

STATE OF MINNESOTA

EIGHTY-FIFTH SESSION — 2008

 ONE HUNDREDTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 7, 2008

The House of Representatives convened at 12:30 p.m. and was called to order by Paul Thissen, Speaker pro tempore.

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

A quorum was present.

Kranz and Moe were excused.

Dill was excused until 2:35 p.m. Solberg was excused until 7:00 p.m. Anzelc was excused until 7:15 p.m.

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

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 3, 2008

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 1546, relating to elections; providing for automatic updating of voter registration.

H. F. No. 2636, relating to local government; authorizing certain expenditures by towns.

H. F. No. 3099, relating to state government; requiring emergency management training for certain executive branch employees.

Sincerely,

TIM PAWLENTY
Governor

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

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2008 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2008</i>	<i>Date Filed 2008</i>
	1546	165	8:48 a.m. April 3	April 3
	2636	166	8:50 a.m. April 3	April 3

	3099	167	8:52 a.m. April 3	April 3
2830		168	8:53 a.m. April 3	April 3
2861		169	8:54 a.m. April 3	April 3
3555		170	8:57 a.m. April 3	April 3
3461		175	8:57 a.m. April 3	April 3

Sincerely,

MARK RITCHIE
Secretary of State

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Carlson from the Committee on Finance to which was referred:

H. F. No. 3195, A bill for an act relating to environment; establishing principles of a cap and trade program for greenhouse gas emissions; requiring studies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216H.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[216H.10] TITLE.**

This act may be cited as the "Green Solutions Act of 2008."

Sec. 2. **[216H.11] CAP AND TRADE PROGRAM.**

It is the intent of the legislature that Minnesota participate in the midwest regional cap and trade program to help achieve the greenhouse gas emissions reductions goals established in section 216H.02, subdivision 1.

Sec. 3. **[216H.12] MIDWESTERN GREENHOUSE GAS ACCORD.**

(a) By December 1, 2008, the commissioner of commerce shall submit a report to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over energy policy, environmental policy, and transportation policy describing the status of the development of a model rule establishing a regional cap and trade program under the Midwestern Greenhouse Gas Accord. The report must address the degree to which any model rule being developed under the Midwestern Greenhouse Gas Accord will operate in a time frame that will allow Minnesota to meet its greenhouse gas emissions-reduction goals under section 216H.02, subdivision 1. If a model rule in accord with the state's emissions-reduction goals is not yet ready for adoption, or is unlikely to be adopted, the report must identify options for Minnesota to supplement the regional agreement with state policies, to join another regional cap and trade program, or to implement a cap and trade program in Minnesota alone.

(b) The senate and house of representatives, in accordance with the rules of their respective bodies, must appoint a bipartisan team of six legislators to serve in an advisory role to the governor's Midwestern Greenhouse Gas Accord stakeholder group. The legislators must receive regular briefings from the stakeholder group and have an

opportunity to participate as observers in meetings of the regional negotiations and may offer advice with respect to the Accord or to any other energy issue being analyzed by an entity created by the Midwestern Governors Association at its November 2007 Energy Summit.

(c) Any cap and trade agreements entered into are not effective in Minnesota until approved by the legislature.

Sec. 4. **STUDIES.**

Subdivision 1. **Governance study.** The University of Minnesota shall issue a request for proposals for a study that describes and analyzes several options regarding how decisions on expenditures of revenues captured by any cap and trade program may be made. The study must examine:

(1) the role that the legislature, citizens, technical experts, and state agencies may play in decision making; and

(2) innovative decision-making structures and processes, including the Legislative-Citizens Commission on Minnesota Resources, and other examples in Minnesota and other states and countries that may offer useful models to consider.

The report must be submitted to the University of Minnesota by January 1, 2009.

Subd. 2. **Economic and emissions study.** (a) The commissioner of commerce shall conduct a study of the economic, environmental, and public health costs and benefits of a cap and trade program. The study must consider the impact of the cap and trade program on individual industrial sectors subject to the program and on the state economy and consumers, and how expenditures of any auction revenues on the measures identified in subdivision 3 can reduce the economic costs and increase the economic, environmental, and public health benefits.

(b) The study must include:

(1) estimates of the costs to entities covered by the cap to buy allowances or reduce greenhouse gas emissions;

(2) estimates of the impact of the program on energy costs, the impact of energy cost changes on businesses and households, and recommendations on how to avoid regressive impacts;

(3) projections of likely revenues if allowances are auctioned;

(4) a detailed estimate of the degree to which different levels of expenditures of auction proceeds on the options listed under subdivision 3, clauses (1) to (6), would:

(i) reduce greenhouse gas emissions;

(ii) reduce economic costs to industry and households;

(iii) yield jobs and other economic benefits by stimulating economic activity, promoting the growth of new businesses, reducing the amount of money leaving the state to purchase fossil fuels, or other means;

(iv) result in environmental and public health co-benefits by reducing pollutants other than greenhouse gases, improving habitat, or other means; and

(v) otherwise meet the goals identified in subdivision 4;

(5) discussion of the potential for any allowances allocated under the program to result in windfall profits rather than be used to reduce consumer prices;

(6) analysis of ways to avoid putting Minnesota industries subject to the cap and trade program at a competitive disadvantage with competitors not subject to comparable regulation;

(7) options for criteria that decision makers can use to determine how to allocate expenditures among the spending options listed under subdivision 3, balancing the goals set forth in subdivision 4;

(8) analysis of various mechanisms for protecting job loss in energy-intensive industries subject to competition from outside the Midwestern Greenhouse Gas Accord region, including steel, cement, paper, pulp, aluminum, and chemicals, including an analysis of possible mechanisms to account for the greenhouse gas emissions associated with the production and transportation of imported goods;

(9) analysis of various mechanisms to provide for equity to communities at risk of disproportionate economic or environmental impacts; and

(10) analysis of the effect of adopting a cap and trade program on the level of foreign investment in Minnesota.

(c) The study must consider the data and policy recommendations developed through the Minnesota Climate Change Advisory Group as well as the growing literature related to reducing greenhouse gas emissions.

(d) By January 1, 2009, the study must be submitted to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over energy policy and environmental policy.

Subd. 3. **Expenditures to be studied.** (a) The study required under subdivision 2 must consider the impacts of the following types of expenditures:

(1) direct per capita rebates to Minnesotans;

(2) grants and incentives to consumers to invest in energy efficiency and utilize renewable energy sources, or in other technologies, products or practices that reduce energy costs, energy consumption, and greenhouse gas emissions;

(3) financial assistance to businesses that install technologies that reduce their facilities' greenhouse gas emissions, targeting energy-intensive industries facing competitors not subject to comparable regulation including, but not limited to, steel, pulp, paper, cement, chemicals, and aluminum;

(4) investments in public infrastructure that reduce greenhouse gas emissions;

(5) investments in worker training and retraining programs; and

(6) incentives for carbon sequestration on forest land and farmland.

(b) A majority of expenditures must be directed to uses under paragraph (a), clauses (1) and (2).

Subd. 4. **Study criteria.** The study required under subdivision 2 must determine the extent to which expenditures on the measures identified in subdivision 3 assist Minnesota's transition to a low greenhouse gas-emitting economy and increase the economic gains and reduce the dislocating impacts of the transition. Specifically, the study must discuss the extent to which expenditures meet the following goals:

- (1) produce cost-effective emissions reductions;
- (2) increase sustainable economic development, job creation, and job growth;
- (3) reduce greenhouse gas emissions in sectors that do not participate in the cap and trade program;
- (4) reduce disruptive economic impacts of the transition on workers, businesses, and consumers;
- (5) equitably distribute the costs and benefits among state residents, communities, and economic sectors;
- (6) assist low-income and other consumers to reduce their costs associated with greenhouse gas emissions; and
- (7) protect and enhance public health, environmental quality, wildlife habitat, and the state's natural resources.

Sec. 5. **APPROPRIATION.**

Of the amounts appropriated from the special revenue fund in the second year to the commissioner of commerce for renewable energy research under Laws 2007, chapter 57, article 2, section 3, subdivision 6, clause (7), up to \$500,000 is appropriated to the commissioner for the purposes of completing the studies under section 4, subdivisions 1 and 2. A portion of this appropriation may be transferred to the Board of Regents of the University of Minnesota.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 5 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to environment; establishing an intent to participate in a cap and trade program for greenhouse gas emissions; requiring studies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216H."

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

The report was adopted.

Lenczewski from the Committee on Taxes to which was referred:

H. F. No. 3306, A bill for an act relating to securities; modifying the Minnesota Securities Act; regulating registrations, filings, and fees; making various technical changes; amending Minnesota Statutes 2006, sections 80A.40; 80A.41; 80A.46; 80A.50; 80A.52; 80A.54; 80A.55; 80A.56; 80A.57; 80A.58; 80A.60; 80A.65, subdivision 2, by adding a subdivision; 80A.66; 80A.67; 80A.76; 80A.82; 80A.83; 80A.85; 80A.87.

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

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 3343, A bill for an act relating to energy; creating wind energy conversion system aggregation program; creating an account; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216F.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[216F.09] WECS AGGREGATION PROGRAM.**

Subdivision 1. **Program established.** The entity selected to provide rural wind development assistance under Laws 2007, chapter 57, article 2, section 3, subdivision 6, shall also establish a wind energy conversion system (WECS) aggregation program. The purpose of the program is to create a clearinghouse to coordinate and arrange umbrella sales arrangements for groups of individuals, farmstead property owners, farmers' cooperative associations, community-based energy project developers, school districts, and other political subdivisions to aggregate small-volume purchases, as a group, in order to place large orders for wind energy conversion systems with WECS manufacturers.

Subd. 2. **Responsibilities.** The entity shall:

(1) provide application procedures for participation in the program;

(2) set minimum standards for wind energy conversion systems to be considered for purchase through the program, which may include price, quality and installation standards, timely delivery schedules and arrangements, performance and reliability ratings, and any other factors considered necessary or desirable for participants;

(3) set eligibility considerations and requirements for purchasers, including availability to the applicant of land authorized for installation and use of WECS, likelihood of a permit being approved by the commission or a county under this chapter, documentation of adequate financing, and other necessary or usual financial or business practices or requirements;

(4) provide a minimal framework for soliciting or contacting manufacturers on behalf of participants; and

(5) coordinate purchase agreements between the manufacturer and participants.

Subd. 3. **Report.** By February 1 of 2009, and each year thereafter, the commissioner of commerce shall submit a report to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over energy policy on the activities and results of the program, including the number of participants and the number of purchases made.

Subd. 4. **Assessment; appropriation.** Annual costs of the program, up to \$100,000, must be assessed under section 216C.052, subdivision 2, paragraph (c), clause (1). The assessment is appropriated to the commissioner of commerce to be used by the director of the Office of Energy Security for a grant to the entity to carry out the purposes of this section.

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

Delete the title and insert:

"A bill for an act relating to energy; creating wind energy conversion system aggregation program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216F."

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

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 3366, A bill for an act relating to environment; modifying Petrofund program; amending Minnesota Statutes 2006, sections 115C.04, subdivision 3; 115C.09, subdivision 3h, by adding a subdivision; repealing Minnesota Statutes 2006, section 115C.09, subdivision 3j.

Reported the same back with the following amendments:

Page 2, line 20, after "(a)" insert "The purpose of this subdivision is to assist homeowners who have installed PVC fill piping as part of the heating oil system at their residences, not knowing that heating oil has been shown to dissolve certain types of glue used to hold PVC piping together. Replacement of the PVC piping with metal piping is intended to avoid the catastrophic release of heating oil, as well as the ensuing cleanup costs, that can occur at residences where the PVC piping fails.

(b)"

Page 2, line 26, delete "(b)" and insert "(c)"

Page 2, line 32, delete "(c)" and insert "(d)"

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

The report was adopted.

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

H. F. No. 3391, A bill for an act relating to health care reform; increasing affordability and continuity of care for state health care programs; modifying health care provisions; providing subsidies for employee share of employer-subsidized insurance in certain cases; establishing the Health Care Transformation Commission; creating an affordability standard; implementing a statewide health improvement program; requiring an evaluation of mandated health benefits; requiring a payment system to encourage provider innovation; requiring studies and reports; appropriating money; amending Minnesota Statutes 2006, sections 256B.057, subdivision 8; 256B.69, by adding a subdivision; 256L.05, by adding a subdivision; 256L.06, subdivision 3; 256L.07, subdivision 3; 256L.15, by adding

a subdivision; Minnesota Statutes 2007 Supplement, sections 256.01, subdivision 2b; 256B.056, subdivision 10; 256L.03, subdivisions 3, 5; 256L.04, subdivisions 1, 7; 256L.05, subdivision 3a; 256L.07, subdivision 1; 256L.15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 145; 256B; proposing coding for new law as Minnesota Statutes, chapter 62U; repealing Minnesota Statutes 2006, section 256L.15, subdivision 3.

Reported the same back with the following amendments:

Page 10, line 11, after the period, insert "On July 1, 2009, the commissioner of finance shall transfer \$1,777,000 from the health care access fund to the general fund. On July 1, 2010, the commissioner of finance shall transfer \$3,258,000 from the health care access fund to the general fund."

Page 40, line 27, after the period, insert "The health care access fund base for this program shall be \$40,000,000 in fiscal year 2010 and \$40,000,000 in fiscal year 2011."

With the recommendation that when so amended the bill pass.

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 3729, A bill for an act relating to energy; establishing Legislative Energy Commission; abolishing Legislative Electric Energy Task Force; making conforming correction; appropriating money; amending Minnesota Statutes 2006, section 216B.2424, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 2006, section 216C.051, subdivisions 3, 4a, 6, 7, 8; Minnesota Statutes 2007 Supplement, section 216C.051, subdivisions 2, 8a, 9.

Reported the same back with the following amendments:

Page 2, line 14, after the period, insert "The commission shall when feasible solicit and consider public testimony regarding the economic, environmental, and social implications of state energy plans and policies."

Page 3, line 5, before the period, insert ", while ensuring that wholesale and retail sales are not double counted"

Page 3, after line 5, insert:

"The entities in clauses (1) and (2) must provide information to the commissioner of commerce to allow for calculation of the assessment."

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

The report was adopted.

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

H. F. No. 4023, A bill for an act relating to appropriations; making forecast adjustments for health, human services, and education; appropriating money; amending Laws 2007, chapter 146, article 1, section 24, subdivisions 2, 3, 4, 5, 6, 7, 8; article 2, section 46, subdivisions 2, 3, 4, 6, 9; article 3, section 24, subdivisions 3, 4; article 4, section 16, subdivisions 2, 3, 6, 8; article 5, section 13, subdivisions 2, 3, 4; article 9, section 17, subdivisions 2, 3, 4, 8, 9, 13.

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

The report was adopted.

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

H. F. No. 4070, A bill for an act relating to capital improvements; appropriating money for public facilities; authorizing the sale and issuance of state bonds.

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

The report was adopted.

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

H. F. No. 4072, A bill for an act relating to capital improvements; appropriating money for asset preservation at the University of Minnesota and Minnesota State Colleges and Universities; authorizing the sale and issuance of state bonds.

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

The report was adopted.

Carlson from the Committee on Finance to which was referred:

S. F. No. 2706, A bill for an act relating to energy; providing for development and application of building energy usage performance standards; amending Minnesota Statutes 2006, section 16B.325; Minnesota Statutes 2007 Supplement, section 216B.241, subdivision 1e, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 16B.325, is amended to read:

16B.325 SUSTAINABLE BUILDING GUIDELINES.

Subdivision 1. Development of sustainable building guidelines. The Department of Administration and the Department of Commerce, with the assistance of other agencies, shall develop sustainable building design guidelines for all new state buildings by January 15, 2003, and for all major renovations of state buildings by

February 1, 2009. The primary objectives of these guidelines are to ensure that all new state buildings, and major renovations of state buildings, initially exceed existing the state energy code, as established in Minnesota Rules, chapter 7676, by at least 30 percent.

Subd. 2. **Lowest possible cost; energy conservation.** The guidelines must focus on achieving the lowest possible lifetime cost for new buildings and major renovations, and allow for changes in the guidelines that encourage continual energy conservation improvements in new buildings- and major renovations. The guidelines must define "major renovations" for purposes of this section. The definition may not allow "major renovations" to encompass less than 10,000 square feet or to encompass less than the replacement of the mechanical, ventilation, or cooling system of the building or a section of the building. The design guidelines must establish sustainability guidelines that include air quality and lighting standards and that create and maintain a healthy environment and facilitate productivity improvements; must specify ways to reduce material costs; and must consider the long-term operating costs of the building, including the use of renewable energy sources and distributed electric energy generation that uses a renewable source or natural gas or a fuel that is as clean or cleaner than natural gas.

Subd. 3. **Development of guidelines; applicability.** In developing the guidelines, the departments shall use an open process, including providing the opportunity for public comment. The guidelines established under this section are mandatory for all new buildings receiving funding from the bond proceeds fund after January 1, 2004, and for all major renovations receiving funding from the bond proceeds fund after February 1, 2009.

Subd. 4. **Revisions.** The commissioners of administration and commerce shall review the guidelines periodically and as soon as practicable revise the guidelines to incorporate performance standards developed under section 216B.241, subdivision 9.

Sec. 2. Minnesota Statutes 2007 Supplement, section 216B.241, subdivision 1e, is amended to read:

Subd. 1e. **Applied research and development grants.** (a) The commissioner may, by order, approve and make grants for applied research and development projects of general applicability that identify new technologies or strategies to maximize energy savings, improve the effectiveness of energy conservation programs, or document the carbon dioxide reductions from energy conservation programs. When approving projects, the commissioner shall consider proposals and comments from utilities and other interested parties. The commissioner may assess up to \$3,600,000 annually for the purposes of this subdivision. The assessments must be deposited in the state treasury and credited to the energy and conservation account created under subdivision 2a. An assessment made under this subdivision is not subject to the cap on assessments provided by section 216B.62, or any other law.

(b) The commissioner, as part of the assessment authorized under paragraph (a), shall annually assess and grant up to \$500,000 for the purpose of subdivision 9.

Sec. 3. Minnesota Statutes 2007 Supplement, section 216B.241, is amended by adding a subdivision to read:

Subd. 9. **Building performance standards; Sustainable Building 2030.** (a) The purpose of this subdivision is to establish cost-effective energy-efficiency performance standards for new and substantially reconstructed residential, commercial, industrial, and institutional buildings that can significantly reduce carbon dioxide emissions by lowering energy use in new and substantially reconstructed buildings. For the purposes of this subdivision, the establishment of these standards may be referred to as Sustainable Building 2030.

(b) The commissioner shall contract with the Center for Sustainable Building Research at the University of Minnesota to coordinate development and implementation of energy-efficiency performance standards, strategic planning, research, data analysis, technology transfer, training, and other activities related to the purpose of Sustainable Building 2030. The commissioner and the Center for Sustainable Building Research shall, in consultation with utilities and experts in building design and technology, develop a Sustainable Building 2030 implementation plan that must address, at a minimum, the following issues:

(1) training architects to incorporate the performance standards in building design;

(2) incorporating the performance standards in utility conservation improvement programs; and

(3) developing procedures for ongoing monitoring of energy use in buildings that have adopted the performance standards.

The plan must be submitted to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over energy policy by July 1, 2009.

(c) Sustainable Building 2030 energy-efficiency performance standards must be firm, quantitative measures of total building energy use and associated carbon dioxide emissions per square foot for different building types and uses, that allow for accurate determinations of a building's conformance with a performance standard. The energy-efficiency performance standards must be updated every three or five years to incorporate all cost-effective measures. The performance standards must reflect the reductions in carbon dioxide emissions per square foot resulting from actions taken by utilities to comply with the renewable energy standards in section 216B.1691. The performance standards should be designed to achieve reductions equivalent to the following reduction schedule, measured against energy consumption by an average building in each applicable building sector in 2003: (1) 60 percent in 2010; (2) 70 percent in 2015; (3) 80 percent in 2020; and (4) 90 percent in 2025. A performance standard must not be established or increased absent a conclusive engineering analysis that it is cost-effective based upon established practices used in evaluating utility conservation improvement programs.

(d) The annual amount of the contract with the Center for Sustainable Building Research is up to \$500,000. The Center for Sustainable Building Research shall expend no more than \$150,000 of this amount each year on administration, coordination, and oversight activities related to Sustainable Building 2030. The balance of contract funds must be spent for subcontracts with not-for-profit energy organizations, architecture and engineering firms, and other qualified entities to undertake technical projects and activities in support of Sustainable Building 2030. The primary work to be accomplished each year by qualified technical experts under subcontracts is the development and thorough justification of recommendations for specific energy-efficiency performance standards. Additional work may include:

(1) research, development, and demonstration of new energy-efficiency technologies and techniques suitable for residential, commercial, industrial, and institutional buildings;

(2) analysis and evaluation of practices in building design, construction, commissioning and operations, and analysis and evaluation of energy use in the residential, commercial, industrial, and institutional sectors;

(3) analysis and evaluation of the effectiveness and cost-effectiveness of Sustainable Building 2030 performance standards, conservation improvement programs, and building energy codes;

(4) development and delivery of training programs for architects, engineers, commissioning agents, technicians, contractors, equipment suppliers, developers, and others in the building industries; and

(5) analyze and evaluate the effect of building operations on energy use.

(e) The commissioner shall require utilities to develop and implement conservation improvement programs that are expressly designed to achieve energy efficiency goals consistent with the Sustainable Building 2030 performance standards. These programs must include offerings of design assistance and modeling, financial incentives, and the verification of the proper installation of energy-efficient design components in new and substantially reconstructed buildings. A utility making an expenditure under its conservation improvement program that results in a building meeting the Sustainable Building 2030 performance standards may claim the energy savings toward its energy savings goal established in section 216B.241, subdivision 1c.

(f) The commissioner shall report to the legislature every three years, beginning January 15, 2010, on the cost-effectiveness and progress of implementing the Sustainable Building 2030 performance standards and shall make recommendations on the need to continue the program as described in this section.

Sec. 4. **EFFECTIVE DATE.**

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

Delete the title and insert:

"A bill for an act relating to energy; providing for development and application of building energy usage performance standards; amending Minnesota Statutes 2006, section 16B.325; Minnesota Statutes 2007 Supplement, section 216B.241, subdivision 1e, by adding a subdivision."

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3306, 3391, 4023, 4070 and 4072 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Clark and Severson introduced:

H. F. No. 4167, A bill for an act relating to naturopathy; creating a working group.

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

Lenczewski introduced:

H. F. No. 4168, A bill for an act relating to taxation; modifying the definition of wages subject to withholding; amending Minnesota Statutes 2006, section 290.92, subdivision 1.

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

Lenczewski introduced:

H. F. No. 4169, A bill for an act relating to tax increment financing; city of Bloomington; extending the five-year rule for a district.

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

Olin introduced:

H. F. No. 4170, A bill for an act relating to agriculture; establishing a grant program for certain beef producers; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Gardner and Benson introduced:

H. F. No. 4171, A bill for an act relating to property taxation; limiting property taxes to a percentage of the homeowner's income; reducing the market value homestead credit; amending Minnesota Statutes 2006, sections 273.1384, subdivision 1; 290A.04, subdivisions 1, 2.

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

Olson; Clark; Walker; Anderson, B.; Erickson; Abeler; Masin; Laine and Emmer introduced:

H. F. No. 4172, A bill for an act relating to health; requiring a study of the effectiveness of alternative medicine approaches; appropriating money.

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

Davnie introduced:

H. F. No. 4173, A bill for an act relating to property taxation; exempting the first tier of commercial-industrial property from the state general tax; amending Minnesota Statutes 2006, section 275.025, subdivision 2.

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

Olin introduced:

H. F. No. 4174, A bill for an act relating to animal health; establishing an interagency coordinator for bovine tuberculosis control and eradication; proposing coding for new law in Minnesota Statutes, chapter 35.

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

Peppin, Paymar, Greiling, Buesgens and Tschumper introduced:

H. F. No. 4175, A bill for an act relating to agriculture; canceling an appropriation; repealing the ethanol producer payment program and the minimum ethanol content requirement; repealing Minnesota Statutes 2006, sections 41A.09, subdivisions 1a, 2a, 3a, 4, 10; 239.791, subdivisions 1, 1a, 10, 11, 12, 13, 14, 15.

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

Abeler and Thissen introduced:

H. F. No. 4176, A bill for an act relating to health; modifying the prescription electronic reporting system; amending Minnesota Statutes 2007 Supplement, section 152.126.

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

Severson introduced:

H. F. No. 4177, A bill for an act relating to family law; imposing additional civil penalties for interference with parenting time; amending Minnesota Statutes 2006, section 518.175, subdivision 6.

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

Greiling; Morrow; McFarlane; Kelliher; Davnie; Sertich; Carlson; Murphy, M.; Mariani; Benson; Dittrich; Hilstrom; Lenczewski; Slawik; Faust; Marquart; Brown; Morgan; Anzelc; Dominguez; Swails; Brynaert; Ward; Doty; Kalin; Olin; Juhnke; Otremba; Nelson; Lillie; Hansen; Murphy, E.; Fritz; Scalze and Liebling introduced:

H. F. No. 4178, A bill for an act relating to education finance; modifying the school finance system; creating a new education funding framework; amending Minnesota Statutes 2006, sections 123B.53, subdivision 5; 123B.57, subdivision 4; 123B.59, subdivision 1; 123B.591, subdivisions 2, 3; 124D.59, subdivision 2; 124D.65, subdivision 5; 125A.79, subdivision 7; 126C.01, by adding subdivisions; 126C.05, subdivisions 3, 5, 6, 8, 16, 17; 126C.10, subdivisions 1, 2a, 3, 4, 6, 13, 18, by adding subdivisions; 126C.13, subdivision 5; 126C.17, subdivision 1; 126C.20; 126C.40, subdivision 1; Minnesota Statutes 2007 Supplement, sections 125A.76, subdivision 5; 126C.05, subdivision 1; 126C.10, subdivision 2; 126C.13, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 123B; 126C; repealing Minnesota Statutes 2006, sections 126C.10, subdivisions 13a, 13b, 25, 26, 27, 28, 29, 30, 31, 31a, 31b, 32, 33, 35, 36; 126C.12; 127A.50; Minnesota Statutes 2007 Supplement, sections 123B.54; 125A.76, subdivision 4; 125A.79, subdivision 6; 126C.10, subdivisions 2b, 24, 34; 126C.126.

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

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 Files, herewith returned:

H. F. No. 117, A bill for an act relating to courts; modifying personal jurisdiction over foreign corporations and nonresident individuals in certain matters; amending Minnesota Statutes 2006, section 543.19, subdivision 1.

H. F. No. 2602, A bill for an act relating to public safety; exempting police vehicles from window glazing restrictions; amending Minnesota Statutes 2006, section 169.71, subdivision 4.

H. F. No. 2932, A bill for an act relating to town cemeteries; specifying uses of certain cemetery funds; amending Minnesota Statutes 2006, sections 365.29; 365.30; 365.31; 365.33, subdivision 4; 365.35; 365.36, subdivisions 2, 3; 471.84.

COLLEEN J. PACHECO, Second Assistant Secretary of the Senate

Madam Speaker:

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

H. F. No. 3157, A bill for an act relating to Big Stone County; authorizing the county board to assign certain duties to the county treasurer.

H. F. No. 3289, A bill for an act relating to auctioneers; exempting auctioneers from certain requirements applicable to professional fund-raisers; amending Minnesota Statutes 2006, section 309.515, subdivision 1.

H. F. No. 2898, A bill for an act relating to insurance; regulating claim denials under aviation liability coverage; amending Minnesota Statutes 2006, section 60A.081, subdivision 1; Minnesota Statutes 2007 Supplement, section 360.59, subdivision 10.

H. F. No. 2788, A bill for an act relating to the city of Nashwauk; increasing the membership of the Nashwauk Public Utilities Commission from three to five members.

H. F. No. 3240, A bill for an act relating to veterans; authorizing the placement of a plaque in the court of honor on the Capitol grounds by Minnesota's Mexican-American veterans to honor all Minnesota veterans who have served at any time in the United States armed forces.

COLLEEN J. PACHECO, Second Assistant Secretary of the Senate

Madam Speaker:

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

S. F. Nos. 3303, 2399, 960, 3417, 3571, 3201, 3021, 3362, 3336, 2919, 3486, 2866, 3061, 3135, 2876, 3502, 3576, 3397, 3166, 3082, 3508, 3227, 3622, 3581, 3372, 3455, 3446, 1578, 2980, 3341, 3337, 3089, 2948, 2939, 3377, 3492, 3669, 3256, 2828, 3119, 1018, 2024, 3202, 2765, 3672, 3049, 2996, 2806, 3070, 3203, 3098, 2597, 3138, 3137, 3474, 3342, 3130, 2533, 3003, 2775, 2368, 2403, 3235, 2576, 3647, 2449, 3282, 3263, 3268, 3132, 3473, 3326, 2990, 3214, 3213, 3412, 2642, 3225, 3563, 2654, 2936, 3756, 3450, 3000, 3174, 2408, 3224, 3350, 3129 and 2645.

COLLEEN J. PACHECO, Second Assistant Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3303, A bill for an act relating to the city of Minneapolis; authorizing the creation of a nonprofit riverfront revitalization corporation; requiring a report.

The bill was read for the first time.

Loeffler moved that S. F. No. 3303 and H. F. No. 3692, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2399, A bill for an act relating to public nuisances; making changes to public nuisance law affecting evidentiary thresholds and numbers of triggering incidents required for specific offenses; amending Minnesota Statutes 2006, section 617.81, subdivision 2.

The bill was read for the first time.

Hilstrom moved that S. F. No. 2399 and H. F. No. 2627, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 960, A bill for an act relating to local government; modifying the definition of "dependent" for purposes of group benefits for local government officers and employees; amending Minnesota Statutes 2006, section 471.61, subdivision 1a.

The bill was read for the first time.

Davnie moved that S. F. No. 960 and H. F. No. 1097, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3417, A bill for an act relating to occupations and professions; adding an exception to the complementary and alternative health care client bill of rights for inpatient hospital setting and hospice care; amending Minnesota Statutes 2007 Supplement, section 146A.11, subdivision 1.

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

S. F. No. 3571, A bill for an act relating to human services; amending state-operated services; allowing certain nonstate employees to work for community-based programs; amending Minnesota Statutes 2006, section 252.50, subdivision 1.

The bill was read for the first time.

Hilstrom moved that S. F. No. 3571 and H. F. No. 3264, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3201, A bill for an act relating to public safety; conforming definition of "hazardous materials" to federal definition for purposes of transporting it; conforming school bus endorsement provisions to federal regulations; providing license exemption for operator of commercial motor vehicle operated on behalf of federal government; adding provisions conforming to federal regulation to require notice of commercial vehicle driver's conviction or license suspension; providing for enforcement of commercial vehicle out-of-service orders; imposing monetary penalty for violation by motor carrier employer of railroad-highway grade crossing laws to conform to federal law; amending Minnesota Statutes 2006, sections 169.01, subdivision 76; 171.01, subdivision 35; 171.03; 171.165, subdivision 2; 221.011, by adding a subdivision; 221.036, subdivisions 1, 3; 221.221, subdivision 2; 299D.03, subdivision 1; 299D.06; Minnesota Statutes 2007 Supplement, section 171.02, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 171.

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

S. F. No. 3021, A bill for an act relating to claims against the state; providing for settlement of various claims; appropriating money.

The bill was read for the first time.

Ozment moved that S. F. No. 3021 and H. F. No. 3360, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3362, A bill for an act relating to police officers; permitting police officers to be represented by an attorney and a union representative at disciplinary hearing; amending Minnesota Statutes 2006, section 626.89, subdivision 9.

The bill was read for the first time.

Mullery moved that S. F. No. 3362 and H. F. No. 3483, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3336, A bill for an act relating to traffic regulations; providing for exemptions to vehicle window glazing restrictions; amending Minnesota Statutes 2006, sections 168.27, by adding a subdivision; 169.71, subdivision 4.

The bill was read for the first time.

Cornish moved that S. F. No. 3336 and H. F. No. 3204, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2919, A bill for an act relating to civil commitments; modifying and clarifying time requirements for hearings; providing an exception from prehearing discharge for commitment petitions involving persons alleged to be mentally ill and dangerous or a sexual psychopathic personality or sexually dangerous person; amending Minnesota Statutes 2006, section 253B.08, subdivision 1.

The bill was read for the first time.

Simon moved that S. F. No. 2919 and H. F. No. 3396, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3486, A bill for an act relating to human services; modifying Medicare special needs plans; amending Minnesota Statutes 2006, section 256B.69, subdivision 28.

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

S. F. No. 2866, A bill for an act relating to telecommunications; requiring the Department of Commerce to produce a statewide inventory of broadband service.

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

S. F. No. 3061, A bill for an act relating to environment; modifying Petrofund program; amending Minnesota Statutes 2006, sections 115C.04, subdivision 3; 115C.09, subdivision 3h, by adding a subdivision; repealing Minnesota Statutes 2006, section 115C.09, subdivision 3j.

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

S. F. No. 3135, A bill for an act relating to health; adding volunteer protections for the Minnesota Responds Medical Reserve Corps volunteers; creating the Minnesota Responds Medical Reserve Corps; establishing volunteer health practitioner status during an emergency declaration; authorizing interstate assistance by local governments; amending Minnesota Statutes 2006, sections 12.22, subdivision 2a; 145A.04, by adding subdivisions; 145A.06, by adding subdivisions; 176.011, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 192.

The bill was read for the first time.

Winkler moved that S. F. No. 3135 and H. F. No. 3654, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2876, A bill for an act relating to animals; changing provisions regulating dangerous dogs and dogs at certain establishments; imposing penalties; amending Minnesota Statutes 2006, sections 347.50, by adding a subdivision; 347.51, subdivisions 2, 2a, 3, 4, 7, 9; 347.52; 347.53; 347.54, subdivisions 1, 3; 347.55; 347.56; proposing coding for new law in Minnesota Statutes, chapters 157; 347.

The bill was read for the first time.

Paymar moved that S. F. No. 2876 and H. F. No. 2906, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3502, A bill for an act relating to traffic regulations; modifying provisions regulating farm vehicles on highways; providing for size, weight, and load restrictions on highways; amending Minnesota Statutes 2006, sections 169.01, subdivision 55; 169.18, subdivision 5; 169.67, subdivision 3; 169.801; 169.82, subdivision 3; 169.826, subdivision 1a; repealing Minnesota Statutes 2006, section 169.145.

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

S. F. No. 3576, A bill for an act relating to natural resources; providing for viral hemorrhagic septicemia control; authorizing rulemaking; amending Minnesota Statutes 2006, sections 17.4985, subdivisions 2, 3, 5; 17.4986, subdivisions 1, 2, 4; 17.4987; 17.4992, subdivision 2; 17.4993; 84D.03, subdivision 4; 97A.015, by adding a subdivision; 97C.203; 97C.205; 97C.341; 97C.391, by adding a subdivision; 97C.505, subdivision 1; 97C.515, subdivisions 2, 4, 5; 97C.821; repealing Minnesota Statutes 2006, section 97C.515, subdivision 3.

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

S. F. No. 3397, A bill for an act relating to business organizations; providing for the return of documents submitted to the secretary of state; regulating foreign cooperatives; removing the request that the attorney general and the Department of Revenue be notified of the dissolution of foreign cooperatives and nonprofit corporations; allowing foreign limited liability partnerships to use alternative names under certain circumstances; eliminating contest of name filings; amending Minnesota Statutes 2006, sections 47.12, subdivision 2; 60A.07, subdivision 1; 303.11; 303.17, subdivision 4; 308A.005, by adding a subdivision; 308B.211, subdivision 2; 308B.221, subdivision 4; 317A.823, subdivision 2; 321.0108; 323A.1102; proposing coding for new law in Minnesota Statutes, chapters 5; 308A; 308B; repealing Minnesota Statutes 2006, sections 5.22; 302A.115, subdivision 8; 303.05, subdivision 4; 308A.121, subdivision 3; 308B.151; 317A.115, subdivision 6; 322B.12, subdivision 6.

The bill was read for the first time.

Winkler moved that S. F. No. 3397 and H. F. No. 3543, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3166, A bill for an act relating to human services; amending child welfare and licensing provisions; adopting a new Interstate Compact for the Placement of Children and repealing the old compact; regulating child and adult adoptions; regulating children in voluntary foster care for treatment; providing targeted case management services to certain children with developmental disabilities; providing for certain data classifications; amending Minnesota Statutes 2006, sections 13.46, by adding subdivisions; 245C.24, subdivision 2; 245C.29, subdivision 2; 256.045, subdivisions 3, 3b; 259.20, subdivision 1; 259.21, by adding a subdivision; 259.22, subdivision 2; 259.23, subdivision 2; 259.43; 259.52, subdivision 2; 259.53, subdivision 3; 259.59, subdivisions 1, 2; 259.67, subdivisions 2, 3, by adding a subdivision; 259.75, subdivision 5; 259.89, subdivisions 1, 2, 4, by adding a subdivision; 260C.001, subdivision 2; 260C.007, subdivisions 5, 6, 13; 260C.101, subdivision 2; 260C.141, subdivision 2; 260C.171, subdivision 2; 260C.178, subdivision 1; 260C.205; 260C.212, subdivisions 7, 8, by adding a subdivision; 260C.325, subdivisions 1, 3; 524.2-114; 626.556, subdivision 7; Minnesota Statutes 2007 Supplement, sections 245C.14, subdivision 1; 245C.15, subdivisions 2, 3, 4; 245C.24, subdivision 3; 245C.27, subdivision 1; 259.41, subdivision 1; 259.57, subdivision 1; 259.67, subdivision 4; 260C.163, subdivision 1; 260C.209, subdivisions 1, 2, by adding a subdivision; 260C.212, subdivisions 1, 4; 626.556, subdivision 10a; Laws 2007, chapter 147, article 2, section 56; proposing coding for new law in Minnesota Statutes, chapters 259; 260; proposing coding for new law as Minnesota Statutes, chapter 260D; repealing Minnesota Statutes 2006, sections 260.851; 260C.141, subdivision 2a; 260C.431; 260C.435; Minnesota Statutes 2007 Supplement, section 260C.212, subdivision 9; Minnesota Rules, part 9560.0609.

The bill was read for the first time.

Walker moved that S. F. No. 3166 and H. F. No. 3564, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3082, A bill for an act relating to motor vehicles; permitting sale of impounded vehicles and contents after voluntary title transfer; providing for notice of impound, right to reclaim contents, and waiver of right; establishing right to retrieve contents without charge in certain cases; limiting deficiency claim; providing for permit for oversize and overweight tow trucks in certain cases; providing for disclosure of damage to older vehicles; amending Minnesota Statutes 2006, sections 168B.051, subdivision 2; 168B.06, subdivisions 1, 3; 168B.07, by adding a subdivision; 168B.08, subdivision 1; 168B.087, subdivision 1; 169.86, by adding a subdivision; 325F.6644.

The bill was read for the first time.

Hortman moved that S. F. No. 3082 and H. F. No. 2940, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3508, A bill for an act relating to insurance; regulating motor vehicle insurance adjustments; amending Minnesota Statutes 2007 Supplement, section 72B.092, subdivision 1.

The bill was read for the first time.

Dominguez moved that S. F. No. 3508 and H. F. No. 3822, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3227, A bill for an act relating to health; making changes to resident reimbursement classification provisions; making changes to provisions for Alzheimer's disease facilities; making changes to nursing home moratorium provisions; requiring a report recommending standards for personal care assistant services; amending Minnesota Statutes 2006, sections 144.0724, subdivision 7; 144.6503; 144A.073, as amended; 144A.10, subdivision 4; 144A.11, subdivision 2; 144A.46, subdivisions 1, 2.

The bill was read for the first time.

Hosch moved that S. F. No. 3227 and H. F. No. 3648, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3622, A bill for an act relating to local government; changing the contract threshold amounts subject to certain requirements of the Uniform Municipal Contracting Law; amending Minnesota Statutes 2006, sections 103E.705, subdivisions 5, 6, 7; 471.345, subdivisions 3, 4; Minnesota Statutes 2007 Supplement, section 471.345, subdivisions 3a, 4a, 5.

The bill was read for the first time.

Marquart moved that S. F. No. 3622 and H. F. No. 3646, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3581, A bill for an act relating to health; modifying provisions for pharmacy practice; amending Minnesota Statutes 2006, section 151.01, subdivision 27.

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

S. F. No. 3372, A bill for an act relating to traffic regulations; establishing minimum requirements for city's permit program for long-term disability parking; amending Minnesota Statutes 2006, section 169.346, subdivision 5.

The bill was read for the first time.

Madore moved that S. F. No. 3372 and H. F. No. 3727, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3455, 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.

The bill was read for the first time.

Atkins moved that S. F. No. 3455 and H. F. No. 4007, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3446, A bill for an act relating to insurance; regulating small employer insurance; requiring notice of certain plan availability; amending Minnesota Statutes 2006, section 62L.05, by adding a subdivision.

The bill was read for the first time.

Dittrich moved that S. F. No. 3446 and H. F. No. 3721, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1578, A bill for an act relating to consumer protection; regulating security freezes on consumer reports; providing for payment of fees; amending Minnesota Statutes 2006, section 13C.016, subdivision 8.

The bill was read for the first time.

Gardner moved that S. F. No. 1578 and H. F. No. 1665, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2980, A bill for an act relating to insurance; homeowners; regulating flood insurance coverage; requiring disclosures of noncoverage; proposing coding for new law in Minnesota Statutes, chapter 65A.

The bill was read for the first time.

Tschumper moved that S. F. No. 2980 and H. F. No. 3582, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3341, A bill for an act relating to energy; proposing the Business Energy Accountability Act of 2008; providing for a voluntary inventory of business energy use; proposing coding for new law in Minnesota Statutes, chapter 216C.

The bill was read for the first time.

Hornstein moved that S. F. No. 3341 and H. F. No. 3718, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3337, A bill for an act relating to energy; creating coordinated process for reducing greenhouse gas emissions; proposing coding for new law in Minnesota Statutes, chapter 216H.

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

S. F. No. 3089, A bill for an act relating to energy; mandating inclusion of strategic tree planting as eligible for direct expenditures as energy conservation improvement; amending Minnesota Statutes 2007 Supplement, section 216B.241, by adding a subdivision.

The bill was read for the first time.

Hansen moved that S. F. No. 3089 and H. F. No. 2946, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2948, A bill for an act relating to public employment; repealing final offer total package arbitration procedures for professional firefighters; repealing Minnesota Statutes 2006, section 179A.16, subdivision 7a.

The bill was read for the first time.

Atkins moved that S. F. No. 2948 and H. F. No. 3365, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2939, A bill for an act relating to telecommunications; modifying provisions relating to alternative regulation plans; amending Minnesota Statutes 2006, section 237.766, by adding a subdivision.

The bill was read for the first time.

Beard moved that S. F. No. 2939 and H. F. No. 3327, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3377, A bill for an act relating to public safety; repealing the Furniture Fire Safety Act; repealing Minnesota Statutes 2006, sections 299F.840; 299F.841, subdivisions 1, 4, 5, 6, 7, 8; 299F.842; 299F.843; 299F.844; 299F.845; 299F.846; 299F.847; 299F.848.

The bill was read for the first time.

Smith moved that S. F. No. 3377 and H. F. No. 3572, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3492, A bill for an act relating to public safety; extending the duration of orders for protection and restraining orders after multiple violations or continued threats; amending Minnesota Statutes 2006, sections 518B.01, subdivisions 6, 6a, 11, 18; 609.748, subdivisions 3, 5, 8.

The bill was read for the first time.

Hosch moved that S. F. No. 3492 and H. F. No. 1625, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3669, A bill for an act relating to transportation; requiring report on mitigating effects of transportation construction projects on small businesses.

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

S. F. No. 3256, A bill for an act relating to human services; modifying license requirements for day training and habilitation programs; amending Minnesota Statutes 2006, sections 245A.10, subdivision 4; 245B.07, subdivision 12.

The bill was read for the first time.

Sailer moved that S. F. No. 3256 and H. F. No. 3559, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2828, A bill for an act relating to crime; modifying trespassing on critical public service property; amending Minnesota Statutes 2006, section 609.6055, subdivisions 1, 2.

The bill was read for the first time.

Paymar moved that S. F. No. 2828 and H. F. No. 3228, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3119, A bill for an act relating to emergency management; authorizing interstate assistance by local governments; proposing coding for new law in Minnesota Statutes, chapter 192.

The bill was read for the first time.

Tschumper moved that S. F. No. 3119 and H. F. No. 3456, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1018, A bill for an act relating to health occupations; changing provisions for physical therapy licensure; amending Minnesota Statutes 2006, sections 148.65, by adding a subdivision; 148.76, subdivision 2; Minnesota Statutes 2007 Supplement, section 148.75; repealing Minnesota Rules, parts 5601.0100, subparts 5, 6, 7, 8; 5601.1200; 5601.1800; 5601.1900.

The bill was read for the first time.

Thissen moved that S. F. No. 1018 and H. F. No. 1189, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2024, A bill for an act relating to human services; requiring notice for a redetermination of eligibility for services to disabled children; amending Minnesota Statutes 2006, section 256B.055, subdivision 12.

The bill was read for the first time.

Norton moved that S. F. No. 2024 and H. F. No. 2426, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3202, A bill for an act relating to state government; codifying the transfer of employee relations duties to the Department of Finance and other agencies; amending Minnesota Statutes 2006, sections 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 16A.055, subdivision 1; 16B.87, subdivision 1; 43A.04, subdivisions 1, 2, 9; 43A.044; 43A.05, subdivisions 1, 6; 43A.06, subdivisions 1, 3; 43A.08, subdivision 1a; 43A.17, subdivision 8; 43A.183, subdivisions 3, 4, 5; 43A.23, subdivision 2; 43A.30, subdivisions 4, 5; 43A.311; 43A.48; 176.541, subdivisions 2, 3, 4, 6; 176.571; 176.572; 176.581; 176.591, subdivision 3; 176.603; 176.611, subdivisions 2, 2a, 3a; 356.215, subdivision 2a; Minnesota Statutes 2007 Supplement, sections 16B.04, subdivision 2; 43A.50, subdivisions 1, 2; 136F.42, subdivision 1; 353.03, subdivision 3; repealing Minnesota Statutes 2006, sections 43A.03; 176.5401.

The bill was read for the first time.

Pelowski moved that S. F. No. 3202 and H. F. No. 3309, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2765, A bill for an act relating to insurance; regulating auto insurance; regulating certain claims practices; amending Minnesota Statutes 2006, section 65B.54, by adding a subdivision.

The bill was read for the first time.

Dominguez moved that S. F. No. 2765 and H. F. No. 2721, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3672, A bill for an act relating to relating to liquor; permitting farm wineries to manufacturer and sell distilled spirits under certain conditions; authorizing liquor licenses; making technical corrections; amending Minnesota Statutes 2006, section 340A.315, by adding a subdivision; Minnesota Statutes 2007 Supplement, section 340A.412, subdivision 4.

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

S. F. No. 3049, A bill for an act relating to children's mental health; requiring children's mental health providers to develop a plan for and comply with requirements on the use of restrictive procedures; modifying chemical use assessments; amending Minnesota Statutes 2006, section 256B.0943, subdivision 5; Minnesota Statutes 2007 Supplement, section 254A.19, subdivision 3, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 245.

The bill was read for the first time.

Walker moved that S. F. No. 3049 and H. F. No. 3377, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2996, A bill for an act relating to energy and the environment; extending the definition of biomass with respect to renewable energy objectives, distributed energy resources, and renewable energy resource planning; extending the expiration date for the Metropolitan Area Water Supply Advisory Committee; amending Minnesota Statutes 2006, sections 216B.2411, subdivision 2; 216B.2422, subdivision 1; 473.1565, subdivision 2; Minnesota Statutes 2007 Supplement, section 216B.1691, subdivision 1.

The bill was read for the first time.

Gardner moved that S. F. No. 2996 and H. F. No. 2903, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2806, A bill for an act relating to economic development; clarifying conflict of interest rules for local economic development authorities; providing criminal penalties; amending Minnesota Statutes 2006, section 469.098.

The bill was read for the first time.

Solberg moved that S. F. No. 2806 and H. F. No. 3295, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3070, A bill for an act relating to trust property; authorizing the use of debit or credit cards to draw funds from custodial trust accounts; amending Minnesota Statutes 2006, section 529.08.

The bill was read for the first time.

Simon moved that S. F. No. 3070 and H. F. No. 3457, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3203, A bill for an act relating to horse racing; modifying certain medication regulations; amending Minnesota Statutes 2006, section 240.24, subdivision 2.

The bill was read for the first time.

Tillberry moved that S. F. No. 3203 and H. F. No. 3766, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3098, A bill for an act relating to lawful gambling; providing for certain penalties; modifying licensing and other regulatory provisions; making changes to expenditure restrictions; modifying games and prizes; making clarifying, conforming, and technical changes to lawful gambling; requiring a report; amending Minnesota Statutes 2006, sections 349.12, subdivisions 18, 31; 349.15, by adding a subdivision; 349.161, subdivisions 1, 5; 349.1641; 349.167, subdivisions 2, 4, 7; 349.17, subdivision 7; 349.18, subdivision 1; 349.19, subdivision 10; 349.191, subdivisions 1a, 1b; 349.2113; Minnesota Statutes 2007 Supplement, sections 349.15, subdivision 1; 349.17, subdivision 8; 349.211, subdivisions 2, 2a, 2c, 3, 4, by adding a subdivision.

The bill was read for the first time.

Atkins moved that S. F. No. 3098 and H. F. No. 3397, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2597, A bill for an act relating to education; requiring school boards to seek information from prospective teachers and the Board of Teaching about disciplinary actions against the teachers; amending Minnesota Statutes 2006, section 123B.03, subdivision 2, by adding a subdivision.

The bill was read for the first time.

Bigham moved that S. F. No. 2597 and H. F. No. 2657, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3138, A bill for an act relating to health; changing provisions for handling genetic information; amending Minnesota Statutes 2006, sections 13.386, subdivision 3; 144.05, by adding a subdivision; Minnesota Statutes 2007 Supplement, section 144.125, subdivision 3.

The bill was read for the first time.

Thissen moved that S. F. No. 3138 and H. F. No. 3438, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3137, A bill for an act relating to commuter rail; clarifying the commissioner of transportation's authority; providing for the operation and maintenance of commuter rail lines located in whole or in part within the metropolitan area; proposing coding for new law in Minnesota Statutes, chapters 174; 473.

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

S. F. No. 3474, A bill for an act relating to Rock County; providing a process for making certain offices appointive in Rock County.

The bill was read for the first time.

Magnus moved that S. F. No. 3474 and H. F. No. 3831, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3342, A bill for an act relating to public safety; providing for an e-charging service; requiring fingerprinting; amending Minnesota Statutes 2006, sections 13.871, by adding a subdivision; 299C.10, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 299C.

The bill was read for the first time.

Hilstrom moved that S. F. No. 3342 and H. F. No. 3683, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3130, A bill for an act relating to corrections; making technical corrections and amendments to certain youth correction, county jail, adult offender supervision, and fingerprinting provisions; changing date for annual report of Advisory Council on Interstate Adult Offender Supervision; amending Minnesota Statutes 2006, sections 241.301; 243.1606, subdivision 3; 609.117, subdivision 3; 641.09; 641.18; repealing Minnesota Statutes 2006, sections 242.193, subdivision 1; 242.39; 260B.241; 260C.207.

The bill was read for the first time.

Kalin moved that S. F. No. 3130 and H. F. No. 3690, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2533, A bill for an act relating to gambling; clarifying definition of gambling device; repealing a provision relating to manufacture of gambling devices or components for shipment to other jurisdictions; amending Minnesota Statutes 2006, section 609.75, subdivision 4; repealing Minnesota Statutes 2006, section 349.40.

The bill was read for the first time.

Tillberry moved that S. F. No. 2533 and H. F. No. 3378, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3003, A bill for an act relating to agriculture; requiring wholesalers of lawn fertilizer containing phosphorous to provide retail signage; amending Minnesota Statutes 2006, section 18C.60, by adding a subdivision; repealing Minnesota Statutes 2006, section 18C.60, subdivision 4.

The bill was read for the first time.

Gardner moved that S. F. No. 3003 and H. F. No. 3789, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2775, A bill for an act relating to utilities; requiring notice to city when customer's heat source disconnected; amending Minnesota Statutes 2006, section 13.681, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

S. F. No. 2368, A bill for an act relating to human services; requiring the commissioner to notify the legislature prior to the closure or transfer of an enterprise activity; amending Minnesota Statutes 2006, section 246.0136, by adding a subdivision.

The bill was read for the first time.

Ward moved that S. F. No. 2368 and H. F. No. 2588, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2403, A bill for an act relating to public safety; modifying provision relating to disability of peace officer or firefighter; amending Minnesota Statutes 2006, section 299A.465, subdivision 1.

The bill was read for the first time.

Nelson moved that S. F. No. 2403 and H. F. No. 3503, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3235, A bill for an act relating to data practices; classifying data and authorizing data sharing; making technical changes; regulating practices of business screening services; providing for civil penalties and remedies; amending Minnesota Statutes 2006, sections 6.715, by adding a subdivision; 13.03, subdivision 3; 13.32, by adding

a subdivision; 123B.03, subdivisions 2, 3, by adding a subdivision; 260B.171, subdivision 5; 518.10; Minnesota Statutes 2007 Supplement, section 13.39, subdivisions 2, 2a; proposing coding for new law in Minnesota Statutes, chapter 332.

The bill was read for the first time.

Simon moved that S. F. No. 3235 and H. F. No. 3553, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2576, A bill for an act relating to crimes; including false police and fire emergency calls as misdemeanor offense; amending Minnesota Statutes 2006, section 609.78, subdivision 1.

The bill was read for the first time.

Shimanski moved that S. F. No. 2576 and H. F. No. 3217, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3647, A bill for an act relating to public safety; making certain emergency responders exempt from permit requirement for emergency communications equipment; amending Minnesota Statutes 2006, section 299C.37, subdivision 3.

The bill was read for the first time.

Bunn moved that S. F. No. 3647 and H. F. No. 3374, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2449, A bill for an act relating to agriculture; modifying prohibited uses of pesticide; amending Minnesota Statutes 2006, section 18B.07, subdivision 2.

The bill was read for the first time.

Hansen moved that S. F. No. 2449 and H. F. No. 2573, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3282, A bill for an act relating to veterans; transferring functions of the Veterans Homes Board of Directors to commissioner of veterans affairs; amending Minnesota Statutes 2006, sections 196.021; 196.03; 198.32, subdivision 1; repealing Minnesota Statutes 2006, sections 198.001, subdivisions 6, 9; 198.002, subdivisions 1, 3, 6; 198.003, subdivisions 5, 6; 198.004, subdivision 2; Minnesota Statutes 2007 Supplement, sections 198.002, subdivision 2; 198.004, subdivision 1; Minnesota Rules, part 9050.0040, subpart 15.

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

S. F. No. 3263, A bill for an act relating to health; permitting hospital records to be transferred to electronic image; amending Minnesota Statutes 2006, sections 145.30; 145.31; Minnesota Statutes 2007 Supplement, section 145.32, subdivision 1.

The bill was read for the first time.

Bunn moved that S. F. No. 3263 and H. F. No. 3710, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3268, A bill for an act relating to counties; authorizing interim use ordinances; amending Minnesota Statutes 2006, section 394.26; proposing coding for new law in Minnesota Statutes, chapter 394.

The bill was read for the first time.

Erickson moved that S. F. No. 3268 and H. F. No. 3313, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3132, A bill for an act relating to health; regulating medical debt information; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the first time.

Loeffler moved that S. F. No. 3132 and H. F. No. 3610, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3473, A bill for an act relating to Jackson County; providing a process for making the office of county auditor-treasurer appointive.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

S. F. No. 3326, A bill for an act relating to agriculture; changing certain payment provisions for certain agricultural chemical corrective action costs; amending Minnesota Statutes 2006, section 18E.04, subdivision 2.

The bill was read for the first time.

Faust moved that S. F. No. 3326 and H. F. No. 3361, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2990, A bill for an act relating to transit; modifying restrictions on Dan Patch commuter rail line to allow study and planning; amending Laws 2002, chapter 393, section 85.

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

S. F. No. 3214, A bill for an act relating to commerce; clarifying the application of the Minnesota Residential Mortgage Originator and Servicer Licensing Act; clarifying the investment authority of certain insurers; amending Minnesota Statutes 2006, sections 58.02, subdivisions 18, 21; 58.14, subdivisions 3, 4, 5; 60A.11, subdivision 9.

The bill was read for the first time.

Dominguez moved that S. F. No. 3214 and H. F. No. 3774, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3213, A bill for an act relating to human services; making technical changes; amending health care and miscellaneous provisions; amending Minnesota Statutes 2006, sections 254A.035, subdivision 2; 254A.04; 256.046; 256B.093, subdivision 1; 256L.07, subdivision 5; Minnesota Statutes 2007 Supplement, sections 256.01, subdivision 2b; 256.476, subdivisions 4, 5; 256B.057, subdivision 2c; 256B.06, subdivision 4; 256B.0655, subdivision 12; 256D.03, subdivision 3; 256L.15, subdivision 2; repealing Minnesota Statutes 2006, section 256B.039.

The bill was read for the first time.

Hosch moved that S. F. No. 3213 and H. F. No. 3435, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3412, A bill for an act relating to transportation; defining medium-speed electric vehicles; requiring medium-speed electric vehicles to be registered and titled; identifying roads on which medium-speed electric vehicles may be operated; amending Minnesota Statutes 2006, sections 168.011, subdivision 7; 168A.05, subdivision 9; 169.01, by adding a subdivision; 169.224.

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

S. F. No. 2642, A bill for an act relating to data practices; modifying provisions of the safe at home program; amending Minnesota Statutes 2006, sections 5B.02; 5B.03, subdivision 1; 5B.07; 13.805, subdivision 2; 171.06, subdivision 3; 171.07, subdivisions 1, 3.

The bill was read for the first time.

Simon moved that S. F. No. 2642 and H. F. No. 2991, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3225, A bill for an act relating to human services; authorizing the ombudsman and Medical Review Subcommittee to gather data about deceased clients; amending Minnesota Statutes 2006, sections 245.91, subdivision 3, by adding a subdivision; 245.92; 245.94, subdivisions 1, 2a; 245.97, subdivision 5.

The bill was read for the first time.

Madore moved that S. F. No. 3225 and H. F. No. 3576, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3563, A bill for an act relating to human services; making changes to continuing care provisions; clarifying licensing fines; clarifying senior nutrition appropriations; amending local certification requirements; amending Minnesota Statutes 2007 Supplement, sections 245A.07, subdivision 3; 256B.49, subdivision 16a; Laws 2007, chapter 147, article 19, section 3, subdivision 8.

The bill was read for the first time.

Norton moved that S. F. No. 3563 and H. F. No. 3579, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2654, A bill for an act relating to statutory cities; providing for discharge of a charter commission; authorizing charter amendments by ordinance; providing for water and sewer charges; amending Minnesota Statutes 2006, sections 410.05, subdivision 5; 410.12, subdivision 7; 444.075, subdivision 3.

The bill was read for the first time.

Tillberry moved that S. F. No. 2654 and H. F. No. 3904, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2936, A bill for an act relating to real property; modifying certain plat requirements; amending Minnesota Statutes 2006, sections 505.20; 508.47, subdivision 4; 508A.47, subdivision 4; Minnesota Statutes 2007 Supplement, sections 505.01, subdivision 3; 505.021, subdivisions 8, 10.

The bill was read for the first time.

Marquart moved that S. F. No. 2936 and H. F. No. 3129, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3756, A bill for an act relating to the military; changing eligibility for brevet promotion; amending Minnesota Statutes 2006, section 192.20.

The bill was read for the first time.

Dettmer moved that S. F. No. 3756 and H. F. No. 3297, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3450, A bill for an act relating to veterans; authorizing and regulating state veterans cemeteries; amending Minnesota Statutes 2006, section 197.236.

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

S. F. No. 3000, A bill for an act relating to health professions; modifying complementary and alternative health care practices; amending Minnesota Statutes 2007 Supplement, section 146A.08, subdivision 1.

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

S. F. No. 3174, A bill for an act relating to securities; modifying the Minnesota Securities Act; regulating registrations, filings, and fees; making various technical changes; amending Minnesota Statutes 2006, sections 80A.40; 80A.41; 80A.46; 80A.50; 80A.52; 80A.54; 80A.55; 80A.56; 80A.57; 80A.58; 80A.60; 80A.65, subdivision 2, by adding a subdivision; 80A.66; 80A.67; 80A.76; 80A.82; 80A.83; 80A.85; 80A.87.

The bill was read for the first time.

Tillberry moved that S. F. No. 3174 and H. F. No. 3306, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2408, A bill for an act relating to city of Minneapolis; allowing city to restrict use of engine brakes on Interstate Highway 394.

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

S. F. No. 3224, A bill for an act relating to transportation; authorizing creation of Advisory Committee on Nonmotorized Transportation; proposing coding for new law in Minnesota Statutes, chapter 174.

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

S. F. No. 3350, A bill for an act relating to human services; changing the standard of evidence in a disqualification to clear and convincing evidence; amending Minnesota Statutes 2006, sections 245C.29, subdivision 2; 256.045, subdivisions 3, 3b; Minnesota Statutes 2007 Supplement, sections 245C.14, subdivision 1; 245C.15, subdivisions 2, 3, 4; 245C.24, subdivision 3; 245C.27, subdivision 1.

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

S. F. No. 3129, A bill for an act relating to the judiciary; including appellate court appointments in the Commission on Judicial Selection process; amending Minnesota Statutes 2006, section 480B.01, subdivisions 1, 6, 10.

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

S. F. No. 2645, A bill for an act relating to family law; eliminating requirement of Social Security number in marriage dissolution petitions; amending Minnesota Statutes 2006, section 518.10.

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

IN MEMORIAM

The members of the House paused for a moment of silence in memory of former Representative Howard Nelson of Lindstrom, Minnesota, who served from 1959 - 1961, who passed away on Monday, March 31, 2008.

The Speaker assumed the Chair.

CONSENT CALENDAR

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

CALENDAR FOR THE DAY

S. F. No. 1218 was reported to the House.

Kalin moved to amend S. F. No. 1218, the unofficial engrossment, as follows:

Page 1, delete section 2

Page 2, line 16, strike "military identification card number,"

Page 2, line 16, strike "or"

Page 2, line 17, after "number" insert ", or the last four digits of the voter's social security number"

Page 2, line 33, delete "military identification card number,"

Page 2, line 34, after the second comma, insert "or the last four digits of the voter's social security number,"

Page 4, line 1, delete the new language

Page 4, line 2, delete the new language

Page 4, line 5, after the period, insert "The requirements of this subdivision do not apply to ballots and related materials provided under section 203B.225."

Page 4, line 18, strike "military identification card number,"

Page 4, line 18, strike "or"

Page 4, line 19, after "number" insert ", or the last four digits of the voter's social security number"

Page 5, line 30, delete "Upon receipt"

Page 5, delete lines 31 to 33

Page 6, delete lines 1 to 5

Page 6, line 29, after the period, insert "If the certificate of voter eligibility is not printed on the return or administrative envelope, the certificate must be attached to the ballot secrecy envelope."

Page 6, line 30, after "must" insert "immediately"

Page 7, line 18, strike "military identification number" and delete the comma

Page 7, line 22, after "number" insert ", or the last four digits of the voter's social security number"

Page 8, line 21 strike "SPECIAL"

Page 8, line 22, after "DAY" insert "SPECIAL"

Page 9, delete section 15

Page 9, after line 21, insert:

"Sec. 17. **EFFECTIVE DATE.**

This act is effective for elections held after June 1, 2008."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 1218, A bill for an act relating to elections; changing certain procedures and requirements for absent voters; providing for privacy of certain voter registration information; providing for certain emergency situations; authorizing rulemaking; amending Minnesota Statutes 2006, sections 201.091, subdivision 9; 203B.16, subdivision 2; 203B.17, subdivision 2; 203B.19; 203B.20; 203B.21, subdivisions 2, 3; 203B.22; 203B.23; 203B.24; 203B.25; 203B.26; proposing coding for new law in Minnesota Statutes, chapter 203B; repealing Minnesota Statutes 2006, section 203B.16, subdivision 3.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Buesgens	Doty	Gottwalt	Hoppe	Koenen
Anderson, B.	Bunn	Drazkowski	Greiling	Hornstein	Kohls
Anderson, S.	Carlson	Eastlund	Gunther	Hortman	Laine
Atkins	Clark	Eken	Hackbarth	Hosch	Lanning
Beard	Cornish	Emmer	Hamilton	Howes	Lenczewski
Benson	Davnie	Erhardt	Hansen	Huntley	Lesch
Berns	Dean	Erickson	Hausman	Jaros	Liebling
Bigham	DeLaForest	Faust	Haws	Johnson	Lieder
Bly	Demmer	Finstad	Heidgerken	Juhnke	Lillie
Brod	Dettmer	Fritz	Hilstrom	Kahn	Loeffler
Brown	Dittrich	Gardner	Hilty	Kalin	Madore
Brynaert	Dominguez	Garofalo	Holberg	Knuth	Magnus

Mahoney	Murphy, M.	Pelowski	Scalze	Swails	Wardlow
Mariani	Nelson	Peppin	Seifert	Thao	Welti
Marquart	Nornes	Peterson, A.	Sertich	Thissen	Westrom
Masin	Norton	Peterson, N.	Severson	Tillberry	Winkler
McFarlane	Olin	Peterson, S.	Shimanski	Tingelstad	Wollschlager
McNamara	Olson	Poppe	Simon	Tschumper	Zellers
Morgan	Otremba	Rukavina	Simpson	Urdahl	Spk. Kelliher
Morrow	Ozment	Ruth	Slawik	Wagenius	
Mullery	Paulsen	Ruud	Slocum	Walker	
Murphy, E.	Paymar	Sailer	Smith	Ward	

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

S. F. No. 1298 was reported to the House.

Hilty moved to amend S. F. No. 1298, the unofficial engrossment, as follows:

Page 6, line 1, before "if" insert "(3)" and reinstate the stricken "if the voter was not previously registered," and delete the second "(3)"

Page 6, after line 4, insert:

"EFFECTIVE DATE. This section is effective for elections held after June 1, 2008."

Page 7, after line 4, insert:

"EFFECTIVE DATE. This section is effective for elections held after June 1, 2008."

Page 8, after line 36, insert:

"EFFECTIVE DATE. This section is effective for elections held after June 1, 2008."

Page 10, delete section 14

Page 11, delete sections 15 and 16

Page 12, delete sections 17 and 18

Page 13, after line 8, insert:

"Sec. 19. Minnesota Statutes 2006, section 205.10, is amended by adding a subdivision to read:

Subd. 6. **Cancellation.** A special election ordered by the governing body of the municipality on its own motion under subdivision 1 may be cancelled by motion of the governing body, but not less than 46 days before the election.

EFFECTIVE DATE. This section is effective for elections held after June 1, 2008."

Page 13, after line 15, insert:

"EFFECTIVE DATE. This section is effective for elections held after June 1, 2008."

Page 13, after line 20, insert:

"EFFECTIVE DATE. This section is effective for elections held after June 1, 2008."

Page 13, after line 31, insert:

"EFFECTIVE DATE. This section is effective for elections held after June 1, 2008."

Page 14, after line 9, insert:

"EFFECTIVE DATE. This section is effective for elections held after June 1, 2008."

Page 14, delete section 24

Page 16, delete line 27

Page 16, line 28, delete "other" and after "sections" insert "in this article"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Brod moved to amend S. F. No. 1298, the unofficial engrossment, as amended, as follows:

Page 16, after line 22, insert:

Sec. 28. **CONSTITUTIONAL AMENDMENT.**

An amendment to the Minnesota Constitution, article IV, section 4, is proposed to the people. If the amendment is adopted, the section will read:

Sec. 4. Representatives shall be chosen for a term of two years, except to fill a vacancy. Senators shall be chosen for a term of four years, except to fill a vacancy, and except as otherwise required by this article. There shall be an entire new election of all the senators at the first election of representatives after each new legislative apportionment provided for in this article, and at that election, senators elected from odd-numbered districts shall be elected to two-year terms. The governor shall call elections to fill vacancies in either house of the legislature.

Sec. 29. **QUESTION.**

The proposed amendment shall be submitted to the people at the 2008 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to require that, as near as practical, one-half of the members of the senate stand for election at each biennial election of legislators, commencing in 2012?"

Yes

No ""

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Brod amendment and the roll was called. There were 64 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Gunther	Lanning	Peppin	Slawik
Anderson, B.	Dettmer	Hackbarth	Magnus	Peterson, N.	Smith
Anderson, S.	Dittrich	Hamilton	McFarlane	Poppe	Swails
Beard	Drazkowski	Haws	McNamara	Ruth	Tingelstad
Berns	Eastlund	Heidgerken	Nornes	Ruud	Urdahl
Brod	Emmer	Holberg	Norton	Sailer	Wardlow
Buesgens	Erhardt	Hoppe	Olin	Scalze	Wolti
Bunn	Erickson	Hosch	Olson	Seifert	Westrom
Cornish	Finstad	Howes	Ozment	Severson	Zellers
Dean	Garofalo	Knuth	Paulsen	Shimanski	
DeLaForest	Gottwalt	Kohls	Pelowski	Simpson	

Those who voted in the negative were:

Atkins	Eken	Huntley	Lieder	Murphy, E.	Thao
Benson	Faust	Jaros	Lillie	Murphy, M.	Thissen
Bigham	Fritz	Johnson	Loeffler	Nelson	Tillberry
Bly	Gardner	Juhnke	Madore	Otremba	Tschumper
Brown	Greiling	Kahn	Mahoney	Paymar	Wagenius
Brynaert	Hansen	Kalin	Mariani	Peterson, A.	Walker
Carlson	Hausman	Koenen	Marquart	Peterson, S.	Ward
Clark	Hilstrom	Laine	Masin	Rukavina	Winkler
Davnie	Hilty	Lenczewski	Morgan	Sertich	Wollschlager
Dominguez	Hornstein	Lesch	Morrow	Simon	Spk. Kelliher
Doty	Hortman	Liebling	Mullery	Slocum	

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

Emmer offered an amendment to S. F. No. 1298, the unofficial engrossment, as amended.

POINT OF ORDER

Hilty raised a point of order pursuant to rule 3.21 that the Emmer amendment was not in order. The Speaker ruled the point of order well taken and the Emmer amendment out of order.

Anderson, S., moved to amend S. F. No. 1298, the unofficial engrossment, as amended, as follows:

Page 1, after line 21, insert:

"Section 1. Minnesota Statutes 2006, section 135A.17, subdivision 2, is amended to read:

Subd. 2. **Residential housing list.** All postsecondary institutions that enroll students accepting state or federal financial aid may prepare a current list of students enrolled in the institution and residing in the institution's housing or within ten miles of the institution's campus. The list shall include each student's current address. The list shall be certified and sent to the appropriate county auditor or auditors for use in election day registration as provided under section 201.061, subdivision 3. A residential housing list provided under this subdivision may not be used or disseminated by a county auditor or the secretary of state for any other purpose."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Hilty raised a point of order pursuant to rule 3.21 that the Anderson, S., amendment was not in order. The Speaker ruled the point of order not well taken and the Anderson, S., amendment in order.

The question recurred on the Anderson, S., amendment and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Clark	Erickson	Hilstrom	Kohls	McFarlane
Anderson, B.	Cornish	Faust	Hilty	Laine	McNamara
Anderson, S.	Davnie	Finstad	Holberg	Lanning	Morgan
Atkins	Dean	Fritz	Hoppe	Lenczewski	Morrow
Beard	DeLaForest	Gardner	Hornstein	Lesch	Mullery
Benson	Demmer	Garofalo	Hortman	Liebling	Murphy, E.
Berns	Dettmer	Gottwalt	Hosch	Lieder	Murphy, M.
Bigham	Dittrich	Greiling	Howes	Lillie	Nelson
Bly	Dominguez	Gunther	Huntley	Loeffler	Nornes
Brod	Doty	Hackbarth	Jaros	Madore	Norton
Brown	Drazkowski	Hamilton	Johnson	Magnus	Olin
Brynaert	Eastlund	Hansen	Kahn	Mahoney	Olson
Buesgens	Eken	Hausman	Kalin	Mariani	Otremba
Bunn	Emmer	Haws	Knuth	Marquart	Ozment
Carlson	Erhardt	Heidgerken	Koenen	Masin	Paulsen

Paymar	Rukavina	Severson	Swails	Wagenius	Wollschlager
Pelowski	Ruth	Shimanski	Thao	Walker	Zellers
Peppin	Ruud	Simon	Thissen	Ward	Spk. Kelliher
Peterson, A.	Sailer	Simpson	Tillberry	Wardlow	
Peterson, N.	Scalze	Slawik	Tingelstad	Welti	
Peterson, S.	Seifert	Slocum	Tschumper	Westrom	
Poppe	Sertich	Smith	Urdahl	Winkler	

The motion prevailed and the amendment was adopted.

The Speaker called Juhnke to the Chair.

Anderson, S., moved to amend S. F. No. 1298, the unofficial engrossment, as amended, as follows:

Page 3, line 5, strike "15" and insert "three"

Page 3, lines 15 to 19, reinstate the stricken language

A roll call was requested and properly seconded.

The question was taken on the Anderson, S., amendment and the roll was called. There were 50 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abeler	DeLaForest	Finstad	Howes	Paulsen	Tingelstad
Anderson, B.	Demmer	Garofalo	Kohls	Peppin	Urdahl
Anderson, S.	Dettmer	Gottwalt	Lanning	Peterson, N.	Wardlow
Beard	Dittrich	Gunther	Magnus	Ruth	Westrom
Berns	Drazkowski	Hackbarth	McFarlane	Seifert	Zellers
Brod	Eastlund	Hamilton	McNamara	Severson	
Buesgens	Emmer	Heidgerken	Nornes	Shimanski	
Cornish	Erhardt	Holberg	Olson	Simpson	
Dean	Erickson	Hoppe	Ozment	Smith	

Those who voted in the negative were:

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

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

Dean offered an amendment to S. F. No. 1298, the unofficial engrossment, as amended.

POINT OF ORDER

Hilty raised a point of order pursuant to rule 3.21 that the Dean amendment was not in order. Speaker pro tempore Juhnke ruled the point of order well taken and the Dean amendment out of order.

Dean offered an amendment to S. F. No. 1298, the unofficial engrossment, as amended.

POINT OF ORDER

Hilty raised a point of order pursuant to rule 3.21 that the Dean amendment was not in order. Speaker pro tempore Juhnke ruled the point of order well taken and the Dean amendment out of order.

Brod appealed the decision of Speaker pro tempore Juhnke.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Juhnke stand as the judgment of the House?" and the roll was called. There were 80 yeas and 49 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abeler	Buesgens	Drazkowski	Garofalo	Holberg	McFarlane
Anderson, B.	Cornish	Eastlund	Gottwalt	Hoppe	McNamara
Anderson, S.	Dean	Emmer	Gunther	Howes	Nornes
Beard	DeLaForest	Erhardt	Hackbarth	Kohls	Olson
Berns	Demmer	Erickson	Hamilton	Lanning	Ozment
Brod	Dettmer	Finstad	Heidgerken	Magnus	Paulsen

Peppin	Seifert	Simpson	Urdahl	Zellers
Peterson, N.	Severson	Smith	Wardlow	
Ruth	Shimanski	Tingelstad	Westrom	

So it was the judgment of the House that the decision of Speaker pro tempore Juhnke should stand.

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

Thissen 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.

Zellers moved to amend S. F. No. 1298, the unofficial engrossment, as amended, as follows:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2006, section 201.054, is amended by adding a subdivision to read:

Subd. 3. Compensation for collecting registration forms prohibited. (a) No individual may be compensated for the solicitation, collection, or acceptance of voter registration applications from voters for submission to the secretary of state, a county auditor, or other local election officials.

(b) This subdivision does not apply to an employee of the state or a political subdivision of the state, if the solicitation, collection, or acceptance of the voter registration applications is a result of the normal course of the employee's job duties. This subdivision shall also not apply to individuals whose solicitation, collection, or acceptance of voter registration applications is merely incidental and does not constitute a substantial portion of the individual's normal job duties.

(c) A person who violates this subdivision is guilty of a petty misdemeanor."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Zellers amendment and the roll was called.

Sertich moved that those not voting be excused from voting. The motion prevailed.

There were 56 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Gunther	Liebling	Peppin	Urdahl
Anderson, B.	Dettmer	Hackbarth	Magnus	Peterson, N.	Wardlow
Anderson, S.	Dittrich	Hamilton	McFarlane	Ruth	Welti
Beard	Drazkowski	Heidgerken	McNamara	Scalze	Westrom
Berns	Eastlund	Holberg	Nornes	Seifert	Wollschlager
Brod	Emmer	Hoppe	Norton	Severson	Zellers
Buesgens	Erhardt	Hosch	Olin	Shimanski	
Cornish	Erickson	Howes	Olson	Simpson	
Dean	Garofalo	Kohls	Ozment	Smith	
DeLaForest	Gottwalt	Lanning	Paulsen	Tingelstad	

Those who voted in the negative were:

Atkins	Doty	Hortman	Lieder	Nelson	Slawik
Benson	Eken	Huntley	Lillie	Otremba	Slocum
Bigham	Faust	Jaros	Loeffler	Paymar	Swails
Bly	Fritz	Johnson	Madore	Pelowski	Thao
Brown	Gardner	Juhnke	Mariani	Peterson, A.	Thissen
Brynaert	Greiling	Kahn	Marquart	Peterson, S.	Tillberry
Bunn	Hansen	Kalin	Masin	Poppe	Tschumper
Carlson	Hausman	Knuth	Morgan	Rukavina	Wagenius
Clark	Haws	Koenen	Morrow	Ruud	Walker
Davnie	Hilstrom	Laine	Mullery	Sailer	Ward
Dill	Hilty	Lenczewski	Murphy, E.	Sertich	Winkler
Dominguez	Hornstein	Lesch	Murphy, M.	Simon	Spk. Kelliher

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

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Carlson announced his intention to place H. F. Nos. 3391 and 3569 on the Fiscal Calendar for Thursday, April 10, 2008.

CALL OF THE HOUSE LIFTED

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

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.

Hilstrom was excused between the hours of 7:20 p.m. and 9:35 p.m.

Walker was excused for the remainder of today's session.

CALENDAR FOR THE DAY, Continued

Brod moved to amend S. F. No. 1298, the unofficial engrossment, as amended, as follows:

Page 2, after line 6, insert:

"Sec. 2. Minnesota Statutes 2006, section 201.054, is amended by adding a subdivision to read:

Subd. 4. **Voter registration outreach and solicitation training.** The secretary of state must offer training courses to individuals who participate in a voter registration drive. "Voter registration drive" means any activity in which an individual provides a voter registration application to or receives a voter registration application from more than five other individuals. No individual may provide a voter registration application to another or collect voter registration applications in a voter registration drive without having attended and successfully completed a training course under this subdivision. Each course must include an explanation of:

(1) legally required elements of the voter registration application;

(2) optional information that a voter may provide on the voter registration application;

(3) deadlines required for submission of completed applications to the county auditor or secretary of state;

(4) verification and postsubmission processes and consequences of various deficiencies or required additional information; and

(5) numbering systems used to track voter registration applications."

Page 2, after line 15, insert:

"Sec. 3. Minnesota Statutes 2006, section 201.061, subdivision 1, is amended to read:

Subdivision 1. **Prior to election day.** (a) At any time except during the 20 days immediately preceding any regularly scheduled election, an eligible voter or any individual who will be an eligible voter at the time of the next election may register to vote in the precinct in which the voter maintains residence by completing a voter registration application as described in section 201.071, subdivision 1, and submitting it in person or by mail to the county auditor of that county or to the Secretary of State's Office. A registration that is received no later than 5:00 p.m. on the 21st day preceding any election shall be accepted. An improperly addressed or delivered registration application shall be forwarded within two working days after receipt to the county auditor of the county where the voter maintains residence. A state or local agency or an individual that accepts completed voter registration applications from a voter must submit the completed applications to the secretary of state or the appropriate county auditor within ten days after the applications are dated by the voter.

For purposes of this section, mail registration is defined as a voter registration application delivered to the secretary of state, county auditor, or municipal clerk by the United States Postal Service or a commercial carrier.

(b) Voter registration applications must be numbered consecutively and those printed by a county auditor must use only numbers assigned by the secretary of state to that auditor. Applications printed from the Internet must also be numbered consecutively. Numbers must be assigned by the secretary of state. An individual requesting more than five voter registration applications from a county auditor or from the secretary of state must sign a receipt for those applications which contains:

(1) the name, address, telephone number, and, if applicable, e-mail address of the individual;

(2) the name, address, telephone number, and, if applicable, e-mail address of any organization the individual is representing;

(3) the starting and ending numbers of the blank applications received;

(4) the number of blank applications received;

(5) the date;

(6) a certification that the individual receiving the applications and the individuals participating in any voter registration drive as defined in section 201.054 have completed a voter registration application training course given by the secretary of state; and

(7) a certification that the individuals and any organization will not inspect, capture, or retain, in any way, the information provided on the voter registration application."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Brod amendment and the roll was called. There were 48 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Erickson	Hoppe	Olson	Shimanski
Anderson, B.	DeLaForest	Finstad	Howes	Ozment	Simpson
Anderson, S.	Demmer	Garofalo	Kohls	Paulsen	Smith
Beard	Dettmer	Gottwalt	Lanning	Peppin	Tingelstad
Berns	Drazkowski	Gunther	Magnus	Peterson, N.	Urdahl
Brod	Eastlund	Hamilton	McFarlane	Ruth	Wardlow
Buesgens	Emmer	Heidgerken	McNamara	Seifert	Westrom
Cornish	Erhardt	Holberg	Nornes	Severson	Zellers

Those who voted in the negative were:

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

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

Emmer moved to amend S. F. No. 1298, the unofficial engrossment, as amended, as follows:

Page 1, after line 21, insert:

"Section 1. **[201.017] VOTER IDENTIFICATION CARDS.**

(a) Each county auditor shall provide at least one place in the county at which it shall accept applications for and issue Minnesota voter identification cards to registered Minnesota voters. A Minnesota voter identification card shall be valid only for purposes of voter identification under section 204C.10, and available only to registered voters of this state. No fee may be charged or collected for the application for or issuance of a Minnesota voter identification card. A voter is not eligible for a Minnesota voter identification card if the voter has a valid, unexpired Minnesota driver's license or identification card issued by the department of public safety.

(b) The Minnesota voter identification card shall be captioned "MINNESOTA VOTER IDENTIFICATION CARD," and contain a prominent statement that under Minnesota law the card is valid only as identification for voting purposes. The card shall be laminated, contain a digital color photograph of the applicant, and include the following information:

(1) full legal name;

(2) address of residence;

(3) birth date;

(4) date identification card was issued;

(5) sex;

(6) height;

(7) weight;

(8) eye color;

(9) county where identification card was issued including a county number to be assigned for each county by the secretary of state; and

(10) such other information or identification as required by the secretary of state.

(c) The application for a voter identification card shall elicit the information required under paragraph (b) of this section and such other information as may be required by rule of the secretary of state. The application shall be signed and sworn to by the applicant. Any falsification or fraud in the making of the application shall constitute a felony.

(d) The county auditor shall require presentation and verification of the following information before issuing a voter identification card:

(1) a photo identity document, except that a nonphoto identity document is acceptable if it includes both the person's full legal name and date of birth;

(2) documentation showing the person's date of birth;

(3) evidence that the person is registered to vote in Minnesota; and

(4) documentation showing the person's name and address of principal residence.

(e) A voter identification card shall remain valid so long as a person resides at the same address and remains qualified to vote. It shall be the duty of a person who moves his or her residence within the state of Minnesota to surrender his or her card to the appropriate county auditor of the new residence, and after surrender, a person may apply for and receive a new card if the person is otherwise eligible under this section. It shall be the duty of a person who moves to a residence outside the state of Minnesota or who ceases to be qualified to vote to surrender the voter identification card to the county auditor from which it was issued.

(f) The secretary of state shall provide each county auditor with the necessary equipment, forms, supplies, and training for the production of the Minnesota voter identification cards and shall maintain such equipment.

(g) The secretary of state shall adopt rules for the administration of this section and, without limiting the generality of the foregoing, such rules may further define or prescribe the types of documentation required under paragraph (d) of this section.

EFFECTIVE DATE. This section is effective January 1, 2010."

Page 10, after line 12, insert:

"Sec. 13. Minnesota Statutes 2006, section 204C.10, is amended to read:

204C.10 PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.

Subdivision 1. Polling place roster. (a) An individual seeking to vote shall sign a polling place roster which states that the individual is at least 18 years of age, a citizen of the United States, has resided in Minnesota for 20 days immediately preceding the election, maintains residence at the address shown, is not under a guardianship in which the court order revokes the individual's right to vote, has not been found by a court of law to be legally incompetent to vote or has the right to vote because, if the individual was convicted of a felony, the felony sentence has expired or been completed or the individual has been discharged from the sentence, is registered and has not already voted in the election. The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

(b) ~~A judge may, before~~ Before the applicant signs the roster, a judge: (1) may confirm the applicant's name, address, and date of birth; and (2) except when a voter has a religious objection to being photographed, shall require the voter to provide photo identification, as described in subdivision 2.

(c) After the applicant signs the roster, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained during the time for notice of filing an election contest.

Subd. 2. Photo identification. To comply with the photo identification requirements of subdivision 1, paragraph (b), a voter must present one of the following:

(1) a Minnesota driver's license, properly issued by the Department of Public Safety;

(2) a valid Minnesota voter identification card issued under section 201.017 or other valid identification card issued by a branch, department, agency, or entity of the state of Minnesota, any other state, or the United States authorized by law to issue personal identification, provided that such identification card contains a photograph of the voter;

(3) a valid United States passport;

(4) a valid employee identification card containing a photograph of the voter and issued by any branch, department, agency, or entity of the United States government, this state, or any county, municipality, board, authority, or other entity of this state;

(5) a valid United States military identification card, provided that such identification card contains a photograph of the voter; or

(6) a valid tribal identification card containing a photograph of the voter.

Subd. 3. Provisional ballots. If a voter is unable to produce any of the items of identification listed in subdivision 2, the voter shall be allowed to vote a provisional ballot upon swearing or affirming that the elector is the person identified on the polling place roster, following the procedures established in section 204C.135. Falsely swearing or affirming such statement under oath shall be punishable as a felony, and the penalty shall be distinctly set forth on the face of the statement.

EFFECTIVE DATE. This section is effective for elections held on or after January 1, 2010.

Sec. 14. **[204C.135] PROVISIONAL BALLOTS.**

Subdivision 1. Casting of provisional ballots. (a) A voter who appears at a polling place for the purpose of casting a ballot in a primary or general election but is unable to provide proper photo identification as required by section 204C.10 shall be entitled to cast a provisional ballot as provided by this section.

(b) A voter voting a provisional ballot must complete an official voter registration form and a provisional ballot voting certificate which shall include information about the place, manner, and approximate date on which the person previously registered to vote. The voter must also swear or affirm in writing that the voter previously registered to vote in the primary or general election, is eligible to vote in the primary or general election, has not voted previously in the primary or general election, and meets the criteria for registering to vote in the primary or general election. The form of the provisional ballot voting certificate shall be prescribed by the secretary of state.

(c) When the voter has provided the information required by this subdivision, the voter shall be issued a provisional ballot and be allowed to cast that ballot. A voter shall cast a provisional ballot on the same type of ballot that is utilized by the county or municipality for mail-in absentee ballots. Such provisional ballot shall be sealed in the manner required for absentee ballots pursuant to section 203B.07 and shall be deposited by the person casting such ballot in a secure, sealed ballot box.

Subd. 2. Counting provisional ballots. (a) At the earliest time possible after the casting of a provisional ballot, but no later than the day after the primary or election in which such provisional ballot was cast, the head election judge in precincts where a provisional ballot was cast must notify the county auditor or municipal clerk that provisional ballots were cast in the primary or election. The county auditor or municipal clerk shall be provided with the documents completed by the person casting the provisional ballot as provided in subdivision 1. Provisional ballots shall be securely maintained by the county auditor or municipal clerk until a determination has been made concerning their status. The county auditor or municipal clerk shall immediately examine the information contained on such documents and make a good faith effort to determine whether the person casting the provisional ballot was entitled to vote in the primary or election.

(b)(1) If the county auditor or municipal clerk determines after the polls close, but not later than two days following the primary or election, that the person casting the provisional ballot timely registered to vote and was eligible and entitled to vote in such primary or election, the county auditor or municipal clerk shall count the ballot in the county or municipality's certified election results.

(2) If the county auditor or municipal clerk determines that the person casting the provisional ballot did not timely register to vote or was not eligible or entitled to vote in such primary or election, or shall be unable to determine within two days following such primary or election whether the person timely registered to vote and was eligible and entitled to vote in such primary or election, the ballot shall not be counted. The county auditor or municipal clerk shall mark or otherwise document that such ballot was not counted and shall treat the ballot as spoiled.

(c) The county auditor or municipal clerk shall notify in writing those voters whose provisional ballots were not counted that their ballots were not counted because of the inability to verify the voter's proper registration.

EFFECTIVE DATE. This section is effective for elections held on or after January 1, 2010."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Emmer amendment and the roll was called. There were 59 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Finstad	Koenen	Otremba	Shimanski
Anderson, B.	DeLaForest	Garofalo	Kohls	Ozment	Simpson
Anderson, S.	Demmer	Gottwalt	Lanning	Paulsen	Smith
Beard	Dettmer	Gunther	Madore	Peppin	Swails
Berns	Dittrich	Hackbarth	Magnus	Peterson, N.	Tingelstad
Brod	Drazkowski	Hamilton	McFarlane	Poppe	Urdahl
Brown	Eastlund	Heidgerken	McNamara	Ruth	Wardlow
Buesgens	Emmer	Holberg	Nornes	Scalze	Westrom
Bunn	Erhardt	Hoppe	Olin	Seifert	Zellers
Cornish	Erickson	Howes	Olson	Severson	

Those who voted in the negative were:

Anzelc	Eken	Huntley	Lillie	Norton	Solberg
Atkins	Faust	Jaros	Loeffler	Paymar	Thao
Benson	Fritz	Johnson	Mahoney	Pelowski	Thissen
Bigham	Gardner	Juhnke	Mariani	Peterson, A.	Tillberry
Bly	Greiling	Kahn	Marquart	Peterson, S.	Tschumper
Brynaert	Hansen	Kalin	Masin	Rukavina	Wagenius
Carlson	Hausman	Knuth	Morgan	Ruud	Ward
Clark	Haws	Laine	Morrow	Sailer	Welti
Davnie	Hilty	Lenczewski	Mullery	Sertich	Winkler
Dill	Hornstein	Lesch	Murphy, E.	Simon	Spk. Kelliher
Dominguez	Hortman	Liebling	Murphy, M.	Slawik	
Doty	Hosch	Lieder	Nelson	Slocum	

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

DeLaForest and Peterson, S., offered an amendment to S. F. No. 1298, the unofficial engrossment, as amended.

POINT OF ORDER

Hilty raised a point of order pursuant to rule 3.21 that the DeLaForest and Peterson, S., amendment was not in order. The Speaker ruled the point of order well taken and the DeLaForest and Peterson, S., amendment out of order.

Hackbarth moved to amend S. F. No. 1298, the unofficial engrossment, as amended, as follows:

Page 4, after line 11, insert:

"Sec. 4. **[201.1612] VOTER REGISTRATION; GAME AND FISH LICENSE APPLICATIONS.**

All applications for a game and fish license issued by the commissioner of natural resources must also be designed to serve as a voter registration application. The application must include a space for the applicant to confirm their eligibility and to indicate a desire to be registered to vote upon submission of the application.

Information on applicants who indicate a desire to be registered to vote must be submitted at least weekly by electronic means to the secretary of state. An applicant who does not desire to be registered to vote is not required to provide the additional information relating to voter registration as provided by this paragraph.

EFFECTIVE DATE. This section is effective June 1, 2009."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Olson moved to amend S. F. No. 1298, the unofficial engrossment, as amended, as follows:

Page 15, lines 27 and 28, strike the old language and delete the new language

Page 15, before line 29, insert:

"(2) the printed name, address, and signature of the person responsible for filing the report, and the person's telephone number and e-mail address if either are available;"

Page 16, line 3, before the period, insert "as evidenced by restraining order or other court order or petition to the court"

A roll call was requested and properly seconded.

The question was taken on the Olson amendment and the roll was called. There were 12 yeas and 116 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Buesgens	Erickson	Hackbarth	Nornes	Peppin
Anderson, S.	Drazkowski	Gunther	Heidgerken	Olson	Westrom

Those who voted in the negative were:

Abeler	Carlson	Eastlund	Haws	Kahn	Loeffler
Anzelc	Clark	Eken	Hilty	Kalin	Madore
Atkins	Cornish	Erhardt	Holberg	Knuth	Magnus
Beard	Davnie	Faust	Hoppe	Koenen	Mahoney
Benson	Dean	Finstad	Hornstein	Kohls	Mariani
Berns	DeLaForest	Fritz	Hortman	Laine	Marquart
Bigham	Demmer	Gardner	Hosch	Lanning	Masin
Bly	Dettmer	Garofalo	Howes	Lenczewski	McFarlane
Brod	Dill	Gottwalt	Huntley	Lesch	McNamara
Brown	Dittrich	Greiling	Jaros	Liebling	Morgan
Brynaert	Dominguez	Hansen	Johnson	Lieder	Morrow
Bunn	Doty	Hausman	Juhnke	Lillie	Mullery

Murphy, E.	Paymar	Ruud	Simpson	Tillberry	Winkler
Murphy, M.	Pelowski	Sailer	Slawik	Tingelstad	Wollschlager
Nelson	Peterson, A.	Scalze	Slocum	Tschumper	Zellers
Norton	Peterson, N.	Seifert	Smith	Urdahl	Spk. Kelliher
Olin	Peterson, S.	Sertich	Solberg	Wagenius	
Otremba	Poppe	Severson	Swails	Ward	
Ozment	Rukavina	Shimanski	Thao	Wardlow	
Paulsen	Ruth	Simon	Thissen	Welti	

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

Brod moved to amend S. F. No. 1298, the unofficial engrossment, as amended, as follows:

Page 16, after line 22, insert:

"Sec. 28. **REPORT.**

No later than 180 days after the date of a general election, the secretary of state shall report to the house of representatives and senate committees with jurisdiction over elections the number of incidents where a legal noncitizen voted at that general election.

EFFECTIVE DATE. This section is effective August 1, 2008."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Brod amendment and the roll was called. There were 119 yeas and 11 nays as follows:

Those who voted in the affirmative were:

Abeler	Davnie	Gardner	Huntley	Mariani	Pelowski
Anderson, B.	Dean	Garofalo	Johnson	Marquart	Peppin
Anderson, S.	DeLaForest	Gottwalt	Juhnke	Masin	Peterson, A.
Atkins	Demmer	Greiling	Kalin	McFarlane	Peterson, N.
Beard	Dettmer	Gunther	Knuth	McNamara	Peterson, S.
Benson	Dill	Hackbarth	Koenen	Morgan	Poppe
Berns	Dittrich	Hamilton	Kohls	Morrow	Ruth
Bigham	Doty	Hansen	Laine	Mullery	Ruud
Bly	Drazkowski	Hausman	Lanning	Murphy, M.	Sailer
Brod	Eastlund	Haws	Lenczewski	Nelson	Scalze
Brown	Eken	Heidgerken	Lesch	Nornes	Seifert
Brynaert	Emmer	Hilty	Liebling	Norton	Sertich
Buesgens	Erhardt	Holberg	Lieder	Olin	Severson
Bunn	Erickson	Hoppe	Lillie	Olson	Shimanski
Carlson	Faust	Hortman	Madore	Otremba	Simon
Clark	Finstad	Hosch	Magnus	Ozment	Simpson
Cornish	Fritz	Howes	Mahoney	Paulsen	Slawik

Slocum	Swails	Tingelstad	Wagenius	Welti	Zellers
Smith	Thissen	Tschumper	Ward	Westrom	Spk. Kelliher
Solberg	Tillberry	Urdahl	Wardlow	Wollschlager	

Those who voted in the negative were:

Anzelc	Hornstein	Kahn	Murphy, E.	Rukavina	Winkler
Dominguez	Jaros	Loeffler	Paymar	Thao	

The motion prevailed and the amendment was adopted.

S. F. No. 1298, A bill for an act relating to elections; changing certain voter registration procedures and requirements, filing requirements, voting procedures, election day prohibitions, and ballot preparation requirements; establishing a complaint and resolution process; requiring challengers to prove residence in this state; requiring certain notices; changing a petition requirement; imposing penalties; amending Minnesota Statutes 2006, sections 201.016, subdivision 1a; 201.056; 201.061, subdivisions 1, 3, by adding a subdivision; 201.071, subdivision 1; 201.171; 203B.07, subdivision 2; 203B.081; 203B.12, subdivision 4; 203B.13, subdivisions 1, 2; 204B.09, subdivisions 1, 1a, 3; 204B.11, subdivision 2; 204B.16, subdivision 1; 204B.45, subdivisions 1, 2; 204C.06, subdivisions 1, 8; 204C.07, subdivision 3a, by adding a subdivision; 204D.09, subdivision 2; 204D.16; 205.10, by adding a subdivision; 205.13, by adding a subdivision; 205.16, subdivisions 2, 3, 4; 205A.05, by adding a subdivision; 205A.07, subdivisions 3, 3a; 206.57, subdivision 5; 206.89, subdivisions 1, 5; 211A.02, subdivision 2; 211A.05, subdivision 1; 211B.11, subdivision 1; 410.12, subdivision 1; 447.32, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 204B; repealing Minnesota Statutes 2006, sections 200.04; 201.061, subdivision 7; 201.096; 203B.02, subdivision 1a; 203B.13, subdivision 3a.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Swails
Thao
Thissen

Tillberry
Tingelstad
Tschumper

Urdahl
Wagenius
Ward

Wardlow
Wolti
Westrom

Winkler
Wollschlager
Zellers

Spk. Kelliher

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

There being no objection, the order of business reverted to Reports of Standing Committees and Divisions.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Carlson from the Committee on Finance to which was referred:

H. F. No. 3493, A bill for an act relating to state government finance; disaster relief appropriations; providing for reimbursement to the state under certain conditions; amending Laws 2007, First Special Session chapter 2, article 1, sections 2; 4, subdivision 4.

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

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 3566, A bill for an act relating to workers' compensation; adopting recommendations of the Workers' Compensation Advisory Council; amending Minnesota Statutes 2006, sections 176.011, subdivision 9; 176.041, subdivision 1; 176.101, subdivision 1; 176.102, subdivisions 2, 11; 176.135, by adding a subdivision; 176.136, subdivisions 1a, 1b; 176.1812, subdivision 1; 176.183, subdivision 1; 176.185, subdivision 8a; 176.231, subdivision 10; 176.245; 176.275, subdivision 1; 176.285; 176.83, subdivision 7; repealing Minnesota Statutes 2006, sections 176.1041; 176.669.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 176.011, subdivision 9, is amended to read:

Subd. 9. **Employee.** "Employee" means any person who performs services for another for hire including the following:

(1) an alien;

(2) a minor;

(3) a sheriff, deputy sheriff, police officer, firefighter, county highway engineer, and peace officer while engaged in the enforcement of peace or in the pursuit or capture of a person charged with or suspected of crime;

(4) a person requested or commanded to aid an officer in arresting or retaking a person who has escaped from lawful custody, or in executing legal process, in which cases, for purposes of calculating compensation under this chapter, the daily wage of the person shall be the prevailing wage for similar services performed by paid employees;

(5) a county assessor;

(6) an elected or appointed official of the state, or of a county, city, town, school district, or governmental subdivision in the state. An officer of a political subdivision elected or appointed for a regular term of office, or to complete the unexpired portion of a regular term, shall be included only after the governing body of the political subdivision has adopted an ordinance or resolution to that effect;

(7) an executive officer of a corporation, except those executive officers excluded by section 176.041;

(8) a voluntary uncompensated worker, other than an inmate, rendering services in state institutions under the commissioners of human services and corrections similar to those of officers and employees of the institutions, and whose services have been accepted or contracted for by the commissioner of human services or corrections as authorized by law. In the event of injury or death of the worker, the daily wage of the worker, for the purpose of calculating compensation under this chapter, shall be the usual wage paid at the time of the injury or death for similar services in institutions where the services are performed by paid employees;

(9) a voluntary uncompensated worker engaged in emergency management as defined in section 12.03, subdivision 4, who is:

(i) registered with the state or any political subdivision of it, according to the procedures set forth in the state or political subdivision emergency operations plan; and

(ii) acting under the direction and control of, and within the scope of duties approved by, the state or political subdivision.

The daily wage of the worker, for the purpose of calculating compensation under this chapter, shall be the usual wage paid at the time of the injury or death for similar services performed by paid employees;

(10) a voluntary uncompensated worker participating in a program established by a local social services agency. For purposes of this clause, "local social services agency" means any agency established under section 393.01. In the event of injury or death of the worker, the wage of the worker, for the purpose of calculating compensation under this chapter, shall be the usual wage paid in the county at the time of the injury or death for similar services performed by paid employees working a normal day and week;

(11) a voluntary uncompensated worker accepted by the commissioner of natural resources who is rendering services as a volunteer pursuant to section 84.089. The daily wage of the worker for the purpose of calculating compensation under this chapter, shall be the usual wage paid at the time of injury or death for similar services performed by paid employees;

(12) a voluntary uncompensated worker in the building and construction industry who renders services for joint labor-management nonprofit community service projects. The daily wage of the worker for the purpose of calculating compensation under this chapter shall be the usual wage paid at the time of injury or death for similar services performed by paid employees;

(13) a member of the military forces, as defined in section 190.05, while in state active service, as defined in section 190.05, subdivision 5a. The daily wage of the member for the purpose of calculating compensation under this chapter shall be based on the member's usual earnings in civil life. If there is no evidence of previous occupation or earning, the trier of fact shall consider the member's earnings as a member of the military forces;

(14) a voluntary uncompensated worker, accepted by the director of the Minnesota Historical Society, rendering services as a volunteer, pursuant to chapter 138. The daily wage of the worker, for the purposes of calculating compensation under this chapter, shall be the usual wage paid at the time of injury or death for similar services performed by paid employees;

(15) a voluntary uncompensated worker, other than a student, who renders services at the Minnesota State Academy for the Deaf or the Minnesota State Academy for the Blind, and whose services have been accepted or contracted for by the commissioner of education, as authorized by law. In the event of injury or death of the worker, the daily wage of the worker, for the purpose of calculating compensation under this chapter, shall be the usual wage paid at the time of the injury or death for similar services performed in institutions by paid employees;

(16) a voluntary uncompensated worker, other than a resident of the veterans home, who renders services at a Minnesota veterans home, and whose services have been accepted or contracted for by the commissioner of veterans affairs, as authorized by law. In the event of injury or death of the worker, the daily wage of the worker, for the purpose of calculating compensation under this chapter, shall be the usual wage paid at the time of the injury or death for similar services performed in institutions by paid employees;

~~(17) a worker who renders in home attendant care services to a physically disabled person, and who is paid directly by the commissioner of human services for these services, shall be an employee of the state within the meaning of this subdivision, but for no other purpose; performing services under section 256B.0655 for a recipient in the home of the recipient or in the community under section 256B.0625, subdivision 19a, who is paid from government funds through a fiscal intermediary under section 256B.0655, subdivision 7. For purposes of maintaining workers' compensation insurance, the employer of the worker is as designated in law by the commissioner of the Department of Human Services, notwithstanding any other law to the contrary.~~

(18) students enrolled in and regularly attending the Medical School of the University of Minnesota in the graduate school program or the postgraduate program. The students shall not be considered employees for any other purpose. In the event of the student's injury or death, the weekly wage of the student for the purpose of calculating compensation under this chapter, shall be the annualized educational stipend awarded to the student, divided by 52 weeks. The institution in which the student is enrolled shall be considered the "employer" for the limited purpose of determining responsibility for paying benefits under this chapter;

(19) a faculty member of the University of Minnesota employed for an academic year is also an employee for the period between that academic year and the succeeding academic year if:

(a) the member has a contract or reasonable assurance of a contract from the University of Minnesota for the succeeding academic year; and

(b) the personal injury for which compensation is sought arises out of and in the course of activities related to the faculty member's employment by the University of Minnesota;

(20) a worker who performs volunteer ambulance driver or attendant services is an employee of the political subdivision, nonprofit hospital, nonprofit corporation, or other entity for which the worker performs the services. The daily wage of the worker for the purpose of calculating compensation under this chapter shall be the usual wage paid at the time of injury or death for similar services performed by paid employees;

(21) a voluntary uncompensated worker, accepted by the commissioner of administration, rendering services as a volunteer at the Department of Administration. In the event of injury or death of the worker, the daily wage of the worker, for the purpose of calculating compensation under this chapter, shall be the usual wage paid at the time of the injury or death for similar services performed in institutions by paid employees;

(22) a voluntary uncompensated worker rendering service directly to the Pollution Control Agency. The daily wage of the worker for the purpose of calculating compensation payable under this chapter is the usual going wage paid at the time of injury or death for similar services if the services are performed by paid employees;

(23) a voluntary uncompensated worker while volunteering services as a first responder or as a member of a law enforcement assistance organization while acting under the supervision and authority of a political subdivision. The daily wage of the worker for the purpose of calculating compensation payable under this chapter is the usual going wage paid at the time of injury or death for similar services if the services are performed by paid employees; ~~and~~

(24) a voluntary uncompensated member of the civil air patrol rendering service on the request and under the authority of the state or any of its political subdivisions. The daily wage of the member for the purposes of calculating compensation payable under this chapter is the usual going wage paid at the time of injury or death for similar services if the services are performed by paid employees; and

(25) a Minnesota Responds Medical Reserve Corps volunteer, as provided in sections 145A.04 and 145A.06, responding at the request of or engaged in training conducted by the commissioner of health. The daily wage of the volunteer for the purposes of calculating compensation payable under this chapter is established in section 145A.06. A person who qualifies under this clause and who may also qualify under another clause of this subdivision shall receive benefits in accordance with this clause.

If it is difficult to determine the daily wage as provided in this subdivision, the trier of fact may determine the wage upon which the compensation is payable.

EFFECTIVE DATE. Clause (25) is effective the day that amendments to Minnesota Statutes, sections 145A.04 to 145A.06, related to Medical Reserve Corps volunteers, are effective. The other amendments to this section are effective the day following final enactment.

Sec. 2. Minnesota Statutes 2006, section 176.041, subdivision 1, is amended to read:

Subdivision 1. **Employments excluded.** This chapter does not apply to any of the following:

(a) a person employed by a common carrier by railroad engaged in interstate or foreign commerce and who is covered by the Federal Employers' Liability Act, United States Code, title 45, sections 51 to 60, or other comparable federal law;

(b) a person employed by a family farm as defined by section 176.011, subdivision 11a;

(c) the spouse, parent, and child, regardless of age, of a farmer-employer working for the farmer-employer;

(d) a sole proprietor, or the spouse, parent, and child, regardless of age, of a sole proprietor;

(e) a partner engaged in a farm operation or a partner engaged in a business and the spouse, parent, and child, regardless of age, of a partner in the farm operation or business;

(f) an executive officer of a family farm corporation;

(g) an executive officer of a closely held corporation having less than 22,880 hours of payroll in the preceding calendar year, if that executive officer owns at least 25 percent of the stock of the corporation;

(h) a spouse, parent, or child, regardless of age, of an executive officer of a family farm corporation as defined in section 500.24, subdivision 2, and employed by that family farm corporation;

(i) a spouse, parent, or child, regardless of age, of an executive officer of a closely held corporation who is referred to in paragraph (g);

(j) another farmer or a member of the other farmer's family exchanging work with the farmer-employer or family farm corporation operator in the same community;

(k) a person whose employment at the time of the injury is casual and not in the usual course of the trade, business, profession, or occupation of the employer;

(l) persons who are independent contractors as defined by section 181.723 and any rules adopted by the commissioner pursuant to section 176.83 except that ~~this exclusion does~~ these exclusions do not apply to an employee of an independent contractor;

(m) an officer or a member of a veterans' organization whose employment relationship arises solely by virtue of attending meetings or conventions of the veterans' organization, unless the veterans' organization elects by resolution to provide coverage under this chapter for the officer or member;

(n) a person employed as a household worker in, for, or about a private home or household who earns less than \$1,000 in cash in a three-month period from a single private home or household provided that a household worker who has earned \$1,000 or more from the household worker's present employer in a three-month period within the previous year is covered by this chapter regardless of whether or not the household worker has earned \$1,000 in the present quarter;

(o) persons employed by a closely held corporation who are related by blood or marriage, within the third degree of kindred according to the rules of civil law, to an officer of the corporation, who is referred to in paragraph (g), if the corporation files a written election with the commissioner to exclude such individuals. A written election is not required for a person who is otherwise excluded from this chapter by this section;

(p) a nonprofit association which does not pay more than \$1,000 in salary or wages in a year;

(q) persons covered under the Domestic Volunteer Service Act of 1973, as amended, United States Code, title 42, sections 5011, et seq.;

(r) a manager of a limited liability company having ten or fewer members and having less than 22,880 hours of payroll in the preceding calendar year, if that manager owns at least a 25 percent membership interest in the limited liability company;

(s) a spouse, parent, or child, regardless of age, of a manager of a limited liability company described in paragraph (r);

(t) persons employed by a limited liability company having ten or fewer members and having less than 22,880 hours of payroll in the preceding calendar year who are related by blood or marriage, within the third degree of kindred according to the rules of civil law, to a manager of a limited liability company described in paragraph (r), if the company files a written election with the commissioner to exclude these persons. A written election is not required for a person who is otherwise excluded from this chapter by this section; or

(u) members of limited liability companies who satisfy the requirements of paragraph (l).

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

Sec. 3. Minnesota Statutes 2006, section 176.101, subdivision 1, is amended to read:

Subdivision 1. **Temporary total disability.** (a) For injury producing temporary total disability, the compensation is 66-2/3 percent of the weekly wage at the time of injury.

(b)(1) Commencing on October 1, ~~2000~~ 2008, the maximum weekly compensation payable is ~~\$750~~ \$850 per week.

(2) The Workers' Compensation Advisory Council may consider adjustment increases and make recommendations to the legislature.

(c) The minimum weekly compensation payable is \$130 per week or the injured employee's actual weekly wage, whichever is less.

(d) Temporary total compensation shall be paid during the period of disability subject to the cessation and recommencement conditions in paragraphs (e) to (l).

(e) Temporary total disability compensation shall cease when the employee returns to work. Except as otherwise provided in section 176.102, subdivision 11, temporary total disability compensation may only be recommenced following cessation under this paragraph, paragraph (h), or paragraph (j) prior to payment of ~~404~~ 130 weeks of temporary total disability compensation and only as follows:

(1) if temporary total disability compensation ceased because the employee returned to work, it may be recommenced if the employee is laid off or terminated for reasons other than misconduct if the layoff or termination occurs prior to 90 days after the employee has reached maximum medical improvement. Recommended temporary total disability compensation under this clause ceases when any of the cessation events in paragraphs (e) to (l) occurs; or

(2) if temporary total disability compensation ceased because the employee returned to work or ceased under paragraph (h) or (j), it may be recommenced if the employee is medically unable to continue at a job due to the injury. Where the employee is medically unable to continue working due to the injury, temporary total disability compensation may continue until any of the cessation events in paragraphs (e) to (l) occurs following recommencement. If an employee who has not yet received temporary total disability compensation becomes medically unable to continue working due to the injury after reaching maximum medical improvement, temporary total disability compensation shall commence and shall continue until any of the events in paragraphs (e) to (l) occurs following commencement. For purposes of commencement or recommencement under this clause only, a new period of maximum medical improvement under paragraph (j) begins when the employee becomes medically unable to continue working due to the injury. Temporary total disability compensation may not be recommenced under this clause and a new period of maximum medical improvement does not begin if the employee is not actively employed when the employee becomes medically unable to work. All periods of initial and recommenced temporary total disability compensation are included in the ~~404-week~~ 130-week limitation specified in paragraph (k).

(f) Temporary total disability compensation shall cease if the employee withdraws from the labor market. Temporary total disability compensation may be recommenced following cessation under this paragraph only if the employee reenters the labor market prior to 90 days after the employee reached maximum medical improvement and prior to payment of ~~404~~ 130 weeks of temporary total disability compensation. Once recommenced, temporary total disability ceases when any of the cessation events in paragraphs (e) to (l) occurs.

(g) Temporary total disability compensation shall cease if the total disability ends and the employee fails to diligently search for appropriate work within the employee's physical restrictions. Temporary total disability compensation may be recommenced following cessation under this paragraph only if the employee begins diligently searching for appropriate work within the employee's physical restrictions prior to 90 days after maximum medical improvement and prior to payment of ~~404~~ 130 weeks of temporary total disability compensation. Once recommenced, temporary total disability compensation ceases when any of the cessation events in paragraphs (e) to (l) occurs.

(h) Temporary total disability compensation shall cease if the employee has been released to work without any physical restrictions caused by the work injury.

(i) Temporary total disability compensation shall cease if the employee refuses an offer of work that is consistent with a plan of rehabilitation filed with the commissioner which meets the requirements of section 176.102, subdivision 4, or, if no plan has been filed, the employee refuses an offer of gainful employment that the employee can do in the employee's physical condition. Once temporary total disability compensation has ceased under this paragraph, it may not be recommenced.

(j) Temporary total disability compensation shall cease 90 days after the employee has reached maximum medical improvement, except as provided in section 176.102, subdivision 11, paragraph (b). For purposes of this subdivision, the 90-day period after maximum medical improvement commences on the earlier of: (1) the date that the employee receives a written medical report indicating that the employee has reached maximum medical improvement; or (2) the date that the employer or insurer serves the report on the employee and the employee's attorney, if any. Once temporary total disability compensation has ceased under this paragraph, it may not be recommenced except if the employee returns to work and is subsequently medically unable to continue working as provided in paragraph (e), clause (2).

(k) Temporary total disability compensation shall cease entirely when ~~404~~ 130 weeks of temporary total disability compensation have been paid, except as provided in section 176.102, subdivision 11, paragraph (b). Notwithstanding anything in this section to the contrary, initial and recommenced temporary total disability compensation combined shall not be paid for more than ~~404~~ 130 weeks, regardless of the number of weeks that have elapsed since the injury, except that if the employee is in a retraining plan approved under section 176.102, subdivision 11, the ~~404-week~~ 130-week limitation shall not apply during the retraining, but is subject to the limitation before the plan begins and after the plan ends.

(l) Paragraphs (e) to (k) do not limit other grounds under law to suspend or discontinue temporary total disability compensation provided under this chapter.

(m) Once an employee has been paid 52 weeks of temporary total compensation, the employer or insurer must notify the employee in writing of the ~~404-week~~ 130-week limitation on payment of temporary total compensation. A copy of this notice must also be filed with the department.

EFFECTIVE DATE. This section is effective for injuries occurring on or after October 1, 2008.

Sec. 4. Minnesota Statutes 2006, section 176.102, subdivision 2, is amended to read:

Subd. 2. **Administrators.** (a) The commissioner shall hire a director of rehabilitation services in the classified service. The commissioner shall monitor and supervise rehabilitation services, including, but not limited to, making determinations regarding the selection and delivery of rehabilitation services and the criteria used to approve qualified rehabilitation consultants and rehabilitation vendors. The commissioner may also make determinations regarding fees for rehabilitation services and shall by rule establish a fee schedule or otherwise limit fees charged by qualified rehabilitation consultants and vendors. The commissioner shall annually review the fees and give notice of

any adjustment in the State Register. ~~By March 1, 1993, the commissioner shall report to the legislature on the status of the commission's monitoring of rehabilitation services.~~ The commissioner may hire qualified personnel to assist in the commissioner's duties under this section and may delegate the duties and performance.

(b) On October 1, 2008, the maximum hourly rate for rehabilitation services under Minnesota Rules, part 5220.1900, subpart 1c, is increased to \$91, and the maximum hourly rate for rehabilitation services under Minnesota Rules, part 5220.1900, subpart 1d, is increased to \$81. These increases are in lieu of the October 1, 2008, annual increase authorized by Minnesota Rules, part 5220.1900, subpart 1b. The maximum hourly rate and annual increase under Minnesota Rules, part 5220.1900, subpart 1e, and the hourly rate reduction under Minnesota Rules, part 5220.1900, subpart 1f, are unchanged by this paragraph.

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

Sec. 5. Minnesota Statutes 2006, section 176.102, subdivision 11, is amended to read:

Subd. 11. **Retraining; compensation.** (a) Retraining is limited to 156 weeks. An employee who has been approved for retraining may petition the commissioner or compensation judge for additional compensation not to exceed 25 percent of the compensation otherwise payable. If the commissioner or compensation judge determines that this additional compensation is warranted due to unusual or unique circumstances of the employee's retraining plan, the commissioner may award additional compensation in an amount not to exceed the employee's request. This additional compensation shall cease at any time the commissioner or compensation judge determines the special circumstances are no longer present.

(b) If the employee is not employed during a retraining plan that has been specifically approved under this section, temporary total compensation is payable for up to 90 days after the end of the retraining plan; except that, payment during the 90-day period is subject to cessation in accordance with section 176.101. If the employee is employed during the retraining plan but earning less than at the time of injury, temporary partial compensation is payable at the rate of 66-2/3 percent of the difference between the employee's weekly wage at the time of injury and the weekly wage the employee is able to earn in the employee's partially disabled condition, subject to the maximum rate for temporary total compensation. Temporary partial compensation is not subject to the 225-week or 450-week limitations provided by section 176.101, subdivision 2, during the retraining plan, but is subject to those limitations before and after the plan.

(c) Any request for retraining shall be filed with the commissioner before ~~156~~ 208 weeks of any combination of temporary total or temporary partial compensation have been paid. Retraining shall not be available after ~~156~~ 208 weeks of any combination of temporary total or temporary partial compensation benefits have been paid unless the request for the retraining has been filed with the commissioner prior to the time the ~~156~~ 208 weeks of compensation have been paid.

(d) The employer or insurer must notify the employee in writing of the ~~156-week~~ 208-week limitation for filing a request for retraining with the commissioner. This notice must be given before 80 weeks of temporary total disability or temporary partial disability compensation have been paid, regardless of the number of weeks that have elapsed since the date of injury. If the notice is not given before the 80 weeks, the period of time within which to file a request for retraining is extended by the number of days the notice is late, but in no event may a request be filed later than 225 weeks after any combination of temporary total disability or temporary partial disability compensation have been paid. The commissioner may assess a penalty of \$25 per day that the notice is late, up to a maximum penalty of \$2,000, against an employer or insurer for failure to provide the notice. The penalty is payable to the commissioner for deposit in the assigned risk safety account.

EFFECTIVE DATE. This section is effective for injuries occurring on or after October 1, 2008.

Sec. 6. Minnesota Statutes 2006, section 176.135, is amended by adding a subdivision to read:

Subd. 1b. **Complementary and alternative health care providers.** Any service, article, or supply provided by an unlicensed complementary and alternative health care practitioner as defined in section 146A.01, subdivision 6, is not compensable under this chapter.

EFFECTIVE DATE. This section is effective for treatment, services, articles, and supplies provided on or after the day following final enactment for all dates of injury.

Sec. 7. Minnesota Statutes 2006, section 176.136, subdivision 1a, is amended to read:

Subd. 1a. **Relative value fee schedule.** (a) The liability of an employer for services included in the medical fee schedule is limited to the maximum fee allowed by the schedule in effect on the date of the medical service, or the provider's actual fee, whichever is lower. ~~The medical fee schedule effective on October 1, 1991, remains in effect until the commissioner adopts a new schedule by permanent rule.~~ The commissioner shall adopt permanent rules regulating fees allowable for medical, chiropractic, podiatric, surgical, and other health care provider treatment or service, including those provided to hospital outpatients, by implementing a relative value fee schedule ~~to be effective on October 1, 1993.~~ The commissioner may adopt by reference, according to the procedures in paragraph (h), clause (2), the relative value fee schedule tables adopted for the federal Medicare program or a relative value fee schedule adopted by other federal or state agencies. The relative value fee schedule must contain reasonable classifications including, but not limited to, classifications that differentiate among health care provider disciplines. The conversion factors for the original relative value fee schedule must reasonably reflect a 15 percent overall reduction from the medical fee schedule most recently in effect. The reduction need not be applied equally to all treatment or services, but must represent a gross 15 percent reduction.

(b) Effective October 1, 2005, the commissioner shall remove all scaling factors from the relative value units and establish four separate conversion factors according to paragraphs (c) and (d) for each of the following parts of Minnesota Rules:

(1) Medical/surgical services in Minnesota Rules, part 5221.4030, as defined in part 5221.0700, subpart 3, item C, subitem (2);

(2) Pathology and laboratory services in Minnesota Rules, part 5221.4040, as defined in part 5221.0700, subpart 3, item C, subitem (3);

(3) Physical medicine and rehabilitation services in Minnesota Rules, part 5221.4050, as defined in part 5221.0700, subpart 3, item C, subitem (4); and

(4) Chiropractic services in Minnesota Rules, part 5221.4060, as defined in part 5221.0700, subpart 3, item C, subitem (5).

(c) The four conversion factors established under paragraph (b) shall be calculated so that there is no change in each maximum fee for each service under the current fee schedule, except as provided in paragraphs (d) and (e).

(d) By October 1, 2006, the conversion factor for chiropractic services described in paragraph (b), clause (4), shall be increased to equal 72 percent of the conversion factor for medical/surgical services described in paragraph (b), clause (1). Beginning October 1, 2005, the increase in chiropractic conversion factor shall be phased in over two years by approximately equal percentage point increases.

(e) When adjusting the conversion factors in accordance with paragraph (g) on October 1, 2005, and October 1, 2006, the commissioner may adjust by no less than zero, all of the conversion factors as necessary to offset any overall increase in payments under the fee schedule resulting from the increase in the chiropractic conversion factor.

(f) The commissioner shall give notice of the relative value units and conversion factors established under paragraphs (b), (c), and (d) according to the procedures in section 14.386, paragraph (a). The relative value units and conversion factors established under paragraphs (b), (c), and (d) are not subject to expiration under section 14.386, paragraph (b).

(g) The conversion factors shall be adjusted as follows:

(1) After permanent rules have been adopted to implement this section, the conversion factors must be adjusted annually on October 1 by no more than the percentage change computed under section 176.645, but without the annual cap provided by that section.

(2) Each time the workers' compensation relative value fee schedule tables are updated under paragraph (h), the commissioner shall adjust the conversion factors so that, for services in both fee schedules, there is no difference between the overall payment in each category of service listed in paragraph (b) under the new schedule and the overall payment for that category under the workers' compensation fee schedule most recently in effect. This adjustment must be made before making any additional adjustment under clause (1).

(h) The commissioner shall give notice of the adjusted conversion factors and updates to the relative value fee schedule as follows:

(1) ~~The commissioner shall annually give notice in the State Register of the adjusted conversion factors and may also give annual notice of any additions, deletions, or changes to the relative value units or service codes adopted by the federal Medicare program. The relative value units may be statistically adjusted in the same manner as for the original workers' compensation relative value fee schedule and any amendments to rules to implement Medicare relative value tables incorporated by reference under this subdivision. The notices of the adjusted conversion factors and additions, deletions, or changes to the relative value units and service codes is in lieu of the requirements of chapter 14. The commissioner shall follow the amended rules to implement the relative value tables are subject to the requirements of section 14.386, paragraph (a). The annual adjustments to the conversion factors and the medical fee schedules adopted under this section, including all previous fee schedules, are not subject to expiration under section 14.386, paragraph (b).~~

(2) The commissioner shall periodically, but at least once every three years, update the workers' compensation relative value tables by incorporating by reference the relative value tables in the national physician fee schedule relative value file established by the Centers for Medicare and Medicaid Services. The commissioner shall publish the notices of the incorporation by reference in the State Register at least 60 days before the tables are to become effective for purposes of payment under this section. Each notice of incorporation must state the date the incorporated tables will become effective and must include information on how the Medicare relative value tables may be obtained. The published notices of incorporation by reference and the incorporated tables are not rules subject to section 14.386 or other provisions of chapter 14, but have the force and effect of law as of the date specified in the notices.

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

Sec. 8. Minnesota Statutes 2006, section 176.136, subdivision 1b, is amended to read:

Subd. 1b. **Limitation of liability.** (a) The liability of the employer for treatment, articles, and supplies provided to an employee while an inpatient or outpatient at a small hospital shall be the hospital's usual and customary charge, unless the charge is determined by the commissioner or a compensation judge to be unreasonably excessive. A "small hospital," for purposes of this paragraph, is a hospital which has 100 or fewer licensed beds.

(b) The liability of the employer for the treatment, articles, and supplies that are not limited by subdivision 1a or 1c or paragraph (a) shall be limited to 85 percent of the provider's usual and customary charge, or 85 percent of the prevailing charges for similar treatment, articles, and supplies furnished to an injured person when paid for by the injured person, whichever is lower. On this basis, the commissioner or compensation judge may determine the reasonable value of all treatment, services, and supplies, and the liability of the employer is limited to that amount. The commissioner may by rule establish the reasonable value of a service, article, or supply in lieu of the 85 percent limitation in this paragraph.

(c) The limitation of liability for charges provided by paragraph (b) does not apply to a nursing home that participates in the medical assistance program and whose rates are established by the commissioner of human services.

(d) An employer's liability for treatment, articles, and supplies provided under this chapter by a health care provider located outside of Minnesota is limited to the payment that the health care provider would receive if the treatment, article, or supply were paid under the workers' compensation law of the jurisdiction in which the treatment was provided.

EFFECTIVE DATE. This section is effective for treatment, services, articles, and supplies provided on or after the day following final enactment for all dates of injury.

Sec. 9. Minnesota Statutes 2006, section 176.1812, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** Upon appropriate filing, the commissioner, compensation judge, Workers' Compensation Court of Appeals, and courts shall recognize as valid and binding a provision in a collective bargaining agreement between a qualified employer or qualified groups of employers and the certified and exclusive representative of its employees to establish certain obligations and procedures relating to workers' compensation. For purposes of this section, "qualified employer" means any self-insured employer that is self-insured for workers' compensation in compliance with this chapter, any employer, through itself or any affiliate as defined in section 60D.15, subdivision 2, who is responsible for the first \$100,000 or more of any claim, or a private any employer developing or projecting an annual workers' compensation premium, in Minnesota, of \$250,000 or more that is insured for workers' compensation in compliance with this chapter. For purposes of this section, a "qualified group of employers" means a group of ~~private employers engaged in workers' compensation group self insurance complying with chapter 79A, or a group of private employers who purchase workers' compensation insurance as a group, which develops or projects annual workers' compensation insurance premiums of \$2,000,000 or more, in which each employer is insured for workers' compensation in compliance with this chapter or is self-insured for workers' compensation in compliance with this chapter.~~ This agreement must be limited to, but need not include, all of the following:

(a) an alternative dispute resolution system to supplement, modify, or replace the procedural or dispute resolution provisions of this chapter. The system may include mediation, arbitration, or other dispute resolution proceedings, the results of which may be final and binding upon the parties. A system of arbitration shall provide that the decision of the arbiter is subject to review either by the Workers' Compensation Court of Appeals in the same manner as an award or order of a compensation judge or, in lieu of review by the Workers' Compensation Court of Appeals, by the Office of Administrative Hearings, by the district court, by the Minnesota Court of Appeals, or by the Supreme Court in the same manner as the Workers' Compensation Court of Appeals and may provide that any arbiter's award disapproved by a court be referred back to the arbiter for reconsideration and possible modification;

(b) an agreed list of providers of medical treatment that may be the exclusive source of all medical and related treatment provided under this chapter which need not be certified under section 176.1351;

- (c) the use of a limited list of impartial physicians to conduct independent medical examinations;
- (d) the creation of a light duty, modified job, or return to work program;
- (e) the use of a limited list of individuals and companies for the establishment of vocational rehabilitation or retraining programs which list is not subject to the requirements of section 176.102;
- (f) the establishment of safety committees and safety procedures; or
- (g) the adoption of a 24-hour health care coverage plan if a 24-hour plan pilot project is authorized by law, according to the terms and conditions authorized by that law.

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

Sec. 10. Minnesota Statutes 2006, section 176.183, subdivision 1, is amended to read:

Subdivision 1. **Uninsured and self-insured employers; special compensation fund.** When any employee sustains an injury arising out of and in the course of employment while in the employ of an employer, other than the state or its political subdivisions, not insured or self-insured as provided for in this chapter, the employee or the employee's dependents shall nevertheless receive benefits as provided for in this chapter from the special compensation fund. The commissioner is not required to comply with the procedures in chapter 16C before purchasing, paying for, or reimbursing the employee for medical treatment, equipment, or supplies that are compensable under this chapter. As used in subdivision 1 or 2, "employer" includes any owners or officers of a corporation who direct and control the activities of employees. In any petition for benefits under this chapter, the naming of an employer corporation not insured or self-insured as provided for in this chapter, as a defendant, shall constitute without more the naming of the owners or officers as defendants, and service of notice of proceeding under this chapter on the corporation shall constitute service upon the owners or officers. An action to recover benefits paid shall be instituted unless the commissioner determines that no recovery is possible. There shall be no payment from the special compensation fund if there is liability for the injury under the provisions of section 176.215, by an insurer or self-insurer.

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

Sec. 11. Minnesota Statutes 2006, section 176.185, subdivision 8a, is amended to read:

Subd. 8a. **Insolvent insurer.** (a) If an insurer is or becomes insolvent as defined in section 60C.03, subdivision 8, the insured employer is liable, as of May 23, 2003, for payment of the compensable workers' compensation claims that were covered under the employer's policy with the insolvent insurer, to the extent that the Insurance Guaranty Association has determined that the claims are not covered claims under chapter 60C. This paragraph does not in any way limit the Insurance Guaranty Association's right of recovery from an employer under section 60C.11, subdivision 7, for workers' compensation claims that are covered claims under chapter 60C.

The Insurance Guaranty Association shall notify the employer and the commissioners of the Departments of Commerce and Labor and Industry of the association's determination and of the employer's liability under this subdivision. The association's failure to notify the employer or the commissioners shall not relieve the employer of its liability and obligations under this subdivision.

(b) An employer who is liable for payment of claims under paragraph (a) shall have all of the rights, responsibilities, and obligations of a self-insured employer under this chapter for those claims only, but without the need for an order from the commissioner of commerce. The employer shall not be self-insured for purposes of the workers' compensation self-insurers' security fund under chapter 79A for those claims. The employer shall not be

required to pay assessments to the workers' compensation self-insurers' security fund, and the security fund shall not be liable for the claims under section 79A.10. Notwithstanding any contrary provision of chapter 60C, the Insurance Guaranty Association shall pay the claims as covered claims under chapter 60C if the employer fails to pay the claims as required under this chapter and the commissioner of commerce ~~determines that~~:

(1) determines that the employer is the subject of a voluntary or involuntary petition under the United States Bankruptcy Code, title 11;

(2) determines that a court of competent jurisdiction has declared the employer to be bankrupt or insolvent; ~~or~~

(3) determines that the employer is insolvent; ~~or~~

(4) issues a certificate of default against the employer for failure to pay workers' compensation benefits as required under this chapter.

The commissioner of labor and industry shall notify the commissioner of commerce and the Insurance Guaranty Association if the commissioner of labor and industry has knowledge that any employer has failed to pay, and will likely continue to fail to pay, workers' compensation benefits as required by chapter 176. If clauses (1) to (3) do not apply, but the employer refuses or fails to pay benefits required under this chapter, or if there is a dispute about an employer's liability for the claims, the commissioner of commerce shall issue a certificate of default.

The commissioner of commerce shall immediately notify, by certified mail, the Insurance Guaranty Association of the occurrence of any of the circumstances in clauses (1) to (4), and shall order the association to assume the employer's obligations under this chapter. The association shall commence payment of these obligations as soon as possible upon receipt of the employer's claim files. Upon the assumption of obligations by the association pursuant to the commissioner of commerce's notification and order, the association has the right to immediate possession of all relevant workers' compensation claim files and data of the employer or other possessor of the files and data. The possessor of the files and data must provide the files and data, or complete copies of them, to the association within five days of the notification provided under this subdivision.

If the possessor of the files and data fails to timely provide the files and data to the association, it is liable to the commissioner of commerce for a penalty of \$500 per day for each day after the five-day period has expired. The association is also entitled to recover from the employer reasonable attorney fees and costs in administering and paying benefits owed under this chapter. If the association's payments are made pursuant to a certificate of default as provided in clause (4), the employer is also liable for and shall pay a penalty in the amount of 300 percent of all benefits the association pays to or on behalf of the employee. The commissioner of commerce shall assess the penalties under this paragraph.

An appeal from the commissioner of commerce's order or penalties under this paragraph may be instituted pursuant to the contested case procedures of chapter 14. Payment of claims by the association shall not be stayed pending the resolution of the disputes.

(c) If the employer contracts with an entity or person to administer the claims under paragraph (a), the entity or person must be a licensed workers' compensation insurer or a licensed third-party administrator under section 60A.23, subdivision 8. The commissioner of commerce may require the employer to contract with a licensed third-party administrator when the commissioner determines it is necessary to ensure proper payment of compensation under this chapter.

(d) For all claims that an employer is liable for under paragraph (a) and pays on or after May 26, 2005, and for all deductible amounts an employer pays on or after May 26, 2005, under an employer's policy with an insurer that became insolvent before May 23, 2003:

(1) the employer shall file reports and pay assessments to the special compensation fund, according to the requirements of section 176.129 that apply to self-insured employers, based on paid indemnity losses for the claims and deductible amounts it paid; and

(2) the employer may request supplementary benefit and second injury reimbursement from the special compensation fund for the claims and deductible amounts it paid, subject to section 176.129, subdivision 13. Reimbursement from the special compensation fund is limited to claims that are eligible for supplementary benefit and second injury reimbursement under Minnesota Statutes 1990, section 176.131, and Minnesota Statutes 1994, section 176.132.

(e) For all claims for which an employer is liable under paragraph (a) and paid between the date of the insurer's insolvency and May 26, 2005, and for all deductible amounts an employer paid between the date of the insurer's insolvency and May 26, 2005, under an employer's policy with an insurer that became insolvent before May 23, 2003, the employer may request supplementary benefit and second injury reimbursement from the special compensation fund, subject to section 176.129, subdivision 13, if:

(1) the employer files reports and pays all past assessments based on paid indemnity losses, for all claims and deductible amounts it paid from the date of the insolvency of the insurer to May 26, 2005, at the rate that was in effect for self-insured employers under section 176.129 during the applicable assessment reporting period;

(2) the employer has a pending request for reimbursement of the claims and deductible amounts it paid from the special compensation fund as of May 26, 2005, or files a request for reimbursement within one year after May 26, 2005; and

(3) the claims are eligible for supplementary benefit and second injury reimbursement under Minnesota Statutes 1990, section 176.131, and Minnesota Statutes 1994, section 176.132.

(f) An employer who is liable for claims under paragraph (a) shall be eligible for reimbursement from the Workers' Compensation Reinsurance Association under chapter 79 for those claims to the extent they exceed the applicable retention limit selected by the insolvent insurer and if the employer has complied with the requirements for reimbursement established by the Workers' Compensation Reinsurance Association for its self-insured members. The employer is not responsible for payment of premiums to the reinsurance association to the extent the premiums have been paid by the insolvent insurer.

(g) The expenses of the employer in handling the claims paid under paragraph (a) are accorded the same priority as the liquidator's expenses. The employer must be recognized as a claimant in the liquidation of an insolvent insurer for amounts paid by the employer under this subdivision, and must receive dividends and other distributions at the priority set forth in chapter 60B. The receiver, liquidator, or statutory successor of an insolvent insurer is bound by settlements of claims made by the employer under this subdivision. The court having jurisdiction shall grant the claims priority equal to that which the claimant would have been entitled against the assets of the insolvent insurer in the absence of this subdivision.

(h) The Workers' Compensation Reinsurance Association and the special compensation fund, as a condition of directly reimbursing an employer eligible for reimbursement, may require the employer to hold it harmless from any claims by a liquidator, receiver, or statutory successor to the insolvent insurer that the Workers' Compensation Reinsurance Association or special compensation fund improperly indemnified or reimbursed the employer. In no event shall the Workers' Compensation Reinsurance Association or the special compensation fund be required to reimburse any amounts for any claim more than once.

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

Sec. 12. Minnesota Statutes 2006, section 176.231, subdivision 10, is amended to read:

Subd. 10. **Failure to file required report, penalty.** If an employer, qualified rehabilitation consultant or rehabilitation vendor, insurer, physician, chiropractor, or other health provider fails to file with the commissioner any report required by this ~~section~~ chapter in the manner and within the time limitations prescribed, or otherwise fails to provide a report required by this ~~section~~ chapter in the manner provided by this ~~section~~ chapter, the commissioner may impose a penalty of up to \$500 for each failure.

The imposition of a penalty may be appealed to a compensation judge within 30 days of notice of the penalty.

Penalties collected by the state under this subdivision shall be payable to the commissioner for deposit into the assigned risk safety account.

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

Sec. 13. Minnesota Statutes 2006, section 176.245, is amended to read:

176.245 RECEIPTS FOR PAYMENT OF COMPENSATION, FILING.

An employer shall promptly file with the division receipts for payment of compensation as may be required by the rules of the division.

The commissioner of the Department of Labor and Industry shall periodically check its records ~~in each case~~ to determine whether these receipts have been promptly filed, and if not, shall require the employer to do so. The commissioner may determine, using statistical methodology similar to Six Sigma, the most efficient manner of reviewing or auditing the records filed under this chapter, including using sampling methodology, to determine compliance with this chapter.

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

Sec. 14. Minnesota Statutes 2006, section 176.275, subdivision 1, is amended to read:

Subdivision 1. **Filing.** If a document is required to be filed by this chapter or any rules adopted pursuant to authority granted by this chapter, the filing shall be completed by the receipt of the document at the division, department, office, or the court of appeals. The division, department, office, and the court of appeals shall accept any document which has been delivered to it for legal filing ~~immediately upon its receipt~~, but may refuse to accept any form or document that lacks the name of the injured employee, employer, or insurer, the date of injury, or the injured employee's Social Security number. If a workers' compensation identification number has been assigned by the department, it may be substituted for the Social Security number on a form or document. If the injured employee has fewer than three days of lost time from work, the party submitting the required document must attach to it, at the time of filing, a copy of the first report of injury.

A notice or other document required to be served or filed at either the department, the office, or the court of appeals which is inadvertently served or filed at the wrong one of these agencies shall be deemed to have been served or filed with the proper agency. The receiving agency shall note the date of receipt of a document and shall forward the documents to the proper agency no later than two working days following receipt.

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

Sec. 15. Minnesota Statutes 2006, section 176.285, is amended to read:

176.285 SERVICE OF PAPERS AND NOTICES; ELECTRONIC FILING.

Service of papers and notices shall be by mail or otherwise as the commissioner or the chief administrative law judge may by rule direct. Where service is by mail, service is effected at the time mailed if properly addressed and stamped. If it is so mailed, it is presumed the paper or notice reached the party to be served. However, a party may show by competent evidence that that party did not receive it or that it had been delayed in transit for an unusual or unreasonable period of time. In case of nonreceipt or delay, an allowance shall be made for the party's failure to assert a right within the prescribed time.

~~Where service to the division, department, office, or court of appeals is by electronic filing, digitized signatures may be used provided that the signature has been certified by the department no later than five business days after filing. Where a statute or rule authorizes or requires a document to be filed with or served on an agency, the document may be filed electronically if electronic filing is authorized by the agency and if the document is transmitted in the manner and in the format specified by the agency. Where a statute or rule authorizes or requires a person's signature on a document to be filed with or served on an agency, the signature may be transmitted electronically, if authorized by the agency and if the signature is transmitted in the manner and format specified by the agency. The commissioner may require that a document authorized or required to be filed with the commissioner, department, or division be filed electronically in the manner and format specified by the commissioner, except that an employee must not be required to file a document electronically unless the document is filed by an attorney on behalf of an employee. An agency may serve a document electronically if the recipient agrees to receive it in an electronic format. The department or court may adopt rules for the certification of signatures.~~

When the electronic filing of a legal document with the department marks the beginning of a prescribed time for another party to assert a right, the prescribed time for another party to assert a right shall be lengthened by two calendar days when it can be shown that service to the other party was by mail.

The commissioner and the chief administrative law judge shall ensure that proof of service of all papers and notices served by their respective agencies is placed in the official file of the case.

~~For purposes of this section, "agency" means the workers' compensation division, the Department of Labor and Industry, the commissioner of the Department of Labor and Industry, the Office of Administrative Hearings, the chief administrative law judge, or the workers' compensation court of appeals. "Document" includes documents, reports, notices, orders, papers, forms, information, and data elements that are authorized or required to be filed with an agency or the commissioner or that are authorized or required to be served on or by an agency or the commissioner.~~

~~Except as otherwise modified by this section, the provisions of chapter 325L apply to electronic signatures and the electronic transmission of documents under this section.~~

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

Sec. 16. Minnesota Statutes 2006, section 176.83, subdivision 7, is amended to read:

Subd. 7. **Miscellaneous rules.** Rules necessary for implementing and administering the provisions of Minnesota Statutes 1990, section 176.131, Minnesota Statutes 1994, section 176.132, sections 176.238 and 176.239; sections 176.251; and 176.66 to ~~176.669~~, and rules regarding proper allocation of compensation under section

176.111. Under the rules adopted under section 176.111 a party may petition for a hearing before a compensation judge to determine the proper allocation. In this case the compensation judge may order a different allocation than prescribed by rule.

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

Sec. 17. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall recode Minnesota Statutes, section 176.181, subdivision 2b, as Minnesota Statutes, section 79A.04, subdivision 3a.

Sec. 18. **REPEALER.**

Minnesota Statutes 2006, sections 176.1041; and 176.669, are repealed.

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

Delete the title and insert:

"A bill for an act relating to workers' compensation; adopting recommendations of the Workers' Compensation Advisory Council; amending Minnesota Statutes 2006, sections 176.011, subdivision 9; 176.041, subdivision 1; 176.101, subdivision 1; 176.102, subdivisions 2, 11; 176.135, by adding a subdivision; 176.136, subdivisions 1a, 1b; 176.1812, subdivision 1; 176.183, subdivision 1; 176.185, subdivision 8a; 176.231, subdivision 10; 176.245; 176.275, subdivision 1; 176.285; 176.83, subdivision 7; repealing Minnesota Statutes 2006, sections 176.1041; 176.669."

With the recommendation that when so amended the bill pass.

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 3661, A bill for an act relating to energy; creating coordinated process for reducing greenhouse gas emissions; proposing coding for new law in Minnesota Statutes, chapter 216H.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 115.071, subdivision 1, is amended to read:

Subdivision 1. **Remedies available.** The provisions of sections 103F.701 to 103F.761, this chapter and chapters 114C, 115A, and 116, and sections 216H.10 to 216H.15, 325E.10 to 325E.1251, and 325E.32 and all rules, standards, orders, stipulation agreements, schedules of compliance, and permits adopted or issued by the agency thereunder or under any other law now in force or hereafter enacted for the prevention, control, or abatement of pollution may be enforced by any one or any combination of the following: criminal prosecution; action to recover civil penalties; injunction; action to compel performance; or other appropriate action, in accordance with the provisions of said chapters and this section.

Sec. 2. **[216H.07] GREENHOUSE GAS EMISSION REDUCTION ATTAINMENT; POLICY DEVELOPMENT PROCESS.**

Subdivision 1. **Definition.** For the purpose of this section, "reductions" means the greenhouse gas emissions reductions goals specified in section 216H.02, subdivision 1.

Subd. 2. **Purpose.** This section is intended to create a nonexclusive, regular, mandated process for the state to develop policies to attain the greenhouse gas reduction goals specified in section 216H.02.

Subd. 3. **Biennial reduction progress report.** By November 1 of each even-numbered year, the commissioners of commerce and the Pollution Control Agency shall jointly report to the chairs and ranking minority members of the legislative committees with primary policy jurisdiction over energy and environmental issues the most recent and best available evidence identifying the level of reductions already achieved and the level necessary to achieve the reduction goals established in section 216H.02. The report must be written in easily understood, nontechnical language.

Subd. 4. **Annual legislative proposal.** The commissioners of commerce and the Pollution Control Agency shall annually by November 1 provide to the chairs and ranking minority members of the legislative committees with primary policy jurisdiction over energy and environmental issues proposed legislation the commissioners determine appropriate to achieve the reductions. If the commissioners determine no legislation is appropriate, they shall report that determination to the chairs along with an explanation of the determination.

Sec. 3. **[216H.10] DEFINITIONS.**

Subdivision 1. **Applicability.** For purposes of sections 216H.10 to 216H.15, the following terms have the meanings given.

Subd. 2. **Agency.** "Agency" means the Pollution Control Agency.

Subd. 3. **Carbon dioxide equivalent.** "Carbon dioxide equivalent" means the quantity of carbon dioxide that has the same global warming potential as a given amount of another greenhouse gas.

Subd. 4. **Commissioner.** "Commissioner" means the commissioner of the Pollution Control Agency.

Subd. 5. **Global warming.** "Global warming" means the observed and predicted increase in the temperature of the atmosphere near the earth's surface and the oceans.

Subd. 6. **Global warming potential or GWP.** "Global warming potential" or "GWP" means a quantitative measure of the potential of an emission of a greenhouse gas to contribute to global warming over a 100-year period expressed in terms of the equivalent emission of carbon dioxide needed to produce the same 100-year warming effect, as reported in Fourth Assessment Report: Climate Change 2007, International Panel on Climate Change.

Subd. 7. **High-GWP greenhouse gas.** "High-GWP greenhouse gas" means hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

Subd. 8. **Mobile air conditioner.** "Mobile air conditioner" means mechanical vapor compression refrigeration equipment used to cool the passenger compartment of a motor vehicle.

Subd. 9. **Motor vehicle.** "Motor vehicle" has the meaning given in section 168.011, subdivision 4.

Subd. 10. **New motor vehicle.** "New motor vehicle" has the meaning given in section 80E.03, subdivision 7.

Subd. 11. **Refrigerant.** "Refrigerant" means a substance used, sold for use, or designed and intended for use in a mobile air conditioner to transfer heat out of the space being cooled.

Sec. 4. **[216H.11] HIGH-GWP GREENHOUSE GAS REPORTING.**

Subdivision 1. **Gas manufacturers.** Beginning October 1, 2008, and each year thereafter, a manufacturer of a high-GWP greenhouse gas must report to the agency the total amount of each high-GWP greenhouse gas sold to a purchaser in this state during the previous year.

Subd. 2. **Purchases.** Beginning October 1, 2008, and each year thereafter, a person in this state who purchases 100 metric tons or more carbon dioxide equivalent of a high-GWP greenhouse gas must report to the agency, on a form prescribed by the commissioner, the total amount of each high-GWP greenhouse gas purchased during the previous year and the purpose for which the gas was used.

Subd. 3. **Acceptance of federal filing.** With the approval of the commissioner, this section may be satisfied by filing with the commissioner a copy of a greenhouse gas emissions report filed with a federal agency.

Sec. 5. **[216H.12] MOBILE AIR CONDITIONER LEAKAGE RATES; DISCLOSURE.**

Subdivision 1. **Leakage disclosure.** Beginning January 1, 2009, a manufacturer selling or offering for sale a new motor vehicle in this state containing a mobile air conditioner that uses the high-GWP greenhouse gas HFC-134a (1,1,1,2-tetrafluoroethane) as a refrigerant must, 90 days prior to the initial sale or offer for sale, report to the commissioner the leakage rate, in grams of refrigerant per year, for the type of mobile air conditioner contained in that make, model, and model year. The leakage rate must be calculated using the information provided in the most recently published version of the Society of Automotive Engineers International document J2727, "HFC-134a Mobile Air Conditioning System Emission Chart." The method by which the leakage rate is calculated, accounting for each component of the air conditioning unit, must also be reported to the commissioner.

Subd. 2. **Posting.** Beginning January 1, 2009, the agency and the Office of the Attorney General must post on their Web sites:

(1) the leakage rate disclosed by a manufacturer under subdivision 1 for each model and make of new motor vehicle sold or offered for sale in this state; and

(2) the following statement: "Vehicle air conditioning systems can leak refrigerants that contribute to global warming. Some leak more than others. You can use the information provided in the chart to compare information about the global warming effects of refrigerant leakage from different makes and models when making a decision to purchase a vehicle."

Sec. 6. **[216H.14] MOBILE AIR CONDITIONER REFRIGERANT; RESTRICTION.**

After July 1, 2008, no person may buy or sell a refrigerant designed to be used in a mobile air conditioner in a container holding less than 15 pounds of refrigerant.

Sec. 7. **[216H.15] ENFORCEMENT.**

Sections 216H.10 to 216H.14 may be enforced under sections 115.071 and 116.072.

Sec. 8. **REPORT.**

By February 1, 2009, the commissioner of the Pollution Control Agency shall submit a report to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over environmental policy that identifies the uses and emissions sources of hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride in this state and suggests options for reducing or eliminating those uses and emissions and the costs of implementing those options.

Sec. 9. **EFFECTIVE DATE.**

Sections 1 to 8 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to environment; requiring reporting of emissions or leakage of greenhouse gases with high global warming potential; prohibiting sale of certain refrigerants; requiring reports on reducing greenhouse gas emissions; amending Minnesota Statutes 2006, section 115.071, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 216H.

With the recommendation that when so amended the bill pass.

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 3669, A bill for an act relating to energy; creating program for government energy conservation investments; amending Minnesota Statutes 2006, section 216C.09; proposing coding for new law in Minnesota Statutes, chapter 216C; repealing Laws 2007, chapter 57, article 2, section 30.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[16B.321] DEFINITIONS.**

Subdivision 1. **Scope.** For the purpose of this section and section 16B.322, the terms defined in this section have the meanings given them.

Subd. 2. **Energy improvement project.** "Energy improvement project" means:

(1) a project to improve energy efficiency in a building or facility, including the design, acquisition, installation, construction, and commissioning of equipment or improvements to a building or facility owned or operated by a state agency, and training of building or facility staff necessary to properly operate and maintain the equipment or improvements; or

(2) a project to design, acquire, install, construct, and commission equipment or products to utilize solar, wind, geothermal, biomass, or other alternative energy sources in heating, cooling, or providing electricity for a building or facility owned or operated by a state agency and training of building or facility staff necessary to properly operate and maintain the equipment or improvements.

Subd. 3. **Energy project study.** "Energy project study" means a technical and financial study of one or more energy improvement projects, including:

- (1) an analysis of historical energy consumption and cost data;
- (2) a description of existing equipment, structural elements, operating characteristics, and other conditions affecting energy use;
- (3) a description of the proposed energy improvement projects;
- (4) a detailed budget for the proposed project; and
- (5) calculations sufficient to demonstrate the expected energy and operational cost savings and reduction in fossil-fuel use.

Subd. 4. **Financing agreement.** "Financing agreement" means a tax-exempt lease-purchase agreement entered into by the commissioner of administration and a financial institution under a standard project financing agreement offered under section 16B.322, subdivision 4.

Subd. 5. **State agency.** "State agency" means any state officer, employee, board, commission, authority, department, or other agency of the executive branch of state government.

Sec. 2. [16B.322] ENERGY IMPROVEMENT FINANCING PROGRAM FOR STATE GOVERNMENT.

Subdivision 1. **Commissioner's authority and duties; state agency authority.** The commissioner shall administer this section. A state agency may enter into contracts for the purposes of this section with the commissioner and participating financial institutions. All technical services and construction contracts must be executed through the appropriate procurement procedure in chapters 16B, 16C, and other applicable law.

Subd. 2. **Program eligibility; voluntary program participation; targeted technical services.** A state agency may elect to participate in the program. The commissioner may prioritize and target technical services offered under subdivision 3 to state agencies with state buildings or facilities that the commissioner determines offer the greatest potential to improve energy efficiency or reduce use of fossil-fuel energy.

Subd. 3. **Target technical services.** The commissioner may require full or partial reimbursement of costs for technical services provided to a state agency, subject to terms and conditions specified and agreed to by contract prior to the delivery of technical services. The commissioner of commerce may transfer up to \$1,000,000 of the appropriation in Laws 1988, chapter 686, article 1, section 38, to the commissioner of administration for the purposes of this section.

Subd. 4. **Financing agreement.** The commissioner shall solicit proposals from private financial institutions and may enter into a financing agreement with one or more financial institutions. The term of the financing agreement must not exceed 15 years from the date of final completion of the energy improvement project. The financing agreement is assignable to the state agency operating or managing the state building or facility improved by the energy improvement project. The proceeds from the financing agreement are appropriated to the commissioner and may be used for the purposes of this section and are available until spent.

Subd. 5. **Qualifying energy improvement projects.** The commissioner may approve an energy improvement project and enter into a financing agreement if the commissioner determines that:

(1) the project and financing agreement have been approved by the governing body or head of the state agency that operates or manages the state building or facility to be improved;

(2) the project is technically and economically feasible;

(3) the state agency that operates or manages the state building or facility has made adequate provision for the operation and maintenance of the project;

(4) if an energy efficiency improvement, the project has a substantial likelihood to result in a positive cash flow in each year the financing agreement is in effect; and

(5) if a renewable energy improvement, the project has a substantial likelihood to reduce use of fossil-fuel energy.

Subd. 6. **Program costs.** Program costs incurred by the commissioner or a state agency that are not reimbursed or paid directly under a financing agreement may be paid with funds made available to the commissioner under section 216C.43, subdivision 10.

Sec. 3. Minnesota Statutes 2007 Supplement, section 216B.241, is amended by adding a subdivision to read:

Subd. 9. **Coordination with utility conservation improvement programs.** The contractor selected by the commissioner in subdivision 2 shall ensure that the local government makes use of all applicable conservation improvement programs provided by utilities providing electric or natural gas service. Consistent with direction from the commissioner, a utility may count the savings resulting from its energy improvement projects under sections 16B.322 and 216C.43 towards the utility's energy-saving goal under section 216B.241, subdivision 1c.

Sec. 4. Minnesota Statutes 2006, section 216C.09, is amended to read:

216C.09 COMMISSIONER DUTIES.

(a) The commissioner shall:

(1) manage the department as the central repository within the state government for the collection of data on energy;

(2) prepare and adopt an emergency allocation plan specifying actions to be taken in the event of an impending serious shortage of energy, or a threat to public health, safety, or welfare;

(3) undertake a continuing assessment of trends in the consumption of all forms of energy and analyze the social, economic, and environmental consequences of these trends;

(4) carry out energy conservation measures as specified by the legislature and recommend to the governor and the legislature additional energy policies and conservation measures as required to meet the objectives of sections 216C.05 to 216C.30;

(5) collect and analyze data relating to present and future demands and resources for all sources of energy;

(6) evaluate policies governing the establishment of rates and prices for energy as related to energy conservation, and other goals and policies of sections 216C.05 to 216C.30, and make recommendations for changes in energy pricing policies and rate schedules;

(7) study the impact and relationship of the state energy policies to international, national, and regional energy policies;

(8) design and implement a state program for the conservation of energy; this program shall include but not be limited to, general commercial, industrial, and residential, and transportation areas; such program shall also provide for the evaluation of energy systems as they relate to lighting, heating, refrigeration, air conditioning, building design and operation, and appliance manufacturing and operation;

(9) inform and educate the public about the sources and uses of energy and the ways in which persons can conserve energy;

(10) dispense funds made available for the purpose of research studies and projects of professional and civic orientation, which are related to either energy conservation, resource recovery, or the development of alternative energy technologies which conserve nonrenewable energy resources while creating minimum environmental impact;

(11) charge other governmental departments and agencies involved in energy-related activities with specific information gathering goals and require that those goals be met;

(12) design a comprehensive program for the development of indigenous energy resources. The program shall include, but not be limited to, providing technical, informational, educational, and financial services and materials to persons, businesses, municipalities, and organizations involved in the development of solar, wind, hydropower, peat, fiber fuels, biomass, and other alternative energy resources. The program shall be evaluated by the alternative energy technical activity; and

(13) dispense loans, grants, or other financial aid from money received from litigation or settlement of alleged violations of federal petroleum-pricing regulations made available to the department for that purpose. ~~The commissioner shall adopt rules under chapter 14 for this purpose.~~

(b) Further, the commissioner may participate fully in hearings before the Public Utilities Commission on matters pertaining to rate design, cost allocation, efficient resource utilization, utility conservation investments, small power production, cogeneration, and other rate issues. The commissioner shall support the policies stated in section 216C.05 and shall prepare and defend testimony proposed to encourage energy conservation improvements as defined in section 216B.241.

Sec. 5. **[216C.42] DEFINITIONS.**

Subdivision 1. Scope. For the purpose of this section and section 216C.43, the terms defined in this section have the meanings given them.

Subd. 2. Energy improvement project. "Energy improvement project" means a project to improve energy efficiency in a building or facility, including the design, acquisition, installation, and commissioning of equipment or improvements to a building or facility, and training of building or facility staff necessary to properly operate and maintain the equipment or improvements.

Subd. 3. Energy project study. "Energy project study" means a technical and financial study of one or more energy improvement projects, including:

(1) an analysis of historical energy consumption and cost data;

(2) a description of existing equipment, structural elements, operating characteristics, and other conditions affecting energy use;

(3) a description of the proposed energy improvement projects;

(4) a detailed budget for the proposed project; and

(5) calculations sufficient to demonstrate the expected energy savings.

Subd. 4. **Financing agreement.** "Financing agreement" means a tax-exempt lease-purchase agreement entered into by a local government and a financial institution under a standard project financing agreement offered under section 216C.43, subdivision 6.

Subd. 5. **Local government.** "Local government" means a Minnesota county, statutory or home rule charter city, town, school district, or any combination of those units operating under an agreement to exercise powers jointly.

Subd. 6. **Program.** "Program" means the energy improvement financing program for local governments authorized by section 216C.43.

Subd. 7. **Supplemental cash flow agreement.** "Supplemental cash flow agreement" means an agreement by the commissioner to lend funds to a local government up to an amount necessary to ensure that the cumulative payments made by the local government under a financing agreement minus the amount loaned by the commissioner do not exceed the actual energy and operating cost savings attributable to the energy improvement project for the term of the supplemental cash flow agreement.

Sec. 6. **[216C.43] ENERGY IMPROVEMENT FINANCING PROGRAM FOR LOCAL GOVERNMENT.**

Subdivision 1. **Commissioner's authority and duties; local government authority.** The commissioner shall administer this section. A local government may enter into contracts for the purposes of this section with the commissioner, the primary contractor, other contracted technical service providers, and participating financial institutions.

Subd. 2. **Program eligibility; voluntary program participation; targeted technical services.** A local government may elect to participate in the program. The commissioner may prioritize and target technical services offered under subdivision 5 to public entities that the commissioner determines offer the greatest potential for cost-effective energy improvement projects.

Subd. 3. **Primary contractor for technical, financial, and program management services.** The commissioner may enter into a contract for the delivery of technical services, financial management, marketing, and administrative services necessary for implementation of the program.

Subd. 4. **Targeted technical services.** The commissioner shall offer technical services to targeted public entities to conduct energy project studies. The commissioner may contract with one or more qualified technical service providers to conduct energy project studies for targeted public entities. The commissioner may require full or partial reimbursement of costs for technical services provided to a local government, subject to terms and conditions specified and agreed to by contract prior to the delivery of technical services. A local government may independently procure technical services to conduct an energy project study, but the energy project study must be reviewed and approved by the commissioner to qualify an energy improvement project for a financing agreement under subdivision 6 or a supplemental cash flow agreement under subdivision 7.

Subd. 5. **Participation of technical service providers statewide.** Program activities must be implemented to encourage statewide participation of engineers, architects, energy auditors, contractors, and other technical service providers. The commissioner may provide training on energy project study requirements and procedures to technical service providers.

Subd. 6. **Standard project financing agreement.** The commissioner shall solicit proposals from private financial institutions and may enter into a standard project financing agreement with one or more financial institutions. A standard project financing agreement must specify terms and conditions uniformly available to all participating public entities for financing to implement energy improvement projects under this section. A local government may choose to finance an energy improvement project by means other than a standard project financing agreement, but a supplemental cash flow agreement under subdivision 7 must not be offered unless the commissioner determines that the other financing means creates no greater potential obligation under a supplemental cash flow agreement than would be created through a standard project financing agreement.

Subd. 7. **Supplemental cash flow agreement.** (a) The commissioner shall offer a supplemental cash flow agreement to a participating local government for qualifying energy improvement projects. The term of a supplemental cash flow agreement may not exceed 15 years. Terms and conditions of a supplemental cash flow agreement must be agreed to by contract prior to a local government entering into a financing agreement.

(b) A supplemental cash flow agreement contract must include, but is not limited to:

- (1) specification of methods and procedures to measure and verify energy cost savings;
- (2) obligations of the local government to operate and maintain the energy improvements;
- (3) procedures to modify the supplemental cash flow agreement if the local government modifies operating characteristics of its building or facility in a manner that adversely affects energy cost savings;
- (4) interest charged on the loan, which may not exceed the interest on the related financial agreement; and
- (5) procedures for resolution of disputes.

Subd. 8. **Qualifying energy improvement projects.** A local government may submit to the commissioner, on a form prescribed by the commissioner, an application for a financing agreement authorization and supplemental cash flow agreement for energy improvement projects. The commissioner shall approve an energy improvement project for a supplemental cash flow agreement and authorize eligibility for a financing agreement if the commissioner determines that:

- (1) the application has been approved by the governing body or agency head of the local government;
- (2) the project is technically and economically feasible;
- (3) the local government has made adequate provision for the operation and maintenance of the project;
- (4) the project has a substantial likelihood to result in a positive cash flow in each year the financing agreement is in effect; and
- (5) adequate funds will be available to the commissioner to fulfill the supplemental cash flow agreement.

Subd. 9. **Program costs.** Program costs incurred by the commissioner or a public entity that are not direct costs to implement energy improvement projects may be paid with program funds appropriated under subdivision 10.

Subd. 10. **Funding; appropriation; receipts.** Petroleum violation escrow funds appropriated to the commissioner by Laws 1988, chapter 686, article 1, section 38, for state energy loan programs for schools, hospitals, and public buildings, and reappropriated by Laws 2007, chapter 57, article 2, section 30, are appropriated to the commissioner for the purposes of this section and are available until spent. The commissioner may transfer up to \$1,000,000 of this appropriation to the commissioner of administration for the purposes of section 16B.322.

Sec. 7. **REPORT; GREEN STAR AWARD EXPANSION.**

The Pollution Control Agency and the Office of Energy Security in the Department of Commerce shall, in collaboration with the clean energy resource teams (CERT's), submit a report by February 2, 2009, to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over energy policy that makes recommendations regarding how to expand eligibility to receive the Green Star award, described in Minnesota Statutes, section 114C.25, to include cities and communities that take action to help meet the state's greenhouse gas emissions reduction goals established in Minnesota Statutes, section 216H.02, subdivision 1. The report must address, at a minimum, the following issues:

(1) the criteria for actions cities and communities must take in order to receive a Green Star award;

(2) what entity or entities would issue the award;

(3) the length of time during which the award may be displayed;

(4) existing state financial and technical assistance available to communities and cities to assist them to reduce greenhouse gas emissions;

(5) sources of additional funding needed to implement the program; and

(6) any other issues that need to be resolved in order to implement the program.

Sec. 8. **REPEALER.**

Laws 2007, chapter 57, article 2, section 30, is repealed.

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

Delete the title and insert:

"A bill for an act relating to energy; creating program for government energy improvement investments; requiring a report; appropriating money; amending Minnesota Statutes 2006, section 216C.09; Minnesota Statutes 2007 Supplement, section 216B.241, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16B; 216C; repealing Laws 2007, chapter 57, article 2, section 30."

With the recommendation that when so amended the bill pass.

The report was adopted.

Carlson from the Committee on Finance to which was referred:

S. F. No. 2402, A bill for an act relating to occupations and professions; modifying provisions governing the Board of Accountancy; amending Minnesota Statutes 2006, sections 13.411, by adding a subdivision; 326A.01, subdivisions 2, 12, 17, by adding a subdivision; 326A.02, subdivisions 1, 3, 4, 5, 6, by adding a subdivision; 326A.03; 326A.04; 326A.05, subdivisions 1, 2, 3, 4; 326A.06; 326A.07; 326A.08, subdivisions 2, 4, 5, 6, 7, 8, 9; 326A.10; 326A.12; 326A.13; 326A.14; repealing Minnesota Statutes 2006, section 326A.05, subdivision 9.

Reported the same back with the recommendation that the first unofficial engrossment pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3493, 3566, 3661 and 3669 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 2402 was read for the second time.

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. 1499, A bill for an act relating to commerce; enacting the Uniform Prudent Management of Institutional Funds Act approved and recommended by the National Conference of Commissioners on Uniform State Laws; proposing coding for new law in Minnesota Statutes, chapter 309; repealing Minnesota Statutes 2006, sections 309.62; 309.63; 309.64; 309.65; 309.66; 309.67; 309.68; 309.69; 309.70; 309.71.

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. 1812, A bill for an act relating to the financing, organization, and operation of state government; providing for programs in education, early childhood education, higher education, environment and natural resources, energy, agriculture, veterans affairs, military affairs, jobs and economic development activities or programs, transportation, public safety, courts, human rights, judiciary, housing, public health, health department,

and human services; modifying certain statutory provisions and laws; providing for certain programs for economic and state affairs; regulating certain activities and practices; regulating abortion funding; fixing and limiting fees; providing for the taxation of certain corporations; authorizing rulemaking, requiring studies and reports; providing civil penalties; making technical corrections; providing for fund transfers; appropriating money or reducing appropriations; amending Minnesota Statutes 2006, sections 3.30, subdivision 1; 3.855, subdivision 3; 3.971, subdivision 2; 10A.071, subdivision 3; 13.32, subdivision 3, by adding a subdivision; 13.461, by adding a subdivision; 13.465, subdivision 8; 13.851, by adding a subdivision; 15A.081, subdivision 8; 15A.0815; 16A.133, subdivision 1; 16B.281, subdivision 3; 16B.282; 16B.283; 16B.284; 16B.287, subdivision 2; 16C.16, subdivision 5; 16E.01, subdivision 3; 16E.03, subdivision 1; 16E.04, subdivision 2; 17.4988, subdivisions 2, 3; 43A.01, subdivision 3; 43A.17, subdivision 9; 84.788, subdivision 3; 84.82, subdivision 2, by adding a subdivision; 84.922, subdivision 2; 84.9256, subdivision 1; 85.011; 85.012, subdivisions 28, 49a; 85.013, subdivision 1; 85.054, subdivision 3, by adding a subdivision; 86B.401, subdivision 2; 88.15, subdivision 2; 89.715; 93.481, by adding a subdivision; 97A.055, subdivision 4b; 97A.141, subdivision 1; 103A.204; 103A.43; 103B.151, subdivision 1; 103G.291, by adding a subdivision; 103G.615, subdivision 2; 116J.423, by adding a subdivision; 116J.8731, subdivision 4; 116L.17, by adding a subdivision; 116U.26; 119A.03, subdivision 1; 120B.131, subdivision 2; 120B.31, as amended; 120B.35, as amended; 120B.36, as amended; 120B.362; 122A.21; 123B.02, subdivision 21; 123B.59, subdivision 1; 123B.62; 124D.04, subdivisions 3, 6, 8, 9; 124D.05, by adding a subdivision; 124D.10, subdivision 20; 124D.385, subdivision 4; 124D.55; 125A.65, by adding a subdivision; 125A.76, by adding a subdivision; 126C.10, subdivision 31, by adding a subdivision; 126C.17, subdivision 9; 126C.21, subdivision 1; 126C.51; 126C.52, subdivision 2, by adding a subdivision; 126C.53; 126C.55; 127A.45, subdivision 16; 136A.101, subdivision 8; 136A.121, subdivision 5; 136F.90, subdivision 1; 141.25, by adding a subdivision; 144.1222, subdivision 1a, by adding subdivisions; 144.1501, subdivision 2; 144.218, subdivision 1; 144.225, subdivision 2; 144.2252; 144.226, subdivision 1; 157.16, as amended; 168.1255, by adding a subdivision; 171.29, subdivision 1; 190.19, subdivision 1, by adding a subdivision; 192.501, by adding subdivisions; 197.585, subdivision 5; 216C.41, subdivision 4; 253B.045, subdivisions 1, 2, by adding a subdivision; 253B.185, subdivision 5; 256.01, by adding a subdivision; 256.741, subdivisions 2, 2a, 3; 256.969, subdivisions 2b, 20; 256B.0571, subdivisions 8, 9; 256B.0621, subdivisions 2, 6, 10; 256B.0917, subdivision 8; 256B.0924, subdivisions 4, 6; 256B.19, subdivision 1d; 256B.431, subdivision 23; 256B.69, subdivisions 5a, 6, by adding subdivisions; 256B.692, by adding a subdivision; 256D.44, subdivisions 2, 5; 256L.12, subdivision 9; 259.89, subdivision 1; 260C.317, subdivision 4; 268.125, subdivisions 1, 2, by adding a subdivision; 290.01, subdivisions 5, 19c, as amended, 19d, as amended, by adding a subdivision; 290.17, subdivision 4; 298.2214, subdivisions 1, 2, as amended; 298.223, subdivision 2; 298.28, subdivisions 9b, 9d, as added; 298.292, subdivision 2, as amended; 298.2961, subdivision 2; 341.21, as amended; 341.23; 341.26; 341.28, as amended; 341.29; 341.30; 341.32, as amended; 341.33; 341.34, subdivision 1; 341.35; 341.37; 349A.02, subdivision 1; 446A.12, subdivision 1; 462A.22, subdivision 1; 473.1565, subdivision 3; 518A.50; 518A.53, subdivision 5; 609.531, subdivision 1; Minnesota Statutes 2007 Supplement, sections 3.922, by adding a subdivision; 10A.01, subdivision 35; 16B.328, by adding a subdivision; 80A.28, subdivision 1; 84.8205, subdivision 1; 103G.291, subdivision 3; 116J.575, subdivision 1a; 116L.17, subdivision 1; 120B.021, subdivision 1; 120B.024; 120B.30; 123B.143, subdivision 1; 124D.531, subdivision 1; 126C.21, subdivision 3; 126C.44; 136A.121, subdivision 7a; 136A.126; 136A.127; 136A.128, by adding a subdivision; 136A.65, subdivisions 1, 3, 5, 6, 7; 136A.66; 136A.67; 136A.69; 136F.02, subdivision 1; 136F.03, subdivision 4; 141.25, subdivision 5; 141.28, subdivision 1; 141.35; 144.4167, by adding a subdivision; 190.19, subdivision 2; 214.04, subdivision 3; 216C.052, subdivision 2; 216C.41, subdivision 3; 253B.185, subdivision 1b; 256.741, subdivision 1; 256B.0625, subdivision 20; 256B.0631, subdivisions 1, 3; 256B.199; 256B.434, subdivision 19; 256B.441, subdivisions 1, 55, 56; 256J.621; 268.047, subdivisions 1, 2; 268.085, subdivisions 3, 9, 16; 268.125, subdivision 3; 298.227; 341.22; 341.25; 341.27; 341.321; 446A.072, subdivisions 3, 5a; 446A.086; Laws 1999, chapter 223, article 2, section 72; Laws 2006, chapter 282, article 2, section 27, subdivision 4; Laws 2007, chapter 45, article 2, section 1; Laws 2007, chapter 54, article 1, section 11; Laws 2007, chapter 57, article 1, section 4, subdivisions 3, 4, 6; Laws 2007, chapter 135, article 1, section 3, subdivisions 2, 3; Laws 2007, chapter 144, article 1, sections 3, subdivisions 2, 18; 5, subdivisions 2, 5; Laws 2007, chapter 146, article 1, section 24, subdivisions 2, 3, 4, 5, 6, 7, 8; article 2, section 46, subdivisions 2, 3, 4, 6, 9, 13; article 3, sections 23, subdivision 2; 24, subdivisions 3, 4, 9; article 4, section 16, subdivisions 2, 3, 6, 8; article 5, section 13, subdivisions 2, 3, 4, 5; article 7, section 4; article 9, section 17, subdivisions 2, 3, 4, 8, 9, 13; Laws 2007, chapter 147, article 2, section 21; article 19, section 3, subdivisions 1, 4; Laws 2007, chapter 148,

article 1, sections 7; 12, subdivision 4; Laws 2007, First Special Session chapter 2, article 1, section 11, subdivisions 1, 2, 6; Laws 2008, chapter 152, article 1, section 6, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 5; 13B; 16A; 43A; 115A; 116J; 120B; 121A; 124D; 127A; 136F; 144; 192; 256B; 268; 325F; 341; 446A; repealing Minnesota Statutes 2006, sections 16B.281, subdivisions 2, 4, 5; 16B.285; 84.961, subdivision 4; 85.013, subdivision 21b; 97A.141, subdivision 2; 121A.67; 125A.16; 125A.19; 125A.20; 125A.57; 168.123, subdivision 2a; 256.741, subdivision 15; 256J.24, subdivision 6; 259.83, subdivision 3; 259.89, subdivisions 2, 3, 4, 5; 290.01, subdivision 6b; 298.28, subdivision 9a; 341.31; 645.44, subdivision 19; Minnesota Statutes 2007 Supplement, section 256.969, subdivision 27; Laws 1989, chapter 335, article 1, section 21, subdivision 8, as amended; Laws 2004, chapter 188, section 2; Laws 2006, chapter 263, article 3, section 16; Laws 2007, First Special Session chapter 2, article 1, section 11, subdivisions 3, 4.

COLLEEN J. PACHECO, Second Assistant Secretary of the Senate

Carlson moved that the House refuse to concur in the Senate amendments to H. F. No. 1812, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses.

A roll call was requested and properly seconded.

The question was taken on the Carlson motion and the roll was called. There were 85 yeas and 45 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	DeLaForest	Finstad	Howes	Paulsen	Smith
Anderson, S.	Demmer	Garofalo	Kohls	Peppin	Urdahl
Beard	Dettmer	Gottwalt	Lanning	Peterson, N.	Wardlow
Berns	Drazkowski	Gunther	Magnus	Ruth	Westrom
Brod	Eastlund	Hackbarth	McFarlane	Seifert	Zellers
Buesgens	Emmer	Hamilton	McNamara	Severson	
Cornish	Erhardt	Heidgerken	Nornes	Shimanski	
Dean	Erickson	Hoppe	Olson	Simpson	

The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1812:

Carlson; Murphy, M.; Wagenius; Rukavina and Ozment.

CALENDAR FOR THE DAY

H. F. No. 3172 was reported to the House.

Buesgens moved to amend H. F. No. 3172, the first engrossment, as follows:

Page 7, after line 6, insert:

"Sec. 14. Minnesota Statutes 2006, section 410.10, subdivision 4, is amended to read:

Subd. 4. **Rejection; later proposals.** If any charter so submitted be rejected the charter commission ~~may~~ must ~~not propose others from time to time until one is adopted~~ another for at least three years from the date of the election at which the proposed charter was rejected."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Buesgens amendment and the roll was called. There were 39 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Cornish	Erickson	Heidgerken	Paulsen	Tschumper
Anderson, S.	Dean	Finstad	Holberg	Peppin	Wardlow
Beard	DeLaForest	Garofalo	Hoppe	Seifert	Westrom
Berns	Dettmer	Gottwalt	Kohls	Severson	Zellers
Brod	Drazkowski	Gunther	Magnus	Shimanski	
Buesgens	Eastlund	Hackbarth	Olson	Simpson	
Bunn	Emmer	Hamilton	Ozment	Smith	

Those who voted in the negative were:

Abeler	Bly	Davnie	Doty	Gardner	Hilty
Anzenc	Brown	Demmer	Eken	Greiling	Hornstein
Atkins	Brynaert	Dill	Erhardt	Hansen	Hortman
Benson	Carlson	Dittrich	Faust	Hausman	Hosch
Bigham	Clark	Dominguez	Fritz	Haws	Howes

Huntley	Lesch	McNamara	Paymar	Sertich	Wagenius
Jaros	Liebling	Morgan	Pelowski	Simon	Ward
Johnson	Lieder	Morrow	Peterson, A.	Slawik	Welti
Juhnke	Lillie	Mullery	Peterson, N.	Slocum	Winkler
Kahn	Loeffler	Murphy, E.	Peterson, S.	Solberg	Wollschlager
Kalin	Madore	Murphy, M.	Poppe	Swails	Spk. Kelliher
Knuth	Mahoney	Nelson	Rukavina	Thao	
Koenen	Mariani	Nornes	Ruth	Thissen	
Laine	Marquart	Norton	Ruud	Tillberry	
Lanning	Masin	Olin	Sailer	Tingelstad	
Lenczewski	McFarlane	Otremba	Scalze	Urdahl	

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

Gottwalt and Drazkowski offered an amendment to H. F. No. 3172, the first engrossment.

POINT OF ORDER

Pelowski raised a point of order pursuant to rule 3.21 that the Gottwalt and Drazkowski amendment was not in order. The Speaker ruled the point of order well taken and the Gottwalt and Drazkowski amendment out of order.

Urdahl offered an amendment to H. F. No. 3172, the first engrossment.

POINT OF ORDER

Pelowski raised a point of order pursuant to rule 3.21 that the Urdahl amendment was not in order. The Speaker ruled the point of order well taken and the Urdahl amendment out of order.

H. F. No. 3172, A bill for an act relating to elections; changing certain ballot delivery, election judge, mail election, special election and special primary, school district election, and postelection review procedures; authorizing continued use of certain applications; amending Minnesota Statutes 2006, sections 203B.06, subdivision 3; 203B.11, subdivision 4; 204B.21; 204B.46; 204D.19, subdivision 2; 204D.23, subdivision 2; 204D.27, by adding a subdivision; 205.075, by adding a subdivision; 205A.03, subdivision 1; 205A.06, subdivision 1a; 205A.10, subdivision 2; 205A.12, by adding a subdivision; 206.89, subdivision 5.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Benson	Brynaert	Davnie	Dittrich	Emmer
Anderson, B.	Berns	Buesgens	Dean	Dominguez	Erhardt
Anderson, S.	Bigham	Bunn	DeLaForest	Doty	Erickson
Anzels	Bly	Carlson	Demmer	Drazkowski	Faust
Atkins	Brod	Clark	Dettmer	Eastlund	Finstad
Beard	Brown	Cornish	Dill	Eken	Fritz

Gardner	Hortman	Liebling	Murphy, M.	Rukavina	Thao
Garofalo	Hosch	Lieder	Nelson	Ruth	Thissen
Gottwalt	Howes	Lillie	Nornes	Ruud	Tillberry
Greiling	Huntley	Loeffler	Norton	Sailer	Tingelstad
Gunther	Jaros	Madore	Olin	Scalze	Tschumper
Hackbarth	Johnson	Magnus	Olson	Seifert	Urdahl
Hamilton	Juhnke	Mahoney	Otremba	Sertich	Wagenius
Hansen	Kahn	Mariani	Ozment	Severson	Ward
Hausman	Kalin	Marquart	Paulsen	Shimanski	Wardlow
Haws	Knuth	Masin	Paymar	Simon	Welti
Heidgerken	Koenen	McFarlane	Pelowski	Simpson	Westrom
Hilstrom	Kohls	McNamara	Peppin	Slawik	Winkler
Hilty	Laine	Morgan	Peterson, A.	Slocum	Wollschlager
Holberg	Lanning	Morrow	Peterson, N.	Smith	Zellers
Hoppe	Lenczewski	Mullery	Peterson, S.	Solberg	Spk. Kelliher
Hornstein	Lesch	Murphy, E.	Poppe	Swails	

The bill was passed and its title agreed to.

H. F. No. 3066, A bill for an act relating to elections; providing for the establishment of precinct caucus dates by the appropriate political party; requiring notice to the secretary of state; amending Minnesota Statutes 2006, sections 202A.14, subdivision 1; 202A.15, subdivision 1.

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 127 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B. Buesgens Kalin Olson

The bill was passed and its title agreed to.

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

There being no objection, the order of business reverted to Messages from the Senate.

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, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3220, A bill for an act relating to local government; authorizing political subdivisions to make grants to nonprofit organizations; proposing coding for new law in Minnesota Statutes, chapter 471.

COLLEEN J. PACHECO, Second Assistant Secretary of the Senate

Davnie moved that the House refuse to concur in the Senate amendments to H. F. No. 3220, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

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. 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.

COLLEEN J. PACHECO, Second Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Murphy, E., moved that the House concur in the Senate amendments to H. F. No. 3708 and that the bill be repassed as amended by the Senate. The motion prevailed.

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; providing for county standards for transporting a dead body; 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; 149A.01, subdivision 4; 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 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Madam Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1812, A bill for an act relating to the financing, organization, and operation of state government; providing for programs in education, early childhood education, higher education, environment and natural resources, energy, agriculture, veterans affairs, military affairs, jobs and economic development activities or programs, transportation, public safety, courts, human rights, judiciary, housing, public health, health department, and human services; modifying certain statutory provisions and laws; providing for certain programs for economic and state affairs; regulating certain activities and practices; regulating abortion funding; fixing and limiting fees; providing for the taxation of certain corporations; authorizing rulemaking, requiring studies and reports; providing civil penalties; making technical corrections; providing for fund transfers; appropriating money or reducing appropriations; amending Minnesota Statutes 2006, sections 3.30, subdivision 1; 3.855, subdivision 3; 3.971, subdivision 2; 10A.071, subdivision 3; 13.32, subdivision 3, by adding a subdivision; 13.461, by adding a subdivision; 13.465, subdivision 8; 13.851, by adding a subdivision; 15A.081, subdivision 8; 15A.0815; 16A.133, subdivision 1; 16B.281, subdivision 3; 16B.282; 16B.283; 16B.284; 16B.287, subdivision 2; 16C.16, subdivision 5; 16E.01, subdivision 3; 16E.03, subdivision 1; 16E.04, subdivision 2; 17.4988, subdivisions 2, 3; 43A.01, subdivision 3; 43A.17, subdivision 9; 84.788, subdivision 3; 84.82, subdivision 2, by adding a subdivision; 84.922, subdivision 2; 84.9256, subdivision 1; 85.011; 85.012, subdivisions 28, 49a; 85.013, subdivision 1; 85.054, subdivision 3, by adding a subdivision; 86B.401, subdivision 2; 88.15, subdivision 2; 89.715; 93.481, by adding a subdivision; 97A.055, subdivision 4b; 97A.141, subdivision 1; 103A.204; 103A.43; 103B.151, subdivision 1; 103G.291, by adding a subdivision; 103G.615, subdivision 2; 116J.423, by adding a subdivision; 116J.8731, subdivision 4; 116L.17, by adding a subdivision; 116U.26; 119A.03, subdivision 1; 120B.131, subdivision 2; 120B.31, as amended; 120B.35, as amended; 120B.36, as amended; 120B.362; 122A.21; 123B.02, subdivision 21; 123B.59, subdivision 1; 123B.62; 124D.04, subdivisions 3, 6, 8, 9; 124D.05, by adding a subdivision; 124D.10, subdivision 20; 124D.385, subdivision 4; 124D.55; 125A.65, by adding a subdivision; 125A.76, by adding a subdivision; 126C.10, subdivision 31, by adding a subdivision; 126C.17, subdivision 9; 126C.21, subdivision 1; 126C.51; 126C.52, subdivision 2, by adding a subdivision; 126C.53; 126C.55; 127A.45, subdivision 16; 136A.101, subdivision 8; 136A.121, subdivision 5; 136F.90, subdivision 1; 141.25, by adding a subdivision; 144.1222, subdivision 1a, by adding subdivisions; 144.1501, subdivision 2; 144.218, subdivision 1; 144.225, subdivision 2; 144.2252; 144.226, subdivision 1; 157.16, as amended; 168.1255, by adding a subdivision; 171.29, subdivision 1; 190.19, subdivision 1, by adding a subdivision; 192.501, by adding subdivisions; 197.585, subdivision 5; 216C.41, subdivision 4; 253B.045, subdivisions 1, 2, by adding a subdivision; 253B.185, subdivision 5; 256.01, by adding a subdivision; 256.741, subdivisions 2, 2a, 3; 256.969, subdivisions 2b, 20; 256B.0571, subdivisions 8, 9; 256B.0621, subdivisions 2, 6, 10; 256B.0917, subdivision 8; 256B.0924, subdivisions 4, 6; 256B.19, subdivision 1d; 256B.431, subdivision 23; 256B.69, subdivisions 5a, 6, by adding subdivisions; 256B.692, by adding a subdivision; 256D.44, subdivisions 2, 5; 256L.12, subdivision 9; 259.89, subdivision 1; 260C.317, subdivision 4; 268.125, subdivisions 1, 2, by adding a subdivision; 290.01, subdivisions 5, 19c, as amended, 19d, as amended, by adding a subdivision; 290.17, subdivision 4; 298.2214, subdivisions 1, 2, as amended; 298.223, subdivision 2; 298.28, subdivisions 9b, 9d, as added; 298.292, subdivision 2, as amended; 298.2961, subdivision 2; 341.21, as amended; 341.23; 341.26; 341.28, as amended; 341.29; 341.30; 341.32, as amended; 341.33; 341.34, subdivision 1; 341.35; 341.37; 349A.02, subdivision 1; 446A.12, subdivision 1; 462A.22, subdivision 1; 473.1565, subdivision 3; 518A.50; 518A.53, subdivision 5; 609.531, subdivision 1; Minnesota Statutes 2007 Supplement, sections 3.922, by adding a subdivision; 10A.01, subdivision 35; 16B.328, by adding a subdivision; 80A.28, subdivision 1; 84.8205, subdivision 1; 103G.291, subdivision 3; 116J.575, subdivision 1a; 116L.17, subdivision 1; 120B.021, subdivision 1; 120B.024; 120B.30; 123B.143, subdivision 1; 124D.531, subdivision 1; 126C.21, subdivision 3; 126C.44; 136A.121, subdivision 7a; 136A.126; 136A.127; 136A.128, by adding a subdivision; 136A.65, subdivisions 1, 3, 5, 6, 7; 136A.66; 136A.67; 136A.69; 136F.02, subdivision 1; 136F.03, subdivision 4; 141.25, subdivision 5; 141.28, subdivision 1; 141.35; 144.4167, by adding a subdivision; 190.19, subdivision 2; 214.04, subdivision 3; 216C.052, subdivision 2; 216C.41, subdivision 3; 253B.185, subdivision 1b; 256.741, subdivision 1; 256B.0625, subdivision 20; 256B.0631, subdivisions 1, 3; 256B.199; 256B.434, subdivision 19; 256B.441, subdivisions 1, 55, 56; 256J.621; 268.047, subdivisions 1, 2; 268.085, subdivisions 3, 9, 16; 268.125, subdivision 3; 298.227; 341.22; 341.25; 341.27; 341.321; 446A.072, subdivisions 3, 5a; 446A.086; Laws 1999, chapter 223, article 2, section 72; Laws 2006, chapter 282, article 2, section 27, subdivision 4; Laws 2007, chapter 45, article 2, section 1; Laws 2007, chapter 54, article 1, section 11; Laws 2007, chapter 57, article 1, section 4, subdivisions 3, 4, 6; Laws 2007, chapter 135, article 1, section 3, subdivisions 2, 3; Laws 2007, chapter 144, article 1, sections 3, subdivisions 2, 18; 5, subdivisions 2, 5;

Laws 2007, chapter 146, article 1, section 24, subdivisions 2, 3, 4, 5, 6, 7, 8; article 2, section 46, subdivisions 2, 3, 4, 6, 9, 13; article 3, sections 23, subdivision 2; 24, subdivisions 3, 4, 9; article 4, section 16, subdivisions 2, 3, 6, 8; article 5, section 13, subdivisions 2, 3, 4, 5; article 7, section 4; article 9, section 17, subdivisions 2, 3, 4, 8, 9, 13; Laws 2007, chapter 147, article 2, section 21; article 19, section 3, subdivisions 1, 4; Laws 2007, chapter 148, article 1, sections 7; 12, subdivision 4; Laws 2007, First Special Session chapter 2, article 1, section 11, subdivisions 1, 2, 6; Laws 2008, chapter 152, article 1, section 6, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 5; 13B; 16A; 43A; 115A; 116J; 120B; 121A; 124D; 127A; 136F; 144; 192; 256B; 268; 325F; 341; 446A; repealing Minnesota Statutes 2006, sections 16B.281, subdivisions 2, 4, 5; 16B.285; 84.961, subdivision 4; 85.013, subdivision 21b; 97A.141, subdivision 2; 121A.67; 125A.16; 125A.19; 125A.20; 125A.57; 168.123, subdivision 2a; 256.741, subdivision 15; 256J.24, subdivision 6; 259.83, subdivision 3; 259.89, subdivisions 2, 3, 4, 5; 290.01, subdivision 6b; 298.28, subdivision 9a; 341.31; 645.44, subdivision 19; Minnesota Statutes 2007 Supplement, section 256.969, subdivision 27; Laws 1989, chapter 335, article 1, section 21, subdivision 8, as amended; Laws 2004, chapter 188, section 2; Laws 2006, chapter 263, article 3, section 16; Laws 2007, First Special Session chapter 2, article 1, section 11, subdivisions 3, 4.

The Senate has appointed as such committee:

Senators Cohen, Tomassoni, Frederickson, Betzold and Higgins.

Said House File is herewith returned to the House.

COLLEEN J. PACHECO, Second Assistant Secretary of the Senate

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3220:

Davnie, Marquart and Lanning.

MOTIONS AND RESOLUTIONS

Carlson moved that the name of Solberg be added as an author on H. F. No. 1812. The motion prevailed.

Pelowski moved that the name of Beard be added as an author on H. F. No. 2007. The motion prevailed.

Brod moved that the name of Shimanski be added as an author on H. F. No. 2172. The motion prevailed.

Atkins moved that the name of Paulsen be added as an author on H. F. No. 2720. The motion prevailed.

Brod moved that her name be stricken as an author on H. F. No. 3172. The motion prevailed.

Hosch moved that the name of Moe be added as an author on H. F. No. 3795. The motion prevailed.

Moe moved that the names of Nornes, Simpson, Westrom, Howes, Berns, Shimanski, Hamilton, Emmer, Severson, Erickson, Lanning and Zellers be added as authors on H. F. No. 3935. The motion prevailed.

Bigham moved that the name of Murphy, E., be added as an author on H. F. No. 4145. The motion prevailed.

Dill moved that the name of Rukavina be added as an author on H. F. No. 4150. The motion prevailed.

MOTION TO SUSPEND RULES

Seifert moved that the rules of the House be so far suspended that H. F. No. 2522 be recalled from the Committee on Health and Human Services, be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Seifert motion and the roll was called. There were 43 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Abeler	DeLaForest	Finstad	Lanning	Ruth	Wardlow
Anderson, B.	Demmer	Garofalo	Magnus	Seifert	Westrom
Anderson, S.	Dettmer	Gottwalt	McFarlane	Severson	Zellers
Beard	Drazkowski	Gunther	McNamara	Shimanski	
Brod	Eastlund	Hackbarth	Nornes	Simpson	
Buesgens	Emmer	Heidgerken	Ozment	Smith	
Cornish	Erhardt	Holberg	Peppin	Tingelstad	
Dean	Erickson	Hoppe	Peterson, N.	Urdahl	

Those who voted in the negative were:

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

The motion did not prevail.

Atkins moved that H. F. No. 3829, now on the General Register, be re-referred to the Committee on Commerce and Labor. The motion prevailed.

Eken moved that S. F. No. 3061 be recalled from the Committee on Finance and be re-referred to the Committee on Ways and Means. The motion prevailed.

Hilty moved that S. F. No. 3337 be recalled from the Committee on Finance and together with H. F. No. 3661, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Solberg announced his intention to place H. F. No. 4023 on the Fiscal Calendar for Thursday, April 10, 2008.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 11:00 a.m., Thursday, April 10, 2008. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Thursday, April 10, 2008.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

