

STATE OF MINNESOTA

EIGHTY-FIFTH SESSION — 2007

 THIRTY-THIRD DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 21, 2007

The House of Representatives convened at 11:30 a.m. and was called to order by Gene Pelowski, Speaker pro tempore.

Prayer was offered by Representative Mike Jaros, District 7B, Duluth, Minnesota.

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

The Speaker assumed the Chair.

The roll was called and the following members were present:

Abeler	Dittrich	Hilstrom	Lieder	Otremba	Solberg
Anderson, B.	Dominguez	Hilty	Lillie	Ozment	Sviggum
Anderson, S.	Doty	Holberg	Loeffler	Paymar	Swails
Anzelc	Eastlund	Hoppe	Madore	Pelowski	Thao
Atkins	Eken	Hornstein	Magnus	Peppin	Thissen
Benson	Emmer	Hortman	Mahoney	Peterson, A.	Tillberry
Berns	Erhardt	Hosch	Mariani	Peterson, N.	Tingelstad
Bigham	Erickson	Howes	Marquart	Peterson, S.	Tschumper
Bly	Faust	Huntley	Masin	Poppe	Urdahl
Brod	Finstad	Jaros	McFarlane	Rukavina	Wagenius
Brown	Fritz	Johnson	McNamara	Ruth	Walker
Brynaert	Gardner	Juhnke	Moe	Ruud	Ward
Buesgens	Garofalo	Kahn	Morgan	Sailer	Wardlow
Bunn	Gottwalt	Kalin	Morrow	Scalze	Welti
Carlson	Greiling	Knuth	Mullery	Seifert	Westrom
Clark	Gunther	Koenen	Murphy, E.	Sertich	Winkler
Cornish	Hackbarth	Kohls	Murphy, M.	Severson	Wollschlager
Davnie	Hamilton	Kranz	Nelson	Shimanski	Zellers
Dean	Hansen	Laine	Nornes	Simon	Spk. Kelliher
Demmer	Hausman	Lanning	Norton	Slawik	
Dettmer	Haws	Lenczewski	Olin	Slocum	
Dill	Heidgerken	Liebling	Olson	Smith	

A quorum was present.

Beard, DeLaForest, Lesch, Paulsen and Simpson were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Shimanski moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 1168 and H. F. No. 1364, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Atkins moved that the rules be so far suspended that S. F. No. 1168 be substituted for H. F. No. 1364 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2007 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F.</i> <i>No.</i>	<i>H. F.</i> <i>No.</i>	<i>Session Laws</i> <i>Chapter No.</i>	<i>Time and</i> <i>Date Approved</i> <i>2007</i>	<i>Date Filed</i> <i>2007</i>
1499		7	2:45 p.m. March 20	March 20

Sincerely,

MARK RITCHIE
Secretary of State

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 243, A bill for an act relating to corrections; reestablishing the ombudsman for corrections; establishing the powers and duties of the ombudsman; appropriating money; amending Minnesota Statutes 2006, sections 15A.0815, subdivision 3; 243.48, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 241.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 414, A bill for an act relating to crime victims; authorizing the Department of Public Safety to make emergency grants to crime victims; appropriating money; amending Minnesota Statutes 2006, section 611A.675.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 419, A bill for an act relating to natural resources; modifying the off-highway vehicle damage account; amending Minnesota Statutes 2006, section 84.780.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 481, A bill for an act relating to education; allowing school districts to grant required course credits to students who satisfactorily complete science, math, or arts courses as part of a career and technical education program; amending Minnesota Statutes 2006, section 120B.024.

Reported the same back with the following amendments:

Page 2, delete lines 4 to 6 and insert:

"(c) A career and technical education course that encompasses a required subject matter standard may fulfill a related credit required under paragraph (a)."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 548, A bill for an act relating to state government; requiring state agencies to certify that no state employees on recall lists are able to perform specified services before seeking approval of certain contracts; amending Minnesota Statutes 2006, section 16C.08, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 16C.08, subdivision 2, is amended to read:

Subd. 2. **Duties of contracting agency.** (a) Before an agency may seek approval of a professional or technical services contract valued in excess of \$5,000, it must provide the following:

(1) a description of how the proposed contract or amendment is necessary and reasonable to advance the statutory mission of the agency;

(2) a description of the agency's plan to notify firms or individuals who may be available to perform the services called for in the solicitation; and

(3) a description of the performance measures or other tools that will be used to monitor and evaluate contract performance.

(b) In addition to paragraph (a), the agency must certify that:

(1) no current state employee is able and available to perform the services called for by the contract;

(2) the normal competitive bidding mechanisms will not provide for adequate performance of the services;

(3) reasonable efforts will be made to publicize the availability of the contract to the public;

(4) the agency will develop and implement a written plan providing for the assignment of specific agency personnel to manage the contract, including a monitoring and liaison function, the periodic review of interim reports or other indications of past performance, and the ultimate utilization of the final product of the services;

(5) the agency will not allow the contractor to begin work before the contract is fully executed unless an exception under section 16C.05, subdivision 2a, has been granted by the commissioner and funds are fully encumbered;

(6) the contract will not establish an employment relationship between the state or the agency and any persons performing under the contract; ~~and~~

(7) in the event the results of the contract work will be carried out or continued by state employees upon completion of the contract, the contractor is required to include state employees in development and training, to the extent necessary to ensure that after completion of the contract, state employees can perform any ongoing work related to the same function-; and

(8) the agency will not contract out its previously eliminated jobs for four years without first considering the same former employees who are on the seniority unit layoff list who meet the minimum qualifications determined by the agency.

(c) A contract establishes an employment relationship for purposes of paragraph (b), clause (6), if, under federal laws governing the distinction between an employee and an independent contractor, a person would be considered an employee."

Amend the title as follows:

Page 1, line 1, delete "certify that no state" and insert "consider former"

Page 1, line 3, delete everything after "employees" and insert "before contracting out previously eliminated jobs;"

Page 1, line 4, delete "approval of certain contracts;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 571, A bill for an act relating to state government; defining best value; changing provisions for acquisition and competitive bidding; amending Minnesota Statutes 2006, sections 16C.02, by adding subdivisions; 16C.03, subdivisions 3, 4, 16, by adding a subdivision; 16C.26, subdivisions 1, 3, 4, 5; 16C.27, subdivision 1; 16C.28, subdivisions 1, 3, 4; 103D.811, subdivision 3; 103E.505, subdivision 5; 116A.13, subdivision 5; 123B.52, subdivision 1, by adding a subdivision; 160.17, by adding a subdivision; 160.262, by adding a subdivision; 161.32, by adding a subdivision; 161.3412, subdivision 1; 161.38, subdivision 4; 365.37, by adding a subdivision; 374.13; 375.21, by adding a subdivision; 383C.094, by adding a subdivision; 412.311; 429.041, by adding a subdivision; 458D.21, by adding a subdivision; 469.015, by adding a subdivision; 469.068, subdivision 1, by adding a subdivision; 471.345, subdivision 5, by adding subdivisions; 473.523, by adding a subdivision; 473.756, subdivision 12.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 589, A bill for an act relating to agriculture; establishing a clean energy capital equipment loan program; providing for cellulosic biofuel development; providing bioenergy production initiatives; creating the reinvest in Minnesota clean energy program; providing for enforcement; authorizing a technical committee; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 17; 41A; 103F.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 638, A bill for an act relating to human services; changing eligibility requirements for an adoption assistance program; amending Minnesota Statutes 2006, section 259.67, subdivision 4.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 655, A bill for an act relating to health; providing for the medical use of marijuana; providing civil and criminal penalties; appropriating money; amending Minnesota Statutes 2006, section 13.3806, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 152.

Reported the same back with the following amendments:

Page 1, delete line 17

Page 1, line 18, delete "(2)" and insert "(1)"

Page 1, line 19, delete "(3)" and insert "(2)"

Page 1, line 20, delete "or registered organization"

Page 1, delete line 22

Page 1, line 23, delete "(2)" and insert "(1)"

Page 1, line 24, delete "(3)" and insert "(2)"

Page 1, after line 24, insert:

"(c) With respect to a 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 2, line 14, delete everything after "commissioner"

Page 2, line 15, delete everything before the period

Page 2, line 17, delete "cultivation,"

Page 2, line 18, delete "manufacture,"

Page 4, delete section 4

Page 7, line 32, delete "180" and insert "90"

Page 8, delete subdivision 7 and insert:

"Subd. 7. **Submission of false records; criminal penalty.** A person who knowingly submits false records or documentation required by the commissioner of health to certify an organization under sections 152.22 to 152.31 is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both."

Page 8, line 15, delete "or" and insert a comma and after "malpractice" insert ", or failure to practice with reasonable skill and safety"

Page 9, after line 22, insert:

"(d) This section sunsets on June 30, 2008."

Page 9, line 31, delete "cultivation equipment," and insert "or" and delete ", or marijuana"

Page 9, line 32, delete "seeds"

Page 10, line 2, delete "complies with rules adopted by"

Page 10, line 3, delete "the commissioner and"

Page 10, delete subdivision 4

Page 10, line 26, delete "5" and insert "4"

Page 10, line 27, delete everything after "commissioner" and insert a period

Page 10, line 28, delete "6" and insert "5"

Page 11, line 12, delete "and rules adopted thereunder"

Page 11, line 26, delete "7" and insert "6"

Page 12, line 31, delete "8" and insert "7"

Renumber the sections in sequence and correct the internal references

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 666, A bill for an act relating to agriculture; establishing a dairy animal revolving loan program; appropriating money; amending Minnesota Statutes 2006, section 41B.06; proposing coding for new law in Minnesota Statutes, chapter 41B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[41B.056] DAIRY ANIMAL REVOLVING LOAN PROGRAM.**

Subdivision 1. **Establishment.** Upon receipt by the authority of at least \$2,000,000 in matching contributions from private, federal, or other nonstate sources for the purposes of this program, the authority must establish and implement a dairy animal revolving loan program to help Minnesota dairy producers purchase additional dairy animals.

