

SEVENTH DAY

St. Paul, Minnesota, Thursday, January 18, 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, Rev. Victoria Safford.

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

Anderson	Fischbach	Larson	Ortman	Sieben
Bakk	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	

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 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 NATURAL RESOURCES
COMMISSIONER

Mark Holsten, 7790 Minar Ln., Stillwater, in the county of Washington, effective January 2, 2007, for a term that expires on January 3, 2011.

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

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 POLLUTION CONTROL AGENCY
COMMISSIONER

Bradley M. Moore, 84 Crocus St., Mahtomedi, in the county of Washington, effective January 2, 2007, for a term that expires on January 3, 2011.

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

December 21, 2006

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

Enclosed is a copy of the Notice of Appointment for Thomas J. Hanson, whom I have appointed Acting Commissioner of the Minnesota Department of Finance, effective Saturday, December 30, 2006.

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 FINANCE
COMMISSIONER

Thomas J. Hanson, 7200 Orchid Ln. N., Maple Grove, in the county of Hennepin, effective January

2, 2007, for a term that expires on January 3, 2011.

(Referred to the Committee on Finance.)

Sincerely,
Tim Pawlenty, Governor

REPORTS OF COMMITTEES

Senator Scheid from the Committee on Commerce and Consumer Protection, to which was referred the following appointment:

DEPARTMENT OF COMMERCE
COMMISSIONER
Glenn Wilson, Jr.

Reports the same back with the recommendation that the appointment be confirmed.

Senator Pogemiller moved that the foregoing committee report be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS

Senator Wiger moved that the names of Senators Clark and Hann be added as co-authors to S.F. No. 13. The motion prevailed.

Senator Cohen moved that the name of Senator Clark be added as a co-author to S.F. No. 25. The motion prevailed.

Senator Wiger moved that the name of Senator Hann be added as a co-author to S.F. No. 28. The motion prevailed.

Senator Day moved that the name of Senator Latz be added as a co-author to S.F. No. 95. The motion prevailed.

RECESS

Senator Pogemiller moved that the Senate do now recess subject to the call of the President. The motion prevailed.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senators Vandever, Ingebrigtsen, Hann, Gimse and Michel introduced –

Senate Resolution No. 24: A Senate resolution relating to the rate of reimbursement for

members' expenses.

SUSPENSION OF RULES

Senator Vandever moved that Rule 53.2 be suspended as to Senate Resolution No. 24.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 20 and nays 47, as follows:

Those who voted in the affirmative were:

Day	Hann	Koch	Olson, G.	Rosen
Fischbach	Ingebrigtsen	Limmer	Ortman	Senjem
Gerlach	Johnson	Michel	Pariseau	Vandever
Gimse	Jungbauer	Neuville	Robling	Wergin

Those who voted in the negative were:

Anderson	Dille	Latz	Pogemiller	Skogen
Bakk	Doll	Lourey	Prettner Solon	Sparks
Berglin	Erickson Ropes	Lynch	Rest	Stumpf
Betzold	Foley	Marty	Rummel	Tomassoni
Bonoff	Frederickson	Metzen	Saltzman	Torres Ray
Carlson	Higgins	Moua	Saxhaug	Vickerman
Chaudhary	Koering	Murphy	Scheid	Wiger
Clark	Kubly	Olseen	Sheran	
Cohen	Langseth	Olson, M.	Sieben	
Dibble	Larson	Pappas	Skoe	

The motion did not prevail.

Senate Resolution No. 24 was referred to the Committee on Rules and Administration.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Betzold and Koering introduced—

S.F. No. 121: A bill for an act relating to animals; providing standards of care for dog and cat breeders; appropriating money; amending Minnesota Statutes 2006, sections 343.235, subdivisions 1, 3; 347.10; proposing coding for new law in Minnesota Statutes, chapter 347.

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

Senators Carlson, Dibble, Ingebrigtsen, Foley and Dille introduced—

S.F. No. 122: A bill for an act relating to traffic regulations; requiring passenger restraint for children under the age of eight in motor vehicles; amending Minnesota Statutes 2006, section 169.685, subdivision 5.

Referred to the Committee on Transportation.

Senators Rest, Gimse, Olseen, Larson and Sheran introduced–

S.F. No. 123: A bill for an act relating to elections; requiring preelection reports of certain contributions to political committees, political funds, and party units; changing preelection reporting requirements for contributions to candidates; increasing contribution limits for candidates for secretary of state or state auditor; amending Minnesota Statutes 2006, sections 10A.20, subdivision 5; 10A.27, subdivision 1.

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

Senator Olson, M. introduced–

S.F. No. 124: A bill for an act relating to counties; providing for appointment and consolidation of certain county offices, subject to notice, hearing, reverse referendum; amending Minnesota Statutes 2006, sections 375.101, by adding a subdivision; 375A.10, subdivision 5; 375A.12, subdivision 2, by adding a subdivision; 382.01; repealing Minnesota Statutes 2006, section 375.101, subdivisions 1, 2.

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

Senator Saxhaug introduced–

S.F. No. 125: A bill for an act relating to local government; authorizing the creation of the Lakeview Cemetery Association; authorizing a tax levy.

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

Senator Torres Ray introduced–

S.F. No. 126: A bill for an act relating to education finance; increasing funding for the early childhood family education, school readiness, and Head Start programs; appropriating money; amending Minnesota Statutes 2006, sections 124D.135, subdivision 1; 124D.16, subdivision 2.

Referred to the Committee on Finance.

Senator Saxhaug introduced–

S.F. No. 127: A bill for an act relating to transportation; appropriating money for safety improvements at railroad crossings in Grand Rapids.

Referred to the Committee on Finance.

Senators Sparks, Michel and Metzen introduced–

S.F. No. 128: A bill for an act relating to commerce; regulating vehicle protection products; establishing registration and oversight requirements; requiring certain disclosures; providing remedies and penalties; proposing coding for new law as Minnesota Statutes, chapter 59C.

Referred to the Committee on Commerce and Consumer Protection.

Senators Tomassoni, Sparks, Senjem, Anderson and Bakk introduced—

S.F. No. 129: A bill for an act relating to energy; requiring utilities to meet certain renewable energy standards; regulating certificates of need for large energy facilities; modifying integrated resource planning requirements; modifying transmission planning process; providing for taxation of certain transmission lines; making technical changes; amending Minnesota Statutes 2006, sections 216B.1612, subdivision 5; 216B.1645, subdivision 1; 216B.1691; 216B.2411, subdivisions 1, 3; 216B.2421; 216B.2422; 216B.2425, subdivision 7; 216B.2426; 216B.243; 216C.053; 216C.315; 272.02, by adding a subdivision; repealing Minnesota Statutes 2006, section 216B.169.

Referred to the Committee on Energy, Utilities, Technology and Communications.

Senator Betzold introduced—

S.F. No. 130: A bill for an act relating to state government; requiring the Legislative Coordinating Commission to oversee legislative training forums; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Senator Betzold introduced—

S.F. No. 131: A bill for an act relating to state government; establishing Preservation of State Documents Act; proposing coding for new law in Minnesota Statutes, chapter 16E.

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

Senator Saxhaug introduced—

S.F. No. 132: A bill for an act relating to public safety; repealing certain restrictions relating to part-time peace officers; amending Minnesota Statutes 2006, section 626.8465, subdivision 2; repealing Minnesota Statutes 2006, sections 626.8465, subdivision 3; 626.8468, subdivision 1.

Referred to the Committee on Judiciary.

Senator Skoe introduced—

S.F. No. 133: A bill for an act relating to agriculture; appropriating money for the control of bovine tuberculosis in cattle herds.

Referred to the Committee on Finance.

Senators Skoe and Ortman introduced—

S.F. No. 134: A bill for an act relating to taxes; authorizing a property tax rebate; appropriating money.

Referred to the Committee on Taxes.

Senator Skoe introduced–

S.F. No. 135: A bill for an act relating to natural resources; appropriating money for bovine tuberculosis disease transmission prevention.

Referred to the Committee on Finance.

Senator Skoe introduced–

S.F. No. 136: A bill for an act relating to education finance; increasing the equalizing factor for the debt service equalization program; amending Minnesota Statutes 2006, section 123B.53, subdivision 5.

Referred to the Committee on Finance.

