

SPECIAL SESSION
TWENTY-THIRD DAY

St. Paul, Minnesota, Wednesday, July 13, 2005

The Senate met at 12:00 noon and was called to order by the President.

CALL OF THE SENATE

Senator Johnson, D.E. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Monsignor James D. Habiger.

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

The President declared a quorum present.

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

RECESS

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

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

CALL OF THE SENATE

Senator Johnson, D.E. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

July 9, 2005

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

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

S.F. No.	H.F. No.	First Special Session Laws Chapter No.	Time and Date Approved 2005	Date Filed 2005
	111	2	3:40 a.m. July 9	July 9

Sincerely,
Mary Kiffmeyer
Secretary of State

MOTIONS AND RESOLUTIONS

Senator Skoglund moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 75. The motion prevailed.

Senators Murphy; Johnson, D.E.; Day; Vickerman and Dille introduced--

Senate Resolution No. 10: A Senate resolution congratulating Jeff Olson on his retirement as commissioner of veterans affairs.

Referred to the Committee on Rules and Administration.

Senator Johnson, D.E. introduced--

Senate Resolution No. 11: A Senate resolution recognizing Willmar as a 2005 All-America City Award recipient.

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 and referred to the committees indicated.

Senator Betzold introduced--

S.F. No. 102: A bill for an act relating to public safety; increasing criminal penalties involving regulated animals; amending Minnesota Statutes 2004, section 346.155, subdivision 10.

Referred to the Committee on Rules and Administration.

Senator Bachmann introduced--

S.F. No. 103: A bill for an act relating to local government; limiting local government requirements for use of certain nonconforming lots; amending Minnesota Statutes 2004, section 462.357, subdivision 1e, as amended.

Referred to the Committee on Rules and Administration.

Senator Stumpf introduced--

S.F. No. 104: A bill for an act relating to the operation and financing of government; providing for early childhood, adult, family, and kindergarten through grade 12 education including general education, education excellence, special programs, facilities and technology, nutrition and accounting, libraries, early childhood education, prevention, self-sufficiency and lifelong learning, state agencies, and technical and conforming amendments; reestablishing statutory authority for the Humanities Commission; authorizing certain nonprofit contracts; reimbursing local governments; authorizing certain state agencies and constitutional officers to carry forward unencumbered balances for fiscal year 2005; appropriating money for lets go fishing to promote opportunities for fishing in the state; authorizing rulemaking; providing for reports; appropriating money; amending Minnesota Statutes 2004, sections 13.32, subdivision 8; 13.321, by adding a subdivision; 119A.46, subdivisions 1, 2, 3, 8; 120A.05, by adding a subdivision; 120A.22, subdivision 12; 120B.02; 120B.021, by adding a subdivision; 120B.11, subdivisions 1, 2, 3, 4, 5, 8; 120B.13, subdivisions 1, 3; 120B.22, subdivision 1; 120B.30, subdivisions 1, 1a, by adding a subdivision; 120B.31, subdivision 4; 121A.03, subdivision 1; 121A.06, subdivisions 2, 3; 121A.15, subdivision 3; 121A.17, subdivisions 1, 5; 121A.19; 121A.41, subdivision 10; 121A.47, subdivision 14; 121A.53; 121A.66, subdivision 5, by adding subdivisions; 121A.67; 122A.06, subdivision 4; 122A.12, subdivision 2; 122A.18, subdivision 2a; 122A.33; 122A.40, subdivision 5, as amended; 122A.41, subdivisions 2, as amended, 5a, 14; 122A.413; 122A.414; 122A.415, subdivisions 1, 3; 122A.60, subdivision 1, by adding subdivisions; 123A.05, subdivision 2; 123B.02, by adding subdivisions; 123B.04, subdivisions 1, 2; 123B.42, by adding a subdivision; 123B.49, subdivision 4; 123B.492; 123B.53, subdivision 1; 123B.54; 123B.59, subdivisions 3, 3a; 123B.63, subdivision 2; 123B.71, subdivisions 8, 9, 12; 123B.75, subdivision 5, by adding a subdivision; 123B.76, subdivision 3; 123B.79, subdivision 6; 123B.81, subdivision 1; 123B.82; 123B.83, subdivision 2; 123B.88, by adding a subdivision; 123B.92, subdivisions 1, 5; 124D.09, subdivision 12; 124D.095, subdivisions 2, 4, 8, by adding a subdivision; 124D.10, subdivisions 4, 6, 15, 23; 124D.11, subdivisions 1, 2, 5, 6; 124D.111, subdivisions 1, 2; 124D.118, subdivision 4; 124D.135, subdivisions 1, 5; 124D.15, subdivisions 1, 3, 5, 10, 12, by adding subdivisions; 124D.16, subdivisions 2, 3; 124D.20, subdivisions 3, 5; 124D.40; 124D.454, subdivision 5; 124D.52, subdivision 3; 124D.531, subdivisions 1, 4; 124D.66, subdivision 3; 124D.68, subdivision 9; 124D.69, subdivision 1; 124D.74, subdivision 1; 124D.81, subdivision 1; 124D.84, subdivision 1; 125A.11, subdivision 1; 125A.24; 125A.28; 125A.51; 125A.76, subdivision 4; 125A.79, subdivisions 1, 6; 126C.01, subdivision 11; 126C.05, by adding a subdivision; 126C.10, subdivisions 1, 2, 13, 13a, 24, 31, by adding subdivisions; 126C.13, subdivision 4; 126C.15, subdivisions 2, 3; 126C.17, subdivisions 2, 5, 7, 9, 13; 126C.21, subdivision 4; 126C.40, subdivision 1; 126C.43, subdivisions 2, 3; 126C.457; 126C.48, subdivisions 2, 8; 126C.63, subdivisions 5, 8; 127A.41, subdivision 8; 127A.45, subdivisions 2, 10, 11, 12, 13, 14, 16;

127A.47, subdivisions 7, 8; 127A.49, subdivisions 2, 3; 128C.05, by adding a subdivision; 128C.12, subdivisions 1, 3; 128D.11, subdivision 9; 134.31, by adding a subdivision; 179A.03, subdivision 14, as amended; 260C.201, subdivision 1, as amended; 275.14; 275.16; 469.177, subdivision 9; 475.61, subdivision 4; Laws 1996, chapter 412, article 5, section 24; Laws 2003, First Special Session chapter 9, article 3, section 20, subdivision 6, as amended; Laws 2003, First Special Session chapter 9, article 4, section 29, as amended; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 122A; 123A; 123B; 124D; 125B; 127A; 129C; 138; 171; repealing Minnesota Statutes 2004, sections 122A.415, subdivision 2; 123B.83, subdivision 1; 124D.095, subdivision 9; 124D.15, subdivisions 2, 4, 6, 7, 8, 9, 11, 13; 124D.16, subdivisions 1, 4; 125A.75, subdivision 8; 126C.42, subdivisions 1, 4; 128C.12, subdivision 4.

Senator Johnson, D.E. moved that S.F. No. 104 be laid on the table. The motion prevailed.

