

FIFTEENTH DAY

St. Paul, Minnesota, Monday, February 14, 2005

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

CALL OF THE SENATE

Senator Betzold imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Archbishop Harry J. Flynn.

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

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 and referred to the committee indicated.

December 30, 2004

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF ANIMAL HEALTH

Paul Fitzsimmons, 54440 - 148th St., Good Thunder, in the county of Blue Earth, effective October 21, 2003, for a term that expires on January 1, 2007.

Steve Brake, 12171 Erickson Ave., Wilmont, in the county of Nobles, effective October 21, 2003, for a term that expires on January 1, 2007.

(Referred to the Committee on Agriculture, Veterans and Gaming.)

Sincerely,
Tim Pawlenty, Governor

February 8, 2005

The Honorable James P. Metzen
President of the Senate

Dear President Metzen:

The Subcommittee on Committees of the Senate Committee on Rules and Administration made the appropriate action on Monday, February 7, 2005, and made the following appointments:

Pursuant to Minnesota Statutes 2004

243.1606: Advisory Council on Interstate Adult Offender Supervision - Senators Wes Skoglund and Julianne Ortman.

Respectfully,
Dean E. Johnson, Chair
Subcommittee on Committees

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the adoption by the House of following Senate Current Resolution, as AMENDED:

Senate Concurrent Resolution No. 1: A Senate concurrent resolution relating to the adoption of temporary joint rules.

Senate Concurrent Resolution No. 1 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned February 10, 2005

Senator Johnson, D.E. moved that Senate Concurrent Resolution No. 1 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution herewith transmitted:

House Concurrent Resolution No. 1: A House concurrent resolution providing for a Joint Convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

BE IT RESOLVED by the House of Representatives of the State of Minnesota, the Senate concurring, that the House of Representatives and the Senate shall meet in Joint Convention on Wednesday, February 16, 2005, at 12:00 noon in the chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota; and that the 2003-2004

temporary Joint Rules of the Senate and House of Representatives for the 83rd session are in effect as the Joint Rules for the 2005 Joint Convention relating to the election of members of the Board of Regents of the University of Minnesota.

Albin A. Mathiowetz, Chief Clerk, House of Representatives
Transmitted February 10, 2005

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

REPORTS OF COMMITTEES

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

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

S.F. No. 181: A bill for an act relating to Carlton County; dedicating Biauswah Bridge over the St. Louis River and Roussain Cemetery in Jay Cooke State Park in Carlton County; amending Minnesota Statutes 2004, section 161.14, by adding a subdivision.

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

Page 1, line 12, delete the period and before "After" insert "in honor of all Native American veterans."

Page 1, line 17, delete "; CARLTON COUNTY"

Page 1, lines 20 and 21, delete "in Jay Cooke State Park" and insert "within the city limits of Duluth"

Amend the title as follows:

Page 1, line 2, delete "Carlton" and insert "St. Louis"

Page 1, lines 3 and 4, delete "Jay Cooke State Park in Carlton" and insert "St. Louis"

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

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

S.F. No. 418: A bill for an act relating to public lands; authorizing alternative investments of county environmental trust fund deposits; amending Laws 1998, chapter 389, article 16, section 31, subdivision 4, as amended.

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

Page 1, line 19, delete "(2) invest part or all of the money in"

Page 1, delete lines 20 and 21

Page 1, line 22, delete "board;" and delete "(3)" and insert "(2)"

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

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

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

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

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

S.F. No. 629: A bill for an act relating to the Metropolitan Council; removing the requirement for adoption of a separate airports or aviation system plan; repealing provisions for planning administration between the Metropolitan Council and the Metropolitan Airports Commission; repealing obsolete provisions; amending Minnesota Statutes 2004, sections 473.146, subdivision 1; 473.192, subdivisions 2, 3; 473.655; 473.852, subdivision 8; repealing Minnesota Statutes 2004, sections 473.155; 473.619.

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

Page 2, after line 33, insert:

"Sec. 2. Minnesota Statutes 2004, section 473.146, subdivision 3, is amended to read:

Subd. 3. [DEVELOPMENT GUIDE: TRANSPORTATION.] The transportation chapter must include policies relating to all transportation forms and be designed to promote the legislative determinations, policies, and goals set forth in section 473.371. In addition to the requirements of subdivision 1 regarding the contents of the policy plan, the nontransit element of the transportation chapter must include the following:

(1) a statement of the needs and problems of the metropolitan area with respect to the functions covered, including the present and prospective demand for and constraints on access to regional business concentrations and other major activity centers and the constraints on and acceptable levels of development and vehicular trip generation at such centers;

(2) the objectives of and the policies to be forwarded by the policy plan;

(3) a general description of the physical facilities and services to be developed;

(4) a statement as to the general location of physical facilities and service areas;

(5) a general statement of timing and priorities in the development of those physical facilities and service areas;

(6) a detailed statement, updated every two years, of timing and priorities for improvements and expenditures needed on the metropolitan highway system; ~~and~~

(7) a general statement on the level of public expenditure appropriate to the facilities; and

(8) a long-range assessment of air transportation trends and factors that may affect airport development in the metropolitan area and policies and strategies that will ensure a comprehensive, coordinated, and timely investigation and evaluation of alternatives for airport development.

The council shall develop the nontransit element in consultation with the transportation advisory board and the Metropolitan Airports Commission and cities having an airport located within or adjacent to its corporate boundaries. The council shall also take into consideration the airport development and operations plans and activities of the commission. The council shall transmit the results to the state Department of Transportation."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "subdivision 1" and insert "subdivisions 1, 3"

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

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

S.F. No. 453: A bill for an act relating to auctioneers; modifying auctioneer license numbering requirements for county auditors; amending Minnesota Statutes 2004, sections 330.01, subdivision 1; 330.08.

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

Page 2, after line 22, insert:

"Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

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

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

S.F. No. 404: A bill for an act relating to health; establishing the Freedom to Breathe Act of 2005; requiring persons to refrain from smoking in certain areas; amending Minnesota Statutes 2004, sections 144.412; 144.413, subdivisions 2, 4, by adding subdivisions; 144.414; 144.416; 144.417; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2004, section 144.415.

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

Page 4, line 23, delete "pursuant to" and insert "as permitted under"

Page 5, line 13, delete "operator" and insert "proprietor or other person in charge"

Page 8, delete section 11

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 2 and 3, delete "establishing the Freedom to Breathe Act of 2005;"

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

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

S.F. No. 182: A bill for an act relating to state lands; authorizing transfer of certain property interests in Ramsey County.

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

Page 1, delete line 13

Page 1, line 14, delete "Tract A:"

Page 1, line 16, delete the period and insert a semicolon

Page 1, delete lines 17 to 30

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

Page 2, line 2, delete the paragraph coding

Page 2, line 21, delete "52.41" and insert "40.41"

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

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

S.F. No. 485: A bill for an act relating to education finance; modifying a school district's percentage of students attending nonpublic school necessary to qualify for an exemption; creating a process to resolve a tuition obligation; converting referendum revenue authority for Common School District No. 815, Prinsburg; authorizing the school district to recertify its school levy for taxes payable in 2005; amending Minnesota Statutes 2004, section 123A.70.

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

Pages 1 and 2, delete section 2 and insert:

"Sec. 2. [AMOUNT OF OBLIGATION.]

The board of Common School District No. 815, Prinsburg, must make tuition payments to Independent School District No. 2180, MACCRAY, in the amount of \$282,000. The payments must be made in six equal installments, on June 30 and December 30 of each year beginning with a payment on June 30, 2005.

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

Page 3, line 14, before "additional" insert "an"

Page 3, line 28, delete "in seeking the conversion of" and insert "converting"

Page 3, line 34, after "year" insert "of"

Page 3, after line 35, insert:

[EFFECTIVE DATE.] This section is effective the day following final enactment and applies for taxes payable in 2005.

Page 4, line 9, delete "1" and insert "3, subdivision 4"

Page 4, lines 12 and 13, delete "within five days of" and insert "in the following manner"

Page 4, line 14, before the first "the" insert "within five days after"

Page 4, line 16, delete "1" and insert "3, subdivision 4"

Page 4, lines 17 and 21, before "receiving" insert "within five days after"

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

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

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

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 144.1222, is amended by adding a subdivision to read:

Subd. 2c. [POOLS USED FOR ADULT-ONLY RECREATION.] Notwithstanding Minnesota Rules, part 4717.1850, a pool with a zero-depth area may be used without a lifeguard present if access to the pool area is prohibited to individuals under the age of 18 years during the time a lifeguard is not present.

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

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

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

S.F. No. 127: A bill for an act relating to counties; providing for a rate increase determination for the Ramsey County nursing facility; amending Minnesota Statutes 2004, section 256B.431, 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 256B.434, is amended by adding a subdivision to read:

Subd. 4f. [RATE INCREASE EFFECTIVE JULY 1, 2005.] For the rate year beginning July 1, 2005, a facility in Ramsey County licensed for 180 beds shall have its operating payment rate as determined under this section and in effect on June 30, 2005, increased by \$4.98. The increase under this subdivision shall be included in the facility's total payment rates for the purposes of determining future rates under this section or any other section.

Sec. 2. [APPROPRIATION.]

\$...... is appropriated from the general fund to the commissioner of human services for the biennium beginning July 1, 2005, for the purposes of section 1."

Delete the title and insert:

"A bill for an act relating to counties; providing for a rate increase determination for the Ramsey County nursing facility; appropriating money; amending Minnesota Statutes 2004, section 256B.434, by adding a subdivision."

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

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

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

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

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

S.F. No. 109: A bill for an act relating to human services; modifying the provider tax paid by federally qualified health centers and rural health clinics; appropriating money.

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

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

S.F. No. 490: A bill for an act relating to taxation; eliminating the repeal of a portion of sales tax on alcoholic beverages; appropriating money; amending Minnesota Statutes 2004, section 297A.94; Laws 2001, First Special Session chapter 5, article 12, section 95.

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

Senator Marty from the Committee on Environment and Natural Resources, to which were referred the following appointments:

ENVIRONMENT AND NATURAL RESOURCES TRUST FUND
CITIZENS ADVISORY COMMITTEE
John Dyke
Nancy Gibson

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

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

SECOND READING OF SENATE BILLS

S.F. Nos. 181, 418, 629, 453, 182 and 284 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Marty moved that the name of Senator Lourey be added as a co-author to S.F. No. 411. The motion prevailed.

Senator Michel moved that the name of Senator Reiter be added as a co-author to S.F. No. 668. The motion prevailed.

Senator Michel moved that the name of Senator Reiter be added as a co-author to S.F. No. 669. The motion prevailed.

Senator Michel moved that the name of Senator LeClair be added as a co-author to S.F. No. 713. The motion prevailed.

Senator LeClair moved that the name of Senator Rosen be added as a co-author to S.F. No. 726. The motion prevailed.

Senator Lourey moved that the name of Senator Metzen be added as a co-author to S.F. No. 828. The motion prevailed.

Senator Metzen moved that the name of Senator Reiter be added as a co-author to S.F. No. 861. The motion prevailed.

Senator Frederickson moved that the name of Senator Ourada be added as a co-author to S.F. No. 911. The motion prevailed.

Senator Vickerman moved that S.F. No. 550, No. 12 on General Orders, be stricken and re-referred to the Committee on Finance. 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. 262: A bill for an act relating to local government; making technical changes to filing and recording laws; amending Minnesota Statutes 2004, sections 41.65, subdivision 3; 49.05, subdivision 2; 49.215, subdivision 3; 52.20, subdivisions 2, 3; 60B.16, subdivision 1; 60B.21, subdivision 1; 60B.25; 60B.52, subdivision 2; 60B.53, subdivision 2; 60B.55, subdivision 2; 66A.21, subdivision 2; 88.14, subdivision 3; 88.41; 88.49, subdivisions 2, 3, 5; 88.491, subdivision 2; 92.17; 93.52, subdivision 2; 93.55, subdivisions 1, 1a, 2, 5; 93.551; 94.19; 103I.341, subdivisions 1, 4; 117.065; 164.06, subdivision 2; 164.07, subdivision 11; 222.29; 238.25, subdivision 10; 273.165, subdivision 1; 281.322; 281.328, subdivision 1; 284.07; 284.08; 284.11; 284.18; 306.02, subdivision 1; 306.24; 307.06; 307.07; 315.01, subdivisions 3, 4; 315.17, subdivision 3; 315.19; 315.20, subdivisions 2, 3; 315.32; 315.365, subdivision 2; 315.44; 316.09; 317A.021, subdivision 4; 317A.051, subdivision 2; 318.02, subdivision 3; 322.02; 322.25, subdivision 4; 322A.86; 327A.04, subdivision 3; 327C.095, subdivisions 8, 11; 344.06; 344.08; 375.14; 381.12, subdivision 1; 382.08; 382.10; 384.02; 384.08; 385.02, subdivision 1; 386.03; 386.04; 386.05; 386.13; 386.16; 386.19; 386.20, subdivisions 1, 3; 386.23, subdivisions 1, 2; 386.26, subdivision 3; 386.29; 386.31; 386.32; 386.36; 386.37; 386.45; 387.01; 387.33, subdivision 2; 388.01; 388.10; 389.011, subdivisions 1, 3; 390.05; 394.27, subdivision 8; 394.301, subdivision 4; 394.33, subdivision 1; 394.35; 395.18; 395.22; 398.19; 410.11; 412.851; 429.061, subdivision 2; 444.17; 447.31, subdivision 4; 462.359, subdivision 2; 462.3595, subdivision 4; 462.36, subdivision 1; 462A.31, subdivision 7; 463.15, subdivision 4; 465.19; 471.928; 485.01; 485.03; 485.05; 489.03; 507.24, subdivision 1; 508.35; 508.37; 508.38; 519.091, subdivision 2; 541.023, subdivisions 2, 2a, 4, 6; 548.09, subdivision 1; 548.25; 550.31; 550.32; 559.17, subdivisions 2, 3; 559.209, subdivision 2; 559.21, subdivision 4; 559.23; 570.061, subdivision 2; 570.11; 570.14; 576.01, subdivision 2; 577.02; 577.10; 580.032, subdivisions 1, 3; 580.09; 580.15; 580.17; 580.23, subdivision 4; 580.24; 580.29; 600.21; repealing Minnesota Statutes 2004, sections 386.183; 386.34; 386.53; 580.16.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 518: A bill for an act relating to Hennepin County; eliminating duplicate campaign finance filings; making other technical changes to the county campaign finance provisions; amending Minnesota Statutes 2004, sections 383B.042, subdivisions 13, 14, 16; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.053, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

Senator Marty moved to amend S.F. No. 716 as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2004, section 204B.06, subdivision 1, is amended to read:

Subdivision 1. [FORM OF AFFIDAVIT.] (a) An affidavit of candidacy shall state the name of the office sought and, except as provided in subdivision 4, shall state that the candidate:

(1) is an eligible voter;

(2) has no other affidavit on file as a candidate for any office at the same primary or next ensuing general election, except that a candidate for soil and water conservation district supervisor in a district not located in whole or in part in Anoka, Hennepin, Ramsey, or Washington County, may also have on file an affidavit of candidacy for mayor or council member of a statutory or home rule charter city of not more than 2,500 population contained in whole or in part in the soil and water conservation district or for town supervisor in a town of not more than 2,500 population contained in whole or in part in the soil and water conservation district; and

(3) is, or will be on assuming the office, 21 years of age or more, and will have maintained residence in the district from which the candidate seeks election for 30 days before the general election.

An affidavit of candidacy must include a statement that the candidate's name as written on the affidavit for ballot designation is the candidate's true name or the name by which the candidate is commonly and generally known in the community.

An affidavit of candidacy for partisan office shall also state the name of the candidate's political party or political principle, stated in three words or less.

~~(b) Candidates for president or vice-president of the United States are not required to file an affidavit of candidacy for office and this subdivision does not apply to those candidates.~~

Sec. 2. Minnesota Statutes 2004, section 204B.06, subdivision 4, is amended to read:

Subd. 4. [PARTICULAR FEDERAL OFFICES.] Candidates for president or vice-president of the United States are not required to file an affidavit of candidacy for office. Candidates who seek nomination for the following offices office of United States senator or representative shall state the following ~~additional~~ information on the affidavit:

(a) (1) for United States senator, that the candidate will be an inhabitant of this state when elected and will be 30 years of age or older and a citizen of the United States for not less than nine years on the next January 3 or, in the case of an election to fill a vacancy, within 21 days after the special election; and

(b) (2) for United States representative, that the candidate will be an inhabitant of this state when elected and will be 25 years of age or older and a citizen of the United States for not less than seven years on the next January 3 or, in the case of an election to fill a vacancy, within 21 days after the special election;

Subd. 4a. [STATE AND LOCAL OFFICES.] Candidates who seek nomination for the following offices shall state the following additional information on the affidavit:

(c) (1) for governor or lieutenant governor, that on the first Monday of the next January the candidate will be 25 years of age or older and, on the day of the state general election, a resident of Minnesota for not less than one year;

(d) (2) for Supreme Court justice, Court of Appeals judge, or district court judge, that the candidate is learned in the law;

(e) (3) for county, municipal, school district, or special district office, that the candidate meets any other qualifications for that office prescribed by law;

(f) (4) for senator or representative in the legislature, that on the day of the general or special election to fill the office the candidate will have resided not less than one year in the state and not less than six months in the legislative district from which the candidate seeks election."

Renumber the sections in sequence and correct the internal references

Amend the title as follows;

Page 1, line 2, after the semicolon, insert "clarifying qualifications for candidates for federal office;"

Page 1, line 4, delete "section" and insert "sections 204B.06, subdivisions 1, 4;"

The motion prevailed. So the amendment was adopted.

S.F. No. 716 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was passed and its title was agreed to.

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

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

So the bill passed and its title was agreed to.

S.F. No. 379: A bill for an act relating to courts; authorizing a retired court commissioner to be appointed to perform judicial duties in Ramsey County.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 392: A bill for an act relating to probate; changing and clarifying certain venue, trustee powers, and omitted beneficiary provisions; amending Minnesota Statutes 2004, sections 501B.17; 501B.705, subdivisions 2, 3, 4, 5; 524.2-302.

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	Cohen	Frederickson	Johnson, D.E.	Koering
Bachmann	Day	Gaither	Jungbauer	Kubly
Bakk	Dibble	Gerlach	Kelley	Langseth
Belanger	Dille	Hann	Kierlin	Larson
Betzold	Fischbach	Higgins	Kiscaden	LeClair
Chaudhary	Foley	Hottinger	Kleis	Limmer

Lourey	Murphy	Pariseau	Saxhaug	Stumpf
Marko	Neuville	Pogemiller	Scheid	Tomassoni
Marty	Nienow	Ranum	Senjem	Vickerman
McGinn	Olson	Reiter	Skoe	Wergin
Metzen	Ortman	Rest	Skoglund	Wiger
Michel	Ourada	Rosen	Solon	
Moua	Pappas	Ruud	Sparks	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 57, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 57 is herewith transmitted to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted February 10, 2005

CONFERENCE COMMITTEE REPORT ON H.F. NO. 57

A bill for an act relating to state government; providing deficiency funding for certain state agencies; appropriating money.

February 9, 2005

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

We, the undersigned conferees for H.F. No. 57, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 57 be further amended as follows:

Delete everything after the enacting clause and insert:

"DEFICIENCY APPROPRIATIONS

Section 1. [APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this act, to be available for the fiscal year indicated for each purpose, and are added to appropriations in Laws 2003, First Special Session chapters 1, 2, and 14. The figure "2005," where used in this act, means that the appropriation or appropriations listed under it are available for the year ending June 30, 2005.

SUMMARY BY FUND

General	\$31,074,000
	APPROPRIATIONS
	Available for the Year
	Ending June 30
	2005
Sec. 2. BOARD ON JUDICIAL STANDARDS	199,000
This appropriation is added to appropriations in Laws 2003, First Special Session chapter 2, article 1, section 7.	
This is a onetime appropriation.	
Sec. 3. BOARD OF PUBLIC DEFENSE	7,681,000
This appropriation is added to appropriations in Laws 2003, First Special Session chapter 2, article 1, section 8.	
Sec. 4. PUBLIC SAFETY	
Subdivision 1. Total Appropriation	
General Fund	986,000
This appropriation is added to appropriations in Laws 2003, First Special Session chapter 2, article 1, section 9. The amounts that may be spent from this appropriation for each program are specified in subdivisions 2 and 3.	
Subd. 2. Emergency Management	710,000
[FEMA MATCHING FUNDS.] This appropriation is to provide matching funds for FEMA funds received for natural disaster assistance payments. This appropriation is available until June 30, 2007.	
This is a onetime appropriation.	
Subd. 3. Law Enforcement and Community Grants	276,000
[GANG STRIKE FORCE.] This appropriation is for grants to the Criminal Gang Strike Force under Minnesota Statutes, chapter 299A.	
Sec. 5. CORRECTIONS	
Subdivision 1. Total Appropriation	
General Fund	4,070,000
This appropriation is added to appropriations in Laws 2003, First Special Session chapter 2, article 1, section 13. The amounts that may be spent from this appropriation for each program are specified in subdivisions 2 to 4.	

Subd. 2. Correctional Institutions	3,550,000
Subd. 3. Operations Support	190,000
Subd. 4. Community Services	330,000

Sec. 6. HUMAN SERVICES

Subdivision 1. Total Appropriation	13,394,000
---------------------------------------	------------

This appropriation is added to appropriations in Laws 2003, First Special Session chapter 14, article 13C, section 2, subdivision 8. The amounts that may be spent from this appropriation for each program is specified in subdivision 2.

Subd. 2. State-Operated Services	13,394,000
-------------------------------------	------------

This appropriation is for the forensic treatment programs operated by state-operated services.

\$1,250,000 of this appropriation is one time.

Sec. 7. VETERANS AFFAIRS	39,000
--------------------------	--------

This appropriation is added to appropriations in Laws 2003, First Special Session chapter 1, article 1, section 17.

Sec. 8. ADMINISTRATION	4,705,000
------------------------	-----------

This appropriation is to the Department of Administration for relocation costs for the Departments of Health and Agriculture and is available until June 30, 2007. Notwithstanding any law to the contrary, proceeds from the sale or disposition of the Department of Health land and building at 717 Delaware Street in Minneapolis, after paying all expenses incurred in selling or disposing of it, estimated to be approximately \$4,853,000, must be deposited in the general fund.

This is a onetime appropriation.

Sec. 9. [TRANSFER.]

\$24,700,000 is transferred from the budget reserve in the general fund under Minnesota Statutes, section 16A.152, subdivision 1a, to the general fund.

Sec. 10. [EFFECTIVE DATE.]

Sections 1 to 9 are effective the day following final enactment."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Jim Knoblach, Steve Smith, Loren A. Solberg

Senate Conferees: (Signed) Richard J. Cohen, Thomas M. Neuville, Jane B. Ranum

Senator Cohen moved that the foregoing recommendations and Conference Committee Report

on H.F. No. 57 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 57 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Sparks, Senjem and Foley introduced--

S.F. No. 927: A bill for an act relating to commerce; regulating false and deceptive commercial electronic mail messages; prescribing criminal penalties; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Senator Kierlin introduced--

S.F. No. 928: A bill for an act relating to health; increasing medical assistance reimbursement rates for a nursing facility in Houston County; amending Minnesota Statutes 2004, section 256B.434, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Frederickson, Marty, Olson, Saxhaug and Pariseau introduced--

S.F. No. 929: A bill for an act relating to natural resources; requiring commissioner's approval before vacating certain roads adjacent to public waters; creating right of intervention; amending Minnesota Statutes 2004, sections 164.07, subdivision 2; 412.851; 505.14.

Referred to the Committee on Environment and Natural Resources.

Senators Kubly, Vickerman, Neuville, Johnson, D.E. and Marty introduced--

S.F. No. 930: A bill for an act relating to gambling; appropriating money for compulsive gambling prevention and education.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Bachmann, Nienow, Murphy, Vickerman and Wiger introduced--

S.F. No. 931: A bill for an act relating to motor vehicles; specifying that members of Disabled American Veterans are eligible for special veterans service group license plates; amending Minnesota Statutes 2004, section 168.1235, subdivision 1.

Referred to the Committee on Transportation.

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

S.F. No. 932: A bill for an act relating to human services; modifying the division of costs for ICFs/MR; requiring an ICF/MR plan; amending Minnesota Statutes 2004, section 256B.19, subdivision 1.

Referred to the Committee on Health and Family Security.

Senators Kleis, Ruud, Jungbauer, Koering and McGinn introduced--

S.F. No. 933: A bill for an act relating to crimes; imposing the sanction of life imprisonment without the possibility of release for committing the offense of murder in the first degree; amending Minnesota Statutes 2004, section 609.185; repealing Minnesota Statutes 2004, section 609.106.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Ranum, Foley, Skoglund, McGinn and Limmer introduced--

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

Referred to the Committee on Crime Prevention and Public Safety.

Senators Frederickson, Hottinger, Dille, Higgins and Dibble introduced--

S.F. No. 935: A bill for an act relating to waters; modifying authority for public waters inventory; modifying public waters work permit and water use permit provisions; modifying enforcement authority; amending Minnesota Statutes 2004, sections 103G.201; 103G.2372, subdivision 1; 103G.245, subdivision 4; 103G.251, subdivision 2; 103G.301, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

Senator Dille introduced--

S.F. No. 936: A bill for an act relating to local government aid; increasing the city aid base for certain cities; amending Minnesota Statutes 2004, section 477A.011, subdivision 36.

Referred to the Committee on Taxes.

Senators Sams, Anderson, Metzen, Pariseau and Vickerman introduced--

S.F. No. 937: A bill for an act relating to economic development; modifying youth intervention program provisions; appropriating money for grants for youth intervention programs; amending Minnesota Statutes 2004, section 116L.30, subdivisions 1, 2, by adding subdivisions.

Referred to the Committee on Finance.

Senator Foley introduced--

S.F. No. 938: A bill for an act relating to traffic regulations; requiring peace officer to make all reasonable efforts to contact parent or guardian of cited minor; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Transportation.

Senators Hottinger and Rosen introduced--

S.F. No. 939: A bill for an act relating to education; providing for immunity from liability for school district and district employee notification of students with a history of violent behavior; amending Minnesota Statutes 2004, sections 121A.64; 121A.75, by adding a subdivision.

Referred to the Committee on Education.

Senators Tomassoni, Pogemiller, Marty, Saxhaug and Bakk introduced--

S.F. No. 940: A bill for an act relating to energy; expanding definition of farm-grown closed-loop biomass; amending conditions for Public Utilities Commission approval of a pending request for a biomass project; amending Minnesota Statutes 2004, section 216B.2424, subdivisions 1, 2, 5a, 6, 8.

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

Senators Tomassoni and Wergin introduced--

S.F. No. 941: A bill for an act relating to higher education; abolishing the Regent Candidate Advisory Council; repealing Minnesota Statutes 2004, section 137.0245.

Referred to the Committee on Education.

Senators Kiscaden and Senjem introduced--

S.F. No. 942: A bill for an act relating to taxation; providing for uses of Rochester sales and use tax revenues; amending Laws 1998, chapter 389, article 8, section 43, subdivision 3.

Referred to the Committee on Taxes.

Senators Lourey, Vickerman and Murphy introduced--

S.F. No. 943: A bill for an act relating to agriculture; restricting sales of ethanol plants; amending Minnesota Statutes 2004, section 41A.09, by adding a subdivision.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Anderson, Senjem, Bakk, Rosen and Frederickson introduced--

S.F. No. 944: A bill for an act relating to unemployment insurance; conforming various provisions to federal requirements; making technical and housekeeping changes; amending Minnesota Statutes 2004, sections 268.03, subdivision 1; 268.035, subdivisions 9, 13, 14, 20, 21, 26; 268.042, subdivision 1; 268.043; 268.044, subdivisions 2, 3; 268.051, subdivisions 1, 4, 6, 7, by adding a subdivision; 268.052, subdivision 2; 268.053, subdivision 1; 268.065, subdivision 2; 268.069, subdivision 1; 268.07, subdivision 3b; 268.085, subdivisions 1, 2, 3, 5, 12; 268.086, subdivisions 2, 3; 268.095, subdivisions 1, 4, 7, 8, 10, 11; 268.101, subdivisions 1, 3a; 268.103, subdivision 2; 268.105; 268.145, subdivision 1; 268.18, subdivisions 1, 2, 2b; 268.182, subdivision 2; 268.184, subdivisions 1, 2, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 2004, sections 268.045,

subdivisions 2, 3, 4; 268.086, subdivision 4; Laws 1997, chapter 66, section 64, subdivision 1; Minnesota Rules, parts 3310.2926; 3310.5000; 3315.0910, subpart 9; 3315.1020; 3315.1301; 3315.1315, subparts 1, 2, 3; 3315.1650; 3315.2210; 3315.3210; 3315.3220.

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

Senators Saxhaug, Kelley, Stumpf, Fischbach and Senjem introduced--

S.F. No. 945: A bill for an act relating to education; requiring state payment of certain excessive special education costs; amending Minnesota Statutes 2004, section 125A.75, by adding a subdivision.

Referred to the Committee on Finance.

Senators Dille, Belanger and Betzold introduced--

S.F. No. 946: A bill for an act relating to taxation; individual income; providing an income tax checkoff to fund grants to members of the National Guard and reserves who have incurred financial need as the result of being ordered to federal active service since 9/11; authorizing administration by the adjutant general; appropriating money; amending Minnesota Statutes 2004, section 190.09, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senators Gerlach, Larson and Limmer introduced--

S.F. No. 947: A bill for an act relating to human services; establishing eligibility requirements related to nonuse of tobacco products and tobacco use cessation for state health care programs and MFIP; amending Minnesota Statutes 2004, sections 256D.03, subdivision 3; 256L.07, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 256B; 256J.

Referred to the Committee on Health and Family Security.

Senators Gerlach, Larson and Nienow introduced--

S.F. No. 948: A bill for an act relating to state government; imposing certain disclosure requirements on nonprofit organizations that receive a grant or a direct appropriation from the state; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on State and Local Government Operations.

Senator Lourey introduced--

S.F. No. 949: A bill for an act relating to education finance; restoring funding for the early childhood family education program; appropriating money; amending Minnesota Statutes 2004, section 124D.135, subdivision 1; Laws 2003, First Special Session chapter 9, article 7, section 11, subdivision 3, as amended.

Referred to the Committee on Finance.

Senators Nienow, Day, Vickerman and Hann introduced--

S.F. No. 950: A bill for an act relating to motor vehicles; allowing special veterans license plates to be displayed on certain one-ton trucks; making clarifying changes; amending Minnesota Statutes 2004, section 168.123, subdivisions 1, 4.

Referred to the Committee on Transportation.

Senator Nienow introduced--

S.F. No. 951: A bill for an act relating to highways; authorizing issuance of \$6,800,000 in state trunk highway bonds for construction of bridge on marked Trunk Highway 95.

Referred to the Committee on Finance.

Senators Nienow, Wergin and Jungbauer introduced--

S.F. No. 952: A bill for an act relating to taxation; providing that certain personal property of an electric generation facility is exempt from property taxation; amending Minnesota Statutes 2004, section 272.02, by adding a subdivision.

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

Senators Kelley, Scheid, Senjem, Pappas and Belanger introduced--

S.F. No. 953: A bill for an act relating to local government; repealing the compensation limit for local government employees; amending Minnesota Statutes 2004, sections 356.611, subdivision 1; 465.719, subdivision 9; repealing Minnesota Statutes 2004, section 43A.17, subdivision 9.

Referred to the Committee on State and Local Government Operations.

Senators Neuville, Pariseau and Robling introduced--

S.F. No. 954: A bill for an act relating to human services; designating certain nursing facilities in Rice County as metro for purposes of determining reimbursement rates; amending Minnesota Statutes 2004, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Langseth and Stumpf introduced--

S.F. No. 955: A bill for an act relating to border city enterprise zones; amending Minnesota Statutes 2004, sections 272.0212, subdivisions 1, 2; 469.169, by adding a subdivision.

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

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

S.F. No. 956: A bill for an act relating to natural resources; modifying limit on gifts to the public; modifying state park permit provisions; providing for disposition of certain fees; appropriating money; amending Minnesota Statutes 2004, sections 84.027, subdivision 12; 85.052, subdivision 4; 85.055, subdivision 2, by adding a subdivision; repealing Minnesota Statutes 2004, section 85.054, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senators Marko, Metzen, Pariseau, McGinn and Belanger introduced--

S.F. No. 957: A bill for an act relating to Dakota County Regional Railroad Authority; permitting development of bus rapid transit in Cedar Avenue transitway corridor.

Referred to the Committee on Transportation.

Senators Vickerman, Sams, Rosen, Kubly and Bakk introduced--

S.F. No. 958: A bill for an act relating to labor; appropriating money for grants to the Vinland Center for rehabilitation services.

Referred to the Committee on Finance.

Senators Higgins, Wiger and Lourey introduced--

S.F. No. 959: A bill for an act relating to elections; providing for the postelection security and certification review to apply to federal constitutional and legislative offices; amending Minnesota Statutes 2004, section 204C.50, subdivision 1; repealing Minnesota Statutes 2004, section 204C.50, subdivision 7.

Referred to the Committee on Elections.

Senator Jungbauer introduced--

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

Referred to the Committee on Elections.

Senator Kelley introduced--

S.F. No. 961: A bill for an act relating to education; establishing a state and school district preference for textbooks and instructional materials in alternative formats for students with disabilities; proposing coding for new law in Minnesota Statutes, chapter 125A.

Referred to the Committee on Education.

Senator Kelley introduced--

S.F. No. 962: A bill for an act relating to education finance; expanding the use of health and safety revenue to include certain testing and calibration; amending Minnesota Statutes 2004, section 123B.57, subdivision 6.

Referred to the Committee on Finance.

Senators Stumpf, Kelley, Marko, Anderson and Hann introduced--

S.F. No. 963: A bill for an act relating to education; authorizing grants for collaborative urban educator recruitment and training programs; appropriating money.

Referred to the Committee on Finance.

Senators Tomassoni, Metzen, Saxhaug, Ourada and Pariseau introduced--

S.F. No. 964: A bill for an act relating to the State Lottery; authorizing the director of the State Lottery to establish video lottery terminals; providing duties and powers to the director of the State Lottery; providing for the use of video lottery revenues; amending Minnesota Statutes 2004, sections 297E.02, subdivision 1; 299L.02, subdivision 1; 349.15, subdivision 1; 349A.01, subdivisions 10, 11, 12, by adding subdivisions; 349A.06, subdivisions 1, 5, 8, 10, by adding subdivisions; 349A.08, subdivisions 1, 5, 8; 349A.09, subdivision 1; 349A.10, subdivisions 2, 3, 4; 349A.11, subdivision 1; 349A.12, subdivisions 1, 2; 349A.13; 609.651, subdivision 1; 609.75, subdivision 4; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A; repealing Minnesota Statutes 2004, sections 297E.01, subdivision 7; 297E.02, subdivisions 4, 6, 7.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Betzold introduced--

S.F. No. 965: A bill for an act relating to government data practices; modifying applicant data; amending Minnesota Statutes 2004, section 13.43, subdivision 3.

Referred to the Committee on Judiciary.

Senator Betzold introduced--

S.F. No. 966: A bill for an act relating to government data practices; providing a maximum copy fee for certain copies of data; amending Minnesota Statutes 2004, section 13.03, subdivision 3.

Referred to the Committee on Judiciary.

Senators Betzold, Neuville, McGinn, Foley and Berglin introduced--

S.F. No. 967: A bill for an act relating to corrections; establishing a parole board; prescribing its membership, duties, and powers; prescribing when an individual is eligible to be considered for parole; authorizing the board to determine if selected Level III sex offenders should be referred to the county attorney for civil commitment; appropriating money; amending Minnesota Statutes 2004, section 244.05, subdivision 7; proposing coding for new law as Minnesota Statutes, chapter 244A.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Dibble, Pappas, Moua, Kiscaden and Senjem introduced--

S.F. No. 968: A bill for an act relating to health; establishing grants for an AIDS prevention initiative focusing on African-born Minnesotans; appropriating money.

Referred to the Committee on Health and Family Security.

Senator Vickerman introduced--

S.F. No. 969: A bill for an act relating to renewable fuel use by state departments; clarifying the state's policy of minimizing energy use and requiring renewable fuels wherever appropriate; proposing coding for new law in Minnesota Statutes, chapter 16C.

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

Senators Michel, Reiter, LeClair, Larson and Ourada introduced--

S.F. No. 970: A bill for an act relating to insurance; repealing the Minnesota No-Fault Automobile Insurance Act; providing an appropriate premium reduction; requiring liability coverage; proposing coding for new law in Minnesota Statutes, chapter 65B; repealing Minnesota Statutes 2004, sections 65B.41; 65B.42; 65B.43; 65B.44; 65B.45; 65B.46; 65B.47; 65B.48; 65B.482; 65B.49; 65B.50; 65B.51; 65B.525; 65B.53; 65B.54; 65B.55; 65B.56; 65B.57; 65B.58; 65B.59; 65B.60; 65B.61; 65B.63; 65B.64; 65B.65; 65B.66; 65B.685; 65B.71.

Referred to the Committee on Commerce.

Senator Pogemiller introduced--

S.F. No. 971: A bill for an act relating to public finance; modifying requirements relating to financial statements; authorizing purchases of certain guaranteed investment contracts; authorizing a special levy; modifying the authority of cities and counties to finance purchases of computers and related items; extending the term of certain notes; clarifying the financing of conservation

easements; extending sunsets on establishment of special service districts and housing improvement areas; providing for financing of certain improvements; extending the maximum maturity of certain bonds; revising time for certain notices of issues; exempting obligations issued to pay judgments from net debt limits; modifying the authority to finance street reconstruction; modifying limits on city capital improvement bonds and enabling certain towns to issue bonds under a capital improvement plan; amending Minnesota Statutes 2004, sections 80A.25, subdivision 3; 118A.05, subdivision 5; 275.70, subdivision 5; 373.01, subdivision 3; 373.40, subdivision 1; 410.32; 412.301; 428A.101; 428A.21; 429.031, by adding a subdivision; 429.051; 469.034, subdivision 2; 469.158; 474A.131, subdivision 1; 475.51, subdivision 4; 475.52, subdivisions 1, 3, 4; 475.521, subdivisions 1, 2, 3, 4; 475.58, subdivision 3b.

Referred to the Committee on Taxes.

Senators Dibble, Pappas, Kelley and Hottinger introduced--

S.F. No. 972: A bill for an act relating to health; establishing a right to reproductive privacy; proposing coding for new law as Minnesota Statutes, chapter 145D.

Referred to the Committee on Health and Family Security.

Senators Lourey; Kelley; Johnson, D.E.; Kiscaden and Berglin introduced--

S.F. No. 973: A bill for an act relating to medical assistance; requiring medical assistance to cover medication therapy management services; amending Minnesota Statutes 2004, section 256B.0625, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senator Day introduced--

S.F. No. 974: A bill for an act relating to motor vehicles; imposing surcharge on motor vehicle purchase; removing obsolete language; amending Minnesota Statutes 2004, sections 297B.02, by adding a subdivision; 297B.09, subdivision 1.

Referred to the Committee on Transportation.

Senator Day introduced--

S.F. No. 975: A bill for an act relating to taxation; providing for the creation of special taxing districts to capture property tax increments to finance operating costs of light rail transit; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Taxes.

Senator Day introduced--

S.F. No. 976: A bill for an act relating to motor fuels; increasing rate of motor fuels taxes; amending Minnesota Statutes 2004, sections 296A.07, subdivision 3; 296A.08, subdivision 2.

Referred to the Committee on Transportation.

Senator Day introduced--

S.F. No. 977: A bill for an act relating to traffic regulations; requiring vehicles to be driven in right-hand lane with exceptions; amending Minnesota Statutes 2004, sections 169.18, subdivisions 7, 10; 171.13, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Moua and Rest introduced--

S.F. No. 978: A bill for an act relating to property taxation; converting the state general tax on commercial-industrial property to a tax based on land value; amending Minnesota Statutes 2004, section 275.025, subdivision 4, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Lourey, Kelley, Ranum and Rosen introduced--

S.F. No. 979: A bill for an act relating to health; establishing a healthy biomonitoring program; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Family Security.

Senators Higgins, Dibble, Kubly, Rosen and Frederickson introduced--

S.F. No. 980: A bill for an act relating to employment and economic development; appropriating money for grants for minority business development programs and for purposes of the Procurement Technical Assistance Center.

Referred to the Committee on Finance.

Senators Solon, Senjem, Ranum and Murphy introduced--

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

Referred to the Committee on Transportation.

Senators Marty, Berglin and Lourey introduced--

S.F. No. 982: A bill for an act relating to health; requiring the disclosure of financial information and arrangements related to prescription drug purchasing; requiring rulemaking; providing civil penalties; amending Minnesota Statutes 2004, section 151.061, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 151A.

Referred to the Committee on Health and Family Security.

Senators Marty, Skoglund, Ranum, Lourey and Dibble introduced--

S.F. No. 983: A bill for an act relating to health; expanding the Adverse Health Care Events Reporting Act to include facility-acquired infection rates; amending Minnesota Statutes 2004, sections 144.7063, by adding a subdivision; 144.7065, subdivisions 1, 6, 8, by adding a subdivision; 144.7067.

Referred to the Committee on Health and Family Security.

Senator Lourey introduced--

S.F. No. 984: A bill for an act relating to human services; modifying programs and services for persons with disabilities; amending Minnesota Statutes 2004, sections 252.27, subdivision 2a; 256B.04, by adding a subdivision; 256B.056, subdivisions 3, 5c; 256B.057, subdivision 9; 256B.0575; 256B.0621, subdivisions 4, 6, by adding a subdivision; 256B.0625, subdivision 9; 256B.0916, by adding a subdivision; 256B.092, subdivisions 2a, 4b; 256B.35, subdivision 1;

256B.49, subdivisions 13, 16; 256B.5012, by adding a subdivision; 256B.69, subdivision 23; 256B.765; 256D.03, subdivision 4; 256L.03, subdivisions 1, 5, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Family Security.

Senators Ruud and Jungbauer introduced--

S.F. No. 985: A bill for an act relating to financial institutions; authorizing a detached facility in Burns Township under certain conditions.

Referred to the Committee on Commerce.

Senators Marty, Ranum, Lourey and Dibble introduced--

S.F. No. 986: A bill for an act relating to health; expanding the Adverse Health Care Events Reporting Act to include facility-acquired infection rates; prohibiting the nontherapeutic use of animal feed containing certain antibiotics; establishing a surcharge on all commercial feeds sold that contain antibiotics; appropriating money; amending Minnesota Statutes 2004, sections 25.33, by adding a subdivision; 25.341, by adding a subdivision; 144.7063, by adding a subdivision; 144.7065, subdivisions 1, 6, 8, by adding a subdivision; 144.7067; proposing coding for new law in Minnesota Statutes, chapter 25.

Referred to the Committee on Health and Family Security.

MEMBERS EXCUSED

Senators Berglin; Johnson, D.J.; Robling and Sams were excused from the Session of today. Senator Neville was excused from the Session of today from 11:00 to 11:25 a.m.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 11:30 a.m., Wednesday, February 16, 2005. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Monday, February 14, 2005

EXECUTIVE AND OFFICIAL COMMUNICATIONS

Pages 367 to 368

MESSAGES FROM THE HOUSE AND FIRST READINGS OF HOUSE FILES

S.F. Nos.	Message Page	H.F. Nos.	Message Page	1st Reading Page
Sen. Con.		57	.....	379
Res. No. 1	..... 368	Hse. Con.		
		Res. No. 1	.....	368

REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
109	..... 374				
127	..... 373				
181	..... 369	374			
182	..... 371	374			
271	..... 373				
284	..... 372	374			
404	..... 371				
418	..... 369	374			
453	..... 371	374			
485	..... 372				
490	..... 374				
629	..... 370	374			
710	..... 370				

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
411	.....374		
550	.....375		
668	.....374		
669	.....374		
713	.....374		
726	.....374		
828	.....374		
861	.....374		
911	.....374		

CONSENT CALENDAR

S.F. Nos.	Page	H.F. Nos.	Page
262	.....375		
379	.....378		
392	.....378		
518	.....375		
716	.....376		
717	.....377		

CONFERENCE COMMITTEE REPORTS AND THIRD READINGS

S.F. Nos.	Page	H.F. Nos.	Page
		57	.....379

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F. Nos. 927 to 986	Pages 382 to 391
----------------------	-------	------------------