

STATE OF MINNESOTA

EIGHTY-FIFTH SESSION — 2008

 NINETY-FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 27, 2008

The House of Representatives convened at 10:00 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by David Neil, Lay Pastor, United Methodist Church, Mazeppa and Zumbro Falls, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Davnie and Moe were excused.

Beard and Dean were excused until 11:55 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Walti 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. 2369 and H. F. No. 2782, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Bigham moved that the rules be so far suspended that S. F. No. 2369 be substituted for H. F. No. 2782 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2390 and H. F. No. 3146, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Hilstrom moved that the rules be so far suspended that S. F. No. 2390 be substituted for H. F. No. 3146 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2653 and H. F. No. 2785, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Gardner moved that the rules be so far suspended that S. F. No. 2653 be substituted for H. F. No. 2785 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2688 and H. F. No. 3296, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Johnson moved that the rules be so far suspended that S. F. No. 2688 be substituted for H. F. No. 3296 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2755 and H. F. No. 3128, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Brod moved that S. F. No. 2755 be substituted for H. F. No. 3128 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2941 and H. F. No. 2639, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Gottwalt moved that the rules be so far suspended that S. F. No. 2941 be substituted for H. F. No. 2639 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3461 and H. F. No. 3522, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Hilstrom moved that S. F. No. 3461 be substituted for H. F. No. 3522 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3555 and H. F. No. 3890, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Finstad moved that S. F. No. 3555 be substituted for H. F. No. 3890 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3674 and H. F. No. 3928, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Olin moved that the rules be so far suspended that S. F. No. 3674 be substituted for H. F. No. 3928 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 635, A bill for an act relating to telecommunications; enacting the Minnesota Wireless Telephone Consumer Protection Act; proposing coding for new law in Minnesota Statutes, chapter 325F; repealing Minnesota Statutes 2006, section 325F.695.

Reported the same back with the following amendments:

Page 1, line 22, delete "153m" and insert "153"

Page 2, line 5, after the period, insert "Prepaid wireless service is service that at no point required or requires the customer to agree to a term contractual agreement with the wireless carrier."

Page 3, line 10, delete "customer's" and delete "express"

Page 3, line 11, after "authorization" insert "of the customer or an individual that the customer has authorized to use the wireless service"

Page 3, line 22, delete "six months" and insert "60 calendar days"

Page 4, after line 33, insert:

"Subd. 6. Remedies; penalties, enforcement. A violation of this section is a violation of a law referred to in section 8.31, subdivision 1."

Page 4, line 34, delete "6" and insert "7"

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

The report was adopted.

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

H. F. No. 934, A bill for an act relating to the environment; restricting the manufacture and sale of certain polybrominated diphenyl ethers; requiring a report; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 325E.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[325E.390] FLAME RETARDANTS IN CERTAIN PRODUCTS; REGISTRATION.**

Subdivision 1. Registration process. (a) Effective July 1, 2009, the manufacturer of a flame retardant to be used in any of the following products shall register the use of the flame retardant with the commissioner of the Pollution Control Agency: (1) televisions or computers with an electronic enclosure; (2) upholstered furniture or textiles intended for indoor use in a home or other residential occupancy; or (3) mattresses and mattress pads to be manufactured, processed, or distributed in commerce in Minnesota. The registration shall have a term of one year. The registration is renewable upon a written request.

(b) The initial registration and renewal must include at least the following:

(1) a description of the product in which the flame retardant shall be used, and the amount and type of the flame retardant contained in the product;

(2) an assessment of an alternative flame retardant available for use in the product that may perform the same technical function, may be commercially available, and may be economically practicable;

(3) peer-reviewed environmental health risk assessments of the human health, solid waste, hazardous waste, and wastewater impacts associated with the production, use, recycling, and disposal of the flame retardant used, and any alternative identified in clause (2);

(4) peer-reviewed risk assessments, scientific studies and the relevant findings on the fire safety and health risk to firefighters of the flame retardant used, and any alternatives identified in clause (2);

(5) a listing of alternatives considered not to be technically or economically practicable or commercially available; and

(6) a certification of the accuracy of the information contained in the registration, signed and dated by an official of the registering manufacturer.

(c) If the registration is complete, the registration shall be forwarded to the fire safety committee created under subdivision 2. If the registration is deemed incomplete, the commissioner shall return the registration to the manufacturer with a statement detailing the portions of the registration, which are incomplete.

(d) The registration shall include a payment of \$20,000 and the commissioner shall reserve the right to assess the registrant any additional sums necessary to cover the cost of the review of the registration. The commissioner shall assess the registrant any balance due within 30 days of the date of the Fire Safety Committee's findings and payment shall be due within 60 days after receipt. Revenues from the registration must be deposited in the environmental fund.

Subd. 2. **Fire safety committee.** (a) A Fire Safety Committee is created for the purpose of assessing the registrations filed with the commissioner under subdivision 1.

(b) The Fire Safety Committee consists of the commissioner of the Pollution Control Agency as chair and the following members:

(1) a representative of the commissioner of health;

(2) a representative of the Office of the State Fire Marshal;

(3) a representative of a statewide association representing fire chiefs;

(4) a representative of a recognized statewide council affiliate with an international association representing the interest of professional firefighters; and

(5) a representative of a statewide association representing the interest of volunteer firefighters.

(c) A majority vote of the fire safety committee is required for a finding by the committee that the registrant has demonstrated that there is no alternative flame retardant that performs the same technical function, is commercially available, is economically practicable, provides net health and environmental benefits to the state, and less health risk to firefighters.

(d) The commissioner shall publish the findings of the Fire Safety Committee in the State Register and submit those findings in a report to the appropriate committees of the legislature. The commissioner shall report its initial set of findings by January 15, 2010, and January 15 of each subsequent year."

Delete the title and insert:

"A bill for an act relating to the environment; requiring manufacturers of certain flame retardants to register with the commissioner of the Pollution Control Agency; creating a fire safety committee; proposing coding for new law in Minnesota Statutes, chapter 325E."

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. 1239, A bill for an act relating to civil actions; clarifying and modifying the limitation period for civil actions involving sexual abuse against a minor; amending Minnesota Statutes 2006, section 541.073.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[541.077] ACTIONS FOR DAMAGES DUE TO SEXUAL ABUSE.**

Subdivision 1. **Definition.** As used in this section, "sexual abuse" means conduct described in sections 609.342 to 609.3451.

Subd. 2. **Application.** This section applies to actions based on personal injury caused by sexual abuse committed against an adult or minor.

Subd. 3. **No limitations period in certain cases.** There is no limitations period for an action against the person who committed sexual abuse against the victim.

Subd. 4. **Limitations period.** (a) An action against a person who negligently permitted sexual abuse to occur to an adult must be commenced within six years of the last incident of sexual abuse.

(b) An action against a person who negligently permitted sexual abuse to occur to a minor must be commenced before the victim reaches 35 years of age.

Subd. 5. **Not applicable to vicarious liability or respondeat superior claims.** This section does not apply to a claim based on vicarious liability or liability under the doctrine of respondeat superior. This subdivision does not limit the availability of these claims under other law.

Sec. 2. **REPEALER.**

Minnesota Statutes 2006, section 541.073, is repealed.

Sec. 3. **EFFECTIVE DATE; APPLICATION.**

This act is effective the day following final enactment and applies to actions pending on or commenced on or after that date, regardless of any previous statute of limitations."

Delete the title and insert:

"A bill for an act relating to civil actions; modifying the limitation period for civil actions involving sexual abuse; proposing coding for new law in Minnesota Statutes, chapter 541; repealing Minnesota Statutes 2006, section 541.073."

With the recommendation that when so amended the bill pass.

The report was adopted.

Rukavina from the Higher Education and Work Force Development Policy and Finance Division to which was referred:

H. F. No. 1780, A bill for an act relating to higher education; providing for disclosure of certain information; amending Minnesota Statutes 2006, section 13.32, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 13.32, subdivision 3, is amended to read:

Subd. 3. **Private data; when disclosure is permitted.** Except as provided in subdivision 5, educational data is private data on individuals and shall not be disclosed except as follows:

- (a) pursuant to section 13.05;
- (b) pursuant to a valid court order;
- (c) pursuant to a statute specifically authorizing access to the private data;
- (d) to disclose information in health and safety emergencies pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I) and Code of Federal Regulations, title 34, section 99.36;
- (e) pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1), (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3), (b)(6), (b)(7), and (i), and Code of Federal Regulations, title 34, sections 99.31, 99.32, 99.33, 99.34, ~~and 99.35, and 99.39~~;
- (f) to appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
- (g) when disclosure is required for institutions that participate in a program under title IV of the Higher Education Act, United States Code, title 20, section 1092;
- (h) to the appropriate school district officials to the extent necessary under subdivision 6, annually to indicate the extent and content of remedial instruction, including the results of assessment testing and academic performance at a postsecondary institution during the previous academic year by a student who graduated from a Minnesota school district within two years before receiving the remedial instruction;
- (i) to appropriate authorities as provided in United States Code, title 20, section 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the system to effectively serve, prior to adjudication, the student whose records are released; provided that the authorities to whom the data are released submit a written request for the data that certifies that the data will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student and the request and a record of the release are maintained in the student's file;
- (j) to volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;

(k) to provide student recruiting information, from educational data held by colleges and universities, as required by and subject to Code of Federal Regulations, title 32, section 216;

(l) to the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;

(m) with respect to Social Security numbers of students in the adult basic education system, to Minnesota State Colleges and Universities and the Department of Employment and Economic Development for the purpose and in the manner described in section 124D.52, subdivision 7; ~~or~~

(n) to the commissioner of education for purposes of an assessment or investigation of a report of alleged maltreatment of a student as mandated by section 626.556. Upon request by the commissioner of education, data that are relevant to a report of maltreatment and are from charter school and school district investigations of alleged maltreatment of a student must be disclosed to the commissioner, including, but not limited to, the following:

(1) information regarding the student alleged to have been maltreated;

(2) information regarding student and employee witnesses;

(3) information regarding the alleged perpetrator; and

(4) what corrective or protective action was taken, if any, by the school facility in response to a report of maltreatment by an employee or agent of the school or school district;

(o) when the disclosure is of the final results of a disciplinary proceeding on a charge of a crime of violence or nonforcible sex offense to the extent authorized under United States Code, title 20, sections 1232g(b)(6)(A) and (B) and Code of Federal Regulations, title 34, sections 99.31(a)(13) and (14);

(p) when the disclosure is information provided to the institution under United States Code, title 42, section 14071, concerning registered sex offenders to the extent authorized under United States Code, title 20, section 1232g(b)(7); or

(q) when the disclosure is to a parent of a student at an institution of postsecondary education regarding the student's violation of any federal, state, or local law or of any rule or policy of the institution, governing the use or possession of alcohol or of a controlled substance, to the extent authorized under United States Code, title 20, section 1232g(i), and Code of Federal Regulations, title 34, section 99.31(a)(15), and provided the institution has an information release form signed by the student authorizing disclosure to a parent. The institution must notify parents about the purpose and availability of the information release forms. At a minimum, the institution must distribute the information release forms at parent orientation meetings."

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 2554, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 12; adding a provision to allow the legislature or presiding officers to call a special session.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 2941, A bill for an act relating to capital improvements; appropriating money for asset preservation at the University of Minnesota and the Minnesota State Colleges and Universities; authorizing the sale and issuance of state bonds.

Reported the same back with the following amendments:

Page 1, after line 19, insert:

"Sec. 4. **DUPLICATE APPROPRIATIONS.**

Unless another act explicitly provides otherwise, appropriations and transfers made in this act and other acts must be implemented only once even if the provision or a similar provision with the same fiscal effect in the same fiscal year is included in another act. This section applies to laws enacted in the 2008 regular session."

Renumber the sections in sequence and correct the internal references

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. 3371, A bill for an act relating to adoption; allowing adopted persons access to birth records; amending Minnesota Statutes 2006, sections 13.465, subdivision 8; 144.218, subdivision 1; 144.225, subdivision 2; 144.2252; 259.89, subdivision 1; 260C.317, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2006, sections 259.83, subdivision 3; 259.89, subdivisions 2, 3, 4, 5.

Reported the same back with the following amendments:

Page 3, delete lines 27 to 34 and insert:

"Subd. 5. **Information provided.** (a) The department shall, in consultation with adoption agencies and adoption advocates, provide information and educational materials to adopted persons and birth parents about the changes in the law affecting accessibility to birth records. For purposes of this subdivision, an adoption advocate is a nonprofit organization that works with adoption issues in Minnesota.

(b) The department shall provide notice on the department Web site about the change in the law, and will direct individuals to private agencies and advocates for post-adoption resources."

Page 4, delete lines 1 to 6 and insert:

"Sec. 6. Minnesota Statutes 2006, section 144.226, subdivision 1, is amended to read:

Subdivision 1. **Which services are for fee.** The fees for the following services shall be the following or an amount prescribed by rule of the commissioner:

(a) The fee for the issuance of a certified vital record or a certification that the vital record cannot be found is \$9. No fee shall be charged for a certified birth, stillbirth, or death record that is reissued within one year of the original issue, if an amendment is made to the vital record and if the previously issued vital record is surrendered. The fee is nonrefundable.

(b) The fee for processing a request for the replacement of a birth record for all events, except when filing a recognition of parentage pursuant to section 257.73, subdivision 1, is \$40. The fee is payable at the time of application and is nonrefundable.

(c) The fee for processing a request for the filing of a delayed registration of birth, stillbirth, or death is \$40. The fee is payable at the time of application and is nonrefundable. This fee includes one subsequent review of the request if the request is not acceptable upon the initial receipt.

(d) The fee for processing a request for the amendment of any vital record when requested more than 45 days after the filing of the vital record is \$40. No fee shall be charged for an amendment requested within 45 days after the filing of the vital record. The fee is payable at the time of application and is nonrefundable. This fee includes one subsequent review of the request if the request is not acceptable upon the initial receipt.

(e) The fee for processing a request for the verification of information from vital records is \$9 when the applicant furnishes the specific information to locate the vital record. When the applicant does not furnish specific information, the fee is \$20 per hour for staff time expended. Specific information includes the correct date of the event and the correct name of the registrant. Fees charged shall approximate the costs incurred in searching and copying the vital records. The fee is payable at the time of application and is nonrefundable.

(f) The fee for processing a request for the issuance of a copy of any document on file pertaining to a vital record or statement that a related document cannot be found is \$9. The fee is payable at the time of application and is nonrefundable.

(g) The department shall charge a fee of \$18 for noncertified copies of birth records provided to adopted persons age 19 or older; the fee shall cover the costs of providing the birth record and any costs associated with the distribution of information to adopted persons and birth parents in subdivision 5."

Page 4, after line 25, insert:

"Sec. 9. **ADOPTION AGENCIES; FEE.**

Adoption agencies may charge a fee for counseling and support services provided to adopted persons and birth parents."

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 8, H. F. No. 3371 was re-referred to the Committee on Rules and Legislative Administration.

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

H. F. No. 3477, A bill for an act relating to manufactured housing; providing for regulation of lending practices and default; providing notices and remedies; amending Minnesota Statutes 2006, sections 327.64; 327.65; 327.66; 327B.01, by adding subdivisions; 327B.08, by adding a subdivision; 327B.09, by adding a subdivision; 327B.12; proposing coding for new law in Minnesota Statutes, chapter 325B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 327.64, subdivision 2, is amended to read:

Subd. 2. **Notice; service.** (a) A secured party may commence repossession of a manufactured home by personally serving upon, or by sending by certified or registered United States mail to, the occupant of the ~~mobile~~ manufactured home a notice and, if the occupant is not the debtor, by sending a registered or certified letter to the last known address of the debtor under the security agreement, both setting forth the circumstances constituting the default under the security agreement and stating that the secured party will at the expiration of a 30-day period following receipt of the notice seek a court order removing the occupant from the manufactured home and repossessing the manufactured home, unless the debtor or the occupant acting on behalf of the debtor cures the default prior to that time and in the manner provided by section 327.66. If notice is mailed to a debtor in accordance with this subdivision, the secured party by affidavit shall set forth the circumstances causing the secured party to believe that the debtor could be reached at the address to which the notice was mailed. The affidavit shall state that the secured party has no ~~reason to believe~~ reliable information causing the secured party to conclude that the debtor might receive mailed notice at another address.

(b) The notice must state: "Your loan is currently in default. Contact us immediately at [insert phone number] to discuss possible options for preventing repossession. We encourage you to seek assistance from the foreclosure prevention counseling program in your area. Nearby community agencies will answer your questions, offer free advice, and help you create a plan. You can contact the Minnesota Home Ownership Center at (866) 462-6646 or www.hocmn.org to get the phone number and location of the nearest foreclosure prevention organization. Call today. Waiting limits your options. If you do not become current on your loan within 30 days, we will seek a court order repossessing the home, and by court order you will have to vacate the home."

(c) If the debtor does not sign for the registered or certified letter containing the notice within five calendar days of the first attempted delivery, the secured party may proceed with all permissible actions provided in statute as though the debtor's signature has been secured.

Sec. 2. Minnesota Statutes 2006, section 327.65, is amended to read:

327.65 COURT ORDER.

Except in cases of voluntary repossession, upon expiration of the 30-day period specified in the notices required by section 327.64, a secured party must apply to the district court in the county in which the manufactured home is located for an order pursuant to chapter 565 directing the seizure and delivery of the manufactured home. The application shall be accompanied by a copy of the security agreement entitling the secured party to repossession of the manufactured home, a copy of the notices required under sections 327.64 and 327.665, and by the an affidavit required by section 327.64 if notice is mailed to the debtor of service stating that the notices required under sections 327.64 and 327.665 were properly served upon the occupant, and if the occupant of the home is not the debtor, the debtor. The notices required by ~~section~~ sections 327.64 and 327.665 shall not be considered as satisfying any of the notice requirements under chapter 565.

Sec. 3. **[327.651] VOLUNTARY REPOSSESSION.**

The secured party and the debtor and occupant, if the debtor is not the occupant, may agree in writing on a voluntary surrender of the title and possession of the manufactured home to the secured party prior to or after the end of the 30-day period specified under section 327.64. The secured party may file the agreement and any other documents necessary to transfer the title in the manner required under chapter 336. When this provision is exercised, notice under section 327.64, subdivision 3 is not applicable.

Sec. 4. Minnesota Statutes 2006, section 327.66, is amended to read:

327.66 CURE OF DEFAULT.

A debtor, or an occupant of a manufactured home acting on behalf of a debtor, may within the 30 day period specified in the notices required by section 327.64, cure a default by tendering full payment of the sums then in arrears under the terms of the security agreement, or by otherwise remedying the default, and by paying the reasonable costs, not to exceed the sum of ~~\$15~~ \$100, incurred by the secured party to enforce the security agreement. Cure of a default in accordance with the provisions of this section shall suspend the secured party's right to seek repossession of the manufactured home under the provisions of sections 327.61 to 327.67.

Sec. 5. **[327.665] REINSTATEMENT.**

Subdivision 1. **Right to reinstate.** (a) If the debtor does not cure the default within the 30-day period specified in section 327.66, the secured party must send a registered or certified letter to the occupant of the home and, if the debtor is different than the occupant, to the debtor, stating that the debtor has 30 days to reinstate the loan by paying the defaulted amount plus additional allowable fees incurred by the secured party in order to regain possession of the home.

(b) If the debtor does not sign for the registered or certified letter containing the notice within five calendar days of the first attempted delivery, the secured party may proceed with all permissible actions provided in statute as though the debtor's signature had been secured.

Subd. 2. **Required notice; contents of notice.** (a) The notice shall contain, at a minimum, the following information:

(1) the name of the secured party, the debtor, each current assignee of the loan, if any, and the original or maximum principal amount secured by the loan;

(2) the date of the loan;

(3) the amount in arrears on the loan as of the date of the notice;

(4) a description of the manufactured home upon which the loan is secured, conforming substantially to that contained in the loan documents;

(5) the amount of allowable fees incurred by the secured party in order to regain possession of the home prior to the court order.

(b) The notice must also state: "Your manufactured home is currently being repossessed. Contact us immediately at [insert phone number] to discuss possible options for reinstating your loan. We encourage you to seek counseling with the foreclosure prevention counselor in your area. Nearby community agencies will answer your questions, offer free advice, and help you create a plan. You can contact the Minnesota Home Ownership

Center at 866-462-6646 or www.hocmn.org to get the phone number and location of the nearest counseling organization. Call today. Waiting limits your options. If you do not become current on your loan within 30 days, including any additional fees, you will no longer be entitled to reinstate your loan. We are seeking a court order repossessing the home, and by court order you will have to vacate the home."

Subd. 3. **Action to repossess; termination of action.** At any time after the expiration of the 30-day period required under section 327.64, the creditor may proceed with a court action under section 327.65, so long as the right to reinstate has not been exercised. The exercise of the right to reinstatement in accordance with the provisions of this section shall suspend the secured party's right to seek repossession of the manufactured home under the provisions of sections 327.61 to 327.67 and shall immediately terminate any court action filed pursuant to sections 327.61 to 327.67 or section 565.

Subd. 4. **Allowable costs.** For the purposes of this section, allowable costs that can be recovered include insurance; delinquent taxes, if any, upon the premises; interest to date of payment; cost services of process or notices; filing fees; attorney fees, not to exceed \$150 or one-half of the attorney fees authorized by section 582.01, whichever is greater, together with other lawful disbursements necessarily incurred in connection with the proceedings by the party repossessing.

Sec. 6. Minnesota Statutes 2006, section 327B.01, is amended by adding a subdivision to read:

Subd. 2a. **Borrower.** "Borrower" means a person or persons applying for or obtaining a manufactured home loan.

Sec. 7. Minnesota Statutes 2006, section 327B.01, is amended by adding a subdivision to read:

Subd. 4b. **Churning.** "Churning" means knowingly or intentionally making, providing, or arranging for a manufactured home loan when the new manufactured home loan does not provide a reasonable, tangible net benefit to the borrower considering all of the circumstances, including the terms of both the new and refinanced loans, the cost of the new loan, and the borrower's circumstances.

Sec. 8. Minnesota Statutes 2006, section 327B.01, is amended by adding a subdivision to read:

Subd. 13b. **Manufactured home loan.** "Manufactured home loan" means a loan made to a person or persons for the purchase, refinancing, improvement, or repair of a manufactured home.

Sec. 9. Minnesota Statutes 2006, section 327B.01, is amended by adding a subdivision to read:

Subd. 14b. **Negative amortization.** "Negative amortization" occurs when the borrower's compliance with any repayment option offered pursuant to the terms of the manufactured home loan is insufficient to satisfy the interest accruing on the loan, resulting in an increase in the loan balance. Negative amortization does not occur when a manufactured home loan is originated, subsidized, or guaranteed by or through a state, tribal, or local government, or nonprofit organization, and bears one or more of the following nonstandard payment terms that substantially benefit the borrower:

(1) payments vary with income;

(2) payments of principal and interest are deferred until the maturity date of the loan or the sale of the residence;

(3) principal or interest is forgivable under specified conditions; or

(4) where no interest or an annual interest rate of two percent or less is charged in connection with the loan, and excludes existing loan modifications and payment extensions mutually agreed upon by the secured party and debtor.

Sec. 10. Minnesota Statutes 2006, section 327B.08, is amended by adding a subdivision to read:

Subd. 6. **Duty of agency.** (a) A person acting as a broker shall be considered to have created an agency relationship with the borrower in all cases and shall comply with the following duties:

(1) brokers shall reasonably act:

(i) in the borrower's best interest;

(ii) in the utmost good faith toward borrowers; and

(iii) so as not to compromise a borrower's right or interest in favor of another's right or interest, including a right or interest of the broker. A broker shall not accept, give, or charge any undisclosed compensation or realize any undisclosed remuneration, either through direct or indirect means, that inures to the benefit of the broker on an expenditure made for the borrower;

(2) brokers shall carry out all lawful instructions given by borrowers;

(3) brokers shall disclose to borrowers all material facts of which the broker has knowledge which might reasonably affect the borrower's rights, interests, or ability to receive the borrower's intended benefit from the manufactured home loan, but not facts which are reasonably susceptible to the knowledge of the borrower;

(4) brokers shall use reasonable care in performing duties; and

(5) brokers shall account to a borrower for all the borrower's money and property received as an agent.

(b) The duty of agency does not attach to a broker who is:

(1) a dealer or retailer;

(2) a limited dealer or retailer;

(3) licensed as a sales finance company as defined under section 53C.01, subdivision 12;

(4) employed by:

(i) a manufactured home lender;

(ii) a dealer or retailer;

(iii) a limited dealer or retailer; or

(iv) a licensed sales finance company as defined under section 53C.01, subdivision 12;

(5) a person who has an exclusive contract to act as a broker for:

(i) a manufactured home lender;

(ii) a dealer or retailer;

(iii) a limited dealer or retailer; or

(iv) a licensed sales finance company as defined under section 53C.01, subdivision 12.

(c) Nothing in this section prohibits a broker who is bound by the duty of agency from contracting for or collecting a reasonable fee for services rendered and which had been disclosed to the borrower in advance of the provision of such services.

(d) Nothing in this section requires a broker who is bound by the duty of agency to obtain a loan containing terms or conditions not available to the broker in the broker's usual course of business, or to obtain a loan for the borrower from a manufactured home loan lender with whom the broker does not have a business relationship.

Sec. 11. Minnesota Statutes 2006, section 327B.09, is amended by adding a subdivision to read:

Subd. 6. Standards of conduct. (a) No manufactured home lender shall:

(1) charge a fee for a product or service where the product or service is not actually provided, or misrepresent the amount charged by or paid to a third-party for a product or service;

(2) make or cause to be made, directly or indirectly, any false, deceptive, or misleading statement or representation in connection with a manufactured home loan transaction, including, without limitation, a false, deceptive, or misleading statement or representation regarding the borrower's ability to qualify for any manufactured home loan product;

(3) issue any document indicating conditional qualification or conditional approval for a manufactured home loan, unless the document also clearly indicates that final qualification or approval is not guaranteed, and may be subject to additional review;

(4) make or assist in making any manufactured home loan without verifying the reasonable ability of the borrower to repay the loan, taking into consideration taxes and insurance in connection with the manufactured home;

(5) make, provide, or arrange for a manufactured home loan for a higher interest rate or on less favorable terms than the rate or terms for which the borrower qualifies based on criteria typically used by that lender to evaluate rate and term offerings;

(6) make, provide, or arrange for a manufactured home loan all or a portion of the proceeds of which are used to fully or partially pay off a "special loan" unless the borrower has obtained a written certification from an authorized independent loan counselor that the borrower has received counseling on the advisability of the loan transaction. For the purposes of this section, "special loan" means a loan for the purchase, refinance, improvement, or repair of the manufactured home originated, subsidized, or guaranteed by or through a state, tribal, or local government, or nonprofit organization, that bears one or more of the following nonstandard payment terms, which substantially benefit the borrower:

(i) payments vary with income;

(ii) payments of principal or interest are not required or can be deferred under specified conditions;

(iii) principal or interest is forgivable under specified conditions; or

(iv) where no interest or an annual interest rate of two percent or less is charged in connection with the loan. For the purposes of this section, "authorized independent loan counselor" means a nonprofit, third-party individual or organization providing homebuyer education programs, foreclosure prevention services, loan counseling, or credit counseling certified by the United States Department of Housing and Urban Development, the Minnesota Home Ownership Center, the Minnesota Mortgage Foreclosure Prevention Association, AARP, or NeighborWorks America.

(7) engage in churning; or

(8) make, provide, or arrange for a manufactured home loan if the borrower's compliance with any repayment option offered under the terms of the loan will result in negative amortization during any six-month period. This excludes existing loan extensions and modifications.

(b) This subdivision does not apply to a state or federally chartered bank, savings bank, or credit union, an institution chartered by Congress under the Farm Credit Act, or to a person making, providing, or arranging a manufactured home loan originated or purchased by a state agency or a tribal or local unit of government.

Sec. 12. **[327B.095] INTEREST, POINTS, FINANCE CHARGES, FEES, AND OTHER CHARGES.**

Subdivision 1. **Financed interest, points, finance charges, fees, and other charges.** (a) A manufactured home lender making or modifying a manufactured home loan to a borrower located in this state must not include in the principal amount of any loan, all or any portion of any lender fee in an aggregate amount exceeding:

(1) five percent of the loan amount for loans over \$60,000;

(2) six percent of the loan amount for loans less than \$60,000, but greater than or equal to \$40,000; or

(3) eight percent of the loan amount for loans of less than \$40,000.

(b) "Lender fee" means interest, origination points, finance charges, fees, and other charges payable in connection with the manufactured home loan:

(1) by the borrower to any manufactured home lender or broker or to any assignee of any manufactured home lender or broker; or

(2) by the lender to a broker.

(c) Lender fee does not include discount points, provided there is a concomitant benefit to the borrower, recording fees, taxes, passthroughs, or other amounts that are paid by any person to any government entity, filing office, or other third party that is not a manufactured home lender or broker or to any assignee of any manufactured home lender or broker. Lender fee also does not include any amount that is set aside to pay taxes or insurance on any property securing the manufactured home loan.

(d) "Loan amount" means:

(1) for a line of credit, the maximum principal amount of the line of credit; and

(2) for any other manufactured home loan, the principal amount of the loan, excluding all interest, points, finance charges, fees, and other charges.

(e) A manufactured home lender or broker shall not charge, receive, or collect any excess financed interest, points, finance charges, fees, or other charges described in this subdivision, or any interest, points, finance charges, fees, or other charges with respect to this excess.

Subd. 2. **Prepayment penalties.** No manufactured home loan may contain a provision requiring or permitting the imposition of a penalty, fee, premium, or other charge in the event the manufactured home loan is prepaid in whole or in part unless the penalty, fee, premium, or other charge constitutes consideration for an equal or greater benefit to the borrower.

Subd. 3. **Exemption.** This section does not apply to a manufactured home loan originated by a federal or state chartered bank, savings bank, or credit union.

Sec. 13. Minnesota Statutes 2006, section 327B.12, is amended to read:

327B.12 ADDITIONAL REMEDIES AND ENFORCEMENT.

Subdivision 1. **Private remedies.** (a) Any person injured or threatened with injury by a dealer or manufacturer's violation of sections 327B.01 to 327B.12 may bring a private action in any court of competent jurisdiction.

(b) A borrower injured by a violation of the standards, duties, prohibitions, or requirements of sections 327B.08, subdivision 6; 325B.09, subdivision 6; or 325B.095, shall have a private right of action and the court shall award actual, incidental, and consequential damages.

Subd. 2. **Fraud remedies.** In addition to the remedies provided in sections 327B.01 to 327B.12, any violation of section 327B.08 or 327B.09 is a violation of section 325F.69, subdivision 1 and the provisions of section 8.31 shall apply. A private right of action by the borrower under this chapter is in the public interest.

Subd. 3. **Application to certain lenders.** A lender who is licensed as a sales finance company as defined under section 53C.01, subdivision 12, and who violates the standards, duties, prohibitions, or requirements of sections 327B.08, subdivision 6; 325B.09, subdivision 6; or 325B.095, is subject only to the remedies provided under section 53C.12."

Delete the title and insert:

"A bill for an act relating to manufactured housing; providing for regulation of lending practices and default; providing notices and remedies; amending Minnesota Statutes 2006, sections 327.64, subdivision 2; 327.65; 327.66; 327B.01, by adding subdivisions; 327B.08, by adding a subdivision; 327B.09, by adding a subdivision; 327B.12; proposing coding for new law in Minnesota Statutes, chapters 327; 327B."

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. 3610, A bill for an act relating to health; regulating medical debt information; proposing coding for new law in Minnesota Statutes, chapter 325E.

Reported the same back with the following amendments:

Page 2, after line 31, insert:

"Subd. 9. **Financial review.** Nothing in this section prevents a health care provider from initiating a financial review, including patient financial information, to determine eligibility for public programs or other state or federal reimbursement or charity care if this information is not used to deny care and does not delay care."

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. 3612, A bill for an act relating to real property; providing for the Minnesota Subprime Foreclosure Deferment Act of 2008; proposing coding for new law in Minnesota Statutes, chapter 583.

Reported the same back with the following amendments:

Page 1, delete lines 21 and 22 and insert:

"Subd. 6. **Eligible foreclosed loan.** "Eligible foreclosed loan" means a residential mortgage loan for which a foreclosing lender has scheduled a foreclosure sale under chapter 580 or 581 or schedules a foreclosure sale during the deferment period"

Page 2, line 7, after the period, insert "A borrower does not reside at the property unless the property has been the borrower's primary residence for six months prior to the date of the affidavit of deferment."

Page 2, line 14, after "rate." insert "For purposes of sections 583.33 to 583.40, "subprime loan" does not include a subprime loan originated by a state or federally chartered bank, savings bank, credit union, or an organization majority owned by one or more credit unions."

Page 2, delete lines 15 to 17

Page 2, line 24, before the period, insert ", unless the lender has served a notice of denial in accordance with section 583.38. A lender is not required to rescind notice of a foreclosure sale if a borrower has previously obtained a deferment under this act"

Page 2, line 29, after "premises" insert ", if the same are actually occupied."

Page 3, line 5, delete everything after "property" and insert "as my primary residence for six months prior to the date of this affidavit;"

Page 3, delete line 6 and insert:

"(5) If permitted to reside at the subject property, I intend to reside at the subject property until at least [end of deferment period];"

Page 3, line 7, delete "(5)" and insert "(6)"

Page 3, delete lines 13 to 22 and insert:

"Subd. 2. **Service on foreclosing lender.** An affidavit of deferment shall be served by personal service, United States mail, or other reliable delivery service to the address provided in the notice of deferment or to the address of the counsel for the mortgagee in the notice of foreclosure."

Page 3, line 23, delete everything after "lender."

Page 3, delete lines 24 to 25 and insert:

"Unless the foreclosing lender has served a notice of denial under section 583.38, the foreclosing lender shall, within ten days of receiving the affidavit of deferment, provide to the eligible foreclosed borrower a written acknowledgment that it has received the affidavit of deferment. The acknowledgment shall state the following:"

Page 4, line 13, delete "would" and insert "shall" and after the second "payment" insert "of principal and interest"

Page 4, line 14, after "payment" insert "of principal and interest"

Page 4, line 17, delete "For"

Page 4, delete line 18

Page 4, line 33, after the period, insert "By the end of the deferment period, you will need to pay the entire amount that has been deferred plus other costs allowed by law in order to avoid a foreclosure sale."

Page 5, after line 3, insert:

"Subd. 5. **Borrower residency requirement.** An eligible foreclosed borrower loses the right to deferment if the borrower ceases to reside at the mortgaged property during the deferment period."

Page 5, line 11, after the period, insert "The notice is effective upon mailing."

Page 5, after line 19 insert:

"Subd. 3. **Effect of deferral right.** Nothing in this act shall alter contractual rights of the parties to the mortgage loan other than providing the right to defer the foreclosure sale. A bona fide purchaser of an interest in real property mortgaged by an eligible foreclosed loan takes the interest in the real property not subject to any claims of ownership by a party based on any rights under this act. Execution by the sheriff of the sheriff's certificate of sale is prima facie evidence of compliance with this act, provided that an eligible foreclosed homeowner has the remedies for monetary relief under section 583.40 for a reckless or bad faith violation of the act."

Page 5, line 26, delete "The terms"

Page 5, delete lines 27 to 33 and insert "No notice is required for a foreclosure commenced on or before the effective date of this section."

Page 6, delete lines 14 and 15 and insert "you, contact the Minnesota Home Ownership Center at 651-659-9336 or 866-462-6466 or www.hocmn.org."

Page 6, line 24, delete "the day" and insert "seven days"

With the recommendation that when so amended the bill pass.

The report was adopted.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2008</u>	<u>2009</u>
Subd. 2. <u>Transit</u>	0 (19,000)

This reduction is from the appropriation from the general fund for transit in Laws 2007, chapter 143, article 1, section 3, subdivision 2, paragraph (b). The base appropriation for fiscal years 2010 and 2011 is \$18,796,000 per year.

Subd. 3. <u>Freight</u>	0 (2,000)
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This reduction is from the appropriation from the general fund for freight in Laws 2007, chapter 143, article 1, section 3, subdivision 2, paragraph (c).

Subd. 4. <u>State Roads</u>	6,849,000 0
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This appropriation is spending authority for additional federal bridge funding authorized and appropriated by Congress in 2008, and is for the actual construction, reconstruction, and improvement of trunk highways, including design-build contracts and consultant usage to support these activities. This includes the cost of actual payments to landowners for lands acquired for highway rights-of-way, payments to lessees, interest subsidies, and relocation expenses. This is a onetime appropriation.

Sec. 4. <u>METROPOLITAN COUNCIL</u>	\$0 \$(94,000)
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This reduction is from the appropriation from the general fund for bus system operations in Laws 2007, chapter 143, article 1, section 4, subdivision 2, and Hiawatha light rail transit in Laws 2007, chapter 143, article 1, section 4, subdivision 3. The base appropriation for fiscal years 2010 and 2011 is \$78,635,000 per year.

Sec. 5. PUBLIC SAFETY

Subdivision 1. <u>Total Appropriation</u>	\$0 <u>\$11,940,000</u>
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Appropriations by Fund

	<u>2008</u>	<u>2009</u>
<u>General</u>	0	(60,000)
<u>Trunk Highway</u>	0	12,000,000

The amounts that may be spent or must be reduced for each purpose are specified in the following subdivisions.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2008</u>	<u>2009</u>
<u>Subd. 2. Public Safety Support</u>	<u>0</u> <u>(45,000)</u>

Of this reduction, \$28,000 is from the appropriation from the general fund for a security coordinator to coordinate planning efforts for the Republican National Convention in Laws 2007, chapter 143, article 1, section 5, subdivision 2, paragraph (b).

Of this reduction, \$17,000 is from the appropriation from the general fund in Laws 2007, chapter 143, article 1, section 5, subdivision 2, paragraph (b).

The base appropriation for fiscal years 2010 and 2011 is \$3,296,000 per year.

<u>Subd. 3. Capitol Security</u>	<u>0</u> <u>(15,000)</u>
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This reduction is from the appropriation from the general fund in Laws 2007, chapter 143, article 1, section 5, subdivision 3, paragraph (c).

<u>Subd. 4. Driver and Vehicle Services</u>	<u>0</u> <u>12,000,000</u>
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This appropriation is from the trunk highway fund for research, development, deployment, and maintenance of a driver and vehicle services information system. This appropriation is available until June 30, 2010.

Sec. 6. Minnesota Statutes 2006, section 171.29, subdivision 1, is amended to read:

Subdivision 1. **Examination required.** No person whose driver's license has been revoked by reason of conviction, plea of guilty, or forfeiture of bail not vacated, under section 169.791, 169.797, ~~or 171.17~~, or ~~171.172~~, or revoked under section 169.792 or 169A.52 shall be issued another license unless and until that person shall have successfully passed an examination as required by the commissioner of public safety. This subdivision does not apply to an applicant for early reinstatement under section 169.792, subdivision 7a.

Sec. 7. Laws 2008, chapter 152, article 1, section 6, subdivision 2, is amended to read:

Subd. 2. **Appropriation; study.** ~~\$325,000~~ \$300,000 is appropriated from the general fund to the Board of Regents of the University of Minnesota for the Center for Transportation Studies to complete a study to assess the public policy implications of financing new and improved transportation infrastructure in Minnesota through capturing the value of the benefits created, to prepare a report on its findings, and to conduct a series of workshops. This is a onetime appropriation and is available in fiscal years 2008 and 2009.

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

Sec. 8. **REPEALER.**

Minnesota Statutes 2006, section 168.123, subdivision 2a, is repealed."

Delete the title and insert:

"A bill for an act relating to transportation finance; appropriating money and reducing appropriations for transportation purposes; deleting surcharge; modifying driver licensing examination and fee requirements; amending Minnesota Statutes 2006, section 171.29, subdivision 1; Laws 2008, chapter 152, article 1, section 6, subdivision 2; repealing Minnesota Statutes 2006, section 168.123, subdivision 2a."

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

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 3821, A bill for an act relating to the city of Minneapolis; extending the duration of certain tax increment financing districts; providing for distribution of their increments; limiting changes to the neighborhood revitalization program governance structure; amending Minnesota Statutes 2006, sections 469.1781; 469.1831, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 23, delete everything after the period

Page 2, delete lines 24 and 25

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes without further recommendation.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 3915, A bill for an act relating to St. Louis County; providing for civil service pilot projects; amending Minnesota Statutes 2006, section 383C.034.

Reported the same back with the following amendments:

Page 3, line 36, delete "an equal number of" and insert "five"

Page 4, line 2, after the period, insert "Pilot projects must not be implemented until March 1, 2009, or later."

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. 4007, A bill for an act relating to commerce; regulating the purchase and receipt of beer kegs by scrap metal dealers; amending Minnesota Statutes 2007 Supplement, section 325E.21, by adding a subdivision.

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

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

S. F. No. 2379, A bill for an act relating to eminent domain; amending provisions concerning reestablishment costs limit; amending Minnesota Statutes 2006, sections 117.51; 117.52, subdivision 1a.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 934, 1239, 2941, 3477, 3610, 3612, 3915 and 4007 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2369, 2390, 2653, 2688, 2755, 2941, 3461, 3555, 3674 and 2379 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Koenen introduced:

H. F. No. 4123, A bill for an act relating to taxation; property tax; modifying the definition of agricultural purposes for classification of agricultural property; amending Minnesota Statutes 2006, section 273.13, subdivision 23, as amended.

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

Kalin and Ward introduced:

H. F. No. 4124, A bill for an act relating to taxation; individual income; creating a subtraction for voluntary firefighter pensions; amending Minnesota Statutes 2006, section 290.091, subdivision 2; Minnesota Statutes 2007 Supplement, section 290.01, subdivision 19b.

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

Slawik introduced:

H. F. No. 4125, A bill for an act relating to early childhood education; establishing an early childhood program for at-risk four-year-olds; amending Minnesota Statutes 2006, section 124D.19, by adding a subdivision.

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

Smith introduced:

H. F. No. 4126, A bill for an act relating to retirement; providing coverage in the public employees police and fire plan for fire inspectors; amending Minnesota Statutes 2006, section 353.64, by adding a subdivision.

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

Jaros; Rukavina; Mariani; Murphy, M., and Greiling introduced:

H. F. No. 4127, A bill for an act relating to property taxes; limiting a school district's use of certain lease purchase agreements; amending Minnesota Statutes 2006, section 126C.40, subdivision 6.

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

Tschumper introduced:

H. F. No. 4128, A bill for an act relating to taxation; individual income and sales; increasing income tax rates and reducing the general sales tax rate; amending Minnesota Statutes 2006, sections 290.06, subdivisions 2c, as amended, 2d; 297B.02, subdivision 1; Minnesota Statutes 2007 Supplement, section 297A.62, subdivision 1.

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

Garofalo, by request, introduced:

H. F. No. 4129, A bill for an act relating to drivers' licenses; establishing passenger restrictions for provisional driver's license holders; amending Minnesota Statutes 2006, section 171.055, subdivision 2.

The bill was read for the first time and referred to the Transportation Finance Division.

Peppin introduced:

H. F. No. 4130, A bill for an act relating to transportation; establishing commuter coach service between Rogers and downtown Minneapolis; directing funds; amending Minnesota Statutes 2006, section 297A.992, subdivision 5, as added; Minnesota Statutes 2007 Supplement, section 16A.88, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Smith introduced:

H. F. No. 4131, A bill for an act relating to retirement; Public Employees Retirement Association police and fire plan; providing a one-year exemption from reemployed annuitant earnings limitations for certain Metropolitan Airports Commission police officers.

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

Kalin and Murphy, M., introduced:

H. F. No. 4132, A bill for an act relating to retirement; requiring an actuarial cost study of a special retirement plan for postsentencing officers.

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

Kahn introduced:

H. F. No. 4133, A bill for an act relating to public health; requiring information on meningococcal and human papillomavirus vaccines and vaccines for other diseases to be provided; 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.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2582, A bill for an act relating to veterans; designating March 29 as Vietnam Veterans Day; proposing coding for new law in Minnesota Statutes, chapter 197.

COLLEEN J. PACHECO, Second Assistant Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1546, A bill for an act relating to elections; providing for verification of certain address changes; making conforming procedural changes; amending Minnesota Statutes 2006, sections 201.12; 201.13, subdivision 3.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Simon moved that the House concur in the Senate amendments to H. F. No. 1546 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1546, A bill for an act relating to elections; providing for automatic updating of voter registration; amending Minnesota Statutes 2006, sections 201.12; 201.13, subdivision 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 112 yeas and 18 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	DeLaForest	Emmer	Hackbarth	Kohls	Seifert
Brod	Draskowski	Erickson	Holberg	Olson	Shimanski
Buesgens	Eastlund	Finstad	Hoppe	Peppin	Zellers

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2636, A bill for an act relating to local government; providing for town parks; authorizing certain expenditures by towns; amending Minnesota Statutes 2006, section 365.10, subdivisions 8, 12.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Anzelc moved that the House concur in the Senate amendments to H. F. No. 2636 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2636, A bill for an act relating to local government; authorizing certain expenditures by towns; amending Minnesota Statutes 2006, section 365.10, subdivisions 8, 12.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3099, A bill for an act relating to state government; requiring emergency management training for certain executive branch employees; amending Minnesota Statutes 2006, section 12.09, by adding a subdivision.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kalin moved that the House concur in the Senate amendments to H. F. No. 3099 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3099, A bill for an act relating to state government; requiring emergency management training for certain executive branch employees; amending Minnesota Statutes 2006, section 12.09, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1918, 3050, 3755 and 3313.

PATRICE DWORAK, First Assistant Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1918, A bill for an act relating to telecommunications; creating the Ultra High-Speed Broadband Task Force.

The bill was read for the first time.

Masin moved that S. F. No. 1918 and H. F. No. 2107, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3050, A bill for an act relating to agriculture; modifying the expiration date for the Minnesota Agriculture Education Leadership Council; amending Minnesota Statutes 2006, section 41D.01, subdivision 4.

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

S. F. No. 3755, A bill for an act relating to the military; repealing authorization for the state Persian Gulf War ribbon; repealing Minnesota Statutes 2006, section 190.17.

The bill was read for the first time.

Dettmer moved that S. F. No. 3755 and H. F. No. 3298, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3313, A bill for an act relating to occupations and professions; improving physician licensure standards based on reciprocity; amending Minnesota Statutes 2006, section 147.03, subdivision 1; Minnesota Statutes 2007 Supplement, section 147.037, subdivision 1.

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

CONSENT CALENDAR

S. F. No. 2830, A bill for an act relating to payroll card accounts; repealing a sunset; repealing Laws 2005, chapter 158, section 4, as amended.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Sertich from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Thursday, March 27, 2008:

H. F. Nos. 1189 and 3220; S. F. No. 1436; H. F. Nos. 2940, 3287 and 3457; S. F. Nos. 3461 and 2688; and H. F. Nos. 3708, 3372 and 3657.

CALENDAR FOR THE DAY

S. F. No. 2822 was reported to the House.

Smith and Atkins moved to amend S. F. No. 2822, the third engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. **[604.18] INSURANCE STANDARD OF CONDUCT.**

Subdivision 1. Definitions. (a) For purposes of this section, the terms defined in this subdivision have the meanings given them.

(b) "Insurance policy" means a written agreement between an insured and an insurer, which obligates an insurer to pay proceeds directly to the insured. Insurance policy does not include provisions of a liability insurance policy obligating an insurer to defend the insured, reimburse an insured's defense expenses, provide for any other type of defense obligation, or provide indemnification for judgments or settlements. Insurance policy also does not include coverage for workers' compensation insurance under chapter 176; a written agreement of a health carrier, as defined in section 62A.011; a contract issued by a nonprofit health service plan corporation regulated under chapter 62C that provides only dental coverage; or a written agreement authorized under section 60A.06, subdivision 1, clauses (4) and (6). This definition does not apply to subdivision 6.

(c) "Insured" means a person asserting a right to payment under an insurance policy insuring that person, that arises out of the occurrence of a contingency or loss covered by the policy. A person does not become an insured for purposes of this section if the insurance policy in question contained an anti-assignment clause and the person was assigned rights from another insured.

(d) "Insurer" means every insurer, corporation, business trust, or association engaged in insurance as a principal licensed or authorized to transact insurance under section 60A.06, 60A.206, or 60A.209, but for purposes of this section an insurer does not include a political subdivision providing self-insurance or a pool of political subdivisions under section 471.981, subdivision 3. The term does not include the Joint Underwriting Association operating under chapter 62F or 62I.

Subd. 2. Liability. (a) The court may award as taxable costs to an insured amounts as provided in subdivision 3 if the insured can show:

(1) the absence by an insurer of a reasonable basis for denying the benefits of the insurance policy; and

(2) that the insurer knew of the lack of a reasonable basis for denying the benefits of the insurance policy or acted in reckless disregard of the lack of a reasonable basis for denying the benefits of the insurance policy.

(b) In addition to taxable costs under this section, an insured is entitled from the insurer to the amount of actual damages incurred by the insured as determined by a fact finder, after appropriate reductions made by a judge under section 65B.51, subdivision 1, or section 548.36.

(c) A violation of this section shall not be the basis for any claim or award under chapter 325D or 325F.

(d) A disagreement between an insurer and an insured as to the value or amount of proceeds owed to an insured when there is an ongoing arson investigation or an ongoing fraud investigation does not justify an award of taxable costs under this section.

Subd. 3. Remedies. (a) In addition to pre- and post-judgment interest and costs and disbursements allowed under section 549.09 and the net award of actual damages described in subdivision 2, paragraph (b), an insured may be awarded, as taxable costs under this section for an insurer's violation of subdivision 2, a penalty in the discretion of the court as follows:

(1) an amount equal to one-half of the proceeds awarded, which are in excess of an amount offered by the insurer prior to ten days before jury selection begins, but in no case to exceed \$100,000; and

(2) reasonable attorney fees actually incurred to establish the insurer's violation of this section. Attorney fees shall only be awarded if the fees sought are separately accounted for by the insured's attorney, are not duplicative of the fees the insured's attorney otherwise expended in pursuit of proceeds to an insured under the insurance policy, and shall not exceed an amount equal to the penalty in clause (1), and in no case may an award of attorney fees exceed \$40,000.

(b) An insured may not also recover punitive or exemplary damages, nor attorney fees under section 8.31, for a violation of this section.

Subd. 4. **Claim for taxable costs.** (a) Upon commencement of a civil action by an insured against an insurer, the complaint must not seek a recovery under this section. Instead, after filing the action, a party may make a motion to amend the pleadings to claim recovery under this section. The motion must allege the applicable legal basis under this section and must be accompanied by one or more affidavits showing the factual basis for the motion. The motion may be opposed by the submission of one or more affidavits. At the hearing, if the court finds prima facie evidence in support of the motion, the court may grant the moving party permission to amend its pleadings to assert a claim under this section.

(b) An award of taxable costs under this section shall be determined by the court in a proceeding subsequent to any determination by a fact finder of the amount an insured is entitled to under the insurance policy, and shall be governed by the procedures set forth in Minnesota General Rules of Practice, Rule 119.

(c) An award of taxable costs under this section is not available in any claim that is submitted by the insurer and insured to binding arbitration or appraisal.

(d) The following are not admissible in any proceeding that seeks taxable costs under this section:

(1) findings or determinations made in arbitration proceedings conducted under section 65B.525 or any administrative rules promulgated thereunder;

(2) allegations involving, or results of, investigations, examinations, or administrative proceedings conducted by the Department of Commerce;

(3) administrative bulletins or other informal guidance published or disseminated by the Department of Commerce; and

(4) provisions under chapters 59A to 79A and all rules promulgated thereunder are not admissible as standards of conduct.

Subd. 5. **Insurance producers; liability limited.** A licensed insurance producer is not liable under this section for errors, acts, or omissions attributed to the insurer that appointed the producer to transact business on its behalf, except to the extent the producer has caused or contributed to the error, act, or omission.

Subd. 6. **Breach of commercial insurance policy; remedies.** (a) Subdivision 1, paragraph (b), and subdivisions 2, 3, and 4 do not apply to this subdivision.

(b) For purposes of this subdivision, "commercial insurance policy" means a commercial liability or property insurance policy or contract with limits of liability in excess of \$500,000.

(c) In addition to other damages, costs, disbursements, or remedies allowable under law or a commercial insurance policy, a commercial insured who prevails in any first-party claim under a commercial insurance policy against an insurer based on the insurer's breach, repudiation or denial of, failure to fulfill, or delay in fulfilling, a duty to provide or pay benefits under the commercial insurance policy is entitled to recover:

(1) monetary consequential damages that foreseeably arise from the breach, repudiation, denial, failure, or delay;

(2) reasonable attorney fees, costs, and disbursements incurred during any court action or arbitration proceeding;
and

(3) interest at ten percent per year on the amount of the damages awarded under clause (1).

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective August 1, 2008, and applies to causes of action for conduct which occurs on or after that date."

Delete the title and insert:

"A bill for an act relating to insurance; providing for penalties and attorney fees for certain insurance claims practices; proposing coding for new law in Minnesota Statutes, chapter 604."

A roll call was requested and properly seconded.

Atkins moved to amend the Smith and Atkins amendment to S. F. No. 2822, the third engrossment, as follows:

Page 1, line 25, before the period, insert ", or a township mutual fire insurance company or farm mutual fire insurance company operating under chapter 67A"

The motion prevailed and the amendment to the amendment was adopted.

Zellers; Seifert; Peterson, N.; Simpson; Dittrich and Ruud moved to amend the Smith and Atkins amendment, as amended, to S. F. No. 2822, the third engrossment, as follows:

Page 1, line 15, delete everything after the first period

Page 3, delete subdivision 6

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Seifert and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Anzelc	Benson	Brod	Buesgens	Clark
Anderson, B.	Atkins	Berns	Brown	Bunn	Cornish
Anderson, S.	Beard	Bigham	Brynaert	Carlson	Dean

DeLaForest	Gottwalt	Kalin	Masin	Peterson, N.	Thao
Demmer	Greiling	Knuth	McFarlane	Peterson, S.	Thissen
Dettmer	Hackbarth	Koenen	McNamara	Poppe	Tillberry
Dill	Hamilton	Kohls	Morgan	Rukavina	Tingelstad
Dittrich	Hansen	Kranz	Morrow	Ruth	Tschumper
Dominguez	Hausman	Laine	Murphy, E.	Ruud	Urdahl
Doty	Haws	Lanning	Murphy, M.	Sailer	Wagenius
Drazkowski	Heidgerken	Lenczewski	Nelson	Scalze	Walker
Eastlund	Hilstrom	Lesch	Nornes	Seifert	Ward
Eken	Hilty	Liebling	Norton	Sertich	Wardlow
Emmer	Hoppe	Lieder	Olin	Severson	Welti
Erhardt	Hornstein	Lillie	Otremba	Shimanski	Westrom
Erickson	Hortman	Loeffler	Ozment	Simpson	Winkler
Faust	Hosch	Madore	Paulsen	Slawik	Wollschlager
Finstad	Huntley	Magnus	Paymar	Slocum	Zellers
Fritz	Jaros	Mahoney	Pelowski	Smith	Spk. Kelliher
Gardner	Johnson	Mariani	Peppin	Solberg	
Garofalo	Kahn	Marquart	Peterson, A.	Swails	

Sertich moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Zellers et al amendment to the Smith and Atkins amendment, as amended, and the roll was called. There were 80 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Drazkowski	Haws	Lenczewski	Paulsen	Swails
Anderson, S.	Eastlund	Heidgerken	Magnus	Pelowski	Thissen
Beard	Eken	Hilty	Marquart	Peppin	Tschumper
Berns	Emmer	Holberg	McFarlane	Peterson, N.	Urdahl
Brod	Erhardt	Hoppe	McNamara	Peterson, S.	Ward
Brown	Erickson	Hosch	Morgan	Poppe	Wardlow
Buesgens	Faust	Howes	Morrow	Ruth	Welti
Cornish	Finstad	Juhnke	Murphy, M.	Ruud	Westrom
Dean	Fritz	Kalin	Nornes	Sailer	Wollschlager
DeLaForest	Garofalo	Knuth	Norton	Scalze	Zellers
Demmer	Gottwalt	Koenen	Olin	Seifert	
Dettmer	Gunther	Kohls	Olson	Severson	
Dittrich	Hackbarth	Kranz	Otremba	Shimanski	
Doty	Hamilton	Lanning	Ozment	Simpson	

Those who voted in the negative were:

Abeler	Clark	Hortman	Lillie	Paymar	Thao
Anzelc	Dill	Huntley	Loeffler	Peterson, A.	Tillberry
Atkins	Dominguez	Jaros	Madore	Rukavina	Tingelstad
Benson	Gardner	Johnson	Mahoney	Sertich	Wagenius
Bigham	Greiling	Kahn	Mariani	Simon	Walker
Bly	Hansen	Laine	Masin	Slawik	Winkler
Brynaert	Hausman	Lesch	Mullery	Slocum	Spk. Kelliher
Bunn	Hilstrom	Liebling	Murphy, E.	Smith	
Carlson	Hornstein	Lieder	Nelson	Solberg	

The motion prevailed and the amendment to the amendment, as amended, was adopted.

The question recurred on the Smith and Atkins amendment, as amended, and the roll was called. There were 86 yeas and 46 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Dean	Erickson	Hoppe	Nornes	Severson
Anderson, S.	DeLaForest	Finstad	Koenen	Olson	Shimanski
Beard	Demmer	Garofalo	Kohls	Otremba	Simpson
Berns	Dettmer	Gottwalt	Lanning	Paulsen	Wardlow
Brod	Dittrich	Gunther	Magnus	Pelowski	Westrom
Buesgens	Drazkowski	Hackbarth	McFarlane	Peppin	Zellers
Bunn	Eastlund	Hamilton	McNamara	Ruth	
Cornish	Emmer	Holberg	Murphy, M.	Seifert	

The motion prevailed and the amendment, as amended, was adopted.

CALL OF THE HOUSE LIFTED

Seifert moved that the call of the House be suspended. The motion prevailed and it was so ordered.

The Speaker called Juhnke to the Chair.

Emmer moved to amend S. F. No. 2822, the third engrossment, as amended, as follows:

Page 1, after line 2, insert:

"ARTICLE 1

MOTOR VEHICLE INSURANCE REFORMS TO OFFSET COST OF GOOD FAITH LEGISLATION

Section 1. [65B.30] COMPULSORY MOTOR VEHICLE INSURANCE.

Subdivision 1. **General requirement and coverages.** Every owner of a motor vehicle of a type which is required to be registered or licensed or is principally garaged in this state shall maintain, during the period in which operation or use is contemplated, insurance under provisions approved by the commissioner, insuring against loss resulting from liability imposed by law for injury and property damage sustained by any person arising out of the ownership, maintenance, operation, or use of the vehicle. The nonresident owner of a motor vehicle which is not required to be registered or licensed, or which is not principally garaged in this state, shall maintain such insurance in effect continuously throughout the period of the operation, maintenance, or use of such motor vehicle within this state with respect to accidents occurring in this state.

Subd. 2. **Types of insurance.** The insurance required by subdivision 1 may be provided by a policy of insurance which is issued by or on behalf of an insurer authorized to transact business in this state or, if the vehicle is registered in another state, by a policy of insurance issued by or on behalf of an insurer authorized to transact business in either this state or the state in which the vehicle is registered or by qualifying as a self-insurer.

Subd. 3. **Self-insurance.** Self-insurance, subject to approval of the commissioner, is effected by filing with the commissioner in satisfactory form:

(1) a continuing undertaking by the owner or other appropriate person to pay tort liabilities and to perform all other obligations imposed by law;

(2) evidence that appropriate provision exists for prompt administration of all claims, benefits, and obligations;

(3) evidence that reliable financial arrangements, deposits, or commitments exist providing assurance for payment of tort liabilities and all other obligations imposed by law; and

(4) a nonrefundable initial application fee of \$1,500 and an annual renewal fee of \$400 for political subdivisions and \$500 for nonpolitical entities.

Subd. 3a. **Rulemaking.** To carry out the purposes of subdivision 3, the commissioner may adopt rules pursuant to chapter 14. These rules may:

(1) establish reporting requirements;

(2) establish standards or guidelines to assure the adequacy of the financing and administration of self-insurance plans;

(3) establish bonding requirements or other provisions assuring the financial integrity of entities that self-insure other than bonding requirements for self-insuring political subdivisions; and

(4) establish other reasonable requirements to further the purposes of this section.

Subd. 4. **State or political subdivisions to provide insurance.** The state of Minnesota or any agency thereof and any political subdivision of the state or agency thereof shall provide insurance, either as a self-insurer pursuant to subdivision 3, or through purchase of a policy of insurance.

Subd. 5. **Motorcycle coverage.** Every owner of a motorcycle registered or required to be registered in this state or operated in this state by the owner or with the owner's permission shall provide and maintain insurance for the payment of tort liabilities arising out of the maintenance or use of the motorcycle in this state. Insurance may be provided by a policy of insurance or by qualifying as a self-insurer in the manner provided in subdivision 3.

Sec. 2. **PREMIUM REDUCTION.**

An insurer must provide an appropriate premium reduction of at least 20 percent on each policy, plan, or contract issued or renewed on or after January 1, 2009, insuring against loss resulting from liability imposed by law for injury or property damage sustained by any person arising out of the operation, maintenance, or use of a motor vehicle of a type that is required to be registered or licensed or is principally garaged in this state.

Sec. 3. **CONFORMING LEGISLATION.**

The revisor of statutes shall place a bill before the legislature no later than January 1, 2009, making all changes in Minnesota Statutes necessary to conform other provisions of Minnesota Statutes to this act.

Sec. 4. **REPEALER.**

Minnesota Statutes 2006, sections 65B.41; 65B.42; 65B.43; 65B.44; 65B.45; 65B.46; 65B.47; 65B.48; 65B.482; 65B.49, subdivisions 1, 2, 3, 3a, 4a, 7, 8, and 9; 65B.50; 65B.51; 65B.525; 65B.53; 65B.54; 65B.55; 65B.56; 65B.57; 65B.58; 65B.59; 65B.60; 65B.61; 65B.63; 65B.64; 65B.65; 65B.66; 65B.685; and 65B.71, are repealed.

Minnesota Statutes 2007 Supplement, section 65B.49, subdivision 5a, is repealed.

ARTICLE 2

GOOD FAITH LEGISLATION"

A roll call was requested and properly seconded.

The question was taken on the Emmer amendment and the roll was called. There were 37 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dean	Erickson	Holberg	Olson	Wardlow
Anderson, S.	DeLaForest	Finstad	Hoppe	Peppin	Zellers
Beard	Demmer	Garofalo	Kohls	Ruth	
Berns	Dettmer	Gottwalt	Lanning	Seifert	
Brod	Drazkowski	Gunther	Magnus	Severson	
Buesgens	Eastlund	Hackbarth	McNamara	Shimanski	
Cornish	Emmer	Hamilton	Nornes	Simpson	

Those who voted in the negative were:

Abeler	Clark	Greiling	Howes	Laine	Marquart
Anzelc	Dill	Hansen	Huntley	Lenczewski	Masin
Atkins	Dittrich	Hausman	Jaros	Lesch	Morgan
Benson	Dominguez	Haws	Johnson	Liebling	Morrow
Bigham	Doty	Heidgerken	Juhnke	Lieder	Mullery
Bly	Eken	Hilstrom	Kahn	Lillie	Murphy, E.
Brown	Erhardt	Hilty	Kalin	Loeffler	Murphy, M.
Brynaert	Faust	Hornstein	Knuth	Madore	Nelson
Bunn	Fritz	Hortman	Koenen	Mahoney	Norton
Carlson	Gardner	Hosch	Kranz	Mariani	Olin

Otremba	Peterson, S.	Sertich	Swails	Urdahl	Winkler
Ozment	Poppe	Simon	Thao	Wagenius	Wollschlager
Paymar	Rukavina	Slawik	Thissen	Walker	Spk. Kelliher
Pelowski	Ruud	Slocum	Tillberry	Ward	
Peterson, A.	Sailer	Smith	Tingelstad	Welti	
Peterson, N.	Scalze	Solberg	Tschumper	Westrom	

The motion did not prevail and the amendment was not adopted.

Zellers moved to amend S. F. No. 2822, the third engrossment, as amended, as follows:

Page 4, after line 6, insert:

"Subd. 7. **Expiration.** This section expires upon a determination by the commissioner of commerce that: (1) average insurance premiums for lines of insurance affected by this act have increased by more than 20 percentage points above the percentage increase in the Consumer Price Index for all urban consumers in any 12-month period; and (2) at least 20 percentage points of the increase is attributable to this section. The commissioner of commerce shall make a determination on whether this criterion has been met at least once each year. The expiration applies to all causes of action as to which a court judgment has not been entered as of the date of the determination."

The motion prevailed and the amendment was adopted.

S. F. No. 2822, A bill for an act relating to insurance; providing for penalties and attorney fees for certain insurance claims practices; proposing coding for new law in Minnesota Statutes, chapter 604.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 81 yeas and 51 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Berns	Cornish	Demmer	Drazkowski	Erickson
Anderson, S.	Brod	Dean	Dettmer	Eastlund	Finstad
Beard	Buesgens	DeLaForest	Dittrich	Emmer	Garofalo

Gottwalt	Hoppe	McFarlane	Otremba	Seifert	Wardlow
Gunther	Howes	McNamara	Paulsen	Severson	Westrom
Hackbarth	Koenen	Murphy, M.	Pelowski	Shimanski	Zellers
Hamilton	Kohls	Nornes	Peppin	Simpson	
Heidgerken	Lanning	Olin	Poppe	Urdahl	
Holberg	Magnus	Olson	Ruth	Ward	

The bill was passed, as amended, and its title agreed to.

H. F. No. 3708 was reported to the House.

Simon moved to amend H. F. No. 3708, the first engrossment, as follows:

Page 1, after line 12, insert:

"Section 1. Minnesota Statutes 2007 Supplement, section 146A.08, subdivision 1, is amended to read:

Subdivision 1. **Prohibited conduct.** The commissioner may impose disciplinary action as described in section 146A.09 against any unlicensed complementary and alternative health care practitioner. The following conduct is prohibited and is grounds for disciplinary action:

(a) Conviction of a crime, including a finding or verdict of guilt, an admission of guilt, or a no-contest plea, in any court in Minnesota or any other jurisdiction in the United States, reasonably related to engaging in complementary and alternative health care practices. Conviction, as used in this subdivision, includes a conviction of an offense which, if committed in this state, would be deemed a felony, gross misdemeanor, or misdemeanor, without regard to its designation elsewhere, or a criminal proceeding where a finding or verdict of guilty is made or returned but the adjudication of guilt is either withheld or not entered.

(b) Conviction of any crime against a person. For purposes of this chapter, a crime against a person means violations of the following: sections 609.185; 609.19; 609.195; 609.20; 609.205; 609.21; 609.215; 609.221; 609.222; 609.223; 609.224; 609.2242; 609.23; 609.231; 609.2325; 609.233; 609.2335; 609.235; 609.24; 609.245; 609.25; 609.255; 609.26, subdivision 1, clause (1) or (2); 609.265; 609.342; 609.343; 609.344; 609.345; 609.365; 609.498, subdivision 1; 609.50, subdivision 1, clause (1); 609.561; 609.562; 609.595; and 609.72, subdivision 3.

(c) Failure to comply with the self-reporting requirements of section 146A.03, subdivision 7.

(d) Engaging in sexual contact with a complementary and alternative health care client ~~or former client~~, engaging in contact that may be reasonably interpreted by a client as sexual, engaging in any verbal behavior that is seductive or sexually demeaning to the ~~patient client~~, or engaging in sexual exploitation of a client or former client. ~~For purposes of this paragraph, "former client" means a person who has obtained services from the unlicensed complementary and alternative health care practitioner within the past two years.~~

(e) Advertising that is false, fraudulent, deceptive, or misleading.

(f) Conduct likely to deceive, defraud, or harm the public or demonstrating a willful or careless disregard for the health, welfare, or safety of a complementary and alternative health care client; or any other practice that may create danger to any client's life, health, or safety, in any of which cases, proof of actual injury need not be established.

(g) Adjudication as mentally incompetent or as a person who is dangerous to self or adjudication pursuant to chapter 253B as chemically dependent, mentally ill, developmentally disabled, mentally ill and dangerous to the public, or as a sexual psychopathic personality or sexually dangerous person.

(h) Inability to engage in complementary and alternative health care practices with reasonable safety to complementary and alternative health care clients.

(i) The habitual overindulgence in the use of or the dependence on intoxicating liquors.

(j) Improper or unauthorized personal or other use of any legend drugs as defined in chapter 151, any chemicals as defined in chapter 151, or any controlled substance as defined in chapter 152.

(k) Revealing a communication from, or relating to, a complementary and alternative health care client except when otherwise required or permitted by law.

(l) Failure to comply with a complementary and alternative health care client's request made under sections 144.291 to 144.298 or to furnish a complementary and alternative health care client record or report required by law.

(m) Splitting fees or promising to pay a portion of a fee to any other professional other than for services rendered by the other professional to the complementary and alternative health care client.

(n) Engaging in abusive or fraudulent billing practices, including violations of the federal Medicare and Medicaid laws or state medical assistance laws.

(o) Failure to make reports as required by section 146A.03 or cooperate with an investigation of the office.

(p) Obtaining money, property, or services from a complementary and alternative health care client, other than reasonable fees for services provided to the client, through the use of undue influence, harassment, duress, deception, or fraud.

~~(q) Undertaking or continuing a professional relationship with a complementary and alternative health care client in which the objectivity of the unlicensed complementary and alternative health care practitioner would be impaired.~~

~~(+)~~ (q) Failure to provide a complementary and alternative health care client with a copy of the client bill of rights or violation of any provision of the client bill of rights.

~~(+)~~ (r) Violating any order issued by the commissioner.

~~(+)~~ (s) Failure to comply with any provision of sections 146A.01 to 146A.11 and the rules adopted under those sections.

~~(+)~~ (t) Failure to comply with any additional disciplinary grounds established by the commissioner by rule.

~~(+)~~ (u) Revocation, suspension, restriction, limitation, or other disciplinary action against any health care license, certificate, registration, or right to practice of the unlicensed complementary and alternative health care practitioner in this or another state or jurisdiction for offenses that would be subject to disciplinary action in this state or failure to report to the office that charges regarding the practitioner's license, certificate, registration, or right of practice have been brought in this or another state or jurisdiction.

~~(+)~~ (v) Use of the title "doctor," "Dr.," or "physician" alone or in combination with any other words, letters, or insignia to describe the complementary and alternative health care practices the practitioner provides.

(*) (w) Failure to provide a complementary and alternative health care client with a recommendation that the client see a health care provider who is licensed or registered by a health-related licensing board or the commissioner of health, if there is a reasonable likelihood that the client needs to be seen by a licensed or registered health care provider."

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

H. F. No. 3708, A bill for an act relating to health; changing licensing requirements for certain health professions; changing provisions for unlicensed complementary and alternative health care practitioners; amending Minnesota Statutes 2006, sections 147.03, subdivision 1; 148.512, subdivision 20; 148.5161, subdivisions 2, 3; 148.5175; 148.519, subdivision 3; 148.5194, subdivisions 7, 8; 148.5195, subdivision 3; 148.6425; 148.6428; 148.6440; 148.6443, subdivisions 1, 3; 148.6445, subdivision 11; 151.01, subdivision 27; 153A.14, subdivisions 2i, 4a, 11; 153A.175; Minnesota Statutes 2007 Supplement, sections 146A.08, subdivision 1; 146A.11, subdivision 1; 147.037, subdivision 1; 148.515, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 148B.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed, as amended, and its title agreed to.

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

MOTIONS AND RESOLUTIONS

Bly moved that the name of McFarlane be added as an author on H. F. No. 814. The motion prevailed.

Benson moved that the name of McFarlane be added as an author on H. F. No. 1233. The motion prevailed.

Bly moved that the name of McFarlane be added as an author on H. F. No. 2617. The motion prevailed.

Urdahl moved that the name of McFarlane be added as an author on H. F. No. 2624. The motion prevailed.

Brown moved that the name of McFarlane be added as an author on H. F. No. 2630. The motion prevailed.

Cornish moved that the name of McFarlane be added as an author on H. F. No. 2722. The motion prevailed.

Greiling moved that the name of McFarlane be added as an author on H. F. No. 2846. The motion prevailed.

Murphy, E., moved that the name of McFarlane be added as an author on H. F. No. 2920. The motion prevailed.

Dittrich moved that the name of McFarlane be added as an author on H. F. No. 2973. The motion prevailed.

Dittrich moved that the name of McFarlane be added as an author on H. F. No. 2975. The motion prevailed.

Morgan moved that the name of Paymar be added as an author on H. F. No. 2978. The motion prevailed.

Kohls moved that the name of Nornes be added as an author on H. F. No. 3010. The motion prevailed.

Scalze moved that the name of McFarlane be added as an author on H. F. No. 3122. The motion prevailed.

Norton moved that the name of McFarlane be added as an author on H. F. No. 3150. The motion prevailed.

Knuth moved that the name of Tillberry be added as an author on H. F. No. 3195. The motion prevailed.

Loeffler moved that the name of McFarlane be added as an author on H. F. No. 3199. The motion prevailed.

Davnie moved that the name of McFarlane be added as an author on H. F. No. 3220. The motion prevailed.

Gardner moved that the name of McFarlane be added as an author on H. F. No. 3238. The motion prevailed.

Scalze moved that the name of Heidgerken be added as an author on H. F. No. 3248. The motion prevailed.

Benson moved that the name of McFarlane be added as an author on H. F. No. 3255. The motion prevailed.

Tingelstad moved that the name of McFarlane be added as an author on H. F. No. 3371. The motion prevailed.

Marquart moved that the name of McFarlane be added as an author on H. F. No. 3386. The motion prevailed.

Norton moved that the name of McFarlane be added as an author on H. F. No. 3393. The motion prevailed.

Dettmer moved that the name of McFarlane be added as an author on H. F. No. 3427. The motion prevailed.

Kahn moved that the name of McFarlane be added as an author on H. F. No. 3453. The motion prevailed.

Norton moved that the name of McFarlane be added as an author on H. F. No. 3461. The motion prevailed.

Thissen moved that the name of McFarlane be added as an author on H. F. No. 3586. The motion prevailed.

Magnus moved that the name of Brod be added as an author on H. F. No. 3588. The motion prevailed.

Swails moved that the name of Norton be added as an author on H. F. No. 3633. The motion prevailed.

Zellers moved that the name of McFarlane be added as an author on H. F. No. 3650. The motion prevailed.

Tingelstad moved that the name of McFarlane be added as an author on H. F. No. 3686. The motion prevailed.

Hortman moved that the name of McFarlane be added as an author on H. F. No. 3707. The motion prevailed.

Fritz moved that the name of Scalze be added as an author on H. F. No. 3819. The motion prevailed.

Peppin moved that the name of McFarlane be added as an author on H. F. No. 3832. The motion prevailed.

Sailer moved that the name of Scalze be added as an author on H. F. No. 3857. The motion prevailed.

Eken moved that the names of Dill and Rukavina be added as authors on H. F. No. 3869. The motion prevailed.

Swails moved that the name of Norton be added as an author on H. F. No. 3875. The motion prevailed.

Paulsen moved that the name of McFarlane be added as an author on H. F. No. 3884. The motion prevailed.

Thissen moved that the name of McFarlane be added as an author on H. F. No. 3955. The motion prevailed.

Swails moved that the name of McFarlane be added as an author on H. F. No. 3958. The motion prevailed.

Smith moved that the name of Scalze be added as an author on H. F. No. 3975. The motion prevailed.

Benson moved that the name of McFarlane be added as an author on H. F. No. 3988. The motion prevailed.

Atkins moved that the name of McFarlane be added as an author on H. F. No. 4007. The motion prevailed.

Smith moved that the name of Scalze be added as an author on H. F. No. 4011. The motion prevailed.

Wagenius moved that the name of Hansen be added as an author on H. F. No. 4021. The motion prevailed.

Howes moved that the name of Olson be added as an author on H. F. No. 4032. The motion prevailed.

Wardlow moved that the name of McFarlane be added as an author on H. F. No. 4053. The motion prevailed.

Dittrich moved that the names of McFarlane and Scalze be added as authors on H. F. No. 4068. The motion prevailed.

Tillberry moved that the name of Bigham be added as an author on H. F. No. 4071. The motion prevailed.

Bunn moved that the name of McFarlane be added as an author on H. F. No. 4110. The motion prevailed.

Bly moved that the name of Scalze be added as an author on H. F. No. 4119. The motion prevailed.

Sertich moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 12:30 p.m., Monday, March 31, 2008. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:30 p.m., Monday, March 31, 2008.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

