

## SEVENTY-SEVENTH DAY

St. Paul, Minnesota, Wednesday, March 22, 2006

The Senate met at 8:45 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 Senator Michael J. Jungbauer.

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

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

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 communication was received.

March 20, 2006

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

Enclosed is a copy of the Notice of Appointment for Ward Einess, whom I have appointed Acting Commissioner of the Minnesota Department of Employment and Economic Development, effective

Monday, April 3, 2006.

Sincerely,  
Tim Pawlenty, Governor

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2985:

**H.F. No. 2985:** A bill for an act relating to funerals; prohibiting the disruption of a funeral, burial service, or memorial service; creating penalties and providing civil remedy; proposing coding for new law in Minnesota Statutes, chapter 609.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Smith, Seifert and Murphy have been appointed as such committee on the part of the House.

House File No. 2985 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 21, 2006

Senator Betzold moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2985, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2341, 2709, 3142 and 2576.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 20, 2006

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 2341:** A bill for an act relating to the legislature; changing provisions governing the Legislative Coordinating Commission and subordinate agencies; eliminating a commission; changing membership and operation of the Compensation Council; appropriating money; amending Minnesota Statutes 2004, sections 3.303, subdivision 3, by adding a subdivision; 3.85, subdivisions 8, 9; 15A.082, subdivisions 1, 2, 3; 216C.051, subdivision 6; repealing Minnesota Statutes 2004, sections 3.304, subdivisions 1, 5; 3.884.

Referred to the Committee on Rules and Administration.

**H.F. No. 2709:** A bill for an act relating to financial institutions; authorizing a detached facility in Shamrock Township under certain conditions.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2523, now on the Consent Calendar.

**H.F. No. 3142:** A bill for an act relating to Hennepin County; modifying regional park district provisions; amending Minnesota Statutes 2004, section 383B.79, subdivision 1.

Referred to the Committee on State and Local Government Operations.

**H.F. No. 2576:** A bill for an act relating to public safety; prohibiting immigration law enforcement noncooperation ordinances; proposing coding for new law in Minnesota Statutes, chapter 299A.

Referred to the Committee on State and Local Government Operations.

### REPORTS OF COMMITTEES

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

**Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred**

**S.F. No. 2539:** A bill for an act relating to employment; modifying public safety peer counseling and debriefing provisions; amending Minnesota Statutes 2004, section 181.973.

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

Page 1, line 17, strike "paragraph" and insert "section"

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Energy and Community Development. Amendments adopted. Report adopted.

**Senator Murphy from the Committee on Transportation, to which was referred**

**S.F. No. 2651:** A bill for an act relating to taxation; changing the deposit of revenues from the sales tax on motor vehicle leases; amending Minnesota Statutes 2005 Supplement, section 297A.815, by adding a subdivision.

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

Page 1, delete lines 10 to 14

Page 1, line 15, delete "(c)" and insert "(b)"

Page 1, line 20, delete "(d)" and insert "(c)"

Page 2, line 1, delete "(e)" and insert "(d)"

Page 2, line 6, delete "(f)" and insert "(e)"

Page 2, line 11, delete "(g)" and insert "(f)"

Page 2, delete line 15 and insert:

"Sec. 2. Minnesota Statutes 2005 Supplement, section 297A.815, is amended by adding a subdivision to read:

Subd. 4. Reporting of tax proceeds. A lessor must report taxes collected under this section separately from any other taxes collected and remitted under this chapter or chapter 297B.

Sec. 3. Minnesota Statutes 2004, section 297A.94, is amended to read:

**297A.94 DEPOSIT OF REVENUES.**

(a) Except as provided in this section, the commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed by this chapter in the state treasury and credit them to the general fund.

(b) The commissioner shall deposit taxes in the Minnesota agricultural and economic account in the special revenue fund if:

(1) the taxes are derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project; and

(2) the purchase was made on or after the date on which a conditional commitment was made for a loan guaranty for the project under section 41A.04, subdivision 3.

The commissioner of finance shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account must be reduced by any refunds and by the costs incurred by the Department of Revenue to administer and enforce the assessment and collection of the taxes.

(c) The commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3, paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance to the general fund.

(d) The commissioner shall deposit the revenues, including interest and penalties, collected under section 297A.64, subdivision 5, in the state treasury and credit them to the general fund. By July 15 of each year the commissioner shall transfer to the highway user tax distribution fund an amount equal to the excess fees collected under section 297A.64, subdivision 5, for the previous calendar year.

(e) The commissioner shall deposit the revenues, including interest and penalties, collected under section 297A.815, subdivisions 1 and 2, as provided in section 297A.815, subdivision 3.

~~(e)~~ (f) For fiscal year 2001, 97 percent; for fiscal years 2002 and 2003, 87 percent; and for fiscal year 2004 and thereafter, 72.43 percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited by the commissioner in the state treasury as follows:

(1) 50 percent of the receipts must be deposited in the heritage enhancement account in the game and fish fund, and may be spent only on activities that improve, enhance, or protect fish and wildlife resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state;

(2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only for state parks and trails;

(3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only on metropolitan park and trail grants;

(4) three percent of the receipts must be deposited in the natural resources fund, and may be spent only on local trail grants; and

(5) two percent of the receipts must be deposited in the natural resources fund, and may be spent

only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory, and the Duluth Zoo.

~~(f)~~ (g) The revenue dedicated under paragraph ~~(e)~~ (f) may not be used as a substitute for traditional sources of funding for the purposes specified, but the dedicated revenue shall supplement traditional sources of funding for those purposes. Land acquired with money deposited in the game and fish fund under paragraph ~~(e)~~ (f) must be open to public hunting and fishing during the open season, except that in aquatic management areas or on lands where angling easements have been acquired, fishing may be prohibited during certain times of the year and hunting may be prohibited. At least 87 percent of the money deposited in the game and fish fund for improvement, enhancement, or protection of fish and wildlife resources under paragraph ~~(e)~~ (f) must be allocated for field operations.

Sec. 4. **REVISOR'S INSTRUCTION.**

In Minnesota Statutes 2004, section 97A.055, subdivision 2, clause (7), the revisor of statutes shall remove "297A.94, paragraph (e), clause (1)," and insert "297A.94, paragraph (f), clause (1)," to reflect the change made in section 3.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective July 1, 2006."

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred**

**S.F. No. 2607:** A bill for an act relating to public safety; establishing an Internet Crimes Against Children (ICAC) Task Force; specifying the task force's duties and membership; providing for grants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

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

Delete everything after the enacting clause and insert:

**"Section 1. [299A.79] INTERNET CRIMES AGAINST CHILDREN TASK FORCE; MEMBERSHIP; DUTIES; GRANTS; REPORTS.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given them.

(b) "ICAC" means the Minnesota Internet Crimes Against Children Task Force.

(c) "Team" means the crimes against children team.

Subd. 2. **Internet crimes against children team.** The commissioner of public safety shall convene a crimes against children team to investigate technology-facilitated crimes against children, including the solicitation of minors for sexual purposes and the possession or distribution of child pornography. The team shall consist of Bureau of Criminal Apprehension agents, analysts, clerical support, and computer/technology support.

Subd. 3. **Team duties.** (a) The team shall serve as a statewide source of prevention, education, and investigative expertise to provide assistance to parents, teachers, law enforcement, and other professionals working on child victimization issues. The team shall investigate criminal activity involving the possession or distribution of child pornography and criminal activity involving the exploitation or solicitation of a minor for sexual purposes.

(b) The team shall assist in implementing a statewide "NetSmartz" and other educational programs designed to enhance safety awareness for children and to prevent crimes against children.

Subd. 4. **Memorandum of understanding; federal agencies.** The commissioner of public safety has the authority to enter into memorandums of understanding with federal agencies in the United States Departments of Justice, Treasury, and Homeland Security. The memorandums may authorize state law enforcement officers to enforce federal laws.

Subd. 5. **Memorandum of understanding; ICAC; local government and law enforcement.** The commissioner of public safety has the authority to enter into memorandums of understanding with the ICAC Task Force, state law enforcement agencies, city police departments, county sheriff's departments, and local government units. These memorandums of understanding may authorize city and county law enforcement officers to have statewide authority to conduct criminal investigations and to possess the same powers of arrest as those of a sheriff.

Subd. 6. **Cooperation.** The team shall cooperate fully with existing prosecutorial offices and law enforcement agencies including county attorney's offices, the Minnesota Attorney General's office, the United States Attorney's Office, the ICAC Task Force, federal law enforcement agencies, city and county law enforcement agencies, and other state law enforcement agencies.

## Sec. 2. **APPROPRIATION.**

\$1,000,000 is appropriated from the general fund to the commissioner of public safety to fund the activities of the crimes against children team. The appropriation is available for the biennium ending June 30, 2007."

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government Operations. Amendments adopted. Report adopted.

## **Senator Betzold from the Committee on Judiciary, to which was referred**

**S.F. No. 3049:** A bill for an act relating to commerce; providing an expedited process for the judicial review of financing statements; establishing civil and criminal liability for fraudulent or otherwise improper financing statements; amending Minnesota Statutes 2005 Supplement, section 609.749, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 545; 604; 609.

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

Page 1, line 18, delete "first class" and insert "certified United States"

Page 2, line 1, delete "that day" and insert "the day the motion is mailed"

Page 4, line 4, delete "ten" and insert "20" and delete "first class" and insert "certified"

Page 6, line 26, delete "tenth" and insert "20th"

Page 6, line 29, delete "ten-day" and insert "20-day"

Page 7, line 14, delete "ten-day" and insert "20-day"

Page 8, line 15, delete "paragraph," and insert "section,"

Page 8, delete section 2

Page 10, line 16, delete "; STRAW MAN"

Page 10, line 32, after "(i)" insert "nominal damages up to"

Page 11, line 10, delete "municipal" and insert "city"

Page 11, line 32, delete "or"

Page 11, line 33, delete "described or indicated by" and insert ", or any other person harmed by the filing of" and delete "1" and insert "2"

Page 11, line 36, after "index" insert "under the provisions of section 545.05, paragraph (c),"

Page 12, line 4, delete "AND STRAW MAN"

Page 12, line 12, delete "and" and insert "or"

Page 13, line 9, delete "and" and insert "or"

Renumber the sections in sequence

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Crime Prevention and Public Safety. Amendments adopted. Report adopted.

**Senator Betzold from the Committee on Judiciary, to which was referred**

**S.F. No. 3077:** A bill for an act relating to public defense; modifying right to public defender representation; amending Minnesota Statutes 2004, sections 611.14; 611.16; 611.18; 611.25, subdivision 1; 611.26, subdivision 6.

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

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2004, section 260C.163, subdivision 3, is amended to read:

Subd. 3. **Appointment of counsel.** (a) The child, custodial parent, guardian or custodian has the right to effective assistance of counsel in connection with a proceeding in juvenile court.

(b) Except in proceedings where the sole basis for the petition is habitual truancy, if the child, custodial parent, guardian, or custodian desires counsel but is unable to employ it, the court shall appoint counsel to represent the child who is ten years of age or older or the ~~parents or~~ custodial parent, guardian, or custodian in any case in which it feels that such an appointment is appropriate.

(c) In any proceeding where the sole basis for the petition is habitual truancy, the child, custodial parent, guardian, and custodian do not have the right to appointment of a public defender or other counsel at public expense. However, before any out-of-home placement, including foster care or inpatient treatment, can be ordered, the court must appoint a public defender or other counsel at public expense in accordance with paragraph (b).

(d) Counsel for the child shall not also act as the child's guardian ad litem.

(e) In any proceeding where the subject of a petition for a child in need of protection or services is not represented by an attorney, the court shall determine the child's preferences regarding the proceedings, if the child is of suitable age to express a preference."

Renumber the sections in sequence

Amend the title accordingly

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

**Senator Betzold from the Committee on Judiciary, to which was re-referred**

**S.F. No. 2575:** A bill for an act relating to public safety; regulating international marriage brokers; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Page 3, line 2, delete "shall refrain from providing any further" and insert "must not provide"

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

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 2582:** A bill for an act relating to human services; establishing allowances for counties that overspend certain waived services allotments under certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Page 1, line 7, delete "Subdivision 1. Waivered services for persons with developmental disabilities."

Page 1, delete lines 12 to 23

Page 2, delete lines 1 to 6

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 3064:** A bill for an act relating to human services; providing limited medical assistance coverage for individuals eligible for Medicare Part D; amending Minnesota Statutes 2004, section 256B.0625, by adding a subdivision.

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

Page 1, line 13, delete "paid" and insert "incurred"

Page 1, delete lines 15 to 19 and insert:

"(2) any prescription drug that is not included in the drug formulary used by the Medicare Part D prescription drug plan or Medicare Advantage special needs plan in which the recipient is enrolled. Coverage under this clause shall only occur upon a determination by the Board of Aging that the recipient is enrolled in the plan that provides the most comprehensive prescription drug coverage in terms of the recipient's prescription drug needs and meets the low-income premium benchmark set for Minnesota. Once a determination has been made by the Board of Aging, the commissioner shall not require the recipient to pursue the plan's exception and appeal process before providing coverage under this clause."

Page 2, after line 2, insert:

"Sec. 2. **FEDERAL GOVERNMENT CHANGES.**

The commissioner of human services shall seek reimbursement from the federal government for funds expended by the state to provide drug coverage to medical assistance recipients who are enrolled or in the process of enrolling in Medicare Part D. The commissioner shall also continue to



pursue federal changes to Medicare Part D to address lapses in drug coverage for medical assistance recipients who are also enrolled or eligible for Medicare Part D."

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 2080:** A bill for an act relating to human services; implementing the recommendations of the tripartisan Long-Term Care Task Force; reducing excess capacity of nursing facility beds; allocating resultant savings to home and community-based services for elderly persons and family caregivers; expanding home and community-based services for elderly persons and family caregivers; establishing a demonstration project.

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

Delete everything after the enacting clause and insert:

"Section 1. **[256B.096] LONG-TERM CARE SERVICE OPTIONS.**

(a) To guarantee a high-quality long-term care system, the commissioner shall ensure that the system meets the following objectives: the system must be sustainable and support self-determination; it must provide services that meet consumers' needs and preferences; it must provide high-quality care; and it must ensure efficiency and affordability.

(b) The system must ensure a range of options, including nursing facilities, housing with services, and home and community-based services and support that include, but are not limited to, the following:

- (1) home health care services;
- (2) living at home/block nurse programs;
- (3) meals and nutrition services;
- (4) chore, homemaker, transportation, assisted living programs, senior companionship, respite, and other caregiver support services;
- (5) adult day services;
- (6) technology facilitated care;
- (7) end-of-life care; and
- (8) care coordination.