Subd. 2. **Eligibility.** Notwithstanding section 41B.03, to be eligible for this program a borrower must:

(1) be a resident of Minnesota or any entity eligible to own farm land under section 500.24, subdivision 2;

(2) be a producer who has not received payments from a dairy cooperative or other consortium of dairy producers in exchange for participating in a milk supply management program;

(3) demonstrate that the loan will be used to finance the purchase of dairy heifers and cows, resulting in an increase in the borrower's annual level of milk production; and

(4) demonstrate an ability to repay the loan.

Subd. 3. **Loans.** (a) The authority may participate in a loan with an eligible lender to a borrower who is eligible under subdivision 2. The authority's participation interest in a loan from an eligible lender must be no more than 45 percent of the principal amount of the loan, up to a maximum of \$500 per dairy heifer or cow for up to 200 dairy heifers or cows, or \$100,000 per borrower. Repayment terms of the authority's participation interest may differ from repayment terms of the lender's retained portion of the loan. The authority must make a good faith effort to award at least 60 percent of the loan participations in any calendar year to eligible borrowers demonstrating a total net worth, including assets and liabilities of the borrower's spouse and dependents, of less than \$382,000 in 2007 and an amount in subsequent years which is adjusted for inflation by multiplying that amount by the cumulative inflation rate as determined by the Consumer Price Index.

(b) The authority's participation interest in a loan from an eligible lender must be for a term of seven years. Borrowers must not be required to make any payment of principal or interest in the first year of the loan. In the second year, the borrower must be required to pay only any accrued interest. The authority must amortize the loan over the remaining five years so that the borrower is required to make equal payments, including principal and interest, in each of the final five years.

(c) The authority must establish an appropriate interest rate for the initial dairy animal loans and may review and adjust the interest rate annually as necessary. The authority must make a good faith effort to set the interest rate at no more than three percent.

(d) Refinancing of existing debt is not an eligible purpose.

(e) A loan participation under this program must be made using money in the revolving loan account established in section 41B.06.

(f) Security for the loans must be a personal note executed by the borrower and whatever other security is required by the authority.

(g) The authority may impose a reasonable, nonrefundable application fee for a dairy animal loan. The authority may review the fee annually and make adjustments as necessary. The initial application fee is \$50. Application fees received by the authority must be deposited in the revolving loan account established in section 41B.06.

(h) Should the authority find that there is a persistent lack of interest in the dairy animal revolving loan program as evidenced by a dearth of new applicants, the authority shall terminate the program and refund any contribution paid by private persons for use in the dairy animal revolving loan program. When loan proceeds are not sufficient to repay in full all private persons that contributed, the authority shall make prorated payments to the private persons proportionate to each person's contribution to all program funds raised from private sources. The total amount paid by the authority to a private person may not exceed the amount the person contributed to the authority for the dairy animal revolving loan program and shall not include any interest paid by a borrower on a dairy animal loan or any interest earned by the authority while private funds are deposited in the rural finance authority revolving loan account. For the purposes of this section, "private person" means any individual, firm, corporation, company, association, cooperative, or partnership and includes any trustee, receiver, assignee, or other similar representative thereof.

Subd. 4. **Deposit of repayments.** All repayments of financial assistance granted under this section, including principal and interest, must be deposited into the revolving loan account established in section 41B.06.

Sec. 2. Minnesota Statutes 2006, section 41B.06, is amended to read:

41B.06 RURAL FINANCE AUTHORITY REVOLVING LOAN ACCOUNT.

There is established in the rural finance administration fund a Rural Finance Authority revolving loan account that is eligible to receive appropriations and the transfer of loan funds from other programs. All repayments of financial assistance granted from this account, including principal and interest, must be deposited into this account. Interest earned on money in the account accrues to the account, and the money in the account is appropriated to the commissioner of agriculture for purposes of the Rural Finance Authority dairy animal, livestock equipment, methane digester, and value-added agricultural product loan programs, including costs incurred by the authority to establish and administer the programs.

Sec. 3. **APPROPRIATION.**

\$2,000,000 is appropriated in fiscal year 2007 from the general fund to the commissioner of agriculture to administer the loan program in section 1. If \$2,000,000 in nonstate funds have not been contributed by June 30, 2009, the commissioner shall remit the \$2,000,000 appropriated under this section, plus any accumulated interest, to the commissioner of finance for deposit in the general fund.

Sec. 4. **EFFECTIVE DATE.**

Sections 1 to 3 are effective the day following final enactment."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 698, A bill for an act relating to public safety; authorizing organizations providing mentoring services to request criminal background checks from the Bureau of Criminal Apprehension; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 700, A bill for an act relating to public safety; creating a matching-grant pilot program to assist communities in providing safe transportation for intoxicated persons; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 169A.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 729, A bill for an act relating to state government; prohibiting contracts under competitive bidding process for certain offenses; proposing coding for new law in Minnesota Statutes, chapter 16C.

Reported the same back with the following amendments:

Page 1, line 11, after "entity" insert ", including officers, directors, or beneficial owners" and delete "three-year" and insert "five-year"

Page 1, line 14, delete "public (federal, state, or local)"

Page 2, line 1, after the second "applicant" insert ", including its officers, directors, or beneficial owners" and delete "three-year" and insert "five-year"

Page 2, line 5, delete "public (federal, state, or local)"

Page 2, line 15, after "entity" insert ", including officers, directors, or beneficial owners" and delete "three-year" and insert "five-year"

Page 2, line 19, delete "public (federal, state, or local)"

Page 2, after line 26, insert:

"Subd. 4. **Repealer.** This section is repealed June 30, 2009."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 748, A bill for an act relating to education; allowing physician-prescribed naturopathic medicine to be administered with appropriate supervision in schools; amending Minnesota Statutes 2006, section 121A.22, subdivisions 1, 3, 4.

Reported the same back with the following amendments:

Page 1, line 18, delete "or a licensed" and insert "in consultation with a board-certified"

Page 1, line 22, after "physician-prescribed" insert "and labeled"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 772, A bill for an act relating to insurance; increasing the required minimum liability limits on aircraft insurance; providing that aircraft liability insurance is not voidable retroactively after a claim; amending Minnesota Statutes 2006, section 360.59, subdivision 10.

Reported the same back with the following amendments:

Page 1, lines 14 to 21, delete the new language

Page 2, line 25, delete "2008" and insert "2009"

Page 2, after line 26, insert:

"Sec. 2. **CONSULTATIONS ON CERTAIN ISSUES.**

(a) Representatives of aircraft owners, aircraft pilots, insurance companies that issue aircraft insurance, and other interested parties shall meet and confer regarding issues related to aviation insurance and third parties.

(b) The parties shall provide a written report of their recommendations by November 15, 2007, to the chairs of the house and senate committees that have jurisdiction over insurance legislation.

EFFECTIVE DATE. This section is effective the day following final enactment."

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete "after a claim" and insert "requiring a report"

With the recommendation that when so amended the bill pass.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 867, A bill for an act relating to crime; amending the crime of burglary in the second degree; prescribing penalties; amending Minnesota Statutes 2006, sections 609.581, by adding subdivisions; 609.582, subdivision 2.

Reported the same back with the following amendments:

Page 2, delete subdivision 7 and insert:

"Subd. 7. **School building.** "School building" means a public or private preschool, elementary school, middle school, secondary school, or postsecondary school building."

Page 2, after line 4, insert:

"Sec. 4. Minnesota Statutes 2006, section 609.581, is amended by adding a subdivision to read:

Subd. 8. **Historic property.** "Historic property" means any property identified as a historic site or historic place by sections 138.661 to 138.664 and clearly identified as such by a posted sign or other means.

EFFECTIVE DATE. This section is effective August 1, 2007, and applies to crimes committed on or after that date."

Page 2, line 20, before "or" insert "historic property."

Page 2, line 22, before the second "or" insert "historic property."

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 896, A bill for an act relating to natural resources; modifying purposes of the all-terrain vehicle account; modifying amount of gasoline usage attributable to all-terrain vehicle operation; amending Minnesota Statutes 2006, sections 84.927, subdivision 2; 296A.18, subdivision 4.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Lenczewski from the Committee on Taxes to which was referred:

H. F. No. 946, A bill for an act relating to transportation finance; appropriating money for transportation, Metropolitan Council, and public safety activities; providing for fund transfers, general contingent accounts, and tort claims; authorizing sale and issuance of trunk highway bonds for highways and transit facilities; modifying motor fuels and registration taxes; allocating motor vehicle sales tax revenue; modifying county state-aid allocation formula; modifying county wheelage tax; authorizing local transportation sales and use taxes; modifying provisions relating to various transportation-related funds and accounts; modifying fees for license plates, drivers' licenses, identification cards, and state patrol escort and flight services; making technical and clarifying changes; amending Minnesota Statutes 2006, sections 16A.88; 161.04, subdivision 3, by adding a subdivision; 162.06; 162.07, subdivision 1, by adding subdivisions; 163.051; 168.011, subdivision 6; 168.013, subdivisions 1, 1a; 168.017, subdivision 3; 168.12, subdivision 5; 168A.29, subdivision 1; 171.02, subdivision 3; 171.06, subdivision 2; 171.07, subdivisions 3a, 11; 171.20, subdivision 4; 296A.07, subdivision 3; 296A.08, subdivision 2; 297A.94; 297B.09, subdivision 1; 299D.09; 473.388, subdivision 4; 473.446, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 297A; repealing Minnesota Statutes 2006, section 174.32.

