

THIRD DAY

St. Paul, Minnesota, Monday, January 8, 2007

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

CALL OF THE SENATE

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

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

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

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

Anderson	Foley	Latz	Pappas	Skoe
Berglin	Frederickson	Limmer	Pariseau	Skogen
Betzold	Gerlach	Lourey	Pogemiller	Sparks
Bonoff	Gimse	Lynch	Prettner Solon	Stumpf
Carlson	Hann	Marty	Rest	Tomassoni
Chaudhary	Higgins	Metzen	Robling	Torres Ray
Clark	Ingebrigtsen	Michel	Rosen	Vandever
Cohen	Johnson	Moua	Rummel	Vickerman
Day	Jungbauer	Murphy	Saltzman	Wergin
Dibble	Koch	Neuville	Saxhaug	Wiger
Dille	Koering	Olseen	Scheid	
Doll	Kubly	Olson, G.	Senjem	
Erickson Ropes	Langseth	Olson, M.	Sheran	
Fischbach	Larson	Ortman	Sieben	

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.

December 14, 2006

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

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

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

Terri H. Ashmore, 54 Hilltop Ln., Saint Paul, in the county of Ramsey, effective January 2, 2007, for a term that expires on January 3, 2011.

Bob Milbert, 308 Deerwood Ct., South Saint Paul, in the county of Dakota, effective January 2, 2007, for a term that expires on January 3, 2011.

(Referred to the Committee on State and Local Government Operations and Oversight.)

December 21, 2006

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA DEPARTMENT OF REVENUE
COMMISSIONER

Ward Einess, 525 N. 3rd St., Apt. 513, Minneapolis, in the county of Hennepin, effective January 2, 2007, for a term that expires on January 3, 2011.

(Referred to the Committee on Taxes.)

December 21, 2006

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA DEPARTMENT OF HUMAN SERVICES
COMMISSIONER

Cal Ludeman, 3073 - 160th St., Tracy, in the county of Lyon, effective January 2, 2007, for a term that expires on January 3, 2011.

(Referred to the Committee on Health, Housing and Family Security.)

December 29, 2006

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

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

CLEAN WATER COUNCIL

Marilyn Bernhardson, 217 W. Wyoming St., Redwood Falls, in the county of Redwood, effective January 1, 2007, for a term that expires on January 3, 2011.

Pamela Blixt, 4811 - 38th Ave. S., Minneapolis, in the county of Hennepin, effective January 1, 2007, for a term that expires on January 5, 2009.

Earl Bukowski, 1150 Meadowbrook Ln., Sauk Rapids, in the county of Benton, effective January 1, 2007, for a term that expires on January 3, 2011.

Brian Davis, 575 Mount Curve Blvd., Saint Paul, in the county of Ramsey, effective January 1, 2007, for a term that expires on January 5, 2009.

John Greer, 201 Lake Ave., Albany, in the county of Stearns, effective January 1, 2007, for a term that expires on January 5, 2009.

Delvin G. Haag, 714 - 9th St. N.W., Buffalo, in the county of Wright, effective January 1, 2007, for a term that expires on January 3, 2011.

Scott Hoese, 5520 Polk Ave., Mayer, in the county of Carver, effective January 1, 2007, for a term that expires on January 5, 2009.

David P. Jeronimus, 4254 Turner Rd., Duluth, in the county of Saint Louis, effective January 1, 2007, for a term that expires on January 3, 2011.

William Moore, 1338 Belmont Dr., Woodbury, in the county of Washington, effective January 1, 2007, for a term that expires on January 3, 2011.

Steven Pedersen, 8403 Mississippi Blvd. N.W., Coon Rapids, in the county of Anoka, effective January 1, 2007, for a term that expires on January 5, 2009.

Louis N. Smith, 4321 Fremont Ave. S., Minneapolis, in the county of Hennepin, effective January 1, 2007, for a term that expires on January 3, 2011.

Sarah Strommen, 14546 Krypton St. N.W., Ramsey, in the county of Anoka, effective January 1, 2007, for a term that expires on January 3, 2011.

Deborah Swackhamer, 14955 - 130th St. N., Stillwater, in the county of Washington, effective January 1, 2007, for a term that expires on January 5, 2009.

Paul Torkelson, 71664 - 320th St., Saint James, in the county of Watonwan, effective January 1, 2007, for a term that expires on January 3, 2011.

Robert Vogel, 71 Todd St., P.O. Box 69, New Market, in the county of Scott, effective January 1, 2007, for a term that expires on January 5, 2009.

(Referred to the Committee on Environment and Natural Resources.)

December 29, 2006

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF THE PERPICH CENTER FOR ARTS EDUCATION

Ardythe J. Gallant, 1826 Johnson St. N.E., Minneapolis, in the county of Hennepin, effective January 5, 2007, for a term that expires on January 3, 2011.

(Referred to the Committee on Education.)

Sincerely,
Tim Pawlenty, Governor

MOTIONS AND RESOLUTIONS

Senator Bakk moved that the name of Senator Sieben be added as a co-author to S.F. No. 1. The motion prevailed.

