

## FORTY-FIRST DAY

St. Paul, Minnesota, Monday, April 18, 2005

The Senate met at 11:00 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. Chris Enstad.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

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

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

April 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. Nos. 1466 and 1254.

Sincerely,  
Tim Pawlenty, Governor

April 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.<br>No. | H.F.<br>No. | Session Laws<br>Chapter No. | Time and<br>Date Approved<br>2005 | Date Filed<br>2005 |
|-------------|-------------|-----------------------------|-----------------------------------|--------------------|
| 1466        |             | 21                          | 11:00 a.m. April 14               | April 14           |
| 1254        |             | 22                          | 10:55 a.m. April 14               | April 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 Files, herewith returned: S.F. Nos. 171, 1535, 271 and 392.

Albin A. Mathiowetz, Chief Clerk, House of Representatives  
Returned April 14, 2005

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 128, 742, 892, 1922, 369, 820, 1334 and 1480.

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

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 128:** A bill for an act relating to civil actions; authorizing the recovery of attorney fees by funeral providers in actions to recover costs of services; proposing coding for new law in Minnesota Statutes, chapter 149A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 287, now on General Orders.

**H.F. No. 742:** A bill for an act relating to employment; providing exemptions from employment agency licensing requirements; prohibiting certain fee payments; amending Minnesota Statutes 2004, section 184.22, by adding subdivisions.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1404, now on General Orders.

**H.F. No. 892:** A bill for an act relating to elections; prohibiting unauthorized removal of campaign material; providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 204B.

Referred to the Committee on Elections.

**H.F. No. 1922:** A bill for an act relating to state government; authorizing the commissioner of administration to transfer state surplus computers to Minnesota Computers for Schools; amending Minnesota Statutes 2004, section 16C.23, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1768, now on General Orders.

**H.F. No. 369:** A bill for an act relating to real property; amending the Minnesota Common Interest Ownership Act; amending Minnesota Statutes 2004, sections 515B.1-102; 515B.1-103; 515B.1-106; 515B.1-107; 515B.1-116; 515B.2-101; 515B.2-102; 515B.2-104; 515B.2-106; 515B.2-108; 515B.2-110; 515B.2-111; 515B.2-112; 515B.2-113; 515B.2-118; 515B.2-119; 515B.2-121; 515B.2-123; 515B.2-124; 515B.3-101; 515B.3-102; 515B.3-103; 515B.3-105; 515B.3-106; 515B.3-110; 515B.3-112; 515B.3-113; 515B.3-114; 515B.3-115; 515B.3-116; 515B.3-117; 515B.3-120; 515B.4-101; 515B.4-102; 515B.4-105; 515B.4-106; 515B.4-107; 515B.4-108; 515B.4-109; 515B.4-111; 515B.4-115.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 393, now on General Orders.

**H.F. No. 820:** A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV to provide for initiative and referendum; providing procedures for initiative and referendum; providing penalties; amending Minnesota Statutes 2004, sections 204C.33, subdivisions 1, 3; 204D.11, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 3B.

Referred to the Committee on Elections.

**H.F. No. 1334:** A bill for an act relating to natural resources; modifying certain exemptions for an iron nugget production scale demonstration facility; amending Laws 2004, chapter 220, section 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1342.

**H.F. No. 1480:** A bill for an act relating to drainage; allowing an outlet fee to be charged for use of an established drainage system in Red Lake County as an outlet for drainage originating in Pennington County.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1364, now on General Orders.

## REPORTS OF COMMITTEES

Senator Johnson, D.E. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 1345, 2085, 1921, 1924, 2091 and 1218. The motion prevailed.

### **Senator Murphy from the Committee on Transportation, to which was re-referred**

**S.F. No. 1510:** A bill for an act relating to crimes; establishing the Minnesota Financial Crimes Oversight Council; providing for a statewide financial crimes task force and commander;

providing for the transition of the current task force to the new one; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A; repealing Minnesota Statutes 2004, section 299A.68.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

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

**S.F. No. 1345:** A bill for an act relating to drivers' licenses; providing for two-year driving permits; making clarifying changes; amending Minnesota Statutes 2004, section 171.05, subdivisions 1, 2.

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

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

**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.

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

Page 10, line 27, delete "a family assessment or investigation"

Page 10, line 28, delete "related to"

Page 28, line 8, after "that" insert "child"

Page 28, line 10, after the period, insert "Child protective services for a family are voluntary unless ordered by the court."

Page 37, after line 29, insert:

"Sec. 6. Minnesota Statutes 2004, section 259.67, subdivision 2, is amended to read:

Subd. 2. [ADOPTION ASSISTANCE AGREEMENT.] The placing agency shall certify a child as eligible for adoption assistance according to rules promulgated by the commissioner. The placing agency shall not certify a child who remains under the jurisdiction of the sending agency pursuant to section 260.851, article 5, for state funded adoption assistance when Minnesota is the receiving state. Not later than 30 days after a parent or parents are found and approved for adoptive placement of a child certified as eligible for adoption assistance, and before the final decree of adoption is issued, a written agreement must be entered into by the commissioner, the adoptive parent or parents, and the placing agency. The written agreement must be fully completed by the placing agency and in the form prescribed by the commissioner and must set forth the responsibilities of all parties, the anticipated duration of the adoption assistance payments, and the payment terms. The adoption assistance agreement shall be subject to the commissioner's approval, which must be granted or denied not later than 15 days after the agreement is entered.

The amount of adoption assistance is subject to the availability of state and federal funds and shall be determined through agreement with the adoptive parents. The agreement shall take into consideration the circumstances of the adopting parent or parents, the needs of the child being adopted and may provide ongoing monthly assistance, supplemental maintenance expenses related to the adopted person's special needs, nonmedical expenses periodically necessary for purchase of services, items, or equipment related to the special needs, and medical expenses. The placing agency or the adoptive parent or parents shall provide written documentation to support the need for adoption assistance payments. The commissioner may require periodic reevaluation of adoption assistance payments. The amount of ongoing monthly adoption assistance granted may in no case exceed that which would be allowable for the child under foster family care and is subject to the availability of state and federal funds.

Sec. 7. Minnesota Statutes 2004, section 259.67, subdivision 4, is amended to read:

Subd. 4. [ELIGIBILITY CONDITIONS.] (a) The placing agency shall use the AFDC requirements as specified in federal law as of July 16, 1996, when determining the child's eligibility for adoption assistance under title IV-E of the Social Security Act. If the child does not qualify, the placing agency shall certify a child as eligible for state funded adoption assistance only if the following criteria are met:

(1) Due to the child's characteristics or circumstances it would be difficult to provide the child an adoptive home without adoption assistance.

(2)(i) A placement agency has made reasonable efforts to place the child for adoption without adoption assistance, but has been unsuccessful; or

(ii) the child's licensed foster parents desire to adopt the child and it is determined by the placing agency that the adoption is in the best interest of the child.

(3) The child has been a ward of the commissioner, a Minnesota-licensed child-placing agency, or a tribal social service agency of Minnesota recognized by the Secretary of the Interior. The placing agency shall not certify a child who remains under the jurisdiction of the sending agency pursuant to section 260.851, article 5, for state funded adoption assistance when Minnesota is the receiving state.

(b) For purposes of this subdivision, the characteristics or circumstances that may be considered in determining whether a child is a child with special needs under United States Code, title 42, chapter 7, subchapter IV, part E, or meets the requirements of paragraph (a), clause (1), are the following:

(1) The child is a member of a sibling group to be placed as one unit in which at least one sibling is older than 15 months of age or is described in clause (2) or (3).

(2) The child has documented physical, mental, emotional, or behavioral disabilities.

(3) The child has a high risk of developing physical, mental, emotional, or behavioral disabilities.

(4) The child is adopted according to tribal law without a termination of parental rights or relinquishment, provided that the tribe has documented the valid reason why the child cannot or should not be returned to the home of the child's parent.

(c) When a child's eligibility for adoption assistance is based upon the high risk of developing physical, mental, emotional, or behavioral disabilities, payments shall not be made under the adoption assistance agreement unless and until the potential disability manifests itself as documented by an appropriate health care professional."

Page 38, line 28, after "adoptive parents" insert ", including race where such data is available"

Page 39, line 20, after "efforts" insert a comma

Page 39, line 21, after the first "services" insert a comma

Page 39, line 22, delete the new language and reinstate the stricken "or"

Page 39, lines 23 and 24, delete the new language

Page 39, lines 27 to 30, delete the new language and insert "and when a child cannot be reunified with the parent or guardian from whom the child was removed, the court must ensure that the responsible social services agency makes reasonable efforts to finalize an alternative permanent plan for the child as provided in paragraph (e)"

Page 39, line 34, delete "or" and insert "and"

Page 39, line 35, strike "not" and insert "always" and after "required" insert "except"

Page 40, line 36, strike "If a child is under the court's delinquency"

Page 41, strike lines 1 to 4 and insert "In cases governed by the Indian Child Welfare Act of 1978, United States Code, title 23, section 1901, the responsible social services agency must provide active efforts as required under United States Code, title 23, section 1911 (d)."

Page 41, line 7, after "child" insert "in foster care"

Page 41, line 12, delete everything after "(e)"

Page 41, line 13, delete "stage of the case,"

Page 41, line 14, delete "reasonable efforts" and insert "due diligence"

Page 41, line 21, after "care" insert "as required by section 260C.212, subdivision 4" and delete "and" and insert:

"(3) conduct a relative search as required under section 260C.212, subdivision 5; and"

Page 41, line 22, delete "(3)" and insert "(4) when the child cannot return to the parent or guardian from whom the child was removed, to plan for and" and after "permanent" insert "alternative"

Page 41, line 24, delete everything after the first "child"

Page 41, line 25, delete everything before the period

Page 41, line 27, after "use" insert "culturally"

Page 41, line 33, after "other" insert "culturally"

Page 41, line 36, after "efforts" insert "as described in paragraphs (a), (d), and (e)"

Page 42, line 6, after "placement" insert "of the child in foster care"

Page 42, after line 6, insert:

"(2) it has made reasonable efforts to eliminate the need for removal of the child from the child's home and to reunify the child with the child's family at the earliest possible time;"

Page 42, line 7, delete "(2)" and insert "(3)" and delete "the" and insert "an alternative"

Page 42, line 8, delete "plan" and insert "home"

Page 42, line 9, delete "(3)" and insert "(4)"

Page 42, line 25, after "case" insert "when there is clear and convincing evidence that the child is in need of protection or services" and strike everything after "may" and insert "find the child in need of protection or services and order any of the dispositions available under section 260C.201, subdivision 1."

Page 43, line 27, after "or" insert "upon"

Page 52, line 15, delete "If, after"

Page 52, line 16, delete "reasonable attempts by" and after "agency" insert "shall make reasonable attempts"

Page 52, line 17, delete the comma and insert ". If"

Page 52, line 25, delete ", and" and insert ". The parent may ask the court to modify the plan to require different or additional services requested by the parent, but which the agency refused to provide."

Page 52, line 26, after "plan" insert "as presented by the agency or may modify the plan to require services requested by the parent. The court's approval shall be"

Page 54, line 13, after "visit" insert "in order to protect the child's health, safety, or welfare" and after "and" insert "may"

Page 63, line 36, after "item" insert ", following proper notice that consent given under this provision is irrevocable upon acceptance by the court,"

Page 64, line 35, after "section" insert ", following proper notice that consent given under this provision is irrevocable upon acceptance by the court,"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, after the first semicolon, insert "259.67, subdivisions 2, 4;"

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 re-referred**

**S.F. No. 1323:** A bill for an act relating to public safety; appropriating money for public safety, corrections, various boards, and the courts; making the fee to access public criminal history data on the Internet Web site of the Bureau of Criminal Apprehension permanent; establishing a Gang and Drug Oversight Council; specifying the council's duties and membership; providing for grants; requiring fire safety inspections of various lodging facilities; modifying emergency telecommunications service fee; authorizing revenue bonds; transferring responsibility for youth intervention program; scheduling ephedrine and pseudoephedrine products as Schedule V controlled substances; regulating the sale of methamphetamine precursor drugs; authorizing reporting of suspicious transactions involving these drugs and providing civil immunity for so doing; 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; imposing criminal penalties; amending Minnesota Statutes 2004, sections 13.87, subdivision 3; 152.01, subdivision 10; 152.02, subdivision 6; 152.021, subdivisions 2a, 3; 152.027, subdivisions 1, 2; 152.135, subdivision 2; 171.20, subdivision 4; 171.26; 299F.391, subdivision 1; 299F.46, subdivisions 1, 3; 357.021, subdivisions 6, 7; 403.11, subdivision 1; 403.27, subdivisions 3, 4, by adding subdivisions; 403.30, subdivisions 1, 3, by adding subdivisions; 609.1095, subdivision 1; 609.119; proposing coding for new law in Minnesota Statutes, chapters 152; 299A; repealing Minnesota Statutes 2004, sections 299A.64; 299A.65; 299A.66; 403.30, subdivision 2.

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

Page 9, line 19, after the semicolon, insert:

"(13) a tribal peace officer, selected by the Minnesota Tribal Law Enforcement Association;"

Page 9, line 20, delete "(13)" and insert "(14)"

Page 11, after line 34, insert:

"Subd. 12. [REQUIRED REPORT.] By February 1 of each year, the council shall report to the chairs of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and funding on the activities of the council and any strike or task forces. This annual report shall include:

(1) a description of the council's goals for the previous year and for the coming year;

(2) a description of the outcomes the council achieved or did not achieve during the preceding year and a description of the outcomes the council will seek to achieve during the coming year; and

(3) any legislative recommendations the council has including, where necessary, a description of the specific legislation needed to implement the recommendations."

Pages 13 and 14, delete section 7 and insert:

"Sec. 7. Minnesota Statutes 2004, section 299F.46, subdivision 3, is amended to read:

Subd. 3. [INSPECTION FEES; HOTELS AND DORMITORIES.] (a) For each hotel or dormitory with 35 or more rooms and required to have a fire inspection according to subdivision 1, the commissioner of public safety may charge each hotel a triennial inspection fee of \$435 and a per-room charge of \$5 for one to 18 units, \$6 for 19 to 35 units, \$7 for 36 to 100 units, \$7 for 35 to 99 units and \$8 for 100 or more units, or a per bed charge of 50 cents for beds in a group sleeping area. The fee includes one follow-up inspection. The commissioner shall charge each resort a triennial inspection fee of \$435 and a per room charge of \$5 for one to ten units, \$6 for 11 to 25 units, and \$7 for 26 or more units. These fees include one follow-up inspection.

The commissioner shall charge a fee of \$225 for each additional follow-up inspection for hotels and resorts these buildings, conducted in each three-year cycle that is necessary to bring the hotel or resort building into compliance with the State Fire Code.

(b) For each hotel or dormitory with fewer than 35 rooms and required to have a fire inspection according to subdivision 1, the commissioner of public safety may charge a triennial inspection fee of \$217.50 and a per-room charge of \$3 for a hotel or dormitory, and a per-cabin charge of \$2.50, or a per-bed charge of 50 cents per bed in group sleeping areas. These fees include one follow-up inspection. The commissioner shall charge a fee of \$112.50 for each additional follow-up inspection for these buildings, conducted in each three-year cycle that is necessary to bring the building into compliance with the State Fire Code.

(c) Nothing in this subdivision prevents the designated local government agent, as defined in subdivision 2, from continuing to charge an established inspection fee or from establishing a new inspection fee.

(e) Hotels and motels with fewer than 35 rooms and resorts classified as 1e under section 273.13 are exempt from the fee requirements of this subdivision."

Pages 16 to 24, delete sections 10 to 18

Page 26, delete lines 16 and 17 and insert:

"Minnesota Statutes 2004, sections 299A.64, 299A.65, and 299A.66, are repealed."



Page 26, line 19, delete "22" and insert "13"

Pages 26 to 41, delete article 3

Amend the title as follows:

Page 1, delete line 10

Page 1, line 11, delete everything before "transferring"

Page 1, line 12, delete "scheduling ephedrine"

Page 1, delete lines 13 to 30

Page 1, line 31, delete everything before "amending"

Page 1, line 32, delete "152.01,"

Page 1, delete lines 33 and 34

Page 1, line 35, delete everything before "171.20"

Page 1, line 37, delete everything after "7;"

Page 1, delete lines 38 and 39

Page 1, line 40, delete everything before "609.119"

Page 1, line 41, delete everything after the comma and insert "chapter 299A;"

Page 1, line 43, delete "; 403.30, subdivision 2"

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

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

**S.F. No. 1390:** A bill for an act relating to state employees; modifying state employee group insurance plan provisions; amending Minnesota Statutes 2004, sections 43A.23, subdivision 1; 43A.24, subdivision 2; 43A.27, subdivisions 3, 4.

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

Page 3, lines 4 to 7, reinstate the stricken language

Page 7, delete section 4 and insert:

"Sec. 4. Minnesota Statutes 2004, section 471.999, is amended to read:

471.999 [REPORT TO LEGISLATURE.]

The commissioner of employee relations shall report to the legislature by January 1 of each year on the status of compliance with section 471.992, subdivision 1, by governmental subdivisions.

The report must include a list of the political subdivisions in compliance with section 471.992, subdivision 1, and the estimated cost of compliance. The report must also include a list of political subdivisions found by the commissioner to be not in compliance, the basis for that finding, recommended changes to achieve compliance, estimated cost of compliance, and recommended penalties, if any. The commissioner's report must include a list of subdivisions that did not comply with the reporting requirements of this section. The commissioner may request, and a subdivision shall provide, any additional information needed for the preparation of a report under this subdivision.

Notwithstanding any rule to the contrary, beginning in 2005, a political subdivision must report on its compliance with the requirements of sections 471.991 to 471.999 no more frequently than once every five three years. No report from a political subdivision is required for 2003 and 2004."

Amend the title as follows:

Page 1, line 5, delete "subdivisions 3, 4" and insert "subdivision 3; 471.999"

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

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

**S.F. No. 896:** A bill for an act relating to natural resources; state lands; modifying requirements for designation of scientific and natural areas; authorizing the private sale of certain surplus state lands; authorizing the public and private sale of certain tax-forfeited lands bordering public waters; providing for an easement on state land bordering a public water; amending Minnesota Statutes 2004, sections 84.033, by adding a subdivision; 97A.093; Laws 2003, First Special Session chapter 13, section 25; repealing Minnesota Statutes 2004, section 84.033, subdivision 2.

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

Page 11, after line 6, insert:

"Sec. 16. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; RICE COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Rice County may convey for no consideration to the city of Dundas the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land revert to the state if the land is not used for a public purpose as provided in Minnesota Statutes, section 282.01.

(c) The land to be conveyed is located in Rice County and is described as: All that part of Block Twenty-Two (22), in the original town, now the city of Dundas, Rice County, Minnesota, described as follows: Beginning at a point on the Southerly line of Hester Street, so-called, on the Easterly line of the right-of-way of the Chicago, Great Western Railway Company; thence running in a Southerly direction parallel with said right-of-way, a distance of Two Hundred Twenty-Five (225) Feet; thence Easterly parallel with Hester Street, so-called, to the banks of the Cannon River; thence Northerly along the said river bank to a point where it intersects with the Southerly line of Hester Street; thence in a Westerly direction along the South line of Hester Street, to the point of the beginning (parcel #17.0277.000).

(d) The county has determined that the county's land management interests would best be served if the land was conveyed to the city of Dundas."

Renumber the sections in sequence

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

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

**S.F. No. 2010:** A bill for an act relating to weights and measures; updating standards and making other technical changes to weights and measures provisions; delaying repeal of petroleum tank release cleanup provisions; authorizing Petroleum Tank Release Compensation Board to adopt rules for consultant services; amending Minnesota Statutes 2004, sections 41A.09,

subdivision 2a; 115C.07, subdivision 3; 115C.13; 239.011, subdivision 2; 239.05, subdivision 10b, by adding a subdivision; 239.09; 239.75, subdivisions 1, 5; 239.761; 239.77, by adding a subdivision; 239.79, subdivision 4; 239.791, subdivisions 1, 7, 8, 15; 239.792; 296A.01, subdivisions 2, 7, 8, 14, 19, 20, 22, 23, 24, 25, 26, 28; repealing Minnesota Statutes 2004, section 239.05, subdivisions 6a, 6b.

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

Page 2, delete section 3

Page 11, line 5, delete "June 1, 2006" and insert "December 31, 2005"

Page 17, line 9, delete "June 1, 2006" and insert "December 31, 2005"

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 4 and 5, delete "delaying repeal of petroleum tank release cleanup provisions;"

Page 1, line 9, delete "115C.13;"

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. 2085:** A bill for an act relating to the city of Cologne; providing exemption to wetland replacement requirements.

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

Page 1, line 6, delete everything after "Notwithstanding"

Page 1, line 7, delete "or" and delete "other"

Page 1, line 10, delete "must be"

Page 1, delete line 11 and insert "is eligible for replacement under Minnesota Statutes, section 103G.222, subdivision 1, paragraph (1)."

And when so amended the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

**Senator Lourey from the Committee on Health and Family Security, to which was re-referred**

**S.F. No. 1274:** A bill for an act relating to insurance; permitting flexible benefits plans for small employer group health coverage; proposing coding for new law in Minnesota Statutes, chapter 62L.

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

Page 1, line 9, delete the comma and insert "or"

Page 1, line 10, delete "or any other law to the contrary,"

Page 2, delete lines 4 and 5

Page 2, line 6, delete "(6)" and insert "(5)"

Page 2, line 9, after "law" insert ", and provided further that maternity benefits may be excluded only if every employee of the small employer approves the exclusion"

Page 2, line 10, delete "(7)" and insert "(6)"

Page 2, line 14, delete "(8)" and insert "(7)"

Page 2, line 17, delete "(6)" and insert "(5)" and delete "(7)" and insert "(6)"

Page 2, line 18, delete "(9)" and insert "(8)"

Page 2, line 33, delete the comma and delete "or any other law to the"

Page 2, line 34, delete "contrary"

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

**Senator Lourey from the Committee on Health and Family Security, to which was re-referred**

**S.F. No. 1840:** A bill for an act relating to health; providing an exception to the hospital construction moratorium; amending Minnesota Statutes 2004, section 144.551, subdivision 1.

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

Page 4, line 18, delete everything after "(19)" and insert "one or more projects to construct hospitals in the city of Maple Grove on sites approved by the city, provided that:

(i) each hospital is constructed and operated by an entity that participated in the public interest review under section 144.552 prior to April 1, 2005;

(ii) each hospital provides a full continuum of health care services, including emergency medical services, surgery, obstetrics, and behavioral health services, including mental health services for children and adolescents;

(iii) each hospital makes a significant commitment to providing uncompensated care; and

(iv) each hospital operator has agreed to participate with the University of Minnesota in the training of health professionals"

Page 4, delete lines 19 and 20

Page 4, line 21, delete everything before the period

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

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 1934:** A bill for an act relating to human services; modifying the quality assurance system; appropriating money; amending Minnesota Statutes 2004, sections 256B.095; 256B.0951, subdivision 1; 256B.0952, subdivision 5; 256B.0953, subdivision 1.

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

Page 3, after line 33, insert:

"Sec. 5. [DIRECTION TO THE COMMISSIONER; LICENSING AND ALTERNATIVE QUALITY ASSURANCE STUDY.]

The commissioner of human services shall arrange for a study, including recommendations for statewide development and implementation of regional or local quality assurance models for disability services. The study shall include a review of current projects or models; make findings regarding the best components, role, and function of such models within a statewide quality assurance system; and shall estimate the cost and sources of funding for regional and local quality assurance models on a statewide basis. The study shall be done in consultation with counties, consumers of service, providers, and representatives of current projects, including the Region 10 Quality Assurance Commission.

The study shall be submitted to the chairs of the legislative committees with jurisdiction over health and human services with recommendations on implementation of a statewide system of quality assurance and licensing by July 1, 2006. The commissioner shall submit proposed legislation for implementation of a statewide system of quality assurance to the chairs of the legislative committees with jurisdiction over health and human services by December 15, 2006."

Page 3, delete line 35

Page 3, line 36, delete "2007 are" and insert:

"\$151,000 in fiscal year 2007 is"

Page 4, line 2, after the period, insert "This appropriation shall become part of base level funding for the commission for the biennium beginning July 1, 2007."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the first semicolon, insert "requiring a study;"

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

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

**S.F. No. 1861:** A bill for an act relating to building plan review; providing an exemption from plan review for certain biotechnology manufacturing firms when plans meet designated specifications; directing the commissioner of labor and industry to study procedures for supervision of installation of biotechnology piping systems; requiring a report to the legislature.

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

Page 1, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "providing an"

Page 1, delete lines 3 and 4

Page 1, line 5, delete "specifications;"

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. 1684:** A bill for an act relating to assessments; adding streets to those kinds of

improvements for which a municipality may subsequently reimburse itself for earlier costs incurred; amending Minnesota Statutes 2004, section 429.051.

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

Delete everything after the enacting clause and insert:

"Section 1. [429.052] [STREET OR ROAD IMPROVEMENTS OUTSIDE MUNICIPAL BOUNDARIES.]

A municipality may construct street or road improvements outside its jurisdiction with the consent of the affected township or, if the property is located in unorganized territory, the county. When property is brought within the corporate limits of the municipality, the municipality may subsequently reimburse itself for all or any portion of the cost of the improvement for which municipal funds have been expended, by levying an assessment upon any property abutting on, but not previously assessed for the improvement. No assessment may be so levied unless the property to be assessed was given notice and hearing of the improvements under section 429.031 at the time the improvement was ordered and subsequently upon notice and hearing as provided for the improvement initially made.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for street and road improvements first ordered after August 1, 2005."

Delete the title and insert:

"A bill for an act relating to special assessments; authorizing a municipality to assess for road and street improvements outside the municipality in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 429."

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. 1819:** A bill for an act relating to building officials; requiring adoption and application of certain competency and certification criteria; providing for continuing education; amending Minnesota Statutes 2004, section 16B.65, subdivisions 3, 7; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

Page 1, line 14, after "by" insert "any" and delete "agencies" and insert "testing agency"

Page 1, line 17, after "(b)" insert "A person possessing a valid state plumbing or mechanical license or a valid mechanical certificate of competency, as issued by a city of the first class, shall be deemed to have met all of the requirements needed to perform inspections for the scope of work that is regulated by that license or certificate of competency and is exempt from the requirements of this subdivision.

(c)"

Page 2, line 33, after the period, insert "The programs must include information and materials regarding changes in relevant Minnesota Rules."

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. 1921:** A bill for an act relating to utilities; establishing geothermal energy incentives;

amending Minnesota Statutes 2004, section 297A.67, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

Page 1, delete section 1

Page 1, line 23, delete "Sec. 2." and insert "Section 1."

Delete the title and insert:

"A bill for an act relating to taxation; providing a sales tax exemption for certain geothermal heating and cooling products; amending Minnesota Statutes 2004, section 297A.67, by adding a subdivision."

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

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

**S.F. No. 1924:** A bill for an act relating to energy; promoting the use of hydrogen as an energy resource; appropriating money; amending Minnesota Statutes 2004, section 297A.67, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

Pages 1 to 7, delete sections 1 to 5

Page 7, line 10, delete "Sec. 6." and insert "Section 1."

Page 7, delete section 7

Delete the title and insert:

"A bill for an act relating to taxation; providing a sales tax exemption for certain purchases of hydrogen; amending Minnesota Statutes 2004, section 297A.67, by adding a subdivision."

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

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

**S.F. No. 2091:** A bill for an act relating to taxation; property; providing that certain personal property of an electric generation facility is exempt; 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 21, delete "one mile" and insert "two miles"

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

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

**S.F. No. 1139:** A bill for an act relating to crimes; making it a crime for a gang member to commit a crime against a child; imposing criminal penalties; amending Minnesota Statutes 2004, section 609.229, subdivision 3, and by adding a subdivision.

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 609.229, subdivision 3, is amended to read:

Subd. 3. [PENALTY.] (a) If the crime committed in violation of subdivision 2 is a felony, the statutory maximum for the crime is five years longer than the statutory maximum for the underlying crime. If the crime committed in violation of subdivision 2 is a felony, and the victim of the crime is a child under the age of 18 years, the statutory maximum for the crime is ten years longer than the statutory maximum for the underlying crime.

(b) If the crime committed in violation of subdivision 2 is a misdemeanor, the person is guilty of a gross misdemeanor.

(c) If the crime committed in violation of subdivision 2 is a gross misdemeanor, the person is guilty of a felony and may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$15,000, or both.

[EFFECTIVE DATE.] This section is effective August 1, 2005, and applies to crimes committed on or after that date.

Sec. 2. [APPROPRIATION.]

\$100,000 is appropriated from the general fund for the fiscal year ending June 30, 2006, to the commissioner of public safety for a grant to a nonprofit community-based organization that promotes youth violence prevention through school or community-based activities that teach marine ecology and ichthyology."

Delete the title and insert:

"A bill for an act relating to public safety; increasing the criminal penalty for a gang crime committed against a child; appropriating money; amending Minnesota Statutes 2004, section 609.229, subdivision 3."

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

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

**H.F. No. 1189** 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. |
|                |          | 1189             | 1259     |          |          |

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 Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 1857:** A bill for an act relating to human services; extending coverage of certain mental health services; amending Minnesota Statutes 2004, sections 148C.11, subdivision 1; 245.4885, subdivisions 1, 2, by adding a subdivision; 253B.02, subdivisions 7, 9; 253B.05, subdivision 2; 256.9693; 256B.0622, by adding a subdivision; 256B.0624, by adding a subdivision; 256B.0625, by adding subdivisions; 256D.03, subdivision 4; 256L.03, subdivision 1; 260C.141, subdivision 2; 260C.193, subdivision 2; 260C.201, subdivisions 1, 2; 260C.205; 260C.212, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 256B; repealing Laws 2001, First Special Session chapter 9, article 9, section 52; Laws 2002, chapter 335, section 4.

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

Pages 2 to 5, delete sections 2 to 4

Page 6, delete section 6

Pages 7 to 16, delete sections 8 to 13 and insert:

"Sec. 4. Minnesota Statutes 2004, section 256B.0924, subdivision 3, is amended to read:

Subd. 3. [ELIGIBILITY.] Persons are eligible to receive targeted case management services under this section if the requirements in paragraphs (a) and (b) are met.

(a) The person must be assessed and determined by the local county agency to:

(1) be age 18 or older;

(2) be receiving medical assistance;

(3) have significant functional limitations; and

(4) be in need of service coordination to attain or maintain living in an integrated community setting.

(b) The person must be a vulnerable adult in need of adult protection as defined in section 626.5572, or is an adult with mental retardation as defined in section 252A.02, subdivision 2, or a related condition as defined in section 252.27, subdivision 1a, and is not receiving home and community-based waiver services, or is an adult who lacks a permanent residence and who has been without a permanent residence for at least one year or on at least four occasions in the last three years."

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 5

Page 1, line 7, delete everything after the first semicolon

Page 1, line 8, delete everything after the semicolon and insert "256B.0924, subdivision 3;"

Page 1, delete line 9

Page 1, line 10, delete "subdivision 1;"

Page 1, line 12, delete everything after the semicolon

Page 1, line 13, delete everything before "repealing"

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 referred**

**S.F. No. 1525:** A bill for an act relating to corrections; clarifying notification procedure when victim requests a test on offender; amending Minnesota Statutes 2004, section 611A.19.

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

Page 2, delete lines 22 to 27 and insert "commissioner of health. Unless the subject of the test is an inmate at a state correctional facility, any test results given to a victim or victim's parent or guardian shall be provided by a health professional who is trained to provide the counseling described in section 144.7414. If the subject of the test is an inmate at a state correctional facility, test results shall be given by the Department of Corrections' medical director to the victim's health care provider who shall give the results to the victim or victim's parent or guardian."

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 referred**

**S.F. No. 1451:** A bill for an act relating to corrections; authorizing the Fugitive Apprehension Unit to seize property under the forfeiture law; limiting the unit's participation in the forfeiture law; amending Minnesota Statutes 2004, sections 609.531, subdivision 1; 609.5311, subdivisions 2, 3; 609.5312, subdivisions 1, 3, 4; 609.5314, subdivision 1; 609.5317, subdivision 1; 609.5318, subdivision 1.

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

Page 4, lines 15 and 16, delete "devise, to include motor vehicles" and insert "device"

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 referred**

**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.

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

Page 2, line 11, delete "a" and insert "an unreasonable"

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. 2066:** A bill for an act relating to animals; providing criminal penalties for activities related to cockfighting, dogfighting, and fighting of other domestic animals; creating procedures for disposition and care of the animals; providing for hearings; clarifying admissibility of certain evidence; amending Minnesota Statutes 2004, section 343.31.

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

Amend the title as follows:

Page 1, line 6, delete everything after the semicolon

Page 1, line 7, delete everything before "amending"

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 referred**

**S.F. No. 1223:** A bill for an act relating to public safety; establishing the crime of providing false information to law enforcement; amending Minnesota Statutes 2004, section 609.505.

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 609.505, is amended to read:

609.505 [FALSELY REPORTING CRIME.]

Subdivision 1. [FALSE REPORTING.] Whoever informs a law enforcement officer that a crime has been committed or otherwise provides information to an on-duty peace officer, knowing that the person is a peace officer, regarding the conduct of others, knowing that it is false and intending that the officer shall act in reliance upon it, is guilty of a misdemeanor. A person who is convicted a second or subsequent time under this section is guilty of a gross misdemeanor.

Subd. 2. [REPORTING POLICE MISCONDUCT.] (a) Whoever informs, or causes information to be communicated to, a peace officer, whose responsibilities include investigating or reporting police misconduct, that a peace officer, as defined in section 626.84, subdivision 1, paragraph (c), has committed an act of police misconduct, knowing that the information is false, is guilty of a crime and may be sentenced as follows:

(1) up to the maximum provided for a misdemeanor if the false information does not allege a criminal act; or

(2) up to the maximum provided for a gross misdemeanor if the false information alleges a criminal act.

(b) The court may order any person convicted of a violation of this subdivision to make full restitution of all reasonable expenses incurred in the investigation of the false allegation.

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 public safety; prohibiting falsely reporting police misconduct; prohibiting providing false information to a peace officer about the conduct of another; imposing criminal penalties; amending Minnesota Statutes 2004, section 609.505."

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

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

**S.F. No. 554:** A bill for an act relating to agriculture; excluding noninvasive floating of horses' teeth from the definition of veterinary medicine practice; amending Minnesota Statutes 2004, section 156.12, subdivision 1.

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

Delete everything after the enacting clause and insert:

"Section 1. [156.075] [REQUIREMENT FOR EQUINE TEETH FLOATERS.]

Subdivision 1. [DEFINITIONS.] For purposes of this section the following terms have the meanings given them.

(a) "Floating equine teeth" means:

(1) removal of enamel points from teeth with handheld, nonmotorized, non-air-powered files or rasps;

(2) reestablishing normal molar table angles and freeing up lateral excursion and other normal movements of the mandible;

(3) shaping the lingual aspect of the lower arcades and the buccal aspect of the upper arcades to a rounded smooth surface; and

(4) removing points from the buccal aspect of the upper arcade and the lingual aspect of the lower arcade.

(b) "Indirect supervision" means the attending veterinarian or veterinarian who regularly provides veterinary care to the horse or horses, has given oral or written instructions for treatment of the patient, and is readily available by telephone or other form of immediate communication. The veterinarian must be currently licensed under this chapter.

Subd. 2. [SERVICES.] A person may perform floating equine teeth services under indirect supervision."

Delete the title and insert:

"A bill for an act relating to agriculture; requiring equine teeth floaters to have indirect supervision; proposing coding for new law in Minnesota Statutes, chapter 156."

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

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

**S.F. No. 1218:** A memorial resolution asking the residents of Minnesota for tolerance of different views on animal agriculture production practices; making 2005 the year the Minnesota feedlot war ended, and a new era beginning for Minnesota livestock farmers characterized by peace, love, harmony, and acceptance of diversity.

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

Page 1, delete lines 8 to 26

Page 2, delete lines 1 to 23 and insert:

"WHEREAS, Minnesota has a diverse livestock production system; and

WHEREAS, Minnesota livestock farmers and related agricultural processing benefits the state's economy by employing over 200,000 people and generating over \$28,000,000,000 in economic value to the state; and

WHEREAS, the "Minnesota feedlot wars" started around 1985 and have continued for approximately 20 years; and

WHEREAS, some have expended time, energy, and resources during the last 20 years that has been channeled into criticizing and tearing down someone else's preferred method of livestock production; and

WHEREAS, Minnesota has many opportunities for residents to learn about the economic and environmental benefits of livestock produced on a broad range of diverse systems, ranging from pasture to confinement; and

WHEREAS, high livestock and human populations peacefully coexist in close proximity to each other in much of the world, such as the United Kingdom, Denmark, the Netherlands, and Lancaster County, Pennsylvania; NOW, THEREFORE,

BE IT RESOLVED, that 2005 be known as the year that the Minnesota feedlot wars ended and the mark of the beginning of a new era that is characterized by peace, harmony, love, and acceptance of diversity with regard to livestock farmers in Minnesota.

BE IT FURTHER RESOLVED, all Minnesotans should adopt a respectful, encouraging, and appreciative attitude toward Minnesota livestock farmers.

BE IT FURTHER RESOLVED, livestock farmers should renew and intensify their efforts to be good neighbors and good stewards of our environment by carefully following all federal, state, and local regulations.

BE IT FURTHER RESOLVED, rural residents should renew and intensify their efforts to be good neighbors, and accept, encourage, and support the livestock farmers in their area.

BE IT FURTHER RESOLVED, that time, energy, and resources could be more productively channeled into promoting a person's preferred method of livestock production rather than directed toward criticizing another person's preferred method of livestock production."

Delete the title and insert:

"A memorial resolution asking the residents of Minnesota for tolerance of different views on animal agriculture production practices; making 2005 the year the Minnesota feedlot war ended, and the mark of the beginning of a new era for Minnesota livestock farmers characterized by peace, love, harmony, and acceptance of diversity."

And when so amended the resolution do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

**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.

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 137.0245, is amended to read:

137.0245 [REGENT CANDIDATE ADVISORY COUNCIL AND RECOMMENDATION PROCESS.]

Subdivision 1. [ESTABLISHMENT.] A Regent Candidate Advisory Council is established to assist the legislature and governor in determining criteria for, and identifying and recruiting qualified candidates for membership on the Board of Regents.

Subd. 2. [MEMBERSHIP.] The Regent Candidate Advisory Council shall consist of 24 members. Twelve members shall be appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate. Twelve members shall be appointed by the speaker of the house of representatives. Each appointing authority must appoint one member who is a student enrolled in a degree program at the University of Minnesota at the time of appointment. No more than one-third of the members appointed by each appointing authority may be current or former legislators. No more than two-thirds of the members appointed by each appointing authority may belong to the same political party; however, political activity or

affiliation is not required for the appointment of any member. Geographical representation must be taken into consideration when making appointments. Section 15.0575 shall govern the advisory council, except that:

(1) the members shall be appointed to six-year terms with one-third appointed each even-numbered year; and

(2) student members are appointed to two-year terms with two students appointed each even-numbered year.

Subd. 3. [DUTIES.] (a) The advisory council shall:

(1) develop, in consultation with current and former regents and the administration of the University of Minnesota, a statement of the selection criteria to be applied and a description of the responsibilities and duties of a regent, and shall distribute this to potential candidates; and

(2) for each position on the board, identify and recruit qualified candidates for the Board of Regents, based on the background and experience of the candidates, and their potential for discharging the responsibilities of a member of the Board of Regents. The selection criteria must not include a limitation on the number of terms an individual may serve on the Board of Regents; and

(3) report to the joint committee established under section 137.0246 on the membership needs of the board in terms of individual skills and characteristics. Individual skills relate to training and experience in fields such as finance, higher education, labor, and management. Individual characteristics relate to qualities such as gender, race, and geographic location of residence.

(b) The guidelines developed under paragraph (a), clause (1), must include a guide that regents represent diversity in geography; gender; race; occupation, including business and labor; and experience.

Subd. 4. [RECOMMENDATIONS.] The advisory council shall recommend at least two and not more than four candidates. By March 15 of each odd-numbered year, the advisory council shall submit its recommendations to the president of the senate and the speaker of the house of representatives. The legislature shall not be bound by these recommendations.

Subd. 5. [SUPPORT SERVICES.] The Legislative Coordinating Commission shall provide administrative and support services for the advisory council.

Sec. 2. [137.0246] [REGENT SELECTION; LEGISLATURE.]

(a) By February 15 of each odd-numbered year, or at a date agreed to by concurrent resolution, a joint legislative committee shall meet to recommend nominees for regent of the University of Minnesota to be presented to a joint convention of the legislature. The joint legislative committee consists of 20 legislator members. Ten members shall be appointed by the speaker of the house. Ten members shall be appointed by the Subcommittee on Committees of the Committee on Rules and Administration from the senate. An equal number of members from the majority and minority party shall be appointed from each house. The members appointed from the minority party must be appointed from among those recommended by the minority leader. The chairs of the education policy committees and of the higher education budget divisions and the ranking minority member of those committees and divisions must be appointed. A majority of the members from each house is a quorum of the joint committee.

(b) The joint committee shall determine the number of persons, and the person or persons to be recommended for each open seat.

(c) The joint convention must meet on or before March 7 of that same odd-numbered year."

Amend the title as follows:

Page 1, line 4, delete the second comma

Page 1, line 5, delete everything before the semicolon

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

### SECOND READING OF SENATE BILLS

S.F. Nos. 1861, 1684, 1819, 1857, 1525, 1451, 1778, 2066, 1223 and 554 were read the second time.

### SECOND READING OF HOUSE BILLS

H.F. No. 1189 was read the second time.

### MOTIONS AND RESOLUTIONS

Senator Skoglund moved that the name of Senator Skoe be added as a co-author to S.F. No. 361. The motion prevailed.

Senator Skoglund moved that the name of Senator Skoe be added as a co-author to S.F. No. 1883. The motion prevailed.

Senator Reiter moved that S.F. No. 782 be withdrawn from the Committee on Finance and re-referred to the Committee on Taxes. The motion prevailed.

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

### CONSENT CALENDAR

**S.F. No. 1095:** A bill for an act relating to drivers' licenses; authorizing commissioner of public safety to waive road test for licensed military personnel; amending Minnesota Statutes 2004, section 171.13, subdivision 1a.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1145:** A bill for an act relating to Nobles County; providing a process for making certain offices appointive in Nobles County.

Senator Vickerman moved that S.F. No. 1145, No. 3 on the Consent Calendar, be stricken and re-referred to the Committee on State and Local Government Operations. The motion prevailed.

**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; amending Minnesota Statutes 2004, section 13.55, 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1252:** A bill for an act relating to water; providing for the consumptive use of groundwater.

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

So the bill passed and its title was agreed to.

**S.F. No. 1841:** A bill for an act relating to natural resources; eliminating the Project Riverbend Board; amending Minnesota Statutes 2004, sections 103F.387; 103F.389, subdivision 2; 103F.391; repealing Minnesota Statutes 2004, sections 103F.383, subdivisions 1, 2; 103F.385; 103F.389, subdivisions 3, 4; 103F.393.

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

So the bill passed and its title was agreed to.

**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.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1386:** A bill for an act relating to traffic regulations; clarifying that drivers are prohibited from driving vehicles onto shoulder to pass on the right; making other clarifying changes; amending Minnesota Statutes 2004, section 169.18, subdivision 4.

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 63 and nays 2, as follows:

Those who voted in the affirmative were:

|           |               |               |          |            |
|-----------|---------------|---------------|----------|------------|
| Anderson  | Dille         | Johnson, D.J. | LeClair  | Nienow     |
| Bachmann  | Fischbach     | Jungbauer     | Limmer   | Olson      |
| Bakk      | Foley         | Kelley        | Lourey   | Ortman     |
| Belanger  | Frederickson  | Kierlin       | Marko    | Ourada     |
| Berglin   | Gaither       | Kiscaden      | Marty    | Pappas     |
| Betzold   | Gerlach       | Kleis         | McGinn   | Pariseau   |
| Chaudhary | Hann          | Koering       | Metzen   | Pogemiller |
| Cohen     | Higgins       | Kubly         | Michel   | Ranum      |
| Day       | Hottinger     | Langseth      | Moua     | Reiter     |
| Dibble    | Johnson, D.E. | Larson        | Neuville | Rest       |

|         |         |          |           |       |
|---------|---------|----------|-----------|-------|
| Robling | Sams    | Senjem   | Stumpf    | Wiger |
| Rosen   | Saxhaug | Skoglund | Vickerman |       |
| Ruud    | Scheid  | Solon    | Wergin    |       |

Those who voted in the negative were:

|        |           |
|--------|-----------|
| Sparks | Tomassoni |
|--------|-----------|

So the bill passed and its title was agreed to.

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

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

So the bill passed and its title was agreed to.

**S.F. No. 1016:** A bill for an act relating to local government; permitting delegation of duties to board of adjustment; amending Minnesota Statutes 2004, section 18.83, subdivision 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**H.F. No. 1820:** A bill for an act relating to the Cambridge State Hospital; naming a cemetery; proposing coding for new law in Minnesota Statutes, chapter 246.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**H.F. No. 1650:** A bill for an act relating to cosmetology; providing for the transfer of regulatory oversight; modifying regulatory provisions; providing conforming changes; amending Minnesota Statutes 2004, sections 154.18; 154.22; 155A.03, subdivision 4a; 155A.04; 155A.045, subdivision 1; 155A.08, subdivision 1; 155A.135; repealing Minnesota Statutes 2004, sections 155A.03, subdivision 13; 155A.06; Minnesota Rules, part 2100.9300, subpart 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1905:** A bill for an act relating to local government; authorizing nine-member county economic development authority boards; amending Minnesota Statutes 2004, section 469.1082, 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