(c) The system must be cost-effective and provide incentives for lower-cost quality options, fair compensation for services delivered, appropriate use of trained community volunteers, and flexible funding streams, such as the alternative care, elderly waiver, Medicaid, and aging grants programs.

(d) The system must support high-quality services that meet contemporary standards, achieve positive outcomes, and are provided by a sufficient number of trained, competent staff.

(e) The system must incorporate policies, including incentives, to ensure the least restrictive alternative for each service recipient in order to minimize disruption to an older person's life while meeting the person's care needs.

(f) The system must minimize premature use of nursing facilities and support diversions from

nursing facilities to the community when feasible.

(g) The system must support elder-friendly communities with family, government, faith communities, businesses, and other sectors working together to support vital aging and long-term care at home.

(h) The system must strengthen informal care networks that include family, friends, volunteers, and other community resources.

**Sec. 2. LONG-TERM CARE INVESTMENT STUDY AND REBALANCING GOALS DEVELOPMENT.**

(a) By February 15, 2007, the commissioner of human services, in consultation with the commissioner of health, shall report to the legislature:

- (1) the results of the investment study conducted under paragraphs (b) to (f); and
- (2) the balancing goals developed under paragraphs (g) and (h).

(b) The investment study shall include recommendations for a rebalanced allocation of public funding between nursing facility services and home and community-based services. The recommendations may include variations based on population density or other factors. The study shall also recommend a standard set of core services, utilizing culturally appropriate social models in an elder-friendly environment, to be reasonably accessible to older persons and family caregivers, irrespective of their community of residence.

(c) The investment study must:

(1) include proposals to implement the recommendations related to age-friendly communities and family caregiving in the 2005 report on financing long-term care for Minnesota baby boomers;

(2) gather and report community level and other data about the specific needs of older persons and of family caregivers of frail older persons within the existing long-term care system;

(3) determine the efficacy and efficiency of existing services and service models within varying economic, demographic, and social groups at the community level; and

(4) quantify the costs and benefits of existing services and service models, specifically including home and community-based services for older persons, their family caregivers, communities, and the state.

(d) The study shall be conducted in five Minnesota communities, including three in greater Minnesota, one of which must be conducted in a city of the first or second class, and two in the seven-county metropolitan area. The study must include one greater Minnesota community and one metropolitan community with a significant minority population.

(e) The study shall be conducted utilizing a community engagement process and a community planning advisory group in each community. A majority of the group members in each community must be community leaders age 65 and older, family caregivers of persons age 65 and older, and caregivers of persons age 85 and older. Each advisory group must also include representatives of counties; cities; health plans; nonprofit and for-profit health and social services providers; area agencies on aging; minority organizations; housing, transportation, community development, and economic development agencies; and the local business community.

(f) The study process shall include interviews, focus groups, opinion surveys, and other methods to obtain direct input from community members. The study shall also incorporate:

- (1) existing, relevant local community and state agency data;
- (2) other relevant data used in population models; and

(3) individual case studies, including those of family caregivers of frail older persons.

(g) The goals development report shall include recommended allocation goals for long-term care spending that reflect an increasing reliance on home and community-based services. The allocation goals shall:

(1) incorporate the findings and recommendations of the investment study described in paragraphs (b) to (f); and

(2) include a plan and timeline to achieve rebalancing goals by state fiscal year 2011, with progress measures, including specific allocations percentages, specified for each fiscal year beginning in fiscal year 2008.

(h) The 2007 report shall include data for fiscal year 2006 on state spending for nursing facility care and home and community-based services, including numbers of recipients, through medical assistance, the Older Americans Act, the elderly waiver, the alternative care program, state aging grants, and other funds administered by the state that pay for long-term care services for older Minnesotans.

(i) The commissioner shall select a contractor by August 15, 2006, to conduct the study.

### Sec. 3. LIST OF COUNTY LONG-TERM CARE FUNCTIONS.

The commissioner of human services, in consultation with county organizations, shall develop and report to the legislature by February 15, 2007, a list of core county long-term care functions, the estimated future costs to counties to perform these functions, and an analysis of possible funding sources for these costs.

### Sec. 4. APPROPRIATION.

\$250,000 is appropriated from the general fund for the fiscal year ending June 30, 2007, to the commissioner of human services to hire a contractor to conduct the long-term care investment study under section 2."

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

### **Senator Murphy from the Committee on Transportation, to which was referred**

**S.F. No. 2646:** A bill for an act relating to drivers' licenses; requiring at least 30 minutes of driver education on organ and tissue donation; amending Minnesota Statutes 2004, section 171.0701.

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

Page 1, after line 10, insert:

"Sec. 2. Laws 2005, First Special Session chapter 6, article 3, section 109, is amended to read:

Sec. 109. [EFFECTIVE DATE; EXPIRATION.]

Sections 91 to 98 are effective the day following final enactment and do not expire on June 10, 2006."

Renumber the sections in sequence

Amend the title accordingly

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

**Senator Betzold from the Committee on Judiciary, to which was referred**

**S.F. No. 3105:** A bill for an act relating to county recorders; modifying standards for documents; modifying registration fees and provisions; amending Minnesota Statutes 2004, sections 508.75; 508A.11, subdivision 3; Minnesota Statutes 2005 Supplement, sections 507.093; 508.82, subdivision 1; 508A.82, subdivision 1; repealing Minnesota Statutes 2004, section 508.74.

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

Page 1, line 18, before "one-half" insert "at least"

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

**Senator Betzold from the Committee on Judiciary, to which was re-referred**

**S.F. No. 1973:** A bill for an act relating to health; providing for the medical use of marijuana; providing civil and criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 152.

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

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 2004, section 13.3806, is amended by adding a subdivision to read:

Subd. 21. **Medical use of marijuana registry.** Data collected by the commissioner of health relating to registrations for the medical use of marijuana are classified in section 152.25, subdivision 5."

Page 1, after line 10, insert:

"Subd. 2. **Allowable amount of marijuana.** (a) With respect to a qualifying patient, the "allowable amount of marijuana" means 2.5 ounces of usable marijuana. An allowable amount of marijuana for a qualifying patient does not include marijuana plants.

(b) With respect to a primary supplier or registered organization, the allowable amount of marijuana for each patient means:

- (1) 12 marijuana plants;
- (2) 2.5 ounces of usable marijuana; and
- (3) any amount of other parts of the marijuana plant."

Page 1, line 11, delete "2" and insert "3"

Page 1, line 13, delete "3" and insert "4"

Page 2, line 6, delete "4" and insert "5"

Page 2, delete lines 12 to 14 and insert:

"Subd. 6. **Practitioner.** "Practitioner" means a licensed doctor of medicine or licensed doctor of osteopathy licensed to practice medicine."

Page 2, line 15, delete "6" and insert "7"

Page 2, line 20, delete "7" and insert "8"

Page 2, line 22, after the period, insert "A qualifying patient may not be a primary supplier."

Page 2, line 23, delete "8" and insert "9"

Page 2, line 27, delete "9" and insert "10"

Page 2, line 31, delete "10" and insert "11"

Page 3, delete lines 8 to 29 and insert:

"Subdivision 1. **Qualifying patient.** A qualifying patient who possesses a registry identification card is not civilly or criminally liable and may not be denied any right or privilege for possession for medical use of an amount of marijuana that does not exceed the allowable amount. This immunity includes a civil penalty or disciplinary action by a business, occupational, or professional licensing board.

Subd. 2. **Primary supplier.** A primary supplier who possesses a registry identification card is not civilly or criminally liable and may not be denied any right or privilege for:

(1) assisting a registered qualifying patient for whom the supplier is a registered primary supplier in obtaining for medical use an allowable amount of marijuana; or

(2) possessing an amount of marijuana that does not exceed the total of the allowable amounts for the registered qualifying patients for whom the supplier is a registered primary supplier.

This immunity includes a civil penalty or disciplinary action by a business, occupational, or professional licensing board."

Page 5, line 13, delete "3" and insert "4"

Page 8, delete lines 26 to 36

Page 9, delete lines 1 to 11 and insert:

"Subd. 5. **Data practices.** (a) Data in registration applications and supporting data submitted by qualifying patients, including data on primary suppliers and practitioners, are private data on individuals or nonpublic data as defined in section 13.02.

(b) The commissioner shall maintain a list of persons to whom the commissioner has issued registry identification cards. Data in the list are private data on individuals or nonpublic data except that:

(1) upon request of a law enforcement agency, the commissioner shall verify whether a registry identification card is valid based on the card number; and

(2) the commissioner may notify law enforcement of falsified or fraudulent information submitted for purposes of obtaining or renewing a registration card."

Page 9, line 19, delete everything after the period

Page 9, delete lines 20 and 21 and insert "The commissioner must not include identifying information on qualifying patients, primary suppliers, or practitioners in the report."

Page 10, after line 7, insert:

"(c) Nothing in sections 152.22 to 152.30 prevents a court from limiting or prohibiting the possession or use of marijuana as a condition of probation or conditional release."

Pages 10 to 11, delete section 7

Page 12, line 30, delete "established as nonprofit entities" and insert "organized as a nonprofit corporation under chapter 317A or a similar law of another state"

Page 12, delete lines 31 to 33

Page 13, line 1, delete "operating documents" and insert "articles or bylaws"

Page 13, line 21, delete "12 marijuana plants"

Page 13, line 22, delete "and 2.5 ounces of usable" and insert "the total of the allowable amounts of" and delete "each" and insert "the"

Page 13, line 23, delete "patient" and insert "patients for whom the organization is a registered primary supplier"

Renumber the sections in sequence

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Crime Prevention and Public Safety. Amendments adopted. Report adopted.

**Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred**

**S.F. No. 3283:** A bill for an act relating to agriculture; providing for a checkoff for fertilizer, soil amendment, and plant amendment; establishing a Minnesota Agricultural Fertilizer Research and Education Council and program; exempting on-farm storage from fertilizer facility safeguarding and permitting; amending Minnesota Statutes 2004, section 18C.305, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 18C.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 18C.305, is amended by adding a subdivision to read:

Subd. 3. **Exemption.** A permit and safeguard is not required for a person who stores on the person's own property and for the person's own use no more than 6,000 gallons of liquid commercial fertilizer.

**Sec. 2. [18C.70] MINNESOTA AGRICULTURAL FERTILIZER RESEARCH AND EDUCATION COUNCIL.**

Subdivision 1. **Establishment; membership.** (a) The Minnesota Agricultural Fertilizer Research and Education Council is established. The council is composed of 12 voting members as follows:

- (1) two members of the Minnesota Crop Production Retailers;
- (2) one member of the Minnesota Corn Growers Association;
- (3) one member of the Minnesota Soybean Growers Association;
- (4) one member of the sugar beet growers industry;
- (5) one member of the Minnesota Association of Wheat Growers;
- (6) one member of the potato growers industry;
- (7) one member of the Minnesota Farm Bureau;
- (8) one member of the Minnesota Farmers Union;

(9) one member from the Minnesota Irrigators Association;

(10) one member of the Minnesota Grain and Feed Association; and

(11) one member of the Minnesota Independent Crop Consultant Association or the Minnesota Certified Crop Advisor Program.

(b) Council members shall serve three-year terms. After the initial council is appointed, subsequent appointments must be staggered so that one-third of council membership is replaced each year. Council members must be nominated by their organizations and appointed by the commissioner. The council may add ex officio, nonvoting members at its discretion. The council shall meet at least once per year, with all related expenses reimbursed by members' sponsoring organizations or by the members themselves.

Subd. 2. **Powers and duties.** The council shall review applications and select projects to receive agricultural fertilizer research and education program grants, as authorized in section 18C.71. The council shall establish a program to provide grants to research, education, and technology transfer projects related to agricultural fertilizer, soil amendments, and plant amendments. For the purpose of this section, "fertilizer" includes soil amendments and plant amendments. The department shall act as the fiscal agent in charge of collecting fees, distributing program funds, and otherwise administering the program.

Subd. 3. **Checkoff fees.** Any person, whether in Minnesota or elsewhere, that sells fertilizer to producers must collect a checkoff of 40 cents per ton of fertilizer sold and forward the checkoff funds at least semiannually to the commissioner along with forms provided by the commissioner. For the purposes of this section, a producer means any person who owns or operates an agricultural producing or growing facility for an agricultural commodity and shares in the profits and risk of loss from such operation, and who grows, raises, feeds, or produces the agricultural commodity in Minnesota during the current or preceding calendar year.

Subd. 4. **Program account.** There is established in the state treasury an agricultural fertilizer research and education program account in the agricultural fund. The checkoff funds raised pursuant to this section must be deposited in the account. Money in the account, including interest earned, is appropriated to the commissioner to carry out the program and to refund checkoff funds as described in subdivision 5.

Subd. 5. **Refunds.** Any producer may, by use of forms provided by the commissioner, and upon presentation of such proof as the commissioner requires, have the checkoff fee refunded, provided the checkoff fee was remitted in a timely basis. The producer must submit annual refund requests to the commissioner before February 28 for checkoff fees paid in the previous calendar year.

Subd. 6. **Rules.** The commissioner's duties under this section and section 18C.71 are not subject to the provisions of chapter 14.

Subd. 7. **Expiration.** This section expires on January 8, 2017.

### Sec. 3. **[18C.71] MINNESOTA AGRICULTURAL FERTILIZER RESEARCH AND EDUCATION PROGRAM.**

Subdivision 1. **Eligible projects.** Eligible project activities include research, education, and technology transfer related to the production and application of fertilizer, soil amendments, and other plant amendments. Chosen projects must contain a component of outreach that achieves a timely dissemination of findings and their applicability to the production agricultural community.

Subd. 2. **Awarding of program grants.** Applications for program grants shall be submitted in the form prescribed by the Minnesota Agricultural Fertilizer Research and Education Council. Applications must be submitted on or before the deadline prescribed by the council. All applications are subject to a thorough in-state review by a peer committee established and approved by the council. Each project meeting the basic qualifications is subject to a yes or no vote by each council member. Projects chosen to receive funding must achieve an affirmative vote by at least eight of the

12 council members. Projects awarded program funds must submit an annual progress report in the form prescribed by the council.

Subd. 3. **Annual audit.** The program must have an annual audit of financial activities, which the council must file with the commissioner on or before June 1 for the immediately preceding year ending December 31.

Subd. 4. **Expiration.** This section expires January 8, 2017.

Sec. 4. **EFFECTIVE DATE.**

Sections 1 to 3 are effective January 1, 2007."

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government Operations. Amendments adopted. Report adopted.

**Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred**

**S.F. No. 3184:** A bill for an act relating to agriculture; establishing a beef cattle diagnostic team pilot project in nine counties; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred**

**S.F. No. 3201:** A bill for an act relating to appropriations; agriculture; appropriating money for productive conservation on working lands.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

## SECOND READING OF SENATE BILLS

S.F. Nos. 3077, 2575, 2646 and 3105 were read the second time.

## MOTIONS AND RESOLUTIONS

Senator Johnson, D.E. moved that the name of Senator Kleis be stricken as chief author, and the name of Senator Pariseau be shown as chief author to S.F. No. 827. The motion prevailed.

Senator Pariseau moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 1003. The motion prevailed.

Senator Sams moved that the name of Senator Koering be added as a co-author to S.F. No. 1476. The motion prevailed.

Senator Cohen moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 2208. The motion prevailed.

Senator Rest moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Neuville be added as chief author to S.F. No. 2633. The motion prevailed.



Senator Tomassoni moved that the name of Senator Metzen be added as a co-author to S.F. No. 2823. The motion prevailed.

Senator Rest moved that the name of Senator Skoglund be added as a co-author to S.F. No. 3047. The motion prevailed.

Senator Rosen moved that her name be stricken as a co-author to S.F. No. 3117. The motion prevailed.

Senator Wergin moved that the name of Senator Pariseau be added as a co-author to S.F. No. 3117. The motion prevailed.

Senator Anderson moved that the name of Senator Marty be added as a co-author to S.F. No. 3182. The motion prevailed.

Senator Higgins moved that the name of Senator Berglin be added as a co-author to S.F. No. 3221. The motion prevailed.

Senator Rosen moved that the name of Senator Murphy be added as a co-author to S.F. No. 3265. The motion prevailed.

Senator Robling moved that the names of Senators Clark and Michel be added as co-authors to S.F. No. 3300. The motion prevailed.

Senator Marko moved that the name of Senator Pariseau be added as a co-author to S.F. No. 3304. The motion prevailed.

Senator Belanger moved that the names of Senators Johnson, D.J.; McGinn and Olson be added as co-authors to S.F. No. 3326. The motion prevailed.

Senator Hann moved that the name of Senator Rosen be added as a co-author to S.F. No. 3357. The motion prevailed.

Senator Chaudhary moved that the name of Senator McGinn be added as a co-author to S.F. No. 3375. The motion prevailed.

Senator Metzen moved that the name of Senator Day be added as a co-author to S.F. No. 3388. The motion prevailed.

Senator Metzen moved that the name of Senator Day be added as a co-author to S.F. No. 3389. The motion prevailed.

Senator Anderson moved that S.F. No. 3234 be withdrawn from the Committee on Commerce and re-referred to the Committee on Judiciary. The motion prevailed.

Senator Pogemiller moved that S.F. No. 3263 be withdrawn from the Committee on Commerce and re-referred to the Committee on Judiciary. The motion prevailed.

**Senator Neuville introduced –**

**Senate Resolution No. 167:** A Senate resolution relating to the separation of powers; authorizing Senate intervention in a lawsuit challenging expenditure of money out of the state treasury without an appropriation by law.

Referred to the Committee on Rules and Administration.

Senator Johnson, D.E., for Senator Skoe, moved that S.F. No. 3026 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Commerce. The motion prevailed.

**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.

**APPOINTMENTS**

Senator Johnson, D.E. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 2985: Senators Betzold, Skoglund and Neuville.

Senator Johnson, D.E. moved that the foregoing appointments be approved. The motion prevailed.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senators Gerlach, Pappas, Nienow and Robling introduced—**

**S.F. No. 3396:** A bill for an act relating to higher education; establishing tuition increase limits on public postsecondary institutions; proposing coding for new law in Minnesota Statutes, chapters 136F; 137.

Referred to the Committee on Finance.

**Senators Tomassoni, Bakk, Pogemiller and Saxhaug introduced—**

**S.F. No. 3397:** A bill for an act relating to taconite production taxation; modifying the uses of the taconite economic development fund; amending Minnesota Statutes 2004, section 298.227.

Referred to the Committee on Jobs, Energy and Community Development.

**Senators Dibble; Johnson, D.E.; Metzen; Rosen and Frederickson introduced—**

**S.F. No. 3398:** A bill for an act relating to the environment; requiring mercury emissions reductions by public utilities; amending Minnesota Statutes 2004, section 216B.1692, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 216B.

Referred to the Committee on Jobs, Energy and Community Development.

**Senators Lourey and Koering introduced—**

**S.F. No. 3399:** A bill for an act relating to human services; allowing the commissioner of human services to contract with Medicare-approved Special Needs Plans to provide medical assistance services to persons with disabilities; amending Minnesota Statutes 2005 Supplement, section 256B.69, subdivision 23.

Referred to the Committee on Health and Family Security.

**Senator Wiger introduced—**

**S.F. No. 3400:** A bill for an act relating to veterans; authorizing the placement of a plaque in the Court of Honor on the Capitol grounds honoring Minnesota's recipients of the Congressional Medal of Honor.

Referred to the Committee on State and Local Government Operations.

**Senator Michel introduced—**

**S.F. No. 3401:** A bill for an act relating to motor vehicles; establishing special plates remembering victims of drunk drivers; proposing coding for new law in Minnesota Statutes, chapter 168.

Referred to the Committee on Transportation.

**Senators Rest, Kiscaden, Michel, Higgins and Frederickson introduced—**

**S.F. No. 3402:** A bill for an act relating to state government; limiting the contents of budget bills; specifying conference committee procedures; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on State and Local Government Operations.

**Senators Kiscaden, Michel, Rest, Higgins and Frederickson introduced—**

**S.F. No. 3403:** A bill for an act relating to state government; requiring the Legislative Coordinating Commission to oversee legislative training forums; appropriating money for 2007 legislative forums; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on State and Local Government Operations.

**Senators Kiscaden, Michel, Rest, Higgins and Frederickson introduced—**

**S.F. No. 3404:** A bill for an act relating to state government; requiring the Legislative Coordinating Commission to oversee legislative training forums; establishing a schedule for consideration of legislation; limiting the content of budget bills; specifying conference committee procedures; appropriating money for expenses of a governor-elect, and for 2007 legislative forums; proposing coding for new law in Minnesota Statutes, chapters 3; 4.

Referred to the Committee on State and Local Government Operations.

**Senators Gerlach, Pariseau, McGinn, Belanger and Metzen introduced—**

**S.F. No. 3405:** A bill for an act relating to capital investment; appropriating money for land purchase for Dakota County Technical College; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

**Senator Murphy introduced—**

**S.F. No. 3406:** A bill for an act relating to employment; regulating payment of prevailing wages; amending Minnesota Statutes 2004, section 177.44, subdivision 2.

Referred to the Committee on Jobs, Energy and Community Development.

**Senators Rest; Belanger; Johnson, D.E. and Limmer introduced–**

**S.F. No. 3407:** A bill for an act relating to taxation; accelerating the phase-in of the sales-only apportionment factor; amending Minnesota Statutes 2005 Supplement, section 290.191, subdivision 2.

Referred to the Committee on Taxes.

**Senator Vickerman introduced–**

**S.F. No. 3408:** A bill for an act relating to veterans; appropriating money to assist disabled veterans at Southwest Minnesota State University.

Referred to the Committee on Finance.

**Senators Sparks, Senjem, Rosen and Kiscaden introduced–**

**S.F. No. 3409:** A bill for an act relating to economic development; establishing the Office of Entrepreneurship; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Jobs, Energy and Community Development.

**Senator Vickerman introduced–**

**S.F. No. 3410:** A bill for an act relating to veterans; authorizing the placement of a plaque on the Capitol grounds honoring the nation's war dogs and their handlers.

Referred to the Committee on State and Local Government Operations.

**Senator Vickerman introduced–**

**S.F. No. 3411:** A bill for an act relating to veterans; appropriating money to the city of Worthington for construction of a veterans' memorial.

Referred to the Committee on Finance.

**Senators Skoe and Dille introduced–**

**S.F. No. 3412:** A bill for an act relating to pupil transportation; updating school bus equipment standards; clarifying school bus discipline policies for charter school and nonpublic pupils being transported on school district buses; modifying certain school bus license standards; clarifying certain pupil transportation cost data; amending Minnesota Statutes 2004, sections 123B.90, subdivision 2; 123B.91, by adding a subdivision; 169.01, subdivision 6; 169.447, subdivision 2; 169.4501, subdivisions 1, 2; 169.4502, subdivision 5; 169.4503, subdivision 20; 171.321, subdivisions 4, 5; 171.3215, subdivision 2; 631.40, subdivision 1a; Minnesota Statutes 2005 Supplement, sections 123B.92, subdivisions 1, 5; 171.02, subdivision 2a; repealing Minnesota Statutes 2004, sections 169.4502, subdivision 15; 169.4503, subdivisions 17, 18, 26.

Referred to the Committee on Education.

**Senator LeClair introduced–**

**S.F. No. 3413:** A bill for an act relating to commerce; providing for action against the license of a building contractor for failure to pay an arbitration award or court judgment related to the work; amending Minnesota Statutes 2004, section 326.91, subdivision 1.

Referred to the Committee on Jobs, Energy and Community Development.

**Senator Skoglund introduced—**

**S.F. No. 3414:** A bill for an act relating to government data practices; providing for parole and probation authorities to have access to certain records; amending Minnesota Statutes 2004, section 624.714, by adding a subdivision.

Referred to the Committee on Judiciary.

**Senator Limmer introduced—**

**S.F. No. 3415:** A bill for an act relating to commerce; prohibiting mandatory disclosure of a person's Social Security number as a condition of receiving a service or product; providing exceptions; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce.

**Senator LeClair introduced—**

**S.F. No. 3416:** A bill for an act relating to state government; appropriating money for a study of Minnesota's communications infrastructure.

Referred to the Committee on Finance.

**Senators Foley, Pappas, Solon and Anderson introduced—**

**S.F. No. 3417:** A bill for an act relating to human services; expanding fee-for-service health care delivery under medical assistance, general assistance medical care, and MinnesotaCare; eliminating delivery of services to state health care program enrollees by prepaid health plans; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 2004, sections 256B.031; 256B.69, subdivisions 1, 2, 3, 3a, 3b, 4b, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 6, 6a, 6b, 6c, 6d, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21, 22, 24a, 25, 26, 27; 256L.12, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10, 11; Minnesota Statutes 2005 Supplement, sections 256B.69, subdivisions 4, 23; 256L.12, subdivision 9b.

Referred to the Committee on Health and Family Security.

**Senator Skoe introduced—**

**S.F. No. 3418:** A bill for an act relating to human services; providing grants to nursing facilities for increased fuel and heating costs; modifying the tax treatment of income of foreign operating corporations; appropriating money; amending Minnesota Statutes 2004, section 290.17, subdivision 4.

Referred to the Committee on Finance.

**Senator Skoe introduced—**

**S.F. No. 3419:** A bill for an act relating to natural resources; modifying areas marked as canoe and boating routes; authorizing the sale of state bonds; appropriating money; amending Minnesota Statutes 2004, section 85.32, subdivision 1.

Referred to the Committee on Finance.

**Senator Skoe introduced—**

**S.F. No. 3420:** A bill for an act relating to education finance; authorizing an account transfer for Independent School District No. 601, Fosston.

Referred to the Committee on Finance.

**Senator Sparks introduced—**

**S.F. No. 3421:** A bill for an act relating to education finance; authorizing a fund transfer for Independent School District No. 242, Alden-Conger.

Referred to the Committee on Finance.

**Senators Sparks, Senjem and Day introduced—**

**S.F. No. 3422:** A bill for an act relating to the environment; modifying exemptions to noise standards; amending Minnesota Statutes 2004, section 116.07, subdivision 2a.

Referred to the Committee on Environment and Natural Resources.

**Senator Ruud introduced—**

**S.F. No. 3423:** A bill for an act relating to taxation; authorizing the city of Breezy Point to impose sales and use and motor vehicle excise taxes and issue general obligation bonds.

Referred to the Committee on Taxes.

**Senator Larson introduced—**

**S.F. No. 3424:** A bill for an act relating to state government; modifying provisions governing per diem for members of state boards and advisory groups; amending Minnesota Statutes 2004, sections 15.0575, subdivision 3; 15.059, subdivision 3.

Referred to the Committee on State and Local Government Operations.

**Senator Day introduced—**

**S.F. No. 3425:** A bill for an act relating to capital improvements; appropriating money for an off-highway vehicle (OHV) recreational site in Steele County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senator Day introduced—**

**S.F. No. 3426:** A bill for an act relating to taxes; authorizing the city of Medford to impose a local sales and use tax.

Referred to the Committee on Taxes.

**Senators Belanger; Metzen; Johnson, D.J.; Michel and Hottinger introduced—**

**S.F. No. 3427:** A bill for an act relating to state government operations; eliminating signature requirement for minimal long-distance telephone bills; amending Minnesota Statutes 2004, section 10.43.

Referred to the Committee on State and Local Government Operations.

**Senators Dibble and Anderson introduced—**

**S.F. No. 3428:** A bill for an act relating to transportation; setting targets for increasing proportion of flexible-fuel vehicles in this state; creating task force on plug-in hybrid electric vehicles; establishing commission to develop incentive package for enhancement of St. Paul's Ford plant; requiring Public Utilities Commission to open investigative proceeding and to order utility to conduct a study; requiring state procurement policy language in certain bid documents; appropriating money for a grant; proposing coding for new law in Minnesota Statutes, chapter 80E.

Referred to the Committee on Jobs, Energy and Community Development.

**Senators Rest, Metzen, Senjem, Larson and Kiscaden introduced—**

**S.F. No. 3429:** A bill for an act relating to state government; authorizing the Minnesota Amateur Sports Commission to renew leases for certain real property; amending Laws 1998, chapter 404, section 15, subdivision 2, as amended.

Referred to the Committee on Finance.

**Senators Ruud and Ranum introduced—**

**S.F. No. 3430:** A bill for an act relating to child protection; including opium in the list of controlled substances used during pregnancy for purposes of civil commitment and child maltreatment reporting; amending Minnesota Statutes 2004, section 253B.02, subdivision 2.

Referred to the Committee on Judiciary.

**Senators Sams, Cohen, Rosen, Frederickson and Kelley introduced—**

**S.F. No. 3431:** A bill for an act relating to employment and economic development; appropriating money for a grant to BioBusiness Alliance of Minnesota.

