

FORTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, April 28, 2005

The Senate met at 1:00 p.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Pastor Jeff Ronning.

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

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

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 File, herewith returned: S.F. No. 1252.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 27, 2005

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 4: A bill for an act relating to agriculture; increasing minimum ethanol content

required for gasoline sold in the state; establishing a petroleum replacement goal; amending Minnesota Statutes 2004, section 239.791, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 239.

Senate File No. 4 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 27, 2005

Senator Sams moved that the Senate do not concur in the amendments by the House to S.F. No. 4, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 473 and 847.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 27, 2005

FIRST READING OF HOUSE BILLS

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

H.F. No. 473: A bill for an act relating to creditors' remedies; exempting certain jewelry from attachment, garnishment, or sale; amending Minnesota Statutes 2004, section 550.37, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 288, now on General Orders.

H.F. No. 847: A bill for an act relating to game and fish; modifying purchasing requirements; modifying certain definitions; providing for special fish management tags; specifying status of and regulating stands and blinds on public lands; modifying authority to take animals causing damage; modifying use of scopes and laser sights by visually impaired hunters; modifying certain license requirements; modifying restrictions on taking waterfowl and big game; authorizing rulemaking; modifying requirements for field training hunting dogs; modifying certain seasons; modifying trapping provisions; modifying period for treeing raccoons; prohibiting computer-assisted remote hunting; modifying restrictions on decoys; modifying disposition of state hatchery products; permitting use of silencers for wildlife control; modifying fishing and commercial fishing provisions; repealing authority for the Mississippi River Fish Refuge; repealing authority to issue certain orders; amending Minnesota Statutes 2004, sections 84.025, subdivision 10; 84.027, subdivision 13; 97A.015, subdivisions 29, 49; 97A.045, subdivision 1, by adding a subdivision; 97A.401, subdivision 5; 97A.405, subdivision 4, by adding a subdivision; 97A.435, subdivisions 2, 4; 97A.441, subdivision 7; 97A.451, subdivisions 3, 5; 97A.475, subdivisions 7, 16; 97A.485, subdivision 9; 97A.551, by adding a subdivision; 97B.005, subdivisions 1, 3; 97B.025; 97B.031, subdivisions 1, 5; 97B.111, subdivision 2; 97B.621, subdivision 2; 97B.655, subdivision 2; 97B.711, subdivision 1; 97B.803; 97B.805, subdivision 1; 97B.811, subdivisions 3, 4a; 97C.203; 97C.327; 97C.345, subdivision 2; 97C.395, subdivision 1; 97C.401, subdivision 2; 97C.825, subdivision 5; 609.66, subdivisions 1h, 2; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 2004, sections 88.27; 97B.005, subdivision 4; 97B.935; 97C.015; 97C.403; 97C.825, subdivisions 6, 7, 8, 9.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

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

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

H.F. No. 1333 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1333	1275				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

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

S.F. No. 1703: A bill for an act relating to transportation; imposing a sales tax within the metropolitan area with the proceeds dedicated to metropolitan transportation and transit improvements and services; providing for allocation of revenues for the motor vehicle sales tax; appropriating money; amending Minnesota Statutes 2004, section 297B.09, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 174; proposing coding for new law as Minnesota Statutes, chapter 473J.

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

Pages 1 to 3, delete section 2

Page 7, line 4, delete "3" and insert "2" and delete "7" and insert "6"

Page 7, delete section 9

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "creating a high-speed rail fund;"

Page 1, line 5, delete "providing for allocation of"

Page 1, delete line 6

Page 1, lines 7 and 8, delete "amending Minnesota Statutes 2004, section 297B.09, subdivision 1;"

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

SECOND READING OF HOUSE BILLS

H.F. No. 1333 was read the second time.

MOTIONS AND RESOLUTIONS

Senator Wiger moved that the name of Senator McGinn be added as a co-author to S.F. No. 1975. The motion prevailed.

Senator Stumpf introduced--

Senate Resolution No. 94: A Senate resolution honoring Kirk John Hanson of Warren, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

SPECIAL ORDERS

Pursuant to Rule 26, Senator Johnson, D.E., Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. Nos. 1940, 1780, H.F. No. 1320, S.F. Nos. 1486, 893, 1509 and H.F. No. 915.

SPECIAL ORDER

S.F. No. 1940: A bill for an act relating to the Metropolitan Airports Commission; requiring senate confirmation of the chair; providing a residency requirement and for terms of office; creating a nominating committee; modifying a reporting requirement; amending Minnesota Statutes 2004, sections 473.123, subdivisions 2a, 3; 473.604, subdivision 1; 473.621, subdivision 1b.

Senator Rest moved to amend S.F. No. 1940 as follows:

Page 6, delete section 4 and insert:

"Sec. 4. Minnesota Statutes 2004, section 473.621, subdivision 1b, is amended to read:

Subd. 1b. [ANNUAL REPORT TO LEGISLATURE.] The corporation shall report to the legislature by ~~February 15~~ March 30 of each year concerning operations at Minneapolis-St. Paul International Airport and each reliever airport. Regarding Minneapolis-St. Paul International Airport, the report must include the number of aircraft operations and passenger enplanements at the airport in the preceding year, current airport capacity in terms of operations and passenger enplanements, average length of delay statistics, and technological developments affecting aviation and their effect on operations and capacity at the airport. The report must include information in all the foregoing categories as it relates to operations at Wayne County Metropolitan Airport in Detroit. The report must compare the number of passenger enplanements and the number of aircraft operations with the 1993 Metropolitan Airports Commission baseline forecasts of total passengers and total aircraft operations. The report must include the aircraft operations, based aircraft, and status of major development programs at each reliever airport."

Amend the title as follows:

Page 1, line 2, delete "the Metropolitan Airports Commission" and insert "metropolitan government"

Page 1, line 3, before the semicolon, insert "of the Metropolitan Airports Commission"

Page 1, line 4, before the semicolon, insert "for members of the Metropolitan Council and the Metropolitan Airports Commission"

The motion prevailed. So the amendment was adopted.

Senator Marko moved to amend S.F. No. 1940 as follows:

Page 1, line 21, strike everything after "members"

Page 1, strike lines 22 and 23

Page 1, line 24, strike everything before "A" and insert "are as follows: members representing even-numbered districts for terms ending the first Monday in January of the year ending in the numeral "7"; members representing odd-numbered districts for terms ending the first Monday in January of the year ending in the numeral "5." Thereafter the term of each member is four years except that all terms expire on the effective date of the next apportionment."

Page 6, after line 24, insert:

"Sec. 5. [EFFECTIVE DATE.]

The terms of council members provided by section 1 are effective for members serving in the enumerated districts on August 1, 2005."

The motion prevailed. So the amendment was adopted.

S.F. No. 1940 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 52 and nays 11, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bachmann	LeClair	Neuville	Ortman	Reiter
Gaither	Michel	Olson	Pariseau	Ruud
Hann				

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

SPECIAL ORDER

S.F. No. 1780: A bill for an act relating to employment; permitting employers of professional athletes to request or require random drug testing for the presence of anabolic steroids; amending Minnesota Statutes, section 181.951, subdivision 4.

Senator Rest moved to amend S.F. No. 1780 as follows:

Amend the title as follows:

Page 1, line 4, delete "for the presence of anabolic steroids"

Page 1, line 5, after "Statutes" insert "2004"

The motion prevailed. So the amendment was adopted.

S.F. No. 1780 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 57 and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

SPECIAL ORDER

H.F. No. 1320: A bill for an act relating to local government; modifying regional park district provisions for Hennepin County; changing the term limit for a park superintendent; amending Minnesota Statutes 2004, sections 383B.68, subdivisions 1, 2, 4; 383B.70; 383B.702; 383B.703; 383B.71; 383B.72; 383B.73, subdivision 1; 398.10; 473.351, subdivisions 1, 6; 609.531, subdivision 1.

Senator Rest moved to amend H.F. No. 1320, as amended pursuant to Rule 45, adopted by the Senate April 26, 2005, as follows:

(The text of the amended House File is identical to S.F. No. 1267.)

Page 6, after line 8, insert:

"Sec. 11. Minnesota Statutes 2004, section 473.351, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] The definitions in this subdivision apply to this section.

(a) "Implementing agency" means the counties of Anoka, Washington, Ramsey, Scott, Carver, Dakota, the city of St. Paul, the city of Bloomington, the Minneapolis Park and Recreation Board, and the ~~Hennepin County~~ Three Rivers Park Reserve District.

(b) "Operation and maintenance expenditures" means the cost of providing for the operation and maintenance of waters, lands, and facilities that are a part of the metropolitan area regional park and open space system, including but not limited to, the provision of fire, police, maintenance, forestry, rehabilitation expenses pertaining to routine care, and the allocation of the administrative overhead costs of the regional park and open space systems.

(c) "Operation and maintenance money" means money appropriated by the legislature to the commissioner of employment and economic development for distribution by the Metropolitan Council.

(d) "Regional recreation open space systems" means those parks that have been designated by the Metropolitan Council under section 473.145."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 1320 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 61 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kleis

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

SPECIAL ORDER

S.F. No. 1486: A bill for an act relating to public safety; prohibiting quotas for issuing traffic and vehicle inspection citations; amending Minnesota Statutes 2004, section 299D.08.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 893: A bill for an act relating to counties; authorizing county boards to contract for the sale of biomass; amending Minnesota Statutes 2004, section 282.04, subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1509: A bill for an act relating to housing; providing certain manufactured home park exclusions; amending Minnesota Statutes 2004, section 327.23, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 915: A bill for an act relating to transportation; modifying provisions relating to aeronautics; making clarifying changes; amending Minnesota Statutes 2004, sections 360.305, subdivision 4; 360.55, subdivisions 2, 3, 4, 4a; 360.58; 360.59, subdivisions 2, 5, 7, 8; 360.63, subdivision 2; 360.67, subdivision 4; 394.22, subdivision 12; 394.361, subdivisions 1, 3; 462.352, subdivision 10; 462.355, subdivision 4; 462.359, subdivisions 1, 3; repealing Minnesota Statutes 2004, section 360.59, subdivisions 4, 9.

Senator Moua moved to amend H.F. No. 915 as follows:

Page 15, after line 7, insert:

"Sec. 20. [PARKING LOT LEASE.]

Notwithstanding any law to the contrary, the commissioner of administration shall negotiate a lease with a prospective tenant regarding the use for fair market value of the parking lot of the state-owned building at 222 East Plato Boulevard in the city of St. Paul. Money received by reason of the lease must be deposited in the state airports fund.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 915 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

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

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

S.F. No. 1980: A bill for an act relating to appropriations; appropriating money for transportation, Metropolitan Council, and public safety activities; providing for general contingent accounts and tort claims; authorizing issuance of trunk highway bonds; modifying provision for handling state mail; modifying vehicle registration tax and fee provisions; increasing fees for motor vehicle transfers and driver and vehicle services; establishing and modifying accounts; abolishing statewide bicycle registration program; proposing an amendment to the Minnesota Constitution, article XIV; providing for road signs; establishing multimodal transportation fund; increasing and indexing tax on motor fuels and allocating proceeds of the increase; reapportioning

highway state-aid money to counties; changing vehicle registration tax rates; allocating proceeds of sales tax on motor vehicles; authorizing local transportation sales and excise tax; requiring a report; making technical and clarifying revisions; amending Minnesota Statutes 2004, sections 16B.49; 115A.908, subdivision 1; 161.04, by adding a subdivision; 161.081, subdivision 3; 162.06, subdivision 2; 162.07, subdivision 1, by adding subdivisions; 168.011, by adding a subdivision; 168.013, subdivisions 1a, 8; 168.09, subdivision 7; 168.105, subdivisions 2, 3, 5; 168.12; 168.123; 168.1235; 168.124; 168.125; 168.1255; 168.127, subdivision 6; 168.128; 168.129; 168.1291; 168.1293; 168.1296; 168.1297; 168.27, subdivision 11; 168.33; 168.345, subdivisions 1, 2; 168.381; 168.54, subdivisions 4, 5; 168A.152, subdivision 2; 168A.29; 168A.31; 169.09, subdivision 13; 169A.60, subdivision 16; 171.06, subdivisions 2, 2a; 171.061, subdivision 4; 171.07, subdivision 11; 171.13, subdivision 6, by adding a subdivision; 171.20, subdivision 4; 171.26; 171.29, subdivision 2; 171.36; 296A.07, subdivision 3, by adding a subdivision; 296A.08, subdivision 2, by adding a subdivision; 297B.09, subdivision 1; 446A.085, subdivisions 3, 8, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16A; 160; 161; 168; 297A; 299A; repealing Minnesota Statutes 2004, sections 168.012, subdivision 12; 168.041, subdivision 11; 168.105, subdivision 6; 168.231; 168.345, subdivisions 3, 4; 168C.01; 168C.02; 168C.03; 168C.04; 168C.05; 168C.06; 168C.07; 168C.08; 168C.09; 168C.10; 168C.11; 168C.12; 168C.13; 170.23; 171.12, subdivision 8; 171.185; Minnesota Rules, parts 7407.0100; 7407.0200; 7407.0300; 7407.0400; 7407.0500; 7407.0600; 7407.0700; 7407.0800; 7407.0900; 7407.1000; 7407.1100; 7407.1200; 7407.1300.

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

Pages 2 to 14, delete article 1 and insert:

"ARTICLE 1

APPROPRIATIONS

TRANSPORTATION AND OTHER AGENCIES

Section 1. [APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are added to, or, if shown in parentheses, are subtracted from the appropriations to the specified agencies in 2005 S.F. No. 1879, article 8, if enacted. The appropriations are available for the fiscal year indicated for each purpose. The figures "2006" and "2007," where used in this article, mean that the additions to or subtractions from the appropriations listed under them are for the year ending June 30, 2006, or June 30, 2007, respectively. The "first year" is fiscal year 2006. The "second year" is fiscal year 2007.

SUMMARY BY FUND

	2006	2007	TOTAL
Trunk Highway	\$785,000	\$-0-	\$785,000
Special Revenue	\$746,000	\$1,396,000	\$2,142,000
TOTAL	\$1,531,000	\$1,396,000	\$2,927,000

APPROPRIATIONS

Available for the Year

Ending June 30

2006	2007
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Sec. 2. TRANSPORTATION

Subdivision 1. State Roads

-0-	-0-
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This appropriation is from the trunk highway fund.

(a) Infrastructure Investment Support

\$1,200,000 is added to the budget base for each of fiscal years 2008 and 2009 for this appropriation.

These amounts must be used for traffic and pedestrian safety, including, but not limited to, producing educational and informational materials on pedestrian crosswalk safety, impaired driving, seat belt usage, speeding, and driver distraction. The commissioner of public safety may make grants to local units of government or use the funds for research related to traffic and pedestrian safety. As part of the next biennial budget submission, the commissioner shall report on the expenditure of these funds and make recommendations regarding the need for continued funding of traffic and pedestrian safety initiatives."

Page 15, line 31, delete "\$8" and insert "\$10"

Page 59, line 18, before the semicolon, insert ", through June 30, 2007, and then \$10 thereafter"

Page 59, line 27, after "collected" insert "by the commissioner"

Page 60, line 3, after "remainder" insert "of the fee collected by the commissioner"

Page 68, lines 18 and 20, delete "\$21.50" and insert "\$16.50" and delete "\$25.50" and insert "\$20.50"

Page 68, line 19, delete "\$32.50" and insert "\$27.50" and delete "\$40.50" and insert "\$35.50"

Page 68, line 21, delete "\$32.50" and insert "\$27.50" and delete "\$20.50" and insert "\$15.50"

Page 68, line 23, delete "\$12.50" and insert "\$7.50"

Page 68, line 25, delete "\$11.00" and insert "\$6"

Page 68, line 29, delete "\$15.50" and insert "\$10.50"

Page 69, after line 10, insert:

"(d) In addition to the fees required under this section, the registrar shall collect an additional filing fee for each application for a driver's license, provisional license, restricted license, duplicate license, instruction permit, Minnesota identification card, or motorized bicycle operator's permit in the amount of \$5 through June 30, 2007, and then a filing fee of \$6.50 thereafter."

Page 69, line 35, before the period, insert "through June 30, 2007, and then a filing fee of \$6.50 thereafter"

Page 77, line 30, delete "and" and after "171.185" insert "; and 473.408, subdivision 1"

Page 78, after line 3, insert:

"Section 1. Minnesota Statutes 2004, section 160.294, subdivision 1a, is amended to read:

Subd. 1a. [BUSINESS PANELS.] (a) Business panels shall be made of reflective sheeting and shall not resemble a traffic sign, signal, or device. The business' trademark, symbol, or logo shall be consistent on all business panels for a specific business. Except as provided in paragraph (b), the business panel shall not include any supplemental messages or additional verbiage.

(b) The Department of Transportation shall include on the business panel of a business that sells E85, as defined in section 296A.01, subdivision 19, at retail, a symbol or logo indicating that E85 is available at the business. The department shall not charge the business any additional fee for this symbol or logo."

Page 81, after line 11, insert:

"Sec. 6. Minnesota Statutes 2004, section 161.14, is amended by adding a subdivision to read:

Subd. 51. [VETERANS MEMORIAL BRIDGE.] The interstate bridge on marked Trunk Highway 10 connecting the city of Moorhead with the city of Fargo, North Dakota, is named and designated as the Veterans Memorial Bridge. The commissioner of transportation shall adopt a suitable marking design to mark this bridge and erect appropriate signs, subject to section 161.139."

Page 81, after line 19, insert:

"Sec. 8. Minnesota Statutes 2004, section 169.01, subdivision 78, is amended to read:

Subd. 78. [RECREATIONAL VEHICLE COMBINATION.] "Recreational vehicle combination" means a combination of vehicles consisting of a pickup truck as defined in section 168.011, subdivision 29, attached by means of a fifth-wheel coupling to a camper-semitrailer which has hitched to it a trailer carrying a watercraft as defined in section 86B.005, subdivision 18; off-highway motorcycle as defined in section 84.787, subdivision 7; motorcycle; motorized bicycle; snowmobile as defined in section 84.81, subdivision 3; ~~or~~ all-terrain vehicle as defined in section 84.92, subdivision 8; or equestrian equipment and supplies. For purposes of this subdivision:

(a) A "fifth-wheel coupling" is a coupling between a camper-semitrailer and a towing pickup truck in which a portion of the weight of the camper-semitrailer is carried over or forward of the rear axle of the towing pickup.

(b) A "camper-semitrailer" is a trailer, other than a manufactured home as defined in section 327B.01, subdivision 13, designed for human habitation and used for vacation or recreational purposes for limited periods.

Sec. 9. Minnesota Statutes 2004, section 169.81, subdivision 3c, is amended to read:

Subd. 3c. [RECREATIONAL VEHICLE COMBINATION.] Notwithstanding subdivision 3, a recreational vehicle combination may be operated without a permit if:

(1) the combination does not consist of more than three vehicles, and the towing rating of the pickup truck is equal to or greater than the total weight of all vehicles being towed;

(2) the combination does not exceed 60 feet in length;

(3) the camper-semitrailer in the combination does not exceed 28 feet in length;

(4) the operator of the combination is at least 18 years of age;

(5) the trailer carrying a watercraft, motorcycle, motorized bicycle, off-highway motorcycle, snowmobile, ~~or~~ all-terrain vehicle, or equestrian equipment and supplies meets all requirements of law;

(6) the trailers in the combination are connected to the pickup truck and each other in conformity with section 169.82; and

(7) the combination is not operated within the seven-county metropolitan area, as defined in section 473.121, subdivision 2, during the hours of 6:00 a.m. to 9:00 a.m. and 4:00 p.m. to 7:00 p.m. on Mondays through Fridays.

Sec. 10. Minnesota Statutes 2004, section 169.8261, is amended to read:

169.8261 [GROSS WEIGHT LIMITATIONS; FOREST PRODUCTS.]

(a) A vehicle or combination of vehicles hauling raw or unfinished forest products, including wood chips, by the most direct route to the nearest highway that has been designated under section 169.832, subdivision 11, may be operated on any highway with gross weights permitted under sections 169.822 to 169.829 without regard to load restrictions imposed on that highway, except that such the vehicles must:

(1) comply with seasonal load restrictions in effect between the dates set by the commissioner under section 169.87, subdivision 2;

(2) comply with bridge load limits posted under section 169.84;

(3) be equipped and operated with six axles and brakes;

(4) not exceed 90,000 pounds gross weight, or 98,000 pounds gross weight during the time when seasonal increases are authorized under section 169.826;

(5) not be operated on interstate and defense highways;

(6) obtain an annual permit from the commissioner of transportation; and

(7) obey all road postings; and

(8) not exceed 20,000 pounds gross weight on any single axle.

(b) A vehicle operated under this section may exceed the legal axle weight limits listed in section 169.824 by not more than 12.5 percent; except that, the weight limits may be exceeded by not more than 22.5 percent during the time when seasonal increases are authorized under section 169.826, subdivision 1.

Sec. 11. Minnesota Statutes 2004, section 169.851, subdivision 5, is amended to read:

Subd. 5. [EXCEPTION FOR FARM AND FOREST PRODUCTS.] ~~The maximum weight provisions of this section do~~ Subdivision 4 of this section does not apply to the first haul of unprocessed or raw farm products and the transportation of raw and unfinished forest products, including wood chips, when the prescribed maximum weight limitation is limitations permitted under sections 169.822 to 169.829 are not exceeded by more than ten percent.

Sec. 12. Minnesota Statutes 2004, section 169.86, subdivision 5, is amended to read:

Subd. 5. [FEE; PROCEEDS DEPOSITED; APPROPRIATION.] The commissioner, with respect to highways under the commissioner's jurisdiction, may charge a fee for each permit issued. All such fees for permits issued by the commissioner of transportation shall be deposited in the state treasury and credited to the trunk highway fund. Except for those annual permits for which the permit fees are specified elsewhere in this chapter, the fees shall be:

(a) \$15 for each single trip permit.

(b) \$36 for each job permit. A job permit may be issued for like loads carried on a specific route for a period not to exceed two months. "Like loads" means loads of the same product, weight, and dimension.

(c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety or well-being of the public;

(2) motor vehicles which travel on interstate highways and carry loads authorized under subdivision 1a;

(3) motor vehicles operating with gross weights authorized under section 169.826, subdivision 1a;

(4) special pulpwood vehicles described in section 169.863;

(5) motor vehicles bearing snowplow blades not exceeding ten feet in width; and

(6) noncommercial transportation of a boat by the owner or user of the boat.

(d) \$120 for an oversize annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) mobile cranes;

(2) construction equipment, machinery, and supplies;

(3) manufactured homes and manufactured storage buildings;

(4) implements of husbandry when the movement is not made according to the provisions of paragraph (i);

(5) double-deck buses;

(6) commercial boat hauling; and

(7) three-vehicle combinations consisting of two empty, newly manufactured trailers for cargo, horses, or livestock, not to exceed 28-1/2 feet per trailer; provided, however, the permit allows the vehicles to be moved from a trailer manufacturer to a trailer dealer only while operating on twin-trailer routes designated under section 169.81, subdivision 3, paragraph (c).

(e) For vehicles which have axle weights exceeding the weight limitations of sections 169.822 to 169.829, an additional cost added to the fees listed above. However, this paragraph applies to any vehicle described in section 168.013, subdivision 3, paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in that paragraph, and then the additional cost is for all weight, including the allowance weight, in excess of the permitted maximum axle weight. The additional cost is equal to the product of the distance traveled times the sum of the overweight axle group cost factors shown in the following chart:

Overweight Axle Group Cost Factors

Weight (pounds) exceeding weight limitations on axles	Cost Per Mile For Each Group Of:		
	Two consec- utive axles spaced within 8 feet or less	Three consec- utive axles spaced within 9 feet or less	Four consec- utive axles spaced within 14 feet or less
0-2,000	.12	.05	.04
2,001-4,000	.14	.06	.05
4,001-6,000	.18	.07	.06
6,001-8,000	.21	.09	.07
8,001-10,000	.26	.10	.08
10,001-12,000	.30	.12	.09
12,001-14,000	Not permitted	.14	.11
14,001-16,000	Not permitted	.17	.12
16,001-18,000	Not permitted	.19	.15
18,001-20,000	Not permitted	Not permitted	.16
20,001-22,000	Not permitted	Not permitted	.20

The amounts added are rounded to the nearest cent for each axle or axle group. The additional cost does not apply to paragraph (c), clauses (1) and (3).

For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile fee of

22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed in addition to the normal permit fee. Miles must be calculated based on the distance already traveled in the state plus the distance from the point of detection to a transportation loading site or unloading site within the state or to the point of exit from the state.

(f) As an alternative to paragraph (e), an annual permit may be issued for overweight, or oversize and overweight, construction equipment, machinery, and supplies. The fees for the permit are as follows:

Gross Weight (pounds) of Vehicle	Annual Permit Fee
90,000 or less	\$200
90,001 - 100,000	\$300
100,001 - 110,000	\$400
110,001 - 120,000	\$500
120,001 - 130,000	\$600
130,001 - 140,000	\$700
140,001 - 145,000	\$800

If the gross weight of the vehicle is more than 145,000 pounds the permit fee is determined under paragraph (e).

(g) For vehicles which exceed the width limitations set forth in section 169.80 by more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a) when the permit is issued while seasonal load restrictions pursuant to section 169.87 are in effect.

(h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for refuse-compactor vehicles that carry a gross weight of not more than: 22,000 pounds on a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.828, subdivision 2, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000 pounds.

(i) For vehicles exclusively transporting implements of husbandry, an annual permit fee of \$24. A vehicle operated under a permit authorized by this paragraph may be moved at the discretion of the permit holder without prior route approval by the commissioner if:

- (1) the total width of the transporting vehicle, including load, does not exceed 14 feet;
- (2) the vehicle is operated only between sunrise and 30 minutes after sunset, and is not operated at any time after 12:00 noon on Sundays or holidays;
- (3) the vehicle is not operated when visibility is impaired by weather, fog, or other conditions that render persons and other vehicles not clearly visible at 500 feet;
- (4) the vehicle displays at the front and rear of the load or vehicle a pair of flashing amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of the vehicle exceeds 126 inches; and
- (5) the vehicle is not operated on a trunk highway with a surfaced roadway width of less than 24 feet unless such operation is authorized by the permit.

A permit under this paragraph authorizes movements of the permitted vehicle on an interstate highway, and movements of 75 miles or more on other highways.

(j) \$300 for a motor vehicle described in section 169.8261. The fee under this paragraph must be deposited as follows:

- (1) in fiscal years 2005 through 2010:
 - (i) the first \$50,000 in each fiscal year must be deposited in the trunk highway fund for costs related to administering the permit program and inspecting and posting bridges;

(ii) all remaining money in each fiscal year must be deposited in a bridge inspection and signing account in the special revenue fund. Money in the account is appropriated to the commissioner for:

(A) inspection of local bridges and identification of local bridges to be posted, including contracting with a consultant for some or all of these functions; and

(B) erection of weight-posting signs on local bridges; and

(2) in fiscal year 2011 and subsequent years must be deposited in the trunk highway fund.

Sec. 13. [169.864] [SPECIAL PAPER PRODUCTS VEHICLE PERMIT.]

Subdivision 1. [THREE-UNIT VEHICLE.] The commissioner may issue a permit for a vehicle that meets the following requirements:

(1) is a combination of vehicles, including a truck-tractor and a semitrailer drawing one additional semitrailer, which may be equipped with an auxiliary dolly. No semitrailer used in a three-vehicle combination may have an overall length in excess of 28-1/2 feet;

(2) has a maximum gross vehicle weight of 108,000 pounds;

(3) complies with the axle weight limits in section 169.824 or with the federal bridge formula for axle groups not described in that section;

(4) complies with the tire weight limits in section 169.823 or the tire manufacturers' recommended load, whichever is less;

(5) is operated only in this state on Trunk Highway marked 2 between Grand Rapids and the port of Duluth; on Trunk Highway marked 169 between Grand Rapids and its junction with Trunk Highway marked 53; and on Trunk Highway marked 53 between Virginia and the port of Duluth; and

(6) the seasonal weight increases authorized under section 169.826, subdivision 1, do not apply.

Subd. 2. [TWO-UNIT VEHICLE.] The commissioner may issue a permit for a vehicle that meets the following requirements:

(1) is a combination of vehicles consisting of a truck-tractor and a single semitrailer that may exceed 48 feet, but not 53 feet if the distance from the kingpin to the centerline of the rear axle group of the semitrailer does not exceed 43 feet;

(2) has a maximum gross vehicle weight of 90,000 pounds;

(3) has a maximum gross vehicle weight of 98,000 pounds during the time when seasonal weight increases authorized under section 169.826, subdivision 1, are in effect;

(4) complies with the axle weight limits in section 169.824 or with the federal bridge formula for axle groups not described in that section;

(5) complies with the tire weight limits in section 169.823 or the tire manufacturers' recommended load, whichever is less; and

(6) is operated only on the highways specified in subdivision 1, clause (5).

Subd. 3. [RESTRICTIONS.] Vehicles issued permits under subdivisions 1 and 2 must comply with the following restrictions:

(1) the vehicle must be operated in compliance with seasonal load restrictions under section 169.87;

(2) the vehicle may not be operated on the interstate highway system; and

(3) the vehicle may be operated on streets or highways under the control of local authorities only upon the approval of the local authority; however, vehicles may have reasonable access to terminals and facilities for food, fuel, repairs, and rest and for continuity of route within one mile of the national network as provided by section 169.81, subdivision 3, and by Code of Federal Regulations, title 23, part 658.19.

Subd. 4. [PERMIT FEE.] Vehicle permits issued under subdivision 1, clause (1), must be annual permits. The fee is \$850 for each vehicle and must be deposited in the trunk highway fund. An amount sufficient to administer the permit program is appropriated to the commissioner for the costs of administering the permit program.

[EFFECTIVE DATE.] This section is effective the later of August 1, 2006, or the date on which the commissioner determines that building permits have been issued for the construction of a new pulp and paper manufacturing facility at Grand Rapids.

Sec. 14. Minnesota Statutes 2004, section 469.015, subdivision 4, is amended to read:

Subd. 4. [EXCEPTIONS.] (a) An authority need not require competitive bidding in the following circumstances:

(1) in the case of a contract for the acquisition of a low-rent housing project:

(i) for which financial assistance is provided by the federal government;

(ii) which does not require any direct loan or grant of money from the municipality as a condition of the federal financial assistance; and

(iii) for which the contract provides for the construction of the project upon land that is either owned by the authority for redevelopment purposes or not owned by the authority at the time of the contract but the contract provides for the conveyance or lease to the authority of the project or improvements upon completion of construction;

(2) with respect to a structured parking facility:

(i) constructed in conjunction with, and directly above or below, a development; and

(ii) financed with the proceeds of tax increment or parking ramp general obligation or revenue bonds; and

(3) until August 1, 2009, with respect to a facility built for the purpose of facilitating the operation of public transit or encouraging its use:

(i) constructed in conjunction with, and directly above or below, a development; and

(ii) financed with the proceeds of parking ramp general obligation or revenue bonds or with at least 60 percent of the construction cost being financed with funding provided by the federal government; and

(4) in the case of any building in which at least 75 percent of the usable square footage constitutes a housing development project if:

(i) the project is financed with the proceeds of bonds issued under section 469.034 or from nongovernmental sources;

(ii) the project is either located on land that is owned or is being acquired by the authority only for development purposes, or is not owned by the authority at the time the contract is entered into but the contract provides for conveyance or lease to the authority of the project or improvements upon completion of construction; and

(iii) the authority finds and determines that elimination of the public bidding requirements is necessary in order for the housing development project to be economical and feasible.

(b) An authority need not require a performance bond for the following projects:

(1) a contract described in paragraph (a), clause (1);

(2) a construction change order for a housing project in which 30 percent of the construction has been completed;

(3) a construction contract for a single-family housing project in which the authority acts as the general construction contractor; or

(4) a services or materials contract for a housing project.

For purposes of this paragraph, "services or materials contract" does not include construction contracts."

Page 81, after line 26, insert:

"Sec. 16. [STUDY AND REPORT ON LOCAL ROAD FUNDING ALTERNATIVES.]

(a) The commissioner of transportation shall study and report on alternative methods of funding local road maintenance and reconstruction.

(b) The study must include an identification and analysis of alternatives to existing methods of collecting revenues, including, but not limited to, a street utility fee.

(c) The study must focus on roads that are not on the county state-aid highway system or municipal state-aid street system, although state-aid streets and highways may be included in any alternative included in the study. The study shall be completed by November 15, 2005.

(d) By February 15, 2006, the commissioner shall report the study results and recommendations to the chairs of the legislative committees having jurisdiction over transportation finance and to the governor. The commissioner shall also present the study results to representatives of local government, city and county highway engineers, and highway users."

Page 82, after line 19, insert:

"Sec. 18. [HIGHWAY SIGNS FOR NORTHWESTERN HEALTH SCIENCES UNIVERSITY.]

Notwithstanding any contrary law, rule, or agency order, the commissioner of transportation shall place directional signs displaying the name Northwestern Health Sciences University, in appropriate locations approaching the Penn Avenue exit on eastbound marked Interstate Highway 494 and approaching the 90th Street exit on northbound marked Interstate Highway 35W and southbound marked Interstate Highway 35W. The commissioner shall erect the signs after being assured of the availability of funds from nonstate sources sufficient to pay all costs of producing, erecting, and maintaining the signs.

Sec. 19. [SPECIFIC SERVICE SIGN.]

Notwithstanding any other law or administrative rule or order, the commissioner of transportation, after being assured of adequate funding from nonstate sources, shall erect a specific service sign on the east side of Trunk Highway 52, near its intersection with 37th Street NW in Olmsted County. The sign must display the name or business panel or both, of a retail establishment on the east side of Trunk Highway 52 that began operation before construction of the noise wall on the east side of Trunk Highway 52, and the premises of which is blocked by the noise wall from view from Trunk Highway 52.

Sec. 20. [FORMER AIRPORT PROPERTY.]

Notwithstanding any other law, the commissioner of transportation shall not require the city of Willmar to repay the state airports fund for acquisition costs of land that was previously used for aviation purposes.

Sec. 21. [REPEALER.]

Minnesota Rules, parts 7800.0600; 7800.3200, subpart 1; 7805.0700; 8850.6900, subpart 20; and 8855.0500, subpart 1, are repealed.

ARTICLE 5
SPECIAL PLATES

Section 1. Minnesota Statutes 2004, section 168.12, subdivision 2a, is amended to read:

Subd. 2a. [PERSONALIZED PLATES; RULES.] (a) Personalized license plates or, if requested for special plates issued under section 168.123 for veterans, 168.124 for medal of honor recipients, or 168.125 for former prisoners of war, applicable personalized special veterans license plates must be issued to an applicant for registration of a passenger automobile including a passenger automobile registered as a classic car, pioneer car, collector car, or street rod; van; pickup truck as defined in section 168.011, subdivision 29, and any other truck with a manufacturer's nominal rated capacity of one ton or less and resembling a pickup truck; motorcycle including a classic motorcycle; or self-propelled recreational vehicle, upon compliance with the laws of this state relating to registration of the vehicle and upon payment of a onetime fee of \$100 in addition to the registration tax required by law for the vehicle. The registrar shall designate a replacement fee fees for personalized license plates and personalized special veterans license plates issued according to section 168.123 that is are calculated to cover the cost of replacement. This fee These fees must be paid by the applicant whenever the personalized license plates are required to be replaced by law. Fees may not be charged to replace personalized special veterans license plates issued under section 168.124 or 168.125. In lieu of the numbers assigned as provided in subdivision 1, personalized license plates and personalized special veterans license plates must have imprinted on them a series of not more than seven numbers and letters in any combination and, as applicable, satisfy the design requirements of section 168.123, 168.124, or 168.125. When an applicant has once obtained personalized license plates or personalized special veterans license plates, the applicant shall have has a prior claim for similar personalized plates in the next succeeding year as long as current registration is maintained. The commissioner of public safety shall adopt rules in the manner provided by chapter 14, regulating the issuance and transfer of personalized license plates and personalized special veterans license plates. No words or combination of letters placed on personalized license these plates may be used for commercial advertising, be of an obscene, indecent, or immoral nature, or be of a nature that would offend public morals or decency. The call signals or letters of a radio or television station are not commercial advertising for the purposes of this subdivision.

(b) Notwithstanding the provisions of subdivision 1, personalized license plates and personalized special veterans license plates issued under this subdivision may be transferred to another motor vehicle described in paragraph (a) and owned or jointly owned by the applicant, upon the payment of a fee of \$5, which must be paid into the state treasury and credited to the highway user tax distribution fund. The registrar may by rule provide a form for notification. A personalized license plate or personalized special veterans license plate issued for a classic car, pioneer car, collector car, street rod, or classic motorcycle may not be transferred to a vehicle not eligible for such a license plate.

(c) Notwithstanding any law to the contrary, if the personalized license plates are lost, stolen, or destroyed, the applicant may apply and shall receive duplicate license plates bearing the same combination of letters and numbers and the same design as:

(1) the former personalized license plates or personalized special veterans license plates issued according to section 168.123, upon the payment of the fee required by section 168.29; or

(2) the former personalized special veterans license plates issued according to section 168.124 or 168.125, without charge.

(d) Fees from the sale of permanent and duplicate personalized license plates must be paid into the state treasury and credited to the highway user tax distribution fund.

Sec. 2. Minnesota Statutes 2004, section 168.12, subdivision 2b, is amended to read:

Subd. 2b. [FIREFIGHTERS; SPECIAL PLATES.] (a) The registrar shall issue special license plates, or a single plate in the case of a motorcycle plate, to any applicant who is both a member of a fire department receiving state aid under chapter 69 and an owner or joint owner of a passenger automobile, ~~or a truck with a manufacturer's nominal rated capacity of one ton and resembling a pickup truck, or a motorcycle,~~ upon payment of a fee of \$10 and upon payment of the registration tax required by law for the vehicle and compliance with other laws of this state relating to registration and licensing of motor vehicles and drivers. In lieu of the identification required under subdivision 1, the special license plates ~~shall~~ must be inscribed with a symbol of a Maltese Cross together with five numbers. No applicant shall receive special plates for more than two sets of plates for vehicles owned or jointly owned by the applicant.

(b) Special plates issued under this subdivision may only be used during the period that the owner or joint owner of the vehicle is a member of a fire department as specified in this subdivision. When the person to whom the special plates were issued is no longer a member of a fire department or when the vehicle ownership is transferred, the special license plates ~~shall~~ must be removed from the vehicle and returned to the registrar. Upon return of the special plates, ~~or special motorcycle plate,~~ the owner or purchaser of the vehicle is entitled to receive regular plates, ~~or a regular motorcycle plate,~~ for the vehicle, as applicable, without cost for the remainder of the registration period for which the special plate or plates were issued. ~~Firefighter license plates issued pursuant to this subdivision may be transferred to another motor vehicle upon payment of \$5, which fee shall be paid into the state treasury and credited to the highway user tax distribution fund.~~

(c) A special motorcycle license plate issued under this subdivision must be the same size as a standard motorcycle license plate.

(d) Upon payment of a fee of \$5, plates issued under this subdivision for a passenger automobile or truck may be transferred to another passenger automobile or truck owned or jointly owned by the person to whom the plates were issued. On payment of a fee of \$5, a plate issued under this subdivision for a motorcycle may be transferred to another motorcycle owned or jointly owned by the person to whom the plate was issued.

(e) (e) The commissioner of public safety may adopt rules under the Administrative Procedure Act, sections 14.001 to 14.69, to govern the issuance and use of the special plates authorized in this subdivision.

(f) All fees from the sale or transfer of special license plates for firefighters shall must be paid into the state treasury and credited to the highway user tax distribution fund.

Sec. 3. Minnesota Statutes 2004, section 168.123, subdivision 1, is amended to read:

Subdivision 1. [GENERAL REQUIREMENTS; FEES.] (a) On payment of a fee of \$10 for each set of two plates, or for a single plate in the case of a motorcycle plate, payment of the registration tax required by law, and compliance with other applicable laws relating to the vehicle registration and licensing of a passenger automobile, pickup truck, van, self-propelled recreational equipment, ~~or motorcycle,~~ as applicable, the registrar shall issue:

(1) special license plates to an applicant who served in the active military service in a branch of the armed forces of the United States or of a nation or society allied with the United States in conducting a foreign war, was discharged under honorable conditions, and is an owner or joint owner of a passenger automobile, pickup truck, van, ~~or self-propelled recreational equipment, or truck resembling a pickup truck and having a manufacturer's nominal rated capacity of one ton,~~ but which is not a commercial motor vehicle as defined in section 169.01, subdivision 75; or

(2) a special motorcycle license plate as described in subdivision 2, paragraph (a), or another special license plate designed by the commissioner of public safety to an applicant who is a Vietnam veteran who served after July 1, 1961, and before July 1, 1978, and (f), (h), or (i). A plate may be issued under this clause only to a person who served in the active military service in a

branch of the armed forces of the United States or a nation or society allied with the United States in conducting a foreign war, was discharged under honorable conditions, and is an owner or joint owner of a motorcycle, and meets the criteria listed in this paragraph and in subdivision 2, paragraph (a), (f), (h), or (i). Plates issued under this clause must be the same size as standard motorcycle license plates. Special motorcycle license plates issued under this clause are not subject to section 168.1293.

(b) The additional fee of \$10 is payable for each set of plates, is payable only when the plates are issued, and is not payable in a year in which tabs or stickers are issued instead of number plates. An applicant must not be issued plates for more than two sets of plates for vehicles listed in paragraph (a) and owned or jointly owned by the applicant.

(c) The veteran shall must have a certified copy of the veteran's discharge papers, indicating character of discharge, at the time of application. If an applicant served in the active military service in a branch of the armed forces of a nation or society allied with the United States in conducting a foreign war and is unable to obtain a record of that service and discharge status, the commissioner of veterans affairs may certify the applicant as qualified for the veterans' license plates provided under this section.

(d) When issuing a set of license plates, or for a motorcycle a single license plate, under subdivision 2, paragraph (h) or (i), the commissioner shall assess a \$5 surcharge to the applicant, in addition to the fee required under this section and the registration tax required by law. The revenue from the surcharge must be deposited in the highway user tax distribution fund. The commissioner shall cease to collect the surcharge when total collections from the surcharge since its inception exceed \$3,500.

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

Sec. 4. Minnesota Statutes 2004, section 168.123, subdivision 2, is amended to read:

Subd. 2. [DESIGN.] The commissioner of veterans affairs shall design the special plates, subject to the approval of the registrar, that satisfy the following requirements:

(a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978, the special plates must bear the inscription "VIETNAM VET" and the letters "V" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special license plate number.

(b) For a veteran stationed on the island of Oahu, Hawaii, or offshore, during the attack on Pearl Harbor on December 7, 1941, the special plates must bear the inscription "PEARL HARBOR SURVIVOR" and the letters "P" and "H" with the first letter directly above the second letter and both letters just preceding the first numeral of the special license plate number.

(c) For a veteran who served during World War I or World War II, the special plates must bear the inscription "WORLD WAR VET" and:

(1) for a World War I veteran, the characters "W" and "I" with the first character directly above the second character and both characters just preceding the first numeral of the special license plate number; or

(2) for a World War II veteran, the characters "W" and "II" with the first character directly above the second character and both characters just preceding the first numeral of the special license plate number.

(d) For a veteran who served during the Korean Conflict, the special plates must bear the inscription "KOREAN VET" and the letters "K" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special license plate number.

(e) For a combat wounded veteran who is a recipient of the purple heart medal, the special plates must bear the inscription "COMBAT WOUNDED VET" and inscribed with a facsimile of the official purple heart medal and the letters "C" over "W" with the first letter directly over the second letter just preceding the first numeral of the special license plate number.

(f) For a Persian Gulf war veteran, the special plates must bear the inscription "GULF WAR VET" and the letters "G" and "W" with the first letter directly above the second letter and both letters just preceding the first numeral of the special license plate number. For the purposes of this section, "Persian Gulf war veteran" means a person who served on active duty after August 1, 1990, in a branch of the armed forces of the United States or United Nations during Operation Desert Shield, Operation Desert Storm, or other military operation in the Persian Gulf area combat zone as designated in United States Presidential Executive Order No. 12744, dated January 21, 1991.

(g) For a veteran who served in the Laos War after July 1, 1961, and before July 1, 1978, the special plates must bear the inscription "LAOS WAR VET" and the letters "L" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special license plate number.

(h) For a veteran who is the recipient of:

(1) the Iraq Campaign Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "IRAQ WAR VET" directly below the special license plate number;

(2) the Afghanistan Campaign Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "AFGHAN WAR VET" directly below the special license plate number; or

(3) the Global War on Terrorism Expeditionary Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "GWOT VETERAN" directly below the special license plate number.

(i) For a veteran who is the recipient of the Global War on Terrorism Service Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "GWOT VETERAN" directly below the special license plate number. In addition, any member of the National Guard or other military reserves who has been ordered to federally funded state active service under United States Code, title 32, as defined in section 190.05, subdivision 5b, and who is the recipient of the Global War on Terrorism Service Medal, is eligible for the license plate described in this paragraph, irrespective of whether that person qualifies as a veteran under section 197.447.

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

Sec. 5. Minnesota Statutes 2004, section 168.123, subdivision 4, is amended to read:

Subd. 4. [PLATES TRANSFER.] (a) On payment of a fee of \$5, plates issued under subdivision 1, paragraph (a), clause (1), may be transferred to another vehicle, but only if the vehicle:

(1) is a passenger automobile, pickup truck, van, or self-propelled recreational equipment, or one-ton truck described in subdivision 1, paragraph (a), clause (1); and

(2) is owned or jointly owned by the person to whom the plates were issued.

(b) On payment of a fee of \$5, a plate issued under subdivision 1, paragraph (a), clause (2), may be transferred to another motorcycle owned or jointly owned by the person to whom the plate was issued.

Sec. 6. [168.1251] [DISABLED VETERANS OF AMERICA PLATES.]

Subdivision 1. [ISSUANCE AND DESIGN.] The registrar of motor vehicles shall issue special license plates bearing the inscription "DISABLED AMERICAN VETERAN" to an applicant who is certified in writing by the United States Department of Veterans Affairs or the state commissioner of veterans affairs as having a permanent and total service-connected disability, who complies with all laws relating to the registration and licensing of motor vehicles and drivers,

and who pays a fee of \$10 for each set of license plates applied for. The special license plates must be of a design and size determined by the registrar.

Subd. 2. [APPLICATION.] Application for issuance of these plates may be made only at the time of renewal or first application for registration.

Subd. 3. [TRANSFER.] On payment of a fee of \$5, special plates issued under this section may be transferred to another motor vehicle owned or jointly owned by the disabled veteran upon notification to the registrar of motor vehicles.

Subd. 4. [MOTOR VEHICLE; SPECIAL DEFINITION.] For purposes of this section, "motor vehicle" means a vehicle for personal use, not used for commercial purposes, and may include a passenger automobile, van, pickup truck, motorcycle, or recreational vehicle.

Subd. 5. [FEES CREDITED.] Fees paid under this section must be credited to the highway user tax distribution fund.

Sec. 7. Minnesota Statutes 2004, section 168.1293, subdivision 5, is amended to read:

Subd. 5. [DISCONTINUANCE OF PLATE.] (a) The department shall discontinue the issuance or renewal of any special license plate if (1) fewer than 1,000 sets of those plates are currently registered at the end of the first six years during which the plates are available, or (2) fewer than 1,000 sets of those plates are currently registered at the end of any subsequent two-year period following the first six years of availability.

(b) The department may discontinue the issuance or renewal of any special license plate, and distribution of any contributions resulting from that plate, if the department determines that (1) the fund or requester receiving the contributions no longer exists, (2) the requester has stopped providing services that are authorized to be funded from the contribution proceeds, (3) the requester has requested discontinuance, or (4) contributions have been used in violation of subdivision 6.

(c) Nothing in this subdivision applies to license plates issued under section 168.123, 168.124, 168.125, 168.1251, or 168.1255.

Sec. 8. [168.1298] [SPECIAL "SUPPORT OUR TROOPS" LICENSE PLATES.]

Subdivision 1. [GENERAL REQUIREMENTS AND PROCEDURES.] (a) The commissioner shall issue special "Support Our Troops" license plates to an applicant who:

(1) is an owner of a passenger automobile, one-ton pickup truck, recreational vehicle, or motorcycle;

(2) pays a fee of \$10 to cover the costs of handling and manufacturing the plates;

(3) pays the registration tax required under section 168.013;

(4) pays the fees required under this chapter;

(5) contributes a minimum of \$30 annually to the Minnesota "Support Our Troops" account established in section 190.19; and

(6) complies with laws and rules governing registration and licensing of vehicles and drivers.

(b) The license application under this section must indicate that the annual contribution specified under paragraph (a), clause (5), is a minimum contribution to receive the plate and that the applicant may make an additional contribution to the account.

Subd. 2. [DESIGN.] After consultation with interested groups, the adjutant general and the commissioner of veterans affairs shall design the special plate, subject to the approval of the commissioner.

Subd. 3. [NO REFUND.] Contributions under this section must not be refunded.

Subd. 4. [PLATE TRANSFERS.] Notwithstanding section 168.12, subdivision 1, on payment of a transfer fee of \$5, plates issued under this section may be transferred to another passenger automobile, one-ton pickup truck, recreational vehicle, or motorcycle owned by the individual to whom the special plates were issued.

Subd. 5. [CONTRIBUTION AND FEES CREDITED.] Contributions under subdivision 1, paragraph (a), clause (5), must be paid to the commissioner and credited to the Minnesota "Support Our Troops" account established in section 190.19. The fees collected under this section must be deposited in the vehicle services operating account in the special revenue fund.

Subd. 6. [RECORD.] The commissioner shall maintain a record of the number of plates issued under this section.

Sec. 9. [168.1299] [SPECIAL "KNIGHTS OF COLUMBUS MEMBER" LICENSE PLATES.]

Subdivision 1. [GENERAL REQUIREMENTS AND PROCEDURES.] The registrar shall issue special "Knights of Columbus member" license plates to an applicant who:

- (1) is an owner or joint owner of a passenger automobile, pickup truck, or van;
- (2) pays a fee of \$10 to cover the costs of handling and manufacturing the plates;
- (3) pays the registration tax required under section 168.013;
- (4) pays the fees required under this chapter; and
- (5) complies with laws and rules governing registration and licensing of vehicles and drivers.

Subd. 2. [DESIGN.] A special license plate under this section consists of a license plate with a unique symbol that is the recognized emblem of the Knights of Columbus. The symbol must be designed by the Knights of Columbus or a council thereof, with the approval of the commissioner. The license plate may be an embossed license plate or a generic license plate with attached decal.

Subd. 3. [APPLICABILITY OF OTHER LAW.] Section 168.1293 does not apply to license plates authorized under this section.

Sec. 10. [190.19] [MINNESOTA "SUPPORT OUR TROOPS" ACCOUNT.]

Subdivision 1. [ESTABLISHMENT.] The Minnesota "Support Our Troops" account is established in the state treasury. The account shall consist of contributions from private sources and appropriations.

Subd. 2. [GRANTS.] (a) Money in the Minnesota "Support Our Troops" account is appropriated to the adjutant general for the purpose of making grants:

- (1) directly to eligible individuals; or
- (2) to one or more eligible foundations for the purpose of making grants to eligible individuals, as provided in this section.

(b) The term, "eligible individual" includes any person who is:

(1) a member of the Minnesota National Guard or a reserve unit based in Minnesota who has been called to active service as defined in section 190.05, subdivision 5;

(2) a Minnesota resident who is a member of a military reserve unit not based in Minnesota, if the member is called to active service as defined in section 190.05, subdivision 5;

(3) any other Minnesota resident performing active service for any branch of the military of the United States; and

(4) members of the immediate family of an individual identified in clause (1), (2), or (3). For purposes of this clause, "immediate family" means the individual's spouse and minor children and, if they are dependents of the member of the military, the member's parents, grandparents, siblings, stepchildren, and adult children.

(c) The term "eligible foundation" includes any organization that:

(1) is a tax-exempt organization under section 501(c)(3) of the Internal Revenue Code;

(2) has articles of incorporation under chapter 317A specifying the purpose of the organization as including the provision of financial assistance to members of the Minnesota National Guard and other United States armed forces reserves and their families and survivors; and

(3) agrees in writing to distribute any grant money received from the adjutant general under this section to eligible individuals as defined in this section and in accordance with any written policies and rules the adjutant general may impose as conditions of the grant to the foundation.

(d) The maximum grant awarded to an eligible individual in a calendar year with funds from the Minnesota "Support Our Troops" account, either through an eligible institution or directly from the adjutant general, may not exceed \$2,000.

Subd. 3. [ANNUAL REPORT.] The adjutant general must report by February 1, 2007, and each year thereafter, to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over military and veterans' affairs on the number, amounts, and use of grants issued from the Minnesota "Support Our Troops" account in the previous year."

Pages 82 and 83, delete sections 1 and 2

Page 83, line 10, delete "including, but not" and insert ". Of the money available in the fund each year, a minimum of 25 percent must be expended on highways and a minimum of 25 percent must be expended on transit purposes. Highway expenditures may include, but are not"

Page 83, line 11, after "construction" insert "and related sales tax charges whether incurred by the department or by persons who contract with the department" and delete "transit capital and"

Page 83, line 12, delete "operations,"

Page 83, line 13, delete the second "and"

Page 83, line 14, before the period, insert ", and government agency indirect costs assessed against the Department of Transportation or the trunk highway fund"

Page 88, after line 26, insert:

"[EFFECTIVE DATE.] This section is effective for first registration periods in which the tax is first due on or after July 1, 2005, and for renewals of registrations on those vehicles assigned registration periods of July 1, 2005, through June 30, 2006, or later."

Page 88, line 31, delete "2006" and insert "2007"

Page 89, line 1, delete everything before "2007" and insert:

"(b) On and after July 1,"

Page 89, delete lines 5 to 8 and insert:

"[EFFECTIVE DATE.] This section is effective July 1, 2005, and applies to all gasoline, undyed diesel fuel, and special fuel in distributor storage on July 1, 2005."

Page 89, delete section 9

Page 89, line 27, delete "2006" and insert "2007"

Page 89, line 36, delete everything before "2007" and insert:

"(b) On and after July 1,"

Page 90, delete lines 7 to 13

Page 90, line 14, strike "(d)" and insert "(c)"

Page 90, after line 17, insert:

"[EFFECTIVE DATE.] This section is effective July 1, 2005, and applies to all gasoline, undyed diesel fuel, and special fuel in distributor storage on July 1, 2005."

Page 90, delete section 11

Page 91, line 17, delete "23" and insert "20.82"

Page 91, line 21, delete "27.25" and insert "29.60"

Page 91, line 23, delete "2.5" and insert "2.33"

Page 91, line 26, delete "19" and insert "19.83"

Page 91, line 30, delete "31" and insert "30.50"

Page 91, line 31, delete "2.75" and insert "2.43"

Page 91, line 35, delete "18" and insert "17.37"

Page 92, line 1, delete "42.75" and insert "43.30"

Page 92, line 2, delete "5.25" and insert "5.33"

Page 92, line 7, delete "16" and insert "16.57"

Page 92, line 9, delete "44.5" and insert "44.03"

Page 92, line 10, delete "5.5" and insert "5.40"

Page 92, line 15, delete "14" and insert "15.94"

Page 92, line 17, delete "46" and insert "44.59"

Page 92, line 18, delete "six" and insert "5.47"

Page 92, line 23, delete "14" and insert "15.5"

Page 92, line 25, delete "46" and insert "45"

Page 92, line 27, delete "six" and insert "5.5"

Page 96, line 17, after the period, insert "A minimum of ten percent of this appropriation each year must be used for transit capital improvements on trunk highways."

Page 96, line 19, delete "\$61,000,000" and insert "\$55,800,000" and delete "\$123,000,000" and insert "\$65,700,000"

Page 96, line 24, delete "\$25,300,000" and insert "\$23,700,000" and delete "\$54,000,000" and insert "\$32,600,000"

Page 96, line 27, delete "\$8,600,000" and insert "\$7,700,000" and delete "\$16,900,000" and insert "\$10,300,000"

Page 96, line 30, after "(d)" insert "\$1,800,000 in fiscal year 2006 and \$11,300,000 in fiscal

year 2007, are appropriated to the commissioner from the trunk highway fund for transfer to the state bond fund for highway debt service.

(e)"

Pages 96 and 97, delete section 20

Pages 97 to 100, delete article 6

Renumber the articles and sections in sequence

Amend the title as follows:

Page 1, line 11, delete everything after the semicolon and insert "exempting certain projects from competitive bidding; authorizing issuance of special license plates;"

Page 1, delete line 12

Page 1, line 14, delete "and indexing"

Page 1, line 18, delete "authorizing"

Page 1, delete line 19 and insert "requiring studies and reports;"

Page 1, line 20, delete "report;"

Page 1, line 22, delete "161.04, by adding a" and insert "160.294, subdivision 1a;"

Page 1, line 23, delete "subdivision;" and after "3;" insert "161.14, by adding a subdivision;"

Page 1, line 33, after the first semicolon, insert "169.01, subdivision 78;" and after "13;" insert "169.81, subdivision 3c; 169.8261; 169.851, subdivision 5; 169.86, subdivision 5;"

Page 1, line 37, delete the third comma

Page 1, line 38, delete "by adding a subdivision" and delete ", by"

Page 1, line 39, delete "adding a subdivision"

Page 1, line 40, after the semicolon, insert "469.015, subdivision 4;"

Page 1, line 42, delete "297A" and insert "169; 190"

Page 2, line 2, after the second semicolon, insert "473.408, subdivision 1;"

Page 2, line 5, before the period, insert "; 7800.0600; 7800.3200, subpart 1; 7805.0700; 8850.6900, subpart 20; 8855.0500, subpart 1"

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senator Anderson introduced--

S.F. No. 2274: A bill for an act relating to employment; mandating employer disclosure of terms of probationary employment and opportunities for permanent employment in written agreements of hire; requiring employers to provide written agreements of hire to casual employees temporarily hired; specifying the burden permitting civil actions against employers who fail to provide employees with adequate written agreements of hire; amending Minnesota Statutes 2004,

sections 181.55; 181.56; 181.57; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Senators Foley and Solon introduced--

S.F. No. 2275: A bill for an act relating to human services; covering a certain class of drugs for treatment of specific diagnoses; amending Minnesota Statutes 2004, section 256B.0625, subdivision 13d.

Referred to the Committee on Health and Family Security.

Senator Cohen, for the Committee on Finance, introduced--

S.F. No. 2276: A bill for an act relating to state government; appropriating money for environmental, natural resources, agricultural, and economic development purposes; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; amending Minnesota Statutes 2004, sections 11A.24, subdivision 6; 13.635, by adding a subdivision; 16A.125, subdivision 5; 17.03, subdivision 13; 17.117, by adding a subdivision; 17B.03, subdivision 1; 18B.05, subdivision 1; 18B.08, subdivision 4; 18B.26, subdivision 3; 18B.31, subdivision 5; 18B.315, subdivision 6; 18B.32, subdivision 6; 18B.33, subdivision 7; 18B.34, subdivision 5; 18C.141, subdivisions 1, 3, 5; 18C.425, subdivision 6; 18E.03, subdivision 2; 18G.10, subdivisions 5, 7; 18G.16, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 14; 18H.07, subdivisions 1, 2, 3; 19.64, subdivision 1; 25.341, subdivision 2; 25.39, subdivisions 1, 4; 41A.09, subdivisions 2a, 3a, by adding subdivisions; 41B.046, subdivision 5; 41B.049, subdivision 2; 60A.14, subdivision 1; 60K.55, subdivision 2; 72A.20, by adding a subdivision; 72B.04, subdivision 10; 82B.09, subdivision 1; 84.027, subdivisions 12, 13, 15; 84.0911, subdivision 2; 84.780; 84.788, subdivision 3, by adding a subdivision; 84.791, subdivision 2; 84.798, by adding a subdivision; 84.82, subdivision 2, by adding a subdivision; 84.8205, subdivisions 1, 3, 4, 6; 84.83, subdivisions 3, 4; 84.86, subdivision 1; 84.922, subdivision 2, by adding a subdivision; 84.925, subdivision 1; 84D.03, subdivision 4; 85.054, subdivision 1, by adding a subdivision; 85.055, subdivision 2, by adding a subdivision; 85.43; 86B.415, by adding a subdivision; 88.6435, subdivision 4; 89.039, subdivision 1; 89.37, by adding a subdivision; 90.195; 97A.055, subdivision 4b; 97A.061, subdivision 1; 97A.075, subdivision 3; 97A.4742, subdivision 4; 97A.482; 97A.485, subdivision 7; 97A.551, by adding a subdivision; 97B.015, subdivision 7; 97B.025; 97C.085; 103E.081, by adding subdivisions; 103G.271, subdivision 6; 103G.301, subdivision 2; 103G.615, subdivision 2; 103I.681, subdivision 11; 115.03, subdivision 4a; 115.551; 115B.48, subdivision 8; 115B.49, by adding a subdivision; 115C.07, subdivision 3; 115C.09, subdivisions 3h, 3j; 115C.13; 116J.571; 116J.572; 116J.574; 116J.575; 116L.20, subdivision 1; 116L.30, subdivisions 1, 2, by adding subdivisions; 116O.09, subdivision 1a; 116P.05, subdivision 2; 129D.02, subdivision 3; 160.232; 168.1296, subdivision 1; 176.136, subdivision 1a; 183.41, by adding a subdivision; 183.411, subdivisions 2a, 3; 183.42; 183.44, subdivision 1; 183.51, subdivision 2, by adding a subdivision; 183.545; 183.57; 216B.2424, subdivisions 1, 2, 5a, 6, 8, by adding a subdivision; 223.17, subdivision 3; 231.16; 232.22, subdivision 3; 236.02, subdivision 4; 237.11; 237.295, subdivisions 1, 2; 237.701, subdivision 1; 239.011, subdivision 2; 239.05, subdivision 10b, by adding a subdivision; 239.09; 239.101, subdivision 3; 239.75, subdivisions 1, 5; 239.761; 239.77, by adding a subdivision; 239.79, subdivision 4; 239.791, subdivisions 1, 7, 8, 15; 239.792; 282.08; 282.38, subdivision 1; 296A.01, subdivisions 2, 7, 8, 14, 19, 20, 22, 23, 24, 25, 26, 28; 296A.18, subdivision 2; 298.22, by adding a subdivision; 357.021, subdivisions 1a, 2; 462.357, subdivision 1e; 469.050, subdivision 5; 469.1082, subdivision 1; 469.310, subdivision 11; 469.319, subdivision 1, by adding a subdivision; 469.320, subdivision 3; 469.330, subdivision 11; 469.340, subdivision 1; 473.197, subdivision 4; 474A.061, subdivision 2c; 517.08, subdivisions 1b, 1c; Laws 1999, chapter 224, section 7, as amended; Laws 2003, chapter 128, article 1, section 9, subdivision 6; Laws 2003, chapter 128, article 1, section 172; proposing coding for new law in Minnesota Statutes, chapters 25; 41B; 45; 84; 86B; 97C; 103F; 116H; 116P; 181; 219; 237; 325F; 354B; 446A; 473; proposing coding for new law as Minnesota Statutes, chapters 59B; 87A; repealing

Minnesota Statutes 2004, sections 18B.065, subdivision 5; 19.64, subdivision 4a; 41B.046, subdivision 3; 84.901; 115B.49, subdivision 4a; 116J.573; 178.12; 239.05, subdivisions 6a, 6b; 473.156; 473.197, subdivisions 1, 2, 3, 5; Laws 1999, chapter 125, section 4, as amended.

Under the Rules of the Senate, laid over one day. Senator Betzold questioned the reference thereon and, under Rule 4.9, the bill was referred to the Committee on Rules and Administration.

Senator Cohen, for the Committee on Finance, introduced--

S.F. No. 2277: A bill for an act relating to education; providing for early childhood, family, and adult education including early childhood, child care, adult basic education, and prevention policy; providing for a study; providing for reports; appropriating money; amending Minnesota Statutes 2004, sections 13.32, subdivision 2; 119A.46, subdivisions 1, 2, 3, 8; 119B.09, subdivision 1; 119B.13, by adding a subdivision; 121A.17, subdivisions 1, 3, 5, by adding a subdivision; 121A.19; 124D.135, subdivision 1; 124D.15, subdivisions 1, 3, 5, 10, 12, by adding subdivisions; 124D.16, subdivision 2; 124D.22, subdivision 3; 124D.531, subdivisions 1, 4; 2005 S.F. No. 1879, article 2, section 1, subdivisions 2, 3, 4, 5, 10, if enacted; 2005 S.F. No. 1879, article 2, section 2, subdivision 2, if enacted; proposing coding for new law in Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 2004, sections 124D.15, subdivisions 2, 4, 6, 7, 8, 9, 11, 13; 124D.16, subdivisions 1, 4.

Under the Rules of the Senate, laid over one day.

Senator Cohen, for the Committee on Finance, introduced--

S.F. No. 2278: A bill for an act relating to state government; modifying licensing fees; expanding health care program eligibility; enacting health care cost containment measures; modifying mental and chemical health programs; adjusting family support programs; reducing certain parental fees; providing a cost-of-living adjustment for certain human services program employees; modifying long-term care programs; modifying continuing care programs; allowing penalties; appropriating money; amending Minnesota Statutes 2004, sections 62A.65, subdivision 3; 62D.12, subdivision 19; 62J.04, subdivision 3, by adding a subdivision; 62J.041; 62J.301, subdivision 3; 62J.38; 62J.692, subdivision 3; 62L.08, subdivision 8; 62M.06, subdivisions 2, 3; 62Q.37, subdivision 7; 103I.101, subdivision 6; 103I.208, subdivisions 1, 2; 103I.235, subdivision 1; 103I.601, subdivision 2; 119B.011, by adding a subdivision; 119B.05, subdivision 1; 144.122; 144.147, subdivision 1; 144.148, subdivision 1; 144.1501, subdivisions 1, 2, 3, 4; 144.226, subdivision 1, by adding subdivisions; 144.3831, subdivision 1; 144.551, subdivision 1; 144.562, subdivision 2; 144.9504, subdivision 2; 144.98, subdivision 3; 144A.073, subdivision 10, by adding a subdivision; 144E.101, by adding a subdivision; 157.15, by adding a subdivision; 157.16, subdivisions 2, 3, by adding subdivisions; 157.20, subdivisions 2, 2a; 241.01, by adding a subdivision; 244.054; 245.4661, by adding subdivisions; 245.4885, subdivisions 1, 2, by adding a subdivision; 252.27, subdivision 2a; 252.291, by adding a subdivision; 254B.03, subdivision 4; 256.01, by adding a subdivision; 256.045, subdivision 3a; 256.741, subdivision 4; 256.9365; 256.969, by adding a subdivision; 256B.02, subdivision 12; 256B.055, by adding a subdivision; 256B.056, subdivisions 5, 5a, 5b, 7, by adding subdivisions; 256B.057, subdivision 1; 256B.0621, subdivisions 2, 3, 4, 5, 6, 7; 256B.0622, subdivision 2; 256B.0625, subdivisions 2, 9, 13e, as amended, 13f, 19c, by adding subdivisions; 256B.0627, subdivisions 1, 4, 5, 9, by adding a subdivision; 256B.0916, by adding a subdivision; 256B.15, subdivisions 1, 1a, 2; 256B.19, subdivision 1; 256B.431, by adding subdivisions; 256B.434, subdivision 4, by adding a subdivision; 256B.440, by adding a subdivision; 256B.5012, by adding a subdivision; 256B.69, subdivisions 4, 23; 256D.03, subdivision 4; 256D.045; 256D.44, subdivision 5; 256J.021; 256J.08, subdivision 65; 256J.21, subdivision 2; 256J.521, subdivision 1; 256J.53, subdivision 2; 256J.626, subdivisions 1, 2, 3, 4, 7; 256J.95, subdivisions 3, 9; 256L.01, subdivision 4; 256L.03, subdivisions 1, 1b, 5; 256L.04, subdivisions 2, 7, by adding subdivisions; 256L.05, subdivisions 3, 3a; 256L.07, subdivisions 1, 3, by adding a subdivision; 256L.12, subdivision 6; 256L.15, subdivisions 2, 3; 295.582; 326.01, by adding a subdivision; 326.37, subdivision 1, by adding a subdivision; 326.38; 326.40, subdivision 1; 326.42, subdivision 2; 514.981, subdivision 6; 524.3-805; 549.02, by adding a subdivision; 549.04; 641.15, subdivision 2; proposing coding for

new law in Minnesota Statutes, chapters 62J; 144; 151; 256; 256B; 256J; 256L; 326; 501B; 641; repealing Minnesota Statutes 2004, sections 119B.074; 157.215; 256B.0631; 256J.37, subdivisions 3a, 3b; 256L.035; 326.45; 514.991; 514.992; 514.993; 514.994; 514.995.

Under the Rules of the Senate, laid over one day.

RECESS

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

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

APPOINTMENTS

Senator Johnson, D.E. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 4: Senators Sams, Vickerman and Dille.

Senator Johnson, D.E. moved that the foregoing appointments be approved. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Senator Cohen moved that S.F. No. 2277 be referred to the Committee on Taxes. The motion prevailed.

RECESS

Senator Johnson, D.E. moved that the Senate do now recess until 4:00 p.m. The motion prevailed.

The hour of 4:00 p.m. having arrived, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Betzold moved that S.F. No. 429 be withdrawn from the Committee on State and Local Government Operations and re-referred to the Committee on Finance. The motion prevailed.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

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

Senator Pogemiller from the Committee on Taxes, to which was referred

S.F. No. 2273: A bill for an act relating to criminal justice; appropriating money for the courts,

public defenders, public safety, corrections, and other criminal justice agencies; establishing, funding, modifying, and regulating public safety, criminal justice, judiciary, law enforcement, corrections, crime victims, and CriMNet policies, programs, duties, activities, or practices; requiring studies and reports; imposing criminal and civil penalties; setting or increasing fines, surcharges, taxes, and fees; amending Minnesota Statutes 2004, sections 14.03, subdivision 3; 152.01, subdivision 10; 152.021, subdivisions 2a, 3; 168A.05, subdivision 3; 171.06, by adding a subdivision; 171.20, subdivision 4; 171.26; 237.70, subdivision 7; 241.06; 241.67, subdivisions 7, 8; 243.166; 243.167; 244.04, subdivision 1; 244.05, subdivisions 2, 4, 5, 6, 7; 244.052, subdivisions 3, 4, by adding a subdivision; 244.09, subdivision 11; 244.10, subdivision 2a, by adding a subdivision; 244.18, subdivision 2; 253B.08, subdivision 1; 253B.18, subdivision 5, by adding a subdivision; 260C.171, by adding a subdivision; 297G.03, subdivisions 1, 2; 297G.04, subdivisions 1, 2; 299A.38, subdivisions 2, 2a, 3; 299C.65, subdivisions 1, 2, 5, by adding a subdivision; 340A.301, subdivision 6; 340A.302, subdivision 3; 340A.311; 340A.404, subdivision 12; 340A.408, subdivision 4; 340A.414, subdivision 6; 340A.504, subdivisions 3, 7; 357.021, subdivisions 2, 6, 7; 357.18; 403.02, subdivisions 7, 13, 17, by adding a subdivision; 403.025, subdivisions 3, 7; 403.05, subdivision 3; 403.07, subdivision 3; 403.08, subdivision 10; 403.11, subdivisions 1, 3, 3a; 403.113, subdivision 1; 403.27, subdivisions 1, 3; 403.30, subdivision 1; 505.08, subdivision 2; 508.82; 508A.82; 515B.1-116; 518B.01, subdivision 22; 604.15, subdivision 2, by adding a subdivision; 609.108, subdivisions 1, 3, 4, 6; 609.109, subdivisions 2, 5; 609.1095, subdivision 1; 609.115, by adding a subdivision; 609.117, subdivisions 1, 2; 609.119; 609.1351; 609.185; 609.223, by adding a subdivision; 609.2231, by adding a subdivision; 609.229, subdivision 3; 609.321, subdivisions 1, 7, by adding subdivisions; 609.325, by adding a subdivision; 609.341, subdivision 14, by adding a subdivision; 609.342, subdivisions 2, 3; 609.343, subdivisions 2, 3; 609.344, subdivisions 2, 3; 609.345, subdivisions 2, 3; 609.3452, subdivision 1; 609.347; 609.3471; 609.348; 609.353; 609.485, subdivisions 2, 4; 609.50, subdivision 1; 609.527, subdivisions 1, 3, 4, 6, by adding a subdivision; 609.531, subdivision 1; 609.5315, subdivision 1, by adding a subdivision; 609.746, subdivision 1; 609.748, subdivisions 2, 3a; 609.749, subdivision 2; 609.79, subdivision 2; 609.795, by adding a subdivision; 617.81, subdivision 4, by adding a subdivision; 617.85; 626.556, subdivision 3; 628.26; 631.045; proposing coding for new law in Minnesota Statutes, chapters 152; 237; 243; 244; 299A; 299C; 325F; 357; 403; 609; repealing Minnesota Statutes 2004, sections 18C.005, subdivisions 1a, 35a; 18C.201, subdivisions 6, 7; 18D.331, subdivision 5; 243.166, subdivisions 1, 8; 299A.68; 299C.65, subdivisions 3, 4, 6, 7, 8, 8a, 9; 386.30; 403.30, subdivision 3; 609.108, subdivision 2; 609.109, subdivision 7; 609.725.

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

Page 6, line 7, delete "38" and insert "34"

Pages 167 to 169, delete sections 7 to 10

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, delete "taxes,"

Page 1, line 23, delete everything after the first semicolon

Page 1, line 24, delete everything before "299A.38,"

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

MEMBERS EXCUSED

Senators Fischbach and Johnson, D.J. were excused from the Session of today. Senator Larson was excused from the Session of today from 1:00 to 1:45 p.m. Senator Kiscaden was excused from the Session of today from 1:30 to 2:05 p.m. Senator Gerlach was excused from the Session

of today from 1:45 to 2:00 p.m. Senator Scheid was excused from the Session of today at 2:15 p.m.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 12:00 noon, Friday, April 29, 2005. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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