SPECIAL SESSION

SEVENTH DAY

St. Paul, Minnesota, Monday, June 6, 2005

The Senate met at 11:00 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, Andrea Bowe.

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	Frederickson	Langseth	Olson	Solon
Bachmann	Gaither	Larson	Ortman	Sparks
Bakk	Gerlach	LeClair	Ourada	Stumpf
Belanger	Hann	Limmer	Pappas	Tomassoni
Berglin	Higgins	Marko	Pariseau	Vickerman
Betzold	Johnson, D.E.	Marty	Reiter	Wergin
Chaudhary	Jungbauer	McGinn	Robling	Wiger
Cohen	Kelley	Metzen	Saxhaug	
Day	Kierlin	Michel	Scheid	
Fischbach	Kleis	Moua	Skoe	
Foley	Koering	Nienow	Skoglund	

The President declared a quorum present.

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

MOTIONS AND RESOLUTIONS

Senator Kleis moved that the names of Senators Nienow and LeClair be added as co-authors to S.F. No. 21. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Bachmann and Reiter introduced--

S.F. No. 22: A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XIII; recognizing as marriage only a union between one man and one woman.

Referred to the Committee on Rules and Administration.

Senators Reiter and Bachmann introduced--

S.F. No. 23: A bill for an act relating to state government; designating English as the official language; proposing coding for new law in Minnesota Statutes, chapter 1.

Referred to the Committee on Rules and Administration.

Senators Betzold; Jungbauer; Johnson, D.E.; Pogemiller and Langseth introduced--

S.F. No. 24: A bill for an act relating to stadiums; requiring certain government and football officials to negotiate and develop an agreement for the construction, financing, and operation of a new professional football stadium.

Referred to the Committee on Rules and Administration.

Senators Betzold; Jungbauer; Johnson, D.E.; Pogemiller and Tomassoni introduced--

S.F. No. 25: A bill for an act relating to stadiums; providing for the financing of a football stadium in Anoka County; creating a stadium authority; authorizing the county to levy and collect certain taxes; amending Minnesota Statutes 2004, sections 297A.68, by adding a subdivision; 297A.71, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 473J.

Referred to the Committee on Rules and Administration.

Senators Ortman, Sams, Wiger, Scheid and Moua introduced--

S.F. No. 26: A bill for an act relating to education; authorizing an education tax credit for tuition expenses for certain school attendance; eliminating the family cap on the education tax credit; amending Minnesota Statutes 2004, section 290.0674, subdivisions 1, 2.

Referred to the Committee on Rules and Administration.

Senators Michel, LeClair and Kleis introduced--

S.F. No. 27: A bill for an act relating to the legislature; prohibiting per diem payments to members during special sessions; amending Minnesota Statutes 2004, section 3.099, subdivision 1.

Referred to the Committee on Rules and Administration.

Senators Pappas, Belanger, Michel, Ourada and Olson introduced--

S.F. No. 28: A bill for an act relating to higher education; regulating resident tuition; proposing coding for new law in Minnesota Statutes, chapter 135A.

Referred to the Committee on Rules and Administration.

Senators Pogemiller, Betzold, Michel, Langseth and Larson introduced--

S.F. No. 29: A bill for an act relating to retirement; various public pension plans; clarifying and revising various plan provisions; eliminating obsolete provisions; defining final average salary; modifying the definition of allowable service to include time on strike; permitting judges to purchase service credit for an authorized leave; requiring specified payments; clarifying references to actuarial services in determining actuarial equivalence; defining covered salary to include certain employer contributions to supplemental retirement plans; specifying itemized detail of plan

administrative expenses in annual financial reporting; excluding police officers of the University of Minnesota from the public employees police and fire fund; clarifying collection procedures relating to charter schools; adding a uniform nonassignment and legal process exemption provision; providing for various member and employer contribution rate increases; adding employees of Bridges Medical Services, Hutchinson Area Health Care, and Northfield Hospital to privatization coverage; extending date for filing special law approval with the secretary of state for the RenVilla Nursing Home; requiring the privatization periodic filing of updated copies of articles of incorporation and bylaws; modifying a higher education individual retirement account plan investment option provision; implementing the recommendations of the Volunteer Firefighter Relief Association working group of the state auditor; modifying the trigger date for filing financial reports; revising the per firefighter financing requirements for monthly benefit service pensions; modifying the options for crediting interest on deferred service pensions; clarifying the deferred service pension options available to defined contribution plans; providing for the crediting of service during military service leaves; requiring the amortization of experience losses; clarifying the compliance requirements for the qualification for fire state aid; modifying a limit on mutual fund investments; clarifying corporate stock and exchange-traded funds investment authority; modifying the municipal representation requirements on relief association governing boards; clarifying exemptions from process and taxation; providing that certain laws do not apply to the consolidation of specified volunteer firefighter relief associations; providing an ad hoc postretirement adjustment to Eveleth police and fire trust fund benefit recipients; authorizing the Maplewood Firefighters Relief Association to transfer assets to the Oakdale Firefighters Relief Association to cover service credits earned by certain individuals; restructuring the statewide Teachers Retirement Fund Association fund and benefit plan; providing a special post retirement adjustment to certain pre-1969 teachers; changing deferred annuities augmentation for new retirement plan members; creating a public pension plan default insurance pool; increasing the maximum retirement plan covered salary figure; providing certain early retirement incentives; creating a task force to study creation of a statewide volunteer firefighter retirement plan; appropriating money; amending Minnesota Statutes 2004, sections 3A.01, subdivisions 1, 2, 6, 8, by adding subdivisions; 3A.011; 3A.02, subdivisions 1, 1b, 3, 4, 5; 3A.03, subdivisions 1, 2; 3A.04, subdivisions 1, 2, 3, 4, by adding a subdivision; 3A.05; 3A.07; 3A.10, subdivision 1; 3A.12; 3A.13; 43A.17, subdivision 9; 69.011, subdivision 2b, by adding a subdivision; 69.021, subdivisions 5, 11; 69.051, subdivisions 1, 1a; 69.33; 69.77, subdivision 4; 69.771; 69.772, subdivisions 3, 4; 69.773, subdivisions 4, 5; 69.775; 352.01, subdivisions 2a, 4, 5, 12, 13, 21, 23, by adding a subdivision; 352.021, subdivisions 1, 2, 3, 4; 352.04, subdivisions 1, 2, 3, 12; 352.041, subdivisions 1, 2, 3, 5; 352.115, subdivisions 2, 3; 352.116, subdivision 1a; 352.15, subdivisions 1, 3, 4; 352.22, subdivision 10; 352.72, subdivision 2; 352.87, subdivision 3; 352.91, by adding a subdivision; 352.911, subdivision 5; 352.92, subdivisions 1, 2; 352.93, subdivision 1; 352B.01, subdivisions 1, 2, 3, 11; 352B.02, subdivisions 1a, 1c, 1d, 1e; 352B.071; 352B.30, subdivision 2; 352C.021, by adding a subdivision; 352C.091, subdivision 1; 352C.10; 352D.01; 352D.015, subdivisions 3, 4; 352D.02, subdivision 1; 352D.03; 352D.04, subdivision 2; 352D.05, subdivision 4; 352D.085, subdivision 1; 352D.09, subdivisions 5, 7; 352D.12; 353.01, subdivisions 6, 10, 14, 32, 33, by adding a subdivision; 353.025; 353.026; 353.027; 353.028; 353.14; 353.15, subdivisions 1, 3; 353.27, subdivisions 1, 2, 3, 3a, 11, by adding a subdivision; 353.271; 353.28, subdivisions 5, 6; 353.29, subdivision 3; 353.30, subdivision 5; 353.31, subdivision 1c; 353.32, subdivision 9; 353.33, subdivisions 3, 12; 353.64, by adding a subdivision; 353.65, subdivisions 2, 3, 6; 353.651, subdivision 3; 353.656, subdivision 1; 353.71, subdivision 2; 353B.02, subdivision 10; 353E.01, subdivision 5; 353E.05; 353F.02, subdivision 4; 354.05, subdivisions 2, 7, 13, 35, by adding a subdivision; 354.091; 354.094, subdivision 1; 354.10, subdivisions 1, 3, 4; 354.33, subdivision 5; 354.39; 354.41, subdivision 2; 354.42, subdivisions 2, 3, by adding subdivisions; 354.44, subdivisions 2, 6; 354.55, subdivision 11; 354A.011, subdivisions 3a, 15a, 24, 27, by adding a subdivision; 354A.021, subdivisions 1, 4, 5, by adding a subdivision; 354A.092; 354A.093, subdivision 1; 354A.095; 354A.096; 354A.097, subdivision 1; 354A.12, subdivisions 1, 2, 2a, 3a, 3b, 3c, 3d; 354A.30; 354A.31, subdivisions 4, 4a, 5, 7; 354A.32, subdivision 1; 354A.37, subdivision 2; 354A.39; 354A.40, subdivision 1; 354A.41; 354B.21, subdivisions 2, 3; 354B.25, subdivision 2; 355.01, subdivision 3e; 356.20, subdivisions 2, 4; 356.214, subdivision 1; 356.215, subdivisions 8, 11; 356.216; 356.24, subdivision 1; 356.30, subdivisions 1, 3; 356.302, subdivision 7; 356.303, subdivision 4; 356.315, by adding a subdivision; 356.42, subdivision 3; 356.465, subdivision 3; 356.47, subdivision 3; 356.551; 356.611, subdivision 1; 356.65,

subdivision 2; 356A.06, subdivision 7; 383B.46, subdivision 2; 383B.47; 383B.48; 383B.49; 422A.01, subdivisions 6, 11, by adding subdivisions; 422A.05, subdivision 2c; 422A.06, subdivisions 3, 5, 7, 8; 422A.10, subdivisions 1, 2; 422A.101, subdivision 3; 422A.15, subdivision 1; 422A.16, subdivision 9; 422A.22, subdivisions 1, 3, 4, 6; 422A.231; 422A.24; 423A.02, subdivision 1b; 423B.01, by adding a subdivision; 423B.05, subdivision 3; 423B.09, subdivision 1, by adding a subdivision; 423B.10, subdivision 1; 423B.17; 423C.01, by adding a subdivision; 423C.05, subdivision 2; 423C.09; 424A.02, subdivisions 3, 4, 7; 424A.04, subdivision 1; 424B.10, subdivision 1; 471A.10; 490.121, subdivisions 1, 4, 6, 7, 13, 14, 15, 20, 21, 22, by adding subdivisions; 490.122; 490.123, subdivisions 1, 1a, 1b, 1c, 2, 3; 490.124, subdivisions 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13; 490.125, subdivisions 1, 2; 490.126; 490.133; 525.05; Laws 1999, chapter 222, article 16, section 16, as amended; Laws 2000, chapter 461, article 4, section 4, as amended; Laws 2004, chapter 267, article 12, section 4; proposing coding for new law in Minnesota Statutes, chapters 128D; 352C; 354; 356; 383B; 423C; 424A; proposing coding for new law as Minnesota Statutes, chapter 490A; repealing Minnesota Statutes 2004, sections 3A.01, subdivisions 3, 4, 6a, 7; 3A.02, subdivision 2; 3A.04, subdivision 1a; 3A.09; 352.119, subdivision 1; 352.15, subdivision 1a; 352C.01; 352C.011; 352C.021; 352C.031; 352C.033; 352C.04; 352C.051; 352C.09; 352C.091, subdivisions 2, 3; 353.15, subdivision 2; 353.29, subdivision 2; 353.34, subdivision 3b; 353.36, subdivisions 2, 2a, 2b, 2c; 353.46, subdivision 4; 353.651, subdivision 2; 353.663; 353.74; 353.75; 354.10, subdivision 2; 354.59; 354A.051; 354A.105; 354A.23, subdivision 1; 354A.28; 422A.101, subdivision 4; 422A.22, subdivisions 2, 5; 422A.221; 490.021; 490.025; 490.101; 490.102; 490.103; 490.105; 490.106; 490.107; 490.108; 490.109; 490.1091; 490.12; 490.121, subdivisions 2, 3, 5, 8, 9, 10, 11, 12, 16, 17, 18, 19, 20; 490.124, subdivision 6; 490.132; 490.15; 490.16; 490.18.

Referred to the Committee on Rules and Administration.

Senator Limmer introduced--

S.F. No. 30: A bill for an act relating to health; providing an exception to the hospital construction moratorium; amending Minnesota Statutes 2004, section 144.551, subdivision 1.

Referred to the Committee on Rules and Administration.

Senators Kelley, Sams, McGinn, Vickerman and Murphy introduced--

S.F. No. 31: A bill for an act relating to retirement; providing survivor benefits to spouse of St. Louis Park police officer killed while on active duty in Iraq.

Referred to the Committee on Rules and Administration.

Senator Kleis introduced--

S.F. No. 32: A bill for an act relating to the legislature; prohibiting per diem payments to members during certain special sessions; amending Minnesota Statutes 2004, section 3.099, subdivision 1.

Referred to the Committee on Rules and Administration.

Senators Bachmann and LeClair introduced--

S.F. No. 33: A bill for an act relating to transportation; requiring Department of Transportation and Metropolitan Council to conduct study of bus rapid transit on the transportation corridor between Stillwater and St. Paul.

Referred to the Committee on Rules and Administration.

Senators Michel, Marko, Kierlin, Pappas and Rosen introduced--

S.F. No. 34: A bill for an act relating to a University of Minnesota football stadium; providing a process for state support of a football stadium at the University of Minnesota; 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, chapter 473.

Referred to the Committee on Rules and Administration.

Senators Bachmann and Reiter introduced--

S.F. No. 35: A bill for an act relating to taxation; income; abolishing the alternative minimum tax for individuals and corporations; amending Minnesota Statutes 2004, sections 289A.25, subdivision 5; 290.02; 290.06, subdivisions 30, 31; 290.491; 298.01, subdivisions 3d, 4e; 469.316, subdivision 1; 469.317; 469.337; repealing Minnesota Statutes 2004, sections 290.0674, subdivision 3; 290.091; 290.0921; 298.01, subdivisions 3c, 4d.

Referred to the Committee on Rules and Administration.

Senators Bachmann and Reiter introduced--

S.F. No. 36: A bill for an act relating to taxation; income; amending the education credit; amending Minnesota Statutes 2004, section 290.0674, subdivision 2.

Referred to the Committee on Rules and Administration.

Senators Olson, Rest, Gaither and Kelley introduced--

S.F. No. 37: A bill for an act relating to traffic regulations; regulating high-occupancy vehicle lanes; amending Minnesota Statutes 2004, section 160.93, subdivision 4.

Referred to the Committee on Rules and Administration.

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

MOTIONS AND RESOLUTIONS

Senator Olson moved that the name of Senator Ourada be added as a co-author to S.F. No. 37. The motion prevailed.

MEMBERS EXCUSED

Senators Dibble, Dille, Kiscaden, Kubly, Lourey, Murphy, Ranum, Ruud and Sams were excused from the Session of today.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 10:00 a.m., Thursday, June 9, 2005. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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MOTIONS AND RESOLUTIONS

INTRODUCTION AND FIRST READING OF SENATE BILLS