Referred to the Committee on Finance.

**Senators Hann, Michel, Nienow and Olson introduced—**

**S.F. No. 3432:** A bill for an act relating to education; authorizing suspensions without pay for teachers charged with felonies; amending Minnesota Statutes 2004, section 122A.40, subdivision 13.

Referred to the Committee on Education.

**Senators Bachmann, Nienow and Jungbauer introduced—**

**S.F. No. 3433:** A bill for an act relating to education; establishing the Minnesota Child, Family, and School Communications Protection Act; providing for rulemaking; establishing a fee; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 125B.

Referred to the Committee on Education.

**Senators Pariseau, Koch and Hottinger introduced—**

**S.F. No. 3434:** A bill for an act relating to elections; providing for the certification of election

judges by municipalities; amending Minnesota Statutes 2004, section 204B.19, subdivision 4.

Referred to the Committee on Elections.

**Senators Metzen and McGinn introduced—**

**S.F. No. 3435:** A bill for an act relating to highways; authorizing sale of trunk highway bonds for interchange at highway 55 and Yankee Doodle Road; appropriating money.

Referred to the Committee on Finance.

**Senators Saxhaug, Skoe, Day, Kiscaden and Johnson, D.E. introduced—**

**S.F. No. 3436:** A bill for an act relating to state government finance; appropriating money for the legislators' forum.

Referred to the Committee on Finance.

**Senators Kubly, Vickerman and Senjem introduced—**

**S.F. No. 3437:** A bill for an act relating to agriculture; providing an income tax credit for sales or rentals of agricultural assets to beginning farmers; providing an income tax credit for beginning farmer financial management programs; modifying the beginning farmer program administered by the Rural Finance Authority; amending Minnesota Statutes 2004, section 290.06, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 41B.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senator LeClair introduced—**

**S.F. No. 3438:** A bill for an act relating to counties; modifying nonconforming use provisions; amending Minnesota Statutes 2004, section 394.36, subdivision 1.

Referred to the Committee on State and Local Government Operations.

**Senators Dibble, Anderson and Limmer introduced—**

**S.F. No. 3439:** A bill for an act relating to transportation; setting targets for increasing the proportion of flexible-fuel vehicles in this state; creating a task force on plug-in hybrid electric vehicles; proposing coding for new law in Minnesota Statutes, chapter 80E.

Referred to the Committee on Jobs, Energy and Community Development.

**Senators Dibble and Anderson introduced—**

**S.F. No. 3440:** A bill for an act relating to transportation; requiring language that the state will purchase plug-in hybrid electric vehicles when commercially available to be inserted in certain bid documents; appropriating money for the retrofitting of flexible fuel vehicles to operate as plug-in hybrid electric vehicles.

Referred to the Committee on State and Local Government Operations.

**Senators Anderson, Dibble and Murphy introduced—**

**S.F. No. 3441:** A bill for an act relating to energy; requiring increasing proportion of new motor



vehicles sold to be flexible-fuel vehicles; providing for recovery by utilities of installation costs for plug-in hybrid electric vehicle infrastructure; requiring notice of state's procurement policy in bid documents; establishing task force to accelerate purchase of plug-in hybrid electric vehicles; establishing commission to develop incentive package for re-use of St. Paul's Ford plant; requiring Public Utilities Commission to open investigative proceeding and to order utility to conduct a study; appropriating money for a grant; proposing coding for new law in Minnesota Statutes, chapters 80E; 216B.

Referred to the Committee on Jobs, Energy and Community Development.

**Senators Gerlach, McGinn, Metzen, Belanger and Pariseau introduced—**

**S.F. No. 3442:** A bill for an act relating to capital improvements; appropriating money for Cedar Avenue Bus Rapid Transit Corridor; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senator Foley introduced—**

**S.F. No. 3443:** A bill for an act relating to taxation; sales and use; exempting construction materials and equipment used to construct the Champlin Civic Center/Public Safety Building; amending Minnesota Statutes 2004, section 297A.71, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Kelley, Berglin, Michel, Sams and Lourey introduced—**

**S.F. No. 3444:** A bill for an act relating to health; modifying the nursing home construction moratorium by creating an additional exception for a new facility for persons with eating disorders to be located in Hennepin or Dakota County; amending Minnesota Statutes 2004, section 144A.071, subdivision 3.

Referred to the Committee on Health and Family Security.

**Senator Higgins introduced—**

**S.F. No. 3445:** A bill for an act relating to health; requiring the commissioner of human services to study the consolidation of all state-funded health care programs into a single sliding-fee-ability-to-pay program; appropriating money.

Referred to the Committee on Health and Family Security.

**Senator Dille introduced—**

**S.F. No. 3446:** A bill for an act relating to capital improvements; appropriating money for the Stillwater flood control levee project; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senators Scheid, Marty, Neuville and Kubly introduced—**

**S.F. No. 3447:** A bill for an act relating to education finance; authorizing a levy for school districts in statutory operating debt; proposing coding for new law in Minnesota Statutes, chapter 126C.

Referred to the Committee on Finance.

**Senators Koch, McGinn and Rosen introduced–**

**S.F. No. 3448:** A bill for an act relating to public safety; suspending or revoking drivers' licenses of certain juvenile controlled substance offenders; modifying definition of "juvenile petty offense" to include possession of drug paraphernalia; making technical changes; amending Minnesota Statutes 2004, sections 171.172; 260B.007, by adding a subdivision; 260B.198, subdivision 1; 260B.235, subdivisions 4, 5; Minnesota Statutes 2005 Supplement, section 260B.007, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 171.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Day introduced–**

**S.F. No. 3449:** A bill for an act relating to appropriations; appropriating money for a grant to the Paradise Center for the Arts in Faribault.

Referred to the Committee on Finance.

**Senator Murphy introduced–**

**S.F. No. 3450:** A bill for an act relating to metropolitan government; governing special transportation service requirements; amending Minnesota Statutes 2004, section 473.386, subdivision 3.

Referred to the Committee on Transportation.

**Senator Pappas introduced–**

**S.F. No. 3451:** A bill for an act relating to state government; appropriating money for the Minnesota Historical Society.

Referred to the Committee on Finance.

**Senators Dibble and Kelley introduced–**

**S.F. No. 3452:** A bill for an act relating to education finance; authorizing the commissioner of education to waive the General Education Development (GED) test fee under certain circumstances; appropriating money; amending Minnesota Statutes 2004, section 124D.55; Laws 2005, First Special Session chapter 5, article 9, section 4, subdivision 3.

Referred to the Committee on Finance.

**Senators Stumpf; Wergin; Johnson, D.J. and Ortman introduced–**

**S.F. No. 3453:** A bill for an act relating to eminent domain; defining public use or purpose; prohibiting the use of eminent domain for economic development; requiring clear and convincing evidence for certain takings; providing for attorney fees and other additional elements of compensation; making other changes in the exercise of eminent domain; amending Minnesota Statutes 2004, sections 117.025; 117.075, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 117.

Referred to the Committee on Judiciary.

**Senators Higgins and Cohen introduced–**

**S.F. No. 3454:** A bill for an act relating to metropolitan government; modifying transit service

contract requirements; amending Minnesota Statutes 2004, section 473.384, subdivisions 1, 2.

Referred to the Committee on Transportation.

**Senators Bakk, Vickerman, Jungbauer and Saxhaug introduced—**

**S.F. No. 3455:** A bill for an act relating to taxation; modifying the amount of gasoline fuel tax attributable to the use of all-terrain vehicles; amending Minnesota Statutes 2004, section 296A.18, subdivision 4.

Referred to the Committee on Transportation.

**Senators Bakk, Tomassoni, Belanger, Pogemiller and Saxhaug introduced—**

**S.F. No. 3456:** A bill for an act relating to taxation; distributing proceeds of the occupation taxes to the Minnesota minerals 21st century fund; amending Minnesota Statutes 2004, section 298.17.

Referred to the Committee on Taxes.

**Senators Lourey and Vickerman introduced—**

**S.F. No. 3457:** A bill for an act relating to health occupations; modifying Board of Medical Practice examination provision; amending Minnesota Statutes 2004, section 147.02, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Senator Higgins introduced—**

**S.F. No. 3458:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for repair of a state building in north Minneapolis.

Referred to the Committee on Finance.

**Senator Higgins introduced—**

**S.F. No. 3459:** A bill for an act relating to state government; creating a task force to study the design of the state flag.

Referred to the Committee on State and Local Government Operations.

**Senator Hottinger introduced—**

**S.F. No. 3460:** A bill for an act relating to elections; modifying the postelection review process; proposing coding for new law in Minnesota Statutes, chapter 206; repealing Minnesota Statutes 2004, section 204C.50, subdivisions 3, 4, 5, 6; Minnesota Statutes 2005 Supplement, section 204C.50, subdivisions 1, 2.

Referred to the Committee on Elections.

**Senator Fischbach introduced—**

**S.F. No. 3461:** A bill for an act relating to education; reserving safe school levy funds for certain schools; authorizing school districts to use safe school levy funds for school counselors; amending Minnesota Statutes 2004, section 126C.44.

Referred to the Committee on Education.

**Senator Marty introduced—**

**S.F. No. 3462:** A bill for an act relating to natural resources; modifying the allocation of state gas tax receipts for all-terrain vehicle and off-road vehicle use; amending Minnesota Statutes 2004, section 296A.18, subdivisions 4, 6.

Referred to the Committee on Environment and Natural Resources.

**Senators Sams, Vickerman, Tomassoni, Pariseau and Frederickson introduced—**

**S.F. No. 3463:** A bill for an act relating to natural resources; appropriating money for Minnesota resources.

Referred to the Committee on Finance.

**Senator Dibble introduced—**

**S.F. No. 3464:** A bill for an act relating to transportation; adjusting county state-aid highway fund distribution formula; modifying registration taxes for passenger automobiles; increasing motor fuel taxes; authorizing imposition of metropolitan transportation tax for transit purposes; authorizing issuance of state trunk highway bonds; appropriating money; amending Minnesota Statutes 2004, sections 161.04, by adding a subdivision; 162.07, subdivision 1, by adding subdivisions; 168.013, subdivision 1a; 296A.07, subdivision 3; 296A.08, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 297A.

Referred to the Committee on Transportation.

**Senator Bakk introduced—**

**S.F. No. 3465:** A bill for an act relating to workers' compensation; modifying appeal procedures; modifying notice of coverage provisions; amending Minnesota Statutes 2004, section 176.421, subdivision 4; Minnesota Statutes 2005 Supplement, section 176.185, subdivision 1.

Referred to the Committee on Jobs, Energy and Community Development.

**Senator Ranum introduced—**

**S.F. No. 3466:** A bill for an act relating to fines; providing for distribution of Hennepin County fines; amending Minnesota Statutes 2004, section 488A.03, subdivisions 6, 11; repealing Minnesota Statutes 2004, section 488A.03, subdivision 11b.

Referred to the Committee on Finance.

**Senator Kubly introduced—**

**S.F. No. 3467:** A bill for an act relating to elections; eliminating requirement that voting systems accessible for individuals with disabilities be used in local elections; amending Minnesota Statutes 2005 Supplement, section 206.57, subdivision 5.

Referred to the Committee on Elections.

**Senator Kierlin introduced—**

**S.F. No. 3468:** A bill for an act relating to government data practices; modifying the calculation of fees for copies of government data; amending Minnesota Statutes 2005 Supplement, section 13.03, subdivision 3.

Referred to the Committee on Judiciary.

**Senator Day introduced—**

**S.F. No. 3469:** A bill for an act relating to taxation; individual income; allowing a subtraction for military pensions for retired military personnel and certain of their survivors; amending Minnesota Statutes 2005 Supplement, sections 290.01, subdivision 19b; 290.091, subdivision 2.

Referred to the Committee on Taxes.

**Senators Anderson, Marty, Solon, Clark and Chaudhary introduced—**

**S.F. No. 3470:** A bill for an act relating to environment; imposing limits on mercury emissions for coal-fired electric generating facilities; modifying emissions report requirements; modifying the emissions reduction-rate rider; amending Minnesota Statutes 2004, sections 116.925, subdivision 2; 216B.1692, subdivisions 1, 8; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

**Senator Foley introduced—**

**S.F. No. 3471:** A bill for an act relating to public safety; clarifying responsibility for costs associated with juvenile delinquency adjudications; amending Minnesota Statutes 2004, sections 256G.01, subdivision 5; 260B.331, by adding a subdivision; Minnesota Statutes 2005 Supplement, section 256G.01, subdivision 3; repealing Minnesota Statutes 2004, section 260B.331, subdivision 4.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Dibble, Bonoff and Clark introduced—**

**S.F. No. 3472:** A bill for an act relating to the environment; requiring disclosure regarding disposal of fluorescent lamps containing mercury; amending Minnesota Statutes 2004, section 116.92, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

**Senator Murphy introduced—**

**S.F. No. 3473:** A bill for an act relating to motor vehicles; authorizing special plates for all disabled veterans; making technical changes; amending Minnesota Statutes 2005 Supplement, section 168.1251, subdivisions 1, 5.

Referred to the Committee on Transportation.

**Senators Dibble, Bonoff and Clark introduced—**

**S.F. No. 3474:** A bill for an act relating to the environment; requiring proper disposal of fluorescent and high intensity discharge lamps; requiring labeling of fluorescent lamps; requiring notice at retail establishments selling fluorescent lamps; amending Minnesota Statutes 2004,

sections 115A.932, subdivision 1; 116.92, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Environment and Natural Resources.

**Senator Langseth, for the Committee on Capital Investment, introduced—**

**S.F. No. 3475:** A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature with certain conditions; establishing new programs and modifying existing programs; authorizing sale of state bonds; appropriating money; amending Minnesota Statutes 2004, sections 85.015, by adding a subdivision; 86A.05, subdivision 3; 103F.161, subdivision 3; 446A.12, subdivision 1; Laws 2000, chapter 492, article 1, section 7, subdivision 21, as amended; Laws 2002, chapter 393, section 19, subdivision 2; Laws 2005, chapter 20, article 1, sections 7, subdivision 2; 10, subdivision 2; 19, subdivision 6; 20, subdivision 2; 27; proposing coding for new law in Minnesota Statutes, chapters 16B; 116J.

Referred to the Committee on Finance.

**MEMBERS EXCUSED**

Senators Belanger, Bonoff, Limmer, Moua, Rest, Rosen, Sams and Scheid were excused from the Session of today.

**ADJOURNMENT**

Senator Johnson, D.E. moved that the Senate do now adjourn until 9:00 a.m., Thursday, March 23, 2006. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