|          |           |           |              |               |
|----------|-----------|-----------|--------------|---------------|
| Anderson | Berglin   | Day       | Foley        | Hann          |
| Bachmann | Betzold   | Dibble    | Frederickson | Higgins       |
| Bakk     | Chaudhary | Dille     | Gaither      | Hottinger     |
| Belanger | Cohen     | Fischbach | Gerlach      | Johnson, D.E. |

|               |         |            |         |           |
|---------------|---------|------------|---------|-----------|
| Johnson, D.J. | Larson  | Moua       | Ranum   | Senjem    |
| Jungbauer     | LeClair | Neuville   | Reiter  | Skoglund  |
| Kelley        | Limmer  | Nienow     | Rest    | Solon     |
| Kierlin       | Lourey  | Olson      | Robling | Sparks    |
| Kiscaden      | Marko   | Ortman     | Rosen   | Stumpf    |
| Kleis         | Marty   | Ourada     | Ruud    | Tomassoni |
| Koering       | McGinn  | Pappas     | Sams    | Vickerman |
| Kubly         | Metzen  | Pariseau   | Saxhaug | Wergin    |
| Langseth      | Michel  | Pogemiller | Scheid  | Wiger     |

So the bill passed and its title was agreed to.

**S.F. No. 1945:** A bill for an act relating to local government; requiring a city council to vote on charter commission recommendations for charter amendments by ordinance; amending Minnesota Statutes 2004, section 410.12, subdivision 7.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1898:** A bill for an act relating to corrections; updating amount of construction necessary before commissioner of corrections review; amending Minnesota Statutes 2004, section 641.21.

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

So the bill passed and its title was agreed to.

**S.F. No. 1113:** A bill for an act relating to special service districts; delaying a special law requirement until 2010; amending Minnesota Statutes 2004, section 428A.101.

Senator Senjem moved that S.F. No. 1113, No. 14 on the Consent Calendar, be stricken and re-referred to the Committee on Taxes. The motion prevailed.

### **MOTIONS AND RESOLUTIONS - CONTINUED**

Senator Anderson moved that S.F. No. 1368, No. 182 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

#### **Senator Tomassoni introduced--**

**S.F. No. 2226:** A bill for an act relating to higher education; amending the Minnesota academic excellence scholarship; clarifying tuition benefits for senior citizens; amending Minnesota Statutes 2004, sections 135A.30, subdivisions 1, 4; 135A.52, subdivisions 1, 2; 136F.32, subdivision 2.

Referred to the Committee on Finance.

#### **Senators Bakk, Koering, Sams and Saxhaug introduced--**

**S.F. No. 2227:** A bill for an act relating to taxation; requiring a report by the Department of Revenue; creating a credit for contributions to the Explore Minnesota Tourism additional source fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

#### **Senator Limmer introduced--**

**S.F. No. 2228:** A bill for an act relating to taxation; individual income; providing an income tax checkoff to fund benefits for survivors of law enforcement officers and firefighters and providing for maintenance of peace officer and firefighter memorials; establishing an advisory council; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

#### **Senators Lourey, Solon, Berglin, Rosen and Koering introduced--**

**S.F. No. 2229:** A bill for an act relating to health; directing the commissioner of health to work with local public health departments to develop a public health information network; appropriating money.

Referred to the Committee on Finance.

#### **Senator Pogemiller introduced--**

**S.F. No. 2230:** A bill for an act relating to taxation; eliminating the JOBZ program; amending Minnesota Statutes 2004, sections 290.01, subdivisions 19b, 29; 290.06, subdivision 2c; 290.067, subdivision 1; 290.0671, subdivision 1; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivisions 2, 3; 297B.03; repealing Minnesota Statutes 2004, sections 272.02, subdivision 64; 272.029, subdivision 7; 290.06, subdivision 29; 297A.68, subdivision 37; 469.310; 469.311; 469.312; 469.313; 469.314; 469.315; 469.316; 469.317; 469.318; 469.319; 469.320; 477A.08.

Referred to the Committee on Taxes.

**Senators Belanger; Michel; Ranum; Johnson, D.E. and Day introduced--**

**S.F. No. 2231:** A bill for an act relating to the Metropolitan Airports Commission; providing for senate confirmation of certain appointments; amending Minnesota Statutes 2004, section 473.604, subdivisions 1, 4.

Referred to the Committee on State and Local Government Operations.

**Senators Belanger, Michel and Ranum introduced--**

**S.F. No. 2232:** A bill for an act relating to health; extending approval for a nursing facility moratorium exception proposal approved under the competitive exception process; amending Minnesota Statutes 2004, section 144A.073, by adding a subdivision.

Referred to the Committee on Finance.

**Senator Saxhaug introduced--**

**S.F. No. 2233:** A bill for an act relating to game and fish; prohibiting computer-assisted remote hunting; proposing coding for new law in Minnesota Statutes, chapter 97B.

Referred to the Committee on Environment and Natural Resources.

**Senator Fischbach introduced--**

**S.F. No. 2234:** A bill for an act relating to education; requiring school milk to be provided in single service plastic containers; amending Minnesota Statutes 2004, section 124D.118, by adding a subdivision.

Referred to the Committee on Education.

**Senators Metzen, Sams and LeClair introduced--**

**S.F. No. 2235:** A bill for an act relating to insurance; requiring certain disclosures from insurance producers; amending Minnesota Statutes 2004, section 60K.46, by adding a subdivision.

Referred to the Committee on Commerce.

**Senators Rosen and Belanger introduced--**

**S.F. No. 2236:** A bill for an act relating to sales taxes; allowing a vendor allowance; amending Minnesota Statutes 2004, section 289A.31, subdivision 7, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Rosen, Vickerman, Dille and Pariseau introduced--**

**S.F. No. 2237:** A bill for an act relating to agriculture; providing for the construction, reconstruction, or maintenance of town roads of significance to livestock operations; amending Minnesota Statutes 2004, sections 174.52, subdivisions 4, 5.

Referred to the Committee on Transportation.

**MEMBERS EXCUSED**

Senators Murphy and Skoe were excused from the Session of today. Senator Bakk was excused from the Session of today from 11:00 to 11:15 a.m. Senator Dille was excused from the Session of today from 11:00 to 11:20 a.m.

**ADJOURNMENT**

Senator Johnson, D.E. moved that the Senate do now adjourn until 11:30 a.m., Thursday, April 21, 2005. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate





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| 1113      | .....1939 |           |            |
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| 1145      | .....1934 |           |            |
| 1252      | .....1934 |           |            |
| 1253      | .....1934 |           |            |
| 1386      | .....1935 |           |            |
| 1804      | .....1935 |           |            |
| 1841      | .....1934 |           |            |
| 1898      | .....1938 |           |            |
| 1905      | .....1937 |           |            |
| 1945      | .....1938 |           |            |

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