

ONE HUNDRED THIRD DAY

St. Paul, Minnesota, Tuesday, May 9, 2006

The Senate met at 10:30 a.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, Rev. Kyle Halverson.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

May 4, 2006

The Honorable James P. Metzen
President of the Senate

Dear President Metzen:

Please be advised that I have received, approved, signed and deposited in the Office of the

Secretary of State, S.F. No. 2532.

Sincerely,
Tim Pawlenty, Governor

May 4, 2006

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2006 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| S.F. No. | H.F. No. | Session Laws Chapter No. | Time and Date Approved 2006 | Date Filed 2006 |
|-------------|-------------|-----------------------------|-----------------------------------|--------------------|
| | 1838 | 189 | 2:25 p.m. May 4 | May 4 |
| 2532 | | 190 | 4:15 p.m. May 4 | May 4 |

Sincerely,
Mary Kiffmeyer,
Secretary of State

May 5, 2006

The Honorable James P. Metzen
President of the Senate

Dear President Metzen:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 3615.

Sincerely,
Tim Pawlenty, Governor

May 5, 2006

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2006 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| S.F. No. | H.F. No. | Session Laws Chapter No. | Time and Date Approved 2006 | Date Filed 2006 |
|-------------|-------------|-----------------------------|-----------------------------------|--------------------|
|-------------|-------------|-----------------------------|-----------------------------------|--------------------|

103RD DAY]

TUESDAY, MAY 9, 2006

5323

| | | | |
|------|-----|------------------|-------|
| 1480 | 186 | 10:48 a.m. May 5 | May 5 |
| 3142 | 187 | 10:50 a.m. May 5 | May 5 |
| 2745 | 188 | 10:51 a.m. May 5 | May 5 |
| 3615 | 191 | 10:45 a.m. May 5 | May 5 |

Sincerely,
Mary Kiffmeyer,
Secretary of State

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. 2953.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 8, 2006

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 3171 and 3383.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted May 8, 2006

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 3171: A bill for an act relating to health; allowing parents to obtain a clean certified copy of a deceased child's birth record under certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Family Security.

H.F. No. 3383: A bill for an act relating to the city of Grand Rapids; authorizing issuance of certain capital improvement bonds.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3148, now on General Orders.

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. 2688 for comparison with companion Senate File, reports the following House File

was found not identical with 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. |
| 2688 | 3410 | | | | |

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2688 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2688, the first engrossment; and insert the language after the enacting clause of S.F. No. 3410; further, delete the title of H.F. No. 2688, the first engrossment; and insert the title of S.F. No. 3410.

And when so amended H.F. No. 2688 will be identical to S.F. No. 3410, and further recommends that H.F. No. 2688 be given its second reading and substituted for S.F. No. 3410, and that the 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. Amendments adopted. Report adopted.

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

H.F. No. 3855 for comparison with companion Senate File, reports the following House File was found not identical with 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. |
| 3855 | 3400 | | | | |

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3855 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3855, the first engrossment; and insert the language after the enacting clause of S.F. No. 3400; further, delete the title of H.F. No. 3855, the first engrossment; and insert the title of S.F. No. 3400.

And when so amended H.F. No. 3855 will be identical to S.F. No. 3400, and further recommends that H.F. No. 3855 be given its second reading and substituted for S.F. No. 3400, and that the 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. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H.F. Nos. 2688 and 3855 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Pariseau moved that the names of Senators Nienow and Senjem be added as co-authors to S.F. No. 3800. The motion prevailed.

Pursuant to Rule 26, Senator Johnson, D.E., Chair of the Committee on Rules and Administration, designated S.F. No. 3044 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 3044: A bill for an act relating to economic development; establishing the Minnesota Biomedical Sciences Research Facilities Authority and the biomedical sciences research project funding program; providing for the University of Minnesota to apply for facility program funds; authorizing sale of state bonds to fund program; proposing coding for new law in Minnesota Statutes, chapter 116J.

Senator Hottinger moved to amend S.F. No. 3044 as follows:

Page 7, after line 6, insert:

"Sec. 7. **[116J.996] BIOSCIENCE AND BIOTECHNOLOGY SUBSIDIES.**

Subdivision 1. **Reporting by subsidy recipients.** Each recipient of a state subsidy for bioscience or biotechnology must provide to the commissioner of employment and economic development two written reports by January 15 each year. The first report must address the projected and actual impact, if any, of the subsidy on reducing the unit cost to consumers of pharmaceuticals, medical devices, and other bioengineered products, including, but not limited to, agricultural products. The second report must address the projected and actual jobs created, including information about wage levels and benefits of all employees and consultants, as a result of the subsidy.

Subd. 2. **Compilation and summary report.** By March 1 each year, the commissioner of employment and economic development must provide to the legislature a compilation and summary report of the reports received from all recipients of state subsidies for bioscience and biotechnology in compliance with sections 3.195 and 3.197.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to all state subsidies awarded on or after January 1, 2006."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 3044 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 51 and nays 15, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|----------|------------|-----------|
| Anderson | Dille | Langseth | Ortman | Skoe |
| Bakk | Foley | Larson | Pappas | Skoglund |
| Belanger | Frederickson | Lourey | Pogemiller | Solon |
| Berglin | Gerlach | Marko | Reiter | Sparks |
| Betzold | Higgins | Marty | Rest | Tomassoni |
| Bonoff | Hottinger | McGinn | Robling | Vickerman |
| Chaudhary | Johnson, D.E. | Metzen | Rosen | Wiger |
| Clark | Kelley | Michel | Sams | |
| Cohen | Kiscaden | Moua | Saxhaug | |
| Day | Koering | Murphy | Scheid | |
| Dibble | Kubly | Neuville | Senjem | |

Those who voted in the negative were:

| | | | | |
|-----------|---------------|---------|----------|--------|
| Bachmann | Johnson, D.J. | Koch | Nienow | Ruud |
| Fischbach | Jungbauer | LeClair | Olson | Stumpf |
| Hann | Kierlin | Limmer | Pariseau | Wergin |

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

Senator Cohen moved that S.F. No. 3044 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 26, Senator Johnson, D.E., Chair of the Committee on Rules and Administration, designated S.F. No. 2460 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 2460: A bill for an act relating to higher education; providing a process for state support of a football stadium at the University of Minnesota; imposing a sports memorabilia tax; requiring a report; appropriating money; amending Minnesota Statutes 2004, sections 297A.71, by adding a subdivision; 340A.404, subdivision 4a; proposing coding for new law in Minnesota Statutes, chapters 295; 473.

Senator Pogemiller moved to amend S.F. No. 2460 as follows:

Page 3, line 6, delete "7" and insert "9"

Page 3, line 24, delete "6" and insert "7"

Page 5, line 7, before "The" insert "On July 1, 2007, "

The motion prevailed. So the amendment was adopted.

Senator Pogemiller moved to amend S.F. No. 2460 as follows:

Page 1, delete section 1

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Vickerman moved to amend S.F. No. 2460 as follows:

Page 4, after line 30, insert:

"Subd. 5. **Name of stadium.** No payment may be made under this section unless the board agrees that the name of the stadium is "Veterans' Memorial Stadium."

CALL OF THE SENATE

Senator Pogemiller imposed a call of the Senate for the balance of the proceedings on S.F. No. 2460. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 45 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson
Bachmann
Bakk
Belanger

Berglin
Betzold
Bonoff
Chaudhary

Clark
Cohen
Dibble
Dille

Fischbach
Foley
Frederickson
Higgins

Hottinger
Johnson, D.E.
Johnson, D.J.
Kelley

| | | | | |
|----------|--------|------------|-----------|-------|
| Kiscaden | Marko | Pogemiller | Skoglund | Wiger |
| Koch | Marty | Reiter | Solon | |
| Koering | Metzen | Sams | Sparks | |
| Kubly | Michel | Saxhaug | Stumpf | |
| Larson | Moua | Scheid | Tomassoni | |
| Lourey | Pappas | Skoe | Vickerman | |

Those who voted in the negative were:

| | | | | |
|-----------|---------|----------|----------|--------|
| Day | Kierlin | Murphy | Ortman | Rosen |
| Gerlach | LeClair | Neuville | Pariseau | Ruud |
| Hann | Limmer | Nienow | Rest | Senjem |
| Jungbauer | McGinn | Olson | Robling | Wergin |

The motion prevailed. So the amendment was adopted.

S.F. No. 2460 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 34 and nays 32, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|----------|------------|-----------|
| Anderson | Cohen | Kiscaden | Pappas | Solon |
| Bakk | Dibble | Kubly | Pogemiller | Sparks |
| Berglin | Foley | Langseth | Rest | Stumpf |
| Betzold | Higgins | Marko | Sams | Tomassoni |
| Bonoff | Hottinger | Metzen | Saxhaug | Vickerman |
| Chaudhary | Johnson, D.E. | Moua | Scheid | Wiger |
| Clark | Kelley | Murphy | Skoe | |

Those who voted in the negative were:

| | | | |
|--------------|---------------|----------|----------|
| Bachmann | Johnson, D.J. | Lourey | Pariseau |
| Belanger | Jungbauer | Marty | Reiter |
| Day | Kierlin | McGinn | Robling |
| Dille | Koch | Michel | Rosen |
| Fischbach | Koering | Neuville | Ruud |
| Frederickson | Larson | Nienow | Senjem |
| Gerlach | LeClair | Olson | Skoglund |
| Hann | Limmer | Ortman | Wergin |

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

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 26, Senator Johnson, D.E., Chair of the Committee on Rules and Administration, designated H.F. No. 2480 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 2480: A bill for an act relating to a ballpark for major league baseball; providing for the financing, construction, operation, and maintenance of the ballpark and related facilities; establishing the Minnesota Ballpark Authority; providing powers and duties of the authority; providing a community ownership option; authorizing Hennepin County to issue bonds and to contribute to ballpark costs and to engage in ballpark and related activities; authorizing local sales and use taxes and revenues; exempting Minnesota State High School League events from sales taxes; requiring the Minnesota State High School League to transfer tax savings to a foundation to promote extracurricular activities; exempting building materials used for certain local government projects from certain taxes; amending Minnesota Statutes 2004, sections 297A.70, subdivision 11; 297A.71, by adding subdivisions; Minnesota Statutes 2005 Supplement, section 10A.01,

subdivision 35; repealing Minnesota Statutes 2004, sections 473I.01; 473I.02; 473I.03; 473I.04; 473I.05; 473I.06; 473I.07; 473I.08; 473I.09; 473I.10; 473I.11; 473I.12; 473I.13.

Senator Betzold moved to amend H.F. No. 2480, the unofficial engrossment, as follows:

Page 14, after line 18, insert:

"Subd. 13. **Public share upon sale of team.** The lease or use agreement must provide that, if the team is sold after the effective date of this article, a portion of the sale price must be paid to the commission and deposited in a reserve fund for improvements to the ballpark or expended as the commission may otherwise direct. The portion required to be so paid to the commission is 18 percent of the gross sale price, declining to zero ten years after commencement of ballpark construction in increments of 1.8 percent each year. The agreement shall provide exceptions for sales to members of the owner's family and entities and trusts beneficially owned by family members, sales to employees of equity interests aggregating up to ten percent, and sales related to capital infusions not distributed to the owners.

Subd. 14. **Affordable access.** To the extent determined by the commission or required by a grant agreement, any lease or use agreement must provide for affordable access to the professional sporting events held in the ballpark."

Page 14, line 19, delete "13" and insert "15"

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Senator Betzold imposed a call of the Senate for the balance of the proceedings on H.F. No. 2480. The Sergeant at Arms was instructed to bring in the absent members.

Senator Kelley moved to amend H.F. No. 2480, the unofficial engrossment, as follows:

Page 4, line 9, delete "be"

Page 5, line 23, after "\$1,000,000" insert ", provided that these amounts are subject to adjustment under an agreement between the team and the commission to achieve an equitable distribution of the funding requirement"

Page 6, line 34, delete "commons" and insert "common"

Page 7, line 24, after the period, insert "The Department of Administration and the Department of Commerce must cooperate with the commission to obtain any grants or other funds that are available to help to pay for the cost of meeting the requirements for the LEED certification."

Page 7, lines 31, 32, and 33, delete "authority" and insert "commission"

Page 8, line 28, after "costs" insert ", except financing costs."

Page 8, line 29, after the comma, insert "subject to section 473.754, subdivision 3, and"

Page 10, line 13, delete "shall" and insert "may"

The motion prevailed. So the amendment was adopted.

Senator Dibble moved to amend H.F. No. 2480, the unofficial engrossment, as follows:

Page 8, after line 25, insert:

"Subd. 16. **Facility operation.** The commission may equip, improve, operate, manage, maintain, and control the ballpark and related facilities constructed, remodeled, or acquired under this act as

smoke-free facilities, subject to the rights and obligations transferred to and assumed by the team or other user under the terms of a lease or use agreement, but in no case may a lease or use agreement permit smoking in the ballpark."

Page 14, after line 25, insert:

"Subd. 14. **Facility operation.** The commission may equip, improve, operate, manage, maintain, and control the stadium and related facilities constructed, remodeled, or acquired under this act as smoke-free facilities, subject to the rights and obligations transferred to and assumed by the team or other user under the terms of a lease or use agreement, but in no case may a lease or use agreement permit smoking in the stadium."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Marty moved to amend H.F. No. 2480, the unofficial engrossment, as follows:

Page 2, line 15, after the period, insert "It is further found and declared that when public funds are expended for professional sports facilities, taxpayers are subsidizing a private business venture and the public deserves to receive the financial gains from its portion of the funds invested. Consequently, it is the policy of the state of Minnesota that a professional sports franchise using a sports facility financed with public funds must pay to the public body that financed the sports facility all incremental increases in revenue generated from the facility in direct proportion to the amount the public expenditures, including the expenditures for public infrastructure made in conjunction with the facility, relate to the complete cost of the facility."

Page 11, line 22, after the period, insert "It is further found and declared that when public funds are expended for professional sports facilities, taxpayers are subsidizing a private business venture and the public deserves to receive the financial gains from its portion of the funds invested. Consequently, it is the policy of the state of Minnesota that a professional sports franchise using a sports facility financed with public funds must pay to the public body that financed the sports facility all incremental increases in revenue generated from the facility in direct proportion to the amount the public expenditures, including the expenditures for public infrastructure made in conjunction with the facility, relate to the complete cost of the facility."

Page 19, after line 11, insert:

"Sec. 2. **[473.55] NEW SPORTS FACILITIES; INCREMENTAL REVENUE.**

A professional sports franchise using a sports facility financed with public funds must pay to the public body that financed the sports facility all incremental revenue generated from the facility in direct proportion to the amount the public expenditures, including the expenditures for public infrastructure made in conjunction with the facility, relate to the complete cost of the facility. For the purposes of this section, "incremental revenue" means the difference between the amount of revenue the team received in the last year the team played in the previous facility and the first year in the new publicly financed facility for the following items:

- (1) tickets;
- (2) club seats;
- (3) private suites;
- (4) naming rights;
- (5) in-stadium advertising;
- (6) concession revenue;

(7) revenue from private seat licenses; and

(8) media access revenue."

Page 23, after line 6, insert:

"The lease or use agreement with a team using the ballpark or football stadium must provide that all incremental revenue from the ballpark or football stadium must be paid to the commission and deposited in a special fund to be paid to each public body that provided a public subsidy in proportion to the amount that the public body expended in relation to the ballpark or football stadium costs. For the purposes of this subdivision, the amount expended by a public body includes the cost of public infrastructure, and "incremental revenue" means the difference between the amount of revenue the team received in the last year the team played in the Metrodome and the first year in the ballpark or football stadium for the following items:

(1) tickets;

(2) club seats;

(3) private suites;

(4) naming rights;

(5) in-stadium advertising;

(6) concession revenue;

(7) onetime revenue from private seat licenses; and

(8) media access revenue.

Every public body making an expenditure for the ballpark or football stadium must provide the commission with the amount of public funds it expended for the ballpark or football stadium so that the commission may make the determination required by this subdivision."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 16 and nays 49, as follows:

Those who voted in the affirmative were:

| | | | |
|-----------|--------|------------|----------|
| Anderson | Dibble | Moua | Sams |
| Berglin | Dille | Pappas | Skoglund |
| Chaudhary | Lourey | Pogemiller | Solon |
| Cohen | Marty | Rest | Stumpf |

Those who voted in the negative were:

| | | | | |
|--------------|---------------|----------|----------|-----------|
| Bachmann | Hann | Koering | Murphy | Saxhaug |
| Bakk | Higgins | Kubly | Neuville | Scheid |
| Betzold | Hottinger | Langseth | Nienow | Senjem |
| Bonoff | Johnson, D.E. | Larson | Olson | Skoe |
| Clark | Johnson, D.J. | LeClair | Ortman | Sparks |
| Day | Jungbauer | Limmer | Pariseau | Tomassoni |
| Fischbach | Kelley | Marko | Reiter | Vickerman |
| Foley | Kierlin | McGinn | Robling | Wergin |
| Frederickson | Kiscaden | Metzen | Rosen | Wiger |
| Gerlach | Koch | Michel | Ruud | |

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

Senator Dille moved to amend H.F. No. 2480, the unofficial engrossment, as follows:

Page 8, after line 25, insert:

"Subd. 16. **Sunday games.** No major league baseball games may commence in the ballpark before noon on Sundays."

Page 14, after line 25, insert:

"Subd. 14. **Sunday games; Christmas and Christmas Eve games.** No professional football games may commence in the stadium before noon on Sundays or before noon on Christmas day. Professional football games must end in the stadium by 3 p.m. on Christmas Eve day."

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 33, as follows:

Those who voted in the affirmative were:

| | | | |
|--------------|---------------|----------|-----------|
| Bachmann | Hann | Limmer | Ortman |
| Belanger | Johnson, D.E. | Lourey | Pariseau |
| Clark | Johnson, D.J. | Marty | Reiter |
| Cohen | Jungbauer | McGinn | Robling |
| Day | Koch | Michel | Skoglund |
| Dille | Koering | Neuville | Vickerman |
| Fischbach | Kubly | Nienow | Wergin |
| Frederickson | LeClair | Olson | Wiger |

Those who voted in the negative were:

| | | | | |
|-----------|-----------|----------|------------|-----------|
| Anderson | Foley | Langseth | Pogemiller | Skoe |
| Bakk | Gerlach | Larson | Rest | Solon |
| Berglin | Higgins | Marko | Rosen | Sparks |
| Betzold | Hottinger | Metzen | Sams | Stumpf |
| Bonoff | Kelley | Moua | Saxhaug | Tomassoni |
| Chaudhary | Kierlin | Murphy | Scheid | |
| Dibble | Kiscaden | Pappas | Senjem | |

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

Senator Pappas moved to amend H.F. No. 2480, the unofficial engrossment, as follows:

Page 24, after line 17, insert:

"Sec. 20. **METROPOLITAN SIGNIFICANCE.**

The expenditure of public money for infrastructure or otherwise in connection with the convention facilities to be constructed adjacent to and in conjunction with the football stadium is declared to be a matter of metropolitan significance within the meaning of Minnesota Statutes, section 473.173. The council must review the proposed expenditure in accordance with Minnesota Statutes, section 473.173, with emphasis on the extent to which the proposed new facilities would adversely impact existing convention or large venue facilities in the metropolitan area. Public money must not be expended on the convention facilities until the council has completed the review required by this section."

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. 2480 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 34 and nays 32, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|----------|------------|-----------|
| Anderson | Cohen | Kiscaden | Pappas | Solon |
| Bakk | Dibble | Kubly | Pogemiller | Sparks |
| Berglin | Foley | Langseth | Sams | Stumpf |
| Betzold | Higgins | Marko | Saxhaug | Tomassoni |
| Bonoff | Hottinger | Metzen | Scheid | Vickerman |
| Chaudhary | Johnson, D.E. | Moua | Skoe | Wiger |
| Clark | Kelley | Murphy | Skoglund | |

Those who voted in the negative were:

| | | | | |
|--------------|---------------|----------|----------|--------|
| Bachmann | Hann | LeClair | Nienow | Rosen |
| Belanger | Johnson, D.J. | Limmer | Olson | Ruud |
| Day | Jungbauer | Lourey | Ortman | Senjem |
| Dille | Kierlin | Marty | Pariseau | Wergin |
| Fischbach | Koch | McGinn | Reiter | |
| Frederickson | Koering | Michel | Rest | |
| Gerlach | Larson | Neuville | Robling | |

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 Orders of Business of Reports of Committees and Second Reading of Senate Bills.

REPORTS OF COMMITTEES

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

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

S.F. No. 3016: A bill for an act relating to human services; making changes to child care provider rates and parent fees; eliminating certain health care co-pays; increasing the MFIP transitional standard; reinstating health care benefits for certain noncitizens; repealing MFIP housing and SSI penalties; modifying foreign operating corporation tax provision; appropriating money from the tax relief account; amending Minnesota Statutes 2004, sections 119B.13, by adding a subdivision; 256J.24, by adding a subdivision; 290.34, subdivision 1; Minnesota Statutes 2005 Supplement, sections 119B.09, subdivision 1; 256D.03, subdivisions 3, 4; 256J.21, subdivision 2; 289A.38, subdivision 6; 290.01, subdivisions 6b, 19c, 19d; proposing coding for new law in Minnesota Statutes, chapter 119B; repealing Minnesota Statutes 2004, sections 256B.0631, subdivisions 2, 4; 256J.37, subdivision 3a; Minnesota Statutes 2005 Supplement, sections 256B.0631, subdivisions 1, 3; 256J.37, subdivision 3b; Laws 2005, First Special Session chapter 4, article 3, section 19.

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

Page 1, delete lines 17 and 18

Page 2, line 2, after the first comma, insert "from July 1, 2006, to June 30, 2007, and 175 percent of the poverty guidelines from July 1, 2007, and later,"

Page 4, after line 22, insert:

"EFFECTIVE DATE. This section is effective from July 1, 2006, to June 30, 2007."

Page 6, line 24, after the period, insert "The requirement to provide a Social Security number does not apply to undocumented noncitizens eligible under paragraph (n)."

Pages 8 to 15, delete sections 5 and 6

Page 15, line 12, after the period, insert "The onetime increase is effective from July 1, 2006, to June 30, 2007."

Page 15, after line 12, insert:

"Sec. 6. Minnesota Statutes 2005 Supplement, section 256L.04, subdivision 1a, is amended to read:

Subd. 1a. **Social Security number required.** (a) Individuals and families applying for MinnesotaCare coverage must provide a Social Security number. The requirement to provide a Social Security number does not apply to undocumented noncitizens.

(b) The commissioner shall not deny eligibility to an otherwise eligible applicant who has applied for a Social Security number and is awaiting issuance of that Social Security number.

(c) Newborns enrolled under section 256L.05, subdivision 3, are exempt from the requirements of this subdivision.

(d) Individuals who refuse to provide a Social Security number because of well-established religious objections are exempt from the requirements of this subdivision. The term "well-established religious objections" has the meaning given in Code of Federal Regulations, title 42, section 435.910.

Sec. 7. **MEDICAL ASSISTANCE AND GENERAL ASSISTANCE MEDICAL CARE CO-PAYMENTS.**

Notwithstanding Minnesota Statutes, sections 256B.031 and 256D.03, subdivision 4, no co-payments shall be required to be paid on services provided between July 1, 2006, and June 30, 2007, in the medical assistance and general assistance medical care programs."

Page 15, delete section 8 and insert:

"Sec. 8. **SUSPENSION OF MFIP HOUSING AND SSI PENALTIES.**

The MFIP housing penalty under Minnesota Statutes, section 256J.37, subdivision 3a, and the supplemental security income penalty under Minnesota Statutes, section 256J.37, subdivision 3b, are suspended from July 1, 2006, to June 30, 2008.

Sec. 9. **REPEALER.**

Laws 2005, First Special Session chapter 4, article 3, section 19, is repealed."

Page 15, delete article 2

Reorder the sections in sequence

Amend the title accordingly

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

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

S.F. No. 2876: A bill for an act relating to higher education; regulating the charging of resident tuition; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

Page 1, after line 16, insert:

"(c) To qualify for resident tuition under this section an individual who is not a citizen or permanent resident of the United States must provide the college or university with an affidavit that the individual will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 3016 and 2876 were read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Higgins moved that her name be stricken as chief author, and the name of Senator Pogemiller be added as chief author to S.F. No. 3055. The motion prevailed.

MEMBERS EXCUSED

Senator Ranum was excused from the Session of today.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 11:00 a.m., Wednesday, May 10, 2006. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

