

SPECIAL SESSION

FIFTEENTH DAY

St. Paul, Minnesota, Tuesday, June 28, 2005

The Senate met at 12:00 noon 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. Craig Richter.

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

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

MOTIONS AND RESOLUTIONS

Senator Koering introduced--

Senate Resolution No. 8: A Senate resolution honoring Bruce London on the occasion of his retirement.

Referred to the Committee on Rules and Administration.

Senators Wergin, Day, Reiter, Gaither and Ruud introduced--

Senate Concurrent Resolution No. 3: A Senate concurrent resolution proposing Senate and House expenditure limits for fiscal years 2006 and 2007 for the finance bills listed in this resolution for consideration in the 2005 First Special Session.

Referred to the Committee on Rules and Administration.

Senators Wergin, Day, McGinn, Rosen and Ruud introduced--

Senate Concurrent Resolution No. 4: A Senate concurrent resolution proposing Senate and House expenditure limits for fiscal years 2006 and 2007 for the finance bills listed in this resolution for consideration in the 2005 First Special Session.

Referred to the Committee on Rules and Administration.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Senator Wiger introduced--

S.F. No. 84: A bill for an act relating to commerce; regulating gasoline sales below cost; amending Minnesota Statutes 2004, section 325D.01, subdivision 5; repealing Minnesota Statutes 2004, sections 325D.01, subdivisions 11, 12; 325D.71.

Referred to the Committee on Rules and Administration.

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.

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.

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 Report at the Desk be now adopted. The motion prevailed.

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

S.F. No. 65: A bill for an act relating to the financing of state government; providing for structural balance in the state budget; appropriating money for education, the environment, agriculture, economic development, transportation, and health and human services with certain

conditions; fixing and limiting fees; regulating the deposit of money in the state treasury; regulating transfers between appropriations and accounts; requiring certain studies and reports; shortening the holding period for abandoned securities; amending Minnesota Statutes 2004, sections 123B.54; 127A.49, subdivision 2; 168.013, subdivision 8; 168.12, subdivisions 2, 2a, 2b, 2c, 2d, 2e, 5; 168.1255, subdivision 4; 168.127, subdivision 6; 168.129, subdivision 5; 168.1293, subdivision 7; 168.1296, subdivision 5; 168.27, subdivision 11; 168.33, subdivision 7, as amended; 168.381, subdivision 4; 168A.152, subdivision 2; 168A.29, subdivision 1; 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; 171.26; 171.29, subdivision 2; 171.36; 256.975, subdivision 9; 256B.0625, subdivision 13; 256B.0911, subdivision 1a; 256M.40, subdivision 2; 345.47, subdivisions 3, 3a; proposing coding for new law in Minnesota Statutes, chapters 93; 168; 299A; repealing Minnesota Statutes 2004, sections 168.012, subdivision 12; 168.041, subdivision 11; 168.105, subdivision 6; 168.123, subdivision 5; 168.1235, subdivision 5; 168.128, subdivision 4; 168.231; 168.345, subdivisions 3, 4; 170.23; 171.12, subdivision 8; 171.185; 256.955.

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

Page 2, delete lines 5 and 6 and insert:

"Economic Development	152,263,000	152,136,000	304,399,000"
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Page 2, delete line 7

Page 2, delete line 10 and insert:

"TOTAL	\$10,454,095,000	\$10,807,685,000	\$21,261,780,000"
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Page 36, delete line 34 and insert:

"General	\$152,263,000	\$152,136,000	\$304,399,000"
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Page 37, delete line 7 and insert:

"TOTAL	\$184,992,000	\$184,865,000	\$369,857,000"
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Page 37, delete lines 14 and 15 and insert:

"Subdivision 1. Total Appropriation		\$52,781,000	\$52,781,000"
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Page 37, delete line 17 and insert:

"General	43,511,000	43,511,000"	
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Page 38, delete line 19 and insert:

"13,990,000	13,990,000"		
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Page 38, delete line 21 and insert:

"General	12,165,000	12,165,000"	
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Page 38, line 50, delete "\$750,000" and insert "\$200,000"

Page 38, delete lines 56 to 58

Page 39, delete lines 1 to 7

Page 39, line 8, delete "(f)" and insert "(e)"

Page 39, line 19, delete "(g)" and insert "(f)"

Page 39, line 24, delete "(h)" and insert "(g)"

Page 39, line 35, delete "(i)" and insert "(h)"

Pages 48 to 89, delete article 6

Page 89, line 2, delete "7" and insert "6"

Page 89, delete line 21 and insert:

"Federal TANF	282,749,000	282,807,000	565,556,000"
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Page 89, delete line 23 and insert:

"TOTAL	\$4,739,155,000	\$5,031,810,000	\$9,770,965,000"
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Page 99, delete lines 39 and 40 and insert:

"Subdivision 1. Total Appropriation		108,985,000	108,985,000"
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Page 99, after line 45, insert:

"TANF	6,000,000	6,000,000"	
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Page 100, after line 24, insert:

"TANF	3,580,000	3,580,000"	
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Page 100, after line 39, insert:

"TANF	2,420,000	2,420,000"	
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Page 103, line 32, delete "8" and insert "7"

Correct the subdivision and section totals and the summaries by fund

Amend the title as follows:

Page 1, line 5, delete "transportation,"

Page 1, delete lines 13 to 23 and insert "256.975,"

Page 1, line 27, delete "chapters 93; 168; 299A" and insert "chapter 93"

Page 1, line 28, delete "sections 168.012, subdivision" and insert "section"

Page 1, delete lines 29 to 32 and insert "256.955."

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

SECOND READING OF SENATE BILLS

S.F. No. 65 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senator Skoglund introduced--

S.F. No. 85: A bill for an act relating to metropolitan government; requiring that meetings conducted by the Metropolitan Airports Commission not be held within an airport security screening perimeter; amending Minnesota Statutes 2004, section 473.604, subdivision 5.

Referred to the Committee on Rules and Administration.

Senators Marko, Moua, Skoe, Saxhaug and Hottinger introduced--

S.F. No. 86: 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; increasing tax on motor fuels; modifying vehicle registration tax; allocating county state-aid highway funds; allocating portion of metropolitan sales tax revenue to transit fund; modifying provisions related to state mail, state highways and bridges, county state-aid highways, county wheelage taxes, toll facilities, railroad grade crossings, traffic fine allocations, commercial motor vehicles, day activity center buses, other motor vehicles, state aviation, airport noise mitigation reporting, bridges in smaller cities, highway signs, various accounts, weight limits on highways and other traffic regulations, drivers' licenses and permits, transit facilities and operations, gasoline sales, wetland replacement near the city of Cologne, the employment status of public safety radio communications operators, the insurance verification sampling program, maximum train speeds in the city of Orr, park-and-ride lots, a restriction on ethanol requirements, deputy registrar positions in Carver and Hennepin Counties, and bicycle programs; requiring studies and reports; making technical and clarifying revisions; amending Minnesota Statutes 2004, sections 16B.49; 115A.908, subdivision 1; 160.87, by adding a subdivision; 161.14, by adding a subdivision; 161.361, subdivision 2; 162.06, subdivision 2; 162.07, subdivision 1, by adding subdivisions; 162.08, subdivision 3; 163.051; 168.011, subdivisions 3, 5, 5a, 6, 7, 25, by adding subdivisions; 168.013, subdivisions 1a, 8; 168.031; 168.09, subdivision 7; 168.091, subdivision 1; 168.10, subdivision 1c; 168.105, subdivisions 2, 3, 5; 168.12; 168.123; 168.1235; 168.124; 168.125; 168.1255; 168.127; 168.128; 168.129; 168.1291; 168.1293; 168.1296; 168.1297; 168.15, subdivision 1; 168.16; 168.27, subdivision 11; 168.31, subdivision 5; 168.33; 168.345, subdivisions 1, 2; 168.381; 168.54, subdivisions 4, 5; 168A.152, subdivision 2; 168A.29; 168A.31; 169.01, subdivisions 75, 76, 78; 169.09, subdivision 13; 169.18, subdivisions 4, 5, 11, as amended; 169.448, by adding a subdivision; 169.81, subdivision 3c; 169.824, subdivision 2; 169.851, subdivision 5; 169.86, subdivision 5; 169.87, subdivision 4; 169.99, subdivision 1b; 169A.52, subdivision 3; 169A.60, subdivision 16; 171.01, subdivisions 22, 35, 47, by adding a subdivision; 171.02, as amended; 171.03; 171.04, subdivision 2; 171.05, subdivisions 1, 2; 171.06, subdivisions 2, 2a; 171.061, subdivision 4; 171.07, subdivision 11; 171.09, as amended; 171.12, subdivisions 3, 6; 171.13, subdivisions 2, 6, by adding a subdivision; 171.165, subdivisions 1, 2, 6, as amended; 171.18, subdivision 1; 171.20, subdivision 4, as amended; 171.26, as amended; 171.29, subdivision 2; 171.36; 174.03, by adding subdivisions; 174.50, by adding a subdivision; 179A.03, subdivision 7; 179A.10, subdivision 2; 192.502, subdivision 2; 197.65; 296A.07, subdivision 3; 296A.08, subdivision 2; 297A.94; 297B.09, subdivision 1; 299D.03, subdivision 5; 473.446, subdivision 3; 473.4461; 473.604, subdivision 5; 473F.08, subdivision 3b; 609.855, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 160; 168; 169; 171; 174; 190; 219; 299A; repealing Minnesota Statutes 2004, sections 168.011, subdivision 19; 168.012, subdivision 12; 168.041, subdivision 11; 168.105, subdivision 6; 168.15, subdivision 2; 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; 171.165, subdivisions 3, 4, 4a, 4b; 171.185; 473.408, subdivision 1; 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; 7503.2400; 7800.0600; 7800.3200, subpart 1; 7805.0700; 8850.6900, subpart 20; 8855.0500, subpart 1.

Referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Wergin moved that Senate Concurrent Resolution No. 1 be withdrawn from the Committee on Rules and Administration.

CALL OF THE SENATE

Senator Reiter imposed a call of the Senate for the balance of the proceedings on Senate Concurrent Resolution No. 1. The Sergeant at Arms was instructed to bring in the absent members.

MEMBERS EXCUSED

Senators Chaudhary, Hann, Ourada, Pappas and Pariseau were excused from the Session of today. Senators Gaither; Gerlach; Johnson, D.J. and Limmer were excused from the Session of today from 3:20 to 3:40 p.m.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 12:00 noon, Wednesday, June 29, 2005.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 36 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Lourey	Rest	Stumpf
Bakk	Higgins	Marko	Sams	Tomassoni
Berglin	Johnson, D.E.	Marty	Saxhaug	Vickerman
Betzold	Kelley	Metzen	Scheid	Wiger
Cohen	Kierlin	Moua	Skoe	
Dibble	Kiscaden	Murphy	Skoglund	
Dille	Kubly	Pogemiller	Solon	
Foley	Langseth	Ranum	Sparks	

Those who voted in the negative were:

Bachmann	Kleis	McGinn	Olson	Rosen
Day	Koering	Michel	Ortman	Ruud
Fischbach	Larson	Neuville	Reiter	Senjem
Jungbauer	LeClair	Nienow	Robling	Wergin

The motion prevailed. So the Senate was adjourned.

Patrick E. Flahaven, Secretary of the Senate

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