

NINTH DAY

St. Paul, Minnesota, Thursday, February 5, 2009

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

CALL OF THE SENATE

Senator Pogemiller 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. Kevin McDonough.

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

Bakk	Foley	Latz	Pariseau	Skoe
Berglin	Frederickson	Limmer	Pogemiller	Skogen
Betzold	Gerlach	Lourey	Prettner Solon	Sparks
Bonoff	Gimse	Lynch	Rest	Stumpf
Carlson	Hann	Marty	Robling	Tomassoni
Clark	Higgins	Metzen	Rosen	Torres Ray
Cohen	Ingebrigtsen	Moua	Rummel	Vandever
Dahle	Johnson	Murphy	Saltzman	Vickerman
Day	Kelash	Olseen	Saxhaug	Wiger
Dibble	Koch	Olson, G.	Scheid	
Dille	Koering	Olson, M.	Senjem	
Doll	Kubly	Ortman	Sheran	
Fischbach	Langseth	Pappas	Sieben	

The President declared a quorum present.

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

REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed with the Secretary of the Senate: Department of Education, 2008 Report on the Minnesota State High School League; Department of Labor and Industry, Recommendations for the Adoption of Uniform Hydrogen and Fuel Cell Codes and Standards, December 31, 2008; Minnesota Management & Budget, Minnesota Local Government Pay Equity Compliance Report, January 2009; Department of Public Safety, Crime Victim Justice Unit, Biennial Report 2007-08; Department of Labor & Industry, Prompt First Action Report, Fiscal Year 2008; Minnesota Sentencing Guidelines Commission, Report to the Legislature, January 2009, Minnesota Management & Budget, 2009 Capital Projects Cancellation Report; Minnesota Pollution Control Agency, Air Quality in Minnesota: Emerging Trends, 2009 Report to the Legislature; Minnesota Pollution Control Agency, Annual Report on Obsolete, Unnecessary or Duplicative Rules, 2008; Metropolitan Council's 2008 Annual Report and Appendix; Minnesota

Public Facilities Authority, 2008 Annual Report; Minnesota Department of Human Services, Vulnerable Adult Maltreatment Reconsideration Review Panel 2008; Minnesota Pollution Control Agency, Waste Management Act Biennial Report 2008; Minnesota Department of Labor & Industry, Fiscal Year 2008 Collection and Assessment of Fines and Penalties; University of Minnesota Center for Transportation Studies; Directional Sound for Long Distance Auditory Warnings from a Highway Construction Work Zone; University of Minnesota Center for Transportation Studies, RPV/UAV Surveillance for Transportation Management and Security, CTS 08-27; University of Minnesota Center for Transportation Studies, Collaboration in Fighting Traffic Congestion: A Study of Minnesota's Urban Partnership Agreement, CTS 08-25; Urban Partnership Agreement Legislative Report, January 15, 2009; Minnesota Department of Transportation Annual Report on the Trunk Highway Bridge Improvement Program January 15, 2009; Iron Range Resources Biennial Report Fiscal Years 2007-2008; Minnesota Department of Health, Building a Solid Foundation for Health: A Report on Public Health System Development, January 2009; Minnesota Pollution Control Agency, Management of Industrial Solid Waste and Construction and Demolition Debris in Land Disposal Facilities, January 15, 2009; Minnesota Pollution Control Agency, Update of Activities of the Midwestern Governors Association Midwestern Greenhouse Gas Reduction Accord, 2008; Minnesota Department of Education, Teacher Supply and Demand, Fiscal Year 2008; Minnesota Department of Health, Oral Health Practitioner Recommendations 2009 Report; Minnesota Department of Natural Resources, Stream Protection and Improvement Loan Program Annual Report 2008; University of Minnesota Center for Transportation Studies, Portable Cellular Wireless Mesh Sensor Network for Vehicle Tracking in an Intersection, CTS 08-29; Minnesota Department of Health, Health Workforce Shortage Study Report to the Legislature 2009; Minnesota Pollution Control Agency, Product Stewardship Recommendations Report, January 2009; Minnesota Department of Natural Resources, Regional Hydrogeologic Assessment, Traverse-Grant Area, West-Central Minnesota; Minnesota Department of Health, Health Insurance Affordability Study, January 2009; Minnesota Department of Health, Impact of 2007 MEREC Statutory Changes, January 2009; Minnesota Department of Health, Community Benefit Provided by Nonprofit Health Plans; January, 2009; Minnesota Department of Health, Tobacco Use Prevention 2009; Minnesota Department of Corrections, Performance Report: Fiscal Year 2008; Minnesota Department of Corrections, Supervision Fees Imposed and Collected for Fiscal Years 2007 and 2008; Minnesota Department of Corrections, Annual Report on Obsolete, Unnecessary, or Duplicative Rules, November 15, 2008; Department of Transportation, Annual Report on Major Highway Project, January 23, 2009; Minnesota Department of Human Resources, Audits Conducted by Independent Organization, January 2009; Minnesota Department of Education, Districts with Fiscal Year 2008 Statutory Operating Debt as of June 30, 2008; University of Minnesota Center for Transportation Studies, ITS and Transportation Safety: EMS System Data Integration to Improve Traffic Crash Emergency Response and Treatment, CTS 09-02; University of Minnesota Center for Transportation Studies, Places and Networks: The Changing Landscape of Transportation and Technology Final Summary Report of the Star-TEA 21 Project, CTS 08-15; Minnesota Department of Human Services, Child Maltreatment Review Panel Activities for Calendar Year 2008; Minnesota Department of Transportation, Study and Report on Speed Limits, ClearWay Minnesota, Report to the Ramsey County District Court and the Minnesota Legislature, January 2009.

REPORTS OF COMMITTEES

Senator Betzold moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

S.F. No. 166: A bill for an act relating to insurance; regulating life insurance; prohibiting stranger-originated life insurance; proposing coding for new law in Minnesota Statutes, chapter 60A; repealing Minnesota Statutes 2008, sections 61A.073; 61A.074.

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

Page 1, line 7, delete "60A.0788" and insert "60A.0789"

Page 1, line 11, delete "60A.0786" and insert "60A.0789"

Page 2, line 15, delete "an owner of a policy" and insert "a policyowner"

Page 3, line 20, after the semicolon, insert "or"

Page 3, line 23, delete "; or" and insert a period

Page 3, delete lines 24 to 26

Page 6, line 30, delete "owner of the policy" and insert "policyowner"

Page 7, line 32, after "person" insert "prior to or in conjunction with the issuance of the policy"

Page 8, line 5, delete "policyholder of life insurance" and insert "policyowner" and delete "policyholder" and insert "policyowner"

Page 8, line 11, delete "life insurance"

Page 9, after line 11, insert:

"Subd. 4. Fraternal benefit societies. Nothing in this act shall prohibit a fraternal benefit society regulated under chapter 64B from enforcing the terms of its bylaws or rules regarding permitted beneficiaries and owners."

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 119: A bill for an act relating to game and fish; providing support for the Lessard Outdoor Heritage Council; appropriating money.

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

Delete everything after the enacting clause and insert:

"Section 1. **LESSARD OUTDOOR HERITAGE COUNCIL.**

\$150,000 is appropriated in fiscal year 2009 from the water recreation account in the natural resources fund to the Legislative Coordinating Commission for the Lessard Outdoor Heritage Council for administrative expenses, compensation, and expense reimbursement of council members pursuant to Minnesota Statutes, section 97A.056, subdivision 2. This appropriation is available until June 30, 2010. By October 1, 2009, the commissioner of finance shall transfer \$150,000 from the outdoor heritage fund to the water recreation account in the natural resources fund. The amount necessary to make the transfer is appropriated from the outdoor heritage fund. The transfer of funds must be completed before any other funds are expended from the outdoor heritage fund. These are onetime appropriations.

EFFECTIVE DATE. This section is effective the day following final enactment."

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. 335: A bill for an act relating to highways; designating the Irv Anderson Memorial Highway; amending Minnesota Statutes 2008, section 161.14, by adding a subdivision.

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

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2008, section 161.14, subdivision 18, is amended to read:

Subd. 18. **Voyageur Highway.** The following route is named and designated the "Voyageur Highway":

(a) Beginning at a point on Trunk Highway No. 26 on the boundary line between the states of Minnesota and Iowa; thence northerly along Trunk Highway No. 26 to its junction with Trunk Highway No. 61; thence northwesterly along Trunk Highway No. 61 to its junction with Trunk Highway No. 10 in the city of St. Paul; thence extending in a general northwesterly direction along Trunk Highway No. 10 to its junction with Trunk Highway No. 371 at Little Falls; thence extending in a general northerly direction along Trunk Highway No. 371 to its junction with Trunk Highway No. 210 at Brainerd; thence northeasterly along Trunk Highway No. 210 to its junction with Trunk Highway No. 169 at Aitkin; thence in a general northerly direction along Trunk Highway No. 169 to its junction with Trunk Highway No. 2 at Grand Rapids, except that portion that is designated as the Jim Oberstar Causeway; thence northwesterly along Trunk Highway No. 2 to its junction with Trunk Highway No. 71 at Bemidji; thence northeasterly along Trunk Highway No. 71 to its junction with Trunk Highway No. 11 at Pelland; thence northeasterly along Trunk Highway No. 11 to its junction with Trunk Highway No. 53 at International Falls; ~~thence southeasterly along Trunk Highway No. 53 to its junction with Central Entrance at Duluth.~~ Beginning at a point on Trunk Highway No. 61 at its junction with Interstate Highway 35 and thence northeasterly along Trunk Highway No. 61 to the boundary line between the state of Minnesota and the province of Ontario, Canada.

(b) The route of the Voyageur Highway designated and described in clause (a) is supplemented by legs or alternative routes described as follows:

Beginning at a point on Trunk Highway No. 1 at its junction with Trunk Highway No.

61 northerly of Silver Bay; thence northwesterly along Trunk Highway No. 1 to Ely; thence southwesterly along Trunk Highway No. 1 to its junction with Trunk Highway No. 169; thence southerly and westerly along Trunk Highway No. 169 to its junction with Trunk Highway No. 53, and there terminating.

Beginning at a point on Trunk Highway No. 11 at its junction with Trunk Highway No. 53 at International Falls; thence easterly along Trunk Highway No. 11 to its easterly terminus near Island View.

Beginning at a point on Trunk Highway No. 33 at its junction with Interstate Highway marked I-35 southerly of Cloquet, thence northerly along Trunk Highway No. 33 to its junction with Trunk Highway No. 53.

(c) The commissioner of transportation shall:

(1) adopt a suitable marking design of signs or informational plaques;

(2) effect the installation of such signs or plaques in public waysides or other public areas as approved and designated by the commissioner."

Page 1, line 7, delete "Irv Anderson Memorial Highway" and insert "Speaker Irvin N. Anderson Memorial Highway"

Page 1, line 8, delete everything after "from" and insert "the junction of the northern city limits of Virginia to the"

Page 1, delete line 9 and insert "junction of Trunk Highway 11 in the city of International Falls is designated the "Speaker Irvin N. Anderson Memorial Highway." The"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "Irv Anderson Memorial Highway" and insert "Speaker Irvin N. Anderson Memorial Highway"

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. 99: A bill for an act relating to traffic regulations; requiring restraint of child under age eight and shorter than four feet nine inches while passenger in motor vehicle; amending Minnesota Statutes 2008, section 169.685, subdivision 5.

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. 47: A bill for an act relating to transit; removing restrictions on Dan Patch commuter rail line planning and development; repealing Laws 2002, chapter 393, section 85.

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

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

S.F. No. 107: A bill for an act relating to state government; clarifying and strengthening laws prohibiting misuse of state funds; amending Minnesota Statutes 2008, sections 3.975; 16A.139; proposing coding for new law in Minnesota Statutes, chapter 43A.

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

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

S.F. No. 234: A bill for an act relating to local government; authorizing transfer of development credits banks for local governments; amending Minnesota Statutes 2008, sections 394.25, subdivision 2; 462.357, subdivision 1.

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

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

S.F. No. 275: A bill for an act relating to natural resources; renaming the Minnesota River Basin Joint Powers Board; clarifying the duties and membership of board; amending Minnesota Statutes 2008, section 103F.378.

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

Page 1, line 11, delete "fulfilling a mission to provide" and insert "providing"

Page 1, line 12, delete "build" and insert "building" and delete "support" and insert "supporting"

Page 2, line 4, delete "TMDL's" and insert "TMDLs"

Page 2, line 31, delete "as requested by" and insert "to"

Page 2, line 32, delete "and"

Page 2, delete lines 35 and 36

Page 3, delete lines 1 and 2 and insert:

"(9) promoting cooperation among the numerous water quality and watershed management units in the basin;

(10) providing conflict resolution and meeting facilitation services as requested; and

(11) striving to advance basinwide water quality improvements while promoting both local projects and managing regional initiatives."

Page 3, line 5, strike "have" and insert "appoint"

Page 3, line 6, before "The" insert "Delegates and alternates shall serve at the pleasure of the county board that appointed them."

Page 3, line 8, reinstate the stricken language and delete "board" and after "chair" insert "of the Minnesota River Board"

Page 3, line 13, delete everything after "delegates" and insert "to the board or the advisory committee. Members of the advisory committee shall serve three-year terms. Members shall serve until the end of their terms or until a successor has been appointed, whichever is later."

Page 3, line 14, delete "board" and insert "committee"

Page 3, line 19, delete "board" and insert "committee" and delete "board" and insert "committee"

Page 3, line 20, after the period, insert "The Minnesota River Board shall provide the advisory committee with staff support and meeting facilities."

Page 3, after line 20, insert:

"**Sec. 2. ESTABLISHMENT OF ADVISORY COMMITTEE.**

By August 1, 2009, the chair of the Minnesota River Board shall designate a member of the Minnesota River Board Advisory Committee to convene the first meeting of the advisory committee that includes new members authorized under section 1. The members of the advisory committee shall select a chair and other officers from their membership at the meeting of the advisory committee required by this section."

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

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

S.F. No. 386: A bill for an act relating to taxation; providing for assessment of certain rural vacant land; modifying the recapture that applies to certain property in the green acres program; amending Minnesota Statutes 2008, sections 273.111, subdivisions 3a, 9; 273.13, subdivision 23.

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 2008, section 273.111, subdivision 3, is amended to read:

Subd. 3. **Requirements.** (a) Real estate consisting of ten acres or more or a nursery or greenhouse, and qualifying for classification as class 2a or 2b under section 273.13, shall be entitled to valuation and tax deferral under this section if it is primarily devoted to agricultural use, and meets the requirements in subdivision 6, and either:

(1) is the homestead of the owner, or of a surviving spouse, child, or sibling of the owner or is real estate which is farmed with the real estate which contains the homestead property; or

(2) has been in possession of the applicant, the applicant's spouse, parent, or sibling, or any combination thereof, for a period of at least seven years prior to application for benefits under the provisions of this section, or is real estate which is farmed with the real estate which qualifies under this clause and is within four townships or cities or combination thereof from the qualifying real estate; or

(3) is the homestead of an individual who is part of an entity described in paragraph (b), clause (1), (2), or (3); or

(4) is in the possession of a nursery or greenhouse or an entity owned by a proprietor, partnership, or corporation which also owns the nursery or greenhouse operations on the parcel or parcels, provided that only the acres used to produce nursery stock qualify for treatment under this section.

(b) Valuation of real estate under this section is limited to parcels owned by individuals except for:

(1) a family farm entity or authorized farm entity regulated under section 500.24;

(2) a poultry entity other than a limited liability entity in which the majority of the members, partners, or shareholders are related and at least one of the members, partners, or shareholders either resides on the land or actively operates the land; and

(3) corporations that derive 80 percent or more of their gross receipts from the wholesale or retail sale of horticultural or nursery stock.

The terms in this paragraph have the meanings given in section 500.24, where applicable.

(c) Land that previously qualified for tax deferral under this section and no longer qualifies because it is not primarily used for agricultural purposes but would otherwise qualify under ~~Minnesota Statutes 2006, section 273.111, subdivision~~ subdivisions 3 and 6, for a period of at least three years will not be required to make payment of the previously deferred taxes, notwithstanding the provisions of subdivision 9. Sale of the land prior to the expiration of the three-year period requires payment of deferred taxes as follows: sale in the year the land no longer qualifies requires payment of the current year's deferred taxes plus payment of deferred taxes for the two prior years; sale during the second year the land no longer qualifies requires payment of the current year's deferred taxes plus payment of the deferred taxes for the prior year; and sale during the third year the land no longer qualifies requires payment of the current year's deferred taxes. Deferred taxes shall be paid even if the land qualifies pursuant to subdivision 11a. When such property is sold or no longer qualifies under this paragraph, or at the end of the three-year period, whichever comes first, all deferred special assessments plus interest are payable in equal installments spread over the time remaining until the last maturity date of the bonds issued to finance the improvement for which the assessments were levied. If the bonds have matured, the deferred special assessments plus interest are payable within 90 days. The provisions of section 429.061, subdivision 2, apply to the collection of these installments. Penalties are not imposed on any such special assessments if timely paid.

~~(d) Land that is enrolled in the reinvest in Minnesota program under sections 103F.501 to 103F.535, the federal Conservation Reserve Program as contained in Public Law 99-198, or a similar state or federal conservation program does not qualify for valuation and assessment deferral under this section. This paragraph applies to land that has not qualified under this section for taxes~~

payable in 2009 or previous years.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2008, section 273.111, subdivision 4, is amended to read:

Subd. 4. **Determination of value.** ~~(a)~~ The value of any real estate described in subdivision 3 shall upon timely application by the owner, in the manner provided in subdivision 8, be determined solely with reference to its appropriate agricultural classification and value notwithstanding sections 272.03, subdivision 8, and 273.11. Furthermore, the assessor shall not consider any added values resulting from nonagricultural factors. In order to account for the presence of nonagricultural influences that may affect the value of agricultural land, the commissioner of revenue shall develop a fair and uniform method of determining agricultural values for each county in the state that are consistent with this subdivision. The commissioner shall annually assign the resulting values to each county, and these values shall be used as the basis for determining the agricultural value for all properties in the county qualifying for tax deferment under this section.

~~(b) In the case of property qualifying for tax deferment only under subdivision 3a, the value shall be based on the value in effect for assessment year 2008, multiplied by the ratio of the total taxable market value of all property in the county for the current assessment year divided by the total taxable market value of all property in the county for assessment year 2008.~~

EFFECTIVE DATE. This section is effective for assessment year 2009 and thereafter.

Sec. 3. Minnesota Statutes 2008, section 273.111, subdivision 8, is amended to read:

Subd. 8. **Application.** Application for deferment of taxes and assessment under this section shall be filed by May 1 of the year prior to the year in which the taxes are payable. Any application filed hereunder and granted shall continue in effect for subsequent years until the property no longer qualifies. The application must be filed with the assessor of the taxing district in which the real property is located on the form prescribed by the commissioner of revenue. The assessor may require proof by affidavit or otherwise that the property qualifies under ~~subdivision~~ subdivisions 3 and 6 and may require the applicant to provide a copy of the appropriate schedule or form showing farm income that is attested to by the applicant as having been included in the most recently filed federal income tax return of the applicant.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 4. Minnesota Statutes 2008, section 273.111, subdivision 9, is amended to read:

Subd. 9. **Additional taxes.** When real property which is being, or has been valued and assessed under this section no longer qualifies under ~~subdivision~~ subdivisions 3 and 6, the portion no longer qualifying shall be subject to additional taxes, in the amount equal to the difference between the taxes determined in accordance with subdivision 4, and the amount determined under subdivision 5. Provided, however, that the amount determined under subdivision 5 shall not be greater than it would have been had the actual bona fide sale price of the real property at an arm's-length transaction been used in lieu of the market value determined under subdivision 5. Such additional taxes shall be extended against the property on the tax list for the current year, provided, however, that no interest or penalties shall be levied on such additional taxes if timely paid, and provided further, that such additional taxes shall only be levied with respect to the last three years that the said property has been valued and assessed under this section.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 5. Minnesota Statutes 2008, section 273.111, subdivision 11, is amended to read:

Subd. 11. **Special local assessments.** The payment of special local assessments levied after June 1, 1967, for improvements made to any real property described in subdivision 3 together with the interest thereon shall, on timely application as provided in subdivision 8, be deferred as long as such property meets the conditions contained in ~~subdivision~~ subdivisions 3 ~~or 3a~~ and 6 or is transferred to an agricultural preserve under sections 473H.02 to 473H.17. If special assessments against the property have been deferred pursuant to this subdivision, the governmental unit shall file with the county recorder in the county in which the property is located a certificate containing the legal description of the affected property and of the amount deferred. When such property no longer qualifies under ~~subdivision~~ subdivisions 3 ~~or 3a~~ and 6, all deferred special assessments plus interest shall be payable in equal installments spread over the time remaining until the last maturity date of the bonds issued to finance the improvement for which the assessments were levied. If the bonds have matured, the deferred special assessments plus interest shall be payable within 90 days. The provisions of section 429.061, subdivision 2, apply to the collection of these installments. Penalty shall not be levied on any such special assessments if timely paid.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 6. Minnesota Statutes 2008, section 273.111, subdivision 11a, is amended to read:

Subd. 11a. **Continuation of tax treatment upon sale.** (a) When real property qualifying under ~~subdivision~~ subdivisions 3 and 6 is sold, no additional taxes or deferred special assessments plus interest shall be extended against the property provided the property continues to qualify pursuant to ~~subdivision~~ subdivisions 3 and 6, and provided the new owner files an application for continued deferment within 30 days after the sale.

(b) For purposes of meeting the income requirements of subdivision 6, the property purchased shall be considered in conjunction with other qualifying property owned by the purchaser.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 7. Minnesota Statutes 2008, section 273.13, subdivision 23, is amended to read:

Subd. 23. **Class 2.** (a) ~~An agricultural homestead consists of class 2a agricultural land~~ Class 2a property is agricultural land, including any improvements that is homesteaded, along with any class 2b rural vacant land that is contiguous to the class 2a land under the same ownership. The market value of the house and garage and immediately surrounding one acre of land has the same class rates as class 1a ~~or 1b~~ property under subdivision 22. The value of the remaining land including improvements up to the first tier valuation limit of agricultural homestead property has a net class rate of 0.5 percent of market value. The remaining property over the first tier has a class rate of one percent of market value. For purposes of this subdivision, the "first tier valuation limit of agricultural homestead property" and "first tier" means the limit certified under section 273.11, subdivision 23.

~~(b) Class 2a agricultural land consists of parcels of property, or portions thereof, that are agricultural land and buildings. Class 2a property has a net class rate of one percent of market value, unless it is part of an agricultural homestead under paragraph (a). Class 2a property may contain property that would otherwise be classified as 2b, including but not limited to sloughs, wooded wind shelters, acreage abutting ditches, and other similar land impractical for the assessor~~

~~to value separately from the rest of the property.~~

~~An assessor may classify the part of a parcel described in this subdivision that is used for agricultural purposes as class 2a and the remainder in the class appropriate to its use.~~

~~(e) Class 2b rural vacant land consists of parcels of property, or portions thereof, that are unplatted property is (1) real estate, rural in character and not used for agricultural purposes, including land used exclusively for growing trees for timber, lumber, and wood and wood products; (2) real estate, that is not improved with a structure and is used exclusively for growing trees for timber, lumber, and wood and wood products, if the owner has participated or is participating in a cost-sharing program for afforestation, reforestation, or timber stand improvement on that particular property, administered or coordinated by the commissioner of natural resources; or (3) real estate that is nonhomestead agricultural land. The presence of a minor, ancillary nonresidential structure as defined by the commissioner of revenue does not disqualify the property from classification under this paragraph. Any parcel of 20 acres or more improved with a structure that is not a minor, ancillary nonresidential structure must be split classified, and ten acres must be assigned to the split parcel containing the structure. Class 2b property has a net class rate of one percent of market value unless it is part of an agricultural homestead under paragraph (a), or qualifies as class 2c under paragraph (d), except that unplatted property described in clause (1) or (2) has a net class rate of .65 percent if it consists~~

~~(d) Class 2c managed forest land consists of no less than 20 ten and no more than 1,920 acres statewide per taxpayer that and is being managed under a forest management plan that meets the requirements of chapter 290C, but is not enrolled in the sustainable forest resource management incentive program. It has a class rate of .65 percent, provided that the owner of the property must apply to the assessor annually to receive the reduced class rate and provide the information required by the assessor to verify that the property qualifies for the reduced rate. The commissioner of natural resources must concur that the land is qualified. The commissioner of natural resources shall annually provide county assessors verification information on a timely basis.~~

~~(e) (c) Agricultural land as used in this section means contiguous acreage of ten acres or more, used during the preceding year for agricultural purposes. "Agricultural purposes" as used in this section means the raising, or cultivation, drying, or storage of agricultural products for sale, or the storage of machinery or equipment used in support of agricultural production by the same farm entity. For a property to be classified as agricultural based only on the drying or storage of agricultural products, the products being dried or stored must have been produced by the same farm entity as the entity operating the drying or storage facility. "Agricultural purposes" also includes enrollment in the Reinvest in Minnesota program under sections 103F.501 to 103F.535 or the federal Conservation Reserve Program as contained in Public Law 99-198 or a similar state or federal conservation program if the property was classified as agricultural (i) under this subdivision for the assessment year 2002 or (ii) in the year prior to its enrollment. Contiguous acreage on the same parcel, or contiguous acreage on an immediately adjacent parcel under the same ownership, may also qualify as agricultural land, but only if it is pasture, timber, waste, unusable wild land, or land included in state or federal farm programs. Agricultural classification for property shall be determined excluding the house, garage, and immediately surrounding one acre of land, and shall not be based upon the market value of any residential structures on the parcel or contiguous parcels under the same ownership.~~

~~(f) (d) Real estate of less than ten acres excluding the house, garage, and immediately~~

surrounding one acre of land, of less than ten acres, which is exclusively ~~or~~ and intensively used for raising or cultivating agricultural products, shall be considered as agricultural land. ~~To qualify under this paragraph, property that includes a residential structure must be used intensively for one of the following purposes:~~

~~(i) for drying or storage of grain or storage of machinery or equipment used to support agricultural activities on other parcels of property operated by the same farming entity;~~

~~(ii) as a nursery, provided that only those acres used to produce nursery stock are considered agricultural land;~~

~~(iii) for livestock or poultry confinement, provided that land that is used only for pasturing and grazing does not qualify; or~~

~~(iv) for market farming; for purposes of this paragraph, "market farming" means the cultivation of one or more fruits or vegetables or production of animal or other agricultural products for sale to local markets by the farmer or an organization with which the farmer is affiliated.~~

~~(g) Land shall be classified as agricultural even if all or a portion of the agricultural use of that property is the leasing to, or use by another person for agricultural purposes.~~

Classification under this subdivision is not determinative for qualifying under section 273.111.

~~(h) The property classification under this section supersedes, for property tax purposes only, any locally administered agricultural policies or land use restrictions that define minimum or maximum farm acreage.~~

~~(i)~~ (e) The term "agricultural products" as used in this subdivision includes production for sale of:

(1) livestock, dairy animals, dairy products, poultry and poultry products, fur-bearing animals, horticultural and nursery stock, fruit of all kinds, vegetables, forage, grains, bees, and apiary products by the owner;

(2) fish bred for sale and consumption if the fish breeding occurs on land zoned for agricultural use;

(3) the commercial boarding of horses if the boarding is done in conjunction with raising or cultivating agricultural products as defined in clause (1);

(4) property which is owned and operated by nonprofit organizations used for equestrian activities, excluding racing;

(5) game birds and waterfowl bred and raised for use on a shooting preserve licensed under section 97A.115;

(6) insects primarily bred to be used as food for animals;

(7) trees, grown for sale as a crop, including short rotation woody crops, and not sold for timber, lumber, wood, or wood products; and

(8) maple syrup taken from trees grown by a person licensed by the Minnesota Department of Agriculture under chapter 28A as a food processor.

~~(j)~~ (f) If a parcel used for agricultural purposes is also used for commercial or industrial purposes, including but not limited to:

- (1) wholesale and retail sales;
- (2) processing of raw agricultural products or other goods;
- (3) warehousing or storage of processed goods; and
- (4) office facilities for the support of the activities enumerated in clauses (1), (2), and (3),

the assessor shall classify the part of the parcel used for agricultural purposes as class 1b, 2a, or 2b, whichever is appropriate, and the remainder in the class appropriate to its use. The grading, sorting, and packaging of raw agricultural products for first sale is considered an agricultural purpose. A greenhouse or other building where horticultural or nursery products are grown that is also used for the conduct of retail sales must be classified as agricultural if it is primarily used for the growing of horticultural or nursery products from seed, cuttings, or roots and occasionally as a showroom for the retail sale of those products. Use of a greenhouse or building only for the display of already grown horticultural or nursery products does not qualify as an agricultural purpose.

The assessor shall determine and list separately on the records the market value of the homestead dwelling and the one acre of land on which that dwelling is located. If any farm buildings or structures are located on this homesteaded acre of land, their market value shall not be included in this separate determination.

~~(k)~~ (g) Class 2d airport landing area consists of a landing area or public access area of a privately owned public use airport. It has a class rate of one percent of market value. To qualify for classification under this paragraph, a privately owned public use airport must be licensed as a public airport under section 360.018. For purposes of this paragraph, "landing area" means that part of a privately owned public use airport properly cleared, regularly maintained, and made available to the public for use by aircraft and includes runways, taxiways, aprons, and sites upon which are situated landing or navigational aids. A landing area also includes land underlying both the primary surface and the approach surfaces that comply with all of the following:

(i) the land is properly cleared and regularly maintained for the primary purposes of the landing, taking off, and taxiing of aircraft; but that portion of the land that contains facilities for servicing, repair, or maintenance of aircraft is not included as a landing area;

(ii) the land is part of the airport property; and

(iii) the land is not used for commercial or residential purposes.

The land contained in a landing area under this paragraph must be described and certified by the commissioner of transportation. The certification is effective until it is modified, or until the airport or landing area no longer meets the requirements of this paragraph. For purposes of this paragraph, "public access area" means property used as an aircraft parking ramp, apron, or storage hangar, or an arrival and departure building in connection with the airport.

~~(l)~~ (h) Class 2e consists of land with a commercial aggregate deposit that is not actively being mined and is not otherwise classified as class 2a or 2b. It has a class rate of one percent of market value. To qualify for classification under this paragraph, the property must be at least ten contiguous

acres in size and the owner of the property must record with the county recorder of the county in which the property is located an affidavit containing:

- (1) a legal description of the property;
- (2) a disclosure that the property contains a commercial aggregate deposit that is not actively being mined but is present on the entire parcel enrolled;
- (3) documentation that the conditional use under the county or local zoning ordinance of this property is for mining; and
- (4) documentation that a permit has been issued by the local unit of government or the mining activity is allowed under local ordinance. The disclosure must include a statement from a registered professional geologist, engineer, or soil scientist delineating the deposit and certifying that it is a commercial aggregate deposit.

For purposes of this section and section 273.1115, "commercial aggregate deposit" means a deposit that will yield crushed stone or sand and gravel that is suitable for use as a construction aggregate; and "actively mined" means the removal of top soil and overburden in preparation for excavation or excavation of a commercial deposit.

~~(m)~~ (i) When any portion of the property under this subdivision or subdivision 22 begins to be actively mined, the owner must file a supplemental affidavit within 60 days from the day any aggregate is removed stating the number of acres of the property that is actively being mined. The acres actively being mined must be (1) valued and classified under subdivision 24 in the next subsequent assessment year, and (2) removed from the aggregate resource preservation property tax program under section 273.1115, if the land was enrolled in that program. Copies of the original affidavit and all supplemental affidavits must be filed with the county assessor, the local zoning administrator, and the Department of Natural Resources, Division of Land and Minerals. A supplemental affidavit must be filed each time a subsequent portion of the property is actively mined, provided that the minimum acreage change is five acres, even if the actual mining activity constitutes less than five acres.

EFFECTIVE DATE. This section is effective for taxes levied in 2009, payable in 2010, and thereafter.

Sec. 8. Laws 2008, chapter 366, article 6, section 52, is amended to read:

Sec. 52. **REPEALER.**

- (a) Minnesota Statutes 2006, section 272.027, subdivision 3, is repealed.
- (b) Minnesota Statutes 2006, section 273.11, subdivision 14, is repealed.
- ~~(c) Minnesota Statutes 2006, section 273.111, subdivision 6, is repealed.~~

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 9. **LAND REMOVED FROM PROGRAM.**

Any land that had been enrolled in the Minnesota Agricultural Property Tax Law under Minnesota Statutes 2008, section 273.111, and that was removed from the program between May

21, 2008, and the effective date of this section, must be reinstated to the program at the request of the owner provided that the eligibility requirements under Minnesota Statutes 2008, section 273.111, subdivisions 3 and 6, are met.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 10. **REPEALER.**

Minnesota Statutes 2008, section 273.111, subdivision 3a, is repealed.

EFFECTIVE DATE. This section is effective the day following final enactment."

Amend the title as follows:

Page 1, line 2, delete everything after the first semicolon and insert "reinstating previous law provisions relating to green acres treatment and agricultural property classification"

Page 1, delete line 3

Page 1, line 4, delete "program"

Amend the title numbers accordingly

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

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

S.F. No. 240: A bill for an act relating to taxation; creating the Minnesota Land Conservation Property Tax Law; amending Minnesota Statutes 2008, section 273.111, subdivision 3a; proposing coding for new law in Minnesota Statutes, chapter 273.

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

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

S.F. No. 350: A bill for an act relating to public safety; clarifying the powers and duties of the POST Board; amending Minnesota Statutes 2008, sections 626.843, subdivisions 1, 3; 626.845, subdivision 1.

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

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

S.F. No. 261: A bill for an act relating to real property; making clarifying, technical, and conforming changes to transfer on death deeds; expanding common element certificates of title to include planned communities; exempting designated transfers from certain requirements; establishing procedures for cartways in cities; modifying power of attorney provision relating to real property transactions; amending Minnesota Statutes 2008, sections 272.115, subdivision 1,

by adding a subdivision; 435.37, by adding a subdivision; 507.071, subdivision 20, by adding a subdivision; 507.092, subdivisions 1, 2; 508.351; 508.50; 508A.351; 508A.50; 523.17, by adding a subdivision.

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 and Oversight. Report adopted.

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

S.F. No. 137: A bill for an act relating to adoption; modifying provisions governing access to adoption records and original birth certificates; amending Minnesota Statutes 2008, sections 13.465, subdivision 8; 144.218, subdivision 1; 144.225, subdivision 2; 144.2252; 144.226, subdivision 1; 259.89, subdivision 1; 260C.317, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2008, sections 259.83, subdivision 3; 259.89, subdivisions 2, 3, 4.

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

Page 5, line 16, after the semicolon, insert "and"

Page 5, line 19, strike "; and" and insert a period

Page 5, strike lines 20 to 22

Page 5, line 27, delete "July" and insert "August"

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

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

S.F. No. 164: A bill for an act relating to adoption; requiring affidavit regarding disclosure of birth records; requiring updated nonidentifying medical history; amending Minnesota Statutes 2008, section 259.89, subdivision 2.

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

Page 2, line 9, delete "and"

Page 2, lines 12 to 16, reinstate the stricken language and delete the new language

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

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

S.F. No. 297: A bill for an act relating to attorneys; repealing the law prohibiting sheriffs, deputy sheriffs, and coroners from practicing law; repealing Minnesota Statutes 2008, section 387.13.

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 2008, section 387.13, is amended to read:

387.13 PROHIBITIONS.

No sheriff or ~~deputy sheriff, or coroner~~ shall appear or practice as an attorney, solicitor, or counselor at law in any court, or draw or fill up any process, pleading, or paper for any party in any action or proceeding, nor, with intent to be employed in the collection of any demand or the service of any process, advise or counsel any person to commence an action or proceeding; ~~nor shall any.~~ This prohibition does not apply to a deputy sheriff who is acting with the approval of the appointing sheriff. A sheriff ~~be~~ is not eligible to any hold other elective office. A sheriff or ~~deputy sheriff, or coroner~~ violating ~~any of the provisions of this section~~ is guilty of a petty misdemeanor."

Delete the title and insert:

"A bill for an act relating to attorneys; modifying and removing provisions limiting the practice of law by deputy sheriffs and coroners; amending Minnesota Statutes 2008, section 387.13."

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

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

S.F. No. 93: A bill for an act relating to state tort claims; removing the single occurrence liability cap; conforming cross references; amending Minnesota Statutes 2008, sections 3.736, subdivision 4, as amended; 3.7393, subdivision 11; 3.7394, subdivision 6.

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

Page 1, after line 5, insert:

"Section 1. **FINDINGS.**

The legislature finds that the state and municipal tort liability limitations contained in Minnesota Statutes, sections 3.736 and 466.04, are rationally related to the legitimate government objective of ensuring fiscal stability to meet and carry out the manifold responsibilities of government. The legislature finds that, unlike municipalities, the state of Minnesota has the fiscal capacity and ability to absorb the cost of and pay for multiple tort claims arising out of a single occurrence without a dollar limitation on that liability. The ability of the state to respond to monetary judgments is quantitatively greater than that of a municipality because of significant differences in the size of their respective budgets and their tax base and taxing authority. A limitation on the total liability of municipalities for multiple tort claims arising out of a single occurrence is necessary to protect the fiscal stability and integrity of municipalities and to protect the taxpayers within municipalities from the effect of unlimited tort liability exposure. The legislature retains and reaffirms the public purpose served by the continuance of the limitation on liability for tort claims arising out of a single occurrence applicable to municipalities under Minnesota Statutes, section 466.04."

Page 1, line 6, delete everything after "4,"

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

Page 2, line 3, delete everything after "2009"

Page 2, line 4, delete everything before the period

Page 2, line 6, delete "or the available" and insert ", clause (4), (5), or (6)"

Page 2, line 7, delete the new language

Page 2, line 9, strike "or" and delete "available appropriations"

Page 2, after line 14, insert:

"Sec. 3. Minnesota Statutes 2008, section 3.736, subdivision 7, is amended to read:

Subd. 7. **Payment.** A state agency, including an entity defined as part of the state in section 3.732, subdivision 1, clause (1), incurring a tort claim judgment or settlement obligation or whose employees acting within the scope of their employment incur the obligation shall seek approval to make payment by submitting a written request to the commissioner of finance. The request shall contain a description of the tort claim that causes the request, specify the amount of the obligation and be accompanied by copies of judgments, settlement agreements or other documentation relevant to the obligation for which the agency seeks payment. Upon receipt of the request and review of the claim, the commissioner of finance shall determine the proper appropriation from which to make payment. If there is enough money in an appropriation or combination of appropriations to the agency for its general operations and management to pay the claim without unduly hindering the operation of the agency, the commissioner shall direct that payment be made from that source, except that payment may not be made from the trunk highway fund in excess of the amount specifically appropriated by the legislature for payment of tort claims. Claims relating to activities paid for by appropriations of dedicated receipts shall be paid from those appropriations if practicable. On determining that an agency has sufficient money in these appropriations to pay only part of a claim, the commissioner shall pay the remainder of the claim from the money appropriated to the commissioner for the purpose. On determining that the agency does not have enough money to pay any part of the claim, the commissioner shall pay all of the claim from money appropriated to the commissioner for the purpose. Payment shall be made only upon receipt of a written release by the claimant in a form approved by the attorney general, or the person designated as the university attorney, as the case may be.

No attachment or execution shall issue against the state."

Page 3, after line 3, insert:

"Sec. 6. **CONTINGENT REPEALER.**

The amendments in sections 2 to 5 are repealed if a final nonappealable court decision holds that the limit in Minnesota Statutes, section 466.04, subdivision 1, clause (7), is unconstitutional based on the amendments in this act."

Renumber the sections in sequence

Amend the title numbers accordingly

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. 119, 335, 47, 234, 350, 164 and 297 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Betzold moved that the names of Senators Sieben and Marty be added as co-authors to S.F. No. 7. The motion prevailed.

Senator Wiger moved that the name of Senator Sparks be added as a co-author to S.F. No. 22. The motion prevailed.

Senator Wiger moved that the name of Senator Sparks be added as a co-author to S.F. No. 23. The motion prevailed.

Senator Scheid moved that the name of Senator Michel be added as a co-author to S.F. No. 31. The motion prevailed.

Senator Metzen moved that the name of Senator Chaudhary be added as a co-author to S.F. No. 240. The motion prevailed.

Senator Anderson moved that the name of Senator Sieben be added as a co-author to S.F. No. 298. The motion prevailed.

Senator Dahle moved that the names of Senators Fobbe and Erickson Ropes be added as co-authors to S.F. No. 358. The motion prevailed.

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

Senator Michel moved that the name of Senator Lynch be added as a co-author to S.F. No. 370. The motion prevailed.

Senator Michel moved that the name of Senator Wiger be added as a co-author to S.F. No. 373. The motion prevailed.

Senator Skoe moved that the name of Senator Chaudhary be added as a co-author to S.F. No. 386. The motion prevailed.

Senator Pappas moved that the name of Senator Wiger be added as a co-author to S.F. No. 392. The motion prevailed.

Senator Bakk moved that the name of Senator Johnson be added as a co-author to S.F. No. 406. The motion prevailed.

Senator Anderson moved that the names of Senators Saltzman and Wiger be added as co-authors to S.F. No. 416. The motion prevailed.

Senator Sparks introduced –

Senate Resolution No. 29: A Senate resolution honoring those who fought the fire of January

15, 2009, in downtown Austin.

Referred to the Committee on Rules and Administration.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Ortman and Koch introduced—

S.F. No. 421: A bill for an act relating to taxation; city local government aid; providing additional aid to certain cities; amending Minnesota Statutes 2008, section 477A.011, subdivision 36.

Referred to the Committee on Taxes.

Senator Berglin introduced—

S.F. No. 422: A bill for an act relating to human services; modifying MFIP family stabilization and work programs; amending Minnesota Statutes 2008, sections 256J.425, subdivision 4; 256J.46, subdivision 1; 256J.53, subdivision 1; 256J.57, subdivision 1; 256J.575, subdivisions 3, 6, 7.

Referred to the Committee on Health, Housing and Family Security.

Senators Scheid, Rest and Sieben introduced—

S.F. No. 423: A bill for an act relating to campaign finance; specifying certain items as noncampaign disbursements; amending Minnesota Statutes 2008, section 10A.01, subdivision 26.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Michel and Bonoff introduced—

S.F. No. 424: A bill for an act relating to state government; changing a budget forecast date; amending Minnesota Statutes 2008, section 16A.103, subdivision 1.

Referred to the Committee on Finance.

Senators Rest, Gerlach, Day, Higgins and Sieben introduced—

S.F. No. 425: A bill for an act relating to elections; removing certain unconstitutional provisions governing independent expenditures in political campaigns; changing timing and method of filing certain items with the Campaign Finance and Public Disclosure Board; amending Minnesota Statutes 2008, sections 10A.01, subdivision 18; 10A.04, subdivision 5; 10A.071, subdivision 3; 10A.08; 10A.09, subdivision 7; 10A.14, subdivisions 2, 4, by adding a subdivision; 10A.20, subdivisions 1, 12; 10A.31, subdivision 6, by adding a subdivision; 10A.322, subdivision 1; 10A.323; 10A.35; repealing Minnesota Statutes 2008, section 10A.20, subdivision 6b.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Lynch, Saltzman, Olseen and Pappas introduced—

S.F. No. 426: A bill for an act relating to education; authorizing transportation aid for school districts that provide flexible learning year programs; amending Minnesota Statutes 2008, section 123B.92, by adding a subdivision.

Referred to the Committee on Finance.

Senators Prettner Solon and Tomassoni introduced—

S.F. No. 427: A bill for an act relating to human services; providing a rate increase for a day training and habilitation provider in St. Louis County; appropriating money.

Referred to the Committee on Finance.

Senator Berglin introduced—

S.F. No. 428: A bill for an act relating to human services; modifying the timing for transferring the medical education and research funds.

Referred to the Committee on Finance.

Senator Vickerman introduced—

S.F. No. 429: A bill for an act relating to taxation; levy limits; removing the inclusion of wind generation production tax; amending Minnesota Statutes 2008, sections 275.70, subdivision 6; 275.71, subdivisions 2, 5.

Referred to the Committee on Energy, Utilities, Technology and Communications.

Senator Lynch introduced—

S.F. No. 430: A bill for an act relating to education finance; increasing state aid for the debt service equalization aid program; appropriating money; amending Minnesota Statutes 2008, sections 120A.05, by adding a subdivision; 123B.53, subdivisions 4, 5.

Referred to the Committee on Finance.

Senator Betzold introduced—

S.F. No. 431: A bill for an act relating to mental illness; prohibiting participation in clinical drug trials; amending Minnesota Statutes 2008, section 253B.095, subdivision 1.

Referred to the Committee on Health, Housing and Family Security.

Senators Lynch and Stumpf introduced—

S.F. No. 432: A bill for an act relating to health; appropriating money to the commissioner of

health for heart disease and stroke prevention.

Referred to the Committee on Finance.

Senators Bonoff, Rest, Ortman and Michel introduced—

S.F. No. 433: A bill for an act relating to education finance; adjusting the qualification criteria for the alternative facilities bonding and levy program; amending Minnesota Statutes 2008, section 123B.59, subdivision 1.

Referred to the Committee on Finance.

Senators Dibble, Higgins, Pogemiller, Berglin and Kelash introduced—

S.F. No. 434: A bill for an act relating to capital improvements; appropriating money for Minneapolis parkway improvements; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Frederickson, Anderson, Chaudhary, Pariseau and Sheran introduced—

S.F. No. 435: A bill for an act relating to capital improvements; appropriating money for wildlife area land acquisition and improvement and for publicly owned dams; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Higgins, Moua, Berglin, Scheid and Olson, M. introduced—

S.F. No. 436: A bill for an act relating to children; modifying and clarifying provisions governing parentage presumptions and right to custody; providing for prebirth parentage orders or judgments in certain cases; amending Minnesota Statutes 2008, sections 257.54; 257.541, subdivision 1; 257.55, subdivision 1; 257.57, subdivision 5.

Referred to the Committee on Judiciary.

Senator Dibble introduced—

S.F. No. 437: A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for an emergency operations center and regional fire training center in the city of Minneapolis.

Referred to the Committee on Finance.

Senators Hann, Gerlach, Fischbach and Vandever introduced—

S.F. No. 438: A bill for an act relating to energy; abolishing moratorium on issuing certificate of need for new nuclear power plant; amending Minnesota Statutes 2008, section 216B.243, subdivision 3b.

Referred to the Committee on Energy, Utilities, Technology and Communications.

Senators Hann, Gerlach, Koch and Ingebrigtsen introduced–

S.F. No. 439: A bill for an act relating to employment; proposing an amendment to the Minnesota Constitution, article XIII, by adding a section; establishing a right to work.

Referred to the Committee on Business, Industry and Jobs.

Senators Skogen, Dahle, Fobbe, Stumpf and Robling introduced–

S.F. No. 440: A bill for an act relating to education; creating a grant program to allow rural school districts to share services; appropriating money.

Referred to the Committee on Finance.

Senators Erickson Ropes, Marty, Dibble and Anderson introduced–

S.F. No. 441: A bill for an act relating to health; requiring hospitals to develop staffing levels for direct care registered nurses; amending Minnesota Statutes 2008, section 144.7067, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health, Housing and Family Security.

Senators Erickson Ropes and Olseen introduced–

S.F. No. 442: A bill for an act relating to taxation; modifying the Minnesota agricultural property tax law; establishing a new property tax classification for preservation and legacy land; amending Minnesota Statutes 2008, sections 273.111, subdivisions 3, 3a, by adding a subdivision; 273.13, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 273.

Referred to the Committee on Agriculture and Veterans.

Senator Metzen introduced–

S.F. No. 443: A bill for an act relating to state government; abolishing the state designer selection board; amending Minnesota Statutes 2008, sections 16C.095, subdivision 1; 16C.32, subdivisions 1, 2; 16C.34, subdivision 2; repealing Minnesota Statutes 2008, section 16B.33.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Prettner Solon introduced–

S.F. No. 444: A bill for an act relating to the environment; providing for greenhouse gas emissions registry; proposing coding for new law in Minnesota Statutes, chapter 216H.

Referred to the Committee on Energy, Utilities, Technology and Communications.

Senator Stumpf introduced—

S.F. No. 445: A resolution relating to Lake of the Woods.

Referred to the Committee on Environment and Natural Resources.

Senators Rest, Day, Pappas, Marty and Pariseau introduced—

S.F. No. 446: A bill for an act relating to elections; enacting the Agreement Among the States to Elect the President by National Popular Vote; proposing coding for new law in Minnesota Statutes, chapter 208.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Rest introduced—

S.F. No. 447: A bill for an act relating to education; establishing a State Board of Education; amending Minnesota Statutes 2008, section 120A.05, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 127A.

Referred to the Committee on Education.

Senator Stumpf introduced—

S.F. No. 448: A bill for an act relating to agriculture; appropriating money for native plant, forage, and turf seed research.

Referred to the Committee on Finance.

Senator Dille introduced—

S.F. No. 449: A bill for an act relating to capital investment; authorizing the sale of state bonds; appropriating money for pavement overlay on the Dassel-Cokato bicycle trail.

Referred to the Committee on Finance.

Senator Dille introduced—

S.F. No. 450: A bill for an act relating to natural resources; appropriating money to Independent School District No. 466, Dassel-Cokato, for a bicycle trail between Dassel and Cokato.

Referred to the Committee on Finance.

Senator Skoe introduced—

S.F. No. 451: A bill for an act relating to highways; designating the Clearwater County Veterans Memorial Highway; amending Minnesota Statutes 2008, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation.

Senator Skoe introduced–

S.F. No. 452: A bill for an act relating to highways; designating Becker County Veterans Memorial Highway on portions of marked Trunk Highways 34 and 87; amending Minnesota Statutes 2008, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Murphy, Jungbauer and Skoe introduced–

S.F. No. 453: A bill for an act relating to transportation; exempting certain cargo tank vehicles from weight restrictions on seasonally weight-restricted roads; amending Minnesota Statutes 2008, section 169.87, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Murphy, Jungbauer and Skoe introduced–

S.F. No. 454: A bill for an act relating to motor carriers; abolishing state hazardous materials registration and permit requirements; amending Minnesota Statutes 2008, section 221.0355.

Referred to the Committee on Transportation.

Senators Marty, Sieben and Murphy introduced–

S.F. No. 455: A bill for an act relating to transportation; increasing transit ridership; requiring the Metropolitan Council and greater Minnesota transit systems to reduce transit fares to 25 cents; appropriating money.

Referred to the Committee on Finance.

Senators Sheran, Langseth and Vickerman introduced–

S.F. No. 456: A bill for an act relating to economic development; expanding bioscience business development public infrastructure grant program; amending Minnesota Statutes 2008, section 116J.435, subdivisions 2, 3.

Referred to the Committee on Business, Industry and Jobs.

Senator Higgins introduced–

S.F. No. 457: A bill for an act relating to health; modifying provisions for volunteer health practitioners; amending Minnesota Statutes 2008, section 145A.06, subdivision 8.

Referred to the Committee on Health, Housing and Family Security.

Senator Dille introduced–

S.F. No. 458: A bill for an act relating to taxation; removing deadline for establishing special service districts without special legislation; repealing Minnesota Statutes 2008, section 428A.101.

Referred to the Committee on Taxes.

Senator Berglin introduced—

S.F. No. 459: A bill for an act relating to veterans homes; requiring veterans homes to use Medicare Part D for pharmacy costs for eligible veterans; amending Minnesota Statutes 2008, section 198.003, by adding a subdivision.

Referred to the Committee on Finance.

Senator Berglin introduced—

S.F. No. 460: A bill for an act relating to human services; prohibiting hospital payment for certain hospital-acquired conditions and certain treatments; amending Minnesota Statutes 2008, section 256.969, by adding a subdivision.

Referred to the Committee on Health, Housing and Family Security.

Senators Anderson, Carlson, Tomassoni, Marty and Bakk introduced—

S.F. No. 461: A bill for an act relating to employment; establishing minimum standards of sick leave for certain workers; providing civil penalties; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Business, Industry and Jobs.

Senators Latz, Bonoff and Murphy introduced—

S.F. No. 462: A bill for an act relating to public safety; expanding the current DWI ignition interlock device pilot program by two years and applying it statewide; amending Minnesota Statutes 2008, section 171.306, subdivisions 1, 3.

Referred to the Committee on Judiciary.

Senator Murphy introduced—

S.F. No. 463: A bill for an act relating to taxation; property; exemption for pollution control equipment; amending Minnesota Statutes 2008, section 272.02, subdivision 10.

Referred to the Committee on Taxes.

Senator Scheid introduced—

S.F. No. 464: A bill for an act relating to education finance; authorizing a levy for school districts in statutory operating debt; proposing coding for new law in Minnesota Statutes, chapter 126C.

Referred to the Committee on Finance.

Senator Scheid introduced–

S.F. No. 465: A bill for an act relating to education finance; authorizing a two-year waiver from the special operating plan for districts in statutory operating debt; amending Minnesota Statutes 2008, section 123B.83, subdivision 4.

Referred to the Committee on Finance.

Senator Scheid introduced–

S.F. No. 466: A bill for an act relating to education finance; modifying the formula for school district integration revenue; amending Minnesota Statutes 2008, section 124D.86, subdivision 3.

Referred to the Committee on Finance.

Senators Erickson Ropes, Sheran, Prettner Solon and Doll introduced–

S.F. No. 467: A bill for an act relating to health professions; requiring qualifications for employment as a surgical technologist; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health, Housing and Family Security.

Senator Skogen introduced–

S.F. No. 468: A bill for an act relating to highways; designating I-94 as POW/MIA Memorial Highway; requiring POW/MIA flag and interpretive sign at each official safety rest area; amending Minnesota Statutes 2008, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Olson, M.; Skoe and Saxhaug introduced–

S.F. No. 469: A bill for an act relating to capital improvements; appropriating money to establish a veterans facility in the city of Bemidji; authorizing the sale of state bonds.

Referred to the Committee on Finance.

Senators Rummel; Moua; Olson, M. and Higgins introduced–

S.F. No. 470: A bill for an act relating to real estate; adjusting the statute of repose for homeowner warranty claims; amending Minnesota Statutes 2008, section 541.051, subdivision 4.

Referred to the Committee on Judiciary.

Senator Kubly introduced–

S.F. No. 471: A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for a veterans home in Montevideo.

Referred to the Committee on Finance.

Senators Clark, Murphy, Lynch, Sheran and Fischbach introduced—

S.F. No. 472: A bill for an act relating to taxation; agricultural property; modifying the Minnesota agricultural property tax law; amending Minnesota Statutes 2008, section 273.111, subdivision 3a.

Referred to the Committee on Agriculture and Veterans.

Senators Torres Ray, Berglin, Clark and Sheran introduced—

S.F. No. 473: A bill for an act relating to health; establishing a women's heart health program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health, Housing and Family Security.

Senator Skogen introduced—

S.F. No. 474: A bill for an act relating to consumer protection; prohibiting retail sales of toys that have been recalled for safety reasons; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce and Consumer Protection.

Senators Marty, Koering, Rosen and Doll introduced—

S.F. No. 475: A bill for an act relating to human services; providing long-term care provider rate increases; amending Minnesota Statutes 2008, sections 256B.441, by adding a subdivision; 256B.5012, by adding a subdivision.

Referred to the Committee on Finance.

Senators Ortman, Limmer, Koch and Senjem introduced—

S.F. No. 476: A bill for an act relating to taxation; providing for discount for early payment of full property tax amounts; amending Minnesota Statutes 2008, sections 276.04, subdivision 2; 279.01, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Doll, Frederickson, Higgins, Skogen and Hann introduced—

S.F. No. 477: A bill for an act relating to solid waste; requiring a pilot program to be implemented by paint manufacturers to recycle paint; amending Minnesota Statutes 2008, section 13.7411, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 115A.

Referred to the Committee on Environment and Natural Resources.

Senators Scheid; Olson, G.; Bonoff; Saxhaug and Saltzman introduced—

S.F. No. 478: A bill for an act relating to education; modifying charter school provisions; reviving charter school advisory council; amending Minnesota Statutes 2008, section 124D.10.

Referred to the Committee on Education.

Senators Sheran, Kubly, Frederickson and Dahle introduced—

S.F. No. 479: A bill for an act relating to capital investment; appropriating money for railroad track rehabilitation; authorizing sale and issuance of general obligation bonds.

Referred to the Committee on Finance.

Senators Marty and Torres Ray introduced—

S.F. No. 480: A bill for an act relating to human services; repealing the MFIP housing penalty; amending Minnesota Statutes 2008, section 256J.95, subdivision 9; repealing Minnesota Statutes 2008, section 256J.37, subdivision 3a.

Referred to the Committee on Health, Housing and Family Security.

Senators Berglin, Marty, Torres Ray and Dille introduced—

S.F. No. 481: A bill for an act relating to human services; modifying MFIP and food stamp provisions; amending Minnesota Statutes 2008, sections 256D.0515; 256J.42, by adding a subdivision; repealing Minnesota Statutes 2008, section 256J.24, subdivision 6.

Referred to the Committee on Health, Housing and Family Security.

Senators Rest, Jungbauer, Murphy and Senjem introduced—

S.F. No. 482: A bill for an act relating to airports; eliminating requirement of local match for federal stimulus grants for airport project costs; amending Minnesota Statutes 2008, section 360.305, subdivision 4.

Referred to the Committee on Finance.

Senators Rest, Jungbauer, Clark, Senjem and Murphy introduced—

S.F. No. 483: A bill for an act relating to transportation; appropriating money from state airports fund.

Referred to the Committee on Finance.

Senators Lourey and Gimse introduced—

S.F. No. 484: A bill for an act relating to agriculture; changing duties of the Food Safety and Defense Task Force; changing membership and procedures of the Minnesota Organic Advisory Task Force; eliminating language requiring two annual reports; amending Minnesota Statutes

2008, sections 28A.21, subdivision 5; 31.94; repealing Minnesota Statutes 2008, sections 17.49, subdivision 3; 18G.12, subdivision 5.

Referred to the Committee on Agriculture and Veterans.

Senators Skogen and Ingebrigtsen introduced—

S.F. No. 485: A bill for an act relating to agriculture; changing certain provisions of the nursery law; amending Minnesota Statutes 2008, sections 18H.02, subdivision 12a, by adding subdivisions; 18H.07, subdivisions 2, 3; 18H.09; 18H.10; repealing Minnesota Rules, part 1505.0820.

Referred to the Committee on Agriculture and Veterans.

Senators Saltzman; Wiger; Dahle; Olson, G. and Saxhaug introduced—

S.F. No. 486: A bill for an act relating to education; authorizing school districts to create site-governed schools; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 123B.

Referred to the Committee on Finance.

Senators Clark, Saxhaug and Bonoff introduced—

S.F. No. 487: A bill for an act relating to early childhood education; creating an Office of Early Learning; proposing coding for new law in Minnesota Statutes, chapter 4.

Referred to the Committee on Education.

Senator Clark introduced—

S.F. No. 488: A bill for an act relating to capital investment; authorizing the sale and issuance of state bonds; appropriating money for expansion of the St. Cloud Civic Center.

Referred to the Committee on Finance.

Senators Clark, Scheid, Skogen, Dille and Higgins introduced—

S.F. No. 489: A bill for an act relating to reverse mortgages; eliminating the requirement that a reverse mortgage becomes due when committed principal has been fully paid; mandating counseling by an independent housing agency; regulating lender default; imposing liability on a subsequent purchaser of a reverse mortgage; providing for a right of rescission; defining suitability; amending Minnesota Statutes 2008, section 47.58, subdivisions 1, 3, 8, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 58; 60K.

Referred to the Committee on Commerce and Consumer Protection.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Senator Pogemiller moved

that the Senate take up the Calendar. The motion prevailed.

CALENDAR

S.F. No. 29: A bill for an act relating to health; changing a provision for pharmacy practice in administering influenza vaccines; amending Minnesota Statutes 2008, section 151.37, subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Berglin	Foley	Langseth	Olson, M.	Scheid
Betzold	Frederickson	Latz	Pappas	Senjem
Bonoff	Gimse	Limmer	Pariseau	Sheran
Carlson	Hann	Lourey	Pogemiller	Skogen
Clark	Higgins	Lynch	Prettner Solon	Sparks
Dahle	Ingebrigtsen	Marty	Rest	Stumpf
Day	Johnson	Metzen	Robling	Tomassoni
Dibble	Kelash	Moua	Rosen	Vandevveer
Dille	Koch	Murphy	Rummel	Vickerman
Doll	Koering	Olseen	Saltzman	Wiger
Fischbach	Kubly	Olson, G.	Saxhaug	

So the bill passed and its title was agreed to.

S.F. No. 41: A bill for an act relating to Jackson County; providing a process for making office of county auditor-treasurer appointive.

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 46 and nays 9, as follows:

Those who voted in the affirmative were:

Berglin	Foley	Marty	Prettner Solon	Sparks
Betzold	Frederickson	Metzen	Rest	Stumpf
Bonoff	Gimse	Moua	Robling	Tomassoni
Carlson	Higgins	Murphy	Rosen	Torres Ray
Clark	Kelash	Olseen	Rummel	Vickerman
Dahle	Kubly	Olson, G.	Saltzman	Wiger
Day	Langseth	Olson, M.	Saxhaug	
Dibble	Latz	Pappas	Scheid	
Doll	Lourey	Pariseau	Sheran	
Fischbach	Lynch	Pogemiller	Skogen	

Those who voted in the negative were:

Dille	Ingebrigtsen	Koch	Limmer	Vandevveer
Hann	Johnson	Koering	Senjem	

So the bill passed and its title was agreed to.

S.F. No. 94: A bill for an act relating to claims against the state; clarifying provisions governing

the I-35W bridge collapse survivor compensation process; specifying indemnification rights; limiting access to certain records of the special master panel and specifying testimonial privileges; clarifying prohibition on third-party subrogation or recovery claims; amending Minnesota Statutes 2008, sections 3.7393, subdivisions 3, 6, by adding a subdivision; 3.7394, 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 56 and nays 1, as follows:

Those who voted in the affirmative were:

Berglin	Foley	Latz	Pogemiller	Skogen
Betzold	Frederickson	Lourey	Prettner Solon	Sparks
Bonoff	Gimse	Lynch	Rest	Stumpf
Carlson	Hann	Marty	Robling	Tomassoni
Clark	Higgins	Metzen	Rosen	Torres Ray
Cohen	Ingebrigtsen	Moua	Rummel	Vanderveer
Dahle	Johnson	Murphy	Saltzman	Vickerman
Day	Kelash	Olseen	Saxhaug	Wiger
Dibble	Koch	Olson, G.	Scheid	
Dille	Koering	Olson, M.	Senjem	
Doll	Kubly	Pappas	Sheran	
Fischbach	Langseth	Pariseau	Skoe	

Those who voted in the negative were:

Limmer

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 Pogemiller moved that the Senate take up the Consent Calendar. The motion prevailed.

CONSENT CALENDAR

S.F. No. 212: A bill for an act relating to labor and industry; modifying boiler regulation; amending Minnesota Statutes 2008, section 326B.988.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Berglin	Day	Gimse	Koering	Marty
Betzold	Dibble	Hann	Kubly	Metzen
Bonoff	Dille	Higgins	Langseth	Moua
Carlson	Doll	Ingebrigtsen	Latz	Murphy
Clark	Fischbach	Johnson	Limmer	Olseen
Cohen	Foley	Kelash	Lourey	Olson, G.
Dahle	Frederickson	Koch	Lynch	Olson, M.

Ortman
Pappas
Pariseau
Pogemiller
Prettner Solon

Rest
Robling
Rosen
Rummel
Saltzman

Saxhaug
Scheid
Senjem
Sheran
Sieben

Skoe
Skogen
Sparks
Stumpf
Tomassoni

Torres Ray
Vandever
Vickerman
Wiger

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 Pogemiller moved that the Senate take up the Confirmation Calendar. The motion prevailed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Health, Housing and Family Security, reported January 26, 2009, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Marty moved that the foregoing report be now adopted. The motion prevailed.

Senator Marty moved that in accordance with the report from the Committee on Health, Housing and Family Security, reported January 26, 2009, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA HOUSING FINANCE AGENCY

Gloria J. Bostrom, 420 Owasso Hills Dr., Roseville, Ramsey County, effective May 12, 2008, for a term expiring on January 2, 2012.

Tony Goulet, 12 - 2nd Ave. S., Sauk Rapids, Benton County, effective May 12, 2008, for a term expiring on January 2, 2012.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Health, Housing and Family Security, reported January 26, 2009, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Marty moved that the foregoing report be now adopted. The motion prevailed.

Senator Marty moved that in accordance with the report from the Committee on Health, Housing and Family Security, reported January 26, 2009, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA HOUSING FINANCE AGENCY COMMISSIONER

Daniel M. Bartholomay, 5153 Beard Ave. S., Minneapolis, Hennepin County, effective November 10, 2008, to complete a term expiring on January 3, 2011.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Health, Housing and Family Security, reported January 26, 2009, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Marty moved that the foregoing report be now adopted. The motion prevailed.

Senator Marty moved that in accordance with the report from the Committee on Health, Housing and Family Security, reported January 26, 2009, the Senate, having given its advice, do now consent to and confirm the appointment of:

EMERGENCY MEDICAL SERVICES REGULATORY BOARD

Dawn G. Bidwell, 1118 Lake St., P.O. Box 443, Alexandria, Douglas County, effective May 1, 2007, for a term expiring on January 3, 2011.

Brenda Brown, 305 Marsh St., Tyler, Lincoln County, effective May 21, 2008, for a term expiring on January 2, 2012.

Elizabeth J. Consie, 1726 Dunedin Ave., Duluth, Saint Louis County, effective May 21, 2008, for a term expiring on January 2, 2012.

Bonnie Engen, 44052 Maplewood Rd., Clearbrook, Clearwater County, effective May 1, 2007, for a term expiring on January 3, 2011.

Paula Fink Kocken, M.D., 5515 - 26th Ave. S., Minneapolis, Hennepin County, effective May 21, 2008, for a term expiring on January 2, 2012.

James Rieber, 220 - 5th Ave. N.E., Perham, Otter Tail County, effective May 1, 2007, for a term expiring on January 3, 2011.

Paul Satterlee, M.D., 4803 Fremont Ave. S., Minneapolis, Hennepin County, effective May 21, 2008, for a term expiring on January 2, 2012.

Mari C. Thomas, M.D., 45 N. Main St., Sauk Centre, Stearns County, effective May 1, 2007, for a term expiring on January 3, 2011.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Senator Pogemiller moved that the Senate take up the General Orders Calendar. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Senator Metzen in the chair.

After some time spent therein, the committee arose, and Senator Metzen reported that the committee had considered the following:

S.F. No. 104, which the committee recommends to pass.

On motion of Senator Pogemiller, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Wiger moved that S.F. No. 21 be withdrawn from the Committee on Education and re-referred to the Committee on Higher Education. The motion prevailed

MEMBERS EXCUSED

Senators Anderson, Chaudhary, Erickson Ropes, Fobbe, Jungbauer and Michel were excused from the Session of today. Senators Gerlach and Ortman were excused from the Session of today from 11:00 to 11:25 a.m. Senator Bakk was excused from the Session of today from 11:00 to 11:30 a.m.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 10:00 a.m., Monday, February 9, 2009. The motion prevailed.

Peter S. Wattson, Secretary of the Senate (Legislative)

INDEX TO DAILY JOURNAL

Thursday, February 5, 2009

REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
47	167	181			
93	179				
99	167				
107	168				
119	165	181			
137	178				
164	178	181			
166	165				
234	168	181			
240	177				
261	177				
275	168				
297	178	181			
335	166	181			
350	177	181			
386	169				

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
7	181		
21	197		
22	181		
23	181		
31	181		
240	181		
298	181		
358	181		
361	181		
370	181		
373	181		
386	181		
392	181		
406	181		
416	181		
Sen. Res. No. 29	181		

CALENDAR

S.F. Nos.	Page	H.F. Nos.	Page
-----------	------	-----------	------

29	193
41	193
94	193

CONSENT CALENDAR

S.F. Nos.	Page	H.F. Nos.	Page
212	194		

GENERAL ORDERS

S.F. Nos.	Page	H.F. Nos.	Page
104	197		

CONFIRMATION

Pages Nos.195 - 196

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F Nos. 421 to 489 Pages 182 to 192