Reported the same back with the following amendments:

Page 29, delete line 21

Page 29, line 22, delete "exclusive of the expenditure of these revenues"

Page 29, line 24, delete "decrease more than two percentage" and insert "be less than 48 percent or greater than 52 percent of the total."

Page 29, delete lines 25 and 26

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1019, A bill for an act relating to predatory offender registration; requiring certain persons under the age of 18 to register as predatory offenders; amending Minnesota Statutes 2006, section 243.166, subdivision 1b.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 243.166, subdivision 1b, is amended to read:

Subd. 1b. **Registration required.** (a) A person 16 years of age or older shall register under this section if:

(1) the person was charged with or petitioned for a felony violation of or attempt to violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances:

(i) murder under section 609.185, clause (2);

(ii) kidnapping under section 609.25;

(iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451, subdivision 3; or 609.3453; or

(iv) indecent exposure under section 617.23, subdivision 3;

(2) the person was charged with or petitioned for a violation of, or attempt to violate, or aiding, abetting, or conspiracy to commit false imprisonment in violation of section 609.255, subdivision 2; soliciting a minor to engage in prostitution in violation of section 609.322 or 609.324; soliciting a minor to engage in sexual conduct in violation of section 609.352; using a minor in a sexual performance in violation of section 617.246; or possessing pornographic work involving a minor in violation of section 617.247, and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances;

(3) the person was sentenced as a patterned sex offender under section 609.3455, subdivision 3a; or

(4) the person was convicted of or adjudicated delinquent for, including pursuant to a court martial, violating a law of the United States, including the Uniform Code of Military Justice, similar to the offenses described in clause (1), (2), or (3).

(b) A person also shall register under this section if:

(1) the person was convicted of or adjudicated delinquent in another state for an offense that would be a violation of a law described in paragraph (a) if committed in this state;

(2) the person enters this state to reside, work, or attend school, or enters this state and remains for 14 days or longer; and

(3) ten years have not elapsed since the person was released from confinement or, if the person was not confined, since the person was convicted of or adjudicated delinquent for the offense that triggers registration, unless the person is subject to a longer registration period under the laws of another state in which the person has been convicted or adjudicated, or is subject to lifetime registration.

If a person described in this paragraph is subject to a longer registration period in another state or is subject to lifetime registration, the person shall register for that time period regardless of when the person was released from confinement, convicted, or adjudicated delinquent.

(c) A person also shall register under this section if the person was committed pursuant to a court commitment order under section 253B.185 or Minnesota Statutes 1992, section 526.10, or a similar law of another state or the United States, regardless of whether the person was convicted of any offense.

(d) A person also shall register under this section if:

(1) the person was charged with or petitioned for a felony violation or attempt to violate any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or the United States, or the person was charged with or petitioned for a violation of any of the offenses listed in paragraph (a), clause (2), or a similar law of another state or the United States;

(2) the person was found not guilty by reason of mental illness or mental deficiency after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in states with a guilty but mentally ill verdict; and

(3) the person was committed pursuant to a court commitment order under section 253B.18 or a similar law of another state or the United States.

(e) A person under the age of 16 shall register under this section if:

(1) charged with a felony violation of or attempt to violate, or aiding, abetting, or conspiracy to commit any crime described in this subdivision, certified to be tried as an adult pursuant to section 260B.125, and convicted of that offense or another offense arising out of the same set of circumstances;

(2) charged with a felony violation of or attempt to violate, or aiding, abetting, or conspiracy to commit any crime described in this subdivision, designated an extended jurisdiction juvenile offender and convicted of that offense or another offense arising out of the same set of circumstances;

(3) found to have committed criminal sexual conduct under section 609.342, subdivision 1, paragraph (c), (d), (e), (f), (g), or (h); 609.343, subdivision 1, paragraph (c), (d), (e), (f), (g), or (h); 609.344, subdivision 1, paragraph (c); or 609.345, subdivision 1, paragraph (c);

(4) found to have committed criminal sexual conduct under section 609.342, subdivision 1; 609.343, subdivision 1; 609.344, subdivision 1; or 609.345, subdivision 1, after having participated in court-ordered sex offender treatment pursuant to section 260B.198, subdivision 1, paragraph (k); or

(5) found to have committed any crime described in this subdivision and the court finds on its own motion, or that of the prosecutor, that it is in the interests of public safety to require registration.

Sec. 2. Minnesota Statutes 2006, section 243.166, subdivision 2, is amended to read:

Subd. 2. **Notice.** When a person who is required to register under subdivision 1b, paragraph (a) or (e), is sentenced or becomes subject to a juvenile court disposition order, the court shall tell the person of the duty to register under this section and that, if the person fails to comply with the registration requirements, information about the offender may be made available to the public through electronic, computerized, or other accessible means. The court may not modify the person's duty to register in the pronounced sentence or disposition order. The court shall require the person to read and sign a form stating that the duty of the person to register under this section has been explained. The court shall forward the signed sex offender registration form, the complaint, and sentencing documents to the bureau. If a person required to register under subdivision 1b, paragraph (a) or (e), was not notified

by the court of the registration requirement at the time of sentencing or disposition, the assigned corrections agent shall notify the person of the requirements of this section. When a person who is required to register under subdivision 1b, paragraph (c) or (d), is released from commitment, the treatment facility shall notify the person of the requirements of this section. The treatment facility shall also obtain the registration information required under this section and forward it to the bureau."

Amend the title as follows:

Page 1, line 3, delete "18" and insert "16"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1021, A bill for an act relating to game and fish; modifying Lake Superior commercial fishing provisions; amending Minnesota Statutes 2006, section 97C.835, subdivisions 2, 3, 8, by adding a subdivision; repealing Minnesota Statutes 2006, section 97C.835, subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 97C.835, subdivision 1, is amended to read:

Subdivision 1. **Commercial fishing license for Lake Superior.** (a) A license to fish commercially in Lake Superior shall be issued to a maximum of ~~50~~ 25 residents. To qualify for licensing, a resident must have landed fish in the previous year with a value of at least \$1,500, and must have engaged in commercial fishing for at least 30 days of the previous year. An applicant may be issued a license, at the discretion of the commissioner, if failure to meet the requirements for the dollar value of fish landed or number of days fished resulted from illness or other mitigating circumstances, or the applicant has reached the age of 65 and has been licensed at least five of the previous ten years.

(b) A license may be issued to a resident who has not previously fished commercially on Lake Superior and has not been convicted of a game and fish law violation in the preceding three years, if the applicant:

(1) shows a bill of sale indicating the purchase of gear and facilities connected with an existing license;

(2) shows proof of inheritance of all the gear and facilities connected with an existing license; or

(3) has served at least two years as an apprentice in a Minnesota Lake Superior licensed commercial fishing operation.

Sec. 2. Minnesota Statutes 2006, section 97C.835, subdivision 2, is amended to read:

Subd. 2. **Types of fish permitted.** Lake trout, ciscoes, chubs, alewives, lake whitefish, round whitefish, ~~pygmy whitefish~~, rainbow smelt, and rough fish may be taken by licensed commercial fishing operators from Lake Superior, in accordance with this section.

Sec. 3. Minnesota Statutes 2006, section 97C.835, subdivision 3, is amended to read:

Subd. 3. **Pound nets and trap nets.** Pound or trap nets may be used to take lake whitefish, round whitefish, ~~pygmy whitefish~~, ciscoes, chubs, alewives, rainbow smelt, and rough fish in Lake Superior, including St. Louis Bay east of the U.S. Highway 53 bridge, under the rules prescribed by the commissioner.

Sec. 4. Minnesota Statutes 2006, section 97C.835, subdivision 8, is amended to read:

Subd. 8. **Special permits.** The commissioner may issue special permits to duly licensed commercial fishing operators ~~not exceeding 20 in number~~, for the purpose of taking lake trout, ciscoes, and lake whitefish ~~spawn during the closed season for the propagation of trout~~ in Lake Superior and adjacent waters under rules prescribed by the commissioner.

Sec. 5. **97C.836 LAKE SUPERIOR LAKE TROUT EXPANDED ASSESSMENT HARVEST.**

The commissioner shall provide for taking of lake trout by licensed commercial operators in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale. The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake Superior management zone MN-3 beginning in 2007 and zone MN-2 beginning in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone MN-3 or 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect the lake trout population or to manage the effects of invasive species or fish disease. Taking lake trout for expanded assessment and sale shall be allowed from June 1 to September 30, but may end earlier in the respective zones if the quotas are reached. The quotas must be reassessed at the expiration of the current ten-year Fisheries Management Plan for the Minnesota Waters of Lake Superior dated September 2006.

Sec. 6. **RULE AMENDMENTS.**

The commissioner of natural resources may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to amend rules to conform to sections 1 to 5. Minnesota Statutes, section 14.386, does not apply to the rulemaking under this section except to the extent provided under Minnesota Statutes, section 14.388."

Delete the title and insert:

"A bill for an act relating to game and fish; modifying Lake Superior commercial fishing provisions; amending Minnesota Statutes 2006, section 97C.835, subdivisions 1, 2, 3, 8; proposing coding for new law in Minnesota Statutes, chapter 97C."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations, Reform, Technology and Elections.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1041, A bill for an act relating to health; establishing a controlled substances prescription electronic reporting system; proposing coding for new law in Minnesota Statutes, chapter 152.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[62Q.138] PRESCRIBING OF CONTROLLED SUBSTANCES.**

All health plan companies and other entities administering health plans, including but not limited to entities described in section 60A.23, subdivision 8, shall develop and implement a plan to:

(1) monitor the prescribing of controlled substances listed in section 152.02, subdivisions 3 and 4, and those substances defined by the Board of Pharmacy under section 152.02, subdivisions 8 and 12, by enrolled providers or providers under contract;

(2) require enrolled providers or providers under contract to report information related to potential patient abuse of the controlled substances to the health plan company or administrative entity, and the Board of Pharmacy; and

(3) provide education to enrollees on the proper use of controlled substances.