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

S.F. No. 137: A bill for an act relating to natural resources; proposing an amendment to the Minnesota Constitution, article XI, by adding a section; increasing the sales tax rate by one-fourth of one percent and dedicating the receipts for natural resources, clean water, and arts purposes; establishing a great outdoors, clean water, and arts fund; authorizing the sale of state bonds; amending Minnesota Statutes 2006, sections 297A.62, subdivision 1; 297A.94; 297B.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 103F.

Referred to the Committee on Environment and Natural Resources.

Senator Murphy introduced–

S.F. No. 138: A bill for an act relating to agriculture; requiring plant hazards evaluation and a report to the legislature.

Referred to the Committee on Agriculture and Veterans.

Senator Murphy introduced–

S.F. No. 139: A bill for an act relating to human services; increasing nursing facility payment rates to the geographic group III median rate; amending Minnesota Statutes 2006, section 256B.431, by adding a subdivision.

Referred to the Committee on Finance.

Senators Prettner Solon and Kubly introduced–

S.F. No. 140: A bill for an act relating to commerce; regulating customer access to restroom facilities; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce and Consumer Protection.

Senators Kubly, Vickerman, Anderson, Frederickson and Bakk introduced—

S.F. No. 141: A bill for an act relating to natural resources; appropriating money for state parks and trails.

Referred to the Committee on Environment and Natural Resources.

Senators Sheran; Olson, M. and Rosen introduced—

S.F. No. 142: A bill for an act relating to game and fish; exempting remote-controlled animal noise callers from the general prohibition on using radios to take game animals; amending Minnesota Statutes 2006, section 97B.085, subdivision 3.

Referred to the Committee on Environment and Natural Resources.

Senators Saxhaug, Rosen, Senjem, Kubly and Skoe introduced—

S.F. No. 143: A bill for an act relating to human services; establishing a method to determine reimbursement of nursing facility Public Employees Retirement Association costs; appropriating money; amending Minnesota Statutes 2006, section 256B.434, by adding a subdivision.

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

Senators Erickson Ropes, Rest, Prettner Solon, Gimse and Jungbauer introduced—

S.F. No. 144: A bill for an act relating to counties; authorizing counties to own and operate electric power generation facilities; proposing coding for new law in Minnesota Statutes, chapter 373.

Referred to the Committee on Energy, Utilities, Technology and Communications.

Senators Prettner Solon, Metzen, Senjem, Anderson and Rosen introduced—

S.F. No. 145: A bill for an act relating to energy; enacting the Next Generation Energy Act of 2007; establishing state energy policy goals for fossil fuel-use reduction and renewable energy use; providing for electric utility renewable energy obligations of 25 percent by 2025; establishing provisions to promote community energy development; providing for transition to an energy savings requirement for electric and natural gas utilities; enacting provisions to address climate change; providing for delegation to counties for permitting wind projects under 25 megawatts; amending Minnesota Statutes 2006, sections 123B.65, subdivision 2; 216B.16, subdivisions 6b, 6c; 216B.1612, subdivision 2, by adding a subdivision; 216B.1691, subdivisions 1, 2, 3, by adding subdivisions; 216B.2426; 216B.243, subdivisions 2, 3, 3a, 5; 216C.05; 216C.31; 471.345, subdivision 13; 504B.161, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 216B; 216C; 216F; repealing Minnesota Statutes 2006, sections 216B.165; 216B.241; 216B.2411; 216C.27; 216C.30, subdivision 5; Minnesota Rules, parts 4635.0110; 4635.0130; 7365.0210; 7635.0100; 7635.0120; 7635.0140; 7635.0150; 7635.0160; 7635.0170; 7635.0180; 7635.0200; 7635.0210; 7635.0220; 7635.0230; 7635.0240; 7635.0250; 7635.0260; 7635.0300; 7635.0310; 7635.0320; 7635.0330; 7635.0340; 7635.0400; 7635.0410; 7635.0420; 7635.0500; 7635.0510; 7635.0520; 7635.0530; 7635.0600; 7635.0610; 7635.0620; 7635.0630; 7635.0640;

7635.1000; 7635.1010; 7635.1020; 7635.1030; 7655.0100; 7655.0120; 7655.0200; 7655.0220; 7655.0230; 7655.0240; 7655.0250; 7655.0260; 7655.0270; 7655.0280; 7655.0290; 7655.0300; 7655.0310; 7655.0320; 7655.0330; 7655.0400; 7655.0410; 7655.0420.

Referred to the Committee on Energy, Utilities, Technology and Communications.

Senators Larson, Johnson, Bakk, Limmer and Bonoff introduced–

S.F. No. 146: A bill for an act relating to taxation; eliminating the imposition and refund of sales tax on capital equipment; eliminating an obsolete provision; amending Minnesota Statutes 2006, sections 297A.68, subdivision 5; 297A.75.

Referred to the Committee on Taxes.

Senators Marty, Murphy and Berglin introduced–

S.F. No. 147: A bill for an act relating to health; establishing a privileged communication for 12-step support group meetings; amending Minnesota Statutes 2006, section 595.02, subdivision 1.

Referred to the Committee on Judiciary.

Senators Marty, Higgins, Koering and Dille introduced–

S.F. No. 148: A bill for an act relating to human services; changing mental health provisions; requiring mental health assessments for certain inmates; establishing children's mental health grants and training; requiring students of higher education to carry health insurance; creating a loan forgiveness program; establishing the Crisis Intervention Team State Council; making changes to mental health funding provisions; establishing pilot projects; authorizing grant funding; requiring reports; appropriating money; amending Minnesota Statutes 2006, sections 245.462, subdivision 20; 245.50, subdivision 5; 245.696, by adding a subdivision; 256B.038; 256B.0623, subdivisions 2, 8, 12; 256B.0625, subdivisions 38, 43, 46, by adding subdivisions; 256B.0943, subdivisions 1, 2, by adding subdivisions; 256B.69, subdivisions 5g, 5h; 256B.761; 256B.763; 256D.03, subdivisions 3, 4; 256D.44, subdivision 5; 256L.03, subdivisions 1, 5; 256L.035; 256L.07, subdivision 3; 256L.12, subdivision 9a; 609.115, by adding a subdivision; 609.135, by adding a subdivision; 641.15, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 135A; 243; 245; 245A; 256; 641.

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

Senators Pariseau, Skogen, Ingebrigtsen, Saxhaug and Olson, G. introduced–

S.F. No. 149: A bill for an act relating to game and fish; establishing an access to the outdoors program; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources.

Senators Pariseau, Gimse, Ingebrigtsen, Saxhaug and Skogen introduced–

S.F. No. 150: A bill for an act relating to game and fish; adding trapping to the small game and

sporting lifetime licenses; amending Minnesota Statutes 2006, section 97A.473, subdivisions 3, 5.

Referred to the Committee on Environment and Natural Resources.

Senators Frederickson and Vickerman introduced—

S.F. No. 151: A bill for an act relating to education; authorizing a fund transfer for Independent School District No. 2884, Red Rock Central.

Referred to the Committee on Finance.

Senators Pappas, Anderson, Sieben, Moua and Scheid introduced—

S.F. No. 152: A bill for an act relating to elections; proposing an amendment to the Minnesota Constitution, article VII, section 1; lowering the voting age to 16 years in school district elections.

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

Senators Pappas, Tomassoni, Sheran, Latz and Robling introduced—

S.F. No. 153: A bill for an act relating to taxes; providing a credit for employer postsecondary education expenses; amending Minnesota Statutes 2006, section 290.06, by adding a subdivision.

Referred to the Committee on Higher Education.

Senators Berglin, Marty, Pogemiller and Koering introduced—

S.F. No. 154: A bill for an act relating to human services; modifying several MFIP and child care provisions; amending Minnesota Statutes 2006, sections 119B.09, subdivision 1; 119B.12, by adding a subdivision; 256J.24, subdivision 5; 256J.425, subdivisions 3, 4; 256J.49, subdivision 13; 256J.53, subdivision 2; repealing Minnesota Statutes 2006, sections 256B.0631; 256J.24, subdivision 6; 256J.37, subdivisions 3a, 3b.

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

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 11:00 a.m., Monday, January 22, 2007. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Thursday, January 18, 2007

EXECUTIVE AND OFFICIAL COMMUNICATIONS

Pages 89 to 91

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
13	91		
25	91		
28	91		
95	91		
Sen. Res. No. 24	91		

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F Nos. 121 to 154 Pages 92 to 98