Senator Murphy introduced--

S.F. No. 105: A bill for an act relating to appropriations; appropriating money for transportation, Metropolitan Council, and public safety activities; providing for general contingent accounts and tort claims; providing for various fees and accounts; allocating county state-aid highway funds; modifying provisions related to state mail, state highways and bridges, county state-aid highways, town road signs, railroad grade crossings and operations, traffic fine allocations, commercial motor vehicles, day activity center buses, vehicle registration plates and other motor vehicle provisions, driver and vehicle data practices, deputy motor vehicle registrars, state aviation, bridges in smaller cities, weight limits on highways and other traffic regulations, drivers' licenses and permits, the Commuter Rail Corridor Coordinating Committee, Roussain Cemetery, wetland replacement near the city of Cologne, the employment status of public safety radio communications operators, the insurance verification sampling program, maximum train speeds in the city of Orr, a restriction on ethanol requirements, and bicycle programs; requiring studies and reports; making technical and clarifying revisions; amending Minnesota Statutes 2004, sections 13.44, subdivision 3; 16B.49; 115A.908, subdivision 1; 161.14, subdivision 25, by adding subdivisions; 161.361, subdivision 2; 161.368; 162.02, subdivisions 2, 3a; 162.06, subdivision 2; 162.08, subdivision 3; 162.09, subdivisions 2, 3a; 162.14, subdivision 6; 168.011, subdivisions 3, 4, 5, 5a, 6, 7, 25, by adding subdivisions; 168.012, subdivision 1, as amended; 168.013, subdivision 8; 168.031; 168.09, subdivision 7; 168.091, subdivision 1; 168.10, subdivision 1c; 168.105, subdivisions 2, 3, 5; 168.12; 168.123; 168.1235; 168.124; 168.125; 168.1255; 168.127, subdivision 6; 168.128; 168.129; 168.1291; 168.1293; 168.1296; 168.1297; 168.15, subdivision 1; 168.16; 168.185; 168.27, subdivision 11; 168.31, subdivision 5; 168.33, as amended; 168.345, subdivisions 1, 2; 168.381; 168.54, subdivisions 4, 5; 168A.152, subdivision 2; 168A.20, by adding a subdivision; 168A.29; 168A.31; 169.01, subdivisions 75, 76, 78; 169.06, subdivisions 5, 6; 169.09, subdivision 13; 169.14, subdivision 2, by adding a subdivision; 169.18, subdivisions 4, 5, 11, as amended; 169.28, subdivision 2; 169.448, by adding a subdivision; 169.522; 169.81, subdivision 3c; 169.8261; 169.851, subdivision 5; 169.86, subdivision 5; 169.99, subdivision 1b; 169A.52, subdivision 3; 169A.60, subdivision 16; 171.01, subdivisions 22, 35, 47, by adding a subdivision; 171.02; 171.03; 171.04, subdivision 2; 171.05, subdivisions 1, 2, 2b; 171.055, subdivision 2; 171.06, subdivisions 2, 2a; 171.061, subdivision 4; 171.07, subdivision 11; 171.09, as amended; 171.12, subdivisions 3, 6; 171.13, subdivisions 2, 6, by adding a subdivision; 171.165, subdivisions 1, 2, 6; 171.17, subdivision 1; 171.18, subdivision 1; 171.20, subdivision 4, as amended; 171.26, as amended; 171.29, subdivision 2; 171.30, subdivision 1; 171.36; 174.50, by adding a subdivision; 174.86, subdivision 5; 179A.03, subdivision 7, as amended; 179A.10, subdivision 2; 192.502, subdivision 2; 197.65; 219.166; 219.567; 299D.03, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 160; 162; 168; 171; 219; 299A; repealing Minnesota Statutes 2004, sections 168.011, subdivision 19; 168.012, subdivision 12; 168.041, subdivision 11; 168.105, subdivision 6; 168.15, subdivision 2; 168.231; 168.345, subdivisions 3, 4; 168.831; 168.832; 168.833; 168.834; 168.835; 168.836; 168.837; 168C.01; 168C.02; 168C.03; 168C.04; 168C.05; 168C.06; 168C.07; 168C.08; 168C.09; 168C.10; 168C.11; 168C.12; 168C.13; 170.23; 171.12, subdivision 8; 171.165, subdivisions 3, 4, 4a, 4b; 171.185; 473.408, subdivision 1; Minnesota Rules, parts 7407.0100; 7407.0200; 7407.0300; 7407.0400; 7407.0500; 7407.0600; 7407.0700; 7407.0800; 7407.0900; 7407.1000; 7407.1100; 7407.1200; 7407.1300; 7503.2400; 7800.0600; 7800.3200, subpart 1; 7805.0700; 8850.6900, subpart 20; 8855.0500, subpart 1.

Senator Johnson, D.E. moved that S.F. No. 105 be laid on the table. The motion prevailed.

Senators Pogemiller, Belanger, Betzold, Skoe and Moua introduced--

S.F. No. 106: A bill for an act relating to financing and operation of government in this state; changing income, corporate franchise, withholding, property, sales and use, deed, health care gross revenues, fuels, cigarette and tobacco products, occupation, net proceeds, production, liquor, insurance, rented vehicles, and other taxes and tax-related provisions; making technical, clarifying, collection, enforcement, refund, and administrative changes to certain taxes and tax-related provisions; changing fiscal disparities provisions, business subsidy provisions, and payments in lieu of taxes; changing local government and property tax aids and credits; updating references to the Internal Revenue Code; changing property tax exemptions, homesteads, assessment, valuation, classification, class rates, levies, exclusions, review and equalization, appeals, notices and statements, and other property tax-related provisions; requiring state contracts be with vendors registered to collect use taxes; modifying and authorizing local sales and lodging taxes; changing the taxation of liquor and cigarettes and tobacco products; imposing tobacco product delivery sales requirements; requiring registration of tax shelters and providing for a voluntary compliance initiative; providing for an international economic development zone; conveying certain powers and providing tax incentives in the zone; changing job opportunity building zones, border city development zones, and biotechnology and health sciences industry zone provisions; changing provisions relating to economic development and housing and redevelopment authorities; providing for training and conduct of assessors; changing and imposing powers and duties on the commissioner of revenue and other state agencies and departments and on certain political subdivisions and certain officials; imposing certain duties on tax preparers; changing provisions relating to certificates of title on manufactured homes; changing electronic filing requirements; authorizing the issuance of certain state bonds; specifying the status of certain trusts; changing and imposing civil and criminal penalties; requiring studies and reports; allocating and transferring funds; appropriating money; amending Minnesota Statutes 2004, sections 16C.03, by adding a subdivision; 116J.993, by adding a subdivision; 116J.994, subdivisions 4, 5, 9, by adding a subdivision; 168A.05, by adding a subdivision; 270C.02, subdivision 2, as added; 270C.27, subdivision 1, as added; 270C.28, subdivision 2, as added; 270C.445, as added, by adding a subdivision; 272.02, subdivisions 7, 22, 64, as amended, 73, as added, by adding subdivisions; 273.0755; 273.11, subdivision 1a, by adding subdivisions; 273.112, subdivision 3; 273.124, subdivision 1; 273.125, subdivision 8; 273.13, subdivisions 22, 25, as amended; 274.01, subdivision 1; 275.025, subdivisions 3, 4; 275.065, subdivisions 1a, 3, by adding subdivisions; 275.70, subdivision 5, as amended; 276.04, subdivision 2, as amended; 287.20, subdivisions 2, 9, by adding a subdivision; 287.21, subdivision 1; 289A.02, subdivision 7; 289A.08, subdivisions 1, 7, 13; 289A.11, subdivision 1; 289A.20, subdivisions 2, 4; 289A.26, subdivision 2a; 289A.38, by adding a subdivision; 289A.56, by adding a subdivision; 289A.60, subdivisions 4, 6, as amended, 20, by adding subdivisions; 290.01, subdivisions 6b, 7, 19, as amended, 19a, as amended, 19b, as amended, 19c, as amended, 19d, 29, 31; 290.032, subdivisions 1, 2; 290.06, subdivisions 2c, by adding a subdivision; 290.067, subdivisions 1, 2a; 290.0671, subdivision 1; 290.0674, subdivision 2; 290.0675, subdivision 1; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivisions 2, 3; 290.191, subdivisions 2, 3; 290.9705, subdivision 1; 290A.03, subdivisions 3, 15; 295.50, subdivision 3, by adding a subdivision; 295.52, subdivision 4; 295.53, subdivision 1; 295.55, subdivision 4; 296A.09, by adding a subdivision; 297A.61, subdivisions 3, as amended, 4, as amended; 297A.67, subdivisions 6, 29, by adding a subdivision; 297A.68, subdivisions 2, as amended, 5, as amended, 35, 37, 38, by adding subdivisions; 297A.70, subdivisions 8, 10; 297A.71, by adding subdivisions; 297A.75, subdivisions 1, as amended, 2, 3; 297A.99, subdivision 9, by adding a subdivision; 297F.01, by adding a subdivision; 297F.09, by adding a subdivision; 297F.10, subdivision 1; 297I.01, subdivision 13a, as added, by adding a subdivision; 297I.05, subdivision 4, by adding a subdivision; 298.01, subdivisions 3, 4; 298.24, subdivision 1, as amended; 469.033, subdivision 6; 469.1082, by adding a subdivision; 469.169, by adding a subdivision; 469.310, subdivision 11, as amended, by adding a subdivision; 469.316; 469.317; 469.337; 473F.02, subdivision 2; 473F.08, subdivision 3a; 477A.011, subdivision 36, as amended; 477A.013, subdivision 8; 477A.03, subdivisions 2a, 2b, as amended; 477A.11, subdivision 4, by adding a subdivision; 477A.12, subdivisions 1, 2; 477A.14, subdivision 1; 501B.895, as added; Laws 1991, chapter 291, article 8, section 27, subdivision 4, by adding a subdivision; Laws 1993,

chapter 375, article 9, section 46, subdivisions 2, as amended, 3, as amended; Laws 1994, chapter 587, article 9, section 8, subdivision 1; Laws 1998, chapter 389, article 8, section 43, subdivisions 3, 4, 5; Laws 2001, First Special Session chapter 5, article 12, sections 44, 67, 95, as amended; Laws 2002, chapter 377, article 3, section 4; Laws 2002, chapter 377, article 11, section 2, subdivisions 1, 4; proposing coding for new law in Minnesota Statutes, chapters 174; 270C; 273; 289A; 295; 297A; 297F; 325F; 469; repealing Minnesota Statutes 2004, sections 272.02, subdivision 65; 477A.08.

Senator Johnson, D.E. moved that S.F. No. 106 be laid on the table. The motion prevailed.

Senator Berglin introduced--

S.F. No. 107: A bill for an act relating to the operation of state government; making changes to health and human services programs; modifying human services policy; modifying health policy; changing licensing provisions; changing provisions for mental and chemical health; establishing treatment foster care and transitional youth intensive rehab mental health services; enhancing family support; providing training for child care providers and hospitals on dangers of shaking infants and children; establishing long-term homeless supportive services; establishing the tobacco health impact fee; establishing a cancer drug repository program; establishing a health information technology and infrastructure advisory committee and a rural pharmacy planning and transition grant program; establishing a statewide trauma system and trauma registry; changing long-term care provisions and establishing a partnership; establishing a nursing facility reimbursement system; modifying health care programs; changing certain fees; appropriating money; amending Minnesota Statutes 2004, sections 13.46, subdivision 4, as amended; 16A.724; 62J.692, subdivision 3, as amended; 62Q.251, as added; 62Q.37, subdivision 7; 103I.101, subdivision 6; 103I.208, subdivisions 1, as amended, 2, as amended; 103I.235, subdivision 1; 103I.601, subdivision 2; 119B.13, subdivision 1, by adding a subdivision; 144.122, as amended; 144.147, subdivisions 1, 2; 144.148, subdivision 1; 144.1483; 144.1501, subdivisions 1, 2, 3, 4; 144.226, subdivisions 1, as amended, 4, as amended, by adding subdivisions; 144.3831, subdivision 1; 144.551, subdivision 1; 144.562, subdivision 2; 144.9504, subdivision 2; 144.98, subdivision 3; 144A.073, subdivision 10, by adding a subdivision; 144E.101, by adding a subdivision; 145.4242; 145.56, subdivisions 2, 5; 145.9268; 147A.08; 148D.220, subdivision 8, as added; 150A.22; 157.011, by adding a subdivision; 157.15, by adding a subdivision; 157.16, subdivisions 2, 3, by adding subdivisions; 157.20, subdivisions 2, 2a; 241.01, by adding a subdivision; 243.166, subdivisions 4b, as added, 7, as amended; 245.4661, subdivisions 2, 6, by adding a subdivision; 245.4874, as amended; 245.4885, subdivisions 1, 2, by adding a subdivision; 245A.02, subdivision 17; 245A.03, subdivisions 2, 3; 245A.035, subdivisions 1, 5; 245A.04, subdivisions 7, 13; 245A.06, by adding a subdivision; 245A.07, subdivisions 1, 3, by adding a subdivision; 245A.08, subdivisions 2a, 5; 245A.10, subdivisions 4, 5; 245A.14, by adding subdivisions; 245A.144; 245A.16, subdivisions 1, 4; 245A.18; 245B.02, subdivision 10; 245B.055, subdivision 7; 245B.07, subdivision 8; 245C.03, subdivision 1; 245C.07; 245C.08, subdivisions 1, 2; 245C.10, subdivisions 2, 3; 245C.15, subdivisions 1, as amended, 2, 3, 4; 245C.21, subdivision 2; 245C.22, subdivisions 3, 4, 7, as added; 245C.23, subdivision 1; 245C.24, subdivisions 2, as amended, 3; 245C.27, subdivision 1; 245C.28, subdivision 3; 245C.30, subdivisions 1, 2; 245C.32, subdivision 2; 246.0136, subdivision 1; 246.13, as amended; 252.27, subdivision 2a; 253.20; 254A.035, subdivision 2; 254A.04; 256.01, subdivision 2, by adding subdivisions; 256.019, subdivision 1; 256.045, subdivisions 3, as amended, 3a; 256.046, subdivision 1; 256.741, subdivision 4; 256.9657, by adding a subdivision; 256.969, subdivisions 3a, 9, 26, by adding a subdivision; 256.975, subdivision 9; 256B.02, subdivision 12; 256B.04, by adding a subdivision; 256B.055, by adding a subdivision; 256B.056, subdivisions 5, 5a, 5b, 7, by adding subdivisions; 256B.057, subdivision 9; 256B.0575; 256B.06, subdivision 4; 256B.0621, subdivisions 2, 3, 4, 5, 6, 7, by adding a subdivision; 256B.0622, subdivision 2; 256B.0625, subdivisions 2, 3a, 9, 13, 13a, 13c, 13d, 13e, as amended, 13f, as amended, 17, 19c, by adding subdivisions; 256B.0627, subdivisions 1, as amended, 4, 5, as amended, 9, by adding a subdivision; 256B.0631, subdivisions 1, 3; 256B.075, subdivision 2; 256B.0911, subdivision 1a; 256B.0913, subdivisions 2, 4, 5, 5a; 256B.0916, by adding a subdivision; 256B.0924, subdivision 3; 256B.093, subdivision 1; 256B.0943, subdivision 3; 256B.095; 256B.0951, subdivision 1; 256B.0952, subdivision 5; 256B.0953, subdivision 1; 256B.15, subdivisions 1, 4, by adding subdivisions; 256B.19,

subdivisions 1, 1c; 256B.195, subdivision 3; 256B.431, by adding subdivisions; 256B.432, subdivisions 1, 2, 5, by adding subdivisions; 256B.434, subdivisions 3, 4, by adding a subdivision; 256B.49, subdivision 16; 256B.5012, by adding a subdivision; 256B.69, subdivisions 4, 23; 256D.03, subdivisions 3, as amended, 4; 256D.045; 256D.06, subdivisions 5, 7; 256D.44, subdivision 5; 256I.05, subdivision 1e; 256I.06, by adding a subdivision; 256J.37, subdivision 3b; 256J.515; 256L.01, subdivisions 4, 5; 256L.03, subdivisions 1, 1b, 5; 256L.035; 256L.04, subdivision 2, by adding subdivisions; 256L.05, subdivisions 2, 3, 3a, by adding a subdivision; 256L.06, subdivision 3; 256L.07, subdivisions 1, as amended, 3, by adding subdivisions; 256L.12, by adding a subdivision; 256L.15, subdivisions 2, as amended, 3, by adding a subdivision; 256L.17, by adding a subdivision; 256M.40, subdivision 2; 260.835; 260B.163, subdivision 6; 260C.163, subdivision 5; 295.582, as amended; 297F.185; 299C.093, as amended; 325D.32, subdivision 9; 326.42, subdivision 2; 471.61, by adding a subdivision; 514.981, subdivision 6; 518.165, by adding subdivisions; 549.02, by adding a subdivision; 549.04; 609A.03, subdivision 7, as amended; 626.556, subdivision 10i, as amended; 626.557, subdivisions 9d, 14, as amended; 641.15, subdivision 2; Laws 2003, First Special Session chapter 14, article 12, section 93; Laws 2003, First Special Session chapter 14, article 13C, section 2, subdivision 6; Laws 2005, chapter 107, article 1, section 6; Laws 2005, chapter 159, article 1, section 14; proposing coding for new law in Minnesota Statutes, chapters 16A; 62J; 144; 145; 151; 245A; 245C; 256; 256B; 256K; 641; repealing Minnesota Statutes 2004, sections 119B.074, as amended; 144.1486; 144.1502; 157.215; 256.955; 256B.075, subdivision 5; 256D.54, subdivision 3; 256L.04, subdivision 11; 256M.40, subdivision 2; 514.991; 514.992; 514.993; 514.994; 514.995; Laws 2003, First Special Session chapter 14, article 9, section 34; Laws 2005, chapter 107, article 2, section 51.

Senator Johnson, D.E. moved that S.F. No. 107 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 138.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted July 13, 2005

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 138: A bill for an act relating to financing and operation of government in this state; changing income, corporate franchise, withholding, property, sales and use, deed, health care gross revenues, fuels, cigarette and tobacco products, occupation, net proceeds, production, liquor, insurance, rented vehicles, and other taxes and tax-related provisions; making technical, clarifying, collection, enforcement, refund, and administrative changes to certain taxes and tax-related provisions; changing fiscal disparities provisions, business subsidy provisions, and payments in lieu of taxes; changing local government and property tax aids and credits; updating references to the Internal Revenue Code; changing property tax exemptions, homesteads, assessment, valuation, classification, class rates, levies, exclusions, review and equalization, appeals, notices and statements, and other property tax-related provisions; requiring state contracts be with vendors registered to collect use taxes; modifying and authorizing local sales and lodging taxes; changing

the taxation of liquor and cigarettes and tobacco products; imposing tobacco product delivery sales requirements; requiring registration of tax shelters and providing for a voluntary compliance initiative; providing for an international economic development zone; conveying certain powers and providing tax incentives in the zone; changing job opportunity building zones, border city development zones, and biotechnology and health sciences industry zone provisions; changing provisions relating to economic development and housing and redevelopment authorities; providing for training and conduct of assessors; changing and imposing powers and duties on the commissioner of revenue and other state agencies and departments and on certain political subdivisions and certain officials; imposing certain duties on tax preparers; changing provisions relating to certificates of title on manufactured homes; changing electronic filing requirements; authorizing the issuance of certain state bonds; specifying the status of certain trusts; changing and imposing civil and criminal penalties; requiring studies and reports; allocating and transferring funds; appropriating money; amending Minnesota Statutes 2004, sections 16C.03, by adding a subdivision; 116J.993, by adding a subdivision; 116J.994, subdivisions 4, 5, 9, by adding a subdivision; 168A.05, by adding a subdivision; 270C.02, subdivision 2, as added; 270C.27, subdivision 1, as added; 270C.28, subdivision 2, as added; 270C.445, as added, by adding a subdivision; 272.02, subdivisions 7, 22, 64, as amended, 73, as added, by adding subdivisions; 273.0755; 273.11, subdivision 1a, by adding subdivisions; 273.112, subdivision 3; 273.124, subdivision 1; 273.125, subdivision 8; 273.13, subdivisions 22, 25, as amended; 274.01, subdivision 1; 275.025, subdivisions 3, 4; 275.065, subdivisions 1a, 3, by adding subdivisions; 275.70, subdivision 5, as amended; 276.04, subdivision 2, as amended; 287.20, subdivisions 2, 9, by adding a subdivision; 287.21, subdivision 1; 289A.02, subdivision 7; 289A.08, subdivisions 1, 7, 13; 289A.11, subdivision 1; 289A.20, subdivisions 2, 4; 289A.26, subdivision 2a; 289A.38, by adding a subdivision; 289A.56, by adding a subdivision; 289A.60, subdivisions 4, 6, as amended, 20, by adding subdivisions; 290.01, subdivisions 6b, 7, 19, as amended, 19a, as amended, 19b, as amended, 19c, as amended, 19d, 29, 31; 290.032, subdivisions 1, 2; 290.06, subdivisions 2c, by adding a subdivision; 290.067, subdivisions 1, 2a; 290.0671, subdivision 1; 290.0674, subdivision 2; 290.0675, subdivision 1; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivisions 2, 3; 290.191, subdivisions 2, 3; 290.9705, subdivision 1; 290A.03, subdivisions 3, 15; 295.50, subdivision 3, by adding a subdivision; 295.52, subdivision 4; 295.53, subdivision 1; 295.55, subdivision 4; 296A.09, by adding a subdivision; 297A.61, subdivisions 3, as amended, 4, as amended; 297A.67, subdivisions 6, 29, by adding a subdivision; 297A.68, subdivisions 2, as amended, 5, as amended, 35, 37, 38, by adding subdivisions; 297A.70, subdivisions 8, 10; 297A.71, by adding subdivisions; 297A.75, subdivisions 1, as amended, 2, 3; 297A.99, subdivision 9, by adding a subdivision; 297F.01, by adding a subdivision; 297F.09, by adding a subdivision; 297F.10, subdivision 1; 297I.01, subdivision 13a, as added, by adding a subdivision; 297I.05, subdivision 4, by adding a subdivision; 298.01, subdivisions 3, 4; 298.24, subdivision 1, as amended; 469.033, subdivision 6; 469.1082, by adding a subdivision; 469.169, by adding a subdivision; 469.310, subdivision 11, as amended, by adding a subdivision; 469.316; 469.317; 469.337; 473F.02, subdivision 2; 473F.08, subdivision 3a; 477A.011, subdivision 36, as amended; 477A.013, subdivision 8; 477A.03, subdivisions 2a, 2b, as amended; 477A.11, subdivision 4, by adding a subdivision; 477A.12, subdivisions 1, 2; 477A.14, subdivision 1; 501B.895, as added; Laws 1991, chapter 291, article 8, section 27, subdivision 4, by adding a subdivision; Laws 1993, chapter 375, article 9, section 46, subdivisions 2, as amended, 3, as amended; Laws 1994, chapter 587, article 9, section 8, subdivision 1; Laws 1998, chapter 389, article 8, section 43, subdivisions 3, 4, 5; Laws 2001, First Special Session chapter 5, article 12, sections 44, 67, 95, as amended; Laws 2002, chapter 377, article 3, section 4; Laws 2002, chapter 377, article 11, section 2, subdivisions 1, 4; proposing coding for new law in Minnesota Statutes, chapters 174; 270C; 273; 289A; 295; 297A; 297F; 325F; 469; repealing Minnesota Statutes 2004, sections 272.02, subdivision 65; 477A.08.

SUSPENSION OF RULES

Senator Johnson, D.E. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 138 and that the rules of the Senate be so far suspended as to give H.F. No. 138 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 138 was read the second time.

RECESS

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

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

CALL OF THE SENATE

Senator Johnson, D.E. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS - CONTINUED

The question recurred on H.F. No. 138.

H.F. No. 138 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 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bachmann	Berglin	LeClair	Limmer	Reiter
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So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Johnson, D.E. moved that the rules of the Senate be so far suspended as to allow a motion to withdraw S.F. No. 29 from the Committee on Rules and Administration for consideration. The motion prevailed.

S.F. No. 29: A bill for an act relating to retirement; various public pension plans; clarifying and revising various plan provisions; eliminating obsolete provisions; defining final average salary; modifying the definition of allowable service to include time on strike; permitting judges to purchase service credit for an authorized leave; requiring specified payments; clarifying references

to actuarial services in determining actuarial equivalence; defining covered salary to include certain employer contributions to supplemental retirement plans; specifying itemized detail of plan administrative expenses in annual financial reporting; excluding police officers of the University of Minnesota from the public employees police and fire fund; clarifying collection procedures relating to charter schools; adding a uniform nonassignment and legal process exemption provision; providing for various member and employer contribution rate increases; adding employees of Bridges Medical Services, Hutchinson Area Health Care, and Northfield Hospital to privatization coverage; extending date for filing special law approval with the secretary of state for the RenVilla Nursing Home; requiring the privatization periodic filing of updated copies of articles of incorporation and bylaws; modifying a higher education individual retirement account plan investment option provision; implementing the recommendations of the Volunteer Firefighter Relief Association working group of the state auditor; modifying the trigger date for filing financial reports; revising the per firefighter financing requirements for monthly benefit service pensions; modifying the options for crediting interest on deferred service pensions; clarifying the deferred service pension options available to defined contribution plans; providing for the crediting of service during military service leaves; requiring the amortization of experience losses; clarifying the compliance requirements for the qualification for fire state aid; modifying a limit on mutual fund investments; clarifying corporate stock and exchange-traded funds investment authority; modifying the municipal representation requirements on relief association governing boards; clarifying exemptions from process and taxation; providing that certain laws do not apply to the consolidation of specified volunteer firefighter relief associations; providing an ad hoc postretirement adjustment to Eveleth police and fire trust fund benefit recipients; authorizing the Maplewood Firefighters Relief Association to transfer assets to the Oakdale Firefighters Relief Association to cover service credits earned by certain individuals; restructuring the statewide Teachers Retirement Fund Association fund and benefit plan; providing a special post retirement adjustment to certain pre-1969 teachers; changing deferred annuities augmentation for new retirement plan members; creating a public pension plan default insurance pool; increasing the maximum retirement plan covered salary figure; providing certain early retirement incentives; creating a task force to study creation of a statewide volunteer firefighter retirement plan; appropriating money; amending Minnesota Statutes 2004, sections 3A.01, subdivisions 1, 2, 6, 8, by adding subdivisions; 3A.011; 3A.02, subdivisions 1, 1b, 3, 4, 5; 3A.03, subdivisions 1, 2; 3A.04, subdivisions 1, 2, 3, 4, by adding a subdivision; 3A.05; 3A.07; 3A.10, subdivision 1; 3A.12; 3A.13; 43A.17, subdivision 9; 69.011, subdivision 2b, by adding a subdivision; 69.021, subdivisions 5, 11; 69.051, subdivisions 1, 1a; 69.33; 69.77, subdivision 4; 69.771; 69.772, subdivisions 3, 4; 69.773, subdivisions 4, 5; 69.775; 352.01, subdivisions 2a, 4, 5, 12, 13, 21, 23, by adding a subdivision; 352.021, subdivisions 1, 2, 3, 4; 352.04, subdivisions 1, 2, 3, 12; 352.041, subdivisions 1, 2, 3, 5; 352.115, subdivisions 2, 3; 352.116, subdivision 1a; 352.15, subdivisions 1, 3, 4; 352.22, subdivision 10; 352.72, subdivision 2; 352.87, subdivision 3; 352.91, by adding a subdivision; 352.911, subdivision 5; 352.92, subdivisions 1, 2; 352.93, subdivision 1; 352B.01, subdivisions 1, 2, 3, 11; 352B.02, subdivisions 1a, 1c, 1d, 1e; 352B.071; 352B.30, subdivision 2; 352C.021, by adding a subdivision; 352C.091, subdivision 1; 352C.10; 352D.01; 352D.015, subdivisions 3, 4; 352D.02, subdivision 1; 352D.03; 352D.04, subdivision 2; 352D.05, subdivision 4; 352D.085, subdivision 1; 352D.09, subdivisions 5, 7; 352D.12; 353.01, subdivisions 6, 10, 14, 32, 33, by adding a subdivision; 353.025; 353.026; 353.027; 353.028; 353.14; 353.15, subdivisions 1, 3; 353.27, subdivisions 1, 2, 3, 3a, 11, by adding a subdivision; 353.271; 353.28, subdivisions 5, 6; 353.29, subdivision 3; 353.30, subdivision 5; 353.31, subdivision 1c; 353.32, subdivision 9; 353.33, subdivisions 3, 12; 353.64, by adding a subdivision; 353.65, subdivisions 2, 3, 6; 353.651, subdivision 3; 353.656, subdivision 1; 353.71, subdivision 2; 353B.02, subdivision 10; 353E.01, subdivision 5; 353E.05; 353F.02, subdivision 4; 354.05, subdivisions 2, 7, 13, 35, by adding a subdivision; 354.091; 354.094, subdivision 1; 354.10, subdivisions 1, 3, 4; 354.33, subdivision 5; 354.39; 354.41, subdivision 2; 354.42, subdivisions 2, 3, by adding subdivisions; 354.44, subdivisions 2, 6; 354.55, subdivision 11; 354A.011, subdivisions 3a, 15a, 24, 27, by adding a subdivision; 354A.021, subdivisions 1, 4, 5, by adding a subdivision; 354A.092; 354A.093, subdivision 1; 354A.095; 354A.096; 354A.097, subdivision 1; 354A.12, subdivisions 1, 2, 2a, 3a, 3b, 3c, 3d; 354A.30; 354A.31, subdivisions 4, 4a, 5, 7; 354A.32, subdivision 1; 354A.37, subdivision 2; 354A.39; 354A.40, subdivision 1; 354A.41; 354B.21, subdivisions 2, 3; 354B.25, subdivision 2; 355.01, subdivision 3e; 356.20, subdivisions 2, 4; 356.214, subdivision 1; 356.215, subdivisions 8, 11; 356.216; 356.24, subdivision 1; 356.30, subdivisions 1, 3; 356.302,

subdivision 7; 356.303, subdivision 4; 356.315, by adding a subdivision; 356.42, subdivision 3; 356.465, subdivision 3; 356.47, subdivision 3; 356.551; 356.611, subdivision 1; 356.65, subdivision 2; 356A.06, subdivision 7; 383B.46, subdivision 2; 383B.47; 383B.48; 383B.49; 422A.01, subdivisions 6, 11, by adding subdivisions; 422A.05, subdivision 2c; 422A.06, subdivisions 3, 5, 7, 8; 422A.10, subdivisions 1, 2; 422A.101, subdivision 3; 422A.15, subdivision 1; 422A.16, subdivision 9; 422A.22, subdivisions 1, 3, 4, 6; 422A.231; 422A.24; 423A.02, subdivision 1b; 423B.01, by adding a subdivision; 423B.05, subdivision 3; 423B.09, subdivision 1, by adding a subdivision; 423B.10, subdivision 1; 423B.17; 423C.01, by adding a subdivision; 423C.05, subdivision 2; 423C.09; 424A.02, subdivisions 3, 4, 7; 424A.04, subdivision 1; 424B.10, subdivision 1; 471A.10; 490.121, subdivisions 1, 4, 6, 7, 13, 14, 15, 20, 21, 22, by adding subdivisions; 490.122; 490.123, subdivisions 1, 1a, 1b, 1c, 2, 3; 490.124, subdivisions 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13; 490.125, subdivisions 1, 2; 490.126; 490.133; 525.05; Laws 1999, chapter 222, article 16, section 16, as amended; Laws 2000, chapter 461, article 4, section 4, as amended; Laws 2004, chapter 267, article 12, section 4; proposing coding for new law in Minnesota Statutes, chapters 128D; 352C; 354; 356; 383B; 423C; 424A; proposing coding for new law as Minnesota Statutes, chapter 490A; repealing Minnesota Statutes 2004, sections 3A.01, subdivisions 3, 4, 6a, 7; 3A.02, subdivision 2; 3A.04, subdivision 1a; 3A.09; 352.119, subdivision 1; 352.15, subdivision 1a; 352C.01; 352C.011; 352C.021; 352C.031; 352C.033; 352C.04; 352C.051; 352C.09; 352C.091, subdivisions 2, 3; 353.15, subdivision 2; 353.29, subdivision 2; 353.34, subdivision 3b; 353.36, subdivisions 2, 2a, 2b, 2c; 353.46, subdivision 4; 353.651, subdivision 2; 353.663; 353.74; 353.75; 354.10, subdivision 2; 354.59; 354A.051; 354A.105; 354A.23, subdivision 1; 354A.28; 422A.101, subdivision 4; 422A.22, subdivisions 2, 5; 422A.221; 490.021; 490.025; 490.101; 490.102; 490.103; 490.105; 490.106; 490.107; 490.108; 490.109; 490.1091; 490.12; 490.121, subdivisions 2, 3, 5, 8, 9, 10, 11, 12, 16, 17, 18, 19, 20; 490.124, subdivision 6; 490.132; 490.15; 490.16; 490.18.

Senator Johnson, D.E. moved that S.F. No. 29 be withdrawn from the Committee on Rules and Administration and laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 139.

Albin A. Mathiowetz, Chief Clerk, House of Representatives
Transmitted July 13, 2005

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 139: A bill for an act relating to the operation of state government; making changes to health and human services programs; modifying human services policy; modifying health policy; changing licensing provisions; changing provisions for mental and chemical health; establishing treatment foster care and transitional youth intensive rehab mental health services; enhancing family support; providing training for child care providers and hospitals on dangers of shaking infants and children; establishing long-term homeless supportive services; establishing the tobacco health impact fee; establishing a cancer drug repository program; establishing a health information

technology and infrastructure advisory committee and a rural pharmacy planning and transition grant program; establishing a statewide trauma system and trauma registry; changing long-term care provisions and establishing a partnership; establishing a nursing facility reimbursement system; modifying health care programs; changing certain fees; appropriating money; amending Minnesota Statutes 2004, sections 13.46, subdivision 4, as amended; 16A.724; 62J.692, subdivision 3, as amended; 62Q.251, as added; 62Q.37, subdivision 7; 103I.101, subdivision 6; 103I.208, subdivisions 1, as amended, 2, as amended; 103I.235, subdivision 1; 103I.601, subdivision 2; 119B.13, subdivision 1, by adding a subdivision; 144.122, as amended; 144.147, subdivisions 1, 2; 144.148, subdivision 1; 144.1483; 144.1501, subdivisions 1, 2, 3, 4; 144.226, subdivisions 1, as amended, 4, as amended, by adding subdivisions; 144.3831, subdivision 1; 144.551, subdivision 1; 144.562, subdivision 2; 144.9504, subdivision 2; 144.98, subdivision 3; 144A.073, subdivision 10, by adding a subdivision; 144E.101, by adding a subdivision; 145.4242; 145.56, subdivisions 2, 5; 145.9268; 147A.08; 148D.220, subdivision 8, as added; 150A.22; 157.011, by adding a subdivision; 157.15, by adding a subdivision; 157.16, subdivisions 2, 3, by adding subdivisions; 157.20, subdivisions 2, 2a; 241.01, by adding a subdivision; 243.166, subdivisions 4b, as added, 7, as amended; 245.4661, subdivisions 2, 6, by adding a subdivision; 245.4874, as amended; 245.4885, subdivisions 1, 2, by adding a subdivision; 245A.02, subdivision 17; 245A.03, subdivisions 2, 3; 245A.035, subdivisions 1, 5; 245A.04, subdivisions 7, 13; 245A.06, by adding a subdivision; 245A.07, subdivisions 1, 3, by adding a subdivision; 245A.08, subdivisions 2a, 5; 245A.10, subdivisions 4, 5; 245A.14, by adding subdivisions; 245A.144; 245A.16, subdivisions 1, 4; 245A.18; 245B.02, subdivision 10; 245B.055, subdivision 7; 245B.07, subdivision 8; 245C.03, subdivision 1; 245C.07; 245C.08, subdivisions 1, 2; 245C.10, subdivisions 2, 3; 245C.15, subdivisions 1, as amended, 2, 3, 4; 245C.21, subdivision 2; 245C.22, subdivisions 3, 4, 7, as added; 245C.23, subdivision 1; 245C.24, subdivisions 2, as amended, 3; 245C.27, subdivision 1; 245C.28, subdivision 3; 245C.30, subdivisions 1, 2; 245C.32, subdivision 2; 246.0136, subdivision 1; 246.13, as amended; 252.27, subdivision 2a; 253.20; 254A.035, subdivision 2; 254A.04; 256.01, subdivision 2, by adding subdivisions; 256.019, subdivision 1; 256.045, subdivisions 3, as amended, 3a; 256.046, subdivision 1; 256.741, subdivision 4; 256.9657, by adding a subdivision; 256.969, subdivisions 3a, 9, 26, by adding a subdivision; 256.975, subdivision 9; 256B.02, subdivision 12; 256B.04, by adding a subdivision; 256B.055, by adding a subdivision; 256B.056, subdivisions 5, 5a, 5b, 7, by adding subdivisions; 256B.057, subdivision 9; 256B.0575; 256B.06, subdivision 4; 256B.0621, subdivisions 2, 3, 4, 5, 6, 7, by adding a subdivision; 256B.0622, subdivision 2; 256B.0625, subdivisions 2, 3a, 9, 13, 13a, 13c, 13d, 13e, as amended, 13f, as amended, 17, 19c, by adding subdivisions; 256B.0627, subdivisions 1, as amended, 4, 5, as amended, 9, by adding a subdivision; 256B.0631, subdivisions 1, 3; 256B.075, subdivision 2; 256B.0911, subdivision 1a; 256B.0913, subdivisions 2, 4, 5, 5a; 256B.0916, by adding a subdivision; 256B.0924, subdivision 3; 256B.093, subdivision 1; 256B.0943, subdivision 3; 256B.095; 256B.0951, subdivision 1; 256B.0952, subdivision 5; 256B.0953, subdivision 1; 256B.15, subdivisions 1, 4, by adding subdivisions; 256B.19, subdivisions 1, 1c; 256B.195, subdivision 3; 256B.431, by adding subdivisions; 256B.432, subdivisions 1, 2, 5, by adding subdivisions; 256B.434, subdivisions 3, 4, by adding a subdivision; 256B.49, subdivision 16; 256B.5012, by adding a subdivision; 256B.69, subdivisions 4, 23; 256D.03, subdivisions 3, as amended, 4; 256D.045; 256D.06, subdivisions 5, 7; 256D.44, subdivision 5; 256I.05, subdivision 1e; 256I.06, by adding a subdivision; 256J.37, subdivision 3b; 256J.515; 256L.01, subdivisions 4, 5; 256L.03, subdivisions 1, 1b, 5; 256L.035; 256L.04, subdivision 2, by adding subdivisions; 256L.05, subdivisions 2, 3, 3a, by adding a subdivision; 256L.06, subdivision 3; 256L.07, subdivisions 1, as amended, 3, by adding subdivisions; 256L.12, by adding a subdivision; 256L.15, subdivisions 2, as amended, 3, by adding a subdivision; 256L.17, by adding a subdivision; 256M.40, subdivision 2; 260.835; 260B.163, subdivision 6; 260C.163, subdivision 5; 295.582, as amended; 297F.185; 299C.093, as amended; 325D.32, subdivision 9; 326.42, subdivision 2; 471.61, by adding a subdivision; 514.981, subdivision 6; 518.165, by adding subdivisions; 549.02, by adding a subdivision; 549.04; 609A.03, subdivision 7, as amended; 626.556, subdivision 10i, as amended; 626.557, subdivisions 9d, 14, as amended; 641.15, subdivision 2; Laws 2003, First Special Session chapter 14, article 12, section 93; Laws 2003, First Special Session chapter 14, article 13C, section 2, subdivision 6; Laws 2005, chapter 107, article 1, section 6; Laws 2005, chapter 159, article 1, section 14; proposing coding for new law in Minnesota Statutes, chapters 16A; 62J; 144; 145; 151; 245A; 245C; 256; 256B; 256K; 641; repealing Minnesota Statutes 2004, sections 119B.074, as amended; 144.1486; 144.1502; 157.215;

256.955; 256B.075, subdivision 5; 256D.54, subdivision 3; 256L.04, subdivision 11; 256M.40, subdivision 2; 514.991; 514.992; 514.993; 514.994; 514.995; Laws 2003, First Special Session chapter 14, article 9, section 34; Laws 2005, chapter 107, article 2, section 51.

SUSPENSION OF RULES

Senator Johnson, D.E. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 139 and that the rules of the Senate be so far suspended as to give H.F. No. 139 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 139 was read the second time.

Senator Bachmann moved to amend H.F. No. 139 as follows:

Pages 124 to 128, delete article 4

Renumber the articles in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Senator Johnson, D.E. imposed a call of the Senate for the balance of the proceedings on H.F. No. 139. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 19 and nays 47, as follows:

Those who voted in the affirmative were:

Bachmann	Jungbauer	Metzen	Pariseau	Skoe
Bakk	Kleis	Moua	Pogemiller	Tomassoni
Gerlach	LeClair	Nienow	Reiter	Vickerman
Hann	Limmer	Olson	Sams	

Those who voted in the negative were:

Anderson	Foley	Koering	Neuville	Senjem
Belanger	Frederickson	Kubly	Ortman	Skoglund
Berglin	Gaither	Langseth	Ourada	Solon
Betzold	Higgins	Larson	Pappas	Sparks
Chaudhary	Hottinger	Lourey	Ranum	Stumpf
Cohen	Johnson, D.E.	Marko	Robling	Wergin
Day	Johnson, D.J.	Marty	Rosen	Wiger
Dibble	Kelley	McGinn	Ruud	
Dille	Kierlin	Michel	Saxhaug	
Fischbach	Kiscaden	Murphy	Scheid	

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

H.F. No. 139 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 60 and nays 6, as follows:

Those who voted in the affirmative were:

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

Jungbauer	Larson	Murphy	Ranum	Senjem
Kelley	Limmer	Neuville	Reiter	Skoglund
Kierlin	Lourey	Nienow	Robling	Solon
Kiscaden	Marko	Olson	Rosen	Sparks
Kleis	Marty	Ortman	Ruud	Stumpf
Koering	McGinn	Ourada	Sams	Vickerman
Kubly	Michel	Pappas	Saxhaug	Wergin
Langseth	Moua	Pariseau	Scheid	Wiger

Those who voted in the negative were:

Bakk	Metzen	Pogemiller	Skoe	Tomassoni
LeClair				

So the bill passed and its title was agreed to.

RECESS

Senator Johnson, D.E. moved that the Senate do now recess until 8:45 p.m. The motion prevailed.

The hour of 8:45 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Senator Johnson, D.E. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 141.

Albin A. Mathiowetz, Chief Clerk, House of Representatives
Transmitted July 13, 2005

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 141: A bill for an act relating to the operation and financing of government; providing for early childhood, adult, family, and kindergarten through grade 12 education including general education, education excellence, special programs, facilities and technology, nutrition and accounting, libraries, early childhood education, prevention, self-sufficiency and lifelong learning, state agencies, and technical and conforming amendments; reestablishing statutory authority for the Humanities Commission; authorizing certain nonprofit contracts; reimbursing local governments; authorizing certain state agencies and constitutional officers to carry forward unencumbered balances for fiscal year 2005; appropriating money for lets go fishing to promote opportunities for fishing in the state; authorizing rulemaking; providing for reports; appropriating

money; amending Minnesota Statutes 2004, sections 13.32, subdivision 8; 13.321, by adding a subdivision; 119A.46, subdivisions 1, 2, 3, 8; 120A.05, by adding a subdivision; 120A.22, subdivision 12; 120B.02; 120B.021, by adding a subdivision; 120B.11, subdivisions 1, 2, 3, 4, 5, 8; 120B.13, subdivisions 1, 3, by adding a subdivision; 120B.22, subdivision 1; 120B.30, subdivisions 1, 1a, by adding a subdivision; 120B.31, subdivision 4; 121A.03, subdivision 1; 121A.06, subdivisions 2, 3; 121A.15, subdivision 3; 121A.17, subdivisions 1, 5; 121A.19; 121A.41, subdivision 10; 121A.47, subdivision 14; 121A.53; 121A.66, subdivision 5, by adding subdivisions; 121A.67; 122A.06, subdivision 4; 122A.12, subdivision 2; 122A.18, subdivision 2a; 122A.33; 122A.40, subdivision 5, as amended; 122A.41, subdivisions 2, as amended, 5a, 14; 122A.413; 122A.414; 122A.415, subdivisions 1, 3; 122A.60, subdivision 1, by adding subdivisions; 123A.05, subdivision 2; 123B.02, by adding subdivisions; 123B.04, subdivisions 1, 2; 123B.42, by adding a subdivision; 123B.49, subdivision 4; 123B.492; 123B.53, subdivision 1; 123B.54; 123B.59, subdivisions 3, 3a; 123B.63, subdivision 2; 123B.71, subdivisions 8, 9, 12; 123B.75, subdivision 5, by adding a subdivision; 123B.76, subdivision 3; 123B.79, subdivision 6; 123B.81, subdivision 1; 123B.82; 123B.83, subdivision 2; 123B.88, by adding a subdivision; 123B.92, subdivisions 1, 5; 124D.09, subdivision 12; 124D.095, subdivisions 2, 4, 8, by adding a subdivision; 124D.10, subdivisions 4, 6, 15, 23; 124D.11, subdivisions 1, 2, 5, 6; 124D.111, subdivisions 1, 2; 124D.118, subdivision 4; 124D.135, subdivisions 1, 5; 124D.15, subdivisions 1, 3, 5, 10, 12, by adding subdivisions; 124D.16, subdivisions 2, 3; 124D.20, subdivisions 3, 5; 124D.40; 124D.454, subdivision 5; 124D.52, subdivision 3; 124D.531, subdivisions 1, 4; 124D.66, subdivision 3; 124D.68, subdivision 9; 124D.69, subdivision 1; 124D.74, subdivision 1; 124D.81, subdivision 1; 124D.84, subdivision 1; 125A.11, subdivision 1; 125A.24; 125A.28; 125A.51; 125A.76, subdivision 4; 125A.79, subdivisions 1, 6; 126C.01, subdivision 11; 126C.05, by adding a subdivision; 126C.10, subdivisions 1, 2, 13, 13a, 24, 31, by adding subdivisions; 126C.13, subdivision 4; 126C.15, subdivisions 2, 3; 126C.17, subdivisions 2, 5, 7, 9, 13; 126C.21, subdivision 4; 126C.40, subdivision 1; 126C.43, subdivisions 2, 3; 126C.457; 126C.48, subdivisions 2, 8; 126C.63, subdivisions 5, 8; 127A.41, subdivision 8; 127A.45, subdivisions 2, 10, 11, 12, 13, 14, 16; 127A.47, subdivisions 7, 8; 127A.49, subdivisions 2, 3; 128C.05, by adding a subdivision; 128C.12, subdivisions 1, 3; 128D.11, subdivision 9; 134.31, by adding a subdivision; 179A.03, subdivision 14, as amended; 260C.201, subdivision 1, as amended; 275.14; 275.16; 469.177, subdivision 9; 475.61, subdivision 4; Laws 1996, chapter 412, article 5, section 24; Laws 2003, First Special Session chapter 9, article 3, section 20, subdivision 6, as amended; Laws 2003, First Special Session chapter 9, article 4, section 29, as amended; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 122A; 123A; 123B; 124D; 125B; 127A; 129C; 138; 171; repealing Minnesota Statutes 2004, sections 122A.415, subdivision 2; 123B.83, subdivision 1; 124D.095, subdivision 9; 124D.15, subdivisions 2, 4, 6, 7, 8, 9, 11, 13; 124D.16, subdivisions 1, 4; 125A.75, subdivision 8; 126C.42, subdivisions 1, 4; 128C.12, subdivision 4.

SUSPENSION OF RULES

Senator Johnson, D.E. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 141 and that the rules of the Senate be so far suspended as to give H.F. No. 141 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 141 was read the second time.

H.F. No. 141 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Betzold	Dille	Gerlach	Johnson, D.J.
Bachmann	Chaudhary	Fischbach	Hann	Jungbauer
Bakk	Cohen	Foley	Higgins	Kelley
Belanger	Day	Frederickson	Hottinger	Kierlin
Berglin	Dibble	Gaither	Johnson, D.E.	Kiscaden

Kleis	Marko	Olson	Rosen	Solon
Koering	Marty	Ortman	Ruud	Sparks
Kubly	McGinn	Ourada	Sams	Stumpf
Langseth	Metzen	Pappas	Saxhaug	Tomassoni
Larson	Michel	Pariseau	Scheid	Vickerman
LeClair	Murphy	Ranum	Senjem	Wergin
Limmer	Neuville	Reiter	Skoe	Wiger
Lourey	Nienow	Robling	Skoglund	

Those who voted in the negative were:

Moua Pogemiller

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 140.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted July 13, 2005

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 140: A bill for an act relating to appropriations; appropriating money for transportation, Metropolitan Council, and public safety activities; providing for general contingent accounts and tort claims; providing for various fees and accounts; allocating county state-aid highway funds; modifying provisions related to state mail, state highways and bridges, county state-aid highways, town road signs, railroad grade crossings and operations, traffic fine allocations, commercial motor vehicles, day activity center buses, vehicle registration plates and other motor vehicle provisions, driver and vehicle data practices, deputy motor vehicle registrars, state aviation, bridges in smaller cities, weight limits on highways and other traffic regulations, drivers' licenses and permits, the Commuter Rail Corridor Coordinating Committee, Roussain Cemetery, wetland replacement near the city of Cologne, the employment status of public safety radio communications operators, the insurance verification sampling program, maximum train speeds in the city of Orr, a restriction on ethanol requirements, and bicycle programs; requiring studies and reports; making technical and clarifying revisions; amending Minnesota Statutes 2004, sections 13.44, subdivision 3; 16B.49; 115A.908, subdivision 1; 161.14, subdivision 25, by adding subdivisions; 161.361, subdivision 2; 161.368; 162.02, subdivisions 2, 3a; 162.06, subdivision 2; 162.08, subdivision 3; 162.09, subdivisions 2, 3a; 162.14, subdivision 6; 168.011, subdivisions 3, 4, 5, 5a, 6, 7, 25, by adding subdivisions; 168.012, subdivision 1, as amended; 168.013, subdivision 8; 168.031; 168.09, subdivision 7; 168.091, subdivision 1; 168.10, subdivision 1c; 168.105, subdivisions 2, 3, 5; 168.12; 168.123; 168.1235; 168.124; 168.125; 168.1255; 168.127, subdivision 6; 168.128; 168.129; 168.1291; 168.1293; 168.1296; 168.1297; 168.15, subdivision 1; 168.16; 168.185; 168.27, subdivision 11; 168.31, subdivision 5; 168.33, as amended; 168.345, subdivisions 1, 2; 168.381; 168.54, subdivisions 4, 5; 168A.152, subdivision 2; 168A.20, by adding a subdivision; 168A.29; 168A.31; 169.01, subdivisions 75, 76, 78; 169.06, subdivisions 5, 6; 169.09, subdivision 13; 169.14, subdivision 2, by adding a subdivision; 169.18, subdivisions 4,

5, 11, as amended; 169.28, subdivision 2; 169.448, by adding a subdivision; 169.522; 169.81, subdivision 3c; 169.8261; 169.851, subdivision 5; 169.86, subdivision 5; 169.99, subdivision 1b; 169A.52, subdivision 3; 169A.60, subdivision 16; 171.01, subdivisions 22, 35, 47, by adding a subdivision; 171.02; 171.03; 171.04, subdivision 2; 171.05, subdivisions 1, 2, 2b; 171.055, subdivision 2; 171.06, subdivisions 2, 2a; 171.061, subdivision 4; 171.07, subdivision 11; 171.09, as amended; 171.12, subdivisions 3, 6; 171.13, subdivisions 2, 6, by adding a subdivision; 171.165, subdivisions 1, 2, 6; 171.17, subdivision 1; 171.18, subdivision 1; 171.20, subdivision 4, as amended; 171.26, as amended; 171.29, subdivision 2; 171.30, subdivision 1; 171.36; 174.50, by adding a subdivision; 174.86, subdivision 5; 179A.03, subdivision 7, as amended; 179A.10, subdivision 2; 192.502, subdivision 2; 197.65; 219.166; 219.567; 299D.03, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 160; 162; 168; 171; 219; 299A; repealing Minnesota Statutes 2004, sections 168.011, subdivision 19; 168.012, subdivision 12; 168.041, subdivision 11; 168.105, subdivision 6; 168.15, subdivision 2; 168.231; 168.345, subdivisions 3, 4; 168.831; 168.832; 168.833; 168.834; 168.835; 168.836; 168.837; 168C.01; 168C.02; 168C.03; 168C.04; 168C.05; 168C.06; 168C.07; 168C.08; 168C.09; 168C.10; 168C.11; 168C.12; 168C.13; 170.23; 171.12, subdivision 8; 171.165, subdivisions 3, 4, 4a, 4b; 171.185; 473.408, subdivision 1; Minnesota Rules, parts 7407.0100; 7407.0200; 7407.0300; 7407.0400; 7407.0500; 7407.0600; 7407.0700; 7407.0800; 7407.0900; 7407.1000; 7407.1100; 7407.1200; 7407.1300; 7503.2400; 7800.0600; 7800.3200, subpart 1; 7805.0700; 8850.6900, subpart 20; 8855.0500, subpart 1.

SUSPENSION OF RULES

Senator Johnson, D.E. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 140 and that the rules of the Senate be so far suspended as to give H.F. No. 140 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 140 was read the second time.

H.F. No. 140 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

LeClair

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Kleis moved that the name of Senator Nienow be added as a co-author to S.F. No. 92. The motion prevailed.

Senator Nienow moved that the name of Senator Fischbach be added as a co-author to S.F. No. 99. The motion prevailed.

RECESS

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 53.

Albin A. Mathiowetz, Chief Clerk, House of Representatives
Transmitted July 13, 2005

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 53: A bill for an act relating to legislative enactments; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending Minnesota Statutes 2004, sections 13.72, subdivision 14, as added; 65A.08, subdivision 2, as amended, if enacted; 66A.02, as amended, if enacted; 152.02, subdivision 6, as amended; 168.011, subdivision 4; 168.012, subdivision 1, as amended; 168.27, subdivision 29, as amended; 203B.12, subdivision 2, as amended; 203B.24, subdivision 1, as amended; 244.10, subdivision 5, as added; 290.01, subdivision 19a, as amended; 290.0675, subdivision 1, as amended; 383B.217, subdivision 7, as amended; 515B.4-106, as amended; 515B.4-108, as amended; Laws 2003, First Special Session chapter 11, article 2, section 21, as amended; Laws 2005, chapter 20, article 1, section 7, subdivision 15; Laws 2005, chapter 20, article 1, section 21, subdivision 5; Laws 2005, chapter 20, article 1, section 46, subdivision 1; Laws 2005, chapter 125, article 1, section 13, subdivision 5; Laws 2005, chapter 125, article 1, sections 16, 29; Laws 2005, chapter 136, article 1, section 9, subdivisions 3, 6; Laws 2005, chapter 136, article 14, sections 6, 9, 10, 11; Laws 2005, chapter 164, sections 26, 29; Laws 2005, First Special Session chapter 1, article 2, section 11, subdivision 4; Laws 2005, First Special Session H.F. No. 139, article 9, section 16, if enacted; 2005 H.F. No. 1, article 1, sections 1, if enacted, 9, subdivisions 1, 7, if enacted; 2005 S.F. No. 917, section 2, if enacted.

SUSPENSION OF RULES

Senator Johnson, D.E. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 53 and that the rules of the Senate be so far suspended as to give H.F. No. 53 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 53 was read the second time.

H.F. No. 53 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 66 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
Berglin	Hottinger	Lourey	Pariseau	Sparks
Betzold	Johnson, D.E.	Marko	Pogemiller	Stumpf
Chaudhary	Johnson, D.J.	Marty	Ranum	Tomassoni
Cohen	Jungbauer	McGinn	Reiter	Vickerman
Day	Kelley	Metzen	Robling	Wergin
Dibble	Kierlin	Michel	Rosen	Wiger
Dille	Kiscaden	Moua	Ruud	
Fischbach	Kleis	Murphy	Sams	
Foley	Koering	Neuville	Saxhaug	
Frederickson	Kubly	Nienow	Scheid	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Stumpf moved that the names of Senators Scheid, Kelley, Olson and Sparks be added as co-authors to S.F. No. 104. The motion prevailed.

Senator Berglin moved that the names of Senators Lourey, Hottinger, Solon and Koering be added as co-authors to S.F. No. 107. The motion prevailed.

RECESS

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

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. 9: A House concurrent resolution relating to the start of the 2006 Regular Session of the 84th Legislature.

BE IT RESOLVED by the House of Representatives, the Senate concurring, that the House of Representatives and Senate declare their intent to convene the 2006 regular session of the 84th Legislature on Wednesday, March 1, 2006, at 12:00 noon.

Albin A. Mathiowetz, Chief Clerk, House of Representatives
Transmitted July 13, 2005

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

RECESS

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 44.

Albin A. Mathiowetz, Chief Clerk, House of Representatives
Transmitted July 13, 2005

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 44: A bill for an act relating to retirement; various public pension plans; clarifying and revising various plan provisions; eliminating obsolete provisions; defining average salary; modifying the definition of allowable service to include time on strike; defining covered salary to include certain employer contributions to supplemental retirement plans; specifying itemized detail of plan administrative expenses in annual financial reporting; excluding police officers of the University of Minnesota from the public employees police and fire fund; clarifying collection procedures relating to charter schools; adding a uniform nonassignment and legal process exemption provision; providing for various member and employer contribution rate increases; adding employees of Bridges Medical Services, Hutchinson Area Health Care, and Northfield Hospital to privatization coverage; extending date for filing special law approval with the secretary of state for the RenVilla Nursing Home; requiring the privatization periodic filing of updated copies of articles of incorporation and bylaws; modifying a higher education individual retirement account plan investment option provision; implementing the recommendations of the Volunteer Firefighter Relief Association working group of the state auditor; modifying the trigger date for filing financial reports; revising the per firefighter financing requirements for monthly benefit service pensions; modifying the options for crediting interest on deferred service pensions; clarifying the deferred service pension options available to defined contribution plans; providing for the crediting of service during military service leaves; requiring the amortization of experience losses; clarifying the compliance requirements for the qualification for fire state aid; modifying a limit on mutual fund investments; clarifying corporate stock and exchange traded funds investment authority; modifying the municipal representation requirements on relief association governing boards; clarifying exemptions from process and taxation; providing that certain laws do

not apply to the consolidation of specified volunteer firefighter relief associations; providing an ad hoc postretirement adjustment to Eveleth police and fire trust fund benefit recipients; authorizing the Maplewood Firefighters Relief Association to transfer assets to the Oakdale Firefighters Relief Association to cover service credits earned by certain individuals; appropriating money; amending Minnesota Statutes 2004, sections 3A.13; 69.011, subdivision 2b, by adding a subdivision; 69.021, subdivisions 5, 11; 69.051, subdivisions 1, 1a; 69.33; 69.77, subdivision 4; 69.771; 69.772, subdivisions 3, 4; 69.773, subdivisions 4, 5; 69.775; 352.01, subdivisions 2a, 4, 5, 12, 13, 21, 23, by adding a subdivision; 352.021, subdivisions 1, 2, 3, 4; 352.04, subdivisions 1, 12; 352.041, subdivisions 1, 2, 3, 5; 352.115, subdivisions 2, 3; 352.15, subdivisions 1, 3, 4; 352.22, subdivision 10; 352.87, subdivision 3; 352.91, by adding a subdivision; 352.93, subdivision 1; 352B.01, subdivisions 1, 2, 3, 11; 352B.02, subdivision 1e; 352B.071; 352C.021, by adding a subdivision; 352D.01; 352D.015, subdivisions 3, 4; 352D.03; 352D.05, subdivision 4; 352D.085, subdivision 1; 352D.09, subdivision 5; 352D.12; 353.01, subdivisions 6, 10, 14, 32, 33, by adding a subdivision; 353.025; 353.026; 353.027; 353.028; 353.14; 353.15, subdivisions 1, 3; 353.27, subdivisions 2, 3, 3a, 11, by adding a subdivision; 353.271; 353.28, subdivisions 5, 6; 353.29, subdivision 3; 353.31, subdivision 1c; 353.32, subdivision 9; 353.33, subdivisions 3, 12; 353.64, by adding a subdivision; 353.65, subdivisions 2, 3; 353.651, subdivision 3; 353.656, subdivision 1; 353B.02, subdivision 10; 353F.02, subdivision 4; 354.05, subdivisions 7, 35, by adding a subdivision; 354.091; 354.094, subdivision 1; 354.10, subdivisions 1, 3, 4; 354.33, subdivision 5; 354.39; 354.41, subdivision 2; 354.42, by adding a subdivision; 354.44, subdivisions 2, 6; 354A.011, subdivisions 3a, 24, by adding a subdivision; 354A.021, subdivision 5, by adding a subdivision; 354A.097, subdivision 1; 354A.31, subdivisions 4, 4a, 5; 354B.21, subdivisions 2, 3; 354B.25, subdivision 2; 356.20, subdivision 4; 356.215, subdivision 8; 356.216; 356.47, subdivision 3; 356.551; 356.611, subdivision 1; 356A.06, subdivision 7; 383B.46, subdivision 2; 383B.47; 383B.48; 383B.49; 422A.01, subdivisions 6, 11, by adding subdivisions; 422A.06, subdivision 7; 422A.10, subdivisions 1, 2; 422A.15, subdivision 1; 422A.16, subdivision 9; 422A.22, subdivisions 1, 3, 4, 6; 422A.231; 422A.24; 423B.01, by adding a subdivision; 423B.05, subdivision 3; 423B.09, subdivision 1, by adding a subdivision; 423B.10, subdivision 1; 423B.17; 423C.01, by adding a subdivision; 423C.05, subdivision 2; 423C.09; 424A.02, subdivisions 3, 4, 7; 424A.04, subdivision 1; 424B.10, subdivision 1; 471A.10; 490.121, subdivisions 4, 20, 21, by adding a subdivision; 490.126, subdivision 5; Laws 1999, chapter 222, article 16, section 16, as amended; Laws 2000, chapter 461, article 4, section 4, as amended; Laws 2004, chapter 267, article 12, section 4; proposing coding for new law in Minnesota Statutes, chapters 356; 383B; 423C; 424A; repealing Minnesota Statutes 2004, sections 352.119, subdivision 1; 352.15, subdivision 1a; 352C.031, subdivision 3; 353.15, subdivision 2; 353.29, subdivision 2; 353.34, subdivision 3b; 353.36, subdivisions 2, 2a, 2b, 2c; 353.46, subdivision 4; 353.651, subdivision 2; 353.663; 353.74; 353.75; 354.10, subdivision 2; 354.59; 422A.22, subdivisions 2, 5; 422A.221.

SUSPENSION OF RULES

Senator Johnson, D.E. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 44 and that the rules of the Senate be so far suspended as to give H.F. No. 44 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 44 was read the second time.

H.F. No. 44 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 57 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Chaudhary	Fischbach	Higgins	Kiscaden
Bakk	Cohen	Foley	Johnson, D.E.	Kleis
Belanger	Day	Frederickson	Johnson, D.J.	Koering
Berglin	Dibble	Gaither	Jungbauer	Kubly
Betzold	Dille	Hann	Kelley	Langseth

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

Those who voted in the negative were:

Bachmann	LeClair	Limmer	Ortman	Robling
Gerlach				

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to inform you that the House of Representatives of the State of Minnesota is about to adjourn the 2005 Special Session sine die.

Albin A. Mathiowetz, Chief Clerk, House of Representatives
Transmitted July 13, 2005

MOTIONS AND RESOLUTIONS - CONTINUED

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

Senate Resolution No. 12: A Senate resolution relating to adjournment of the Special Session.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the Governor and the House of Representatives that the Senate is about to adjourn the Special Session sine die.

The Secretary of the Senate may correct and approve the Journal of the Senate for the Special Session.

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

MEMBERS EXCUSED

Senator Rest was excused from the Session of today. Senators Hottinger, Kierlin and Stumpf were excused from the Session of today at 10:35 p.m.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn sine die. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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