Senator Anderson moved that the names of Senators Kubly, Prettner Solon, Rosen and Doll be added as co-authors to S.F. No. 4. The motion prevailed.

Senator Murphy moved that the name of Senator Foley be added as a co-author to S.F. No. 16. The motion prevailed.

Senators Pogemiller and Senjem introduced –

Senate Resolution No. 17: A Senate resolution relating to mileage; setting the miles traveled by members of the Senate in going to and returning from the Capitol.

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

The miles traveled by members of the Senate for the 85th Legislature in each round trip going to and returning from the Capitol to their places of residence are as follows:

MEMBER	MILEAGE
ANDERSON, Ellen R.	0
BAKK, Thomas M.	470
BERGLIN, Linda	19

BETZOLD, Don	30
BONOFF, Terri	42
CARLSON, Jim	28
CHAUDHARY, Satveer	30
CLARK, Tarryl	158
COHEN, Richard J.	0
DAY, Dick	140
DIBBLE, D. Scott	26
DILLE, Steve	150
DOLL, John	32
ERICKSON ROPES, Sharon	260
FISCHBACH, Michelle L.	204
FOLEY, Leo T.	56
FREDERICKSON, Dennis R.	210
GERLACH, Chris	40
GIMSE, Joseph R.	200
HANN, David	56
HIGGINS, Linda	24
INGEBRIGTSEN, Bill	300
JOHNSON, Debbie J.	60
JUNGBAUER, Michael J.	76
KOCH, Amy T.	104
KOERING, Paul E.	270
KUBLY, Gary W.	275
LANGSETH, Keith	472
LARSON, Daniel G.	26
LATZ, Ron	32
LIMMER, Warren	50
LOUREY, Tony	236
LYNCH, Ann	160
MARTY, John	25
METZEN, James P.	15
MICHEL, Geoff	43
MOUA, Mee	12

MURPHY, Steve	102
NEUVILLE, Thomas M.	95
OLSEEN, Rick	118
OLSON, Gen	70
OLSON, Mary	480
ORTMAN, Julianne E.	59
PAPPAS, Sandra L.	0
PARISEAU, Pat	64
POGEMILLER, Lawrence J.	18
PRETTNER SOLON, Yvonne	326
REST, Ann H.	40
ROBLING, Claire A.	76
ROSEN, Julie A.	340
RUMMEL, Sandy	23
SALTZMAN, Kathy	25
SAXHAUG, Tom	390
SCHEID, Linda	44
SENJEM, David H.	152
SHERAN, Kathy	168
SIEBEN, Katie	26
SKOE, Rod	560
SKOGEN, Dan	342
SPARKS, Dan	204
STUMPF, LeRoy A.	649
TOMASSONI, David J.	404
TORRES RAY, Patricia	14
VANDEVEER, Ray	52
VICKERMAN, Jim	336
WERGIN, Betsy L.	123
WIGER, Charles W.	19

Senator Pogemiller moved that Senate Resolution No. 17 be laid on the table. The motion prevailed.

Senator Koch introduced –

Senate Resolution No. 18: A Senate resolution congratulating John Tokkesdal of Buffalo, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Sparks introduced –

Senate Resolution No. 19: A Senate resolution honoring Bonnie Besse Rietz of Austin, Minnesota, for her ten years of dedicated service as mayor of Austin.

Referred to the Committee on Rules and Administration.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Saxhaug and Tomassoni introduced–

S.F. No. 21: A bill for an act relating to capital improvements; appropriating money for Itasca County infrastructure; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Stumpf, Bonoff, Rummel and Wiger introduced–

S.F. No. 22: A resolution memorializing the Congress of the United States not to reauthorize the No Child Left Behind Act in its current form.

Referred to the Committee on Education.

Senators Wiger and Rest introduced–

S.F. No. 23: A bill for an act relating to election; changing procedure for election to fill United States Senate vacancy; amending Minnesota Statutes 2006, section 204D.17, subdivision 1; repealing Minnesota Statutes 2006, section 204D.28.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Kubly, Tomassoni and Langseth introduced–

S.F. No. 24: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Minnesota River Trail.

Referred to the Committee on Finance.

Senators Cohen and Bakk introduced—

S.F. No. 25: A bill for an act relating to state finance; requiring the commissioner of finance to adjust for projected inflation in forecasting state expenditures; amending Minnesota Statutes 2006, section 16A.103, subdivisions 1a, 1b.

Referred to the Committee on Finance.

Senators Marty, Lourey, Torres Ray, Koering and Lynch introduced—

S.F. No. 26: A bill for an act relating to health occupations; extending the expiration dates for the Board of Medical Practices' advisory councils; amending Minnesota Statutes 2006, sections 147A.27, subdivision 2; 147B.05, subdivision 2; 147C.35, subdivision 2; 147D.25, subdivision 2; 214.32, subdivision 1.

Referred to the Committee on Health, Housing and Family Security.

Senator Wiger introduced—

S.F. No. 27: A bill for an act relating to children; clarifying certain requirements in protecting or placing certain children; amending Minnesota Statutes 2006, sections 260C.001, subdivision 2; 260C.212, subdivision 2.

Referred to the Committee on Judiciary.

Senators Wiger and Vickerman introduced—

S.F. No. 28: A resolution memorializing Congress to offer greater flexibility to states and fully fund the No Child Left Behind Act as part of its reauthorization.

Referred to the Committee on Education.

Senator Wiger introduced—

S.F. No. 29: A bill for an act relating to public safety; expanding eligibility of persons with relevant military experience to take the peace officer licensing reciprocity examination; amending Minnesota Statutes 2006, section 626.8517.

Referred to the Committee on Judiciary.

Senator Vickerman introduced—

S.F. No. 30: A bill for an act relating to taxation; individual income; veterans; creating a subtraction for military pensions; amending Minnesota Statutes 2006, sections 290.01, subdivision 19b; 290.091, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 197.

Referred to the Committee on Taxes.

Senators Metzen, Cohen, Bakk, Rest and Michel introduced–

S.F. No. 31: A bill for an act relating to taxation; conforming to federal tax rules for public safety retiree pensions; authorizing pension funds to withhold and pay insurance premiums; amending Minnesota Statutes 2006, sections 290.01, subdivisions 19, 31; 356.87.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Kubly, Vickerman, Frederickson, Dille and Erickson Ropes introduced–

S.F. No. 32: A bill for an act relating to veterans; allowing a classified government service preference for the parent of a disabled veteran; amending Minnesota Statutes 2006, section 43A.11, by adding a subdivision.

Referred to the Committee on Agriculture and Veterans.

Senators Wergin, Koch and Ingebrigtsen introduced–

S.F. No. 33: A bill for an act relating to taxation; individual income; allowing a subtraction for certain military pension income; amending Minnesota Statutes 2005 Supplement, section 290.01, subdivision 19b.

Referred to the Committee on Taxes.

Senator Pappas introduced–

S.F. No. 34: A bill for an act relating to human services; modifying group residential housing rates; amending Minnesota Statutes 2006, sections 256I.04, subdivision 3; 256I.05, by adding a subdivision.

Referred to the Committee on Health, Housing and Family Security.

Senators Kubly, Dille, Vickerman, Lourey and Koering introduced–

S.F. No. 35: A bill for an act relating to taxation; exempting grain bins and fencing materials from sales and use tax; amending Minnesota Statutes 2006, section 297A.61, subdivision 12.

Referred to the Committee on Taxes.

Senators Kubly, Marty, Koering, Wergin and Erickson Ropes introduced–

S.F. No. 36: A bill for an act relating to health; modifying provisions for ambulance service and interhospital transfer; amending Minnesota Statutes 2006, sections 144E.101, subdivision 6; 144E.127; 144E.35, subdivision 1.

Referred to the Committee on Health, Housing and Family Security.

Senators Cohen, Anderson, Frederickson, Pogemiller and Saxhaug introduced–

S.F. No. 37: A bill for an act relating to natural and cultural resources; proposing an amendment

to the Minnesota Constitution, article XI; increasing the sales tax rate by one-fourth of one percent and dedicating the receipts for natural and cultural resource purposes; creating an arts, humanities, museum, and public broadcasting fund; creating a heritage enhancement fund; creating a parks and trails fund; creating a clean water fund; establishing a Heritage Enhancement Council; establishing a Clean Water Council; amending Minnesota Statutes 2006, sections 10A.01, subdivision 35; 297A.62, subdivision 1; 297A.94; 297B.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 85; 97A; 103F; 129D.

Referred to the Committee on Environment and Natural Resources.

Senators Rest, Prettner Solon, Senjem, Pogemiller and Bakk introduced—

S.F. No. 38: A bill for an act relating to waters; enacting the Great Lakes – St. Lawrence River Basin Water Resources Compact; proposing coding for new law in Minnesota Statutes, chapter 103G.

Referred to the Committee on Environment and Natural Resources.

Senators Marty, Scheid and Larson introduced—

S.F. No. 39: A bill for an act relating to elections; providing for instant runoff voting in federal, state, and local elections; amending Minnesota Statutes 2006, sections 200.02, by adding a subdivision; 204B.36, subdivision 2; 204D.10, subdivision 1; 205A.03, subdivision 1; 205A.06, subdivision 1a; 206.80; proposing coding for new law in Minnesota Statutes, chapter 204C.

Referred to the Committee on State and Local Government Operations and Oversight.

MEMBERS EXCUSED

Senator Bakk was excused from the Session of today.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 11:00 a.m., Thursday, January 11, 2007. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Monday, January 8, 2007

EXECUTIVE AND OFFICIAL COMMUNICATIONS

Pages 41 to 44

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
1	44		
4	44		
16	44		
Sen. Res. No. 17	44		
Sen. Res. No. 18	47		
Sen. Res. No. 19	47		

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F Nos. 21 to 39 Pages 47 to 50