Sec. 2. Minnesota Statutes 2006, section 152.11, is amended by adding a subdivision to read:

Subd. 2d. **Identification requirement for schedule II or III controlled substance.** No person may dispense a controlled substance included in schedule II or III without requiring the person purchasing the controlled substance to present valid photographic identification, unless the person purchasing the controlled substance, or if applicable the person for whom the controlled substance prescription is written, is known to the dispenser.

Sec. 3. **[152.126] SCHEDULE II AND III CONTROLLED SUBSTANCES PRESCRIPTION ELECTRONIC REPORTING SYSTEM.**

Subdivision 1. **Definitions.** For purposes of this section, the terms defined in this subdivision have the meanings given.

(a) "Board" means the Minnesota State Board of Pharmacy established under chapter 151.

(b) "Controlled substances" means those substances listed in section 152.02, subdivisions 3 and 4, and those substances defined by the board pursuant to section 152.02, subdivisions 8 and 12.

(c) "Dispense" or "dispensing" has the meaning given in section 151.01, subdivision 30. Dispensing does not include the direct administering of a controlled substance to a patient by a licensed health care professional.

(d) "Dispenser" means a person authorized by law to dispense a controlled substance, pursuant to a valid prescription. A dispenser does not include a licensed hospital pharmacy that distributes controlled substances for inpatient hospital care.

(e) "Prescriber" means a licensed health care professional who is authorized to prescribe a controlled substance under section 152.12, subdivision 1.

(f) "Prescription" has the meaning given in section 151.01, subdivision 16.

Subd. 2. **Prescription electronic reporting system.** (a) By January 1, 2009, the board shall establish an electronic system for reporting the information required under subdivision 4 for all controlled substances dispensed within the state. Data for controlled substance prescriptions that are dispensed in a quantity small enough to provide treatment to a patient for a period of 48 hours or less need not be reported.

(b) The board may contract with a vendor for the purpose of obtaining technical assistance in the design, implementation, and maintenance of the electronic reporting system. The vendor's role shall be limited to providing technical support to the board concerning the software, databases, and computer systems required to interface with the existing systems currently used by pharmacies to dispense prescriptions and transmit prescription data to other third parties.

(c) The board may issue a waiver to a dispenser that is unable to submit dispensing information by electronic means. The waiver may permit the dispenser to submit dispensing information by paper form or other means, provided all information required by subdivision 4 is submitted in this alternative format.

Subd. 3. **Prescription Electronic Reporting Advisory Committee.** (a) The board shall convene an advisory committee. The committee must include at least one representative of:

(1) the Department of Health;

(2) the Department of Human Services;

(3) each health-related licensing board that licenses prescribers;

(4) a professional medical association, which may include an association of pain management and chemical dependency specialists;

(5) a professional pharmacy association;

(6) a consumer privacy or security advocate; and

(7) a consumer or patient rights organization.

(b) The advisory committee shall advise the board on the development and operation of the electronic reporting system, including, but not limited to:

(1) technical standards for electronic prescription drug reporting;

(2) proper analysis and interpretation of prescription monitoring data; and

(3) an evaluation process for the program.

Subd. 4. **Reporting requirements and notice.** (a) Each dispenser must submit the following data to the board or its designated vendor, subject to the notice required under paragraph (d):

(1) prescriber DEA number;

(2) dispenser DEA number;

- (3) name of the patient for whom the prescription was written;
- (4) date of birth of the patient for whom the prescription was written;
- (5) date the prescription was written;
- (6) date the prescription was filled;
- (7) NDC code for drug dispensed; and
- (8) quantity of controlled substance dispensed.

(b) The dispenser must submit the required information according to the format and protocols specified in the "ASAP Telecommunications Format for Controlled Substances," May 1995 edition, published by the American Society for Automation in Pharmacy, which is hereby adopted by reference, by a procedure established by the board.

(c) A dispenser is not required to submit this data for those controlled substance prescriptions dispensed for:

- (1) individuals residing in licensed skilled nursing or intermediate care facilities;
- (2) individuals receiving assisted living services under chapter 144G or through a medical assistance home and community-based waiver;
- (3) individuals receiving medication intravenously;
- (4) individuals receiving hospice and other palliative or end-of-life care; and
- (5) individuals receiving services from a home care provider regulated under chapter 144A.

(d) A dispenser must not submit data under this subdivision unless a conspicuous notice of the reporting requirements of this section is given to the patient for whom the prescription was written.

Subd. 5. Use of data by board. (a) The board shall develop and maintain a database of the data reported under subdivision 4. The board shall maintain data that could identify an individual prescriber or dispenser in encrypted form. The database may be used by permissible users identified under subdivision 6 for the identification of:

- (1) individuals receiving prescriptions for controlled substances from prescribers who subsequently obtain controlled substances from dispensers in quantities or with a frequency inconsistent with generally recognized standards of dosage for those controlled substances; and
- (2) individuals presenting forged or otherwise false or altered prescriptions for controlled substances to dispensers.

(b) No permissible user identified under subdivision 6 may access the database for the sole purpose of identifying prescribers of controlled substances for unusual or excessive prescribing patterns without a valid search warrant or court order.

(c) No personnel of a state or federal occupational licensing board or agency may access the database for the purpose of obtaining information to be used to initiate or substantiate a disciplinary action against a prescriber.

(d) Data reported under subdivision 4 shall be retained by the board in the database for a six-month period, and shall be removed from the database six months from the date the data was received.

Subd. 6. **Access to reporting system data.** (a) Except as indicated in this subdivision, the data submitted to the board under subdivision 4 is private data on individuals as defined in section 13.02, subdivision 12, and not subject to public disclosure.

(b) Except as specified in subdivision 5, the following persons shall be considered permissible users and may access the data submitted under subdivision 4 in the same or similar manner, and for the same or similar purposes, as those persons who are authorized to access similar private data on individuals under federal and state law:

(1) a prescriber, to the extent the information relates specifically to a current patient of the prescriber, to whom the practitioner is prescribing or considering prescribing any controlled substance;

(2) a dispenser to the extent the information relates specifically to a current patient to whom that dispenser is dispensing or considering dispensing any controlled substance;

(3) an individual who is the recipient of a controlled substance prescription for which data was submitted under subdivision 4;

(4) personnel of the board specifically assigned to conduct a bona fide investigation of a specific board licensee;

(5) personnel of the board engaged in the collection of controlled substance prescription information as part of the assigned duties and responsibilities under this section;

(6) authorized personnel of a vendor under contract with the board who are engaged in the design, implementation, and maintenance of the electronic reporting system as part of the assigned duties and responsibilities of their employment, provided that access to data is limited to the minimum amount necessary to test and maintain the system databases;

(7) federal, state, and local law enforcement authorities engaged in a bona fide investigation of a specific person; and

(8) personnel of the medical assistance program assigned to use the data collected under this section to identify recipients whose usage of controlled substances may warrant restriction to a single primary care physician, a single outpatient pharmacy, or a single hospital.

(c) Any permissible user identified in paragraph (b), who directly accesses the data electronically, shall implement and maintain a comprehensive information security program that contains administrative, technical, and physical safeguards that are appropriate to the user's size and complexity, and the sensitivity of the personal information obtained. The permissible user shall identify reasonably foreseeable internal and external risks to the security, confidentiality, and integrity of personal information that could result in the unauthorized disclosure, misuse, or other compromise of the information and assess the sufficiency of any safeguards in place to control the risks.

(d) The board shall not release data submitted under this section unless it is provided with evidence, satisfactory to the board, that the person requesting the information is entitled to receive the data. Access to the data by law enforcement authorities must be accompanied by a valid search warrant.

(e) The board shall not release the name of a prescriber without the written consent of the prescriber or a valid search warrant or court order. The board shall provide a mechanism for a prescriber to submit to the board a signed consent authorizing the release of the prescriber's name when data containing the prescriber's name is requested.

(f) The board shall maintain a log of all persons who access the data and shall ensure that any permissible user complies with paragraph (c) prior to attaining direct access to the data.

Subd. 7. Disciplinary action. (a) A dispenser who knowingly fails to submit data to the board as required under this section is subject to disciplinary action by the appropriate health-related licensing board.

(b) A prescriber or dispenser authorized to access the data who knowingly discloses the data in violation of state or federal laws relating to the privacy of health care data shall be subject to disciplinary action by the appropriate health-related licensing board, and appropriate civil penalties.

Subd. 8. Evaluation and reporting. (a) The board shall evaluate the prescription electronic reporting system to determine if the system is cost-effective and whether it is negatively impacting appropriate prescribing practices of controlled substances. The board may contract with a vendor to design and conduct the evaluation.

(b) The board shall submit the evaluation of the system to the legislature by January 15, 2010.

Subd. 9. Immunity from liability; no requirement to obtain information. (a) A pharmacist, prescriber, or other dispenser making a report to the program in good faith under this section is immune from any civil, criminal, or administrative liability, which might otherwise be incurred or imposed as a result of the report, or on the basis that the pharmacist or prescriber did or did not seek or obtain or use information from the program.

(b) Nothing in this section shall require a pharmacist, prescriber, or other dispenser to obtain information about a patient from the program, and the pharmacist, prescriber or other dispenser, if acting in good faith, is immune from any civil, criminal, or administrative liability that might otherwise be incurred or imposed for requesting, receiving, or using information from the program.

Sec. 4. [256B.0636] PRESCRIBING OF CONTROLLED SUBSTANCES; ABUSE PREVENTION.

The commissioner shall develop and implement a plan to:

(1) monitor the prescribing of controlled substances listed in section 152.02, subdivisions 3 and 4, and those substances defined by the board of pharmacy under section 152.02, subdivisions 8 and 12, by enrolled providers and providers under contract with participating managed care plans;

(2) require enrolled providers and providers under contract with participating managed care plans to report information related to potential patient abuse of the controlled substances to the commissioner, and the board of pharmacy; and

(3) provide education to Minnesota health care program enrollees on the proper use of controlled substances.

Sec. 5. FEDERAL GRANTS.

The Board of Pharmacy shall apply for any applicable federal grants or other nonstate funds to establish and fully implement the prescription electronic reporting system.

Sec. 6. **BOARD OF PHARMACY.**

The Board of Pharmacy shall not increase the license fees of pharmacists or pharmacies in order to adequately fund the prescription electronic reporting system under Minnesota Statutes, section 152.126, without specific authority from the legislature.

Sec. 7. **BOARD OF MEDICAL PRACTICE.**

The board of medical practice shall convene a work group to discuss the appropriate prescribing of controlled substances listed in Minnesota Statutes, section 152.02, subdivisions 3 and 4, and those substances defined by the Board of Pharmacy under Minnesota Statutes, section 152.02, subdivisions 7, 8, and 12, for pain management, and shall report to the legislature by December 15, 2007.

Sec. 8. **EFFECTIVE DATE.**

(a) Section 3 is effective July 1, 2007, or upon receiving sufficient nonstate funds to implement the prescription electronic reporting program, whichever is later. In the event that nonstate funds are not secured by the Board of Pharmacy to adequately fund the implementation of the prescription electronic reporting program, the board is not required to implement section 3 without a subsequent appropriation from the legislature.

(b) Sections 5 and 6 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to health; requiring health plans to establish a plan to monitor prescribing of controlled substances; establishing a controlled substances prescription electronic reporting system; requiring an evaluation report; amending Minnesota Statutes 2006, section 152.11, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 62Q; 152; 256B."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Public Safety and Civil Justice.

The report was adopted.

Lieder from the Transportation Finance Division to which was referred:

H. F. No. 1058, A bill for an act relating to motor vehicles; authorizing automatic enforcement of official traffic-control devices; amending Minnesota Statutes 2006, sections 169.01, by adding subdivisions; 169.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

Reported the same back with the following amendments:

Page 2, line 17, before the period, insert "and may not be recorded by the Department of Public Safety on the violator's driving record"

Page 2, line 26, delete "office" and insert "officer"

Page 2, delete lines 31 to 33

Page 2, line 34, delete "(5)" and insert "(4)"

Page 3, line 2, delete the period and insert "; and"

Page 3, after line 2, insert:

"(5) require a local authority, before installing cameras and sensors at an intersection, to conduct an engineering review of the intersection that:

(i) identifies safety problems in the intersection;

(ii) determines that an automated enforcement system is an appropriate solution for the safety problems identified; and

(iii) determines whether measures such as road improvement, improved signal visibility, or traffic signal timing changes would be appropriate solutions for the identified safety problems."

Page 3, after line 11, insert:

"Subd. 4. **Contract.** A contract with a private entity for operation of a program under this section must not base payment to the private entity on the number of citations issued."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Public Safety and Civil Justice.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1078, A bill for an act relating to health; modifying the hospital public interest review; modifying the alternative approval process; establishing accountability requirements for certain hospitals for tax purposes; amending Minnesota Statutes 2006, sections 144.50, by adding subdivisions; 144.552; 144.553, subdivision 3; 144.699, by adding a subdivision; 273.13, subdivision 25; 297A.70, subdivision 7.

Reported the same back with the following amendments:

Page 1, line 13, delete "and" and before the period, insert ", education and the cost of operating subsidized services"

Page 1, line 19, delete "either that there is no expectation of payment" and insert "is charity care, as defined under Minnesota Rules, part 4650.0115"

Page 2, line 12, after "reviewing" insert "and monitoring"

Page 3, line 18, after "exception" insert "up to completion of the construction project" and delete "construction"

Page 3, line 19, delete everything after "project" and insert "does not reflect the details of the plan as submitted under the public interest review process of the Department of Health"

Page 3, line 20, delete everything before the comma

Page 3, line 21, delete "or renew, or may suspend or revoke."

Page 3, line 22, after the period, insert "Upon completion of the construction project and before the final license approval is granted, the hospital shall submit to the commissioner a report on how the construction has met the provisions of the plan originally submitted under the public interest review process."

Page 6, line 4, delete everything after "project" and insert "does not reflect the details of the plan as submitted under the public interest review process of the Department of Health"

Page 6, line 5, delete everything before the comma

Page 6, delete section 6

Page 10, delete section 7

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete "hospitals for tax purposes;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 1091, A bill for an act relating to education; directing the commissioner of education to amend the rule governing supplemental education service providers to specify the basis for withdrawing department approval from providers that fail to increase student proficiency for two consecutive school years.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1127, A bill for an act relating to natural resources; restricting four by four truck trail development; proposing coding for new law in Minnesota Statutes, chapter 84.

Reported the same back with the following amendments:

Page 1, line 11, delete "motor" and insert "motor-driven recreational"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 1206, A bill for an act relating to health; establishing the Early Hearing Detection and Intervention Act; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1220, A bill for an act relating to child advocacy centers; providing for grants for child advocacy centers that perform certain core functions; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1306, A bill for an act relating to data practices; regulating business screening agencies; providing civil penalties; proposing coding for new law in Minnesota Statutes, chapter 13.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[332.70] BUSINESS SCREENING SERVICES; DATA PRACTICES.**

Subdivision 1. **Definitions.** For purposes of this section:

(a) "Business screening service" means a person regularly engaged in the business of collecting, assembling, evaluating, or disseminating criminal record information on individuals for a fee. Business screening service does not include a government entity, as defined in section 13.02, or the news media.

(b) "Conviction" has the meaning given in section 609.02, subdivision 5.

(c) "Criminal record" means a record of an arrest, citation, prosecution, criminal proceeding, or conviction.

Subd. 2. **Criminal records.** A business screening service must not disseminate a criminal record unless the record has been updated within the previous 30 days.

Subd. 3. **Correction and deletion of records.** (a) If the completeness or accuracy of a criminal record maintained by a business screening service is disputed by the individual who is the subject of the record, the screening service shall, without charge, investigate the disputed record. In conducting an investigation, the business screening service shall review and consider all relevant information submitted by the subject of the record with respect to the disputed record.

(b) If the disputed record is found to be inaccurate or incomplete, the business screening service shall promptly correct the record. If the disputed record is found to be sealed, expunged, or the subject of a pardon, the business screening service shall promptly delete the record.

(c) A business screening service may terminate an investigation of a disputed record if the business screening agency reasonably determines that the dispute is frivolous, which may be based on the failure of the subject of the record to provide sufficient information to investigate the disputed record. Upon making a determination that the dispute is frivolous, the business screening service shall inform the subject of the record of the specific reasons why it has determined that the dispute is frivolous and provide a description of any information required to investigate the disputed record.

(d) The business screening service shall notify the subject of the disputed record of the correction or deletion of the record or of the termination or completion of the investigation related to the record within 30 days of the date when the agency receives notice of the dispute from the subject of the record.

Subd. 4. **Date and notice required.** A business screening service that disseminates a criminal record must include the date when the record was collected and a notice that the information may include records that have been expunged or sealed or otherwise have become inaccessible to the public since that date.

Subd. 5. **Remedies.** A business screening service that violates this section is liable to the individual who is the subject of the record for a penalty of \$1,000 or actual damages caused by the violation, whichever is greater, plus costs and disbursements and reasonable attorney fees.

Subd. 6. **Service of process; jurisdiction.** A business screening service that disseminates criminal record information in this state or that obtains a criminal record from a government entity, as defined in section 13.02, or a court in this state is deemed to have consented to service of process in this state for purposes of section 5.25, subdivision 4, or other applicable law and to the jurisdiction of courts in this state for actions involving a violation of this section."

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Atkins from the Committee on Commerce and Labor to which was referred:

H. F. No. 1314, A bill for an act relating to commerce; regulating the advertising and conducting of certain live musical performances or productions; providing enforcement; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 325E.

Reported the same back with the following amendments:

Page 1, line 7, delete "325E.494" and insert "325E.492"

Page 1, line 10, delete "purposes of sections 325E.492 to 325E.494" and insert "purpose of section 325E.492"

Page 2, delete sections 4 and 5

Amend the title as follows:

Page 1, line 3, delete everything after the first semicolon

Page 1, line 4, delete "penalty;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1431, A bill for an act relating to waters; modifying membership of the Board of Water and Soil Resources; amending Minnesota Statutes 2006, section 103B.101, subdivisions 1, 2.

Reported the same back with the following amendments:

Page 1, line 19, after "two" insert "elected"

Page 2, line 3, strike "three" and insert "five" and strike "five" and insert "seven"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1438, A bill for an act relating to drivers' licenses; prohibiting commissioner of public safety from complying with Real ID Act.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1465, A bill for an act relating to public safety; requiring the commissioner of corrections to develop a standard formula for calculating the per diem cost in county and regional jails; amending Minnesota Statutes 2006, section 241.018.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1507, A bill for an act relating to natural resources; modifying acquisition authority for state trails; modifying requirements for certain recreational vehicles; establishing an off-highway vehicle safety and conservation program; providing for off-trail snowmobile use in certain state forests; modifying certain state trails; modifying funding source for certain capital improvements; amending Minnesota Statutes 2006, sections 84.029, subdivision 2; 84.788, subdivision 1; 84.82, subdivision 6; 84.8205, subdivision 1; 84.925, subdivision 5; 84.926, by adding a subdivision; 85.015, subdivision 14; Laws 2005, First Special Session chapter 1, article 2, section 3, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 2006, section 85.015, subdivision 11.

Reported the same back with the following amendments:

Page 4, delete section 7

Page 5, delete section 9

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete everything before the first "modifying" and delete the second "modifying"

Page 1, line 6, delete everything before "amending"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1520, A bill for an act relating to the environment; modifying phosphorus reduction requirements on wastewater treatment facilities based on need; amending Minnesota Statutes 2006, section 115.03, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Laws 2006, chapter 251, section 16, is amended to read:

Sec. 16. **PHOSPHORUS RULE; ~~REPORT~~ EFFECTIVE DATE.**

(a) Notwithstanding any law to the contrary, a provision of a Minnesota Pollution Control Agency rule establishing new or changed limits on phosphorus discharges from a new or existing wastewater facility ~~must~~ may not take effect until July 1, ~~2007~~ 2008.

(b) The Minnesota Pollution Control Agency must report to the legislature by February 1, 2007, on a proposed or adopted rule changing limits on phosphorus discharges. The report must address scientific justification for the new rule and the impact the proposed or adopted rule will have on needed funding to implement the Clean Water Legacy Act."

Delete the title and insert:

"A bill for an act relating to environment; modifying effective date of certain rules limiting phosphorus discharges; amending Laws 2006, chapter 251, section 16."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1582, A bill for an act relating to health; making technical changes; eliminating radioactive material license renewal fee; establishing fees for ionizing radiation-producing equipment; modifying requirements for operating x-ray equipment; changing provisions in the lead abatement program; amending Minnesota Statutes 2006, sections 144.1205, subdivision 1; 144.121, subdivisions 1a, 5; 144.9512, subdivisions 1, 2, 3, 10; repealing Minnesota Statutes 2006, sections 144.121, subdivisions 1c, 4; 144.146, subdivision 1; 144.9512, subdivisions 4, 6, 7, 8.

Reported the same back with the following amendments:

Pages 2 to 4, delete sections 4 to 7

Page 4, line 29, delete everything after "4" and insert a comma

Page 4, line 30, delete everything before "are"

Amend the title as follows:

Page 1, line 5, delete everything before the semicolon

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1589, A bill for an act relating to health care; providing for patient visitation by health care agents; establishing and specifying visitation rights and the right to designate a domestic partner for certain purposes; amending Minnesota Statutes 2006, sections 144.651, subdivision 26; 145C.05; 145C.07, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 1608, A bill for an act relating to the Office of the Secretary of State; regulating registrations, filings, and dissolutions of certain entities; providing fees; regulating foreign limited partnership name changes; regulating notaries public; amending Minnesota Statutes 2006, sections 5.12, subdivision 1; 302A.821, subdivision 4; 308A.995, subdivisions 1, 4; 308B.121, subdivisions 1, 4; 308B.215, subdivision 2; 317A.823, subdivision 1; 321.0206; 336.1-110; 336.9-516; 336.9-525; 358.41; 358.42; 358.50; 359.085, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapters 308B; 321; repealing Minnesota Statutes 2006, sections 69.051, subdivision 1c; 359.085, subdivision 8.

Reported the same back with the following amendments:

Page 2, delete section 3

Page 3, delete section 5

Page 10, line 1, delete "10 and 14" and insert "8 and 12" and delete "6" and insert "4"

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1628, A bill for an act relating to public safety; reducing the surcharge on license tab violations from \$72 to \$4; amending Minnesota Statutes 2006, section 357.021, subdivisions 6, 7.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 1639, A bill for an act relating to agriculture; changing certain provisions of the best management practices loan program; amending Minnesota Statutes 2006, section 17.117, subdivisions 1, 4, 11.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 1640, A bill for an act relating to agriculture; changing certain feed law provisions; expanding applicability of certain penalties; amending Minnesota Statutes 2006, sections 17.982, subdivision 1; 17.983, subdivision 1; 25.33, subdivisions 3, 4, 5, 6, 10, 18, by adding a subdivision; 25.341, subdivision 1; 25.35; 25.39, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1726, A bill for an act relating to health; establishing the Health Records Act; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2006, section 144.335.

Reported the same back with the following amendments:

Page 2, line 23, delete "participants" and insert "providers"

Page 6, line 4, before "A" insert "(a)"

Page 6, line 9, after the period, insert "Only a provider may access patient identifying information in a record locator service."

Page 6, after line 11, insert:

"(b) A health information exchange maintaining a record locator service or an entity maintaining a record locator service for a health information exchange must maintain an audit log of providers accessing information in a record locator service that minimally contains information on:

(1) the identity of the provider accessing the information;

(2) the identity of the patient whose information was accessed by the provider; and

(3) the date the information was accessed.

(c) No group purchaser may in any way require a provider to participate in any record locator service as a condition of payment or participation.

(d) A record locator service must provide a mechanism for patients to opt out of including their identifying information and information about the location of their health records in a record locator service. At a minimum, any consent form that permits a provider to access a record locator service must include a check-box option that allows a patient to completely opt out of the record locator service which shall be clearly displayed to the patient. A provider participating in a health information exchange with a record locator service who receives a patient's request to completely opt out of the record locator service or to not have a specific provider contact in the record locator service shall be responsible for removing the patient's information from the record locator service."

Page 6, line 12, before "In" insert "(a)"

Page 6, after line 16, insert:

"(b) When a health record is released using a representation from a provider that holds a consent from the patient, the releasing provider shall document:

(1) the provider requesting the health records;

(2) the identity of the patient;

(3) the health records requested; and

(4) the date the health records were requested."

Page 10, line 18, delete everything after "if" and insert "there is a negligent or intentional violation of sections 144.293 to 144.295."

Page 10, after line 18, insert:

"Subd. 3. **Liability for a record locator service.** A patient is eligible to receive compensatory damages plus costs and reasonable attorney fees if a health information exchange maintaining a record locator service, or an entity maintaining a record locator service for a health information exchange, negligently or intentionally violates the provisions of section 144.293, subdivision 8."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Public Safety and Civil Justice.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1733, A bill for an act relating to corrections; authorizing a grant to address domestic violence and intimate partner violence among offenders re-entering the community after a period of incarceration; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1734, A bill for an act relating to public safety; establishing a pilot project to provide services to ex-criminal offenders now in the community; requiring a report; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1737, A bill for an act relating to public safety; establishing reduced ignition propensity standards for cigarettes; authorizing the state fire marshal to monitor and the state attorney general to enforce the standards; imposing a fee; establishing penalties for violations; proposing coding for new law in Minnesota Statutes, chapter 299F.

Reported the same back with the following amendments:

Page 1, line 8, delete "299F.859" and insert "299F.858"

Page 2, line 3, delete "(c)" and insert "(g)"

Page 2, line 4, delete "299F.859" and insert "299F.858"

Page 3, line 9, delete "299F.859" and insert "299F.858"

Page 4, line 3, delete "299F.859" and insert "299F.858"

Page 5, line 24, delete "in the general fund" and insert "into a dedicated account in the fire marshal's budget"

Page 5, line 28, delete "299F.859" and insert "299F.858"

Page 6, line 11, delete "299F.859" and insert "299F.858"

Page 7, line 1, before "A" insert "(a)"

Page 7, line 24, delete "299F.859" and insert "299F.858"

Page 7, line 29, delete "299F.21" and insert "297F.21 and, upon judgment of forfeiture, must be destroyed"

Page 7, line 30, delete "for violating a provision of this section" and insert "in accordance with section 297F.21"

Page 8, line 2, delete "299F.859" and insert "299F.858" in both places

Page 8, lines 7, 14, and 29, delete "299F.859" and insert "299F.858"

Page 8, delete section 8

Page 9, delete section 10

Page 9, line 14, delete "13th" and insert "19th"

Renumber the sections in sequence

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1750, A bill for an act relating to natural resources; modifying the Critical Areas Act of 1973; appropriating money; amending Minnesota Statutes 2006, sections 116G.03, by adding subdivisions; 116G.15.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **CRITICAL AREA REGULATION STUDY.**

The commissioner of natural resources, in consultation with the Environmental Quality Board, shall report to the house and senate committees having jurisdiction over environmental policy and finance by February 1, 2008, on the Mississippi River critical area program. The report shall include the status of critical area plans, zoning ordinances, the number and types of revisions anticipated, and the nature and number of variances sought. The report shall include recommendations for regulations needed to adequately protect and manage the aesthetic integrity and natural environment of the river corridor."

Delete the title and insert:

"A bill for an act relating to natural resources; requiring a report of Mississippi River critical area program."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 1787, A bill for an act relating to agriculture; changing certain agricultural chemical incident provisions; eliminating a fee; amending Minnesota Statutes 2006, section 18E.02, subdivision 5, by adding a subdivision; repealing Minnesota Statutes 2006, section 18C.425, subdivision 5.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 1800, A bill for an act relating to education; clarifying staff development goals and expenditures; amending Minnesota Statutes 2006, sections 122A.60, subdivision 3; 122A.61, subdivision 1.

Reported the same back with the following amendments:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2006, section 122A.60, subdivision 3, is amended to read:

Subd. 3. **Staff development outcomes.** The advisory staff development committee must adopt a staff development plan for improving student achievement. The plan must be consistent with education outcomes that the school board determines. The plan must include ongoing staff development activities that contribute toward continuous improvement in achievement of the following goals:

(1) improve student achievement of state and local education standards in all areas of the curriculum by using best practices methods;

(2) effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, and gifted children, within the regular classroom and other settings;

(3) provide an inclusive curriculum for a racially, ethnically, and culturally diverse student population that is consistent with the state education diversity rule and the district's education diversity plan;

(4) improve staff collaboration and develop mentoring and peer coaching programs for teachers new to the school or district;

(5) effectively teach and model violence prevention policy and curriculum that address early intervention alternatives, issues of harassment, and teach nonviolent alternatives for conflict resolution; ~~and~~

(6) provide teachers and other members of site-based management teams with appropriate management and financial management skills; and

(7) improve and increase teachers' knowledge of the academic subjects they teach."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1849, A bill for an act relating to health; specifying criteria for valid prescriptions or drug orders; amending Minnesota Statutes 2006, section 151.37, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 19, delete everything after "questionnaire"

Page 2, line 20, delete everything before "does"

With the recommendation that when so amended the bill pass.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1858, A bill for an act relating to public safety finance; appropriating money for peace officer training related to domestic violence no contact orders.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **APPROPRIATION.**

\$100,000 is appropriated for the fiscal year ending June 30, 2008, from the general fund to the Peace Officer Standards and Training Board to:

(1) revise and update preservice and develop in-service training courses relating to no contact orders in domestic violence cases, domestic violence dynamics, and assessment of the dangers posed by offenders; and

(2) reimburse peace officers who have taken a training course described in clause (1).

At a minimum, the training must provide instruction in the laws relating to no contact orders, and address how best to coordinate law enforcement resources relating to no contact orders. In addition, the training must also include a component to instruct peace officers on doing risk assessments of the escalating factors of lethality in domestic abuse violence. The training must be developed in consultation with a statewide domestic violence advocacy organization. This is a onetime appropriation."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1859, A bill for an act relating to judiciary finance; appropriating money for a uniform statewide no contact order form.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **PHOTOGRAPH AND NO CONTACT ORDERS.**

The state court administrator shall convene a multidisciplinary implementation work group to study the attachment of photographs to criminal no contact orders and report their recommendations to the appropriate committees of the house of representatives and senate in charge of criminal justice policy by June 30, 2008."

Delete the title and insert:

"A bill for an act relating to crimes; establishing a work group to study attachment of photographs to criminal no contact orders."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1885, A bill for an act relating to natural resources; providing for emergency management of invasive species; appropriating money for invasive species management; amending Minnesota Statutes 2006, section 84D.02, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 1, delete "The funding" and insert "Of this amount:"

Page 2, delete lines 2 to 16 and insert:

"(1) \$400,000 each year is to be targeted toward prairie conservation and restoration on natural and seminatural lands in the Prairie Parkland, Tallgrass Aspen Parklands, and Eastern Broadleaf Forest Provinces, as defined by the Department of Natural Resources ecological mapping and landscape classification system, for:

(i) beginning county cooperative weed management programs on natural lands and lands enrolled under the federal conservation reserve program;

(ii) assisting counties and other local units of government to develop invasive plant species management systems; and

(iii) restoring native plants in selected invasive species management sites by providing local native seeds and plants to landowners for implementation; and

(2) \$250,000 each year is available on a statewide basis for use on natural and seminatural lands to support:

(i) local units of government by providing equipment and services in assisting the public to participate in invasive species management;

(ii) local units of government for emergency situations to control new occurrences of high priority invasive species infestations;

(iii) local education efforts on the identification, control, and prevention of invasive species; and
(iv) the creation of local neighborhood groups to eradicate and control invasive species."

Page 2, line 21, delete everything after the period and insert "The money is available until expended."

Page 2, delete line 22

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1896, A bill for an act relating to public safety; establishing Legislative Commission on Terror and Disaster Preparedness; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 12.

Reported the same back with the following amendments:

Page 1, line 6, delete "TERROR" and insert "TERRORISM"

Page 1, line 8, delete "Terror" and insert "Terrorism"

Page 3, line 2, delete "Terror" and insert "Terrorism"

Amend the title as follows:

Page 1, line 2, delete "Terror" and insert "Terrorism"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations, Reform, Technology and Elections.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1987, A bill for an act relating to health; establishing the Minnesota Medical Information Council; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 3, line 10, delete "to 3" and insert "and 2"

Renumber the sections in sequence

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1999, A bill for an act relating to health; requiring health and auto insurance reimbursement for emergency care provided by first responders; amending Minnesota Statutes 2006, sections 62J.48; 65B.44, subdivision 2.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Commerce and Labor.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 2120, A bill for an act relating to environment; appropriating money to study air quality in residential neighborhoods exposed to air pollution from takeoffs and landings at Minneapolis-St. Paul International Airport; appropriating money.

Reported the same back with the following amendments:

Page 2, line 2, delete "general fund" and insert "Metropolitan Airports Commission"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Local Government and Metropolitan Affairs.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

S. F. No. 646, A bill for an act relating to education; prohibiting electronic and Internet intimidation and bullying; amending Minnesota Statutes 2006, section 121A.0695.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 548, 638, 772, 1019, 1306, 1314, 1438, 1507, 1582, 1589, 1639, 1640, 1787 and 1849 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1168 and 646 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ruud introduced:

H. F. No. 2269, A bill for an act relating to health; requiring hospital reporting of charity care, bad debt, and community benefit; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Huntley introduced:

H. F. No. 2270, A bill for an act relating to health; authorizing a farm co-op health plan pilot project; amending Minnesota Statutes 2006, section 62H.02.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Huntley introduced:

H. F. No. 2271, A bill for an act relating to human services; making changes to health care services; amending data management; Medicaid reimbursement; providing lead risk assessment services; changing the prepayment demonstration project; general assistance medical care; medical assistance provisions; eligibility requirements; the long-term care partnership program; treatment of assets; covered services; amending Minnesota Statutes 2006, sections 144.9507, by adding a subdivision; 256B.055, subdivision 14; 256B.056, subdivisions 2, 11, by adding a subdivision; 256B.057, subdivision 1; 256B.0571, subdivisions 6, 9; 256B.058; 256B.059, subdivisions 1, 1a; 256B.0594; 256B.0595, subdivisions 1, 2, 3, 4; 256B.0625, subdivisions 5a, 5j, by adding a subdivision; 256B.69, subdivisions 6, 23, 27; 256D.03, subdivision 3; 256L.035; repealing Minnesota Statutes 2006, section 256B.0571, subdivision 8a.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Huntley introduced:

H. F. No. 2272, A bill for an act relating to health care; increasing eligibility for single adults and households without children in MinnesotaCare; increasing inpatient hospital benefit limit in MinnesotaCare; repealing the limited benefit set; amending Minnesota Statutes 2006, sections 256L.03, subdivisions 1, 3, 5; 256L.04, subdivision 7; repealing Minnesota Statutes 2006, section 256L.035.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Huntley introduced:

H. F. No. 2273, A bill for an act relating to health care; expanding the definition of dependent coverage to any unmarried child under the age of 25; amending Minnesota Statutes 2006, sections 62E.02, subdivision 7; 62L.02, subdivision 11; repealing Minnesota Statutes 2006, section 62A.301.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Huntley introduced:

H. F. No. 2274, A bill for an act relating to health care; removing the insurance barriers to MinnesotaCare eligibility for children; amending Minnesota Statutes 2006, section 256L.07, subdivisions 2, 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Norton, Welti, Liebling and Abeler introduced:

H. F. No. 2275, A bill for an act relating to human services; modifying reimbursement for critical access dental providers; requiring additional staff to be hired to administer the critical access dental program; amending Minnesota Statutes 2006, sections 256B.76; 256L.11, subdivision 7.

The bill was read for the first time and referred to the Committee on Finance.

Demmer introduced:

H. F. No. 2276, A bill for an act relating to state observances; designating May 1 as Silver Star Families of America Day; proposing coding for new law in Minnesota Statutes, chapter 10.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

Pelowski and Sviggum introduced:

H. F. No. 2277, A bill for an act relating to capital improvements; appropriating money for capital improvements for Memorial Hall at Winona State University; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Finance.

Welti introduced:

H. F. No. 2278, A bill for an act relating to energy; establishing propane prepurchase program in Department of Commerce; providing consumer protections to delivered-fuel customers; proposing coding for new law in Minnesota Statutes, chapters 216B; 325E.

The bill was read for the first time and referred to the Committee on Finance.

Doty introduced:

H. F. No. 2279, A bill for an act relating to retirement; correctional state employees retirement plan; clarifying the current and past coverage for certain Minnesota Correctional Facility-St. Cloud employees.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Huntley, Mahoney and Peppin introduced:

H. F. No. 2280, A bill for an act relating to energy; removing prohibition against issuing certificate of need for nuclear-powered electric generating plant; extending sunset date for Legislative Electric Energy Task Force and requiring it to contract for a study of economic and environmental effects of constructing a nuclear-powered electric generating plant; appropriating money; amending Minnesota Statutes 2006, sections 216B.243, subdivision 3b; 216C.051, subdivision 9.

The bill was read for the first time and referred to the Committee on Finance.

McNamara introduced:

H. F. No. 2281, A bill for an act relating to higher education; providing a rebate of nonresident tuition; proposing coding for new law in Minnesota Statutes, chapter 135A.

The bill was read for the first time and referred to the Committee on Finance.

Demmer introduced:

H. F. No. 2282, A bill for an act relating to capital improvements; appropriating money for a segment of the Stage Coach Trail and Welcome Center in the city of Mantorville.

The bill was read for the first time and referred to the Committee on Finance.

Demmer introduced:

H. F. No. 2283, A bill for an act relating to education; providing nonpublic school student health services.

The bill was read for the first time and referred to the Committee on E-12 Education.

Demmer introduced:

H. F. No. 2284, A bill for an act relating to capital improvements; appropriating money for a segment of the Stagecoach Trail and Welcome Center in the city of Mantorville; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Finance.

Sertich, Wollschlager, Wagenius, Hansen, Brown, Kelliher, Juhnke, Ozment, Anzelc and Solberg introduced:

H. F. No. 2285, A bill for an act relating to constitutional amendments; proposing an amendment to the Minnesota Constitution, article XI; increasing the sales tax rate by three-eighths of one percent and dedicating the receipts for natural resource and cultural heritage purposes; creating a natural heritage fund; creating a parks and trails fund; creating a clean water fund; creating a sustainable drinking water fund; creating an arts and cultural heritage fund; establishing the Natural Heritage Enhancement Council; providing for appointments; amending Minnesota Statutes 2006, sections 114D.20, subdivision 6; 114D.30, subdivision 6; 114D.45; 297A.62, subdivision 1; 297A.94; 297B.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 85; 97A; 103H; 129D.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Rukavina, Dill, Anzelc, Solberg and Sertich introduced:

H. F. No. 2286, A bill for an act relating to education finance; modifying the distribution of taconite proceeds to school districts; amending Minnesota Statutes 2006, section 298.28, subdivision 4.

