

## STATE OF MINNESOTA

## EIGHTY-FIFTH SESSION — 2007

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 FORTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 16, 2007

The House of Representatives convened at 12:00 noon and was called to order by Al Juhnke, Speaker pro tempore.

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

A quorum was present.

DeLaForest, Erickson, Kelliher and Winkler were excused.

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

**REPORTS OF CHIEF CLERK**

S. F. No. 221 and H. F. No. 287, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

**SUSPENSION OF RULES**

Holberg moved that the rules be so far suspended that S. F. No. 221 be substituted for H. F. No. 287 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 248 and H. F. No. 75, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

**SUSPENSION OF RULES**

Pelowski moved that the rules be so far suspended that S. F. No. 248 be substituted for H. F. No. 75 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 380 and H. F. No. 646, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Dittrich moved that S. F. No. 380 be substituted for H. F. No. 646 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1495 and H. F. No. 1554, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Atkins moved that S. F. No. 1495 be substituted for H. F. No. 1554 and that the House File be indefinitely postponed. The motion prevailed.

**REPORTS OF STANDING COMMITTEES AND DIVISIONS**

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

H. F. No. 829, A bill for an act relating to state government; appropriating money for public safety and corrections initiatives, courts, public defenders, tax court, Uniform Laws Commission and Board on Judicial Standards; providing certain general criminal and sentencing provisions; regulating DWI and driving provisions; modifying or establishing various provisions relating to public safety; regulating corrections, the courts, and emergency communications; regulating scrap metal dealers; modifying certain law enforcement, insurance, and public defense provisions; establishing reduced ignition propensity standards for cigarettes; providing conditional repeals of certain laws; providing penalties; amending Minnesota Statutes 2006, sections 2.722, subdivision 1; 3.732, subdivision 1; 3.736, subdivision 1; 13.87, subdivision 1; 15A.083, subdivision 4; 16A.72; 16B.181, subdivision 2; 16C.23, subdivision 2; 169A.275, by adding a subdivision; 169A.51, subdivision 7; 171.12, by adding a subdivision; 171.55; 241.016, subdivision 1; 241.018; 241.27, subdivisions 1, 2, 3, 4; 241.278; 241.69, subdivisions 3, 4; 243.167, subdivision 1; 244.05, by adding a subdivision; 260C.193, subdivision 6; 270A.03, subdivision 5; 299A.641, subdivision 2; 299C.65, subdivisions 2, 5; 302A.781, by adding a subdivision; 325E.21;

352D.02, subdivision 1; 363A.06, subdivision 1; 383A.08, subdivisions 6, 7; 401.15, subdivision 1; 403.07, subdivision 4; 403.11, subdivision 1, by adding subdivisions; 403.31, subdivision 1; 484.54, subdivision 2; 484.83; 504B.361, subdivision 1; 518.165, subdivisions 1, 2; 518A.35, subdivision 3; 518B.01, subdivisions 6a, 22; 549.09, subdivision 1; 563.01, by adding a subdivision; 590.05; 595.02, subdivision 1; 609.02, subdivision 16; 609.135, subdivision 8, by adding a subdivision; 609.21, subdivisions 1, 4a, 5, by adding subdivisions; 609.341, subdivision 11; 609.344, subdivision 1; 609.345, subdivision 1; 609.3451, subdivision 3; 609.3455, subdivision 4, by adding a subdivision; 609.352; 609.505, subdivision 2; 609.535, subdivision 2a; 609.581, by adding subdivisions; 609.582, subdivision 2; 609.595, subdivisions 1, 2; 609.748, subdivisions 1, 5; 611.14; 611.20, subdivision 6; 611.215, subdivisions 1, 1a; 611.23; 611.24; 611.25, subdivision 1; 611.26, subdivisions 2, 7; 611.27, subdivisions 3, 13, 15; 611.35; 611A.036, subdivisions 2, 7; 611A.675, subdivisions 1, 2, 3, 4, by adding a subdivision; 634.15, subdivisions 1, 2; 641.05; 641.15, by adding a subdivision; 641.265, subdivision 2; Laws 2001, First Special Session chapter 8, article 4, section 4; Laws 2003, First Special Session chapter 2, article 1, section 2; proposing coding for new law in Minnesota Statutes, chapters 72A; 171; 241; 299A; 299F; 357; 484; 504B; 540; 604; 609; 611A; repealing Minnesota Statutes 2006, sections 169.796, subdivision 3; 241.021, subdivision 5; 241.85, subdivision 2; 260B.173; 403.31, subdivision 6; 480.175, subdivision 3; 609.21, subdivisions 2, 2a, 2b, 3, 4; 609.805; 611.20, subdivision 5; Laws 2005, First Special Session chapter 6, article 3, section 91.

Reported the same back with the following amendments:

Page 35, after line 20, insert:

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

Page 37, after line 30, insert:

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

Page 38, after line 26, insert:

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

Page 39, after line 12, insert:

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

Page 98, delete subdivision 4 and insert:

**"Subd. 4. Payment.** To the extent funds are appropriated for the purposes of this section, the commissioner of corrections shall pay to the entity under contract a monthly fee of \$1,600 for each enrollee who (1) had been in the custody of the commissioner of corrections within the preceding year, and (2) is in good standing in the demonstration project."

Page 112, line 8, before the period, insert "and appropriated in fiscal year 2008 and fiscal year 2009 to the fire marshal to implement sections 299F.850 to 299F.858"

With the recommendation that when so amended the bill pass.

The report was adopted.

Lenczewski from the Committee on Taxes to which was referred:

H. F. No. 854, A bill for an act relating to environment; providing for collection, transportation, and recycling of video display devices; providing civil penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115A.

Reported the same back with the recommendation that 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:

S. F. No. 1989, A bill for an act relating to higher education; appropriating money for higher education and related purposes to the Minnesota Office of Higher Education, the Board of Trustees of the Minnesota State Colleges and Universities, the board of Regents of the University of Minnesota, and the Mayo Clinic, with certain conditions; requiring certain studies; making technical changes; eliminating certain report requirements; permitting certain interest rate savings and other agreements; requiring summary statistics in required reports; repealing certain data sharing and collecting requirements; modifying financial aid programs; establishing the Minnesota GI bill program; regulating private higher education institutions; providing penalties; amending Minnesota Statutes 2006, sections 13.322, subdivision 3; 135A.01; 135A.031, subdivisions 1, 7; 135A.034, subdivision 1; 135A.14, subdivision 1; 135A.52, subdivisions 1, 2; 136A.01, subdivision 2; 136A.031, subdivision 5; 136A.0411; 136A.08, subdivision 7; 136A.101, subdivisions 4, 5a; 136A.121, subdivisions 6, 7a, by adding a subdivision; 136A.125, subdivisions 2, 4; 136A.15, subdivisions 1, 6; 136A.16, subdivisions 1, 2, 5, 8, 9, 10, by adding a subdivision; 136A.17, subdivision 1; 136A.1701, subdivisions 1, 2, 5; 136A.233, subdivision 3; 136A.29, subdivision 9; 136A.62, subdivision 3; 136A.63; 136A.65, subdivision 1, by adding a subdivision; 136A.653; 136A.657, subdivisions 1, 2, 3, by adding a subdivision; 136A.66; 136A.67; 136A.68; 136A.69; 136A.71; 136A.861, subdivisions 1, 2, 3, 6; 136F.02, subdivisions 1, 2; 136F.03, subdivision 3; 136F.42, subdivision 1; 136F.58; 136F.70, by adding a subdivision; 136F.71, subdivision 2, by adding a subdivision; 136G.11, subdivision 5; 137.0245, subdivision 4; 137.0246, subdivision 2; 141.21, subdivisions 1a, 5; 141.25, subdivisions 1, 5, 7, 9, 10, 12; 141.255, subdivision 2; 141.265, subdivision 2; 141.271, subdivisions 10, 12; 141.28, subdivision 1; 141.32; 141.35; 197.775, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 135A; 136A; 141; 197; repealing Minnesota Statutes 2006, sections 135A.031, subdivisions 2, 3, 5, 6; 135A.032; 135A.033; 135A.045; 135A.053; 136A.07; 136A.08, subdivision 8; 136A.1702; 136A.61; Laws 2001, First Special Session chapter 1, article 1, sections 3, subdivision 3; 4, subdivision 5.

Reported the same back with the recommendation that 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:

S. F. No. 2089, A bill for an act relating to state government; appropriating money for jobs and economic development purposes; establishing and modifying certain programs; regulating certain activities and practices; providing for accounts, assessments, and fees; modifying provisions governing contractors; requiring studies; amending Minnesota Statutes 2006, sections 13.712, by adding a subdivision; 13.7905, by adding a subdivision; 16B.61, subdivision 1a; 16B.65, subdivisions 1, 5a; 16B.70, subdivision 2; 80A.28, subdivision 1; 116J.551, subdivision 1; 116J.554, subdivision 2; 116J.555, subdivision 1; 116J.575, subdivisions 1, 1a; 116J.966, subdivision

1; 116L.17, subdivision 1; 116L.20, subdivision 1; 116M.18, subdivision 6a; 177.27, subdivisions 1, 4; 268A.01, subdivision 13, by adding a subdivision; 268A.085, subdivision 1; 268A.15, by adding a subdivision; 298.22, subdivision 2; 298.227; 326.242, subdivision 8, by adding a subdivision; 326.2441; 326.37, subdivision 1; 326.38; 326.40, subdivision 1; 326.401, subdivision 2; 326.42, subdivision 1; 326.46; 326.461, by adding a subdivision; 326.47, subdivisions 2, 6; 326.48, subdivisions 1, 2; 326.50; 326.51; 326.52; 326.975, subdivision 1; 326.992; 327.33, subdivisions 2, 6; 327B.04, subdivision 7; 462A.21, subdivision 8b; 462A.33, subdivision 3; 471.471, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 177; 181; 182; 326; proposing coding for new law as Minnesota Statutes, chapters 59C; 326B; repealing Minnesota Statutes 2006, sections 16B.747, subdivision 4; 16C.18, subdivision 2; 181.722; 183.375, subdivision 5; 183.545, subdivision 9; 326.241; 326.44; 326.52; 326.64; 326.975.

Reported the same back with the following amendments to the unofficial engrossment:

Page 1, line 30, delete "AND" and insert a comma and after "DEVELOPMENT" insert ", HOUSING AND MINNESOTA HERITAGE"

Page 20, line 22, delete "Fund; grants" and insert "Grants"

Page 21, line 29, delete everything after the period

Page 21, delete lines 30 and 31

Page 43, after line 20, insert:

"Sec. 30. **[325E.259] CUSTOMER SALES OR SERVICE CALL CENTER REQUIREMENTS.**

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

(1) "Customer sales and service call center" means an entity whose primary purpose includes the initiating or receiving of telephonic communications on behalf of any person for the purpose of initiating telephone solicitations as defined in section 325E.311, subdivision 6.

(2) "Customer service call center" means an entity whose primary purpose includes the initiating or receiving of telephonic communications on behalf of any person for the purposes of providing or receiving services or information necessary in connection with the providing of services or other benefits.

(3) "Customer services employee" means a person employed by or working on behalf of a customer sales call center or a customer service call center.

**Subd. 2. Customers' right to customer sales or customer service call center information.** (a) An individual who is a Minnesota resident who receives a telephone call from, or places a telephone call to, a customer sales call center or a customer service call center, upon request, has the right to know the identification of the state or country where the customer service employee is located.

(b) An individual who is a Minnesota resident who receives a telephone solicitation from, or places a telephone call to, a customer sales call center or a customer service call center located in a foreign country, which requests the Minnesota resident's financial, credit, or identifying information, has the right, upon reaching a customer service representative, to request an alternative option to contact a customer sales or service center located in the United States before the information is given if the alternative option is available.

Subd. 3. **Nonapplicability; business-to-business calls.** The rights granted under this section to an individual who is a Minnesota resident do not apply when the individual who is a Minnesota resident is making or receiving the call on behalf of a business.

Subd. 4. **Violation.** It is fraud under section 325F.69 for a person to willfully violate this section.

Subd. 5. **Application to other remedies.** Nothing in this section changes the remedies currently available under state or federal law or creates additional or new remedies.

**EFFECTIVE DATE.** This section is effective August 1, 2007."

Page 73, delete section 36

Page 75, line 29, reinstate the stricken language and before "board" insert "in consultation with the"

Page 80, line 3, reinstate the stricken language and before "board" insert "in consultation with the"

Page 80, delete section 1 and insert:

"Section 1. **[135A.135] HOCKEY HERITAGE SURCHARGE.**

Subdivision 1. **Imposition.** A surcharge of 25 cents is imposed on each ticket or admission to an NCAA Division I Mens hockey event sponsored or held by or at a public postsecondary institution in the state.

Subd. 2. **Collection, remittance.** The surcharge imposed under this subdivision shall be collected by the public postsecondary institution sponsoring or holding the hockey event. The institution shall report the surcharge on a form prescribed by the commissioner of revenue and remit the surcharge with the return to the commissioner of revenue.

Subd. 3. **Administration.** The commissioner of revenue shall have authority to administer, collect, enforce, refund, and audit the surcharge under this section. Interest on late payments or refunds of the surcharge shall be at the rates specified under section 289A.55, and penalties for failure to file, pay, or underpay the surcharge shall be at the rates provided under section 289A.60, subdivision 1, paragraph (e), and subdivision 2.

Subd. 4. **Deposit of revenues.** The commissioner of revenue shall deposit all revenues, including penalty and interest, derived from the surcharge imposed in this section in the hockey surcharge account in the special revenue fund. The amount deposited under this section is appropriated to the Iron Range Resources and Rehabilitation Board for payment to the city of Eveleth to be used for the support of the Hockey Hall of Fame Museum provided that it continues to operate in the city. Payments under this section for the Hockey Hall of Fame Museum are in addition to and must not be used to supplant funding under section 298.28, subdivision 9c.

**EFFECTIVE DATE.** This section is effective for hockey events held after July 1, 2007."

Page 91, line 23, delete "MISCELLANEOUS" and insert "MINNESOTA HERITAGE"

Page 102, line 6, delete everything after the period

Page 102, delete lines 7 and 8 and insert "The general fund base is reduced by \$1,890,000 each year in fiscal year 2010 and fiscal year 2011."

Renumber the sections in sequence and correct internal references

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "providing penalties;"

Correct the title numbers accordingly

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:

S. F. No. 2096, A bill for an act relating to state government; appropriating money for environmental, natural resources, and energy purposes; establishing and modifying certain programs; modifying rulemaking authority; providing for accounts, assessments, and fees; amending Minnesota Statutes 2006, sections 84.025, subdivision 9; 84.026, subdivision 1; 84.027, by adding a subdivision; 84.0855, subdivisions 1, 2; 84.780; 84.922, subdivisions 1a, 5; 84.927, subdivision 2; 84D.03, subdivision 1; 84D.12, subdivisions 1, 3; 84D.13, subdivision 7; 85.32, subdivision 1; 86B.415, subdivisions 1, 2, 3, 4, 5, 7; 86B.706, subdivision 2; 89A.11; 93.0015, subdivision 3; 97A.045, by adding a subdivision; 97A.055, subdivision 4; 97A.065, by adding a subdivision; 97A.405, subdivision 2; 97A.411, subdivision 1; 97A.451, subdivision 3a; 97A.465, by adding subdivisions; 97A.473, subdivisions 3, 5; 97A.475, subdivisions 3, 7, 11, 12, by adding a subdivision; 97B.601, subdivision 3; 97B.715, subdivision 1; 97B.801; 97C.081, subdivision 3; 97C.355, subdivision 2; 116C.779, subdivision 1; 216B.812, subdivisions 1, 2; 216C.051, subdivision 9; Laws 2003, chapter 128, article 1, section 169; proposing coding for new law in Minnesota Statutes, chapters 84; 84D; 89; 103F; 144; 216B; 216C; 325E; repealing Minnesota Statutes 2006, section 93.2236.

Reported the same back with the following amendments to the unofficial engrossment:

Page 15, delete lines 32 to 35

Page 17, line 3, delete "25,295,000" and insert "25,080,000" and delete "25,405,000" and insert "25,080,000"

Page 17, line 14, delete "\$1,140,000" and insert "\$925,000" and delete "\$1,132,000" and insert "\$825,000"

Page 17, line 17, delete "\$790,000" and insert "\$575,000"

Page 17, line 18, delete "\$882,000" and insert "\$575,000"

Page 23, line 21, delete "7,163,000" and insert "7,113,000" and delete "7,320,000" and insert "7,113,000"

Page 25, delete lines 7 to 14

Adjust totals accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Lenczewski from the Committee on Taxes to which was referred:

S. F. No. 2171, A bill for an act relating to state government; making changes to health and human services programs; modifying health policy; changing licensing provisions; altering provisions for mental and chemical health; modifying child care provisions; amending children and family services provisions; changing continuing care provisions; amending MinnesotaCare; adjusting child care assistance eligibility; establishing family stabilization services; enacting federal compliance requirements; expanding medical assistance coverage; providing rate increases for certain providers; modifying fees; appropriating money for human services, health, veterans nursing homes boards, the Emergency Medical Services Regulatory Board; health care boards, the Council on Disability, the ombudsman for mental health and developmental disabilities, and the ombudsman for families; requiring reports; amending Minnesota Statutes 2006, sections 13.381, by adding a subdivision; 16A.724, subdivision 2, by adding subdivisions; 47.58, subdivision 8; 62E.02, subdivision 7; 62J.07, subdivisions 1, 3; 62J.495; 62J.692, subdivisions 1, 4, 5, 8; 62J.82; 62L.02, subdivision 11; 62Q.165, subdivisions 1, 2; 62Q.80, subdivisions 3, 4, 13, 14, by adding a subdivision; 69.021, subdivision 11; 103I.101, subdivision 6; 103I.208, subdivisions 1, 2; 103I.235, subdivision 1; 119B.011, by adding a subdivision; 119B.035, subdivision 1; 119B.05, subdivision 1; 119B.09, subdivision 1; 119B.12, by adding a subdivision; 119B.13, subdivisions 1, 7; 144.123; 144.125, subdivisions 1, 2; 144.3345; 144D.03, subdivision 1; 148.5194, by adding a subdivision; 148.6445, subdivisions 1, 2; 148C.11, subdivision 1; 149A.52, subdivision 3; 149A.97, subdivision 7; 153A.14, subdivision 4a; 153A.17; 169A.70, subdivision 4; 245.465, by adding a subdivision; 245.4874; 245.771, by adding a subdivision; 245.98, subdivision 2; 245A.035; 245A.10, subdivision 2; 245A.16, subdivisions 1, 3; 245C.02, by adding a subdivision; 245C.04, subdivision 1; 245C.05, subdivisions 1, 4, 5, 7, by adding a subdivision; 245C.08, subdivisions 1, 2; 245C.10, by adding a subdivision; 245C.11, subdivisions 1, 2; 245C.12; 245C.16, subdivision 1; 245C.17, by adding a subdivision; 245C.21, by adding a subdivision; 245C.23, subdivision 2; 246.54, subdivisions 1, 2; 252.27, subdivision 2a; 252.32, subdivision 3; 253B.185, by adding a subdivision; 254B.02, subdivision 3; 256.01, subdivision 2b, by adding subdivisions; 256.482, subdivisions 1, 8; 256.969, subdivisions 3a, 9, 27, by adding a subdivision; 256.975, subdivision 7; 256B.04, subdivision 14, by adding a subdivision; 256B.056, subdivision 10; 256B.0621, subdivision 11; 256B.0622, subdivision 2; 256B.0623, subdivision 5; 256B.0625, subdivisions 17, 18a, 20, 30, by adding subdivisions; 256B.0631, subdivisions 1, 3; 256B.0655, subdivision 8; 256B.0911, subdivisions 1a, 3a, 3b, by adding a subdivision; 256B.0913, by adding a subdivision; 256B.0915, by adding a subdivision; 256B.0943, subdivision 8; 256B.0945, subdivision 4; 256B.095; 256B.0951, subdivision 1; 256B.15, by adding a subdivision; 256B.199; 256B.431, subdivisions 2e, 41; 256B.434, subdivision 4, by adding a subdivision; 256B.437, by adding a subdivision; 256B.441, subdivisions 1, 2, 5, 6, 10, 11, 13, 14, 17, 20, 24, 30, 31, 34, 38, by adding subdivisions; 256B.49, subdivisions 11, 16; 256B.5012, by adding a subdivision; 256B.69, subdivisions 2, 4, 5g, 5h; 256B.75; 256B.76; 256B.763; 256D.03, subdivisions 3, 4; 256I.04, subdivision 3; 256I.05, by adding subdivisions; 256J.01, by adding a subdivision; 256J.02, by adding a subdivision; 256J.021; 256J.08, subdivision 65; 256J.20, subdivision 3; 256J.32, subdivision 6; 256J.425, subdivisions 3, 4; 256J.49, subdivision 13; 256J.521, subdivisions 1, 2; 256J.53, subdivision 2; 256J.55, subdivision 1; 256J.626, subdivisions 1, 2, 3, 4, 5, 6; 256L.01, subdivisions 1, 4; 256L.03, subdivisions 1, 3, 5; 256L.035; 256L.04, subdivisions 1, 1a, 7, 10; 256L.05, subdivisions 1, 1b, 2, 3a; 256L.07, subdivisions 1, 2, 3, 6; 256L.09, subdivision 4; 256L.11, subdivision 7; 256L.12, subdivision 9a; 256L.15, subdivisions 1, 2, 4; 256L.17, subdivisions 2, 3, 7; 259.20, subdivision 2; 259.29, subdivision 1; 259.41; 259.53, subdivision 2; 259.57, subdivision 2; 259.67, subdivision 4; 260C.209; 260C.212, subdivision 2; 462A.05, by adding a subdivision; 518A.56, by adding a subdivision; 609.115, subdivisions 8, 9; Laws 2005, chapter 98, article 3, section 25; Laws 2005, First Special Session chapter 4, article 9, section 3, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 16C; 62J; 144; 145; 149A; 152; 156; 245; 245C; 252; 254A; 256; 256B; 256C; 256J; 256L; repealing Minnesota Statutes 2006, sections 62A.301; 62J.692, subdivision 10; 256B.0631, subdivision 4; 256B.441, subdivisions 12, 16, 21, 26, 28, 42, 45; 256J.24, subdivision 6; 256J.29; 256J.37, subdivisions 3a, 3b; 256J.626, subdivisions 7, 9; 256L.035; 256L.07, subdivision 2a; Laws 2004, chapter 288, article 6, section 27; Minnesota Rules, parts 4610.2800; 9585.0030.

Reported the same back with the following amendments to the unofficial engrossment:

Page 9, line 24, delete "13" and insert "12"

Page 9, line 26, delete "(a)"



Page 9, line 28, delete "subd. 2(a) shall be implemented" and insert "by"

Page 11, line 20, delete "2(a)" and insert "12"

Page 50, line 31, delete "(e)" and insert "(d)"

Page 50, delete line 32

Page 50, line 33, delete "(b)" and insert "(a)"

Page 51, line 3, delete "(c)" and insert "(b)"

Page 51, line 7, delete "(d)" and insert "(c)"

Page 51, line 16, delete "(e)" and insert "(d)"

Page 119, line 20, after "services," insert "and until December 31, 2007," and delete "and child foster care"

Page 120, delete lines 22 to 29

Page 120, line 33, after "services," insert "and until December 31, 2007,"

Page 120, line 34, delete "and child foster care,"

Page 121, line 14, delete "and" and after "services," insert "and until January 1, 2008, family child care"

Page 122, after line 2, insert:

"(e) From January 1, 2008, to December 31, 2009, the commissioner shall conduct a study of an individual required to be studied under section 245C.03, at the time of reapplication for a family child care license. The county shall collect and forward to the commissioner the information required under section 245C.05, subdivisions 1 and 5. The background study conducted by the commissioner under this paragraph must include a review of the information required under section 245C.08, subdivisions 1, paragraph (a), and 3."

Page 122, line 3, delete "(e)" and insert "(f)"

Page 122, line 10, delete "(f)" and insert "(g)"

Page 122, line 14, delete "(g)" and insert "(h)"

Page 122, delete section 7

Page 124, line 13, after the comma, insert "and beginning January 1, 2008, for studies related to family child care,"

Page 124, delete section 10

Page 124, line 28, delete "family child care and" and after "care" insert ", and beginning January 1, 2008, also for family child care"

Page 126, line 9, after "programs" insert "until January 1, 2008"

Page 126, delete section 14

Page 127, line 32, after "and" insert "until January 1, 2008," and strike "homes" and insert "services"

Page 128, delete section 17

Page 131, line 2, after the comma, insert "and beginning January 1, 2008, for family child care,"

Page 131, delete section 24

Page 131, line 15, after the comma, insert "and beginning January 1, 2008, for family child care,"

Page 131, delete section 26

Page 132, line 23, after the comma, insert "and beginning January 1, 2008, for family child care,"

Page 132, delete section 28

Page 145, after line 3, insert:

"Sec. 32. **EFFECTIVE DATE.**

Changes made to sections in this article related to family child care are effective January 1, 2008."

Page 267, line 1, delete "STUDY AND REPORT" and insert "RECOMMENDATIONS"

Page 267, line 2, delete "Study" and insert "Review"

Page 267, line 3, delete "study" and insert "review"

Page 267, line 4, delete "As part of the study,"

Page 267, line 6, delete everything after the period

Page 267, delete lines 7 and 8

Page 267, line 11, delete "Report" and insert "Recommendations"

Page 267, line 12, delete "a report of the"

Page 267, line 13, delete "findings of the study" and insert "recommendations"

Page 267, line 16, delete everything after "services" and insert a period

Page 319, after line 32, insert:

"Sec. 26. Minnesota Statutes 2006, section 144D.03, subdivision 1, is amended to read:

Subdivision 1. **Registration procedures.** The commissioner shall establish forms and procedures for annual registration of housing with services establishments. The commissioner shall charge an annual registration fee of ~~\$35~~ **\$155**. No fee shall be refunded. A registered establishment shall notify the commissioner within 30 days of the date it is no longer required to be registered under this chapter or of any change in the business name or address of the establishment, the name or mailing address of the owner or owners, or the name or mailing address of the managing agent. There shall be no fee for submission of the notice."

Page 322, after line 10, insert:

"Sec. 30. Minnesota Statutes 2006, section 148.6445, subdivision 1, is amended to read:

Subdivision 1. **Initial licensure fee.** The initial licensure fee for occupational therapists is ~~\$180~~ \$145. The initial licensure fee for occupational therapy assistants is ~~\$100~~ \$80. The commissioner shall prorate fees based on the number of quarters remaining in the biennial licensure period.

Sec. 31. Minnesota Statutes 2006, section 148.6445, subdivision 2, is amended to read:

Subd. 2. **Licensure renewal fee.** The biennial licensure renewal fee for occupational therapists is ~~\$180~~ \$145. The biennial licensure renewal fee for occupational therapy assistants is ~~\$100~~ \$80.

Sec. 32. **[148.785] FEES.**

The fees charged by the board are fixed at the following rates:

- (1) application fee for physical therapists and physical therapist assistants, \$100;
- (2) annual licensure for physical therapists and physical therapist assistants, \$60;
- (3) licensure renewal late fee, \$20;
- (4) temporary permit, \$25;
- (5) duplicate license or registration, \$20;
- (6) certification letter, \$25;
- (7) education or training program approval, \$100;
- (8) report creation and generation, \$60 per hour billed in quarter-hour increments with a quarter-hour minimum;  
and
- (9) examination administration:
  - (i) half day, \$50; and
  - (ii) full day, \$80.

Sec. 33. Minnesota Statutes 2006, section 148B.53, subdivision 3, is amended to read:

Subd. 3. **Fee.** Nonrefundable fees are as follows:

- (1) initial license application fee for licensed professional counseling (LPC) - ~~\$250~~ \$150;
- (2) initial license fee for LPC - \$250;
- (3) annual active license renewal fee for LPC - ~~\$200~~ \$250 or equivalent;
- ~~(3)~~ (4) annual inactive license renewal fee for LPC - ~~\$100~~ \$125;
- (5) initial license application fee for licensed professional clinical counseling (LPCC) - \$150;
- (6) initial license fee for LPCC - \$250;

- (7) annual active license renewal fee for LPCC - \$250 or equivalent;
- (8) annual inactive license renewal fee for LPCC - \$125;
- ~~(4)~~ (9) license renewal late fee - \$100 per month or portion thereof;
- ~~(5)~~ (10) copy of board order or stipulation - \$10;
- ~~(6)~~ (11) certificate of good standing or license verification - ~~\$10~~ \$25;
- ~~(7)~~ (12) duplicate certificate fee - ~~\$40~~ \$25;
- ~~(8)~~ (13) professional firm renewal fee - \$25;
- ~~(9)~~ (14) sponsor application for approval of a continuing education course - \$60;
- (15) initial registration fee - \$50; and
- ~~(40)~~ (16) annual registration renewal fee - \$25; and
- (17) approved supervisor application processing fee - \$30.

Sec. 34. Minnesota Statutes 2006, section 149A.52, subdivision 3, is amended to read:

Subd. 3. **Application procedure; documentation; initial inspection.** An applicant for a license to operate a crematory shall submit to the commissioner a completed application. A completed application includes:

- (1) a completed application form, as provided by the commissioner;
- (2) proof of business form and ownership; and
- (3) proof of liability insurance coverage or other financial documentation, as determined by the commissioner, that demonstrates the applicant's ability to respond in damages for liability arising from the ownership, maintenance, management, or operation of a crematory.

Upon receipt of the application and appropriate fee, the commissioner shall review and verify all information. Upon completion of the verification process and resolution of any deficiencies in the application information, the commissioner shall conduct an initial inspection of the premises to be licensed. After the inspection and resolution of any deficiencies found and any reinspections as may be necessary, the commissioner shall make a determination, based on all the information available, to grant or deny licensure. If the commissioner's determination is to grant the license, the applicant shall be notified and the license shall issue and remain valid for a period prescribed on the license, but not to exceed one calendar year from the date of issuance of the license. If the commissioner's determination is to deny the license, the commissioner must notify the applicant, in writing, of the denial and provide the specific reason for denial.

Sec. 35. **[149A.65] FEES.**

Subdivision 1. Generally. This section establishes the fees for registrations, examinations, initial and renewal licenses, and late fees authorized under the provisions of this chapter.

Subd. 2. **Mortuary science fees.** Fees for mortuary science are:

(1) \$50 for the initial and renewal registration of a mortuary science intern;

(2) \$100 for the mortuary science examination;

(3) \$125 for issuance of initial and renewal mortuary science licenses;

(4) \$25 late fee charge for a license renewal; and

(5) \$200 for issuing a mortuary science license by endorsement.

Subd. 3. **Funeral directors.** The license renewal fee for funeral directors is \$125. The late fee charge for a license renewal is \$25.

Subd. 4. **Funeral establishments.** The initial and renewal fee for funeral establishments is \$300. The late fee charge for a license renewal is \$25.

Subd. 5. **Crematories.** The initial and renewal fee for a crematory is \$300. The late fee charge for a license renewal is \$25.

Sec. 36. Minnesota Statutes 2006, section 149A.97, subdivision 7, is amended to read:

Subd. 7. **Reports to commissioner.** Every funeral provider lawfully doing business in Minnesota that accepts funds under subdivision 2 must make a complete annual report to the commissioner. The reports may be on forms provided by the commissioner or substantially similar forms containing, at least, identification and the state of each trust account, including all transactions involving principal and accrued interest, and must be filed by March 31 of the calendar year following the reporting year along with a filing fee of ~~\$15~~ \$25 for each report. Fees shall be paid to the commissioner of finance, state of Minnesota, for deposit in the state government special revenue fund in the state treasury. Reports must be signed by an authorized representative of the funeral provider and notarized under oath. All reports to the commissioner shall be reviewed for account inaccuracies or possible violations of this section. If the commissioner has a reasonable belief to suspect that there are account irregularities or possible violations of this section, the commissioner shall report that belief, in a timely manner, to the state auditor. The commissioner shall also file an annual letter with the state auditor disclosing whether or not any irregularities or possible violations were detected in review of the annual trust fund reports filed by the funeral providers. This letter shall be filed with the state auditor by May 31 of the calendar year following the reporting year.

Sec. 37. Minnesota Statutes 2006, section 153A.17, is amended to read:

#### **153A.17 EXPENSES; FEES.**

The expenses for administering the certification requirements including the complaint handling system for hearing aid dispensers in sections 153A.14 and 153A.15 and the Consumer Information Center under section 153A.18 must be paid from initial application and examination fees, renewal fees, penalties, and fines. All fees are nonrefundable. The initial and annual renewal certificate application fee is ~~\$350~~ \$1,000, the examination fee is ~~\$250~~ \$700 for the written portion and ~~\$250~~ \$700 for the practical portion each time one or the other is taken, and the trainee application fee is \$200. Effective July 1, 2007, a surcharge of \$200 shall be paid at the time of certification application or renewal until June 30, 2011, to recover the commissioner's accumulated direct expenditures for administering the requirements of this chapter. The penalty fee for late submission of a renewal application is \$200. The fee for verification of certification to other jurisdictions or entities is \$25. All fees, penalties, and fines received must be deposited in the state government special revenue fund. The commissioner may prorate the certification fee for new applicants based on the number of quarters remaining in the annual certification period."

Page 324, after line 34, insert:

"(c) Minnesota Rules, part 4610.2800, is repealed."

Page 398, line 19, strike the third "and"

Page 398, after line 19, insert:

"(3) recommendations for encouraging use of innovative health care applications using information technology and systems to improve patient care and reduce the cost of care, including applications relating to disease management and personal health management that enable remote monitoring of patients' conditions, especially those with chronic conditions; and"

Page 398, line 20, strike "(3)" and insert "(4)"

Page 483, delete lines 10 to 19

Page 483, line 20, delete "(e)" and insert "(d)"

Page 483, after line 22, insert:

<u>"Federal TANF</u>	<u>5,461,000</u>	<u>6,980,000"</u>
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Page 483, after line 26, insert:

**"(e) Child Support Enforcement Grants**

<u>General</u>	<u>11,705,000</u>	<u>3,705,000</u>
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**Child Support Enforcement.** \$8,000,000 for fiscal year 2008 is to make grants to counties for child support enforcement programs to make up for the loss under the 2006 federal Deficit Reduction Act of federal matching funds for federal incentive funds passed on to the counties by the state.

This appropriation is available until spent."

Page 486, after line 4, insert:

**"Base Adjustment.** The general fund base is \$1,515,000 for each of fiscal years 2010 and 2011."

Page 492, delete line 8 and insert:

<u>"General</u>	<u>24,625,000</u>	<u>24,125,000</u>
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<u>Federal TANF</u>	<u>1,340,000</u>	<u>1,340,000"</u>
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Page 494, after line 15, insert:

**"Base Adjustment.** The general fund base is \$9,574,000 in each of fiscal years 2010 and 2011."

Page 495, after line 18, insert:

**"Base Adjustment.** The general fund base is decreased by \$22,000 in each of fiscal years 2010 and 2011."

Page 497, delete lines 5 to 34

Page 498, delete lines 1 and 2 and insert:

**"County CADI allocation adjustment.** (1) The commissioner shall adjust 2007 home and community-based allocations under section 256B.49 to qualifying counties that transferred persons to the community alternatives for disabled individuals (CADI) waiver program under Laws 2006, chapter 282, article 20, section 35. The adjustment shall reflect the amount that county-authorized funding for CADI waiver services exceeded the allowable amount as shown in the Medicaid Management Information System (MMIS) on March 1, 2007.

(2) A county that may qualify under paragraph (1) shall apply to the commissioner by June 10, 2007. Following a review of the county request and the MMIS documentation, the commissioner shall adjust the county allocation, as appropriate, by June 25, 2007.

(3) The amounts provided to a county under this section shall become part of the county's base level state allocation for the CADI waiver for the biennium beginning July 1, 2007.

(4) This rider is effective the day following final enactment."

Page 512, after line 28, insert:

<u>"Federal TANF</u>	<u>11,350,000</u>	<u>12,000,000"</u>
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Page 515, line 24, before the period, insert "at the Minnesota Department of Health"

Page 518, after line 4, insert:

**"Hearing Aid Loan Bank.** Of the general fund appropriation, \$70,000 in fiscal year 2008 and \$70,000 in fiscal year 2009 are for the purpose of providing a statewide hearing aid and instrument loan bank to families with children newly diagnosed with hearing loss from birth to the age of ten. This appropriation shall cover the administrative costs of the program.

Medical Home Learning Collaborative. Of the general fund appropriation, \$500,000 in fiscal year 2008 and \$500,000 in fiscal year 2009 are to expand the medical home learning collaborative initiative in collaboration with the commissioner of human services. Services provided under this funding must support a medical home model for children with special health care needs. The collaborative shall report back to the legislature on use of the funds by January 15, 2010. This appropriation shall not become part of the base funding for the 2010-2011 biennium."

Page 520, delete lines 1 to 9

Page 521, delete lines 3 to 14 and 21 to 28

Page 521, delete line 34

Renumber the sections in sequence and correct the internal references

Adjust amounts accordingly

Correct the title numbers accordingly

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. No. 829 was read for the second time.

## **SECOND READING OF SENATE BILLS**

S. F. Nos. 221, 248, 380, 1495 and 2096 were read for the second time.

## **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Westrom, Simpson and Otremba introduced:

H. F. No. 2429, A bill for an act relating to taxation; authorizing Douglas County to impose a sales and use tax.

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



Sertich introduced:

H. F. No. 2430, A bill for an act relating to capital improvements; appropriating money for sewer and water extensions in the city of Hibbing; authorizing the sale and issuance of state bonds.

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

Nornes introduced:

H. F. No. 2431, A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature; authorizing the issuance of state bonds; appropriating money for the Roger Hanson Memorial Trail in Vergas.

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

Abeler introduced:

H. F. No. 2432, A bill for an act relating to health; providing evidence-based health care guidelines; regulating provider performance evaluations; modifying voluntary purchasing pool requirements; requiring mediation therapy management care in certain situations; providing for health promotion and wellness; providing for the review of prior authorization procedures of certain entities; amending Minnesota Statutes 2006, sections 62J.60, by adding a subdivision; 62Q.17; proposing coding for new law in Minnesota Statutes, chapters 62J; 62Q; 145.

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

## **MESSAGES FROM THE SENATE**

The following messages were received from the Senate:

Madam Speaker:

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

H. F. No. 878, A bill for an act relating to agriculture; authorizing the commissioner of agriculture to serve as a consultant to the Board of Animal Health; amending Minnesota Statutes 2006, section 35.02, subdivision 1.

H. F. No. 472, A bill for an act relating to relating to energy; extending eligibility period for certain renewable energy production incentives; amending Laws 2005, chapter 40, section 2, subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

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

S. F. Nos. 1363, 1098, 1396, 1017, 420, 1201, 2034, 69 and 1787.

PATRICK E. FLAHAVEN, Secretary of the Senate

### **FIRST READING OF SENATE BILLS**

S. F. No. 1363, A bill for an act relating to utilities; regulating payment agreements for undercharges; amending Minnesota Statutes 2006, section 216B.098, subdivision 4.

The bill was read for the first time.

Johnson moved that S. F. No. 1363 and H. F. No. 1679, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1098, A bill for an act relating to counties; providing a process for making the Office of County Recorder appointive in Beltrami County.

The bill was read for the first time.

Sailer moved that S. F. No. 1098 and H. F. No. 1193, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1396, A bill for an act relating to municipal planning and zoning; clarifying the determination of fair market value in certain dedication proceedings; amending Minnesota Statutes 2006, section 462.358, subdivision 2b.

The bill was read for the first time.

Hilstrom moved that S. F. No. 1396 and H. F. No. 1629, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1017, A bill for an act relating to local government; increasing charter commission expense limitations for certain cities; amending Minnesota Statutes 2006, section 410.06.

The bill was read for the first time.

Laine moved that S. F. No. 1017 and H. F. No. 1105, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 420, A bill for an act relating to natural resources; providing for pest control measures; requiring approved firewood on land administered by the commissioner of natural resources; amending Minnesota Statutes 2006, section 89.55; proposing coding for new law in Minnesota Statutes, chapter 89.

The bill was read for the first time.

Hansen moved that S. F. No. 420 and H. F. No. 1016, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1201, A bill for an act relating to traffic regulations; increasing single vehicle length limit; amending Minnesota Statutes 2006, section 169.81, subdivision 2.

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

S. F. No. 2034, A bill for an act relating to state government; enhancing utilization of Minnesota Milestones; requiring a report.

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

S. F. No. 69, A bill for an act relating to commerce; prohibiting expiration dates and service fees on gift certificates and gift cards; proposing coding for new law in Minnesota Statutes, chapter 325G.

The bill was read for the first time.

Atkins moved that S. F. No. 69 and H. F. No. 512, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1787, A bill for an act relating to workers' compensation; requiring the commissioner of labor and industry to provide information regarding federal exclusions from state workers' compensation coverage; requiring a report.

The bill was read for the first time.

Poppe moved that S. F. No. 1787 and H. F. No. 1865, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Sertich from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Monday, April 16, 2007:

H. F. Nos. 2135, 1981, 1396, 1872, 1685, 1300 and 1294; and S. F. No. 1236.

**CALENDAR FOR THE DAY**

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

**MOTIONS AND RESOLUTIONS**

Fritz moved that the name of Westrom be added as an author on H. F. No. 313. The motion prevailed.

Otremba moved that the name of Norton be added as an author on H. F. No. 1013. The motion prevailed.

Simon moved that the name of Hosch be added as an author on H. F. No. 1239. The motion prevailed.

Atkins moved that the name of Demmer be added as an author on H. F. No. 1249. The motion prevailed.

Demmer moved that the name of Otremba be added as an author on H. F. No. 2276. The motion prevailed.

**FISCAL CALENDAR ANNOUNCEMENT**

Pursuant to rule 1.22, Solberg announced his intention to place S. F. No. 2096; and H. F. Nos. 2227, 829 and 1048 on the Fiscal Calendar for Tuesday, April 17, 2007.

**ADJOURNMENT**

Sertich moved that when the House adjourns today it adjourn until 12:00 noon, Tuesday, April 17, 2007. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and Speaker pro tempore Juhnke declared the House stands adjourned until 12:00 noon, Tuesday, April 17, 2007.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives