

TWENTY-SECOND DAY

St. Paul, Minnesota, Thursday, March 3, 2005

The Senate met at 9:00 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, Lt. Col. Rob Lubben.

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

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

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 225, 234, 262 and 685.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned February 28, 2005

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 4: A Senate concurrent resolution adopting deadlines for the 2005 regular session.

Albin A. Mathiowetz, Chief Clerk, House of Representatives
Returned February 28, 2005

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 218.

Albin A. Mathiowetz, Chief Clerk, House of Representatives
Transmitted February 28, 2005

FIRST READING OF HOUSE BILLS

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

H.F. No. 218: A bill for an act relating to energy; extending eligibility to receive the renewable energy production incentive under certain circumstances; amending Minnesota Statutes 2004, section 216C.41, subdivisions 1, 5, 7.

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

REPORTS OF COMMITTEES

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

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

S.F. No. 759: A bill for an act relating to lawful gambling; modifying the definition of "raffle"; amending Minnesota Statutes 2004, sections 349.12, subdivision 33; 349.173.

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 349.12, subdivision 33, is amended to read:

Subd. 33. [RAFFLE.] "Raffle" means a game in which a participant buys a ticket ~~for a chance at a prize with the winner determined by a random drawing to take place at a location and date printed upon the ticket~~ or other certificate of participation in an event where the prize determination is based on a method of random selection and all entries have an equal chance of selection. The ticket or certificate of participation must include the location, date, and time of the selection of the winning entries.

Sec. 2. Minnesota Statutes 2004, section 349.173, is amended to read:

349.173 [CONDUCT OF RAFFLES.]

(a) Raffle tickets or certificates of participation at a minimum must list the three most expensive prizes to be awarded. ~~If additional prizes will be awarded that are not contained on the raffle ticket, the raffle ticket must contain the statement "A complete list of additional prizes is available upon request."~~ a complete list of additional prizes must be publicly posted at the event and copies of the complete prize list made available upon request. Notwithstanding section 349.12, subdivision 33, raffles conducted under the exemptions in section 349.166 may use tickets that contain only the sequential number of the raffle ticket and no other information if the organization makes a list of prizes and a statement of other relevant information required by rule available to

persons purchasing tickets and if tickets are only sold at the event and on the date when the tickets are drawn.

(b) Raffles must be conducted in a manner that ensures:

(1) all entries in the raffle have an equal chance of selection;

(2) entry is not conditional upon any purchase other than the ticket or certificate of participation in the event;

(3) the method of selection is conducted in a public forum;

(4) the method of selection cannot be manipulated or based on the outcome of an event not under the control of the organization;

(5) physical presence at the raffle is not a requirement to win; and

(6) all sold and unsold tickets or certificates of participation are accounted for.

(c) Methods of selecting winning entries from a raffle other than prescribed in rule may be used with the prior written approval of the board.

Sec. 3. Minnesota Statutes 2004, section 609.75, subdivision 1, is amended to read:

Subdivision 1. [LOTTERY.] (a) A lottery is a plan which provides for the distribution of money, property or other reward or benefit to persons selected by chance from among participants some or all of whom have given a consideration for the chance of being selected. A participant's payment for use of a 900 telephone number or another means of communication that results in payment to the sponsor of the plan constitutes consideration under this paragraph.

(b) An in-package chance promotion is not a lottery if all of the following are met:

(1) participation is available, free and without purchase of the package, from the retailer or by mail or toll-free telephone request to the sponsor for entry or for a game piece;

(2) the label of the promotional package and any related advertising clearly states any method of participation and the scheduled termination date of the promotion;

(3) the sponsor on request provides a retailer with a supply of entry forms or game pieces adequate to permit free participation in the promotion by the retailer's customers;

(4) the sponsor does not misrepresent a participant's chances of winning any prize;

(5) the sponsor randomly distributes all game pieces and maintains records of random distribution for at least one year after the termination date of the promotion;

(6) all prizes are randomly awarded if game pieces are not used in the promotion; and

(7) the sponsor provides on request of a state agency a record of the names and addresses of all winners of prizes valued at \$100 or more, if the request is made within one year after the termination date of the promotion.

(c) Except as provided by section 349.40, acts in this state in furtherance of a lottery conducted outside of this state are included notwithstanding its validity where conducted.

(d) The distribution of property, or other reward or benefit by an employer to persons selected by chance from among participants ~~who~~, all of whom:

(1) have made a contribution through a payroll or pension deduction campaign to a registered combined charitable organization, within the meaning of section 309.501; or

(2) have paid other consideration to the employer entirely for the benefit of such a registered combined charitable organization, as a precondition to the chance of being selected, is not a lottery if:

- (4) (i) all of the persons eligible to be selected are employed by or retirees of the employer; and
- (2) (ii) the cost of the property or other reward or benefit distributed and all costs associated with the distribution are borne by the employer.

Sec. 4. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Amend the title as follows:

Page 1, line 4, before the period, insert "; 609.75, subdivision 1"

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

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

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

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

Page 1, after line 9, insert:

"Section 1. [13D.021] [EMERGENCY MEETINGS CONDUCTED BY TELEPHONE OR OTHER ELECTRONIC MEANS CONDITIONS.]

(a) A meeting governed by section 13D.01, subdivisions 1, 2, 4, and 5, and this section and called for the purposes of declaring a local emergency under section 12.29 or responding to a local emergency under section 12.37, may be conducted by telephone or other electronic means so long as:

(1) all members of the body participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the body participating in the meeting can hear all discussion and testimony and all votes of members of the body participating in the meeting;

(3) at least one member of the body participating in the meeting is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the body participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If telephone or other electronic means is used to conduct a meeting, the body participating in the meeting, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The body participating in the meeting may require the person making such a connection to pay for documented marginal costs that the body participating in the meeting incurs as a result of the additional connection.

(d) If telephone or other electronic means is used to conduct an emergency meeting, the body participating in the meeting shall provide notice of the meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (c) to the extent practical."

Page 1, line 12, after "13D.01" insert "and if compliance with section 13D.02 is impractical"

Page 2, line 19, after "13D.01" insert "and if compliance with section 13D.02 is impractical"

Page 3, line 17, after "13D.01" insert "and if compliance with section 13D.02 is impractical"

Page 4, line 14, after "13D.01" insert "and if compliance with section 13D.02 is impractical"

Page 5, line 11, after "13D.01" insert "and if compliance with section 13D.02 is impractical"

Page 7, line 9, after "13D.01" insert "and if compliance with section 13D.02 is impractical"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "certain" insert "political subdivisions and"

Page 1, line 8, delete "chapter" and insert "chapters 13D;"

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

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

S.F. No. 735: A bill for an act relating to highways; designating the "Bradley Waage Memorial Bridge"; 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 14, delete "and" and insert "and/or"

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

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

S.F. No. 233: A bill for an act relating to drivers' licenses; requiring certain applicants for license renewal to pass examinations; making clarifying changes; amending Minnesota Statutes 2004, section 171.13, subdivision 2.

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

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

S.F. No. 1070: A bill for an act relating to traffic regulations; making seat belt violation a primary offense in all seating positions regardless of age; increasing the fine for seat belt violations; making technical changes; amending Minnesota Statutes 2004, sections 169.686, subdivision 1; 171.05, subdivision 2b; 171.055, subdivision 2.

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

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

S.F. No. 243: A bill for an act relating to traffic regulations; imposing petty misdemeanor penalty for certain motor vehicle hit-and-run offenses; amending Minnesota Statutes 2004, section 169.09, by adding a subdivision.

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

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

H.F. No. 378: A bill for an act relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 2004, sections 4.077, subdivision 1; 10A.04, subdivision 6; 13.32, subdivision 3; 13.321, by adding a subdivision; 13.381, by adding a subdivision; 13.46, subdivision 2; 13.47, subdivision 1; 13.4963, subdivision 2; 15.0591, subdivision 2; 15.39, subdivision 2; 16B.31, subdivision 1; 17.43; 18C.60, subdivision 1; 28.15; 32.645; 47.59, subdivision 2; 62I.13, subdivision 3; 62L.17, subdivision 2a; 64B.37, subdivision 2; 82.33, subdivision 4; 84.8712, subdivisions 2, 3, 4, 6; 85.22, subdivision 2a; 89.01, subdivision 5a; 115B.20, subdivision 2; 116J.871, subdivision 3; 119B.25, subdivision 2; 124D.68, subdivision 2; 127A.10; 137.09; 144.6501, subdivision 1; 145B.04; 152.027, subdivision 4; 155A.03, subdivision 1; 155A.16; 161.1419, subdivision 8; 168.275; 168.33, subdivision 2a; 169.21, subdivision 2; 169.50, subdivision 1; 169.59, subdivision 4; 169A.55, subdivision 3; 171.181, subdivision 1; 177.23, subdivision 7; 181.30; 201.014, subdivision 2; 201.071, subdivision 1; 201.15, subdivision 1; 204B.10, subdivision 6; 216B.61; 219.57, subdivision 6; 234.23; 235.10; 235.13; 237.763; 238.37; 238.38; 238.42; 239.791, subdivision 15; 244.05, subdivisions 4, 5; 245.466, subdivision 1; 245.4875, subdivision 1; 245.75; 246.01; 246B.04, subdivision 2; 252.24, subdivision 5; 252A.03, subdivisions 1, 4; 252A.101, subdivisions 1, 5; 253B.23, subdivision 2; 256.93, subdivision 1; 256B.055, subdivision 12; 256B.0625, subdivision 6a; 256B.0627, subdivisions 1, 5; 256B.0917, subdivisions 4, 5; 256B.0951, subdivision 8; 256B.431, subdivision 14; 256G.01, subdivision 3; 256L.07, subdivision 1; 256L.15, subdivision 2; 256M.10, subdivision 5; 257B.08; 259.21, subdivision 4; 260B.007, subdivision 16; 260C.101, subdivision 2; 276.04, subdivision 2; 290.095, subdivision 1; 299D.07; 299F.051, subdivision 4; 299F.093, subdivision 1; 302A.011, subdivision 16; 303.03; 303.25, subdivision 1; 321.0210; 321.1114; 322B.03, subdivision 27; 325F.40; 325N.15; 329.17; 333.135; 336.4A-105; 343.40, subdivision 3; 345.14; 346.05; 353.01, subdivision 2; 353.34, subdivision 3a; 356.431, subdivision 1; 395.22; 458D.02, subdivision 2; 469.104; 473.845, subdivision 1; 481.05; 501B.18; 501B.19; 514.996, subdivision 3; 515B.4-102; 524.2-114; 525.9212; 525.95, subdivision 1; 527.38; 527.39; 529.12; 540.18, subdivision 1; 580.041, subdivision 2; 624.64; 624.67; 626.84, subdivision 1; 629.11; 631.04; Laws 2003, First Special Session chapter 11, article 2, section 21; Laws 2004, chapter 199, article 12, section 108; Laws 2004, chapter 261, article 6, section 5; repealing Minnesota Statutes 2004, sections 115B.49, subdivision 4a; 306.13; 315.43; 317A.909, subdivision 4; 357.12; 367.40, subdivisions 3, 4; 367.401, subdivision 4; 367.42; 398.35, subdivision 2; Laws 2001, First Special Session chapter 10, article 10, section 1; Laws 2003, chapter 8, section 2; Laws 2004, chapter 219, section 1; Laws 2004, chapter 288, article 3, section 5; Minnesota Rules, parts 6700.0100, subpart 14; 6700.1300; 9055.0125; 9055.0500; 9055.0510; 9055.0520; 9055.0530; 9055.0540; 9055.0550; 9055.0560; 9055.0570; 9055.0580; 9055.0590; 9055.0600; 9055.0610.

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

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

S.F. No. 349: A bill for an act relating to crime prevention and public safety; modifying the crime of murder in the first degree; amending Minnesota Statutes 2004, section 609.185.

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

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

S.F. No. 580: A bill for an act relating to crimes; prohibiting nonvehicular evasive flight from a peace officer; providing penalties; amending Minnesota Statutes 2004, section 609.487, by adding a subdivision.

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

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

S.F. No. 880: A bill for an act relating to insurance; making federally conforming changes in Medicare-related coverage; providing financial solvency regulation for stand-alone Medicare Part D prescription drug plans; making related technical changes; amending Minnesota Statutes 2004, sections 62A.31, subdivisions 1f, 1k, 1n, 1s, 1t, 1u, 3, 4, 7; 62A.315; 62A.316; 62A.318; 62A.36, subdivision 1; 62L.12, subdivision 2; 62Q.01, subdivision 6; 256.9657, subdivision 3; 295.53, subdivision 1; 297I.15, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Page 2, delete line 13 and insert "of the suspension. If the suspended policy provided coverage for outpatient prescription drugs, reinstatement of the policy for Medicare Part D enrollees must be without coverage for outpatient prescription drugs and must otherwise provide coverage substantially equivalent to the coverage in effect before the date of suspension,"

Page 2, lines 14 and 15, delete the new language

Page 9, line 22, delete "1395ss(v)(6)(d)" and insert "1395ss(v)(6)(D)"

Page 35, line 27, delete "use" and insert "issue"

Page 35, line 28, after "approved" insert "policy and certificate"

Page 36, line 3, after "paragraphs" insert "(f)," and after "(g)" insert a comma

Page 36, lines 10 and 17, delete "62A.4530" and insert "62A.4528"

Page 37, lines 9, 14, and 20, delete "62A.4530" and insert "62A.4528"

Page 39, line 2, delete "62A.4530" and insert "62A.4528"

Page 39, line 12, after the semicolon, insert "and"

Page 39, delete lines 13 and 14

Page 39, line 15, delete "(14)" and insert "(13)"

Page 39, line 17, delete "62A.4530" and insert "62A.4528"

Page 39, line 23, after the period, insert "The commissioner must approve or deny an application within 90 days after receipt of a substantially complete application, or the application is deemed approved."

Page 41, lines 30 and 34, delete "62A.4530" and insert "62A.4528"

Page 42, line 10, delete "62A.4530" and insert "62A.4528"

Page 42, delete lines 31 to 33

Page 42, line 34, delete "(d)" and insert "(c)"

Page 46, lines 28 and 32, delete "62A.4530" and insert "62A.4528"

Page 47, lines 5 and 35, delete "62A.4530" and insert "62A.4528"

Page 48, lines 23 and 27, delete "62A.4530" and insert "62A.4528"

Pages 53 to 55, delete sections 4 and 5

Amend the title as follows:

Page 1, line 10, delete "295.53,"

Page 1, line 11, delete "subdivision 1; 297I.15, subdivision 1;"

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

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

S.F. No. 363: A bill for an act relating to the military; modifying the eligibility for state-paid insurance and benefits by making members of the Minnesota National Guard or other military reserve units called to federal active service and deployed to foreign lands and their families eligible for participation in the health insurance portions of the state employee group insurance program; appropriating money; amending Minnesota Statutes 2004, sections 43A.24, by adding a subdivision; 43A.26; 43A.30, subdivision 1.

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

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

S.F. No. 659: A bill for an act relating to military affairs; creating a military assistance trust fund and specifying uses of the fund; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 190.

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

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

S.F. No. 658: A bill for an act relating to military affairs; proposing an amendment to the Minnesota Constitution by adding a section to article XI; creating a military assistance trust fund; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 190.

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

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

S.F. No. 1031: A bill for an act relating to health; providing an exception to recreational camping area regulations for the State Fair; proposing coding for new law in Minnesota Statutes, chapter 327.

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

Delete everything after the enacting clause and insert:

"Section 1. [327.201] [STATE FAIR CAMPING AREA.]

Notwithstanding sections 327.14 to 327.28 or any rule adopted by the commissioner of health, the State Agricultural Society must operate and maintain a camping area on the State Fairgrounds during the State Fair, subject to the following conditions:

(1) recreational camping vehicles and tents, including their attachments, must be separated from each other and from other structures by at least seven feet;

(2) a minimum area of 300 square feet per site must be provided and the total number of sites must not exceed one site for every 300 square feet of usable land area; and

(3) each site must face a driveway at least 16 feet in width and each driveway must have unobstructed access to a public roadway.

Sec. 2. [327.202] [LIVESTOCK EXHIBITORS.]

During the State Fair a person may sleep in a vehicle in a designated State Fairground parking lot with a valid livestock parking permit."

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

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

S.F. No. 362: A bill for an act relating to the military; creating a program that provides interest-free loans to certain members of the Minnesota National Guard or other military reserve units called to federal active service and deployed outside of the United States; amending Minnesota Statutes 2004, section 192.501, 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 192.501, is amended by adding a subdivision to read:

Subd. 2a. [INTEREST-FREE LOAN FOR FOREIGN DEPLOYMENT.] (a) The adjutant general shall establish a program to provide an interest-free loan from the state in the amount of up to \$2,000 for each month of deployment described in paragraph (b), clause (1), to each eligible soldier within the limitations of this subdivision.

(b) Eligibility is limited to a member of the Minnesota National Guard or other reserve components of the armed forces of the United States who:

(1) engaged in a deployment under federal active service as defined in section 190.05, subdivision 5c, for at least 90 consecutive days to a location outside of the United States;

(2) is serving satisfactorily as defined by the adjutant general or was honorably discharged following completion of the deployment;

(3) submits an application under the procedures established by the adjutant general within eight months of completion of the deployment; and

(4) was a resident of Minnesota when the deployment began.

In addition, if the eligible member is killed during the overseas deployment, the member's surviving spouse is eligible for an interest-free loan under this subdivision.

The adjutant general may adopt rules to provide additional eligibility criteria for the loan and repayment terms for the loan.

(c) The maximum amount of a loan under this subdivision is \$24,000.

(d) Loans made under this subdivision must be repaid within 20 years of the date of the origin of the loan. Repayments shall be deposited to the general fund.

(e) The adjutant general may impose a reasonable, nonrefundable application fee for each loan application and an origination fee to pay the costs of issuing and servicing the loan. The application fees shall be initially set at \$50 and the origination fee shall be initially set at one percent of the loan. The adjutant general may adjust the fees by rule. The fees must be deposited in the state treasury and credited to an account in the special revenue fund. Money in the account is appropriated to the adjutant general for administrative expenses of the loan program under this subdivision.

Sec. 2. [APPROPRIATION.]

\$...... is appropriated from the general fund to the adjutant general for loans under section 1. This appropriation is available until spent."

Delete the title and insert:

"A bill for an act relating to the military; creating a program that provides interest-free loans to certain members of the Minnesota National Guard or other military reserve units called to federal active service and deployed outside of the United States; appropriating money; amending Minnesota Statutes 2004, section 192.501, by adding a subdivision."

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

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

S.F. No. 344: A bill for an act relating to local government; providing reimbursement to fire departments for expenses incurred in extinguishing certain motor vehicle fires; providing cities and towns authority to collect unpaid bills for certain emergency services from nonresidents; appropriating money; amending Minnesota Statutes 2004, sections 161.465; 366.011; 366.012.

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

Pages 1 and 2, delete section 1

Page 3, line 5, reinstate the stricken language

Page 3, line 6, reinstate the stricken "in the" and before the period, insert "state"

Page 3, delete lines 23 to 26

Page 3, line 27, delete the new language

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "providing reimbursement"

Page 1, delete line 3

Page 1, line 4, delete "extinguishing certain motor vehicle fires;"

Page 1, line 7, delete "appropriating money;"

Page 1, line 8, delete "161.465;"

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

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

S.F. No. 653: A bill for an act relating to public finance; extending the sunset on establishing housing improvement areas; requiring reports; amending Minnesota Statutes 2004, section 428A.21; proposing coding for new law in Minnesota Statutes, chapter 428A.

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

Page 1, delete section 1

Page 1, delete lines 25 and 26 and insert:

"Sec. 2. [REPEALER.]

Minnesota Statutes 2004, section 428A.21, is repealed.

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment. Section 2 is effective on July 1, 2005."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "extending" and insert "removing"

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete "428A.21;"

Page 1, line 6, before the period, insert "; repealing Minnesota Statutes 2004, section 428A.21"

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

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

S.F. No. 451: A bill for an act relating to Anoka County; proposing coding of certain laws relating to Anoka County; repealing Laws 1917, chapter 149; Laws 1927, chapter 71; Laws 1929, chapter 238; Laws 1931, chapter 141; Laws 1941, chapter 80; Laws 1943, chapter 282; Laws 1949, chapter 216; Laws 1953, chapter 422; Laws 1959 chapters 199, 325; Laws 1961, chapters 366, 627; Laws 1963, chapters 37, 78, 161; Laws 1965, chapter 462; Laws 1967, chapters 237, 274, 290, 344; Laws 1969, chapters 213, 235, 814; Laws 1971, chapter 4.

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

Page 1, line 14, delete "2" and insert "3"

Page 1, delete lines 17 to 26 and insert:

"(1) Laws 1963, chapter 9;

(2) Laws 1963, chapter 161, sections 1 and 2, as amended by Laws 1967, chapter 560;

(3) Laws 1963, chapter 263;

(4) Laws 1969, chapter 392;

(5) Laws 1974, chapter 20;

(6) Laws 1977, chapter 198;

(7) Laws 1978, chapter 464;

(8) Laws 1984, chapter 380, section 1, as amended by Laws 1994, chapter 505, article 6,

section 27, as amended by Laws 1998, chapter 389, article 3, section 30; and Laws 1984, chapter 380, section 2, as amended by Laws 1998, chapter 389, article 3, section 31;

- (9) Laws 1986, chapter 374, section 1;
- (10) Laws 1989, chapter 13, section 2;
- (11) Laws 1989, chapter 100;
- (12) Laws 1989, chapter 243, as amended by Laws 2000, chapter 275, section 3;
- (13) Laws 1990, chapter 554, section 18;
- (14) Laws 1991, chapter 342, section 21, as applies to Anoka county;
- (15) Laws 1993, chapter 16;
- (16) Laws 1994, chapter 413;
- (17) Laws 1999, chapter 48;
- (18) Laws 2002, chapter 390, section 27;
- (19) Laws 2003, chapter 127, article 12, section 25;
- (20) Laws 2004, chapter 210; and
- (21) Laws 2004, chapter 267, article 12, section 2.

The revisor shall substitute "city" for "village" wherever that term appears in the special laws that are codified. The revisor shall make editorial changes to the special laws that are codified in order to implement Minnesota Statutes, section 3C.10, subdivision 1, paragraph (n). To the extent any special law listed also applies to any other county, the codified provision must apply only to Anoka County."

Page 2, lines 4 to 6, delete the new language

Page 2, line 7, delete "422;" and after "199" insert ", as amended by Laws 1967, chapter 274,"

Page 2, line 8, after "161" insert ", section 3"

Page 2, line 9, delete ", 274, 290," and delete "Laws 1969,"

Page 2, line 10, delete "chapters 213, 235, and 814;"

Amend the title as follows:

Page 1, line 3, delete "Laws 1917,"

Page 1, delete lines 4 to 6

Page 1, delete line 7 and insert "Laws 1959, chapters 199, as amended, 325; Laws"

Page 1, line 9, after "161" insert ", section 3"

Page 1, delete line 10 and insert "344; Laws"

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

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

S.F. No. 879: A bill for an act relating to elections; providing for elimination of the state primary in a municipality or county if no nominee must be selected at the state primary for any partisan or nonpartisan office in that municipality or county; amending Minnesota Statutes 2004, sections 204D.03, subdivision 1; 204D.07, subdivision 3; 204D.12.

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

Page 1, lines 21 and 22, delete "at least 15 days before the date of the state primary" and insert "no later than 15 days after the close of filings"

Page 2, delete sections 2 and 3

Amend the title as follows:

Page 1, line 6, delete "sections" and insert "section"

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

Page 1, line 8, delete everything before the period

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

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

S.F. No. 489: A bill for an act relating to elections; prohibiting political parties that receive a public subsidy from making independent expenditures; requiring that income tax checkoff money and political contributions refunded by the state be used only for candidates who have agreed to spending limits; imposing campaign contribution and spending limits on legislative caucuses that choose to participate in the political contribution refund program; limiting multicandidate expenditures by political parties; increasing the maximum political contribution refund from \$50 to \$100; amending Minnesota Statutes 2004, sections 10A.01, subdivisions 9, 18; 10A.25, subdivision 1, by adding subdivisions; 10A.27, subdivision 11, by adding a subdivision; 10A.275, subdivision 1; 10A.28, subdivisions 1, 2; 10A.31, subdivisions 3, 5; 10A.322; 290.06, subdivision 23.

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

Page 5, line 17, delete everything after the period

Page 5, delete lines 18 to 21

Pages 6 to 8, delete sections 5 to 8

Page 8, line 29, delete "or"

Page 8, line 32, reinstate the stricken semicolon and insert "or"

Page 8, line 33, reinstate the stricken "(4)"

Page 8, line 35, reinstate the stricken "expenditures for party committee staff services that"

Page 8, line 36, reinstate the stricken language

Page 9, line 13, delete everything after the comma

Page 9, line 14, delete everything before "who"

Page 9, delete lines 18 to 23

Pages 9 to 12, delete sections 11 to 13

Page 13, delete lines 13 to 24

Page 13, line 25, delete "(d)" and insert "(b)"

Page 13, line 30, delete everything after the period

Page 13, delete lines 31 to 36

Page 14, delete line 1

Page 14, line 2, delete "(e)" and insert "(c)"

Page 14, line 4, delete "or party unit"

Page 14, line 6, delete "(f)" and insert "(d)"

Page 14, line 9, delete the comma

Page 14, line 10, delete "party unit,"

Page 14, line 15, delete ", political party, or party" and insert "or political party"

Page 14, line 16, delete "unit"

Page 14, line 24, delete the new language

Page 14, delete lines 25 to 36

Page 15, delete lines 1 and 2

Pages 15 to 17, delete section 15

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon and insert "expanding the definitions of campaign expenditures and independent expenditures"

Page 1, delete lines 5 to 9

Page 1, line 10, delete "program"

Page 1, line 11, delete everything after the semicolon

Page 1, line 12, delete everything before "amending"

Page 1, line 14, delete "subdivisions" and insert "a subdivision"

Page 1, delete line 15

Page 1, line 16, delete "subdivisions 1, 2" and insert "subdivision 1"

Page 1, delete lines 17 and 18 and insert "10A.322."

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

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

S.F. No. 200: A bill for an act relating to commerce; prohibiting expiration dates and service fees on gift certificates and gift cards; proposing coding for new law in Minnesota Statutes, chapter 325G.

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

Delete everything after the enacting clause and insert:

"Section 1. [325G.53] [GIFT CERTIFICATES.]

Subdivision 1. [DEFINITION.] For purposes of this section, "gift certificate" means a tangible

record evidencing a promise, made for consideration, by the seller or issuer of the record that goods or services will be provided to the owner of the record to the value shown in the record and includes, but is not limited to, a gift card, stored-value card, store card, or a similar record or card that contains a microprocessor chip, magnetic stripe, or other means for the storage of information, and for which the value is decreased upon each use.

Subd. 2. [PROHIBITIONS.] It is unlawful for any person or entity to sell a gift certificate that is subject to an expiration date or a service fee of any kind, including, but not limited to, a service fee for dormancy.

Subd. 3. [NONAPPLICATION.] The provisions of this section shall not apply to gift certificates:

(1) distributed to a consumer for loyalty, promotional, award, incentive, rebate, or other similar purposes without any money or other tangible thing of value being given by the consumer in exchange for the gift certificate or gift card;

(2) that are sold below face value or at a volume discount to employers or to nonprofit and charitable organizations for fund-raising purposes;

(3) that are debit cards or other legal access devices used to access a deposit account and that are subject to the federal disclosure rules in the Electronic Fund Transfer Act, United States Code, title 15, section 1693, et seq., and its implementing Regulation E, as amended from time to time; or

(4) that are stored-value cards sold primarily for redemption by the purchaser that can be used at multiple sellers of goods or services, provided the expiration date, if any, is printed on the card and the issuer has disclosed any applicable fees.

Subd. 4. [BALANCE IN CASH.] The holder of a gift certificate is entitled to receive the balance in cash from the issuer if the remaining value of the gift certificate is \$5 or less.

Subd. 5. [PAYMENT OF DEBT.] The value of a gift certificate can be used at any time to pay debt the holder of the gift certificate owes to the issuer of the gift certificate.

Subd. 6. [REMEDIES.] The remedies of section 8.31 apply to violations of this section."

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

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

S.F. No. 608: A bill for an act relating to government data; regulating comprehensive law enforcement data of the Department of Commerce; amending Minnesota Statutes 2004, section 13.82, subdivision 1.

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

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

S.F. No. 901: A bill for an act relating to public safety; establishing a methamphetamine waste disposal crime; creating a methamphetamine awareness and educational account; providing for the establishment of civil nuisances involving methamphetamine manufacture; requiring a toll-free number for citizen reports of methamphetamine laboratories; providing for reports; imposing criminal penalties; amending Minnesota Statutes 2004, sections 617.81, subdivision 4, by adding a subdivision; 617.85; proposing coding for new law in Minnesota Statutes, chapters 144; 152.

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

Page 1, delete section 1

Page 3, after line 6, insert:

"Sec. 3. [299C.90] [CITIZEN REPORTS OF METHAMPHETAMINE VIOLATIONS.]

The superintendent of the Bureau of Criminal Apprehension shall maintain and publicize a toll-free telephone number to enable citizens to report information about potential methamphetamine violations, including, but not limited to, illicit methamphetamine laboratories. The agency shall take appropriate steps after receiving a citizen report after considering the nature and trustworthiness of the information reported, including, but not limited to, contacting the appropriate law enforcement agency.

[EFFECTIVE DATE.] This section is effective July 1, 2005."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, delete "144;" and before the period, insert "; 299C"

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

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

S.F. No. 781: A bill for an act relating to public safety; requiring the commissioner of public safety to determine whether hunting licensees are ineligible to possess a firearm and, if so, to notify specified governmental officials; proposing coding for new law in Minnesota Statutes, chapter 299A.

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

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

S.F. No. 855: A bill for an act relating to public defense; limiting representation by public defenders to statutorily designated persons; providing for public defender access to certain data; amending Minnesota Statutes 2004, sections 611.14; 611.16; 611.25, subdivision 1; 611.272; repealing Minnesota Statutes 2004, section 611.18.

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

Pages 1 and 2, delete section 1

Page 2, line 36, strike "and"

Page 3, line 3, before the period, insert: ";

(4) a person on parole, or supervised or conditional release, who is the subject of a release revocation process; and

(5) a person requesting an administrative review hearing under the end-of-confinement review process for predatory offenders under section 244.052"

Page 4, line 27, delete everything before the period and after the period, insert:

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

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "611.14;"

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

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

S.F. No. 336: A bill for an act relating to crimes; prohibiting using a false pretense in an e-mail to obtain the identity of another; imposing penalties; amending Minnesota Statutes 2004, section 609.527, subdivisions 1, 6, by adding a subdivision.

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

Page 1, line 18, after "including" insert "or deceptively similar to"

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

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

S.F. No. 992: A bill for an act relating to crimes; modifying penalties for identity theft; requiring minimum restitution payments and providing information to victims of identity theft; amending Minnesota Statutes 2004, section 609.527, subdivisions 3, 4.

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

Page 2, lines 18 and 19, delete "under this subdivision" and insert "of violating subdivision 2"

Page 2, line 24, before "copy" insert "certified"

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

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

S.F. No. 607: A bill for an act relating to criminal justice; defining collateral sanctions; requiring the revisor of statutes to publish a table containing cross-references to collateral sanction laws located throughout Minnesota Statutes.

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

Page 1, line 9, delete "PUBLISHING A TABLE" and insert "CREATION OF A NEW CHAPTER"

Page 1, line 10, delete "DEFINITION" and insert "DEFINITIONS"

Page 1, line 26, delete "publish a table" and insert "create a new chapter"

Page 2, line 2, after "structure" insert "within this new chapter"

Page 2, line 6, delete "table" and insert "chapter"

Page 2, after line 18, insert:

"If possible, the revisor shall locate the new chapter in proximity to Minnesota Statutes, chapter 609, the Minnesota Criminal Code."

Page 2, line 20, delete "with the table" and insert "at the beginning of the new chapter"

Page 2, line 22, after "laws" insert "contained in the chapter"

Page 2, line 25, after "sanction" insert "in the chapter"

Page 2, line 26, after "used" insert "in the chapter"

Page 3, line 1, after "chairs" insert "and ranking minority members"

Page 3, line 4, delete "table" and insert "chapter"

Page 3, after line 4, insert:

"Sec. 2. [REPORT OF COLLATERAL SANCTIONS LAWS.]

Each state or local governmental agency having responsibility to impose a collateral sanction shall prepare a list that identifies all of the collateral sanctions within the authority's statutory jurisdiction. The agency shall submit the list to the Office of the Revisor of Statutes no later than September 1, 2005. State and local agencies covered by this section include, but are not limited to, state agencies, the judiciary, the state Public Defender's Office, the Attorney General's Office, and county attorneys."

Amend the title as follows:

Page 1, line 4, delete "publish a table" and insert "create a new statutory chapter"

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

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

S.F. No. 13: A bill for an act relating to traffic regulations; enacting the Safe School Zone Law; making clarifying and technical changes; amending Minnesota Statutes 2004, sections 169.01, by adding a subdivision; 169.14, subdivisions 2, 4, 5a.

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

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

S.F. No. 1173: A bill for an act relating to traffic regulations; repealing prohibition against recording certain speed violations on driver's record; repealing Minnesota Statutes 2004, sections 169.99, subdivision 1b; 171.12, subdivision 6.

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

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

S.F. No. 1063: A bill for an act relating to traffic regulations; requiring six-month license revocation for driver exceeding speed of 100 miles per hour; doubling fine for speed violation in excess of 20 miles over the posted or statutory speed limit; amending Minnesota Statutes 2004, sections 169.14, subdivision 2, by adding a subdivision; 171.17, subdivision 1.

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

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

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.

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.0625, is amended by adding a subdivision to read:

Subd. 13h. [MEDICATION THERAPY MANAGEMENT CARE.] (a) Medical assistance covers medication therapy management services for a recipient taking four or more prescriptions to treat or prevent two or more chronic medical conditions, or a recipient with a drug therapy problem that is identified or prior authorized by the commissioner that has resulted or is likely to result in significant nondrug program costs. For purposes of this subdivision, "medication therapy management" means the provision of the following pharmaceutical care services by a licensed pharmacist to optimize the therapeutic outcomes of the patient's medications:

- (1) performing or obtaining necessary assessments of the patient's health status;
- (2) formulating a medication treatment plan;
- (3) monitoring and evaluating the patient's response to therapy, including safety and effectiveness;
- (4) performing a comprehensive medication review to identify, resolve, and prevent medication-related problems, including adverse drug events;
- (5) documenting the care delivered and communicating essential information to the patient's other primary care providers;
- (6) providing verbal education and training designed to enhance patient understanding and appropriate use of the patient's medications;
- (7) providing information, support services, and resources designed to enhance patient adherence with the patient's therapeutic regimens; and
- (8) coordinating and integrating medication therapy management services within the broader health care management services being provided to the patient.

Nothing in this subdivision shall be construed to expand or modify the scope of practice of the pharmacist as defined in section 151.01, subdivision 27.

(b) To be eligible for reimbursement for services under this subdivision, a pharmacist must meet the following requirements:

- (1) have a valid license issued under chapter 151;
- (2) have graduated from an accredited college of pharmacy on or after May of 1996; or completed a structured and comprehensive education program approved by the Board of Pharmacy and the American Council of Pharmaceutical Education for the provision and documentation of pharmaceutical care management services that has both clinical and didactic elements;
- (3) be practicing in an ambulatory care setting as part of a multidisciplinary team or have developed a structured patient care process that is offered in a private or semiprivate patient care area that is separate from the commercial business that also occurs in the setting; and
- (4) make use of an electronic patient record system that meets state standards.

(c) For the purposes of reimbursement for medication therapy management services, the commissioner may enroll individual pharmacists as medical assistance providers. The commissioner may also establish contact requirements between the pharmacist and recipient, including limiting the number of reimbursable consultations per recipient.

(d) The commissioner, after receiving recommendations from professional medical associations, professional pharmacy associations, and consumer groups shall convene a nine-member Medication Therapy Management Advisory Committee, to advise the commissioner on the implementation and administration of medication therapy management services. The committee shall be comprised of: two licensed physicians; two licensed pharmacists; two consumer representatives; and three members with expertise in the area of medication therapy management, who may be licensed physicians or licensed pharmacists. The committee is governed by section 15.059, except that committee members do not receive compensation or reimbursement for expenses. The advisory committee shall expire on June 30, 2007.

(e) The commissioner shall evaluate the effect of medication therapy management on quality of care, patient outcomes, and program costs, and shall include a description of any savings generated in the medical assistance program that can be attributable to this coverage. The evaluation shall be submitted to the legislature by December 15, 2007. The commissioner may contract with a vendor or an academic institution that has expertise in evaluating health care outcomes for the purpose of completing the evaluation."

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. 795: A bill for an act relating to health; requiring coverage for or provision of language interpreter services for enrollees; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Delete everything after the enacting clause and insert:

"Section 1. [LANGUAGE INTERPRETER SERVICES STUDY.]

The commissioner of commerce, in consultation with the commissioners of health, human services, and employee relations, and representatives of health plan companies, health care providers, and limited-English-speaking communities, shall study and make recommendations on providing language interpreter services to limited-English-speaking patients in order to facilitate the provision of health care services by health care providers and health care facilities. The recommendations shall include:

(1) ways to achieve the needed availability of professional interpreter services and an accreditation system for language interpreters, which includes appropriate standards for education, training, and credentialing; and

(2) criteria for determining financial responsibility for providing interpreter services to enrollees of health plans, including the responsible party for arranging interpreter services and for reimbursement for these services.

The commissioner of commerce shall submit these recommendations to the legislature by January 15, 2006."

Amend the title as follows:

Page 1, line 2, delete "coverage for or" and insert "the commissioner of commerce to study"

Page 1, line 3, delete "for" and insert a period

Page 1, delete lines 4 and 5

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

SECOND READING OF SENATE BILLS

S.F. Nos. 759, 735, 1070, 243, 349, 580, 1031, 653, 451, 879, 489, 200, 608, 607, 1173 and 1063 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 378 was read the second time.

MOTIONS AND RESOLUTIONS

Senator Sams moved that the name of Senator Murphy be added as a co-author to S.F. No. 415. The motion prevailed.

Senator Johnson, D.J. moved that the name of Senator LeClair be added as a co-author to S.F. No. 466. The motion prevailed.

Senator Nienow moved that the name of Senator Lourey be added as a co-author to S.F. No. 952. The motion prevailed.

Senator Murphy moved that the names of Senators Rest and McGinn be added as co-authors to S.F. No. 1173. The motion prevailed.

Senator Jungbauer moved that the names of Senators LeClair, Pappas, Chaudhary and Tomassoni be added as co-authors to S.F. No. 1177. The motion prevailed.

Senator Saxhaug moved that his name be stricken as a co-author to S.F. No. 1217. The motion prevailed.

Senator Scheid moved that the name of Senator Wergin be added as a co-author to S.F. No. 1287. The motion prevailed.

Senator Wergin moved that S.F. No. 511 be withdrawn from the Committee on Finance and returned to its author. The motion prevailed.

Senator Koering moved that S.F. No. 667 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Finance. The motion prevailed.

Senator Rosen moved that S.F. No. 775 be withdrawn from the Committee on Taxes and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

Senator Marko introduced--

Senate Resolution No. 49: A Senate resolution honoring Neil Gregory Newman for attaining the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

Senators Metzen and Marko introduced--

Senate Resolution No. 50: A Senate resolution congratulating the South St. Paul High School Girls Hockey team on winning the 2004-2005 State High School Class 2A Girls Hockey Tournament.

Referred to the Committee on Rules and Administration.

Senator Foley moved that S.F. No. 349, on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Senator Robling moved that S.F. No. 634 be withdrawn from the Committee on Taxes and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

Senator Johnson, D.E. moved that H.F. No. 248 be taken from the table. The motion prevailed.

H.F. No. 248: 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.

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. 248 and that the rules of the Senate be so far suspended as to give H.F. No. 248 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 248 was read the second time.

H.F. No. 248 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 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Moua	Pogemiller
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So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 26, Senator Johnson, D.E., Chair of the Committee on Rules and Administration, designated S.F. No. 51 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 51: A bill for an act relating to public safety; scheduling ephedrine and pseudoephedrine products as Schedule V controlled substances; regulating the sale of methamphetamine precursor drugs; requiring prescriptions from veterinarians for products for animals containing ephedrine or pseudoephedrine; providing criminal penalties; amending Minnesota Statutes 2004, sections 152.02, subdivision 6; 152.027, subdivisions 1, 2; 152.135, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 35.

Senator Berglin moved to amend S.F. No. 51 as follows:

Page 3, delete line 19 and insert "the drug sold.

The pharmacy shall maintain the written"

The motion prevailed. So the amendment was adopted.

Senator Berglin moved to amend S.F. No. 51 as follows:

Page 1, line 26, delete "August 1, 2005" and insert "on the 30th day following final enactment"

Page 4, line 20, delete "August 1, 2005" and insert "on the 30th day following final enactment"

Page 4, line 30, delete "August 1, 2005" and insert "on the 30th day following final enactment"

Page 5, line 7, delete "August 1, 2005" and insert "on the 30th day following final enactment"

Page 5, line 35, delete "August 1, 2005" and insert "on the 30th day following final enactment"

The motion prevailed. So the amendment was adopted.

Senator Kiscaden moved to amend S.F. No. 51 as follows:

Page 3, line 17, after "written" insert "or electronic"

Page 3, line 19, delete "written"

The motion prevailed. So the amendment was adopted.

Senator Kubly moved to amend S.F. No. 51 as follows:

Page 3, line 11, delete "and are" and insert "or inside a locked display case"

Page 3, delete line 12

Page 3, line 13, delete everything before the period

Page 3, line 19, after the period, insert a paragraph code and delete "pharmacy" and insert "business establishment"

Page 3, line 23, delete everything after the period

Page 3, delete lines 24 and 25

CALL OF THE SENATE

Senator Kleis imposed a call of the Senate for the balance of the proceedings on S.F. No. 51. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 12 and nays 53, as follows:

Those who voted in the affirmative were:

Bakk	Kubly	Rest	Scheid	Stumpf
Chaudhary	Marty	Saxhaug	Skoe	Tomassoni
Kelley	Murphy			

Those who voted in the negative were:

Anderson	Berglin	Day	Fischbach	Gaither
Bachmann	Betzold	Dibble	Foley	Gerlach
Belanger	Cohen	Dille	Frederickson	Hann

Higgins	Langseth	Moua	Pogemiller	Skoglund
Johnson, D.E.	Larson	Neuville	Ranum	Solon
Johnson, D.J.	LeClair	Nienow	Reiter	Sparks
Jungbauer	Limmer	Olson	Robling	Vickerman
Kierlin	Lourey	Ortman	Rosen	Wergin
Kiscaden	McGinn	Ourada	Ruud	Wiger
Kleis	Metzen	Pappas	Sams	
Koering	Michel	Pariseau	Senjem	

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

Senator Neuville moved to amend S.F. No. 51 as follows:

Page 3, line 23, after the period, insert "These documents may be provided only to a law enforcement official and the documents or information they contain may not be sold, transferred, or used in any other manner by the pharmacy or by any other person."

The motion prevailed. So the amendment was adopted.

Senator Neuville moved to amend S.F. No. 51 as follows:

Page 5, after line 36, insert:

"Sec. 6. [DEVELOPMENT OF COMPUTER SYSTEM; REPORT.]

The commissioner of public safety shall develop a plan for the implementation by July 1, 2006, of a centralized computer or electronic system to enable pharmacies to carry out their duties under Minnesota Statutes, section 152.02, subdivision 6, paragraph (e), clause (2), electronically or by the Internet. By February 1, 2006, the commissioner shall report on the plan to the legislature. The report must include a proposal to enable pharmacies to switch from written logs to electronic logs that are compatible with the proposed system, and suggested statutory changes and a cost estimate to accomplish this."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 51 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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 26, Senator Johnson, D.E., Chair of the Committee on Rules and Administration, designated S.F. No. 1116 a Special Order to be heard immediately.

SPECIAL ORDER

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

Senator Frederickson moved to amend S.F. No. 1116 as follows:

Page 1, line 19, after "A" insert "first"

The motion prevailed. So the amendment was adopted.

Senator Wergin moved to amend S.F. No. 1116 as follows:

Page 1, line 18, after the period, insert "Paragraph (a) also does not apply if the watercraft is anchored for the purpose of swimming or diving."

The motion prevailed. So the amendment was adopted.

S.F. No. 1116 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 50 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Langseth	Ortman	Senjem
Bachmann	Frederickson	Limmer	Pappas	Skoe
Bakk	Higgins	Lourey	Pogemiller	Skoglund
Berglin	Hottinger	Marko	Ranum	Solon
Betzold	Johnson, D.E.	Marty	Rest	Sparks
Chaudhary	Jungbauer	McGinn	Robling	Stumpf
Cohen	Kelley	Metzen	Rosen	Tomassoni
Dibble	Kiscaden	Moua	Sams	Vickerman
Dille	Kleis	Murphy	Saxhaug	Wergin
Fischbach	Kubly	Olson	Scheid	Wiger

Those who voted in the negative were:

Belanger	Hann	Larson	Nienow	Ruud
Day	Johnson, D.J.	LeClair	Ourada	
Gaither	Kierlin	Michel	Pariseau	
Gerlach	Koering	Neuville	Reiter	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Johnson, D.E. moved that Senate Resolution No. 45 be taken from the table. The motion prevailed.

Senate Resolution No. 45: A Senate resolution adopting Permanent Rules of the Senate.

CALL OF THE SENATE

Senator Rest imposed a call of the Senate for the balance of the proceedings on Senate Resolution No. 45. The Sergeant at Arms was instructed to bring in the absent members.

Senator Kleis moved to amend Senate Resolution No. 45 as follows:

Page 8, line 2, strike "all standing committees" and insert "each standing committee and division"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 35, as follows:

Those who voted in the affirmative were:

Bachmann	Gaither	Koering	Neuville	Reiter
Belanger	Gerlach	Larson	Nienow	Robling
Day	Johnson, D.J.	LeClair	Olson	Rosen
Dille	Jungbauer	Limmer	Ortman	Ruud
Fischbach	Kierlin	McGinn	Ourada	Senjem
Frederickson	Kleis	Michel	Pariseau	Wergin

Those who voted in the negative were:

Anderson	Foley	Langseth	Pappas	Skoglund
Bakk	Higgins	Lourey	Pogemiller	Solon
Berglin	Hottinger	Marko	Ranum	Sparks
Betzold	Johnson, D.E.	Marty	Rest	Stumpf
Chaudhary	Kelley	Metzen	Saxhaug	Tomassoni
Cohen	Kiscaden	Moua	Scheid	Vickerman
Dibble	Kubly	Murphy	Skoe	Wiger

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

Senator Neuville moved to amend Senate Resolution No. 45 as follows:

Page 11, after line 8, insert:

"12.12 Beginning in 2006, in each year of a regular session, the majority and minority groups may each designate three bills as priority bills. The designation must be made within two weeks after the Senate convenes in either year of a biennial session, or within one week after the Senate adopts permanent rules for the biennial session, whichever is later. A caucus may withdraw the designation of a priority bill but may not substitute a new one. A bill that appropriates money or increases or decreases a tax may not be designated a priority bill. Each committee to which a priority bill has been referred must schedule it for hearing ahead of any bills that have not been designated a priority, unless the chief author of the priority bill agrees otherwise. A committee may recommend amendments to a priority bill only with the consent of its chief author. The committee must act on the bill and report its recommendation to the Senate. If the recommendation is that the bill do not pass, upon adoption of the committee report the bill must be given its second reading and placed on General Orders. If a motion is made in Committee of the Whole that a priority bill do pass and the motion is defeated, the priority bill loses its status as a priority bill."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

Bachmann	Gerlach	Larson	Nienow	Robling
Day	Johnson, D.J.	LeClair	Olson	Rosen
Dille	Jungbauer	Limmer	Ortman	Ruud
Fischbach	Kierlin	McGinn	Ourada	Senjem
Frederickson	Kleis	Michel	Pariseau	Wergin
Gaither	Koering	Neuville	Reiter	

Those who voted in the negative were:

Anderson	Berglin	Cohen	Higgins	Kelley
Bakk	Betzold	Dibble	Hottinger	Kiscaden
Belanger	Chaudhary	Foley	Johnson, D.E.	Kubly

Langseth	Moua	Rest	Solon	Wiger
Lourey	Murphy	Saxhaug	Sparks	
Marko	Pappas	Scheid	Stumpf	
Marty	Pogemiller	Skoe	Tomassoni	
Metzen	Ranum	Skoglund	Vickerman	

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

Senator Reiter moved to amend Senate Resolution No. 45 as follows:

Page 12, after line 35, insert:

"15.10 When a member-elect is sworn in, the member-elect may request that one guest be admitted until the member-elect has been sworn in."

The motion prevailed. So the amendment was adopted.

Senator Cohen moved to amend Senate Resolution No. 45 as follows:

Page 6, after line 4, insert:

"A major appropriation or tax bill may not be divided."

The motion prevailed. So the amendment was adopted.

Senator Kleis moved to amend Senate Resolution No. 45 as follows:

Page 12, line 32, after the period, insert "The Senate Chamber may not be used for any commercial purpose."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 58 and nays 7, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Kierlin	Saxhaug	Skoe	Tomassoni
Belanger	Murphy			

The motion prevailed. So the amendment was adopted.

Senator Nienow moved to amend Senate Resolution No. 45 as follows:

Page 25, line 10, before "The" insert "46.1"

Page 25, after line 17, insert:

"46.2 Notwithstanding Joint Rule 2.06, a written copy of a report of a conference committee must be placed on the desk of each member of the Senate 24 hours before action on the report by the Senate."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 37, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, D.J.	Marty	Olson	Robling
Day	Jungbauer	McGinn	Ortman	Rosen
Fischbach	Kleis	Michel	Ourada	Ruud
Gaither	Larson	Moua	Pappas	Wergin
Gerlach	LeClair	Neuville	Pariseau	
Hann	Limmer	Nienow	Reiter	

Those who voted in the negative were:

Anderson	Dille	Kiscaden	Pogemiller	Sparks
Bakk	Foley	Koering	Ranum	Stumpf
Belanger	Frederickson	Kubly	Rest	Tomassoni
Berglin	Higgins	Langseth	Saxhaug	Vickerman
Betzold	Hottinger	Lourey	Scheid	Wiger
Chaudhary	Johnson, D.E.	Marko	Skoe	
Cohen	Kelley	Metzen	Skoglund	
Dibble	Kierlin	Murphy	Solon	

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

Senator Nienow moved to amend Senate Resolution No. 45 as follows:

Page 25, line 10, before "The" insert "46.1"

Page 25, after line 17, insert:

"46.2 Notwithstanding Joint Rule 2.06, after the last Thursday on which the Legislature can meet in regular session in odd-numbered years, and after the last Thursday on which the Legislature intended, when it adopted the concurrent resolution required by Joint Rule 2.03, to meet in regular session in even-numbered years, a written copy of a report of a conference committee must be placed on the desk of each member of the Senate a length of time equal to at least one minute for each page of the report before action on the report by the Senate."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 34, as follows:

Those who voted in the affirmative were:

Bachmann	Hann	Koering	Michel	Reiter
Belanger	Johnson, D.J.	Larson	Neuville	Robling
Day	Jungbauer	LeClair	Nienow	Rosen
Fischbach	Kierlin	Limmer	Olson	Ruud
Gaither	Kiscaden	Marty	Ortman	Solon
Gerlach	Kleis	McGinn	Pariseau	Wergin

Those who voted in the negative were:

Anderson	Dille	Kubly	Pappas	Skoglund
Bakk	Foley	Langseth	Pogemiller	Sparks
Berglin	Frederickson	Lourey	Ranum	Stumpf
Betzold	Higgins	Metzen	Rest	Tomassoni
Chaudhary	Hottinger	Moua	Saxhaug	Vickerman
Cohen	Johnson, D.E.	Murphy	Scheid	Wiger
Dibble	Kelley	Ourada	Skoe	

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

Senator Rest moved the adoption of Senate Resolution No. 45, as amended.

The question was taken on the adoption of the resolution, as amended.

The roll was called, and there were yeas 44 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Langseth	Pappas	Skoglund
Bakk	Frederickson	Lourey	Pogemiller	Solon
Belanger	Higgins	Marty	Ranum	Sparks
Berglin	Hottinger	McGinn	Reiter	Stumpf
Betzold	Johnson, D.E.	Metzen	Rest	Tomassoni
Chaudhary	Kelley	Moua	Rosen	Vickerman
Cohen	Kiscaden	Murphy	Saxhaug	Wergin
Dibble	Koering	Neuville	Scheid	Wiger
Dille	Kubly	Ourada	Skoe	

Those who voted in the negative were:

Bachmann	Gerlach	Kierlin	Limmer	Ortman
Day	Hann	Kleis	Michel	Pariseau
Fischbach	Johnson, D.J.	Larson	Nienow	Robling
Gaither	Jungbauer	LeClair	Olson	Ruud

The motion prevailed. So the resolution, as amended, was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Belanger; Kierlin; Johnson, D.J.; Tomassoni and Pogemiller introduced--

S.F. No. 1338: A bill for an act relating to taxation; providing filing requirements for use tax; limiting the de minimus exemption; providing instructions to the commissioner; amending Minnesota Statutes 2004, sections 289A.11, subdivision 1; 289A.18, subdivision 4, by adding a subdivision; 297A.67, subdivision 21; 297A.83, subdivision 1.

Referred to the Committee on Taxes.

Senators Hottinger, Marty and Marko introduced--

S.F. No. 1339: A bill for an act relating to education finance; restoring funding for certain early childhood education programs; assuring access to full-day kindergarten for at-risk students; appropriating money; amending Minnesota Statutes 2004, section 126C.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 124D; 126C.

Referred to the Committee on Education.

Senators Kelley, Wiger, Gaither, Michel and Higgins introduced--

S.F. No. 1340: A bill for an act relating to education finance; authorizing school districts to replace state shortfalls in regular special education funding with local levy authority; authorizing a discretionary levy; amending Minnesota Statutes 2004, section 125A.76, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 126C.

Referred to the Committee on Education.

Senators Bakk, Tomassoni and Saxhaug introduced--

S.F. No. 1341: A bill for an act relating to taxation; clarifying the production tax rate of certain direct reduced ore; amending Minnesota Statutes 2004, section 298.24, subdivision 1.

Referred to the Committee on Taxes.

Senators Bakk, Tomassoni and Saxhaug introduced--

S.F. No. 1342: A bill for an act relating to natural resources; modifying certain exemptions for

an iron nugget production scale demonstration facility; amending Laws 2004, chapter 220, section 1.

Referred to the Committee on Environment and Natural Resources.

Senator Lourey introduced--

S.F. No. 1343: A bill for an act relating to agriculture; directing the commissioner of agriculture to make lump sum payments for catch-up ethanol producer payments; providing for the timely appropriation of money.

Referred to the Committee on Finance.

Senators Lourey, Koering, Kiscaden, Berglin and Neuville introduced--

S.F. No. 1344: A bill for an act relating to human services; repealing the Minnesota family investment program family cap; repealing Minnesota Statutes 2004, section 256J.24, subdivision 6.

Referred to the Committee on Health and Family Security.

Senator Chaudhary introduced--

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

Referred to the Committee on Transportation.

Senator LeClair introduced--

S.F. No. 1346: A bill for an act relating to public safety; appropriating money for the operation of the Peace Officers Standards and Training Board.

Referred to the Committee on Finance.

Senators Ourada and Gaither introduced--

S.F. No. 1347: A bill for an act relating to Hennepin and Wright Counties; authorizing the Hennepin County Board and the Wright County Board to initiate a process for the change of county boundaries by resolution.

Referred to the Committee on State and Local Government Operations.

Senators Kelley, Cohen, Ruud, Belanger and Betzold introduced--

S.F. No. 1348: A bill for an act relating to taxation; changing competition of the research credit; amending Minnesota Statutes 2004, section 290.068, subdivision 1.

Referred to the Committee on Taxes.

Senator LeClair introduced--

S.F. No. 1349: A bill for an act relating to human services; changing the chemical dependency allocation; amending Minnesota Statutes 2004, section 254B.02, subdivision 3, by adding a subdivision.

Referred to the Committee on Finance.

Senators Cohen, Kelley, Frederickson, Pogemiller and Pappas introduced--

S.F. No. 1350: A bill for an act relating to higher education; appropriating money to the Board of Regents of the University of Minnesota.

Referred to the Committee on Finance.

Senators Neuville and Hottinger introduced--

S.F. No. 1351: A bill for an act relating to the environment; amending Minnesota Statutes 2004, section 103E.701, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senator Neuville introduced--

S.F. No. 1352: A bill for an act relating to retirement; providing for certain pension benefits upon the privatization of the Northfield Hospital; amending Minnesota Statutes 2004, section 353F.02, subdivision 4.

Referred to the Committee on State and Local Government Operations.

Senators Neuville, Dibble and Bachmann introduced--

S.F. No. 1353: A bill for an act relating to consumer protection; regulating wireless telephone directories; protecting consumer privacy; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Senator Marko introduced--

S.F. No. 1354: A bill for an act relating to motor vehicles; abolishing provisions regulating motor bicycle rental businesses; repealing Minnesota Statutes 2004, sections 168.831, 168.832, 168.833, 168.834, 168.835, 168.836, and 168.837.

Referred to the Committee on Transportation.

Senator Vickerman introduced--

S.F. No. 1355: A bill for an act relating to professions; extending the application period for power limited technicians; amending Minnesota Statutes 2004, section 326.242, subdivision 3d.

Referred to the Committee on State and Local Government Operations.

Senator Saxhaug introduced--

S.F. No. 1356: A bill for an act relating to natural resources; creating an off-highway vehicle recreation area.

Referred to the Committee on Environment and Natural Resources.

Senators Kubly, Vickerman and Anderson introduced--

S.F. No. 1357: A bill for an act relating to agriculture; appropriating money for the Minnesota State Horticultural Society.

Referred to the Committee on Finance.

Senators Cohen, Rest and Anderson introduced--

S.F. No. 1358: A bill for an act relating to state government; modifying the structure of the Pollution Control Agency; amending Minnesota Statutes 2004, sections 116.02, subdivisions 1, 4; 116.03, subdivisions 1, 2; repealing Minnesota Statutes 2004, section 116.02, subdivisions 6, 7, 8, 9, 10.

Referred to the Committee on State and Local Government Operations.

Senators Stumpf, Vickerman and Murphy introduced--

S.F. No. 1359: A bill for an act relating to highways; allowing state transportation funds to be used for design and preliminary engineering of bridges in smaller cities; amending Minnesota Statutes 2004, section 174.50, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Belanger, Michel, Scheid, Sams and Metzen introduced--

S.F. No. 1360: A bill for an act relating to commerce; regulating unclaimed property held by cooperatives and the right to receive or recover unclaimed property; modifying public notice requirements; amending Minnesota Statutes 2004, section 308A.711, subdivision 3; 345.42, subdivision 1; 345.46; repealing Minnesota Statutes 2004, sections 308A.711, subdivisions 1, 2; 345.39, subdivision 2; 345.42, subdivisions 2, 3, 4.

Referred to the Committee on Commerce.

Senator Kubly introduced--

S.F. No. 1361: A bill for an act relating to education finance; authorizing a fund transfer for Independent School District No. 2180, M.A.C.C.R.A.Y.

Referred to the Committee on Finance.

Senators Kiscaden and Lourey introduced--

S.F. No. 1362: A bill for an act relating to human services; expanding the definition of mental health professional; amending Minnesota Statutes 2004, sections 245.462, subdivision 18; 245.4871, subdivision 27; 256B.0623, subdivision 5.

Referred to the Committee on Health and Family Security.

Senators Kiscaden and Lourey introduced--

S.F. No. 1363: A bill for an act relating to health occupations; providing a transition period for licensing professional counselors; proposing coding for new law in Minnesota Statutes, chapter 148B.

Referred to the Committee on Health and Family Security.

Senator Stumpf introduced--

S.F. No. 1364: A bill for an act relating to drainage; allowing an outlet fee to be charged for use of an established drainage system in Red Lake County as an outlet for drainage originating in Pennington County.

Referred to the Committee on Environment and Natural Resources.

Senators Tomassoni, Solon, Hottinger and Anderson introduced--

S.F. No. 1365: A bill for an act relating to children; including socioemotional development in early childhood health and development screening; including possible availability of mental health screening in notice to parents of truant children; amending Minnesota Statutes 2004, sections 13.32, subdivision 2; 121A.17, subdivisions 1, 3, by adding a subdivision; 121A.19; 125A.02, subdivision 1; 260A.03; 260A.04, subdivisions 2, 3.

Referred to the Committee on Education.

Senator Pogemiller introduced--

S.F. No. 1366: A bill for an act relating to metropolitan government; providing for the additional financing of metropolitan area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; repealing restrictions on the issuance of general obligation bonds for the Hiawatha light rail transit line; amending Minnesota Statutes 2004, section 473.39, by adding a subdivision; repealing Minnesota Statutes 2004, section 473.39, subdivision 1f.

Referred to the Committee on Taxes.

Senator Skoglund introduced--

S.F. No. 1367: A bill for an act relating to education finance; expanding the definition of net debt limit for school districts; amending Minnesota Statutes 2004, section 128D.11, subdivision 9.

Referred to the Committee on Finance.

Senators Anderson, Rosen, Ourada, Metzen and Kubly introduced--

S.F. No. 1368: A bill for an act relating to utilities; requiring establishment and adoption of community-based energy development tariffs; modifying provisions relating to renewable energy resources and objectives; making clarifying changes; amending Minnesota Statutes 2004, sections 216B.1645, subdivision 1, by adding a subdivision; 216B.2425, subdivision 7; 216B.243, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

Senators Anderson, Rosen, Ourada, Metzen and Kubly introduced--

S.F. No. 1369: A bill for an act relating to utilities; requiring consideration of installation opportunities for distributed generation; authorizing establishment of local power quality zones; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

Senators Kelley, Ourada, Gaither, Kubly and Metzen introduced--

S.F. No. 1370: A bill for an act relating to telecommunications; providing for standardized provider contracts; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Senators Skoe, Langseth, Stumpf, Higgins and Dille introduced--

S.F. No. 1371: A bill for an act relating to local government; increasing compensation of watershed district managers; providing for board elections; clarifying who can enter onto land; amending Minnesota Statutes 2004, sections 103D.225, subdivision 4; 103D.315, subdivisions 6, 8; 103D.335, subdivision 14.

Referred to the Committee on State and Local Government Operations.

Senators Ruud, McGinn, Rosen and Neuville introduced--

S.F. No. 1372: A bill for an act relating to public safety; changing criminal sentencing for certain controlled substance possessors; authorizing expungement of conviction records for certain controlled substance possessors; adjusting the terms of imprisonment for certain controlled substance offenders; appropriating money; amending Minnesota Statutes 2004, sections 609A.02, by adding a subdivision; 609A.03, subdivision 5, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 152; 244.

Referred to the Committee on Crime Prevention and Public Safety.

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

S.F. No. 1373: A bill for an act relating to economic development; establishing the incumbent worker program; amending Minnesota Statutes 2004, sections 116L.05, by adding a subdivision; 116L.17, subdivision 1; 116L.20, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 116L.

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

Senators Skoe, Chaudhary, Sparks and Kiscaden introduced--

S.F. No. 1374: A bill for an act relating to education finance; restoring funding for the basic community education program; appropriating money; amending Minnesota Statutes 2004, section 124D.20, subdivision 3.

Referred to the Committee on Finance.

Senator Foley introduced--

S.F. No. 1375: A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 1; providing for high quality in public education through equitable and adequate funding.

Referred to the Committee on Education.

Senators Bakk, Betzold, Cohen, Tomassoni and Wiger introduced--

S.F. No. 1376: A bill for an act relating to local government; authorizing inverse condemnation by a mixed municipal solid waste services business when a governmental entity occupies the market; proposing coding for new law in Minnesota Statutes, chapter 117.

Referred to the Committee on State and Local Government Operations.

Senators Skoglund and Neuville introduced--

S.F. No. 1377: A bill for an act relating to public safety; requiring indeterminate life sentences for certain egregious first degree criminal sexual conduct offenses; requiring indeterminate life sentences for repeat sex offenses; creating the crime of sixth degree criminal sexual conduct; modifying the patterned sex offender sentencing law; making necessary technical and conforming statutory changes; directing the Sentencing Guidelines Commission to modify the Sentencing Guidelines; providing criminal penalties; amending Minnesota Statutes 2004, sections 14.03, subdivision 3; 243.166, subdivision 1; 244.05, subdivisions 4, 5, 6, 7; 244.052, subdivision 3; 609.108, subdivisions 1, 3, 4; 609.109, subdivisions 2, 5, 7; 609.117, subdivisions 1, 2; 609.1351; 609.341, by adding subdivisions; 609.342, subdivisions 2, 3; 609.343, subdivisions 2, 3; 609.344, subdivisions 2, 3; 609.345, subdivisions 2, 3; 609.347; 609.3471; 609.348; 609.353; 631.045;

proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 2004, section 609.108, subdivision 2.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Kiscaden introduced--

S.F. No. 1378: A bill for an act relating to health; modifying medical education funding provisions; amending Minnesota Statutes 2004, section 62J.692, subdivisions 3, 4, 7.

Referred to the Committee on Finance.

Senators Scheid, Sparks, Marko, Ourada and Murphy introduced--

S.F. No. 1379: A bill for an act relating to motor vehicles; excluding cost of air bag repair or replacement and related repair costs from motor vehicle damage calculations for salvage title and consumer disclosure purposes; amending Minnesota Statutes 2004, sections 168A.04, subdivision 4; 168A.151, subdivision 1; 325F.6641, subdivisions 1, 2.

Referred to the Committee on Commerce.

Senators Sparks, Metzen, Scheid, Belanger and Solon introduced--

S.F. No. 1380: A bill for an act relating to insurance; regulating claims practices; amending Minnesota Statutes 2004, section 72A.201, subdivision 6.

Referred to the Committee on Commerce.

Senator Pappas introduced--

S.F. No. 1381: A bill for an act relating to education; enabling school districts to focus on delivering academic services; transferring responsibilities for noncurricular athletic and fine arts activities for youth from school districts to local governments; amending Minnesota Statutes 2004, sections 122A.33; 123B.35; 123B.36, subdivision 1; 123B.49, subdivisions 1, 4; 123B.51, subdivision 4, by adding a subdivision; 124D.61; 124D.74, subdivision 6; 128C.01; 128C.02; 128C.03; 128C.05; 128C.07; 128C.08; 275.70, subdivision 5; repealing Minnesota Statutes 2004, section 124D.095, subdivision 5.

Referred to the Committee on Education.

Senators Pappas, Kierlin, Skoe, Tomassoni and Robling introduced--

S.F. No. 1382: A bill for an act relating to taxes; providing a credit for employer postsecondary education expenses; amending Minnesota Statutes 2004, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Pappas introduced--

S.F. No. 1383: A bill for an act relating to higher education; directing state grant program surpluses equally to the University of Minnesota and to Minnesota State Colleges and Universities; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Finance.

Senators Pappas and Kierlin introduced--

S.F. No. 1384: A bill for an act relating to higher education; providing tuition assistance to deaf individuals; proposing coding for new law in Minnesota Statutes, chapter 135A.

Referred to the Committee on Finance.

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

S.F. No. 1385: A bill for an act relating to agriculturally derived fuels; authorizing a study by the reliability administrator in the Department of Commerce to determine technical and economic aspects of using biodiesel fuel as a home heating fuel; requiring a report to the legislature.

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

Senators McGinn and Murphy introduced--

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

Referred to the Committee on Transportation.

Senators McGinn and Murphy introduced--

S.F. No. 1387: A bill for an act relating to public safety; prohibiting use of term "state patrol" in advertising for private detective or protective agent services; amending Minnesota Statutes 2004, section 326.3384, subdivision 1.

Referred to the Committee on Crime Prevention and Public Safety.

Senators McGinn and Murphy introduced--

S.F. No. 1388: A bill for an act relating to traffic regulations; modifying provision governing the passing of a parked emergency vehicle; amending Minnesota Statutes 2004, section 169.18, subdivision 11.

Referred to the Committee on Transportation.

Senators Higgins, Marko, Ourada, Scheid and Hottinger introduced--

S.F. No. 1389: A bill for an act relating to elections; moving the state primary from September to June and making conforming changes; amending Minnesota Statutes 2004, sections 10A.31, subdivision 6; 10A.321; 10A.322, subdivision 1; 10A.323; 204B.33; 204D.03, subdivision 1; 205.065, subdivision 1; 205A.03, subdivision 2.

Referred to the Committee on Elections.

Senator Higgins introduced--

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

Referred to the Committee on State and Local Government Operations.

Senator Larson introduced--

S.F. No. 1391: A bill for an act relating to human services; increasing the facility reimbursement rate for a facility in Otter Tail County; amending Minnesota Statutes 2004, section 256B.434, by adding a subdivision.

Referred to the Committee on Finance.

Senators Lourey, Wergin, Metzen, Day and Dille introduced--

S.F. No. 1392: A bill for an act relating to lawful gambling; providing for sports-themed tipboard games; amending Minnesota Statutes 2004, sections 349.12, subdivision 34; 349.151, by adding a subdivision; 349.1711, subdivision 2; 349.211, by adding a subdivision.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Anderson and Sams introduced--

S.F. No. 1393: A bill for an act relating to appropriations; appropriating money for Lifetrack Resources.

Referred to the Committee on Finance.

Senators Sparks, Michel, Metzen and Scheid introduced--

S.F. No. 1394: A bill for an act relating to insurance; no-fault auto; regulating certain rental vehicle coverage; amending Minnesota Statutes 2004, section 65B.49, subdivision 5a.

Referred to the Committee on Commerce.

Senators Foley, Solon, Jungbauer and Berglin introduced--

S.F. No. 1395: A bill for an act relating to human services; providing supportive housing services; appropriating money; amending Minnesota Statutes 2004, section 256K.25, subdivisions 2, 4.

Referred to the Committee on Finance.

Senators Pappas, Kierlin, Skoe, Larson and Pogemiller introduced--

S.F. No. 1396: A bill for an act relating to higher education; appropriating money to the Board of Regents of the University of Minnesota for a healthy society initiative.

Referred to the Committee on Finance.

Senators Kiscaden and Senjem introduced--

S.F. No. 1397: A bill for an act relating to the city of Rochester; providing for additional uses for the city sales and use tax revenues; increasing bonding authorization; amending Laws 1998, chapter 389, article 8, section 43, subdivisions 3, 4.

Referred to the Committee on Taxes.

Senators Scheid, Senjem and Hottinger introduced--

S.F. No. 1398: A bill for an act relating to environment; enacting the Minnesota Electronics Recycling Act of 2005; authorizing rulemaking; providing penalties; amending Minnesota Statutes 2004, section 16C.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116F.

Referred to the Committee on Environment and Natural Resources.

Senators Anderson; Johnson, D.E.; Kubly; Frederickson and Marko introduced--

S.F. No. 1399: A bill for an act relating to energy; regulating eligibility for grants from the renewable development fund; amending Minnesota Statutes 2004, section 216B.1694, subdivision 2.

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

Senators Reiter, McGinn and Bachmann introduced--

S.F. No. 1400: A bill for an act relating to public safety; establishing an Internet Crimes Against Children (ICAC) Task Force; specifying the task force's duties and membership; providing for grants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Stumpf, Pappas and Skoe introduced--

S.F. No. 1401: A bill for an act relating to higher education; regulating membership on the Board of Trustees of the Minnesota State Colleges and Universities; amending Minnesota Statutes 2004, section 136F.02, subdivision 1.

Referred to the Committee on Education.

Senators Stumpf, Marko and Kelley introduced--

S.F. No. 1402: A bill for an act relating to education finance; providing for an approved school finance system; appropriating money.

Referred to the Committee on Finance.

Senators Stumpf, Kelley, Skoglund, Jungbauer and Gaither introduced--

S.F. No. 1403: A bill for an act relating to education finance; providing additional funding for school lunches; appropriating money; amending Minnesota Statutes 2004, section 124D.111, subdivision 1.

Referred to the Committee on Finance.

Senator Bakk introduced--

S.F. No. 1404: A bill for an act relating to employment; providing exemptions from employment agency licensing requirements; prohibiting certain fee payments; amending Minnesota Statutes 2004, section 184.22, by adding subdivisions.

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

Senator Bakk introduced--

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

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

Senators Stumpf, Saxhaug, Bakk and Skoe introduced--

S.F. No. 1406: A bill for an act relating to natural resources; modifying requirements for forest classification for off-highway vehicles; amending Laws 2003, chapter 128, article 1, section 167, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senator Jungbauer introduced--

S.F. No. 1407: A bill for an act relating to health; establishing criteria for placement of a secure forensic state nursing facility; amending Minnesota Statutes 2004, section 246.014.

Referred to the Committee on Health and Family Security.

Senators Kiscaden and Neuville introduced--

S.F. No. 1408: A bill for an act relating to family law; providing a presumption in favor of joint physical custody; amending Minnesota Statutes 2004, sections 518.003, subdivision 3; 518.156, by adding a subdivision; 518.17, subdivision 2.

Referred to the Committee on Judiciary.

Senators Kiscaden, Foley and Neuville introduced--

S.F. No. 1409: A bill for an act relating to marriage dissolution; requiring a charge for certain use of child support and maintenance collection services; requiring the provision of direct deposit of child support payments; amending Minnesota Statutes 2004, section 518.6111, subdivision 4, by adding a subdivision.

Referred to the Committee on Judiciary.

Senator Saxhaug introduced--

S.F. No. 1410: A bill for an act relating to education finance; allowing school districts to levy for all-day kindergarten; proposing coding for new law in Minnesota Statutes, chapter 126C.

Referred to the Committee on Finance.

Senator Saxhaug introduced--

S.F. No. 1411: A bill for an act relating to education finance; modifying the qualifications for the alternative facilities bonding program; amending Minnesota Statutes 2004, section 123B.59, subdivision 1.

Referred to the Committee on Finance.

Senator Saxhaug introduced--

S.F. No. 1412: A bill for an act relating to education; allowing school districts to levy for school bus purchases; proposing coding for new law in Minnesota Statutes, chapter 126C.

Referred to the Committee on Finance.

Senators Dille, Hann, Vickerman, Kubly and Sams introduced--

S.F. No. 1413: A bill for an act relating to agriculture; appropriating money for the Veterinary Diagnostic Laboratory.

Referred to the Committee on Finance.

Senator Vickerman introduced--

S.F. No. 1414: A bill for an act relating to human services; increasing the reimbursement rate

for a nursing facility in Jackson County; amending Minnesota Statutes 2004, section 256B.434, by adding a subdivision.

Referred to the Committee on Finance.

Senators Hann and Gerlach introduced--

S.F. No. 1415: A bill for an act relating to civil actions; reducing the limitation period for bringing certain actions; amending Minnesota Statutes 2004, section 541.05, subdivision 1.

Referred to the Committee on Judiciary.

Senators Ortman, Michel and Gerlach introduced--

S.F. No. 1416: A bill for an act relating to civil actions; providing for interlocutory appeal on the question of class certification in a civil action; specifying required damages in order to be a member of a class; proposing coding for new law in Minnesota Statutes, chapter 540.

Referred to the Committee on Judiciary.

Senator Skoe introduced--

S.F. No. 1417: A bill for an act relating to education; eliminating the commissioner of education as an eligible charter school sponsor; amending Minnesota Statutes 2004, section 124D.10, subdivision 4.

Referred to the Committee on Education.

Senator Skoe introduced--

S.F. No. 1418: A bill for an act relating to appropriations; reinstating the beaver damage control grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103F.

Referred to the Committee on Finance.

Senators Ranum, Pogemiller, Larson and Belanger introduced--

S.F. No. 1419: A bill for an act relating to the city of Richfield; authorizing the creation of a redevelopment tax increment financing district.

Referred to the Committee on Taxes.

Senator Saxhaug introduced--

S.F. No. 1420: A bill for an act relating to education finance; allowing school districts to levy for health care costs; amending Minnesota Statutes 2004, section 126C.41, by adding a subdivision.

Referred to the Committee on Finance.

Senators Solon, Berglin, Pappas, Lourey and Higgins introduced--

S.F. No. 1421: A bill for an act relating to human services; creating parents as scholars pilot project; appropriating money.

Referred to the Committee on Health and Family Security.

Senators Solon, Berglin, Pappas, Rosen and Lourey introduced--

S.F. No. 1422: A bill for an act relating to higher education; providing assistance to expand the supply of trained nurses; creating a nursing education loan program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Finance.

Senator Kleis introduced--

S.F. No. 1423: A bill for an act relating to public safety; expanding the burglary crime; amending Minnesota Statutes 2004, section 609.582, subdivisions 1, 2, 3.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Sams introduced--

S.F. No. 1424: A bill for an act relating to environment; authorizing annual adjustment of dry cleaner environmental fees; amending Minnesota Statutes 2004, section 115B.49, by adding a subdivision; repealing Minnesota Statutes 2004, section 115B.49, subdivision 4a.

Referred to the Committee on Finance.

Senators Ortman, Robling, Murphy and Betzold introduced--

S.F. No. 1425: A bill for an act relating to government data practices; classifying certain data of the Department of Transportation; amending Minnesota Statutes 2004, sections 13.591, by adding a subdivision; 13.72, by adding subdivisions.

Referred to the Committee on Transportation.

Senators Hottinger and Limmer introduced--

S.F. No. 1426: A bill for an act relating to environment; adopting the Uniform Environmental Covenants Act; amending Minnesota Statutes 2004, section 115B.17, subdivision 15; proposing coding for new law as Minnesota Statutes, chapter 114D.

Referred to the Committee on Environment and Natural Resources.

Senators Gaither and Kiscaden introduced--

S.F. No. 1427: A bill for an act relating to occupations; creating sign specialist licenses to be issued by the Board of Electricity; authorizing rulemaking; amending Minnesota Statutes 2004, sections 326.241, subdivision 1; 326.242, by adding a subdivision.

Referred to the Committee on State and Local Government Operations.

MEMBERS EXCUSED

Senator Scheid was excused from the Session of today from 9:00 to 9:35 a.m. Senator Anderson was excused from the Session of today from 9:30 to 10:00 a.m. Senator Sams was excused from the Session of today at 11:15 a.m. Senator Senjem was excused from the Session of today at 11:55 a.m.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 11:00 a.m., Monday, March 7, 2005. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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