The bill was read for the first time and referred to the Committee on Finance.

Dill, Beard, Lieder and Moe introduced:

H. F. No. 2287, A bill for an act relating to airports; authorizing local units of government to create airport authorities; authorizing a property tax levy; defining terms; amending Minnesota Statutes 2006, section 360.031; proposing coding for new law in Minnesota Statutes, chapter 360.

The bill was read for the first time and referred to the Committee on Finance.

Brynaert, Morrow, Brod and Cornish introduced:

H. F. No. 2288, A bill for an act relating to capital improvements; appropriating money for the Mankato Civic Center Arena and Women's Hockey Development Center.

The bill was read for the first time and referred to the Committee on Finance.

Huntley introduced:

H. F. No. 2289, A bill for an act relating to health; requiring disclosure of clinical trials for prescription drugs; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Sailer, Smith, Nelson, Wagenius, Mahoney, Mariani, Johnson, Bigham, Davnie, Sertich and Slawik introduced:

H. F. No. 2290, A bill for an act relating to workers' compensation; providing penalties for gaining improper access to medical records; amending Minnesota Statutes 2006, section 176.178, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Greiling introduced:

H. F. No. 2291, A bill for an act relating to education finance; providing full funding for Telecommunications /Internet access equity aid; appropriating money.

The bill was read for the first time and referred to the Committee on Finance.

CONSENT CALENDAR

Sertich moved that the Consent Calendar be continued. The motion prevailed.

CALENDAR FOR THE DAY

Sertich moved that the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Nornes moved that the name of Severson be added as an author on H. F. No. 152. The motion prevailed.

Moe moved that the name of Morrow be added as an author on H. F. No. 231. The motion prevailed.

Peterson, A., moved that the name of Bigham be added as an author on H. F. No. 369. The motion prevailed.

Hosch moved that the name of Tillberry be added as an author on H. F. No. 481. The motion prevailed.

Cornish moved that the name of Westrom be added as an author on H. F. No. 498. The motion prevailed.

Hilstrom moved that the name of Tillberry be added as an author on H. F. No. 504. The motion prevailed.

Winkler moved that the name of Kranz be added as an author on H. F. No. 532. The motion prevailed.

Masin moved that the name of Tillberry be added as an author on H. F. No. 635. The motion prevailed.

Eastlund moved that the name of Kalin be added as an author on H. F. No. 700. The motion prevailed.

Tschumper moved that the name of McFarlane be added as an author on H. F. No. 726. The motion prevailed.

Emmer moved that the name of Simon be added as an author on H. F. No. 729. The motion prevailed.

Hosch moved that the name of Tillberry be added as an author on H. F. No. 748. The motion prevailed.

Benson moved that the names of Dettmer and Tillberry be added as authors on H. F. No. 776. The motion prevailed.

Davnie moved that the name of Scalze be added as an author on H. F. No. 1004. The motion prevailed.

Olin moved that the name of Scalze be added as an author on H. F. No. 1053. The motion prevailed.

Hilstrom moved that the name of Tillberry be added as an author on H. F. No. 1220. The motion prevailed.

Marquart moved that the name of Doty be added as an author on H. F. No. 1240. The motion prevailed.

Mahoney moved that the name of Abeler be added as an author on H. F. No. 1262. The motion prevailed.

Clark moved that the name of Gardner be added as an author on H. F. No. 1332. The motion prevailed.

Simon moved that his name be stricken as an author on H. F. No. 1380. The motion prevailed.

Olin moved that the name of Lillie be added as an author on H. F. No. 1433. The motion prevailed.

Wagenius moved that the name of Ozment be added as an author on H. F. No. 1540. The motion prevailed.

Dittrich moved that the name of Scalze be added as an author on H. F. No. 1559. The motion prevailed.

Masin moved that the name of Hilty be added as an author on H. F. No. 1599. The motion prevailed.

Hortman moved that the name of Moe be added as an author on H. F. No. 1602. The motion prevailed.

Moe moved that the name of Hilty be added as an author on H. F. No. 1662. The motion prevailed.

Moe moved that the name of Hilty be added as an author on H. F. No. 1663. The motion prevailed.

Davnie moved that the name of Scalze be added as an author on H. F. No. 1758. The motion prevailed.

Brod moved that the name of Scalze be added as an author on H. F. No. 1765. The motion prevailed.

Hansen moved that the name of Scalze be added as an author on H. F. No. 1786. The motion prevailed.

Madore moved that the name of Scalze be added as an author on H. F. No. 1837. The motion prevailed.

Simon moved that the name of Scalze be added as an author on H. F. No. 1841. The motion prevailed.

Huntley moved that the name of Scalze be added as an author on H. F. No. 1856. The motion prevailed.

Bunn moved that the name of Scalze be added as an author on H. F. No. 1873. The motion prevailed.

Madore moved that the name of Tillberry be added as an author on H. F. No. 1917. The motion prevailed.

Mariani moved that the name of Dominguez be added as an author on H. F. No. 1931. The motion prevailed.

Tschumper moved that the name of Doty be added as an author on H. F. No. 1986. The motion prevailed.

Ruud moved that the name of Tillberry be added as an author on H. F. No. 2005. The motion prevailed.

Rukavina moved that the name of Lillie be added as an author on H. F. No. 2083. The motion prevailed.

Mahoney moved that the name of Lillie be added as an author on H. F. No. 2139. The motion prevailed.

Simon moved that the name of Tillberry be added as an author on H. F. No. 2143. The motion prevailed.

Gardner moved that the name of Brown be added as an author on H. F. No. 2144. The motion prevailed.

Brod moved that the names of Wardlow and Emmer be added as authors on H. F. No. 2172. The motion prevailed.

Kalin moved that the name of Scalze be added as an author on H. F. No. 2176. The motion prevailed.

Berns moved that the name of Demmer be added as an author on H. F. No. 2179. The motion prevailed.

Hornstein moved that the name of Tillberry be added as an author on H. F. No. 2186. The motion prevailed.

Paymar moved that the name of Scalze be added as an author on H. F. No. 2189. The motion prevailed.

Magnus moved that the name of Gottwalt be added as an author on H. F. No. 2200. The motion prevailed.

Paymar moved that the name of Scalze be added as an author on H. F. No. 2203. The motion prevailed.

Anderson, B., moved that the name of Westrom be added as an author on H. F. No. 2220. The motion prevailed.

Brynaert moved that the names of Norton and Scalze be added as authors on H. F. No. 2238. The motion prevailed.

Eken moved that the name of Moe be added as an author on H. F. No. 2256. The motion prevailed.

Kohls moved that H. F. No. 305 be recalled from the Committee on Finance and be re-referred to the Committee on Public Safety and Civil Justice.

A roll call was requested and properly seconded.

The question was taken on the Kohls motion and the roll was called. There were 41 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Demmer	Gunther	Lanning	Otremba	Sviggum
Anderson, S.	Dettmer	Hackbarth	Magnus	Ozment	Tingelstad
Berns	Eastlund	Hamilton	McFarlane	Peppin	Urdahl
Brod	Emmer	Heidgerken	McNamara	Ruth	Wardlow
Buesgens	Erickson	Holberg	Nornes	Seifert	Westrom
Cornish	Finstad	Hoppe	Olin	Shimanski	Zellers
Dean	Garofalo	Kohls	Olson	Smith	

Those who voted in the negative were:

Abeler	Doty	Hosch	Lillie	Paymar	Solberg
Anzelc	Eken	Howes	Loeffler	Pelowski	Swails
Atkins	Erhardt	Huntley	Madore	Peterson, A.	Thao
Benson	Faust	Jaros	Mahoney	Peterson, N.	Thissen
Bigham	Fritz	Johnson	Mariani	Peterson, S.	Tillberry
Bly	Gardner	Juhnke	Marquart	Poppe	Tschumper
Brown	Gottwalt	Kahn	Masin	Rukavina	Wagenius
Brynaert	Greiling	Kalin	Moe	Ruud	Walker
Bunn	Hansen	Knuth	Morgan	Sailer	Ward
Carlson	Hausman	Koenen	Morrow	Scalze	Welti
Clark	Haws	Kranz	Mullery	Sertich	Winkler
Davnie	Hilstrom	Laine	Murphy, E.	Severson	Wollschlager
Dill	Hilty	Lenczewski	Murphy, M.	Simon	Spk. Kelliher
Dittrich	Hornstein	Liebling	Nelson	Slawik	
Dominguez	Hortman	Lieder	Norton	Slocum	

The motion did not prevail.

Tingelstad moved that H. F. No. 638, now on the General Register, be re-referred to the Committee on Finance. The motion prevailed.

Dittrich moved that H. F. No. 665 be recalled from the Transportation Finance Division and be re-referred to the Committee on Finance. The motion prevailed.

Ruud moved that H. F. No. 1074, now on the General Register, be re-referred to the Committee on Public Safety and Civil Justice. The motion prevailed.

Kalin moved that H. F. No. 2175 be recalled from the Committee on Governmental Operations, Reform, Technology and Elections and be re-referred to the Committee on Finance. The motion prevailed.

Mariani moved that H. F. No. 1438, now on the General Register, be re-referred to the Transportation Finance Division. The motion prevailed.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 10:00 a.m., Thursday, March 22, 2007. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Thursday, March 22, 2007.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives