law in Minnesota Statutes, chapter 245.

Referred to the Committee on Health and Family Security.

Senator Higgins introduced--

S.F. No. 1706: A bill for an act relating to human services; creating a task force to discuss collaboration between schools and mental health providers.

Referred to the Committee on State and Local Government Operations.

Senators Kelley and Olson introduced--

S.F. No. 1707: A bill for an act relating to education; authorizing the commissioner of education to approve up to five charitable organizations as charter school sponsors; amending Minnesota Statutes 2004, section 124D.10, subdivision 3.

Referred to the Committee on Education.

Senator Higgins introduced--

S.F. No. 1708: A bill for an act relating to human services; modifying case management of persons with mental retardation or related conditions; amending Minnesota Statutes 2004, sections 256.045, subdivision 4a; 256B.092, subdivisions 7, 8.

Referred to the Committee on Health and Family Security.

Senators Kelley, Cohen and Pappas introduced--

S.F. No. 1709: A bill for an act relating to education finance; appropriating money for middle school math and science initiatives.

Referred to the Committee on Finance.

Senator Lourey introduced--

S.F. No. 1710: A bill for an act relating to human services; implementing child protection, child care, and child and family support provisions; amending Minnesota Statutes 2004, sections 119A.43, subdivision 2; 119B.025, subdivision 1; 119B.03, subdivision 6; 119B.09, subdivisions 4, 9; 144D.025; 256.978, subdivision 2; 256D.02, subdivision 17; 256D.051, subdivision 6c; 256I.04, subdivision 2a; 256I.05, by adding a subdivision; 256J.626, subdivisions 6, 7, 8; 256J.751, subdivisions 2, 5; 257.85, subdivisions 2, 3; 259.23, subdivisions 1, 2; 259.41, subdivision 3; 259.75, subdivision 1; 259.79, subdivision 1; 259.85, subdivision 1; 260.012; 260C.001, subdivision 3; 260C.007, subdivision 8; 260C.151, subdivision 6; 260C.178; 260C.201, subdivisions 1, 10, 11; 260C.312; 260C.317, subdivision 3; 518.551, subdivision 5; 518.68, subdivision 2; 548.091, subdivision 1a; 626.556, subdivisions 1, 2, 3, 10, 10b, 10e, 10f, 10i, 11, 11c, by adding subdivisions; repealing Minnesota Statutes 2004, sections 626.5551, subdivisions 1, 2, 3, 4, 5; Minnesota Rules, parts 9500.1206, subparts 20, 26d, 27; 9560.0220, subpart 6, item B; 9560.0230, subpart 2.

Referred to the Committee on Health and Family Security.

Senator Pappas introduced--

S.F. No. 1711: A bill for an act relating to higher education; restricting application of the open meeting law and the Data Practices Act during recruitment of the president of the University of Minnesota and the chancellor of the Minnesota State Colleges and Universities system; amending Minnesota Statutes 2004, sections 13.43, subdivision 3; 13D.01, subdivision 2.

Referred to the Committee on State and Local Government Operations.

Senators Michel, Wergin, McGinn, Belanger and Day introduced--

S.F. No. 1712: A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 7; article XIV, section 10, by adding a section; imposing certain requirements on future bonding bills, allocating revenue from motor vehicle sales tax, and increasing and modifying use of motor fuel tax; imposing requirements on expenditure of certain federal funds; authorizing issuance of \$750,000,000 in state trunk highway bonds; dedicating bond proceeds and state share of motor fuel tax increase to designated major transportation projects; creating right-of-way advance acquisition loan account in transportation revolving loan fund; requiring pilot projects, studies, and reports on municipal consent, wetland mitigation, environmental involvement, environmental permitting, performance-based highway contract specification, commodity corridors, transit efficiencies, and highway jurisdiction; authorizing state agencies to be designated as charter agencies; appropriating money; amending Minnesota Statutes 2004, sections 161.04, by adding a subdivision; 161.23, subdivision 5; 297B.09, subdivision 1; 446A.085, subdivisions 3, 8, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16A; 161; 174.

Referred to the Committee on Finance.

Senators Foley, Berglin, Cohen, Murphy and Neuville introduced--

S.F. No. 1713: A bill for an act relating to traffic regulations; prohibiting local authorities from enforcing traffic regulations with administrative penalties; amending Minnesota Statutes 2004, section 169.022.

Referred to the Committee on Transportation.

Senators Foley and Scheid introduced--

S.F. No. 1714: A bill for an act relating to economic development; appropriating money for a grant to the Northwest Regional Curfew Center.

Referred to the Committee on Finance.

Senators Vickerman and Murphy introduced--

S.F. No. 1715: A bill for an act relating to transportation; appropriating money for rural transit services in southern Minnesota; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Finance.

Senators Bakk and Michel introduced--

S.F. No. 1716: A bill for an act relating to workers' compensation; adopting recommendations of the Workers' Compensation Advisory Council; amending Minnesota Statutes 2004, sections 176.011, subdivision 9; 176.041, by adding a subdivision; 176.081, subdivision 1; 176.092, subdivision 1a; 176.102, subdivision 3a; 176.106, subdivision 1; 176.129, subdivisions 1b, 2a, 13; 176.135, subdivisions 1, 7; 176.1351, subdivision 5; 176.1812, subdivision 1; 176.185, subdivisions 1, 7, by adding a subdivision; 176.231, subdivision 5; 176.238, subdivision 10; 176.391, subdivision 2; repealing Minnesota Statutes 2004, section 176.1812, subdivision 6.

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

Senator Hann introduced--

S.F. No. 1717: A bill for an act relating to family law; clarifying "the best interests of the child"; establishing a rebuttable presumption in favor of joint legal and physical custody; providing child support guidelines; making related technical changes; amending Minnesota Statutes 2004, sections 518.17, subdivisions 1, 2; 518.551, by adding a subdivision; 518.5513, subdivision 3; 518.64, subdivision 2; 611.20, subdivision 6; proposing coding for new law in

Minnesota Statutes, chapter 518; repealing Minnesota Statutes 2004, sections 518.17, subdivisions 1a, 3, 6; 518.551, subdivisions 5, 5f.

Referred to the Committee on Judiciary.

Senators Kiscaden, Wergin, Bakk, Higgins and Nienow introduced--

S.F. No. 1718: A bill for an act relating to health; providing that audiologists need not obtain hearing instrument dispenser certification; providing penalties; amending Minnesota Statutes 2004, sections 148.512, subdivision 6; 148.5194, by adding a subdivision; 148.5195, subdivision 3; 153A.13, subdivision 5; 153A.14, subdivisions 2a, 2i, 4, 4c; 153A.15, subdivision 1; 153A.20, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Family Security.

Senator Lourey introduced--

S.F. No. 1719: A bill for an act relating to human services; reinstating certain American Indian advisory councils; amending Minnesota Statutes 2004, sections 254A.035, subdivision 2; 254A.04; 260.835.

Referred to the Committee on State and Local Government Operations.

Senator Lourey introduced--

S.F. No. 1720: A bill for an act relating to human services; making agency technical amendments; changing provisions related to children and family services, health care, and continuing care programs; amending Minnesota Statutes 2004, sections 13.319, subdivision 3; 13.461, by adding a subdivision; 119B.02, subdivision 5; 119B.035, subdivision 1; 119B.074; 119B.08, subdivision 1; 119B.09, subdivision 1; 119B.26; 245.463, subdivision 2; 245.464, subdivision 1; 245.465, subdivision 1; 245.466, subdivisions 1, 5; 245.4661, subdivision 7; 245.483, subdivisions 1, 3; 245.4872, subdivision 2; 245.4873, subdivision 5; 245.4874; 245.4875, subdivisions 1, 5; 245A.16, subdivision 6; 252.24, subdivision 5; 252.282, subdivision 2; 252.46, subdivision 10; 256.045, subdivisions 3, 6, 7; 256B.04, subdivision 14; 256B.056, subdivision 1c; 256B.0625, subdivisions 5, 27; 256B.0911, subdivision 6; 256B.0913, subdivision 13; 256B.092, subdivision 1f; 256B.094, subdivision 8; 256B.0943, subdivisions 6, 12, 13; 256B.503; 256B.75; 256D.03, subdivision 3; 256G.01, subdivision 3; 256J.13, subdivision 2; 256J.21, subdivision 2; 256J.24, subdivision 5; 256J.561, subdivision 3; 256J.74, subdivision 1; 256J.751, subdivision 2; 256J.95, subdivisions 2, 6, 11, 18, 19; 256L.01, subdivision 3a; 256L.04, by adding a subdivision; 256M.30, subdivision 2; 260C.212, subdivision 12; 275.62, subdivision 4; 518.6111, subdivision 7; 626.557, subdivision 12b; 626.5571, subdivision 2; Laws 1997, chapter 245, article 2, section 11, as amended; repealing Minnesota Statutes 2004, sections 119A.01, subdivision 3; 119A.20; 119A.21; 119A.22; 119A.35; 119B.21, subdivision 11; 245.713, subdivisions 2, 4; 245.716; 256.014, subdivision 3; 256.045, subdivision 3c; 256B.0629, subdivisions 1, 2, 4; 256J.95, subdivision 20; 256K.35; 626.5551, subdivision 4; Laws 1998, chapter 407, article 4, section 63.

Referred to the Committee on Health and Family Security.

Senators Saxhaug, Sams, Pariseau, Bakk and Rosen introduced--

S.F. No. 1721: A bill for an act relating to natural resources; proposing an amendment to the Minnesota Constitution by adding a section to article XI; dedicating the sales and use tax receipts equal to a sales and use tax of one-fourth of one percent on taxable sales and uses for natural resource purposes; creating a heritage enhancement fund; creating a clean water fund; establishing a Heritage Enhancement Council; establishing a Clean Waters Council; providing appointments; amending Minnesota Statutes 2004, section 10A.01, subdivision 35; proposing coding for new law in Minnesota Statutes, chapters 97A; 103F.

Referred to the Committee on Environment and Natural Resources.

Senator Lourey introduced--

S.F. No. 1722: A bill for an act relating to human services; making changes to licensing provisions; amending Minnesota Statutes 2004, sections 13.46, subdivision 4; 245A.02, subdivision 17; 245A.03, subdivisions 2, 3; 245A.04, subdivisions 7, 13; 245A.07, subdivisions 1, 3; 245A.08, subdivisions 2a, 5; 245A.14, by adding subdivisions; 245A.144; 245A.16, subdivision 4; 245A.18; 245B.02, subdivision 10; 245B.055, subdivision 7; 245B.07, subdivision 8; 245C.03, subdivision 1; 245C.07; 245C.08, subdivisions 1, 2; 245C.15, subdivisions 1, 2, 3, 4; 245C.17, subdivision 2; 245C.21, subdivision 2; 245C.22, subdivisions 3, 4; 245C.24, subdivisions 2, 3; 245C.27, subdivision 1; 245C.28, subdivision 3; 626.556, subdivision 10i; 626.557, subdivision 9d.

Referred to the Committee on Health and Family Security.

Senators Scheid, Betzold, Metzen, Wergin and Johnson, D.J. introduced--

S.F. No. 1723: A bill for an act relating to horse racing; providing for agreements between racetrack licensees and horsepersons' organizations; modifying certain restrictions on simulcasting and operating a card club; amending Minnesota Statutes 2004, sections 240.06, subdivision 5a; 240.13, subdivision 6; 240.135; 240.30, subdivision 5.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Gaither, Berglin, LeClair, Lourey and Ourada introduced--

S.F. No. 1724: A bill for an act relating to traffic regulations; limiting parking in special van-only handicapped parking spaces to vans specially modified for handicapped persons; making clarifying and technical changes; imposing a penalty; amending Minnesota Statutes 2004, sections 169.345, subdivision 1; 169.346, subdivisions 1, 2.

Referred to the Committee on Transportation.

Senators Sams and Bakk introduced--

S.F. No. 1725: A bill for an act relating to insurance; changing the method of calculating certain refunds in premium finance transactions; amending Minnesota Statutes 2004, section 59A.12, subdivision 2.

Referred to the Committee on Commerce.

Senators Kubly, Wergin, Murphy, Vickerman and Kiscaden introduced--

S.F. No. 1726: A bill for an act relating to health; allowing persons in active military service to suspend MinnesotaCare enrollment without a lapse in coverage; modifying MinnesotaCare eligibility determinations and premium payment calculations for persons in active military service; amending Minnesota Statutes 2004, sections 256L.05, by adding a subdivision; 256L.07, by adding a subdivision; 256L.15, by adding a subdivision.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Higgins, Pappas and Wiger introduced--

S.F. No. 1727: A bill for an act relating to health; modifying the Lead Poisoning Prevention Act; amending Minnesota Statutes 2004, sections 144.9501, subdivision 9; 144.9504, subdivision 2.

Referred to the Committee on Health and Family Security.

Senators Skoglund, Anderson and Kelley introduced--

S.F. No. 1728: A bill for an act relating to education; making nonpublic schools subject to the pupil fair dismissal law and other requirements if families of students receiving educational services from the nonpublic school claim a tax credit for education-related expenses; amending Minnesota Statutes 2004, sections 123B.41, subdivision 1; 290.0674, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 123B.

Referred to the Committee on Education.

Senators Kelley, Sams, Rosen, Kiscaden and Frederickson introduced--

S.F. No. 1729: A bill for an act relating to the State Board of Investment; authorizing venture capital investments using the environmental and natural resources trust fund; classifying data related to certain venture capital investments; amending Minnesota Statutes 2004, sections 11A.24, subdivision 6; 13.635, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116P.

Referred to the Committee on Judiciary.

Senator Kubly introduced--

S.F. No. 1730: A bill for an act relating to agriculture; directing the commissioner of agriculture to conduct a study regarding a rail container load-out facility in or near Clara City.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Chaudhary and Skoglund introduced--

S.F. No. 1731: A bill for an act relating to drivers' licenses; regulating data obtained by scanning drivers' licenses, permits, and identification cards; amending Minnesota Statutes 2004, section 171.12, subdivision 7.

Referred to the Committee on Transportation.

Senators Gaither, Scheid, Michel, Pogemiller and LeClair introduced--

S.F. No. 1732: A bill for an act relating to commerce; regulating securities, mortgage originators and servicers, athlete agents, and the contractor's recovery fund; amending Minnesota Statutes 2004, sections 80A.19, by adding a subdivision; 116J.70, subdivision 2a; 326.975, subdivision 1.

Referred to the Committee on Commerce.

Senators Neuville and Betzold introduced--

S.F. No. 1733: A bill for an act relating to civil actions; providing a factor for determining the amount of attorney fees awarded in certain actions; proposing coding for new law in Minnesota Statutes, chapter 549.

Referred to the Committee on Judiciary.

Senators Moua, Chaudhary, Dille, Cohen and Langseth introduced--

S.F. No. 1734: A bill for an act relating to capital improvements; appropriating money for an Asian community center in St. Paul; authorizing state bonds.

Referred to the Committee on Finance.

Senators Tomassoni, Ortman and Belanger introduced--

S.F. No. 1735: A bill for an act relating to taxation; making the capital equipment exemption an up front exemption in two phases; amending Minnesota Statutes 2004, sections 297A.68, subdivision 5; 297A.75, subdivisions 1, 3.

Referred to the Committee on Taxes.

Senator Day introduced--

S.F. No. 1736: A bill for an act relating to retirement; Teachers Retirement Association; authorizing purchase of prior service credit for teaching service in Montana.

Referred to the Committee on State and Local Government Operations.

Senators Olson, Dille, Gaither, Larson and Koering introduced--

S.F. No. 1737: A bill for an act relating to public safety; changing criminal sentencing for certain controlled substance possessors; authorizing expungement of conviction records for certain controlled substance possessors; adjusting the terms of imprisonment for certain controlled substance offenders; appropriating money; amending Minnesota Statutes 2004, sections 609A.02, by adding a subdivision; 609A.03, subdivision 5, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 152; 244.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Day introduced--

S.F. No. 1738: A bill for an act relating to waters; modifying water use permit provisions; amending Minnesota Statutes 2004, section 103G.271, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

Senator Senjem introduced--

S.F. No. 1739: A bill for an act relating to motor vehicles; regulating registration tax refunds; modifying registration procedures; making technical and clarifying changes; amending Minnesota Statutes 2004, sections 168.011, subdivisions 3, 4, 5, 5a, 6, 7, by adding subdivisions; 168.15, subdivision 1; 168.16; 168.31, subdivision 5; repealing Minnesota Statutes 2004, sections 168.011, subdivision 19; 168.15, subdivision 2.

Referred to the Committee on Transportation.

Senators Stumpf; Dille; Belanger; Johnson, D.E. and Moua introduced--

S.F. No. 1740: A bill for an act relating to human services; creating a children's health security account; establishing the children's health security program; specifying eligibility criteria, covered services, and administrative procedures; increasing the tax on tobacco products; appropriating money; amending Minnesota Statutes 2004, sections 297F.05, subdivisions 1, 3, 4; 297F.10; proposing coding for new law in Minnesota Statutes, chapter 16A; proposing coding for new law as Minnesota Statutes, chapter 256N.

Referred to the Committee on Health and Family Security.

Senator Betzold introduced--

S.F. No. 1741: A bill for an act relating to retirement; supplemental pension and deferred compensation plans; clarifying certain exceptions; amending Minnesota Statutes 2004, section 356.24, subdivision 1.

Referred to the Committee on State and Local Government Operations.

Senator Foley introduced--

S.F. No. 1742: A bill for an act relating to human services; requiring counties to process certain medical assistance applications within timelines; amending Minnesota Statutes 2004, section 256B.19, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Wergin, Stumpf and Kelley introduced--

S.F. No. 1743: A bill for an act relating to education finance; modifying the tax base used to calculate debt service levies; amending Minnesota Statutes 2004, sections 123B.53, subdivision 5; 126C.01, by adding a subdivision; 127A.48, by adding a subdivision; 273.11, subdivision 1a.

Referred to the Committee on Finance.

Senator Fischbach introduced--

S.F. No. 1744: A bill for an act relating to education; extending the garage lease levy for Independent School District No. 748, Sartell; amending Laws 2003, First Special Session chapter 9, article 4, section 29, as amended.

Referred to the Committee on Finance.

Senators Scheid, Foley and Pogemiller introduced--

S.F. No. 1745: A bill for an act relating to taxation; extending the duration of an economic development tax increment financing district in the city of Brooklyn Park; amending Laws 1994, chapter 587, article 9, section 20, subdivisions 1, 2; repealing Laws 1994, chapter 587, article 9, section 20, subdivision 4.

Referred to the Committee on Taxes.

Senator Vickerman introduced--

S.F. No. 1746: A bill for an act relating to education finance; authorizing an account transfer for Independent School District No. 177, Windom.

Referred to the Committee on Finance.

Senator Vickerman introduced--

S.F. No. 1747: 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 grant to the city of Worthington for soil remediation; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

Senator Vickerman introduced--

S.F. No. 1748: A bill for an act relating to capital improvements; appropriating money for

infrastructure replacement and repair due to storm damage in Worthington; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

Senator Vickerman introduced--

S.F. No. 1749: A bill for an act relating to capital improvements; appropriating money for improvements to marked Trunk Highway 60; authorizing issuance of state trunk highway bonds.

Referred to the Committee on Finance.

Senator Vickerman introduced--

S.F. No. 1750: A bill for an act relating to traffic regulations; increasing maximum length limitation of recreational vehicle combinations; amending Minnesota Statutes 2004, section 169.81, subdivision 3c.

Referred to the Committee on Transportation.

Senator Pogemiller introduced--

S.F. No. 1751: A bill for an act relating to taxation; clarifying the treatment of government housing payments for purpose of the property tax exemption for charitable institutions; amending Minnesota Statutes 2004, section 272.02, subdivision 7.

Referred to the Committee on Taxes.

Senators Hottinger and Higgins introduced--

S.F. No. 1752: A bill for an act relating to elections; restoring citizenship rights and eligibility to vote to certain convicted felons who are not incarcerated; requiring notice; amending Minnesota Statutes 2004, section 201.014, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 243; 609.

Referred to the Committee on Elections.

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

S.F. No. 1753: A bill for an act relating to human services; modifying group residential housing supplemental rate for certain facilities; amending Minnesota Statutes 2004, section 256I.05, subdivision 1e.

Referred to the Committee on Health and Family Security.

Senator Stumpf introduced--

S.F. No. 1754: A bill for an act relating to agriculture; appropriating money for a grant to continue turf grass research in northern climates.

Referred to the Committee on Finance.

Senators Pappas, Berglin, Lourey, Foley and Stumpf introduced--

S.F. No. 1755: A bill for an act relating to state government; Department of Administration; requiring the design and construction of memorials to Coya Knutson on the Capitol grounds and in the city of Oklee; appropriating money.

Referred to the Committee on State and Local Government Operations.

Senator Foley introduced--

S.F. No. 1756: A bill for an act relating to crimes; creating a committee to study and recommend adjusting dollar threshold amounts in property crimes.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Wergin, Stumpf and Sparks introduced--

S.F. No. 1757: A bill for an act relating to education finance; authorizing a school district to build a school building using design-build construction techniques; amending Minnesota Statutes 2004, sections 123B.52, subdivision 1; 471.345, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 123B.

Referred to the Committee on Finance.

Senator Jungbauer introduced--

S.F. No. 1758: A bill for an act relating to retirement; authorizing purchase of service credit in the Teachers Retirement Association.

Referred to the Committee on State and Local Government Operations.

Senator Higgins introduced--

S.F. No. 1759: A bill for an act relating to taxation; imposing an excise tax on paint; amending Minnesota Statutes 2004, sections 270.101, subdivision 1; 289A.01; 289A.02, subdivision 5; 289A.12, by adding a subdivision; 289A.18, by adding a subdivision; 289A.19, by adding a subdivision; 289A.20, by adding a subdivision; 289A.56, subdivision 3; proposing coding for new law as Minnesota Statutes, chapter 297J.

Referred to the Committee on Taxes.

Senator Chaudhary introduced--

S.F. No. 1760: A bill for an act relating to motor vehicles; modifying provisions relating to motor vehicle registration; amending Minnesota Statutes 2004, sections 168.011, subdivision 3, by adding subdivisions; 168.091, subdivision 1.

Referred to the Committee on Transportation.

Senators Vickerman, Frederickson, Murphy, Koering and Sams introduced--

S.F. No. 1761: A bill for an act relating to agriculture; appropriating money for sustainable agriculture grants.

Referred to the Committee on Finance.

Senator Tomassoni introduced--

S.F. No. 1762: A bill for an act relating to consumer protection; requiring motor vehicle owners to authorize certain repairs; amending Minnesota Statutes 2004, section 325F.59.

Referred to the Committee on Commerce.

Senators Pogemiller and Michel introduced--

S.F. No. 1763: A bill for an act relating to retirement; Public Employees Retirement Association; excluding police officers of the University of Minnesota from the public employees 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 Johnson, D.E.; Anderson; Frederickson; Murphy and Koering introduced--

S.F. No. 1764: A bill for an act relating to agriculture; appropriating money for the Minnesota Institute for Sustainable Agriculture information exchange program.

Referred to the Committee on Finance.

Senators Dibble, Scheid, Tomassoni, Marko and Johnson, D.E. introduced--

S.F. No. 1765: A bill for an act relating to public safety; changing criminal sentencing for certain controlled substance possessors; authorizing expungement of conviction records for certain controlled substance possessors; adjusting the terms of imprisonment for certain controlled substance offenders; appropriating money; amending Minnesota Statutes 2004, sections 609A.02, by adding a subdivision; 609A.03, subdivision 5, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 152; 244.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Ourada introduced--

S.F. No. 1766: A bill for an act relating to traffic regulations; regulating mud flaps; making clarifying changes; amending Minnesota Statutes 2004, section 169.733.

Referred to the Committee on Transportation.

Senators Tomassoni, Senjem and Fischbach introduced--

S.F. No. 1767: A bill for an act relating to local sales taxes; allowing certain cities to impose a local sales tax if certain criteria are met; authorizing the city of Mankato to extend the duration of its sales tax; authorizing the city of Waite Park to impose a sales tax approved by the voters; amending Minnesota Statutes 2004, sections 297A.99, subdivisions 1, 3, by adding a subdivision; 477A.016.

Referred to the Committee on Taxes.

Senator LeClair introduced--

S.F. No. 1768: A bill for an act relating to state government; authorizing Minnesota Computers for School to acquire surplus property for the state; amending Minnesota Statutes 2004, section 16C.23, subdivision 1.

Referred to the Committee on State and Local Government Operations.

Senators Scheid, Marty, Higgins, Wiger and Marko introduced--

S.F. No. 1769: A bill for an act relating to elections; requiring notice of certain independent expenditures; releasing candidates attacked by certain independent expenditures from spending limit agreement; amending Minnesota Statutes 2004, sections 10A.20, subdivision 6b; 10A.25, by adding a subdivision.

Referred to the Committee on Elections.

Senators LeClair, Bachmann, Marko and Wiger introduced--

S.F. No. 1770: A bill for an act relating to transportation; requiring Department of Transportation and Metropolitan Council to conduct study of bus rapid transit on the transportation corridor between Stillwater and St. Paul.

Referred to the Committee on Transportation.

Senators Nienow, Wergin and Dille introduced--

S.F. No. 1771: A bill for an act relating to agriculture; changing certain penalties; amending Minnesota Statutes 2004, sections 31.032, subdivision 1; 31A.10.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Rosen, Pariseau, Vickerman, Skoe and Wergin introduced--

S.F. No. 1772: A bill for an act relating to agriculture; changing certain provisions concerning plant pests, nursery stock, and wildflowers; amending Minnesota Statutes 2004, sections 18G.03, subdivision 1; 18H.02, subdivisions 21, 22, 23, 32, 34, by adding a subdivision; 18H.05; 18H.06; 18H.09; 18H.13, subdivision 1; 18H.15; 18H.18, subdivision 1; repealing Minnesota Statutes 2004, section 18H.02, subdivisions 15, 19.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Robling introduced--

S.F. No. 1773: A bill for an act relating to wetlands; clarifying restriction on wetland development in land sale in Scott County; amending Laws 2003, First Special Session chapter 13, section 25.

Referred to the Committee on Environment and Natural Resources.

Senators Wergin, Nienow and Dille introduced--

S.F. No. 1774: A bill for an act relating to agriculture; changing application of certain penalties; changing certain procedures and time limits; amending Minnesota Statutes 2004, sections 17.982, subdivision 1; 17.983, subdivisions 1, 3; repealing Minnesota Statutes 2004, sections 17.983, subdivision 2.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Wergin, Ruud, Belanger, Senjem and LeClair introduced--

S.F. No. 1775: A bill for an act relating to local government; providing for local governments to opt out of state mandates; proposing coding for new law as Minnesota Statutes, chapter 471B.

Referred to the Committee on State and Local Government Operations.

Senators Wergin and Belanger introduced--

S.F. No. 1776: A bill for an act relating to gambling; requiring the deposit of lottery proceeds in the county natural resources and recreation fund; creating a county natural resources and recreation fund and providing for the distribution and use of amounts in the fund; amending Minnesota Statutes 2004, section 349A.10, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 349A.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Sparks and Scheid introduced--

S.F. No. 1777: A bill for an act relating to housing; providing for the licensure of manufactured and industrialized/modular home sales; authorizing rules; amending Minnesota Statutes 2004, sections 327B.01, by adding a subdivision; 327B.04, subdivisions 1, 4; proposing coding for new law in Minnesota Statutes, chapters 16B; 327B.

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

Senator Olson introduced--

S.F. No. 1778: A bill for an act relating to crimes; providing a penalty for leaving a child unattended in a car; amending Minnesota Statutes 2004, section 609.378, subdivision 1.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Cohen introduced--

S.F. No. 1779: A bill for an act relating to government data practices; requiring destruction of disposed private or confidential data; amending Minnesota Statutes 2004, sections 13.05, subdivision 5; 138.17, subdivision 7.

Referred to the Committee on Judiciary.

Senators Rest, Murphy, Tomassoni, Gaither and Anderson introduced--

S.F. No. 1780: A bill for an act relating to employment; permitting employers of professional athletes to request or require random drug testing for the presence of anabolic steroids; amending Minnesota Statutes, section 181.951, subdivision 4.

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

Senator Rest introduced--

S.F. No. 1781: A bill for an act relating to education; clarifying the learning opportunities available through desegregation/integration plans; amending Minnesota Statutes 2004, section 124D.86, subdivision 1.

Referred to the Committee on Education.

Senators Sparks, Scheid and Michel introduced--

S.F. No. 1782: A bill for an act relating to commerce; regulating service contracts and contract providers; providing exceptions; proposing coding for new law as Minnesota Statutes, chapter 59B.

Referred to the Committee on Commerce.

Senators Scheid, Reiter, Michel, Kiscaden and Murphy introduced--

S.F. No. 1783: A bill for an act relating to insurance; regulating agency terminations, coverages, fees, forms, disclosures, reports, information security, and premiums; amending Minnesota Statutes 2004, sections 59A.12, subdivision 2; 60A.14, subdivision 1; 60A.171, subdivision 11; 60A.23, subdivision 8; 60A.966; 60A.969; 62A.136; 62A.31, subdivision 1h; 62A.315; 62A.316; 62E.13, subdivision 2; 62L.03, subdivision 3; 62Q.471; 65A.29, subdivision 11; 65B.48, subdivision 3; 72A.20, subdivisions 13, 36; 72A.201, subdivisions 3, 4; 79.40; 79.56,

subdivisions 1, 3; 79.62, subdivision 3; 79A.04, subdivision 10; 79A.06, subdivision 5; 79A.12, subdivision 2; 79A.22, subdivision 11, by adding a subdivision; 176.191, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 60A; repealing Minnesota Statutes 2004, sections 61A.072, subdivision 2; 62E.03.

Referred to the Committee on Commerce.

Senator Murphy introduced--

S.F. No. 1784: A bill for an act relating to taxation; property; exempting certain property of an electric generation facility; amending Minnesota Statutes 2004, section 272.02, by adding a subdivision.

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

Senators Sams and Saxhaug introduced--

S.F. No. 1785: A bill for an act relating to taxation; providing a reduced class rate for certain property bordering public waters; amending Minnesota Statutes 2004, section 273.13, subdivision 23.

Referred to the Committee on Taxes.

Senators Skoe and Sams introduced--

S.F. No. 1786: A bill for an act relating to taxation; providing that "agricultural products" includes certain short rotation trees for purposes of the agricultural property tax classification; amending Minnesota Statutes 2004, section 273.13, subdivision 23.

Referred to the Committee on Taxes.

Senators Betzold, Rest and Johnson, D.E. introduced--

S.F. No. 1787: A bill for an act relating to civil actions; providing for the admissibility of evidence of use or failure to use seat belts; regulating actions involving certain insurance practices; authorizing direct actions and imposing direct liability on certain insurers in certain actions; regulating recovery in certain actions; amending Minnesota Statutes 2004, section 169.685, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 72A; 540; 604.

Referred to the Committee on Judiciary.

Senator Pappas introduced--

S.F. No. 1788: A bill for an act relating to higher education; changing the method for recommending regent candidates to the legislature; amending Minnesota Statutes 2004, section 137.0245, subdivisions 1, 4; proposing coding for new law in Minnesota Statutes, chapter 137.

Referred to the Committee on Education.

Senators Pappas and Jungbauer introduced--

S.F. No. 1789: A bill for an act relating to environment; banning certain substances after a certain date; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Environment and Natural Resources.

Senators Pappas and Kelley introduced--

S.F. No. 1790: A bill for an act relating to the University of Minnesota; regulating the selection of the Board of Regents; amending Minnesota Statutes 2004, section 137.0245, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapter 137.

Referred to the Committee on Education.

Senator Pappas introduced--

S.F. No. 1791: A bill for an act relating to higher education; proposing an amendment to the Minnesota Constitution, article XIII, section 3; establishing the size of the Board of Regents of the University of Minnesota; providing for elections; proposing coding for new law in Minnesota Statutes, chapter 137.

Referred to the Committee on Education.

Senators Hottinger, Lourey and Scheid introduced--

S.F. No. 1792: A bill for an act relating to human services; consolidating the MFIP and basic sliding fee child care programs; appropriating money; amending Minnesota Statutes 2004, sections 119B.02, subdivisions 1, 2; 119B.03, subdivisions 3, 9, 10; 119B.035, subdivisions 1, 2, 4, 5; 119B.05, subdivision 5; 119B.08; 119B.09, subdivisions 1, 4a, 7; 119B.10; 119B.11, subdivision 1; 119B.12, subdivision 2; 119B.13, by adding subdivisions; 119B.15; 119B.24; repealing Minnesota Statutes 2004, sections 119B.011, subdivisions 20, 20a; 119B.03, subdivisions 1, 2, 4, 5, 6, 6a, 6b, 8; 119B.05, subdivision 1; 119B.07; 119B.09, subdivision 3; 119B.11, subdivision 4.

Referred to the Committee on Finance.

Senators Kelley, Skoe, Stumpf and Gaither introduced--

S.F. No. 1793: A bill for an act relating to education finance; amending the online learning program funding formula; establishing an online learning advisory council; amending Minnesota Statutes 2004, section 124D.095, subdivision 8, by adding a subdivision.

Referred to the Committee on Education.

Senator Murphy introduced--

S.F. No. 1794: A bill for an act relating to motor vehicles; requiring insurance companies to report information; creating vehicle insurance verification program and special revenue account; requiring preparation of database to identify uninsured motorists; requiring commissioner of public safety to discontinue insurance verification sampling program; declaring charges for violations of sampling program laws to be void; reinstating certain drivers' licenses; authorizing rulemaking; requiring report; imposing criminal penalty; appropriating money; amending Minnesota Statutes 2004, sections 168.013, by adding a subdivision; 169.09, subdivision 13; 169.795; 169.796, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 65B; 169; repealing Minnesota Statutes 2004, section 169.796, subdivision 3.

Referred to the Committee on Transportation.

Senator Kiscaden introduced--

S.F. No. 1795: A bill for an act relating to health occupations; establishing licensure for denturists; amending Minnesota Statutes 2004, sections 150A.01, by adding subdivisions; 150A.02; 150A.04, subdivision 5; 150A.05, subdivision 2, by adding a subdivision; 150A.06, subdivisions 2b, 2d, 4, 6, by adding subdivisions; 150A.08, subdivisions 1, 3a, 5; 150A.09, subdivisions 1, 3; 150A.10, subdivision 3, by adding a subdivision; 150A.11, subdivisions 2, 3, 4; 150A.12; 150A.21.

Referred to the Committee on Health and Family Security.

Senators Kiscaden, Scheid, Higgins, Lourey and Skoe introduced--

S.F. No. 1796: A bill for an act relating to state government; establishing the Minnesota Health Care Purchasing Authority; requiring a report.

Referred to the Committee on State and Local Government Operations.

Senators Pappas, Marty, Higgins, Anderson and Lourey introduced--

S.F. No. 1797: A bill for an act relating to public safety; changing criminal sentencing for certain controlled substance possessors; authorizing expungement of conviction records for certain controlled substance possessors; adjusting the terms of imprisonment for certain controlled substance offenders; appropriating money; amending Minnesota Statutes 2004, sections 609A.02, by adding a subdivision; 609A.03, subdivision 5, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 152; 244.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Frederickson and Day introduced--

S.F. No. 1798: A bill for an act relating to public safety; changing criminal sentencing for certain controlled substance possessors; authorizing expungement of conviction records for certain controlled substance possessors; adjusting the terms of imprisonment for certain controlled substance offenders; appropriating money; amending Minnesota Statutes 2004, sections 609A.02, by adding a subdivision; 609A.03, subdivision 5, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 152; 244.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Kiscaden and Lourey introduced--

S.F. No. 1799: A bill for an act relating to health occupations; modifying the transition period for licensure for hospital and city, county, and state agency alcohol and drug counselors; establishing licensure for certain licensed professionals; increasing the temporary permit fee; amending Minnesota Statutes 2004, sections 148C.04, subdivisions 4, 6; 148C.10, subdivision 2; 148C.11, subdivisions 1, 4, 5, 6; 148C.12, subdivision 3.

Referred to the Committee on Health and Family Security.

Senator Hottinger introduced--

S.F. No. 1800: A bill for an act relating to taxation; establishing an aggregate resource preservation property tax program; providing a classification for property containing certain unmined aggregate; amending Minnesota Statutes 2004, section 273.13, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 273.

Referred to the Committee on Taxes.

Senator Betzold introduced--

S.F. No. 1801: A bill for an act relating to public safety; authorizing the Bureau of Criminal Apprehension to add certain identifying information of an individual who is the subject of a background check to the criminal history under certain circumstances; amending Minnesota Statutes 2004, section 299C.11.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Dibble introduced--

S.F. No. 1802: A bill for an act relating to transportation; providing for furnishing landowners with copies of appraisals on land for which eminent domain proceedings have been commenced for transportation purposes; providing for reimbursement for appraisal costs; requiring preparation of public information on land acquisition procedures for transportation purposes; amending Minnesota Statutes 2004, section 117.036, subdivisions 2, 3, by adding a subdivision.

Referred to the Committee on Transportation.

Senator Dibble introduced--

S.F. No. 1803: A bill for an act relating to transportation; designating appraisals by road authorities for transportation projects as private data on individuals; requiring appraisals by road authorities to be provided to landowners; providing for review of appraisals by Department of Transportation; providing for direct billing of road authority for appraisal costs; authorizing reimbursement for legal fees of landowners in certain circumstances; amending Minnesota Statutes 2004, section 117.036, subdivision 2, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 117.

Referred to the Committee on Transportation.

Senators Skoglund, Berglin, Higgins, Ranum and Dibble introduced--

S.F. No. 1804: A bill for an act relating to crimes; defining "public place" for purposes of the prostitution law; amending Minnesota Statutes 2004, section 609.321, subdivision 12.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Dibble, Kelley and Neuville introduced--

S.F. No. 1805: A bill for an act relating to commerce; requiring businesses that possess personal data to notify persons whose personal information has been disclosed to unauthorized persons; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce.

Senators Dibble and Kelley introduced--

S.F. No. 1806: A bill for an act relating to education finance; authorizing a grant to establish a Principals' Leadership Institute; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 122A.

Referred to the Committee on Finance.

Senator Ranum introduced--

S.F. No. 1807: A bill for an act relating to crime victims and battered women's shelters; appropriating money to the commissioner of public safety for crime victim service programs and battered women's shelters.

Referred to the Committee on Crime Prevention and Public Safety.

MEMBERS EXCUSED

Senators Chaudhary and Sams were excused from the Session of today. Senator Larson was excused from the Session of today from 9:15 to 9:30 a.m. Senator Ruud was excused from the Session of today from 9:25 to 9:30 a.m.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 11:00 a.m., Monday, March 21, 2005. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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